

Appendix A
Notice of Preparation

NOP



CITY OF ENCINITAS

DEVELOPMENT SERVICES DEPARTMENT

Notice of Scoping Meeting and Preparation of a Draft Environmental Impact Report

Date: September 1, 2022

To: State Clearinghouse, Responsible Agencies, Trustee Agencies, Organizations, and Interested Persons

Lead Agency: City of Encinitas, Department of Policy Planning & Housing
505 S. Vulcan Avenue
Encinitas, California 92024
Jennifer Gates, Planning Manager
Phone: (760) 633-2686
Email: jgates@encinitas.gov.

Project Title: Mobility Element Update

Project Location: City-wide. The regional location is shown in Figure 1. The project location and City boundary is shown in Figure 2. The City of Encinitas lies in northern San Diego County, approximately 25 miles north of the City of San Diego. It encompasses 20.2 square miles and is considered almost fully developed. It is bordered by the City of Carlsbad to the north, the City of Solana Beach to the South, and unincorporated San Diego County to the east. Interstate 5 and Coast Highway 101 both cut through the western half City of Encinitas from north to south.

Project Applicant: City of Encinitas (Development Services Department)

SCOPING MEETING: Pursuant to PRC Section 21080.4(b), the lead agency is hosting an in person scoping meeting on **Monday, September 19, 2022, from 5:00 PM to 7:00 PM** to present on the project and solicit comments. Please note that depending on the number of attendees, the meeting could end earlier than 7:00 PM.

This meeting will be held in the Poinsettia Room at City Hall, located at 505 S. Vulcan Ave., Encinitas, CA 92024.

This meeting will be an open house format and interested parties may drop in to review the proposed project exhibits and submit written comments on the scope of the Draft EIR during the meeting. Information is also available at encinitasca.gov/mobilityelement.

If you have any questions regarding this scoping meeting, please contact Jennifer Gates, Planning Manager, at jgates@encinitasca.gov or (760) 633-2714, or Evan Jedynak, at ejedynak@encinitasca.gov or (760) 633-2686.

NOTICE OF PREPARATION (NOP): Notice is hereby given that the City of Encinitas, as the lead agency, is proposing to prepare a Programmatic Environmental Impact Report (PEIR) in accordance with the California Environmental Quality Act (CEQA) for the proposed project as identified below. This Notice of Preparation (NOP) has been prepared pursuant to PRC Section 21092.3. The City needs to know the views of your agency as to the scope and content of the environmental information that is germane to your agency's statutory responsibilities in connection with the proposed project. This NOP of a PEIR and a Scoping Meeting was publicly noticed and distributed on Friday, September 02, 2022. This notice was also published in The Coast News.

NOP Comment Period: The City of Encinitas invites you to comment on the scoping for the PEIR. The NOP is available for a 30-day public review period from Friday, September 02, 2022, to Monday, October 03, 2022. Pursuant to CEQA Guidelines Section 15082, responsible and trustee agencies and other interested parties, including members of the public, must submit any comments in response to this notice **no later than 5:00 PM on Monday, October 03, 2022.** Please send your responses to the City of Encinitas Department of Policy Planning & Housing c/o Jennifer Gates and Evan Jedynak at the address listed under "Lead Agency". During this period, the NOP will be available for review, or for purchase at the cost of reproduction, at the Development Services Department located at City Hall (505 S. Vulcan Ave. Encinitas, CA 92024) during regular business hours (8:00 a.m. to 5:00 p.m.), at the Encinitas Community Center, Encinitas and Cardiff public libraries, and on the City's website at: encinitasca.gov/mobilityelement.

Project Description: To address changes in California State legislation, a changing regional context and forecasted future growth, the City of Encinitas is updating its Circulation Element, also known as the Mobility Element. The Mobility Element Update will provide a long-term blueprint that guides transportation decision making, plans for diverse modes and mobility options, envisions future mobility improvements, and includes updated goals, policies, and multi-modal networks. The Mobility Element Update will revise the City's existing Circulation Element policies to account for changes made to state law with the recent development of several mode-specific, strategic, community and neighborhood plans to create one, cohesive mobility framework. The Update will also include changes to the City's roadway classifications through analysis of vehicle miles traveled (VMT) thresholds per SB 743, and metrics such as safety, bicycle, and pedestrian level of comfort (LOC), and trips-by-mode share.

This Mobility Element Update will include the reclassification of roadways as seen in Figure 3. The MEU will also consider separate recent planning documents, including the Encinitas Climate Action Plan (CAP), Coastal Mobility and Livability Study (CMLS), Rail Corridor Vision Study (RCVS), Active Transportation Plan (ATP), Modal Alternatives Plan (MAP), and the El Camino Real Specific Plan (ECRSP).

The objectives of the Mobility Element Update are:

1. Improve the safety, interconnectivity, accessibility, and comfort of all multi-modal corridors to maximize the number of trips made by foot, transit, micro-mobility and bicycle to schools, parks, neighborhoods, the coast, and shopping areas.
2. Provide for, expand, and sustain a mix of transportation modes that meets the existing and future transportation needs of all Encinitas residents and visitors, and minimizes impacts to the community and environmental character.
3. Promote a long-term, coordinated program that provides standards and/or direction for improvements to the public-right-of-way to enhance the identity of specific areas and create street design solutions to accommodate all modes of travel.

4. Update existing classifications and overlays within the Mobility Element so that the Encinitas circulation network responds to the present and future circulation needs of all users.
5. Consolidate existing and new policies in its various mode-specific, strategic, community and neighborhood plans, (including the CAP, Coastal Mobility and Livability Study (CMLS), Rail Corridor Vision Study (RCVS) and the Active Transportation Plan (ATP), etc.), into one cohesive citywide framework.

Environmental Impact Report: The City of Encinitas, as the lead agency under CEQA, will prepare a PEIR for the Mobility Element Update in accordance with CEQA. The Mobility Element Update is considered a “project” under CEQA, and therefore is subject to CEQA review. The EIR will evaluate potential environmental impacts associated with adoption and implementation of the Mobility Element Update. The EIR will disclose potential impacts of the Mobility Element Update, propose mitigation measures to avoid and/or reduce impacts deemed potentially significant, identify reasonable alternatives, and compare the environmental impacts of the alternatives to the proposed Project’s impacts.

Pursuant to Section 15063(a) of the CEQA Guidelines, an Initial Study will not be prepared. Instead, the EIR will evaluate issues that have potentially significant impacts. Resource categories will be evaluated to determine if the project has potentially significant impacts, and what mitigation measures might be required to reduce these impacts. The EIR will also evaluate potential cumulative impacts, growth inducement and other CEQA-required topics.

ATTACHMENTS:

Figure 1. Project Vicinity (Regional Location)

Figure 2. Project Location

Figure 3. Proposed Classification Network

Figure 1. Project Vicinity (Regional Location)

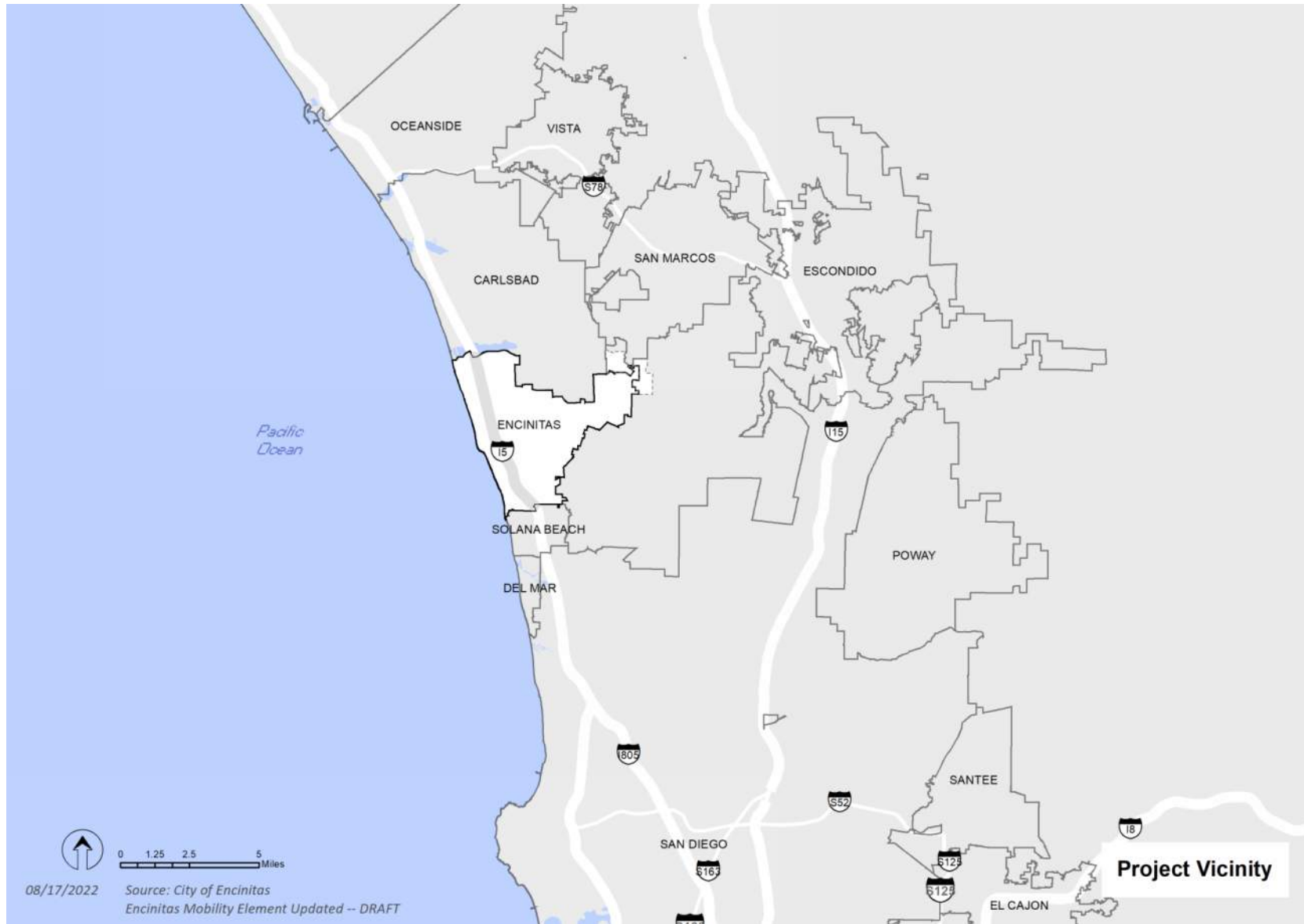


Figure 2. Project Location

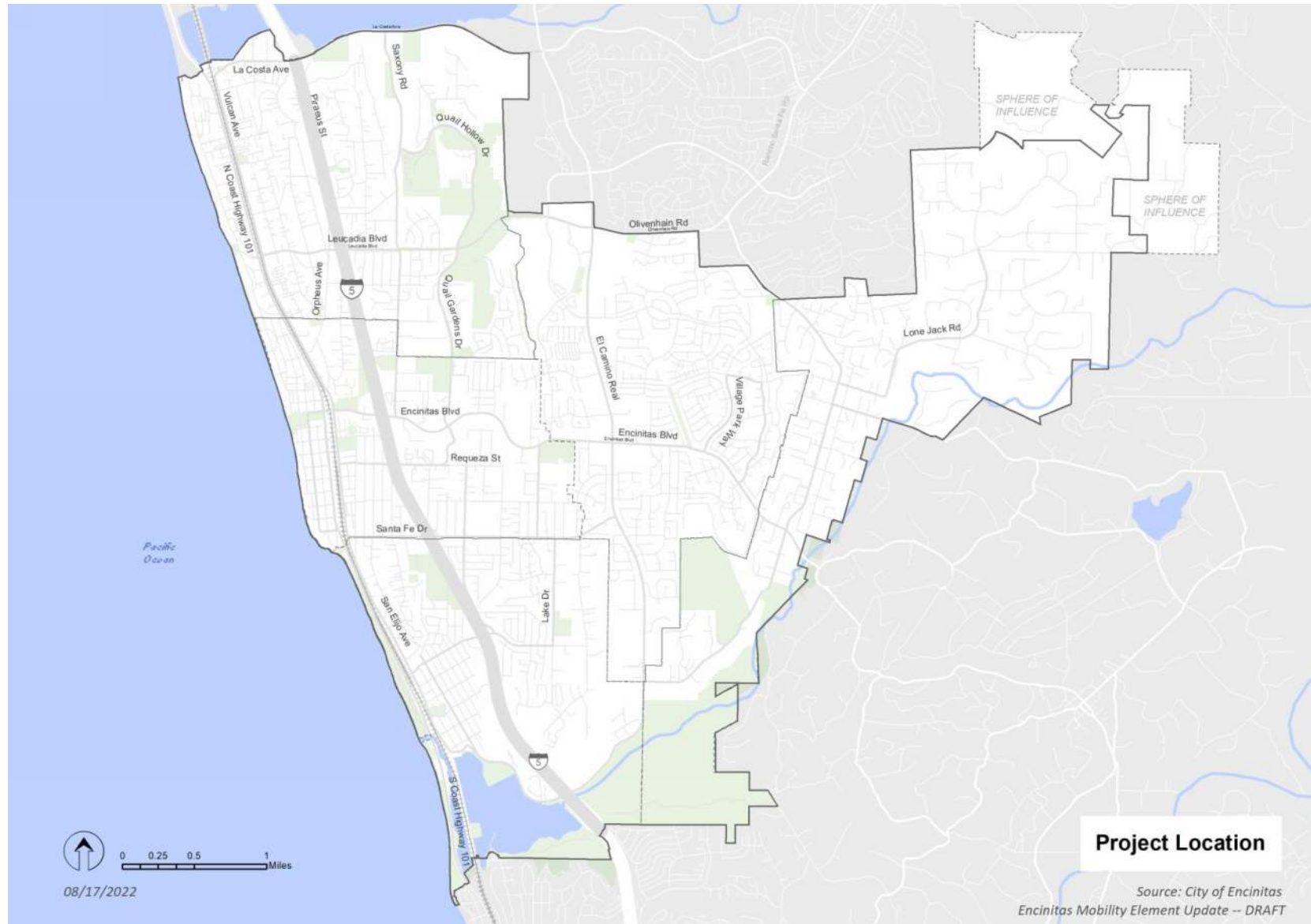
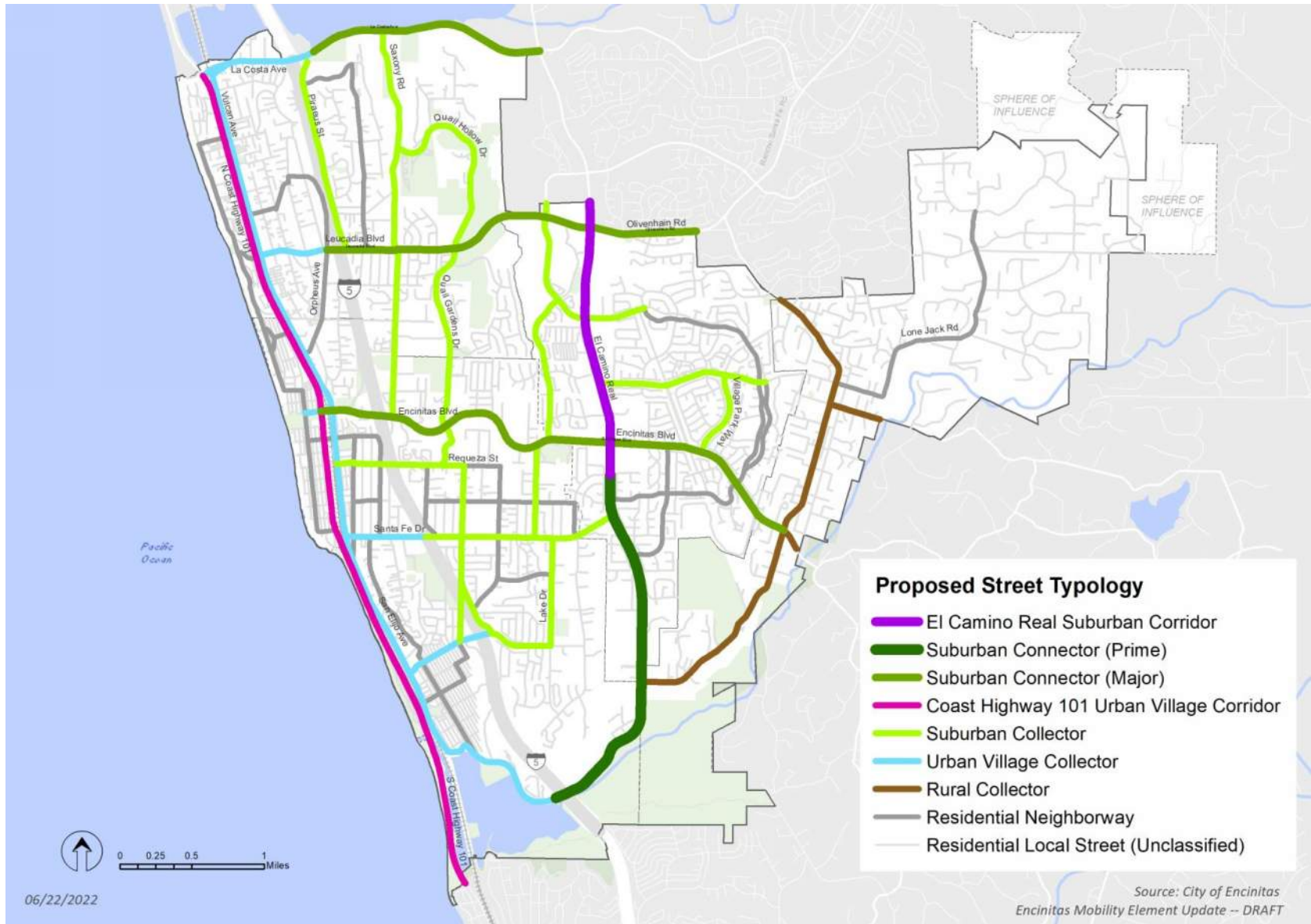


Figure 3. Proposed Classification Network



Comment Letters

California Department of Transportation

DISTRICT 11
4050 TAYLOR STREET, MS-240
SAN DIEGO, CA 92110
(619) 709-5152 | FAX (619) 688-4299 TTY 711
www.dot.ca.gov



September 28, 2022

11-SD-5
PM VAR
Mobility Element Update
NOP/SCH#2022080705

Ms. Jennifer Gates
Planning Manager
City of Encinitas
505 South Vulcan Ave.
Encinitas, CA 92024

Dear Ms. Gates:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Notice of Preparation (NOP) for the Mobility Element Update located near Interstate 5 (I-5). The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

Safety is one of Caltrans' strategic goals. Caltrans strives to make the year 2050 the first year without a single death or serious injury on California's roads. We are striving for more equitable outcomes for the transportation network's diverse users. To achieve these ambitious goals, we will pursue meaningful collaboration with our partners. We encourage the implementation of new technologies, innovations, and best practices that will enhance the safety on the transportation network. These pursuits are both ambitious and urgent, and their accomplishment involves a focused departure from the status quo as we continue to institutionalize safety in all our work.

Caltrans is committed to prioritizing projects that are equitable and provide meaningful benefits to historically underserved communities, to ultimately improve transportation accessibility and quality of life for people in the communities we serve.

We look forward to working with the City of Encinitas in areas where the City and Caltrans have joint jurisdiction to improve the transportation network and connections between various modes of travel, with the goal of improving the experience of those who use the transportation system.

Caltrans has the following comments:

Traffic Impact Study

- A Vehicle Miles of Travel (VMT) based Traffic Impact Study (TIS) should be provided for this project. Please use the Governor's Office of Planning and Research Guidance to identify VMT related impacts.¹
- The TIS may also need to identify the proposed project's near-term and long-term safety or operational issues, on or adjacent to any existing or proposed State facilities.

Complete Streets and Mobility Network

Caltrans views all transportation improvements as opportunities to improve safety, access and mobility for all travelers in California and recognizes bicycle, pedestrian and transit modes as integral elements of the transportation network. Caltrans supports improved transit accommodation through the provision of Park and Ride facilities, improved bicycle and pedestrian access and safety improvements, signal prioritization for transit, bus on shoulders, ramp improvements, or other enhancements that promotes a complete and integrated transportation network. Early coordination with Caltrans, in locations that may affect both Caltrans and the City of Encinitas is encouraged.

To reduce greenhouse gas emissions and achieve California's Climate Change target, Caltrans is implementing Complete Streets and Climate Change policies into State Highway Operations and Protection Program (SHOPP) projects to meet multi-modal mobility needs. Caltrans looks forward to working with the City to evaluate potential Complete Streets projects.

Maintaining bicycle, pedestrian, and public transit access during construction is important. Mitigation to maintain bicycle, pedestrian, and public transit access during construction is in accordance with Caltrans' goals and policies.

Land Use and Smart Growth

Caltrans recognizes there is a strong link between transportation and land use. Development can have a significant impact on traffic and congestion on State transportation facilities. In particular, the pattern of land use can affect both local vehicle miles traveled and the number of trips. Caltrans supports collaboration with

¹ California Governor's Office of Planning and Research (OPR) 2018. "Technical Advisory on Evaluating Transportation Impacts in CEQA." https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf

local agencies to work towards a safe, functional, interconnected, multi-modal transportation network integrated through applicable “smart growth” type land use planning and policies.

The City should continue to coordinate with Caltrans to implement necessary improvements at intersections and interchanges where the agencies have joint jurisdiction.

Environmental

Caltrans welcomes the opportunity to be a Responsible Agency under the California Environmental Quality Act (CEQA), as we have some discretionary authority of a portion of the project that is in Caltrans' R/W through the form of an encroachment permit process. We look forward to the coordination of our efforts to ensure that Caltrans can adopt the alternative and/or mitigation measure for our R/W. We would appreciate meeting with you to discuss the elements of the EIR that Caltrans will use for our subsequent environmental compliance.

An encroachment permit will be required for any work within the Caltrans' R/W prior to construction. As part of the encroachment permit process, the applicant must provide approved final environmental documents for this project, corresponding technical studies, and necessary regulatory and resource agency permits. Specifically, CEQA determination or exemption. The supporting documents must address all environmental impacts within the Caltrans' R/W and address any impacts from avoidance and/or mitigation measures.

We recommend that this project specifically identifies and assesses potential impacts caused by the project or impacts from mitigation efforts that occur within Caltrans' R/W that includes impacts to the natural environment, infrastructure including but not limited to highways, roadways, structures, intelligent transportation systems elements, on-ramps and off-ramps, and appurtenant features including but not limited to lighting, signage, drainage, guardrail, slopes and landscaping. Caltrans is interested in any additional mitigation measures identified for the project's draft Environmental Document.

Broadband

Caltrans recognizes that teleworking and remote learning lessen the impacts of traffic on our roadways and surrounding communities. This reduces the amount of VMT and decreases the amount of greenhouse gas (GHG) emissions and other pollutants. The availability of affordable and reliable, high-speed broadband is a key component in

supporting travel demand management and reaching the state's transportation and climate action goals.

Right-of-Way

- Per Business and Profession Code 8771, perpetuation of survey monuments by a licensed land surveyor is required, if they are being destroyed by any construction.
- Any work performed within Caltrans' R/W will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans' R/W prior to construction.

Additional information regarding encroachment permits may be obtained by contacting the Caltrans Permits Office at (619) 688-6158 or emailing D11.Permits@dot.ca.gov or by visiting the website at <https://dot.ca.gov/programs/traffic-operations/ep>. Early coordination with Caltrans is strongly advised for all encroachment permits.

If you have any questions or concerns, please contact Kimberly Dodson, LDR Coordinator, at (619) 985-1587 or by e-mail sent to Kimberly.Dodson@dot.ca.gov.

Sincerely,

Maurice A. Eaton

MAURICE EATON
Branch Chief
Local Development Review



NATIVE AMERICAN HERITAGE COMMISSION

September 8, 2022

Jennifer Gates
City of Encinitas
505 S. Vulcan Ave.
Encinitas, CA 92024

CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

PARLIAMENTARIAN
Russell Atebery
Karuk

SECRETARY
Sara Dutschke
Miwok

COMMISSIONER
William Mungary
Paiute/White Mountain
Apache

COMMISSIONER
Isaac Bojorquez
Ohlone-Costanoan

COMMISSIONER
Buffy McQuillen
Yokayo Pomo, Yuki,
Nomlaki

COMMISSIONER
Wayne Nelson
Luiseño

COMMISSIONER
Stanley Rodriguez
Kumeyaay

EXECUTIVE SECRETARY
**Raymond C.
Hiitchcock**
Miwok/Nisenan

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

Re: 2022080705, Mobility Element Update Project, San Diego County

Dear Ms. Gates:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Pricilla.Torres-Fuentes@nahc.ca.gov.

Sincerely,

Pricilla Torres-Fuentes

Pricilla Torres-Fuentes
Cultural Resources Analyst

cc: State Clearinghouse

FW: Burgundy Rd -Urania Ave - Clark Ave Road -path complex - JDB Observations

Evan Jedynak <ejedynak@encinitasca.gov>

Wed 9/21/2022 3:17 PM

To: Bigham, Elizabeth <Elizabeth.Bigham@wsp.com>; Ruscitti, Peter L. <Pete.Ruscitti@wsp.com>; Whitmore, Stephanie A. <Stephanie.Whitmore@wsp.com>

Cc: Jennifer Gates <jgates@encinitasca.gov>

 1 attachments (64 KB)

Burgundy Rd -Urania Ave - Clark Ave Road -path complex.pdf;

From: John DeBeer <jdebeer2005@gmail.com>

Sent: Tuesday, September 20, 2022 12:01 PM

To: Evan Jedynak <ejedynak@encinitasca.gov>

Cc: encinitascommunitycollective@gmail.com

Subject: Burgundy Rd -Urania Ave - Clark Ave Road -path complex - JDB Observations

[NOTICE: Caution: External Email]

Evan, we met last night and I said I would send you some observations of the Burgundy Rd -Urania Ave - Clark Ave Road -path complex.

You are very welcome to contact me at any time with questions or a private walking tour.

Best regards

John DeBeer

20 Sep 2022

To: Evan Jedynak, Associate Planner, Encinitas

From: John DeBeer -1630 Burgundy Rd, 92024

Thanks for inviting us to the planning session last night. I mentioned to you I would send you some observations.

Observations of Burgundy Rd/ Urania Ave / Clark Ave Road -path complex (BUC RP complex)

The BUC road path complex runs from a 1762 Burgundy street address on the north to 672 Clark on the south.

The BUC road path complex has 6 dead ends and 2 *no car* passage breaks, and a gravel path

Burgundy Rd starts at Sky Loft Rd

From 1762 to 1708 addresses in a *private* road owned and maintained by Sky Loft HOA

From 1688 to 1524 it is a public road maintained (rarely) by the city

From 1444 to 1353 is a *private* road with 100 of feet unpaved and blocked path maintained by the residents.

Urania Ave

From 1325 to 912 it is a public road, starting at Sunrich Ln and ending at Leocadia Blvd

Clark Ave starts at Lecuadia Blvd and runs south until it ends at Fwy 5

From 880 to 672 Clark ave

From 1688 Burgundy Rd to 1353 Burgundy, there are no sidewalks and no room for sidewalks. The Elect utilities poles occupy the sidewalks. There are some parts with curb and gutters, but much of it relies on homeowners' construction 'county lips' to prevent drainage from the street into their property.

I would suggest downgrading **Burgundy Rd/ Urania Ave / Clark Ave Road -path complex** to a Residential local path (lowest level I see on the map)

Thanks for your time and courtesy last night.

John DeBeer

1630 Burgundy Rd

45 year of home ownership at this address

FW: EIR Comments- Capri neighborhood

Evan Jedynak <ejedynak@encinitasca.gov>

Fri 9/23/2022 2:53 PM

To: Ruscitti, Peter L. <Pete.Ruscitti@wsp.com>; Bigham, Elizabeth <Elizabeth.Bigham@wsp.com>; Whitmore, Stephanie A. <Stephanie.Whitmore@wsp.com>
Cc: Jennifer Gates <jgates@encinitasca.gov>

From: Kirsten Francis <kirstenfrancis70@gmail.com>**Sent:** Friday, September 23, 2022 1:56 PM**To:** Evan Jedynak <ejedynak@encinitasca.gov>**Subject:** EIR Comments- Capri neighborhood**[NOTICE: Caution: External Email]**

Dear Even Jedynak,

I am writing to you because I am concerned about the effects of increased traffic in my neighborhood, located between Leucadia Blvd and La Costa Ave, and bordered by Piraeus and Saxony. The streets in this area are often winding and narrow (they used to be dirt roads) with either no sidewalks or a sidewalk on just one side of the street. These sidewalks are usually narrow, uneven and have utility poles and mailboxes in the middle of them, making them difficult to navigate (especially when pushing a stroller). Because of this, pedestrians often will walk in the roadway.

A lot of these types of streets are right around Capri Elementary and many children and their parents use them to walk, bike or drive to school. On a typical school morning there are hundreds of cars and walkers, and many bikes, all heading to the same place.

A lot of these roads are actually unsafe- too narrow, blind corners (ie Gascony and Capri Road), vegetation growing into the roadway, trees blocking signage, etc and are only manageable because there is usually very little traffic. The only exceptions are streets that have been improved- either repaved or with newer sidewalks (Urania, Sparta, Caudor) but if they don't have speed bumps installed, cars drive over the speed limit on them.

The streets in this neighborhood were never designed to sustain anything more than local traffic, and any significant increase will make the streets less safe for all who use them.

Thank you,

Kirsten Francis



P.O. Box 235801 | Encinitas, CA 92023
encinitascommunitycollective@gmail.com | (760) 456-9042

Encinitas Community Collective is a group of local residents concerned with irresponsible development that will impact the safety and quality of life in our rural and suburban residential neighborhoods.

October 3rd, 2022

Jennifer Gates

Planning Manager

City of Encinitas Development Services Department

505 South Vulcan Ave,

Encinitas, CA 92024

Jennifer,

The ECC is responding to the Mobility Element Update (MEU) Draft Scoping EIR, and believes the ECC input/comments will provide an insight towards the MEU program as it affects the our Community on a personal level. As you will read within the attached Environmental Analysis Scoping EIR response, the ECC is a grass roots organization with local knowledge of impacts to our community.

Encinitas Community Collective wants to be kept informed of progress made during the Mobility Element EIR process and to be notified of any questions or clarifications you may have regarding our response. ECC is utilizing data addressing the proposed *Piraeus Point Townhomes*, located on Piraeus Street and Plato Place, since this project will essentially affect everyone towards their daily lives. More so the traffic impacts of this densely built mini-subdivision. Much of the ECC EIR Draft Scoping EIR analysis findings are appropriate for the MEU environmental issues pertinent to the Piraeus Street "Frontage Street" and its neighboring residential area to the east.

Please feel free to contact the ECC as noted above.

Jennifer, the ECC is thankful and appreciative of your efforts to improve the fundamental operations of our City through the Mobility Element Update and we look forward to working with you as it evolves.

Regards,

A handwritten signature in black ink that reads "ECC".

Encinitas Community Collective.

Attached: An Environmental Analysis for a Draft Scoping California Environmental Quality Act Environmental Impact Report for the Mobility Element Update per the City of Encinitas, SCH Number 2022080705.



AN ENVIRONMENTAL ANALYSIS
For a
DRAFT SCOPING CALIFORNIA
ENVIRONMENTAL QUALITY ACT,
ENVIRONMENTAL IMPACT REPORT
Required for the
City of Encinitas

SCH Number 2022080705

MOBILITY ELEMENT UPDATE

Prepared by

Encinitas Community Collective
P. O. Box 235801
Encinitas, CA 92023

Submitted to

Jennifer Gates, Planning Manager,
City of Encinitas, Development Services Department

October 3rd, 2022

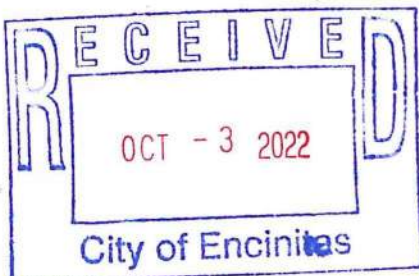




TABLE of CONTENTS

| | | |
|-----|---|-------|
| 1.0 | Introduction | 3 |
| 2.0 | Project Description, Location and Environmental Setting | 4 |
| 2.1 | Project Overview | |
| 3.0 | Environmental Setting | 5 |
| 3.1 | Air Quality | 5-16 |
| 3.2 | Greenhouse Gases Emissions | 16-17 |
| 3.3 | Land Use and Planning | 17-18 |
| 3.4 | Noise | 18-21 |
| 3.5 | Public Services | 22-23 |
| 3.6 | Transportation | 24-25 |
| 4.0 | Parking | 26 |
| 5.0 | Conclusion | 26 |

Appendices

- A Portion of the City of Encinitas Parcel Map. Specifically, that portion of the City Map that is known as Crest Acres per County of San Diego Parcel Map Book 2019 circa 1927 with ECC edits.
- C City of Encinitas Housing Element, Appendix C 2021
- B Ambient Traffic Noise Measurement/Location Map



1.0 INTRODUCTION

1.1 The California Environmental Quality Act (CEQA) (aka Pub. Res. Code section 21000, et seq.) requires the City to identify significant environmental impacts of all projects that it approves, and to require the applicant to avoid or mitigate those impacts, if feasible. From an environmental impact standpoint, the ECC cannot overstate the importance of thoroughly analyzing the project based on an accurate description of the applicant's intended use of the project, especially where environmental impacts may be disguised or minimized by the applicant.

1.2 The proposed Mobility Element Update project does not comply with the City's Planned Residential Development regulations, which provide, in relevant portion: "Planned residential developments shall relate harmoniously to the topography of the site, shall make suitable provision for the preservation of steep slopes, water courses, drainage areas, wooded areas, rock outcroppings, and similar natural features, and shall otherwise be designed to retain such natural features to the greatest extent possible." Further, "[I]lots and structures shall be designed to follow and not significantly alter the natural contour of the land." (EMC § 30.16.020(B)3.)

- 1.3 During its Initial Draft Study (SCOPING), the City should be able to determine that the multiple Mobility Element projects throughout the City will have a significant effect on the environment, requiring a thoroughly detailed Environmental Impact Report(s) pertinent to multiple specific locations whereas a single (1) EIR to cover the entire City is not feasible nor acceptable whereas each area is unique and shall be treated as such in accordance with City's General Plan. Therefore, each specific EIR shall be in compliance with CEQA complete with exhibits, maps, guidelines from each of the governing agencies at ALL levels including but not limited to U.S. EPA; U.S. Department of Education; U.S. Department of Transportation; U.S. Department of Health, Center for Disease Control; U.S. Department of Housing and Urban Development. Further, the equivalent State, County and City Departments are hereby referenced, as if fully set forth. Additionally, in an aid to understand the overall impact of such a development the City shall listen to the citizens of the community where the proposed project are/is to be constructed. It is to be noted that a CPP meetings shall be held by the City to inform the specific areas and section of potential future impacts to the community. In essence the specific area of the ECC EIR response is encompasses approximately 500 acres of a rural environment (see Appendices A) that lies between Leucadia Boulevard at the south to La Costa Avenue to the north and all of the area east of Interstate 5, i.e., Piraeus Street (which is parallel to I-5) to Saxony Road, that lies south to north and is parallel to Interstate 5. All roads in this described area are rural and have been in existence since on or before 1927 the year of the San Diego County Map Book 2019 was surveyed and recorded.

1.3.1 This EIR Scoping Recommendation has been developed and hereby submitted by Encinitas Community Collective, known as ECC and is specific in its scope for the areas as herein fully described. The EIR Scoping Recommendation is based on known issues that are subject to and



created by developers submitting proposals to the City as per the City’s Housing Element - known 15 projects - that will affect this specific area of the Leucadia community as a concern.

Appendix B- 2013-2021 of the City Housing Element Listed APN 254-144-01-00, i.e., Parcel A area 6.93 acres is shown on page C-8 as Cannon Property (Piraeus) Site Number 02. The “gross/net” acreage for development is 6.93 acres. Housing Element Listed Property No. 2 as designated by the City Council. This potential future development known as Piraeus Point Townhomes will impact the described community area severely and is incorporated herein by reference as a severe Environmental Impact to the community due to generated Traffic due to shortsightedness of the Land Use and Planning. Circulation/Transportation and the parking of more than 350 vehicles within a 6.8 acre rural setting development for more than 500 residents of 149 Townhomes, is problematic to the community. The ECC observed environmental issues and conducted an Environmental Analysis of the referenced proposed housing development, property, Parcel A, (APN: 254-144-01). It is clear that the project would impose significant and unavoidable negative environmental impacts upon the sensitive flora and fauna of the undeveloped vacant natural inland bluff site, the endangered species, e.g., gnatcatchers, aesthetics, geological resources, Interstate Highway 5 traffic noise, on-site traffic generated noise, affecting the community, as well as the surrounding environment including the contiguous and adjacent State owned La Costa Preservation Parcel(s) with Multi Habitat Conservation Program (HCP) pristine habitats and the nearby Batiquitos Lagoon-No Take). These negative CEQA impacts and more will require extensive mitigation to the satisfaction of the governing agencies and the community at large.

2.0 HOUSING ELEMENT PLANNED PROJECT DESCRIPTION, LOCATION AND ENVIRONMENTAL SETTING

2.1 Project Overview and Location

2.1.1 It is proposed/planned currently under consideration by the City of Encinitas Planning and Development Department that 149 Unit Multi-Family Residential Townhomes aka *Piraeus Point Townhomes* will be constructed on Parcel A, APN: 254-144-01-00, Zoned RR-2.0, vacant land. The applicant’s proposed project, with its substantial grading *approximately 60,000 cubic yards (CY)* and the addition of 16 massive, bulky structures, would significantly degrade the existing scenic character and quality of the natural undisturbed inland bluffs and its surroundings. The ECC wants to be perfectly clear that this proposed 149 Unit *Piraeus Point Townhomes* Housing Element project is totally inappropriate for this specific location for the following reasons and concerns:

2.1.2 An analysis of the *Piraeus Point Townhomes* developed area per City Housing Element Appendix-B = 6.93 acres. Living space area = 171,000 sq. ft./43,560 sq. ft = 3.93 acres. Total

buildings sq. ft. = 203,663/43,560 sq. ft. = 4.675 acres. Landscaping (includes internal roads and drive aisles) = 87,898 sq. ft./43,560 sq. ft. = 2.017 acres = Total developed acreage = 4.675 + 2.017 = 6.692 acres. Unaccounted acreage = 6.93 - 6.692 = 0.238 acres or 10,357 sq. ft.

2.1.3 Height issues. ECC is requesting a 35-foot maximum height limit for these units, inclusive of roof top equipment, plumbing pipe vents, solar panel(s), air-conditioning units, etc.

2.1.4 The City mandate of installing solar voltaic panels (SVP) system(s) and/or a DC microgrid system(s) for each townhome recreational flat roof deck may not be cost effective.

In consideration that each roof deck square footage is contingent upon the number of bedrooms. Thereby a single bedroom Townhome has only net 40 sq.ft available for solar panels, a 2 bedroom has approximately net 80 sq.ft and a 3 bedroom has net 120 sq.ft. Noting that solar panels are 20% +/- efficient they need to be installed at an array tilt of 20° facing 180° either west or east avoiding shading from, e.g., roof access stair well walls, neighbors 5-foot perimeter fences, potted plants, furniture, sun umbrellas, not counting dust, dirt, etc. Further, with multiple sanitary plumbing roof vents, bathroom exhaust vents, kitchen exhaust vents, roof deck drains, heat pump and electrical equipment code clearances, will also limit actual solar panel locations. These standard Building Code clearances are inherent restraints to (any) the solar panel power systems efficiency towards reducing the owner(s) SDG&E power bills. The ROI payback time may well exceed the useful life-cycle (economics) of the solar power system(s) components, e.g., DC to AC inverter(s) thereby negating any true electrical power savings. The City of Encinitas per the approved CAP requires residential solar voltaic panels produce 1 watt of power per sq.ft of residential area annually. The actual residential sq ft for the 149 Townhomes equals 171,300 sq. ft . Therefor the CAP is limited to 171 kWh total generation The DRAFT EIR indicates an overall PV generation of 245,206 kWh/yr. more than the CAP mandate. The calculations need to be verified.

Population: The population total of the residents of the 149 Unit *Piraeus Point Townhomes* for the purpose of this Environmental Analysis is based upon the following: Total of 306 bedrooms + 149 persons for 2-person bedroom occupancy = 455 persons, estimated.

3.1 AIR QUALITY. This section addresses potential air quality impacts that will result from construction and/or operation of the *Piraeus Point Townhomes* project. The following addresses the existing air quality conditions in the project area, identifies applicable regulations, identifies and analyzes environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from implementation of the project.

3.1.1 Existing Conditions. Air quality and dispersion of air pollution in an area is determined by such natural factors as topography, meteorology, and climate, coupled with atmospheric

stability. The factors affecting the dispersion of air pollution with respect to the air basin are discussed below.

Topography. The topography in the San Diego Air Basin (SDAB) varies greatly, from beaches on the west to mountains and desert to the east. The topography in between consists of inland coastal bluffs, mesa tops intersected by natural canyon areas. The region's topography influences air flow and the dispersal and movement of pollutants in the basin. The mountains to the east prevent air flow mixing and prohibit dispersal of pollutants in that direction.

- **Meteorology and Climate.** Encinitas, is a coastal area, has a Mediterranean climate characterized by warm, dry summers and mild, wet winters. The mean annual temperature in the City is 60 degrees Fahrenheit (°F). The average annual (wet season) precipitation is 11 inches, from November to April. Winter low temperatures average 54°F, and summer temperatures average 71°F. The average relative humidity is 69 percent and is based on the yearly average humidity at LindberghField.
- The dominant meteorological feature affecting the region is the Pacific High Pressure Zone, which produces the prevailing westerly to northwesterly winds. These winds tend to blow pollutants away from the coast toward the inland areas. Consequently, air quality near the coast is generally better than that at the base of the coastal mountain range. Most of the city consists of coastal plains, which lie adjacent to the Pacific Ocean and extend approximately 6 miles east of the Pacific Ocean. Because of its locational advantage, the easterly portion of the city has a mild climate with cool summers on the coast, where marine fog is common.
- The *Piraeus Point Townhomes* project is located within 200 meters of I-5 Interstate Highway where more than 125,000 vehicles travel each day. The location is also in a Non-Attainment Ambient Air Quality Standards Area. The U.S. EPA Administrator finds that the current and projected concentrations of the six key well-mixed GHGs— CO₂, CH₄, N₂O, HFCs, PFCs, and sulfur hexafluoride—in the atmosphere threaten the public health and welfare of current and future generations. This specific project in the scenic corridor does not meet the Land Use and Planning intent when the generated traffic creates an LOS of F at the intersection of t La Costa Avenue and Piraeus Street thereby, further increasing Noise, Green House Gases, impacting Air quality and quality of life within the existing rural setting. The community impact is not acceptable and is a violation of the MEU Polices 1.2, 1.4, 1.7, 1.10 (Environmental Justice) and 5.3
- This Environmental Analysis also provides information on Air Toxics which is integral with the air quality in the I-5 Interstate transportation corridor, to the developer and the City of Encinitas, the project lies within less than 200 meters on I-5 a major interstate freeway with more than 125,000 vehicles travelling each day, whereby the residents of *Piraeus Point Townhomes* of will be subjected daily to the identified Air Toxics.

- Toxic air pollutants-also known as Hazardous Air Pollutants or HAPs-are those that are known to cause or suspected of causing cancer or other serious life-threatening health ailments. The

Clean Air Act Amendments of 1990 listed 188 HAPs and addressed the need to control toxic emissions from the transportation sector. In 2001, EPA issued its first Mobile Source Air Toxics Rule, which identified 21 Mobile Source Air Toxic (MSAT) compounds as being hazardous air pollutants that required regulation. A subset of six of these MSAT compounds were identified as having the greatest influence on health to the population living within a 200-meter radius of a major Interstate Freeway, i.e., I-5.

- It would be unconscionable for the City to ignore the data on known health effects and approve this densely compacted project thereby subjecting the *Piraeus Point Townhome* residents and the surrounding community to known carcinogen pollutants, i.e., benzene, 1,3-butadiene, formaldehyde, acrolein, acetaldehyde, and diesel particulate matter (DPM). The City and the developer are aware of the prevailing wind from the SW to the NW. Therefore, the emission gases and particulates from Interstate I-5 corridor, will circulate within the townhome structures will be breathed and thereby affect every one of the project 455 or more residents, adults and children. Exacerbating this indirect emission issue is the actual on-site generation of emissions including Green House Gases (GHG) emanating from the 300 or more residential and service vehicles making 1,980 Vehicle Trips per Day (MVT) or more than 693,500 MVT per year from this 2.017 internal roads/drive aisles acre site. This extreme concentration of cancer causing pollutants will be detrimental to the quality of life to the community.
- To address stakeholders concerns and requests for a MSAT analysis during project development and mitigation, the Federal Highway Administration (FHWA) developed the Interim Guidance on Air Toxic Analysis in the National Environmental Policy Act (NEPA) Documents.

3.1.2 Regulatory Framework

Federal

- **Non-Attainment Ambient Air Quality Standards Area.** The project location is in a Non-Attainment Ambient Air Quality Standards Area. The U.S. EPA Administrator finds that the current and projected concentrations of the six key well-mixed GHGs— CO₂, CH₄, N₂O, HFCs, PFCs, and sulfur hexafluoride—in the atmosphere threaten the public health and welfare of current and future generations.

Green House Gases (GHG) Endangerment. In *Massachusetts v. Environmental Protection Agency* 549 U.S. 497 (2007), decided on April 2, 2007, the Supreme Court found that four GHGs, including CO₂, are air pollutants subject to regulation under Section 202(a)(1) of the Federal Clean Air Act (CAA). The Court held that the EPA Administrator must determine whether emissions of GHGs from new motor vehicles cause or contribute to air pollution, which may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision. On December 7, 2009, the EPA Administrator signed two (2) distinct findings regarding GHGs under section 202(a) of the CAA:

- **Endangerment Finding.** The U.S. EPA Administrator finds that the current and projected concentrations of the six key well-mixed GHGs— CO₂, CH₄, N₂O, HFCs, PFCs, and sulfur hexafluoride—in the atmosphere threaten the public health and welfare of current and future generations.
- **Cause or Contribute Finding.** The Administrator finds that the combined emissions of these well-mixed GHGs from motor vehicles and motor vehicle engines contribute to the GHG pollution, which threatens public health and welfare.
- These findings do not impose requirements on industry or other entities. However, this was a prerequisite for implementing GHG emissions standards for vehicles, as discussed. The U.S. Supreme Court upheld the EPA Administrator’s findings.

CALIFORNIA

Legislative Actions to Reduce GHGs

- The State of California legislature has enacted a series of bills reduce GHGs. AB 32 was specifically enacted to address GHG emissions. Other legislation such as Title 24 and Title 20 energy standards were originally adopted for other purposes such as energy and water conservation, but also provide GHG reductions.
- **AB 32.** The California State Legislature enacted AB 32, which requires that GHGs emitted in California as defined include CO₂, CH₄, N₂O, HFCs, PFCs, sulfur hexafluoride., and nitrogen trifluoride. The California Air Resources Board (CARB) is the state agency charged with monitoring and regulating sources of GHGs. AB 32 further states the following:

“Global warming poses a serious threat to the economic well-being of Californians, public health, natural resources, and the environment of California. The potential adverse impacts of

global warming include the exacerbation of air quality problems,an increase in the incidences of infectious diseases, asthma, and other human health-related problems.

Local

- The accumulation of on-site generated pollutants makes the construction of ***Piraeus Point Townhomes*** (a densely packed subdivision) is in total conflict with the intent of MEU and the current and proposed polices. This project is a likely candidate for the Applicant to submit to the San Diego County APCD a review of the Regulations Rule 20.3 for New Source Review (NSR) of vehicle emission pollutants whether stationary or mobile based on the health effects and GHG. Therefore, an NSR may be socially justified by SDC/APCD. It is therefore requested that the MEU shall request a moratorium on all City of Encinitas Housing Element Projects until such resolutions have been fully mitigated towards elimination of Health Hazards created by “Densely Packed” subdivision creating severe traffic congestion and gridlock conditions at highly sensitive intersections within the scenic corridor. See Appendices A.

3.1.3 Analysis of Project Effects and Determination as to significance. Sensitive populations (sensitive receptors) in proximity to localized sources of toxics and carbon monoxide are of concern. Land uses considered sensitive receptors include residences, schools, playgrounds, childcare centers, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes.

- The >455 residents of ***Piraeus Point Townhomes*** are sensitive receptors to the emissions emitted from more than 300 motor vehicles making at least **980** motor vehicle trips per day with primarily gasoline fueled vehicles. or more than 358,000 MVT annually from the net 2.017 acres consisting of internal roads and drive aisles. The gasoline base emissions pollutants consist of but not limited to: O₃, CO, CO₂, benzene, 1,3-butadiene, formaldehyde, acrolein, acetaldehyde, and diesel particulate matter (DPM).
- The on-site source of airborne pollutants will rise vertically between the 149 townhome row type structures into open windows and also transported by the SW to NE prevailing wind to the community. Therefore, the carcinogen pollutants and particulates will be breathed, absorbed and will affect every one of the ***Piraeus Point Townhome*** residents and the surrounding community residents.

3.1.4 Cumulative Impact Analysis. The air quality impact of Piraeus Point Townhomes will be significant due to the density of the 149 townhomes on 6.93 acres or less. The surrounding drive aisles or internal transit areas between the 3-story row type townhomes, used for egress and ingress is approximately 2.017 acres. The motor vehicle emissions will be concentrated in these narrow transit (drive aisles) areas as the residents exit and enter their garages. The accumulation of

gasoline/petroleum base pollutants, i.e., Greenhouse Gases (GHG) will be significant and injurious to the health of not only the 455 residents or more but also to the surrounding community.

- An average motor vehicle per the US EPA emits annually 37,333 lbs/CO₂. With more than 300 vehicles including, service vehicles, trash trucks, moving vans, visitors, etc., entering/leaving on a daily basis making more than 1,980 motor vehicle trips per day all within a concentrated area of 2.017 acres cannot be ignored. The accumulation of pollutants makes this project a potential candidate for a NSR of the motor vehicle emissions and therefore consideration of an analysis by SDC/APCD Regulations NSR Rule 20.3.
- Further, as a cumulative effect the Municipal Solid Waste (MSW), i.e., household trash, generates GHG consisting of CH₄ (methane gas) CO₂e (carbon dioxide equivalency). The total of GHG generated by MSW at *Piraeus Point Townhomes* site is based on the following: *4.9lbs MSW/day/per person, x 375 (residents) x 365 = 670,687 lbs/yr or 335 tons. The percentage of recycled materials = 32.1% the net MSW transported to a landfill is 455,396 lbs. The amount of CH₄ and CO₂e = emitted from landfilled MSW = 39% or 88 Metric Tons (MTT).
- Therefore, the cumulative effect of vehicle exhaust gases and the MSW is significant and is harmful to the health and quality of life for the *Piraeus Point Townhomes* and the community.
- Re: The U.S. EPA states that GHG gases CH₄, CO₂e are a serious contributor to the overall GHG emissions. *Center for Sustainable Systems University of Michigan.
- **Construction Activities Emissions.** Project construction activities would generate CO₂e and CH₄ emissions. Detailed project construction equipment and scheduled future hours of operation are unknown to the ECC. Standard similar type construction equipment and duration are normally estimated and the results would be tabulated. Construction related emissions are expected from the construction activities per the following:
 - Crushing
 - Grading
 - Building Construction
 - Paving
 - Architectural Coating

Construction Vehicle Trips

Construction emissions for construction worker vehicles traveling to and from the Project site, as well as vendor trips (construction materials delivered to the Project site) etc., shall be conducted per CalEEMod, or equal and tabulated within the project EIR.

- **Construction Equipment.** Typical site specific construction fleet may vary due to specific project needs at the time of construction. The associated construction equipment by phase is

detailed in Table 3.2.4:

**TABLE 3.1.4 MOTORIZED CONSTRUCTION
EQUIPMENT ASSUMPTIONS**

| Activity | Equipment | Amount | Hours Per Day |
|-------------------------------|------------------------|--------|---------------|
| Site Preparation | Crawler Tractors | TBD | TBD |
| | Rubber Tired Dozers | TBD | TBD |
| Compaction | Roller | TBD | TBD |
| Grading/Trenching//Excavation | Crawler Tractors | TBD | TBD |
| | Excavators | TBD | TBD |
| | Graders | TBD | TBD |
| | Rubber Tired Dozers | TBD | TBD |
| Building Construction | Cranes | TBD | TBD |
| | Crawler Tractors | TBD | TBD |
| | Forklifts | TBD | TBD |
| | Generator Sets/Diesel | TBD | TBD |
| | Welders/Diesel Gen-Set | TBD | TBD |
| Paving | Pavers | TBD | TBD |
| | Paving Equipment | TBD | TBD |
| | Rollers | TBD | TBD |
| Architectural Coating | Air Compressors | TBD | TBD |

Source: CalEEMod model output, See Appendix 3.1 detailed model outputs. Tabulation to be completed by others

- **Construction Emission Summary.** The construction phase Project emissions, GHGs shall be quantified and amortized over the life of the Project per the San Diego County Air Pollution Control District Published Regulations Rules and Guidelines.
- **Operational Emissions.** Operational activities associated with the proposed Project will result in emissions of CO₂, CH₄, and N₂O from the following primary on site mobile and stationary sources which shall be tabulated and presented in the EIR:
 - Area Source Emissions

- Energy Source Emissions
- Mobile Source Emissions
- Water Supply, Treatment, and Distribution
- Solid Waste
- BBQs
- HVAC

3.1.4 *DRAFT scoping EIR Air Quality is as follows:*

- *The Elimination of the Risk of Cancer to the Piraeus Point Townhome residents due to the proximity of the Interstate I-5 Freeway is preposterous and an assault on the commonsense of the proposed project residents and is based on a probability of use of the home to avoid cancer. The sampling points on the subject site indicated that a significant risk was evidentiary.*
- *However, the consultant discounted the health risk by indicating that air tight homes provide for protection form air bourn contaminants. There is no addressing the fact that these homes have roof top yards which are promoted by Lennar for the residents to use for recreation. Is Lennar going to install a sign for each roof top use the roof deck at your own risk since you will contract cancer when enjoying the view of the freeway.*
- *The all electric homes will have heat pumps to provide heating and cooling. Most likely a small manual outside air intake damper will be adjusted to provide 15 CFM per person when operational. This setting would be fixed, if it exists at all. With tight residential homes ventilation is required for bathrooms where there are no outside windows. Kitchen and bathroom exhaust air fans need make up air to complete the ventilation cycle. The makeup air will be drawn from the outside which is contaminated with pollutants from the freeway.*
 - *Further, residential heat pumps not provided with MERVE 16 filters. MERVE 16 filters are for commercial installations such as hospitals, medical centers. The filter rating for residential units have MERVE 7 ratings or 30% per the Dust Spot Test. Further the residents will not operate their AC units 24/7 their electrical bills would be thousands of \$\$ per month at 60 cents kWh.*
 - *The conclusion from the Piraeus Point Townhomes Applicants consultant LDN Consulting Inc., per Table 3 is that freeway pollutants do not represent a cancer risk, is patently false and is directly in conflict with the MEU Policies.*

3.2 GREENHOUSE GASES EMISSIONS

3.2.1 Regulatory Framework

Federal

- **Non-Attainment Ambient Air Quality Standards Area.** The project location is in a Non-Attainment Ambient Air Quality Standards Area. The U.S. EPA Administrator finds that the current and projected concentrations of the six key well-mixed GHGs— CO₂, CH₄, N₂O,

HFCs, PFCs, and sulfur hexafluoride—in the atmosphere threaten the public health and welfare of current and future generations.

Green House Gases (GHG) Endangerment. In *Massachusetts v. Environmental Protection Agency* 549 U.S. 497 (2007), decided on April 2, 2007, the Supreme Court found that four GHGs, including CO₂, are air pollutants subject to regulation under Section 202(a)(1) of the Federal Clean Air Act (CAA). The Court held that the EPA Administrator must determine whether emissions of GHGs from new motor vehicles cause or contribute to air pollution, which may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision. On December 7, 2009, the EPA Administrator signed two (2) distinct findings regarding GHGs under section 202(a) of the CAA:

- **Endangerment Finding.** The U.S. EPA Administrator finds that the current and projected concentrations of the six key well-mixed GHGs— CO₂, CH₄, N₂O, HFCs, PFCs, and sulfur hexafluoride—in the atmosphere threaten the public health and welfare of current and future generations.
- **Cause or Contribute Finding.** The Administrator finds that the combined emissions of these well-mixed GHGs from motor vehicles and motor vehicle engines contribute to the GHG pollution, which threatens public health and welfare.
- These findings do not impose requirements on industry or other entities. However, this was a prerequisite for implementing GHG emissions standards for vehicles, as discussed. The U.S. Supreme Court upheld the EPA Administrator’s findings.

CALIFORNIA

Legislative Actions to Reduce GHGs

- The State of California legislature has enacted a series of bills reduce GHGs. AB 32 was specifically enacted to address GHG emissions. Other legislation such as Title 24 and Title 20 energy standards were originally adopted for other purposes such as energy and water conservation, but also provide GHG reductions.
- **AB 32.** The California State Legislature enacted AB 32, which requires that GHGs emitted in California as defined include CO₂, CH₄, N₂O, HFCs, PFCs, sulfur hexafluoride., and nitrogen trifluoride. The California Air Resources Board (CARB) is the state agency charged with monitoring and regulating sources of GHGs. AB 32 further states the following:

“Global warming poses a serious threat to the economic well-being of Californians, public health, natural resources, and the environment of California. The potential adverse impacts of global warming include the exacerbation of air quality problems,an increase in the incidences of infectious diseases, asthma, and other human health-related problems.

Local

- The accumulation of typical on-site generated pollutants makes this and other like kind high density housing development projects a likely candidate for the Applicant(s) to submit to the San Diego County APCD a review of the Regulations Rule 20.3 for a New Source Review (NSR) of vehicle emission pollutants whether stationary or mobile based on the health effects and GHG. Therefore, an NSR may be socially justified by SDC/APCD.

3.2.3 Analysis of Mobility Element Project Effects and Determination as to significance.

Sensitive populations (sensitive receptors) in proximity to localized sources of toxics and carbon monoxide are of concern. Land uses considered sensitive receptors include residences, schools, playgrounds, childcare centers, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes.

- The >455 densely packed residents of *Piraeus Point Townhomes* are themselves also sensitive receptors to the emissions emitted from more than 300 internal combustion motor vehicles making at least **980** motor vehicle trips per day with primarily gasoline fueled vehicles. or more than 358,000 MVT annually from the net 2.017 acres consisting of internal roads and drive aisles. The gasoline base emissions pollutants consist of but not limited to: O₃, CO, CO₂, benzene, 1,3-butadiene, formaldehyde, acrolein, acetaldehyde, and diesel particulate matter (DPM).
- The on-site source of airborne pollutants will rise vertically between the 149 townhome row type structures into open windows and also transported by the SW to NE prevailing wind to the community. Therefore, the carcinogen pollutants and particulates will be breathed, absorbed and will affect every one of the *Piraeus Point Townhome* residents and the surrounding community residents.

3.2.3 Cumulative Impact Analysis. The air quality impact of Piraeus Point Townhomes will be significant due to the density of the 149 townhomes constructed on 6.93 acres or less. The surrounding drive aisles or internal transit areas between the 3-story row type townhomes, used for egress and ingress is approximately 2.017 acres. The motor vehicle emissions will be concentrated in these narrow transit (drive aisles) areas as the residents exit and enter their garages. The accumulation of gasoline/petroleum base pollutants, i.e., Greenhouse Gases (GHG) will be significant and injurious to the health of not only the 455 residents or more but also to the surrounding community.

- An average motor vehicle per the US EPA emits annually 37,333 lbs/CO₂. With more than 300 vehicles including, service vehicles, trash trucks, moving vans, visitors, etc., entering/leaving on a daily basis making more than 1,980 motor vehicle trips per day all within a concentrated area of 2.017 acres cannot be ignored. The accumulation of pollutants makes this project a potential candidate for a NSR of the motor vehicle emissions and therefore consideration of an analysis by SDC/APCD Regulations NSR Rule 20.3.
- Further, as a cumulative effect the Municipal Solid Waste (MSW), i.e., household trash, generates GHG consisting of CH₄ (methane gas) CO₂e (carbon dioxide equivalency). The total of GHG generated by MSW at *Piraeus Point Townhomes* site is based on the following: *4.9lbs MSW/day/per person, x 375 (residents) x 365 = 670,687 lbs/yr or 335 tons. The percentage of recycled materials = 32.1% the net MSW transported to a landfill is 455,396 lbs. The amount of CH₄ and CO₂e = emitted from landfilled MSW = 39% or 88 Metric Tons (MTT).
- Therefore, the cumulative effect of vehicle exhaust gases and the MSW is significant and is harmful to the health and quality of life for the *Piraeus Point Townhomes* and the community.
- Re: The U.S. EPA states that GHG gases CH₄, CO₂e are a serious contributor to the overall GHG emissions. *Center for Sustainable Systems University of Michigan.
- **Construction Activities Emissions.** Project construction activities would generate CO₂e and CH₄ emissions. Detailed project construction equipment and scheduled future hours of operation are unknown to the ECC. Standard similar type construction equipment and duration are normally estimated and the results would be tabulated. Construction related emissions are expected from the construction activities per the following:
 - Crushing
 - Grading
 - Building Construction
 - Paving
 - Architectural Coating

Construction Vehicle Trips

Construction emissions for construction worker vehicles traveling to and from the Project site, as well as vendor trips (construction materials delivered to the Project site) etc., shall be conducted per CalEEMod, or equal and tabulated within the project EIR.

- **Operational Emissions.** Operational activities associated with the proposed *Piraeus Point Townhomes Project* will result in emissions of CO₂, CH₄, and N₂O from the following primary on site mobile and stationary sources which shall be tabulated and presented in the EIR:
 - Area Source Emissions

- Energy Source Emissions
- Mobile Source Emissions
- Water Supply, Treatment, and Distribution
- Solid Waste
- BBQs
- HVAC

3.2.4 EIR Air Quality is as follows:

- The Elimination of the Risk of Cancer to the *Piraeus Point Townhome* residents due to the proximity of the Interstate I-5 Freeway is preposterous and an assault on the commonsense of the proposed project residents and is based on a probability of use of the home to avoid cancer. The sampling points on the subject site indicated that a significant risk was evidentiary.
- However, the consultant discounted the health risk by indicating that air tight homes provide for protection from air bourn contaminants. There is no addressing the fact that these homes have roof top yards which are for recreation use.
- The all-electric homes will have heat pumps to provide heating and cooling. Most likely a small manual outside air intake damper will be adjusted to provide 15 CFM per person when operational. This setting would be fixed, if it exists at all. With tight residential homes ventilation is required for bathrooms where there are no outside windows. Kitchen and bathroom exhaust air fans need make up air to complete the ventilation cycle. The makeup air will be drawn from the outside which is contaminated with pollutants from the freeway.
- Further, residential heat pumps not provided with MERVE 16 filters. MERVE 16 filters are for commercial installations such as hospitals, medical centers. The filter rating for residential units have MERVE 7 ratings or 30% per the EPA Dust Spot Test. Further, the residents will not operate their AC units 24/7 their electrical bills would be thousands of \$\$ per month at >60 cents kWh.

3.3 LAND USE AND PLANNING

3.3.1 This EIR Scoping Recommendation has been developed and hereby submitted by Encinitas Community Collective, known as ECC and is specific in its scope for the areas as herein fully described. The EIR Scoping Recommendation is based on known issues that are subject to and created by developers submitting proposals to the City as per the City's Housing Element - known 15 projects - that will affect this specific area of the Leucadia community as a concern.

Analysis of Housing Elements Project Effects and Determination as to Significance. Should 149 *Piraeus Point Townhomes* (subdivision) be constructed (approval by the City of Encinitas) thereby allowing additional vehicle traffic onto Piraeus Street. The action by the City will have a legacy effect of the NE area of the specific Leucadia rural community which will be out of character as defined by **Mobile Element Policy 2.4** which reads as follows: "*When considering*

circulation patterns and standards. Primary consideration will be given to the reservation of character and safety of existing neighborhoods. Where conflicts arise between convenience of motorists and neighborhood safety/community character preservation, the latter will (ECC recommends change will to shall) have first priority". This Policy 2.4, will maintain the existing type of frontage, collector 2 lane road thereby eliminating the potential extreme congestion along Piraeus Street created by *Piraeus Point Townhomes*. See also MEU Policy 1.2 and 5.3 that also affect Piraeus Street due to poor choices of Housing Element Properties. See Appendices A.

3.3.1.1 The 980 +/- daily vehicle trips (see below) from *Piraeus Point Townhomes* will dramatically increase the "cut-through" lateral rural 2 lane roads traffic volume to the detriment of the existing residential community, specifically Normandy Road. As noted, it is again requested that the City coordinate with Caltrans to reopen Piraeus Road to Leucadia Blvd.

3.3.2 Cumulative Impact Analysis. Additionally, the number of daily vehicles trip from the *Piraeus Point Townhomes* project will be 300 vehicles multiplied by a factor of six (6) equals 1,800 vehicle daily trips (VDT).

3.3.3 City of Encinitas General Plan. The City of Encinitas General Plan is the primary source of long-ranged planning and policy direction used to guide growth and preserve the quality of life within the City of Encinitas. The Encinitas General Plan states that a goal of the City is to analyze proposed land uses to ensure that the designations would contribute to a proper balance of land uses within the community.

3.4 NOISE

3.4.1 Definition of Noise

Noise - unwanted sound.

- Sound pressure - small oscillatory pressure variations above and below ambient atmospheric pressure that produce the auditory sensation of sound (in N/m², where 1 Newton/meter² = 1 pascal [Pa]).
- Sound pressure level - 20 times the common logarithm of the ratio of measured sound pressure over the reference sound pressure, expressed mathematically in decibels (dB), as follows:
WAS Section 9.3 Design Guidelines Page 4 of 18 Revised: 05/01/2007 Sound pressure level (dB) = 20 LOG₁₀ T Measured Sound Pressure Z; H Reference Sound Pressure -N Where the reference sound pressure = 20 micro-pascal (20 μPa).
- A-weighting - an acoustic frequency adjustment to a sound pressure level, which simulates the sensitivity of human hearing. An A-weighted sound pressure level (dBA) results from either manually or electronically applying the frequency dependent A-weighting factors.

- Noise level, sound level or overall sound level - the single number A-weighted sound pressure level as read on a sound level meter set to A-weighting. This level is also the energy sum of the A-weighted sound pressure level spectrum.
- Overall sound pressure level - the single number unweighted sound pressure level as read on a sound level meter set to linear. This level is also the energy sum of the sound pressure level spectrum.
- Leq - the equivalent continuous sound level or energy average sound level over a set period of time (usually one hour).
- TWA - the 8-hour time-weighted averaged occupational noise exposure level. 9. Octave band - the interval between two frequencies having a ratio of 2 to 1.

3.4.2 Existing Conditions. The ambient Sound Pressure Level (SPL) emanating from the Interstate-5, freeway traffic located within 200 meters from the project site. was recorded on Saturday January 8, 2022, at 3:00 PM. The average SPL recorded was 66.5 dBA with a peak SPL of 81.7 dBA. See photo of Sound Pressure Level reading at the Cannon Property Parcel A, Map, location. Appendices C.

3.4.3 Regulatory Framework

Federal

A proximity to major roadways estimates the percentage of people who live within 200 meters, or approximately 650 feet, of a high traffic roadway that carries over 125,000 vehicles per day. Data on the location of roads and traffic levels come from the 2011 National Transportation Atlas Database; data on population come from the 2010 Census.

- **Transportation and Health Connection.** According to CDC, more than 11 million people in the United States live within 150 meters (or approximately 500 feet) from a major highway (Boehmer et al., 2013). The vehicle traffic on these roadways is a major source of noise and air pollutants, such as particulate matter, nitrogen oxides, carbon monoxide, and ozone, which are known health hazards (U.S. EPA, 2010a, b, 2009, 2008).
- Specifically, exposure to traffic-related pollution is linked to asthma and other respiratory symptoms, development of childhood asthma, and cardiovascular disease and death (National Heart, Lung, and Blood Institute National Asthma Education and Prevention Program, 2007; Health Effects Institute, 2010).

- For example, one study estimated that 8% of childhood asthma cases in Los Angeles County, California, could be partly attributed to living close to a major road (Perez et al., 2012). Living near a major road also has been associated with decreased lung function in adults with asthma (Balmes et al., 2009). Increasing the distance from the road to more than 150 meters, or approximately 500 feet, might decrease concentrations of some air pollutants by at least 50% (Karner et al., 2010).
- Also, research has demonstrated that traffic noise at normal urban levels can also lead to stress and sleep disturbances, both of which can lead to a higher risk for type 2 diabetes (Sørensen et al., 2013).
- **Moving Forward Program.** This indicator may help inform how future roadways are designed and influence future land use development and land use policies affecting the environment near roadways. Shifting land use patterns and investing in strategies that increase air quality might lead to improved health outcomes.
- One Los Angeles County-based study estimated that a 20% reduction in regional air pollution and a 3.6% decrease in population living near major roadways would result in 5,900 fewer cases of asthma caused by near-roadway pollution exposure (Perez et al., 2012).
- Transportation officials can also use the information from this indicator to consider air pollution mitigation strategies, including using vegetative buffers or sound walls to dilute traffic emission concentrations in the near roadway environment (U.S. EPA, 2015; Baldauf et al., 2008).

References

Baldauf R, Thoma E, Khlystov A. Impacts of noise barriers on/near-road air quality. *Atmospheric Environment* 2008;42:7502

<http://www.sciencedirect.com/science/article/pii/S1352231008005311>.

Balmes JR; Earnest G, Katz PP; Yelin EH; Eisner MD; Chen H; Trupin L; Lurmann F, Blanc PD. Exposure to traffic: Lung fun.

State

- **California Noise Control Act of 1973.** California Health and Safety Code Sections 46000 through 46080, known as the California Noise Control Act, find that excessive noise is a serious hazard to public health and welfare and that exposure to certain levels of noise can result in physiological, psychological, and economic damage. The act also finds that there is a continuous and increasing bombardment of noise in urban, suburban, and rural areas. The act declares that the State of California has a responsibility to protect the health and welfare of its citizens by the control, prevention, and abatement of noise. It is the state's policy to provide an environment for all Californians that is free from noise that jeopardizes their health or welfare.

Local

- **City of Encinitas General Plan.** The City of Encinitas General Plan is the primary source of long-ranged planning and policy direction used to guide growth and preserve the quality of life within the City of Encinitas. The Encinitas General Plan states that a goal of the City is to analyze proposed land uses to ensure that the designations would contribute to a proper balance of land uses within the community. The relevant goals for the project include:

GOAL 1: Provide an acceptable noise environment for existing and future residents of the City of Encinitas.

Policy 1.7: Apply Title 24 of the California Administrative Code, associated with noise insulation standards, to single-family dwellings.

GOAL 2: Require that new development be designed to provide acceptable indoor and outdoor noise environments.

Policy 2.1: The Noise and Land Use Compatibility Guidelines and the accompanying discussion set forth the criteria for siting new development in the City of Encinitas. Any project which would be located in a normally unacceptable noise exposure area, based on the Land Use Compatibility Guidelines, shall require an acoustical analysis. Noise mitigation in the future shall be incorporated in the project as needed. As a condition of approval of a project, the City may require post-construction noise monitoring and sign off by an acoustician to ensure that City requirements have been met.

GOAL 3: Ensure that residents are protected from harmful and irritating noise sources to the greatest extent possible.

Policy 3.1: The City will adopt and enforce a quantitative noise ordinance to resolve neighborhood conflicts and to control unnecessary noise in the City of Encinitas. Examples of the types of noise sources that can be controlled through the use of a quantitative noise ordinance are barking dogs, noisy mechanical equipment such as swimming pool and hot tub pumps, amplified music in commercial establishments, etc.

GOAL 4: Provide for measures to reduce noise impacts from stationary noise sources.

Policy 4.1: Ensure inclusion of noise mitigation measures in the design and operation of new and existing development.

- **City of Encinitas Municipal Code.** The City's Municipal Code establishes noise criteria to prevent noise and vibration that may jeopardize the health or welfare of the City's citizens or degrade their quality of life.

Chapter 9.32 Noise Abatement and Control Ordinance, and Chapter 30.40, Performance Standards, establish property line noise level limits. These limits apply to existing uses, but will also apply to future uses and are used for evaluating potential impacts of future on-site generated noise levels.

Chapter 9.32.410 states that it shall be unlawful for any person, including the City, to operate construction equipment at any construction site on Sundays, and days appointed by the President, Governor or the City Council for a public fast, thanksgiving or holiday.

Notwithstanding the above, a person may operate construction equipment on the above-specified days between the hours of 10:00 a.m. and 5:00 p.m. No such equipment, or combination of equipment regardless of age or date of acquisition, shall be operated so as to cause noise at a level in excess of 75 decibels for more than eight hours during any 24-hour period when measured at or within the property lines of any property which is developed and used either in part or in whole for residential purposes.

- The permissible property line noise limits are summarized in Table 3.8-2. As stated in the Municipal Code: Every use shall be so operated that the noise generated does not exceed the following levels at or beyond the lot line and does not exceed the limits of any adjacent zone. Monitoring of the specific noise levels at the east property lines shall be conducted by the Developer and submit their findings to the City for evaluation and action as required to meet compliance. Said action shall be the responsibility of the Developer to the satisfaction of the community.

TABLE 3.4.3 CITY OF ENCINITAS EXTERIOR NOISE LIMITS

| Adjacent Zone | Noise Level [dB(A)] | |
|--|-------------------------|-------------------------|
| | 7:00 a.m. to 10:00 p.m. | 10:00 p.m. to 7:00 a.m. |
| Rural Residential (RR), Rural Residential-1 (RR-1), Rural Residential-2 (RR-2), Residential-3 (R-3), Residential-5 (R-5), Residential-8 (R-8) | 50 | 45 |
| Residential-11 (R-11), Residential Single Family-11 (RS-11), Residential-15 (R-15), Residential-20 (R-20), Residential-25 (R-25), Mobile Home Park (MHP) | 55 | 50 |
| Office Professional (OP), Limited Local Commercial (LLC), Local Commercial (LC), General Commercial (GC), Limited Visitor Serving Commercial (L-VSC), Visitor Serving Commercial (VSC) | 60 | 55 |
| Light Industrial (L-I), Business Park (BP) | 60 | 55 |

3.4.4 Cumulative Impact Analysis

Exposure of persons to, or generation of, noise levels in excess of Federal and State standards established in the local general plan or noise ordinance, or applicable standards of other agencies, shall be attenuated.

Exposure of persons to, or generation of, excessive ground borne vibration or ground

borne noise levels, shall be attenuated.

A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project is an extreme annoyance and a significant factor.

The geographic extent of the cumulative setting for noise consists of the project site and its location to the I-5 Interstate Freeway, within 200 meters. Ambient noise levels in the project area are generated by vehicle traffic on Piraeus Street, Plato Place and the I-5 Interstate Freeway. As a result, the primary factor for cumulative noise impact analysis is the consideration of future traffic noise levels along area roadways. Cumulative noise impacts would occur primarily as a result of increased traffic created by this proposed project of more than 980 vehicle trips per day.

When two identical sources ($S_1 = 80$ dB and $S_2 = 80$ dB) each are producing identical SPL, The sound intensity of S_1 and S_2 are combined via log 10 formula/calculation to obtain a sound intensity value. The sound intensity value is converted back to dBA via log 10 formula/calculations to obtain 83.1 dB. This value indicates that adding two unrelated sounds of the same intensity together is equivalent to a 3 dB increase in the total SPL

With regard to traffic noise intensity, traffic volumes would need to increase in volume order to provide to the receiver a perceptible change in ambient noise levels. As cumulative traffic volumes increase the SPL also increases proportionally, e.g., an approximately 27 percent increase in I-5 traffic volume, will also generate a significant cumulative noise impact as expected from the I-5 Interstate freeway as the traffic builds up say 5:00 AM (early hours) to its highest peak in the afternoon as normally expected. Accordingly, the project's estimated 1,980 MVT is a cumulatively significant factor.

3.5 PUBLIC SERVICES

3.5.1 Existing Conditions. Without guarded crosswalks or stop signs at intersections, the ability of pedestrians, i.e., the children to walk to school safely is a most serious issue that the City of Encinitas has discussed many times but thus far, have failed to resolve.

3.5.2 Regulatory Framework. Safe Routes to School (SRTS) programs are in place with the U.S. Government U.S. Centers for Disease Control and Prevention through the American Recovery and Reinvestment Act 2010 -2012. Other sources of funding Federal SRTS Grants are available. The

- State of California receives the U.S. Government SRTS Grant funds and provides those funds to the counties applying for them. The San Diego Association of Governments (SANDAG)

provides funds to the 16 cities in San Diego County, including Encinitas. The city of Encinitas however has installed “traffic calming measures”, i.e., rubber speed bumps. The installation of speed bumps is a far cry from the intent of the U.S. CDC SRTS program. The County of San Diego Health and Human Services Agency (HHS) Healthy Works Program has a Plan organized around three (3) focal points.

- a. Existing Issues and Opportunities
- b. Existing Safe Routes to School Efforts, and
- c. Moving Forward – A Regional Safe Route to School Strategy

3.5.3 Analysis of Project Effects and Determination as to significance. Presently it is very dangerous and hazardous for children living in the existing residential community to walk to Capri Elementary School, a Grade K-6 school. The reason for these conditions is the absence of sidewalks, controlled crosswalks, street lighting and stop signs. Notwithstanding the ability of handicap students from accessing Capri School via the SRTS, programs.

- Further, the Encinitas School District does not provide transportation services for the 740 Capri Elementary School, students, nor guarded crosswalks for those students who prefer to walk to school.
- The construction of the *Piraeus Point Townhomes* will without a doubt exacerbate the current “Safe Route to School” issue(s). The total lack of the City of Encinitas to provide for a meaningful SRTS program is a quantifiable negative significance per CEQA.

3.5.4 Cumulative Impact Analysis. The ECC suggests a small private transit bus be provided by *Piraeus Point Townhomes* Homeowner’s Association in perpetuity, to pick up and drop off the resident children to comply with the U.S. Government and SANDAG SRTS program

- This type of private transit vehicle for school children (K-6) service has been initiated for the Fox Pointe Development project, located in the City of Encinitas.
- It is to be noted that Capri School is at 95% capacity, whereas it is most likely that K-6 students will have to be transported to other K-6 public schools in the Encinitas Unified School District. This requirement will add to the resident’s transportations costs, increase vehicle trips per day and exacerbate the current Air Quality contaminant pollution issues in the community.
- Complete Streets Concept, Policies and Practices need to be considered in order to seriously consider the intent of the SRTS Programs. Complete Streets may vary significantly between urban, suburban and rural contexts but all are designed to balance safety and convenience for everyone using the road. By modifying polices so that the transportation system includes the needs of people on foot, those with disabilities, public transportation and bicycles, the City of Encinitas shall provide more options for people in the community. Making these options more convenient, attractive and safe roads allows people to choose their preferred mode of travel

rather than going straight to their automobiles. Ref. California SRTS State Network Complete Streets Action Team. National Complete Streets Coalition.

3.6 TRANSPORTATION

3.6.1 Existing Conditions. The City shall work with Caltrans to open Piraeus Street at the south end intersection onto Leucadia Blvd., for ingress and egress of traffic, see Appendices A. Piraeus Street is a frontage road with a history early as the 1940's. Piraeus is a 2-lane rural road and is a one-way collector road since there is no access to Leucadia Blvd., an existing 4 lane arterial road. Caltrans stated in 1989 when closing the south bound Piraeus Street traffic to Leucadia Blvd., per the realignment project of Leucadia Blvd., it would only be reopened (Piraeus Street) if supporting data were provided. Since closure, the lateral rural 2 lane residential roads have seen a dramatic increase in traffic warranting the City to install "Traffic Calming Measures" i.e., speed bumps, based on citizen complaints. This traffic intensity issue will increase with the approval of *Piraeus Point Townhomes*. It is to be noted that the MEU does not have a designated description of Piraeus Street, thereby Piraeus Street is unique with an historical background.

3.6.2 Regulatory Framework. Apply San Diego County Traffic and Circulations Guidelines. There shall be no vehicle ingress or egress onto Plato Place from this project. Exception: SDG&E existing 16ft. recorded easement access via Plato Place and the use by emergency vehicle(s)..

3.6.3 Analysis of Project Effects and Determination as to Significance. Should 149 *Piraeus Point Townhomes* (subdivision) be constructed (approval by the City of Encinitas) thereby allowing additional vehicle traffic onto Piraeus Street. The action by the City will have a legacy effect of the NE area of Leucadia rural community which will be out of character as defined by **Mobile Element Policy 2.4** which reads as follows: "*When considering circulation patterns and standards. Primary consideration will be given to the reservation of character and safety of existing neighborhoods. Where conflicts arise between convenience of motorists and neighborhood safety/community character preservation, the latter will (ECC recommends change will to shall) have first priority*". This Policy 2.4, will maintain the existing type of frontage, collector 2 lane road thereby eliminating the potential extreme congestion along Piraeus Street created by *Piraeus Point Townhomes*. See also MEU Policy 1.2 and 5.3 that also affect Piraeus Street due to poor choices of Housing Element Properties.

3.6.3.1 The 980 +/- daily vehicle trips (see below) from *Piraeus Point Townhomes* will dramatically increase the "cut-through" lateral rural 2 lane roads traffic volume to the detriment of the existing residential community, specifically Normandy Road. As noted, it is again requested that the City coordinate with Caltrans to reopen Piraeus Road to Leucadia Blvd.

3.6.4 Cumulative Impact Analysis. Additionally, the number of daily vehicles trip from the *Piraeus Point Townhomes* project will be 300 vehicles multiplied by a factor of six (6) equals 1,800 vehicle daily trips (VDT).

- An allowance factor for service vehicles will also increase and exacerbate the traffic volume issue on Piraeus Street by a factor of 1.1 +/- for an estimated total of 1,980 daily vehicle trips. This increase in vehicle traffic from *Piraeus Point Townhomes* will seriously impact the intersections of Piraeus Street and La Costa Avenue resulting in a Level of Service (LOS) of a F-Rating. The lateral intersections of Plato Place, Olympus Road, Sparta Road and Normandy Road will be severely impacted.
- Traffic interference will occur from *Piraeus Point Townhomes* vehicles entering Piraeus Street to travel south along Piraeus Street. Those vehicles traveling south to Normandy Road _ to access Leucadia Blvd as per signage) will interfere with northbound vehicles from Leucadia Blvd. Normandy Road is the only easterly route for vehicles to access Leucadia Blvd, which also provides access to I-5 south. As noted, access to Leucadia Blvd., is blocked from Piraeus Street. The lateral detour to access Leucadia Blvd., results in an additional 900 feet of single vehicle travel resulting in GHG emissions, noise, safety to the residential community. This is not acceptable to the community.
- Traffic interference again, as noted, will occur from *Piraeus Point Townhomes* vehicles entering Piraeus Street to travel north to La Costa Avenue. This vehicle traffic increase will seriously impact the intersection of Piraeus Street and La Costa Avenue and create congestion. Synchronizing the three (3) way signals serving both eastbound and westbound traffic on La Costa Avenue will also cause and create delays at the three (3) locations, including access to the north and south bound I-5 “on and off” ramps. Currently the traffic on Piraeus has a lower signal (Green) duration time permitting no more than seven (7) vehicles to enter the intersection to conduct a west bound (left) turn. With an increase of hundreds of vehicles north bound to access I-5 north and south on ramps the delays will be horrendous, frustrating and potentially dangerous. Traffic entering Piraeus Street from Sky Loft Road to either travel south or north will also be impacted severely by the huge line of vehicles waiting in line to get through the Piraeus Street and La Costa Avenue intersection. The impact of vehicle congestion will also increase the emission pollutants (GHG), of benzene, carbon monoxide, particulate matter at this intersection. The prevailing wind is from the SW to the NE. The recipient of these air borne pollutants is Batiquitos Lagoon, a Marine Protected Area (MPA) parallel with La Costa Avenue, which runs along the south shore from PCH 101 to El Camino Real, where significant reportable toxic pollutants of Poly Aromatic Hydrocarbons (PAH’s) are present in the water and benthic layer as per the December 9, 2021, water sampling analysis conducted by the Batiquitos Lagoon Foundation.

4.0 PARKING ISSUES

- a. There shall be no spillover or project owner or visitor parking allowed on Plato Place or Piraeus Street, as both are currently non-conforming rural roads. All cars whether residents or visitors or service delivery vehicles shall be parked on *Piraeus Point Townhomes* property only.
- b. In the absence of sidewalks, - where curbs if installed can normally be painted red (to alert drivers of a no parking location, i.e., Fire Lane, e.g., Piraeus Street, Plato Place, Caudor Street and Capri Road all shall have new “**NO PARKING**” signs installed by the City per the CVC.
- c. The *Piraeus Point Townhomes* project has the potential for one (1) vehicle per bedroom, i.e., 306, however with 149 Condominiums and where each Condominium has a 2-car garage this equates to 298 residential vehicles. The developer/applicant has failed to provide realistic vehicle counts of the actual total residential parking based on existing historical data of similar type project in Encinitas, Carlsbad and Oceanside.
- d. Additionally, and more importantly, identifying Visitor Parking, including service vehicles, delivery vehicles, trash collection trucks, furniture moving vans, U.S. Post Office Delivery Vans, etc., is important for all vehicles using the public and private roads. Collectively all vehicles need to be calculated including Public Safety Vehicles emergency vehicles, Public Transportation Vehicles such as buses, local shuttle vans for senior centers, school buses for transporting students of all ages. None of these vehicles shall be ignored from Transportation calculations.

Additionally, The City Housing Element Inclusionary Economic Analysis specifically for Townhomes - see pages 88-90/420 – indicate the allowable density of Townhomes is R-15, i.e., maximum of 15 townhomes per acre. Therefore, with approximately 4 acres of buildable acreage a quantity of 60 Townhomes is most likely the maximum quantity allowed for Parcel A See Appendices B.

5.0 CONCLUSION.

Strict enforcement of the Land Use and Planning upzoning laws/regulations needs to be conducted to prevent exceeding extreme density of residents/population and thereby increasing the quantity of vehicles beyond the ability of the development to garage them or a willingness to construct garages in lieu of allowing vehicles to park on public streets to the detriment of the rural community.

**END OF THE ECC SCOPING DRAFT ENVIRONMENTAL IMPACT REPORT
AND REVIEW COMMENTS FOR THE MOBILITY ELEMENT UPDATE>**

Appendices A

Portion of the City of Encinitas Parcel Map. Specifically, that portion of the City Parcel Map that is known as “Crest Acres” per County of San Diego Parcel Map Book 2019 circa 1927 with ECC edits. As referenced within Scoping EIR **Mobility Element Update** Comments Review Report.

Appendices B

City of Encinitas Housing Element, Appendix C Adequate Sites Analysis- 2013 - 2021, 9 pages, and 2) Inclusionary Housing Economic Analysis, Townhomes R-15. Spreadsheet Pages 88-90 of 420 Page Report. Date prepared 12-02-2019. 3) Map of Housing Element City Council Approved sites, 06-20-2019

Appendices C

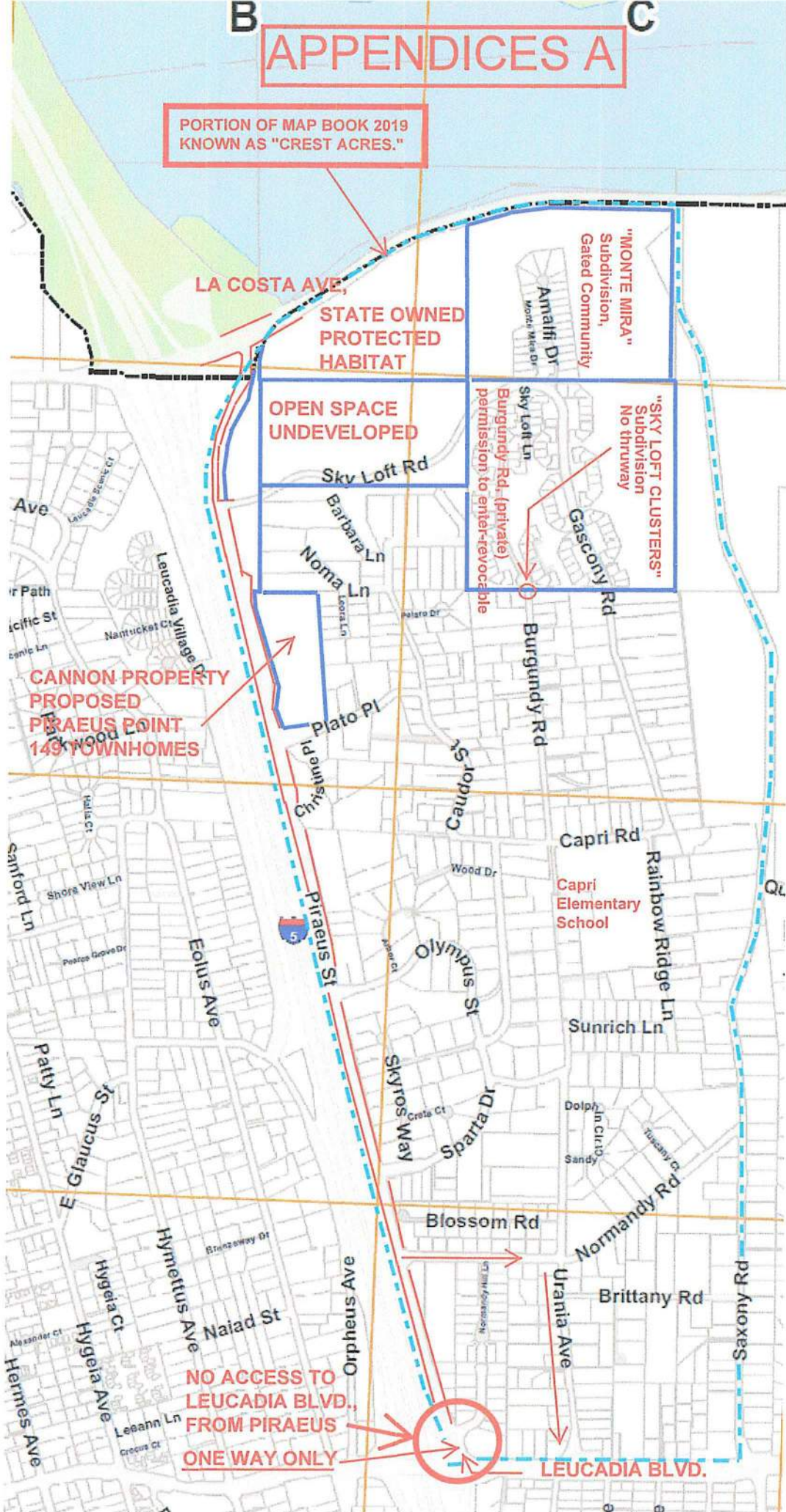
Ambient Traffic Noise Measurement/Location Map



Appendices A

APPENDICES A

PORTION OF MAP BOOK 2019
KNOWN AS "CREST ACRES."





Appendices B



Appendix C: Adequate Sites Analysis

Appendix C contains the site inventory and analysis for the sites proposed to meet the City of Encinitas' Regional Housing Needs Assessment (RHNA) allocation for the 2013-2021 planning period. The sites are organized to show how the City can meet the need for the four RHNA income categories (Very Low, Low, Moderate, and Above Moderate). That information is summarized in **Table C-1** below.

| Table C-1: Adequacy of Sites Inventory | | | | | |
|--|-------------------------------|------------|-----------------|-----------------------|------------|
| | Extremely Low/Very Low Income | Low Income | Moderate Income | Above Moderate Income | Total |
| RHNA (2013-2021) | 587 | 446 | 413 | 907 | 2,353 |
| RHNA Carryover (2003-2013) | 253 | | -- | -- | 253 |
| Units Built/Approved | 33 | 33 | 4 | 892 | 962 |
| Accessory Unit Production | 79 | | 54 | -- | 133 |
| Remaining RHNA | 1,141 | | 355 | 15 | 1,511 |
| Candidate Site Unit Yield | 1,504 | | 523 | 177 | 2,204 |
| Total Capacity Over RHNA Need | 363 | | 168 | 162 | 693 |

All sites were reviewed in order to ensure compliance with state law. The sites chosen meet that criteria and show the highest potential to redevelop for residential use within the planning period.

1.1 Availability of Water, Sewer, and Dry Utilities

The City of Encinitas has evaluated the availability of infrastructure from a Citywide and site-specific standpoint. In determining the feasibility of sites to accommodate the City's RHNA needs, infrastructure provision was a determining factor. As described in Appendix B under 'Environmental Constraints and Infrastructure,' the City has adequate water and sewer capacity to accommodate the planned increase in housing development. The City has reviewed the sites designated for development and has determined that each of the sites designated within each income category is adjacent to a public street that contains distribution facilities for water, sewer, and dry utilities (including cable and telephone). The availability and location of water, sewer and dry utilities and their distribution facilities do not pose a constraint to development.



C.1 Very Low and Low-Income Candidate Sites Inventory

SITES INVENTORY LIST

Very Low/Low Income RHNA Candidate Sites

Vacant

SITE 02: CANNON PROPERTY (PIRAEUS)
SITE 05: ENCINITAS BLVD & QUAIL GARDENS SITES
SITE 06a: ARMSTRONG PARCELS
SITE 08a: RANCHO SANTA FE PARCELS (GAFFNEY/GOODSEN)
SITE AD1: SAGE CANYON
SITE AD2a: BALDWIN & SONS PROPERTIES
SITE AD2B: BALDWIN & SONS PROPERTIES

Non-vacant

SITE 01: GREEK CHURCH PARCEL
SITE 06b: ARMSTRONG PARCELS
SITE 07: JACKEL PROPERTIES
SITE 08b: RANCHO SANTA FE PARCELS (GAFFNEY/GOODSEN)
SITE 09: ECHTER PROPERTY
SITE 12: SUNSHINE GARDENS PARCELS
SITE AD2c: BALDWIN & SONS PROPERTIES
SITE AD8: VULCAN & LA COSTA
SITE AD9: SEACOAST CHURCH
SITE AD11: MANCHESTER AVENUE WEST SITES
SITE AD14: HARRISON SITES
SITE AD31: MEYER PROPOSAL

| Table C-2: Net Acreage and Unit Yield Per Site | | | | |
|--|---|---------------|--------------|-----------------|
| Site Number | Site Name | Gross Acreage | Net Acreage | Unit Yield (DU) |
| Vacant¹ | | | | |
| 02 | Cannon Property (Piraeus) | 6.93 | 6.93 | 173 |
| 05 | Encinitas Blvd & Quail Gardens Sites | 4.91 | 4.78 | 119 |
| 06a | Armstrong Parcels | 1.92 | 1.06 | 26 |
| 08a | Rancho Santa Fe Parcels (Gaffney/Goodsen) | 1.75 | 1.45 | 36 |
| AD1 | Sage Canyon | 5.23 | 2.40 | 60 |
| AD2a | Baldwin & Sons Properties | 3.14 | 2.98 | 74 |
| AD2b | Baldwin & Sons Properties | 6.66 | 4.86 | 121 |
| Subtotal | | 30.54 | 24.46 | 609 |
| Non-vacant | | | | |
| 01 | Greek Church Parcel | 2.50 | 2.00 | 50 |
| 06b | Armstrong Parcels | 1.32 | 1.16 | 29 |
| 07 | Jackel Properties | 2.97 | 2.97 | 33 ² |
| 08b | Rancho Santa Fe Parcels (Gaffney/Goodsen) | 4.88 | 4.57 | 113 |
| 09 | Echter Property | 21.49 | 9.85 | 246 |
| 12 | Sunshine Gardens Parcels | 3.39 | 3.39 | 84 |
| AD2c | Baldwin & Sons Properties | 1.79 | 1.21 | 30 |
| AD8 | Vulcan & La Costa | 2.00 | 2.00 | 50 |
| AD9 | Seacoast Church | 4.45 | 1.41 | 35 |
| AD11 | Manchester Avenue West Sites | 1.67 | 1.67 | 41 |
| AD14 | Harrison Sites | 1.91 | 1.91 | 21 ² |
| AD31 | Meyer Proposal | 6.62 | 6.52 | 163 |
| Subtotal | | 54.99 | 38.66 | 895 |
| Total | | 85.53 | 63.12 | 1,504 |

Notes:

1. HCD has stated to the City that vacant parcels must be entirely unimproved and separately subdivided parcels, and Table 2-6 reflects this direction. However, the City believes that the following sites should also be considered to be vacant: Site 01 (50 units) consists entirely of unimproved land, but has not been subdivided from the improved part of the site. Site 07 (33 units) consists of unimproved land and an abandoned, vacant structure. Site AD2c (30 units) has utility lines on a portion of the site which have been deducted from net acreage, but the parcel is otherwise entirely unimproved, and the utility lines would not prevent an owner from developing the site for residential units. In the City's view, these sites should be considered vacant, adding 118 additional units to the Unit Yield on vacant property, for a sub-total of 727 units on vacant sites, far above 50% of the unmet RHNA need for the planning period.

2. Unit Yield anticipates that this site will be developed for mixed-use.

| Table C-3: Percentage of VL/L Sites by Site Type | | |
|---|------------|---|
| Site Type | # of Units | % of Remaining Lower Income RHNA Allocation (1,141) |
| Vacant | 609 | 53% |
| Non-vacant | 895 | 78% |
| Total | 1,504 | 132% |
| RHNA Allocation (including carryover) for VL/L Income Categories: 1,286 | | |
| Units Constructed and Estimated ADUs: 145 | | |
| Remaining RHNA Allocation for VL/L Income Categories: 1,141 | | |

| Table C-4: Net Acreage and Unit Yield on Residentially Zoned Sites | | | | |
|--|---|--------------------|--------------|-----------------|
| Site Number | Site Name | Zoning Designation | Net Acreage | Unit Yield (DU) |
| Vacant | | | | |
| 02 | Cannon Property (Piraeus) | RR2 | 6.93 | 173 |
| 08a | Rancho Santa Fe Sites (Gaffney/Goodsen) | RR2 | 1.45 | 36 |
| AD1 | Sage Canyon | R3 | 2.40 | 60 |
| AD2a | Baldwin & Sons Properties | R3 | 2.98 | 74 |
| AD2b | Baldwin & Sons Properties | R5 | 4.86 | 121 |
| Subtotal | | | 18.62 | 464 |
| Non-vacant | | | | |
| 01 | Greek Church Parcel | RR1 | 2.00 | 50 |
| 08b | Rancho Santa Fe Parcels (Gaffney/Goodsen) | RR2 | 4.57 | 113 |
| AD2c | Baldwin & Sons Properties | R5 | 1.21 | 30 |
| AD8 | Vulcan & La Costa | R3 (N101SP) | 2.00 | 50 |
| AD9 | Seacoast Church | R11 | 1.41 | 35 |
| AD11 | Manchester Avenue West Sites | R11 | 1.67 | 41 |
| AD31 | Meyer Proposal | R3/R5 | 6.52 | 163 |
| Subtotal | | | 19.38 | 482 |
| Total | | | 38.00 | 946 |

Notes:

1. Unit Yield anticipates that this site will be developed for mixed-use.

NET ACREAGE CALCULATIONS

Very Low/Low Income RHNA Candidate Sites

CALCULATION METHOD

The net acreage for each candidate site was calculated based on the gross acreage (for all parcels included in the site) minus the acreage deemed partially or completely undevelopable based on existing steep slopes and known environmental constraints. Environmental constraints were determined based on known site information for the parcels where that information was available and other sources, such as the City's Local Coastal Program and site observations. **The site capacity was determined by applying a 25 du/ac standard to the net acreage for each candidate site.**

The following calculation methods apply to slope constraints (per the City of Encinitas Municipal Code for purposes of calculating density):

- All land in 0-25% slope of natural grade is allowed to use 100% of acreage.
- All land in 25-40% slope of natural grade is allowed to use 50% of acreage.
- All land in 40% + slope of natural grade is allowed to use 0% of acreage.

All acreages shown on the following sheets include any applicable acreage deductions from the gross acreage. The informational sheets include a note either stating that there were no known topographic or environmental constraints or detailing the acreage removed from the gross acreage and the reasoning.

WATER AND SEWER AVAILABILITY

As discussed in Appendix B, each site has been evaluated to ensure there is adequate access to water and sewer connections. Each site is situated adjacent to a public street that has the appropriate water and sewer mains and other infrastructure to service the candidate site.

DEFINITIONS

Vacant Parcel: HCD has stated to the City that vacant parcels must be unimproved. Sites containing abandoned, non-habitable, or vacant structures or powerlines are considered to be non-vacant by HCD unless the owner has applied for, and been issued, a demolition permit. Similarly, vacant portions of parcels designated for housing development are considered by HCD to be non-vacant unless the vacant portions of the site have been subdivided from the non-vacant portions. The designations of vacant and non-vacant parcels in this Appendix C conform to the direction provided to the City by HCD.¹

Non-Vacant Parcel: Non-vacant parcels are underutilized or developed parcels and contain existing development or established uses. These may include temporary structures associated with an active use (i.e., agricultural greenhouses) or other uses currently operating on the site.

Mixed-use Site Capacity: For mixed-use sites within the Encinitas North 101 and Downtown Specific Plan areas, capacity was calculated per Section 3.1.2.D of the Specific Plan, which states a maximum lot utilization of 90% and that residential uses shall not exceed 50 percent of the gross building floor area for the development site. The capacity of other mixed-use sites was determined based on the area available for housing development, largely determined by the owner.

Site Capacity: All parcels shown with fewer than 16 units are in common ownership with one or more adjacent parcels or are likely to be consolidated with one or more adjacent parcels based on owner representations. In these cases, the parcels are considered one site that can accommodate at least 16 units.

Owner-Interest: Sites with "owner interest" listed in the description indicate that the City has been directly contacted by the property owner and received an acknowledgement of their interest in writing, either by email or by a formal letter.

NOTES:

¹ The City believes that vacant portions of parcels designated for housing development and sites containing only abandoned, non-habitable, or vacant structures or powerlines should also be considered to be 'vacant' because they contain no existing use that prevents an owner from developing the site.

CANNON PROPERTY (PIRAEUS) SITE NUMBER 02

SITE DESCRIPTION

This site is a vacant property at the corner of Piraeus Street and Plato Place, both of which are 2-lane local streets. The southern portion of the site is flat due to previous grading, with the majority of the rest of the site sloping up towards a flat pad on the northeast corner. The owner has expressed interest in developing this site for residential uses.



SITE FEATURES

- Vacant, natural landscape
- Partially graded
- Some mature trees/vegetation on the northern portion of the site
- Slight topography change

PARCEL SIZE CALCULATION

There are no known physical constraints to development due to steep slopes or environmentally sensitive areas. Therefore, the parcel's net acreage equals the full gross acreage.

| | | | |
|-------------------------------|-----------------------------------|---|---|
| APN(S) (Ownership) | 2541440100 (CANNON MARIA T) | PARCEL SIZE (AC) (GROSS/NET) | 6.93/6.93 |
| SITE STATUS | Vacant | MAXIMUM DENSITY | 30 DU/AC |
| ADDRESS(ES) | Piraeus Street | MINIMUM DENSITY | 25 DU/AC |
| NEIGHBORHOOD | Leucadia | UNIT CAPACITY | 173 |
| GENERAL PLAN LAND USE | Rural Residential 1.01-2.00 (RR2) | CONSTRAINTS | <ul style="list-style-type: none"> • Slight Topography (less than 25% slope, so no deductions) |
| ZONING | RR2 | | |



Appendices C



First American
Title Insurance Company

File No.: 843804
Location: San Diego County, CA

Legend

- PARCELA
- PARCEL B

10/25/1949 Bk3363 Pg154
(Either Or Both Pole Lines,
Underground Conduits, With
The Right Of Ingress And Egress
- Not Plottable)

07/06/1926 Bk1220 Pg410
2' Wide - Either Or Both Pole Lines,
Underground Conduits, With The Right
Of Ingress And Egress)

INTERSTATE 5
PARCEL B



**SOUND PRESSURE LEVEL (SPL)
MEASUREMENT**
**69.9 dBA SUNDAY JANUARY
10TH, 2022. TIME: 3:00 PM.**

AVERAGE SPL 66.8 dBA

PEAK SPL 81.7 dBA



This map may or may not be an accurate description or identification of the land and is not intended nor may be taken as a survey of the land depicted herein. This map is solely intended to provide orientation as to the general location of the parcel or parcels depicted herein. First American Title Company, its subsidiaries and affiliates, expressly disclaims any and all liability for all loss or damage which may result from reliance on use of this map.

FW: Policy 2.3 & 2.4 of the General Plan

Evan Jedynak <ejedynak@encinitasca.gov>

Mon 9/26/2022 11:04 AM

To: Whitmore, Stephanie A. <Stephanie.Whitmore@wsp.com>; Ruscitti, Peter L. <Pete.Ruscitti@wsp.com>; Bigham, Elizabeth <Elizabeth.Bigham@wsp.com>

Cc: Jennifer Gates <jgates@encinitasca.gov>

Fyi, another comment.



Evan Jedynak
Associate Planner
Development Services Department
505 South Vulcan Ave, Encinitas, CA 92024
(760) 633-2686 | ejedynak@encinitasca.gov
www.encinitasca.gov

Correspondents should be aware that all communications to and from this address are subject to public disclosure and may be reviewed by third parties.

Conduct business with the City of Encinitas online from the convenience of your office, home, or mobile device!

Please tell us how we are doing.

From: Skyloft Mike George <skyloftmichaelgeorge@cox.net>

Sent: Monday, September 26, 2022 10:39 AM

To: Evan Jedynak <ejedynak@encinitasca.gov>

Cc: Dennis Kaden <denniskaden101@gmail.com>; Skyloft Mike George <skyloftmichaelgeorge@cox.net>; Michael A. George <eaglebythesea@cox.net>

Subject: Fwd: Policy 2.3 & 2.4 of the General Plan

[NOTICE: Caution: External Email]

Mr. Jedynak, I am sorry I sent the original of this email to the wrong email address. Please see my opposition to any changes in the General Plan, Policy 2.3 & 2.4. Thanks Michael A. George

Skyloft Mike George

skyloftmichaelgeorge@cox.net

Begin forwarded message:

From: Mike George <eaglebythesea@cox.net>

Subject: Policy 2.3 & 2.4 of the General Plan

Date: September 26, 2022 at 10:26:25 AM PDT

To: Ejednak@encinitasca.gov

Cc: Skyloft Mike George <skyloftmichaelgeorge@cox.net>, Dennis Kaden <denniskaden101@gmail.com>, "Michael A. George" <eaglebythesea@cox.net>

Mr. Jednak,

I do not want have any part of these policies, changed, modified, or deleted from our general plan.

I oppose them being removed for the mobility "Proposed Street Typology" report presently being considered. It is my understanding your department co-operated with the consultant on this proposal. It has many mistakes, which surprises me happened, since your department worked with the consultant on it.

Thank you, Michael A. George, 1703 Gascony Road, Encinitas CA 92024

FW: Comments of Encinitas Mobility Element Scoping for EIR

Evan Jedynak <ejedynak@encinitasca.gov>

Wed 10/5/2022 8:57 AM

To: Ruscitti, Peter L. <Pete.Ruscitti@wsp.com>; Bigham, Elizabeth <Elizabeth.Bigham@wsp.com>; Whitmore, Stephanie A. <Stephanie.Whitmore@wsp.com>
Cc: Jennifer Gates <jgates@encinitasca.gov>

📎 5 attachments (14 MB)

Mobility Element Scoping comments for EIR.docx; QG_KristenCt_Jun-01-22_12_49 (1).csv; QG_QG_Court_Jun-02-22_07_32 (1).csv; QG_ViaZam_NB_Jun-02-22_07_29 (1).csv; QG_ViaZam_SB_Jun-02-22_08_04 (1).csv;

Good morning all,

It was great seeing some of you at the conference this weekend. See attached comments we received.

Thanks,



Evan Jedynak
Associate Planner
Development Services Department
505 South Vulcan Ave, Encinitas, CA 92024
(760) 633-2686 | ejedynak@encinitasca.gov
www.encinitasca.gov

Correspondents should be aware that all communications to and from this address are subject to public disclosure and may be reviewed by third parties.

Conduct business with the City of Encinitas [online](#) from the convenience of your office, home, or mobile device!

[Please tell us how we are doing.](#)

From: Steve and Jayshree Gerken <sgerken@sbcglobal.net>
Sent: Monday, October 3, 2022 6:31 PM
To: Evan Jedynak <ejedynak@encinitasca.gov>
Subject: Comments of Encinitas Mobility Element Scoping for EIR

[NOTICE: Caution: External Email]

Hello Mr. Jedynak,

Attached are my comments for the Mobility Element EIR scoping.

I will need to send addition files under separate email as the file sizes exceed the email limit.

Also, the Chen Ryan Traffic Impact Analysis is 35 MB. Can you get that from city planners?

Or can I send you a link to a secure file server? I need that document attached to this comment on scoping for the EIR.

Thank you.

Steve Gerken

Encinitas resident

October 3, 2022

To: Evan Jedynak,
Associate Planner
City of Encinitas

RE: Response to Notice of Preparation (NOP) of Draft Environmental Impact Report (EIR)

From: Steven Gerken
Encinitas resident

Dear Mr. Jedynak,

I have been participating in the city's mobility element planning. This letter contains my comments for the Mobility Element Scoping for the Environmental Impact Report. The stated goals of the Mobility Element are to:

- A safe, efficient, and adequate circulation system that responds to the transportation and infrastructure needs of all modes and users, including drivers, cyclists, pedestrians, transit users, and rail users.
- The location of existing and future transportation needs in the City.
- Long-term goals and policies for community mobility over the next 30 years.
- Strategies to reduce vehicle speed, increase driver attention, and protect vulnerable users on local streets, and to reduce overall vehicle-miles traveled (VMT) and urban sprawl.

Policy 1.1: The mobility element needs to address how increasing the city's housing supply is consistent with climate action plan, active transportation plan and housing element. The EIR needs to demonstrate how building thousands of new housing units reduces vehicle miles travelled, reduces greenhouse gases, promotes safe routes to schools, and promotes the safety of bicycle and pedestrians while significantly increasing the population of the city and accounting for population increases in neighboring cities.

Policy 1.3: The mobility element needs to address how the city's multimodal transportation systems can effectively link different parts of the city. How can communities be connected safely and effectively when historically transportation corridors promoting optimal levels of service have been the defacto standard since incorporation. How can communities be linked effectively when the city design made each community and each property isolated from its neighbor?

Policy 1.4: The mobility element needs to address how climate change may affect the roadway systems in Encinitas and surrounding communities. How will sea level rise affect major arterials and roadways, especially the Coast Highway 101 and Interstate 5?

Policy 1.5: The mobility element needs to address mode shift to non-motor vehicles, especially the electrified bike and scooter. The element needs to design and equitably distribute electric vehicle charging systems for electric vehicles.

Policy 1.6: The mobility element needs to address how to decrease the city's resident population will not cause an increase in Vehicle Miles Travelled and associated increase in greenhouse gases.

Policy 1.8: The mobility element needs to address safe routes to schools. City policy must address how the mode shift away from personal motor vehicles to transport students to and from schools while increasing the safety of residents attending local schools. How will increased modes of bikes and pedestrian routes to schools be compatible with the safe routes to school? These must be aligned with

the city's Vision Zero policy of no injuries or fatalities. What protections must the city provide to keep students, staff, and faculty safe? What will be the funding priorities and sources of funds to achieve.

Policy 1.13A: The mobility element needs to address how to minimize impacts to local circulation elements from development projects. The mobility element must identify where state housing law impacts local circulation elements. The mobility element clearly needs to identify impact mitigation measures that are not required under state housing law but are required under Encinitas city policy.

The Traffic Impact analysis of the 2020 Quail Meadows Baldwin project application prepared by Chen & Ryan (on file at the Encinitas planning department) provides a clear example of significant impact on local traffic circulation by new housing projects. Section 4.13.5.1 describes impacts of development. Section 4.13.7.1 states that "Impacts of the future development consistent with the HEU floating zone program would be subject to the City's roadway design standards, City Municipal Code, and California Fire Code emergency access requirements, as well as the City General Plan goals and policies related to traffic safety. The City of Encinitas Public Road Standards (1991) identifies design specifications for curves, sight distance, slopes, and other roadway features. The City's roadway standards are intended to provide for "service, health, welfare and safety of the public" (City of Encinitas 1991). Thus, compliance with the City's roadway standards would preclude traffic hazards. The City of Encinitas has adopted the California Fire Code emergency access requirements as a part of their Municipal Code. This includes emergency access road dimensions, design, grades, gates, and other fire safety features. Additionally, the more stringent California Building Code (CBC) access standards also have been adopted by the City to address potential emergency access issues associated with earthquakes, flooding, climate/strong winds, topography, and water shortages. Future development consistent with the HEU would be required to comply with these regulations when designing emergency access relative to the future housing sites. Thus, compliance with the City Municipal Code would preclude inadequate emergency access issues. The General Plan also includes several goals and policies regarding traffic safety. Goal 1 of the Circulation Element portion of the General Plan states "Encinitas should have a transportation system that is safe, convenient and efficient, and sensitive to and compatible with surrounding community character." Policies 1.6, 1.7, and 1.9 encourage safe roadways and driveways by limiting direct access on major roadways and encouraging properties to use common driveways to reduce access points. Policy 1.17 identifies the need to provide adequate street lighting for safety of all roadway users. Landscaped medians and buffers are recommended by City Policies 2.10 and 2.13 and would improve safety by separating directional traffic as well as separating traffic from buildings. Future development consistent with the HEU would be required to be in accordance with the General Plan goals and policies, including these goals and policies related to traffic safety; therefore, there would be no inherent differences in impacts among the housing strategies. Impacts resulting from all three housing strategies would be less than significant."

Section 4.13.5.4 of the Chen Ryan traffic impact analysis describes the significance of impacts after mitigation. Significance After Mitigation measures which are determined to be feasible improvements as indicated in Table 4.13-21, would reduce traffic impacts of the HEU to below a level of significance if these improvements can be assured at the time of future development. However, as the City has not yet approved a mitigation fee program for the HEU as identified in TRF-27, there is no assurance that funding will be available to construct these improvements at the time future development is proposed. Until such time as this program is implemented, impacts would remain significant and unmitigated. In

addition, the City has determined that certain mitigation measures/improvements as listed in Table 4.13-21 are infeasible for one or more of the following reasons: (1) the improvement would result in the roadway exceeding the General Plan classification; (2) insufficient right-of-way exists and the City/Community prefer to retain existing adjacent uses instead of exercising eminent domain and (3) the improvement conflicts with existing or planned multi-modal facilities or adopted City policies or program relative to the provision of multi-modal facilities (pedestrian, bicycle or transit). As such, these impacts would also remain significant and unmitigated 4.13-21 are infeasible for one or more of the following reasons: (1) the improvement would result in the roadway exceeding the General Plan classification; (2) insufficient right-of-way exists and the City/Community prefer to retain existing adjacent uses instead of exercising eminent domain and (3) the improvement conflicts with existing or planned multi-modal facilities or adopted City policies or program relative to the provision of multi-modal facilities (pedestrian, bicycle or transit). As such, these impacts would also remain significant and unmitigated.

Thus, this EIR must identify how to mitigate the traffic impacts from the city's housing element update.

Policy 2.1: The mobility element needs to address Safety for all users. The mobility element must solve the paradox that by design, the interaction of bikes and cars is unsafe. So how does one keep bike riders and pedestrians safe, when comingling in a multimodal transportation system is unsafe. Dept. of transportation studies have shown that reducing vehicular speed is a very significant means of reducing the chance of serious injury or death when a vehicle and bike/pedestrian collision occurs. So this EIR must state the preferred alternative for safety for all users. This requires this EIR to address

Policy 2.4: The statement that the focus on street with the highest traffic and highest speeds is a severe limitation of this EIR scoping. Families don't cycle on La Costa Ave, Leucadia Blvd or Encinitas Blvd. in the current configuration as a Class II bike lane because it is unsafe. The mobility element needs to address traffic calming where multimodal means of transportation are used, especially on many local collector roads. since many bikes and pedestrians avoid the city's prime arterials because of the excessive speeds and high volumes of vehicles travelling on these roads, these roads play important travel routes. Attached are traffic speed and car counts from Encinitas speed feedback signs of Quail Gardens Dr. and Saxony Rd. The data shows that over 50% of vehicles exceed the posted speed limit and that very large percentage of vehicles travel 30 to 50 miles per hour over the speed limit. Until traffic is calmed and vehicle speeds are significantly reduced, Encinitas will continue to be an unsafe place for pedestrians and bicyclists. Mitigating the impact of vehicle speeds on the safety of all users of Encinitas mobility elements is a clear requirement for this EIR.

Policy 2.5: Traffic calming design elements must be made available as part of a mitigation toolkit that promotes the safety of all users of Encinitas mobility elements.

Policy 4.1: The complete streets design policy must be a cornerstone of the EIR. The city strategy for making capital improvements in neighborhoods has been to require developers to fund and install capital improvements along with their projects. Since much of Encinitas development has consisted of small developments, often infill projects as nurseries relocated outside the city, Encinitas was left with scattered, hodge-podge, unconnected sidewalks and streets (eg. Quail Gardens Dr., Saxony Dr.). This made for unreliable, unsafe modes of transportation for every mobility modality except motor vehicles because very few routes were fully completed, and neighborhoods weren't connected (the Channel Islands on Saxony is a classic example of a sidewalk to nowhere).

With the adoption of the 2018 and 2021 housing element updates for planning for new housing in Encinitas, fifteen housing sites were approved for high-density overlays. With this land use designation, the sites also qualified for additional density bonus housing units, moving the limit from 30 DU/acre to

effectively 40 DU/acre. Most importantly, the city was constrained by state law from requiring significant capital improvement and traffic impact mitigation. Thus, the strategy for neighborhood capital improvements now falls to the city and not the developer. Therefore, it is imperative that this EIR formally recognize the shift in strategy for complete streets and recognize the city's obligations for capital improvements.

The Four Corners area of Encinitas will contain 40% of the entire city's high-density housing within approximately one square mile of the city's 12,544 acres, this region of the city carries the highest burden of impacts from the housing plan and the city's need to mitigate the unprecedented impact of its housing plan is immediate and necessary to manage traffic, safety and quality of life for all residents, visitors and businesses. This EIR should identify and rank areas of the city with significant impacts due to this now failed policy for implementing Complete Streets.

Policy 4.5A: The EIR must identify that the city's policy on focusing exclusively on electric motor vehicle charging stations is incomplete. EV charging for electric cars, trucks, bicycles, and scooters must be part of policy for EV charging infrastructure.

Policy 4.12: This EIR must identify that the Housing Element update sites generate the highest impacts on Encinitas in the history of the City. Housing density is at its highest density. And so are impacts. Funding from developer fees should be earmarked for mitigation measures. Additional revenue sources that should be earmarked for mitigating impacts with specific housing element updates developments is the newly generated property tax. Since the super-majority of all new housing at a housing element site will be market rate, significant levels of new property tax revenues are forecast. Therefore, this EIR should include these sources of revenue for funding impact mitigation efforts.

Policy 6.1: The Active Transportation Plan (ATP) identified that there are very few East West corridors for mobility by bike or pedestrian. And the East/West mobility corridors are prime arterials. Serving multi-lane, very high speed and very high speed vehicular traffic. Mixing pedestrians and bikes with high-speed vehicles is dangerous and unpleasant. No one wants to bike or walk along a freeway or a racetrack. It's not safe. So the mobility element needs to identify that lack of East-West routes is a major deficiency in the ATP plan.

The mode and demographics of bicycling and other modes of transportation have been revolutionized by electric technologies. Very large numbers of people now ride electric bicycles. Very large numbers of young people ride electric bikes. The number of California's ebikes is expected to increase significantly. Encinitas has a Zero Vision policy of achieving no car-bike collisions and no fatalities. Studies have shown that reducing the speed of vehicle bike collisions significantly reduces the likelihood of a fatality, especially when automobile speeds are 25 MPH or less.

Therefore, the mobility plan needs to create class 3 or 4 bike lanes on every major arterial. Vehicle speeds need to be reduced to 35 mph and 25 MPH on neighborhood and collector roads. All other streets must be 25 mph or less to harmonize city policies.

Cordially,

Steven Gerken
Encinitas resident

Mobility Element Programmatic Environmental Impact Report

Public Scoping Comments

Submitted by Aaron Hebshi
9/22/2022

El Camino Real from Encinitas Boulevard to Leucadia Blvd is classified in the Mobility Element as a Suburban Corridor. It is rich with commercial activity and serves as an important throughput for north-south travel. There are currently 8 signals between and including those intersections, leading to substantial vehicle idling and frustrated drivers. And the 6-9 lanes and high vehicle speeds make walking and biking dangerous and uncomfortable. This corridor therefore, contributes and encourages a high amount of automobile traffic with its associated noise and air pollution, while simultaneously not serving any users well. I commend the Mobility Element for suggesting a street typology alternative that looks to reduce the car footprint in this corridor by reducing the number of lanes and, where practical, installing slower-speed frontage streets for ingress/egress into driveways. However, without also modifying land use in that corridor, the modifications are unlikely to result in significant mode shift away from automobiles. I suggest that the Programmatic Environmental Impact Report (PEIR) analyze a modification of land use (cumulative effects) that allows mixed-use commercial/residential development, eliminates minimum parking mandates and encourages the repurpose of the expansive parking lots, slows vehicle traffic between signals through narrower lanes and other design features, creates refuge islands and bulb outs and/or overpasses for pedestrians, and otherwise reconstructs this corridor to be more accommodating to non-automobile users.

The Union Street pedestrian overpass was originally in the I-5 expansion plan, but, given the fact that the expansion has been completed in Encinitas and the overpass has not been built, it appears that this item was dropped from the plan. This overpass would be an incredible asset for safely connecting the Saxony neighborhood, currently cut off by Interstate 5, to the coastal zone. I am happy to see that the Mobility Element continues to include this feature in the event that funding and the political will materializes to see this constructed, and I hope that the PEIS will include this feature in its preferred alternative.

The Mobility Element appears to focus on improving mobility through alternative transportation. These improvements may be partially offset by the larger and heavier automobiles on the market today. I suggest that the PEIR consider in its analysis how these larger and heavier vehicles may offset any mobility improvements by killing and seriously injuring a greater number of people on foot or bike. Additionally, I suggest that the PEIR consider in its analysis the possibility of incentivizing the use of smaller, lighter vehicles.

I suggest that the PEIR include a public car-sharing program in the analysis. This has the potential to allow individuals/families to downsize the number of automobiles that they own, which in turn would lead to reduced Vehicle Miles Traveled (VMT). See <https://ssti.us/2016/08/08/study-one-way-car-sharing-reduces-vmt-ghg-emissions-and-vehicle-ownership/>. Flo Share in Rochester NY provides a good model. <https://rocfloshare.org/>.

Saxony and Vulcan avenues are important north-south corridors for travel, with valuable destinations such as the YMCA, Paul Ecke Central elementary school, and Cottonwood Creek park. However, automobile speeds are high, despite speed limit postings, because of the Level of Service (LOS) design. To make these two roads safe for people on bicycles and micromobility vehicles, I recommend including in the PEIR an analysis of how redesigning these streets could increase bicycle and micromobility trips and decrease VMT. Quail Gardens Dr was recently redesigned and includes narrower lanes, a bike lane, and central median. However, the smooth pavement still allows for high speeds, and the posted speed limit continues to encourage fatality-inducing speeds. For Quail Gardens Dr, I recommend analyzing how additional traffic calming measures, such as speed tables or rumble strips/bollards separating the bike lane, could increase bicycle and micromobility trips and decrease VMT.

I suggest that the PEIR analyze the addition of a microtransit option along the 101 corridor. Free EV shuttle rides, such as those provided by Ride Circuit in San Diego <https://www.ridecircuit.com/fred>, can reduce VMT and air pollution by allowing residents and visitors rapid access along the 101 corridor without the use of an automobile. Shuttles could be hailed on demand or on a fixed route/schedule. Operational funding could be obtained through developer mitigation fees (e.g. Alila Marea resort expansion), installation of parking meters along 101 in downtown Encinitas, and/or a 101 business district fee based on revenue.

The El Portal undercrossing and Leucadia Streetscape projects have increased access for people via foot and bicycle along the 101 corridor and to Paul Ecke Central elementary school. I suggest that the PEIR analyze how additional developments, specifically, completing the streetscape project north through La Costa Ave and installing two at-grade railroad crossings between Leucadia Blvd and La Costa Ave, can similarly increase non-automobile access and decrease VMT.

The high automobile speeds on Encinitas Blvd and La Costa Ave (east of Interstate 5) discourage people from making trips via bicycle on these corridors. I suggest that the PEIR analyze alternatives that would increase bicycling and safety along these corridors, such as the installation of protected bikeways separated by concrete barriers or bollards.

Dennis Kaden
1611 Caudor St.
Encinitas, CA
DennisKaden101@gmail.com

Mobility Element draft Scoping EIR Comments

October 3, 2022

To: Jennifer Gates

Planning Manager

City of Encinitas, Development Services Department

Piraeus Street is proposed reclassified as Suburban Collector. Piraeus Street does not connect to Leucadia Boulevard at its southern termination. Collector is defined as joining two arterials. Piraeus Street to its south does not join onto Leucadia Boulevard. Traffic bound to Leucadia Boulevard must redirect itself onto much narrower residential streets i.e. Normandy and Urania, Capri and Caudor, which have multiple private driveways and speedbumps. These neighborhood streets cannot handle more traffic and should not be subject to the volume of traffic a legitimate Suburban Collector would handle. Please remove Piraeus Street as a Suburban Collector.

Any roadway reclassified with a new Typology on this Mobility Element should have its improvement cost calculated and funding sources determined. They should have future increased noise levels determined and identify impacts on existing residents. It is unfair to the residents to reclassify a street to carry increased VMTs and therefore adjacent increased land use density without actually improving such roads.

Safe Walk to Schools should be examined in the EIR. Look especially at all R-30 parcels and where children need to safely walk, i.e. Plato Place walkers getting safely to Capri Elementary.

Destruction of sensitive bluffs to achieve widening (right of way east of Piraeus Street) Piraeus Street has several storm water wash basins, one at Sparta, another further north, and at La Costa Ave. Please add to the EIR how the elimination or decreased size of these storm basins (due to street widening) effects the environment. *Per CEQA, In areas of the Project site which may support ephemeral streams, herbaceous vegetation, woody vegetation, and woodlands also serve to protect the integrity of ephemeral channels and help maintain natural sedimentation processes; therefore, California Department of Fish & Wildlife recommends effective setbacks be established to maintain appropriately sized vegetated buffer areas adjoining ephemeral drainages.*

Dennis Kaden

1611 Caudor St.

Encinitas, CA

DennisKaden101@gmail.com

Mobility Element draft Scoping EIR Comments

Page 2

There has been confirmation of Gnatcatchers nesting on vacant bluffs alongside Piraeus Street. Please add to the EIR what impact a Piraeus Street widening and additional traffic would have on the endangered species on the bluffs and untouched hillsides along Piraeus Street.

Also, preserve Policy 2.3 and 2.4 as originally written in our General Plan. Its language is clear and its intent to protect existing neighborhoods from the negative impacts of new, especially high density projects, is vitally important to our community character and quality of life in Encinitas.

Thank you and please feel free to contact me if you should need or want any additional information of any kind.

Regards



Dennis Kaden

FW: Burgundy Rd. - Skyloft Development

Evan Jedynak <ejedynak@encinitasca.gov>

Wed 9/21/2022 3:16 PM

To: Bigham, Elizabeth <Elizabeth.Bigham@wsp.com>; Ruscitti, Peter L. <Pete.Ruscitti@wsp.com>; Whitmore, Stephanie A. <Stephanie.Whitmore@wsp.com>
Cc: Jennifer Gates <jgates@encinitasca.gov>

From: Mike McGovern <mike@skyloftenterprises.com>**Sent:** Monday, September 19, 2022 10:40 PM**To:** Evan Jedynak <ejedynak@encinitasca.gov>**Cc:** Virginia McGovern <virginia@skyloftnetworks.com>; Ed Bass <ebass@werfen.com>; Marty Joyce <mj@martyandcompany.com>; Mike George <skyloftmichaelgeorge@cox.net>; Scott Runmark <srunkmark@yahoo.com>; Angie Runmark <a_gerhart@yahoo.com>; Alain Bayoud <aybayoud@gmail.com>; Kim Shields <kimberlysueshields@gmail.com>; Robert Santonastaso <rsantonastaso@gmail.com>; Natalie Armbrust <armbrustnatalie@gmail.com>; HEIDI KAMRATH <heidikamrath@gmail.com>; Cindy Keefer <ckeefer@krecruiting.net>; Jim Brakas <Jim@LorieAndJimBrakas.com>; Debbie Conover <debbieconover808@gmail.com>; Dave Griffiths <davidgriffiths2015@gmail.com>; Jason Riggs <jason.riggs@gmail.com>; John Schmitz <johnpschmitz@aol.com>; Tatiana Southard <richandtat0@gmail.com>; Rich Southard <richsouthard@hotmail.com>; Rory Tarantino <rory4SD@gmail.com>**Subject:** Burgundy Rd. - Skyloft Development**[NOTICE: Caution: External Email]**

Hello Evan,

I attended the meeting this evening at City Hall and did not get a chance to talk to you directly but wanted to state in very clear terms that Burgundy Rd. in the Skyloft HOA is a "Private Road" and we would like to keep it that way.

Encinitas is a beautiful town that is getting much too crowded with police/ambulance sirens heard way too often (feels like New York City at times) and we have far too many homeless and mentally ill wondering around town.

If the goal is to keep Encinitas a Premier City in the the United States, the appropriate action would be to keep open spaces OPEN...otherwise we will just become an armpit of of city like Los Angeles. We are already well into this process in my humble opinion.

The United States/California has a TON of open and unused land just east of here. We should NOT build/develop ever piece of open land in Encinitas, nor do we need to.

Most traffic lights are already backed up all too often on any given day at any given time. Building more will only make the problem worse.

There is no law or God given right that says anyone and everyone should or can afford to live in Encintias. There is a price to be paid for living near the beautiful Pacific ocean and it should not be stepping over the mentally ill after waiting a half hour to travel one mile to get to the beach.

1. Fix the roads (many are a mess, potholes etc..)
2. Clean up the homeless problem
3. STOP building on every piece of open space

Progress is NOT becoming LA or New York City.

Progress is building high density housing far east of Encinitas and building mass transit to bring the workers in out out of our fine city.

Progress is keeping the so called "Developers" in check and not letting them destroy one of the nicest cities in the world.

Thank you for your time.

Michael McGovern
1710 Burgundy Rd.
Encinitas, CA 92024
Cell: 760-822-7106

FW: 9-22-22 Mobility Plan Input - WSP Consulting and La Costa Avenue - Public Comment

Evan Jedynak <ejedynak@encinitasca.gov>

Thu 9/22/2022 10:49 AM

To: Bigham, Elizabeth <Elizabeth.Bigham@wsp.com>; Ruscitti, Peter L. <Pete.Ruscitti@wsp.com>; Whitmore, Stephanie A. <Stephanie.Whitmore@wsp.com>

Cc: Jennifer Gates <jgates@encinitasca.gov>

📎 4 attachments (2 MB)

9-29-22 City Meeting RE La Costa Avenue Improvement Alternatives.pdf; RE: 11-12-20 Petition to Reclassify La Costa Avenue from a 4-lane road to a 2-lane road; 20220920_131951.jpg; 20220920_132354.jpg;

Fyi



Evan Jedynak
Associate Planner
Development Services Department
505 South Vulcan Ave, Encinitas, CA 92024
(760) 633-2686 | ejedynak@encinitasca.gov
www.encinitasca.gov

Correspondents should be aware that all communications to and from this address are subject to public disclosure and may be reviewed by third parties.

Conduct business with the City of Encinitas online from the convenience of your office, home, or mobile device!

Please tell us how we are doing.

From: Elena Thompson <elenathompson@cox.net>

Sent: Thursday, September 22, 2022 10:32 AM

To: Evan Jedynak <ejedynak@encinitasca.gov>

Cc: Abraham Bandegan <abandegan@encinitasca.gov>; Tony Kranz <tony@tonykranz.com>; Elena Thompson "ET" <elenathompson@cox.net>

Subject: 9-22-22 Mobility Plan Input - WSP Consulting and La Costa Avenue - Public Comment

[NOTICE: Caution: External Email]

Hello Evan,

My comments are as follows relating to the recent EIR meeting held 9-19-22 by the city and WSP.

1. PLEASE DO NOT RENAME LA COSTA AVENUE AN “URBAN VILLAGE COLLECTOR”.

Leucadia was once and still is a **rural** coastal enclave. The residents want it this way. There are no sidewalks or streetlights in most of Leucadia. We can see the stars due to the absence of lights, have a nice dark sky mostly still.

Despite the state - and our city council- wanting to rezone all of California and densify, Leucadia is not “urban” (see attached definition). There is no “village” nearby La Costa Avenue and we don’t want one. This terminology is flawed. Further, this naming of collectors is not used by

traffic professionals. Leave it as a collector and if you have to call it something, call it a “scenic collector” or “coastal connector”. Not an urban village collector.

2. The residents still want to see the roadway declassified from a 4-lane collector to a 2-lane collector, and have for decades. Anything other than that would cause MAJOR environmental issues for obvious reasons. This must be done as part of this Mobility Study/Plan, now. Not doing so would be kicking the can down the road as we have been told this study would be the time to effect this change in the classification, again, now. Can you comment on that please, ensure it is going to get done now? What will it take?
3. Environmental issues relating to mobility are significant: noise/sound from tailpipes and braking, run-off, the noise streetlights and stop lights cause from vehicles (accelerating and breaking) and rubber breakdown, pollution, impacts on protected lagoons and ocean from vehicles, increases in GHG's from more car trips

Please confirm receipt of my comments and kindly ensure they are noted as part of the feedback loop.

Thank you,

Elena Thompson-Leucadia

FW:

Evan Jedynak <ejedynak@encinitasca.gov>

Thu 9/29/2022 3:20 PM

To: Bigham, Elizabeth <Elizabeth.Bigham@wsp.com>;Ruscitti, Peter L. <Pete.Ruscitti@wsp.com>;Whitmore, Stephanie A. <Stephanie.Whitmore@wsp.com>

 1 attachments (569 KB)

CIVIC-North-Color20220929141758.pdf;

Hi All,

Attached is another workshop follow up comment we received today.

Thanks,

Evan Jedynak

Associate Planner

Development Services Department

505 South Vulcan Ave, Encinitas, CA 92024

(760) 633-2686 | ejedynak@encinitasca.gov

www.encinitasca.gov

Correspondents should be aware that all communications to and from this address are subject to public disclosure and may be reviewed by third parties.

Conduct business with the City of Encinitas online from the convenience of your office, home, or mobile device!

Please tell us how we are doing.

-----Original Message-----

From: CIVIC-North-Color@encinitasca.gov <CIVIC-North-Color@encinitasca.gov>

Sent: Thursday, September 29, 2022 3:18 PM

To: Evan Jedynak <ejedynak@encinitasca.gov>

Subject:

TASKalfa 5053ci

[00:17:c8:ae:cd:21]

Bigham, Elizabeth

From: Mark Delin <Mdelin@encinitasca.gov>
Sent: Thursday, November 12, 2020 2:18 PM
To: Elena Thompson; Traffic User; Abraham Bandegan; Pamela Antil; Lillian Doherty
Cc: Tony Kranz
Subject: RE: 11-12-20 Petition to Reclassify La Costa Avenue from a 4-lane road to a 2-lane road

Hi Elena,

We have received this petition and I have cc'd our Planning and Community Development Director Lillian Dougherty for follow up.

Thank you,

Mark



Mark Delin
Assistant City Manager
505 South Vulcan Ave, Encinitas, CA 92024-3633
(760) 633-2612 | mdelin@encinitasca.gov
www.encinitasca.gov

From: Elena Thompson <elenathompson@cox.net>
Sent: Thursday, November 12, 2020 11:59 AM
To: Traffic User <traffic@encinitasca.gov>; Abraham Bandegan <abandegan@encinitasca.gov>
Cc: Mark Delin <Mdelin@encinitasca.gov>; Tony Kranz <tkranz@encinitasca.gov>
Subject: 11-12-20 Petition to Reclassify La Costa Avenue from a 4-lane road to a 2-lane road

[NOTICE: Caution: External Email]

Dear Commissioners, City Staff,

For about a decade now we have been waiting for the Circulation Element Plan DRAFT in order to see the current La Costa Avenue re-classified from a 4-lane road to a 2-lane road (with possible turning pockets). Similar to Encinitas Blvd, classified as a 6-lane roadway as of this time, that we know does not make sense, La Costa Avenue 4-lane designation is also a bad idea that needs to be removed from the possibility list.

I was advised by Senior Planners that this would be the way to protect the current 2-lane roadway and protect the community from a 4-lane road with high speed vehicle travel zooming past qty 45 driveways and numerous private culdesacs and streets, west of the I-5.

This has yet to be done and now looming development pressures may force our city's hand if we don't make this new designation NOW, whatever it takes, no more waiting please. It's time to protect community character, public safety, mobility and make for a calmer community. The trends are certainly not to widen roadways OR add lanes to accommodate more cars today. In fact, this would run counter to the City's climate action plan and goal of reducing greenhouse gases, carbon emissions. Further, it would damage the quality of life for residents living adjacent to La Costa Avenue not to mention community character of this beautiful, scenic roadway through a housing community.

In the absence of any actions being taken to date, the Leucadia community is asking for the city to re-classify the roadway now. Please see the attached petition for the next step towards this end. Note, due to COVID, the petition is signed in parts. You can ignore my name when you see it more than once, obviously.

Thank you for confirming receipt and advising of next steps here.

Petition Author, Leucadia Resident, Elena Thompson

This message contains confidential information and is intended only for the individual(s) addressed in the message. If you are not the named addressee, you should not disseminate, distribute, or copy this e-mail. If you are not the intended recipient, you are notified that disclosing, distributing, or copying this e-mail is strictly prohibited.



Name (optional): Rita Soza

Contact Information (optional): 760 908-4717

1. What are some of the environmental issues that you think should be addressed in the Environmental Impact Report (EIR)?

Walking access for children attending Capri Elementary

2. Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?

Burgundy Rd (northern portion) is private road and permanently blocked at its southern border with city road.

Burgundy Rd (southern portion south of Capri Rd) is unpaved and private, as City never accepted the responsibility of it.

3. Do you have any concerns about specific environmental impacts that may result from the project?

No



Name (optional): Robb M Gregor

Contact Information (optional): _____

1. What are some of the environmental issues that you think should be addressed in the Environmental Impact Report (EIR)?

2. Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?

3. Do you have any concerns about specific environmental impacts that may result from the project?

If you allow Burgundy to go through from Urania to Capri & beyond to SkyLeft, you aren't looking at the road at all. There is NO room to open Burgundy thru to Urania. It would be a NIGHTMARE. There is NO room for street opening. There is no parking, please stop this thought & project.

You can also provide comments by emailing Evan Jedynak at ejedynak@encinitasca.gov.

Dennis Kaden
Caudor St.
Denniskaden101@gmail.com

To:

Evan Jedynak,
Associate Planner
ejedynak@encinitasca.gov
(760) 633-2686

Evan,

I have multiple concerns regarding the Mobility Element.

Please maintain Policy 2.3 and 2.4 as originally written. You can maintain almost all the original policies. They enforce the protection of existing neighborhoods. Your new language is much less instructional and exact. weaker. It is definitive language, absolutely intended to protect existing neighborhood character and safety from the impact of future, especially high density, projects. The new language is not as definitive or strong.

The new policies are much weaker. Future city councils need to adhere to these original policies and their wording is clear. When these two policies are enforced, developers understand the need to be 'part of the solution' rather than 'part of the problem' before they make their investment into a project, knowing there are traffic and safety issues brought forth as early in the process as possible.

Regarding new TYPOLOGY designation of our streets:

1-The Mobility Element Typology should be based on actual improvements being funded and anticipated dates of completion. It is most unfair to the residents living on these streets to have an anticipated increase in trips per day without the road actually being capable of accommodating the increase. We would not want the city to make premature decisions regarding land use density increases based on a street's "theoretical" capacity, with no actual improvement accomplished. Where is the money to do so coming from?

To:

**Evan Jedynak,
Associate Planner**

ejedynak@encinitasca.gov
(760) 633-2686

Piraeus St. is not to be a Suburban Collector. Based on your definition of Collector, Piraeus St. does not qualify. Piraeus does not connect two arterials. There is no connection on its south end to Leucadia Boulevard, therefore it cannot fit the collector status. This is pass/fail. It fails! Piraeus St. is a frontage road. If it gets designated a Suburban Collector, the anticipate increase of traffic would negatively impact its narrow surrounding neighborhood streets, especially Normandy, Urania, Plato, Olympus and Caudor. These neighborhoods received dramatic increases in traffic when Piraeus was cut off from access to Leucadia Boulevard to the south years ago. We have suffered enough for long enough!

**SAXONY RD. DESIGNATED AS SUBURBAN COLLECTOR: @60'-75'
Right-of-Way**

1-Saxony Rd. north of Leucadia boulevard, is no collector and should never be. It's too narrow and has multiple private driveways. Saxony has no sidewalks. A Suburban Collector status would ruin the existing community character and SAFETY of this neighborhood. Residents already complain of the increase in traffic over the recent years. Do not approve Saxony as a Suburban Collector. Please remove your Typology designation for Saxony Rd. before it goes to the EIR. Thank you.

**SKY LOFT RD –BURGUNDY-URANIA TO LEUCADIA BLVD.
DESIGNATED as RESIDENTIAL NEIGHBORWAY @40-70' Right-of-Way**

Why are private streets being designated Residential Neighborway? Did no one actually visit the streets and neighborhood to see barricades? Eliminate these as a Residential Neighborway please. Easy to do. Thank you.

Please remove your Typology designation for the Sky Loft Rd-Burgundy-Urania section before it goes to the EIR.



Name (optional): James Gross

Contact Information (optional): James@JamesGross.com

1. What are some of the environmental issues that you think should be addressed in the Environmental Impact Report (EIR)?

Noise created by S Freeway Expansion
Air quality for same thing

2. Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?

I measure air quality at my house

3. Do you have any concerns about specific environmental impacts that may result from the project?

I don't

You can also provide comments by emailing Evan Jedynak at ejedynak@encinitasca.gov.



Name (optional): MaryKay Mullally

Contact Information (optional): 858-449-0756
marykaymullally@gmail.com

1. What are some of the environmental issues that you think should be addressed in the Environmental Impact Report (EIR)?

Do not think Saxony & Quail Gardens DR. Should be classified as "Suburban Collectors" Due to concern listed in #2.
Could mitigators be installed to prevent people from using these roads as shortcuts / ways to avoid traffic of I5 going south (speed bumps)

2. Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?

Fast moving traffic on Saxony Road & Quail Gardens Drive - currently exiting one Channel Island from these streets is dangerous & delayed due to volume and speed of vehicles traveling south from Leucadia Blvd to Encinitas Blvd

3. Do you have any concerns about specific environmental impacts that may result from the project?

More traffic on Saxony & Quail Gardens, high speeds of vehicles create a danger for bikes, pedestrians and cars - more accidents

You can also provide comments by emailing Evan Jedynak at ejedynak@encinitasca.gov.



1.) NO DELETING G.P. POLICY: 2.3 OR
ARE IN PLACE FOR GOOD REASON.
COMPATIBLE PLANNING.

* 2.) 1300 THROUGH 1400 BURGUNDY RD. IS A
PRIVATE ^{PROPERTY} RESIDENT + UTILITY ACCESS EASEMENT
ONLY. WALKING THROUGH IS ALLOWED - NO
VEHICULAR/MOTOR TRAFFIC EXCEPT RESIDENTS + GUESTS.

3.) RATHER THAN DISRUPT ^{MANY} DOZENS OF PROPERTIES +
HOME OWNERS/RESIDENTS (LONGTIME OR RECENT); HAVE
A SERIOUS DISCUSSION W/ CALTRANS + THE PROPERTY
OWNER ON THE NORTHEAST CORNER OF LEUCADIA BLVD +
PIRAEUS + OCEAN VIEW TO MOVE THAT POSSIBLY
"HISTORICAL" HOUSE TO MUSEUM ON QUAIL GARDENS RD.
TO BE W/ OTHER HISTORICAL ITEMS TRANSFERRED THERE.
+ THEN RE-OPEN PIRAEUS SOUTHBOUND TO LEUCADIA BLVD.

* 4.) THE CURVY, NARROW STREETS IN THIS AREA ARE AN
EXISTING TRAFFIC CALMING ELEMENT THAT SHOULD BE
PRESERVED. CONSIDER DOWNSIZING PROPOSED
DEVELOPMENT TO ^{HELP} MINIMIZE IMPACTS TO OUR COMMUNITY.

WE KNOW THAT OUR COMMUNITY HARMONY + WELL
BEING, THE RURAL RESIDENTIAL ASPECT OF OUR
NEIGHBORHOOD DEPENDS ON THE RIGHT DECISION.

RE-OPEN PIRAEUS SOUTHBOUND, LEAVE OUR RESIDENTIAL
STREETS AS IS. THANK YOU

COMMENTS FROM LINNIE NEUBER 11-17-2022

9/19/22

Evan Jedynak,

My name is John Conover. I've lived in or had my business in Encinitas since 1982.

My wife Debbie and I live at 1724 Burgundy Rd.

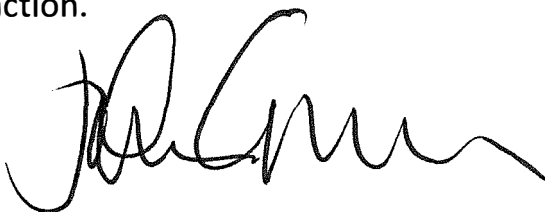
My business, Tidelines Calendars, began in 1981. I founded the first chapter (and all chapters) of the Surfrider Foundation in San Diego. I was a member of The Rotary Club of Encinitas for 14 years. I was given The Paul Ecke Encinitas Hero award in 2004. We care about Encinitas and it shows.

At one time there were 6 eating establishments on the Coast Hwy...now there are more than 60. Encinitas has become a "destination" town. One of the reasons is that it represented a quaint beach community...a great place to raise a family. It was designated by its voters to be a "slow growth" community. Lately much has changed.

We have run out space for growth and instead are using new zoning designations to allow high density in the last few buildable areas. This new living concept works for developers but not for Encinitas residents. The term "Growth is Good" is healthy to a point but with the new "Mobility Elements" we wonder if the concern for "The Quality of Life" applies. This all looks like squeezing more people in ugly buildings that only work to make money for a few.

My wife Debbie and I are against the concept of adding traffic from new developments through existing residential neighborhoods. Please keep Policy 2.3 and 2.4 as originally written.

We are against the new Policy 2.1 change from the original 2.4 in concept and function.

A handwritten signature in black ink, appearing to read 'John Conover', written in a cursive style.



Name (optional): Jay Lyndes

Contact Information (optional): _____

1. What are some of the environmental issues that you think should be addressed in the Environmental Impact Report (EIR)? All the items addressed on the board and Aesthetics, Biological Resources, Population & Housing

2. Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?

open space is a valuable city environmental asset so we must identify it, preserve it & adapt our mobility strategies to mitigate for impacts to open space: open space connectivity (for habitat & recreation).

3. Do you have any concerns about specific environmental impacts that may result from the project?

I want this Mobility Element to also address policy on creating impact fees for developers specifically for traffic. ~~and~~ how to assess impact fees, how to use those fees to mitigate the traffic impacts of each development. Also broaden our policy to analyze LOS impact standards for non-CEQA projects. Tie impacts to needed mitigation for each project & expand our objective standards so that each developer is obligated to

You can also provide comments by emailing Evan Jedynak at ejedynak@encinitasca.gov.

mitigate for their impacts.



Name (optional): _____

Contact Information (optional): _____

1. What are some of the environmental issues that you think should be addressed in the Environmental Impact Report (EIR)?

2. Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?

Burgundy/Vrania is not a through street (private easement) so is not eligible to be a neighborhood corridor.

3. Do you have any concerns about specific environmental impacts that may result from the project?

How to accommodate traffic around Capri Elementary ~~School~~. How to allow safe walking, biking and limit car traffic to keep students + residents safe.

You can also provide comments by emailing Evan Jedynak at ejedynak@encinitasca.gov.



Name (optional): _____

Contact Information (optional): _____

1. What are some of the environmental issues that you think should be addressed in the Environmental Impact Report (EIR)?

The error showing Burgundy Rd as a major traffic corridor needs to be corrected. This road is private and supports 100+ small children that walk it at the end of school at CAPRI elementary. It also includes a preschool. This is NOT a through street, and the residents of this road do NOT want a major road through this quiet neighborhood

2. Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?

There are huge power poles from SDGE on the 20 foot power company easement. There is no room for a major road encroaching on private property. Please correct this map accordingly

3. Do you have any concerns about specific environmental impacts that may result from the project?

We are opposed to removing Policy 2.3 + 2.4 being deleted from the original general plan. The character & safety of our neighborhoods is important to residents

You can also provide comments by emailing Evan Jedynek at ejedynak@encinitasca.gov.

Name (optional): _____

Contact Information (optional): _____

1. What are some of the environmental issues that you think should be addressed in the Environmental Impact Report (EIR)?

Neighborhood Character and Safety
Pedestrian Safety
We like to walk on our roads,
especially in the neighborhoods.
It keeps traffic slow.

2. Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?

You are connecting some
streets that don't connect
Urania with ?
Rainbow Ridge?
Piraeus with ???

3. Do you have any concerns about specific environmental impacts that may result from the project?

Neither Piraeus nor Saxony
should be called Collectors
Piraeus does not connect, and
Saxony from Leucardia to LaCosta
is a rural road.

You can also provide comments by emailing Evan Jedynak at ejedynak@encinitasca.gov.



Name (optional): Mike McGovern

Contact Information (optional): MTMNET@GMAIL.COM

1. What are some of the environmental issues that you think should be addressed in the Environmental Impact Report (EIR)?

BURGUNDY RD IN SKYLOFT IS A PRIVATE ROAD. PLEASE LETS KEEP IT ~~AT~~ THAT WAY!

2. Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?

3. Do you have any concerns about specific environmental impacts that may result from the project?

You can also provide comments by emailing Evan Jedynek at ejedynak@encinitasca.gov.



Name (optional): Kathleen Lees

Contact Information (optional): wemillenlees@cox.net

1. What are some of the environmental issues that you think should be addressed in the Environmental Impact Report (EIR)?

trappie
safeway to school sidewalks
parking
sidewalks for pedestrians not
just bikes

2. Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?

Piraeus: Can not access Lucadia Blvd
directly from Piraeus. Not safe
on narrow local roads with
no sidewalks.

3. Do you have any concerns about specific environmental impacts that may result from the project?

Piraeus
Parent
no sidewalks along Piraeus.
Very dangerous for walkers
and bike riders. No safe way
in or out of the project.

You can also provide comments by emailing Evan Jedynak at ejedynak@encinitasca.gov.



Name (optional): _____

Contact Information (optional): _____

1. What are some of the environmental issues that you think should be addressed in the Environmental Impact Report (EIR)?

Air quality & need for more mobility options
to improve air quality, GHG, etc.

Colling cars & traffic congestion
Need for more roundabouts - make them
many & simple (to reduce cost)

2. Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?

Need VMT vs. LOS focus, right?
How does Safe Routes to School efforts
interact w/ the EIR process?

3. Do you have any concerns about specific environmental impacts that may result from the project?

Big projects take too much time & \$
Go for quicker "paint on pavement" improvements
first, e.g. buffered bike lanes
Also enhanced crosswalks w/ lead time
More RTPs too.

You can also provide comments by emailing Evan Jedynak at ejedynak@encinitasca.gov.

Openhouse format like today
(9/19) is not very effective imo.
Basic intro & info. is needed at start



Name (optional): _____

Contact Information (optional): _____

1. What are some of the environmental issues that you think should be addressed in the Environmental Impact Report (EIR)?

I can't even get out of my street
currently with all the traffic how do you
expect to take on more? ~~environment~~
more cars = more CO₂
all the people and trash for the lagoon

2. Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?

ruin lagoon wildlife
~~birds~~

3. Do you have any concerns about specific environmental impacts that may result from the project?

+ roads can't handle the traffic, building
new roads is not environmentally friendly
+ noise the lagoon right there
+ excess of cars and CO₂
+ will ruin community ~~the area~~
+ no parking or way to direct traffic
+ ~~the~~ why ruin the beautiful hills and lagoon
wildlife with 100+ people

You can also provide comments by emailing Evan Jedynak at ejedynak@encinitasca.gov.



Name (optional): _____

Contact Information (optional): _____

1. What are some of the environmental issues that you think should be addressed in the Environmental Impact Report (EIR)?

No infrastructure to support any of these issues. School over kill

2. Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?

No infrastructure for this.

3. Do you have any concerns about specific environmental impacts that may result from the project?

Yes, ocean front failure Deaths and 101 traffic accidents. Bikes do NOT own the Road

You can also provide comments by emailing Evan Jedynak at ejedynak@encinitasca.gov.



Name (optional): Charles Whiting

Contact Information (optional): swhiting19@gmail.com

1. What are some of the environmental issues that you think should be addressed in the Environmental Impact Report (EIR)?

- traffic congestion
- not enough space for more residents

2. Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?

- bluff instability

3. Do you have any concerns about specific environmental impacts that may result from the project?

- narrow roads + lack of parking
- ruin lagoon wildlife
- not enough space for increased traffic, already so bad.

You can also provide comments by emailing Evan Jedynak at ejedynak@encinitasca.gov.



Name (optional): Anne-Marisa Stinson

Contact Information (optional): amcstinson@aol.com

1. What are some of the environmental issues that you think should be addressed in the Environmental Impact Report (EIR)?

2. Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?

3. Do you have any concerns about specific environmental impacts that may result from the project?

Extremely concerned about potential loss of
Beverly Rd. Modification of private road
and taking private property would permanently
change the quality & character of the neighborhood.

You can also provide comments by emailing Evan Jedynak at ejedynak@encinitasca.gov.



Name (optional): DOUG WOFFORD

Contact Information (optional): 760 607 7877

1. What are some of the environmental issues that you think should be addressed in the Environmental Impact Report (EIR)?

TRAFFIC Congestion
Incompatible Planning

2. Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?

BIFFINABILITY Concerns

3. Do you have any concerns about specific environmental impacts that may result from the project?

- * Narrow roads
- * Lack of PARKING
- * Room for Bicycles

You can also provide comments by emailing Evan Jedynak at ejedynak@encinitasca.gov.



Name (optional): Andrew Stinson

Contact Information (optional): Andrew L Stinson@gmail.com

1. What are some of the environmental issues that you think should be addressed in the Environmental Impact Report (EIR)?

2. Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?

3. Do you have any concerns about specific environmental impacts that may result from the project?

Yes → concerned @ any effort to
~~make~~ extend Burgundy Road. There
are sections of Burgundy Road that are
private property. Expanding Burgundy would
have a Adversity effect on community
character.

You can also provide comments by emailing Evan Jedynak at ejedynak@encinitasca.gov.



Name (optional): Nancy Kimerly

Contact Information (optional): _____

1. What are some of the environmental issues that you think should be addressed in the Environmental Impact Report (EIR)?

Burquand Rd — private street
off Skyway

2. Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?

3. Do you have any concerns about specific environmental impacts that may result from the project?

You can also provide comments by emailing Evan Jedynak at ejedynak@encinitasca.gov.



Name (optional): Alain / Victoria Bayoucl

Contact Information (optional): _____

1. What are some of the environmental issues that you think should be addressed in the Environmental Impact Report (EIR)?

Keep sky soft North of the
barrier private

2. Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?

3. Do you have any concerns about specific environmental impacts that may result from the project?

You can also provide comments by emailing Evan Jedynak at ejedynak@encinitasca.gov.



Name (optional): Candice Shine

Contact Information (optional): candice.shine@gmail.com

1. What are some of the environmental issues that you think should be addressed in the Environmental Impact Report (EIR)?

comment

Piraeus St. does not qualify as a Suburban Collector. There is no connection at the south end of Piraeus to Leucadia Blvd. Piraeus is a frontage road - does NOT connect two arterials

2. Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?

3. Do you have any concerns about specific environmental impacts that may result from the project?

You can also provide comments by emailing Evan Jedynak at ejedynak@encinitasca.gov.

CITY OF ENCINITAS MOBILITY ELEMENT UPDATE &
SB 743 IMPLEMENTATION

ENVIRONMENTAL SCOPING MEETING

SIGN-IN SHEET

09-19-2022



| Name | Address/Community (Optional) | Organization (Optional) | Email (optional) Check the box to receive project updates |
|------------------|---------------------------------|----------------------------|---|
| Alyssa Johnson | Old Encinitas | - | alyssa_johnson@encinitas.gov <input type="checkbox"/> |
| Nancy Kimerly | 1752 Burgundy Rd | | nkimerly@aer.net <input type="checkbox"/> |
| Debbie Conover | 1724 Burgundy Rd. | | debbieconover808@gmail.com <input type="checkbox"/> |
| John Conover | " " | " " | surf@tidelines.com <input type="checkbox"/> |
| Margaret Doyle | | ACM. Boerner Harrah | margaret.doyle@acm.ca.gov <input type="checkbox"/> |
| Kirsten Francis | 1325 Urania Ave | | kirstenfrancis78@gmail.com <input type="checkbox"/> |
| David Fugate | 1513 Burgundy Rd. | | dfugate@gmail.com <input type="checkbox"/> |
| Holly Hawk | 1373 Burgundy Rd | | Holly@HollyIllustration.com <input type="checkbox"/> |
| Candice Shine | 952 Monte Mira Dr | | candice.shine@gmail.com <input type="checkbox"/> |
| Kim Shields | 1688 Burgundy Rd | | kimberlyshields@gmail.com <input type="checkbox"/> |
| MaryKay Mullally | 629 Polaris Dr. | | marykaymullally@gmail.com <input checked="" type="checkbox"/> |
| LINDA NEUBERT | 1363 BURGUNDY RD | - | N/A <input type="checkbox"/> |

Elena Thompson

keucadic

anfire

CITY OF ENCINITAS MOBILITY ELEMENT UPDATE &
SB 743 IMPLEMENTATION

ENVIRONMENTAL SCOPING MEETING
SIGN-IN SHEET

09-19-2022



| Name | Address/Community (Optional) | Organization (Optional) | Email (optional) Check the box to receive project updates |
|------------------------|---------------------------------|-------------------------|--|
| RAY GUTOSKI | PIREAVES ST | | <input type="checkbox"/> |
| KATHEEN LEES | 1075 WEAHNIK AVE | | <input checked="" type="checkbox"/> |
| Kristine Schindler | East Encinitas Dr. | | <input checked="" type="checkbox"/> |
| Maureen Murphy | 1051 HEAVENSHILL DR | | <input checked="" type="checkbox"/> |
| Diana Munez | Hillcrest Dr Encinitas | | <input type="checkbox"/> |
| MARK HOPPE | 924 ELMVIEW DR ENCINITAS | | <input checked="" type="checkbox"/> |
| Virginia McMichael | 1710 BURBONDY RD. ENC. CA 92024 | | <input checked="" type="checkbox"/> |
| Melita Sim | 1570 Broadway Encinitas CA | | <input checked="" type="checkbox"/> |
| James Gross | 908 Edus Ave | | <input checked="" type="checkbox"/> |
| Bill & Gretchen Massey | 1748 Burdandy Rd | Encinitas | <input checked="" type="checkbox"/> |
| Carol Miller | 1339 Candler St Encinitas | | <input checked="" type="checkbox"/> |
| Dolores Welfy | 2076 Sheridan Rd | | <input checked="" type="checkbox"/> |

Karena Teran

Encinitas | arena.teran.vi@yahoo.com

CITY OF ENCINITAS MOBILITY ELEMENT UPDATE &
SB 743 IMPLEMENTATION

ENVIRONMENTAL SCOPING MEETING
SIGN-IN SHEET

09-19-2022



| Name | Address/Community (Optional) | Organization (Optional) | Email (optional) Check the box to receive project updates |
|--------------------------|---------------------------------|----------------------------|--|
| ALAN & VICTORIA BAYLORD | 1722 BURGUNDY (SKYLOFT) | | AYBAYOUID@GMAIL.COM <input type="checkbox"/> |
| Michael A George | 1763 Gasceny Rd | Skyloft HOA | <input type="checkbox"/> |
| DOES DOES | 1742 Burgundy Rd | skyloft | Does doe1.com <input type="checkbox"/> |
| Cindy Feebe | 1705 Gasceny Rd | SKYLOFT | Cindy.01kefer1.com <input type="checkbox"/> |
| Alyssa Soland | | | alysasoland@gmail.com <input type="checkbox"/> |
| Spencer Whiting | | | swhiting19@gmail.com <input type="checkbox"/> |
| Joy Lyndes | | | lyndes@concurtas.co.gov <input type="checkbox"/> |
| Susan Soland | | | <input type="checkbox"/> |
| Alexandra Kirander | 1530 Burgundy Rd. | | kiranderalex@gmail.com <input type="checkbox"/> |
| KAREO (KAREN) | 1611 Candler St | | <input type="checkbox"/> |
| Dennis Kasper | Skylark | | <input type="checkbox"/> |
| DENNIS KASPER | CANDLER ST. | | denniskasper101@gmail.com <input type="checkbox"/> |
| MIKE MCGOVERN | 1710 BURGUNDY RD | | MTMNET@GMAIL.COM <input type="checkbox"/> |

CITY OF ENCINITAS MOBILITY ELEMENT UPDATE &
SB 743 IMPLEMENTATION

ENVIRONMENTAL SCOPING MEETING
SIGN-IN SHEET

09-19-2022



| Name | Address/Community (Optional) | Organization (Optional) | Email (optional) Check the box to receive project updates | |
|--------------------|---------------------------------|----------------------------|--|-------------------------------------|
| JOHN DE BETER | 1630 Burgundy Rd Encinitas | Personal | JDDBETER2005@GMAIL.COM | <input type="checkbox"/> |
| Roberta McGreeve | 830 Sunrich RD, | Personal | robbe60@attmail.com | <input checked="" type="checkbox"/> |
| Rita Soza | 1537 Burgundy Rd | " | ritasoz2@cox.net | <input checked="" type="checkbox"/> |
| Boyd+Debra Rollins | 1715 Burgundy Rd. | " | 88tmw@icloud.com | <input checked="" type="checkbox"/> |
| Jean Wagner | 637 Paris Dr. | " | jeanwagner@yahoo.com | <input checked="" type="checkbox"/> |
| Andrew Stinson | 1353 Burgundy Rd. | " | AndrewStinson@gmail.com | <input checked="" type="checkbox"/> |
| Ane-Maria Stinson | 1353 Burgundy Rd. | " | ane.stinson@gmail.com | <input checked="" type="checkbox"/> |
| Tim Taddler | 1393 Cracker | " | Mail@Taddler.com | <input checked="" type="checkbox"/> |
| Patti Rodgers | 1533 Caulea St | " | 360Patti@gmail.com | <input checked="" type="checkbox"/> |
| JOHN CARROLL | 1724 BURNETT | " | SURF@TIDALWAVES.COM | <input checked="" type="checkbox"/> |
| MATTHEW DAWN | 135 3rd St. | " | | <input type="checkbox"/> |
| Arcan Hebshi | 1680 N Coast Hwy 101 #29 | " | arcan.hebshi@gmail.com | <input checked="" type="checkbox"/> |

CITY OF ENCINITAS MOBILITY ELEMENT UPDATE &
SB 743 IMPLEMENTATION

ENVIRONMENTAL SCOPING MEETING
SIGN-IN SHEET

09-19-2022



| Name | Address/Community (Optional) | Organization (Optional) | Email (optional) Check the box to receive project updates |
|----------------|---------------------------------|----------------------------|--|
| HEATHER CRIDER | 1421 BURGUNDY ROAD | | heather.cridere@mac.com <input type="checkbox"/> |
| Scott Johns | 1671 Burgundy Rd. | | scott.johns26@gmail.com <input type="checkbox"/> |
| DAVID HILL | 1760 Burgundy Rd | | dashill4551@gmail.com <input type="checkbox"/> |
| | | | <input type="checkbox"/> |
| | | | <input type="checkbox"/> |
| | | | <input type="checkbox"/> |
| | | | <input type="checkbox"/> |
| | | | <input type="checkbox"/> |
| | | | <input type="checkbox"/> |
| | | | <input type="checkbox"/> |
| | | | <input type="checkbox"/> |

Concerns about specific environmental impacts from the project

Sky Gate
Barrier
Burgundy → private
(private)
no road
Uran
CLAVE
INCORRECT! PRIVATE!

Don't take private property on Burgundy Rd.

The ATP is incomplete so a poor basis to be used here. Let's set this right!

Urania/Burgundy
No thoroughfare!

State dictates far Housing Law over-ride EIR + CEQA concerns and law

Re-designate La Costa Ave 2-lane. De-designate 4-lane road, not in use today - or even!!!

La Costa ROW encroachment concern
→ decision needs to be made to widen or stay the same

Part of Burgundy Rd is a private road. Don't take private property

La Costa Ave must have a sidewalk to be considered a collector
Unsafe today! no sidewalk.

The Leucadia streetscape phase I must be addressed (A St - Marcheta) as part of mobility

concern
Aesthetics - roads skylift
Saxony
Collector NO
SAXONY
→ not connected

PIREAS
TWO WAY ROAD
TO
LEUCADIA BLVD.
OPEN THIS ACCESS PLEASE !!

Mitigate traffic via speed bumps
→ Saxony flow of traffic & dangerous

Pireas & Leucadia
→ changes in how you turn

La Costa Ave cannot be called "urban village collector".
How about Scenic collector?
This is a protected