

# ENVIRONMENTAL ASSESSMENT



**San Pasqual Band of Diegueno Mission Indians**  
**Native Oaks Village Fee-to-Trust Project**  
Valley Center, San Diego County, California | May 2026

**Lead Agency:**  
Bureau of Indian Affairs  
Pacific Regional Office  
2800 Cottage Way  
Sacramento, CA 95825



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# Acronyms

AB	Assembly Bill
ADT	average daily traffic
amsl	above mean sea level
ARPA	Archaeological Resources Protection Act
ASTM	American Society for Testing and Materials
BIA	U.S. Bureau of Indian Affairs
BMPs	Best Management Practices
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAL FIRE	California Department of Forestry and Fire Protection
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CAPs	criteria air pollutants
CARB	California Air Resources Board
CBC	California Building Code
CCA	Community Choice Aggregators

CCAA	California Clean Air Act
CDFW	California Department of Fish and Wildlife
CDP	census-designated place
CEA	California Earthquake Authority
CESA	California Endangered Species Act
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environment Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CGP	Construction General Permit
CGS	California Geological Survey
CHRIS	California Historical Resources Information System
CNDDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CO	carbon monoxide
COSE	Conservation and Open Space Element
CWA	Clean Water Act
dB	Decibels
dBA	A-weighted decibels
DOC	California Department of Conservation
DOI	Department of the Interior
DPM	diesel particulate matter
DWR	California Department of Water Resources
EA	Environmental Assessment
ECHO	Enforcement and Compliance History Online
EFH	Essential Fish Habitat
EO	Executive Order
EPCRA	Emergency Planning and Community Right-to-Know Act
ESA	Environmental Site Assessment
FCIR	Farmland Conversion Impact Rating
FEMA	Federal Emergency Management Agency

FESA	Federal Endangered Species Act
FHWA	Federal Highway Administration
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FIRMs	Flood Insurance Rate Maps
FMMP	Farmland Mapping and Monitoring Program
FPPA	Farmland Protection Policy Act
FTA	Federal Transit Administration
gpd	gallons per day
HAPs	Hazardous Air Pollutants
HCS	Hazard Communication Standard
HSA	Hazardous Substances Act
Hz	Hertz
IAM	Indian Affairs Manual
IBC	International Building Code
ICC	International Code Council
IPaC	Information for Planning and Consultation
IPS	inches per second
L <sub>dn</sub>	day-night average noise descriptor
L <sub>eq</sub>	equivalent continuous sound pressure levels
LOS	level of service
MBTA	Migratory Bird Treaty Act
mg	milligrams
mph	miles per hour
MSCP	Multiple Species Conservation Plan
MT	metric tons
NAAQS	National Ambient Air Quality Standards
NAC	Noise Abatement Criteria
NAGPRA	Native American Graves Protection and Repatriation Act
NAHC	Native American Heritage Commission
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act

NOAA	National Oceanic and Atmosphere Administration
NO <sub>x</sub>	nitrogen oxides
NO <sub>2</sub>	nitrogen dioxide
NOI	Notice of Intent
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
NSR	New Source Review
NWI	National Wetlands Inventory
O <sub>3</sub>	ozone
OCP	organochlorine pesticides
Pb	lead
PM	particulate matter
ppb	parts per billion
ppm	parts per million
PPV	peak particle velocity
PSD	Prevention of Significant Deterioration
RCRA	Resource Conservation and Recovery Act
RECs	Recognized Environmental Conditions
ROG	reactive organic gas
RWQCB	Regional Water Quality Control Boards
SANDAG	San Diego Association of Governments
SCIC	South Coastal Information Center
SDAB	San Diego Air Basin
SDGE	San Diego Gas and Electric
SGMA	Sustainable Groundwater Management Act
SIP	State Implementation Plan
SDAPCD	San Diego Air Pollution Control District
SDCP	San Diego Community Power
SDWA	Safe Drinking Water Act
sf	square feet
SHPO	State Historic Preservation Office

SLF	Sacred Lands File
SO <sub>2</sub>	sulfur dioxide
SR	State Route
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TPH	total petroleum hydrocarbons
TIA	Transportation Impact Analysis
tpy	tons per year
TSCA	Toxic Substances Control Act
UCMP	University of California Museum of Paleontology
µg	micrograms
USACE	U.S. Army Corps of Engineers
USC	United States Code
USDA	U.S. Department of Agriculture
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
UST	Underground Storage Tank
VCMWD	Valley Center Municipal Water District
VCFPD	Valley Center Fire Protection District
VCRCCP	Valley Center Road Corridor Concept Plan
VdB	vibration decibels
VOC	volatile organic compounds
WRF	Water Reclamation Facility

# Section 1 | Introduction

## 1.1 SUMMARY

This Environmental Assessment (EA) has been prepared to assess the environmental impacts resulting from the San Pasqual Band of Diegueno Mission Indians of California’s (Tribe) Native Oaks Village Fee-to-Trust Project, which includes the acquisition by the U.S. Bureau of Indian Affairs (BIA) of an approximately 8.5-acre property in Valley Center, San Diego County (County), California (Subject Property or Project Site) into federal trust status for the Tribe (Proposed Action). The Tribe has recently secured local permits and has conducted preliminary construction work on the Subject Property and surrounding area. Following the acquisition of the Subject Property into federal trust, the Tribe proposes to develop a grocery store, convenience store, multiple commercial buildings, fuel pumps, and parking spaces (Proposed Project). The BIA is the federal agency charged with reviewing and approving tribal applications to take land into federal trust status.

This document has been completed in accordance with and to satisfy the requirements set out in the National Environmental Policy Act (NEPA) of 1969 (42 United States Code [USC] §4321 et seq.); the Department of the Interior (DOI) NEPA Regulations (43 Code of Federal Regulations (CFR) Part 46), the DOI NEPA Handbook (516 DM 1), and the BIA NEPA handbook (59 Indian Affairs Manual (IAM) 3-H).<sup>1</sup>

## 1.2 PURPOSE AND NEED FOR THE PROPOSED ACTION

The purpose of the Proposed Action is to facilitate tribal self-sufficiency, self-determination, and economic development, thus satisfying both the Department’s land acquisition policy as articulated in the Department’s trust land regulations at 25 CFR Part 151. The need for the Department to act on the Tribe’s application is established by the Indian Reorganization Act (25 U.S.C. § 5108) and the Indian Land Consolidation Act (25 U.S.C. § 2202) and the relevant implementing federal regulations at 25 CFR § 151.

## 1.3 BACKGROUND

San Pasqual is one of thirteen bands that make up the Kumeyaay Nation in Southern California. The San Pasqual Band of Mission Indians original reservation was established in July 1910, under

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<sup>1</sup>

The CEQ Final Rule, 90 Fed. Reg. 10611 (Feb.25, 2025) removed the existing implementing regulations for the National Environmental Policy Act of 1969, 42 U.S.C. 4321 et seq., as amended (NEPA). Therefore, compliance with NEPA and the Department’s NEPA procedures has been completed in accordance with EO 14154, Unleashing American Energy (Jan. 20, 2025), and a Presidential Memorandum, Ending Illegal Discrimination and Restoring Merit-Based Opportunity (Jan. 21, 2025). This Order and Memorandum require the Department to strictly adhere to NEPA, 42 USC §§ 4321, et seq., and repeal EOs 12898 (Feb. 11, 1994) and 14096 (Apr. 21, 2023), making compliance with such orders a legal impossibility. Note that the BIA NEPA Handbook is under revision. This document has been completed in accordance with the BIA NEPA Handbook where consistent with NEPA and the recently published DOI NEPA Handbook.

the authority of an Act in January 1891, as amended and supplemented. The reservation was initially established by an executive order (EO) in April 1911, which set aside land for the reservation site, then it was annexed in 1971. The San Pasqual Tribal Government operates under a constitution and bylaws approved in January 1971 and the tribe is organized under the Indian Reorganization Act of 1934. The general council consists of all members of the tribe 19 years and older. The members elect a business committee consisting of 5 members for a two-year term. The Economic Development Corporation is authorized to pursue economic development activities on behalf of the tribal government and members and is charged with developing and implementing the Tribe's long-term strategy of sustainable economic self-sufficiency. The general council seeks to have the Subject Property taken into trust as a portion of the Tribe's reservation land in furtherance of consolidating landholding and for promoting self-determination through the construction and use of tribal commercial facilities on the lands.

## 1.4 LOCATION AND SETTING

The approximately 8.5-acre Subject Property is currently owned in fee by the Tribe and located on Valley Center Road in Valley Center, San Diego County, California. The Subject Property consists of five parcels with the assigned Assessor's Parcel Number's 189-012-84-00, 189-012-85-00, 189-091-37-00, 189-091-38-00 and 189-091-35-00, and is located in Section 18 and 19, Township 11 South, Range 1 West, San Bernardino Base and Meridian. The Subject Property is relatively flat with an elevation around 1,300 feet above mean sea level (amsl). Regional access to the Subject Property is provided by Valley Center Road, which runs in a general north to south direction and is located west of the Subject Property. The Subject Property is located between State Route (SR) 76 to the north, SR 78 to the south, and SR 79 to the east. Local access to the Subject Property is currently provided from Valley Center Road and Mirar De Valle Road, which dead ends into Valley Center Road. **Figure 1** and **Figure 2** of **Appendix A** show the location of the Subject Property, and **Figure 3** of **Appendix A** presents an aerial photograph of the parcels associated with the Subject Property and the immediate vicinity.

The Subject Property is currently vacant but was developed with several commercial developments until recently. In the 1950's the southern portion of the Subject Property was used for agricultural purposes; in the 1960's structures were developed on portions of the Subject Property, including a former retail establishment identified as Terry's Hay and Grain and agricultural uses were restricted to the northern portion of the Subject Property. Recently agricultural uses were discontinued and all previously constructed buildings demolished. Additionally, prior to being purchased by the Tribe, the County had approved the development of a commercial project, known as Liberty Bell Plaza, that is similar to the Tribe's Proposed Project. The previously approved commercial project was determined to be exempt from California Environmental Quality Act (CEQA) review, and a Notice of Exemption was issued from the Regional Water Quality Control Board (RWQCB; SCH Number 2021080363). The Tribe has also recently secured permits and has conducted preliminary construction work on the Subject Property and surrounding area for this project. Specifically permits for wetland/streambank alteration, grading, and off-site improvements have been secured and the following work has been completed or is being completed presently pursuant to these permits:

- On-site grading
- On-site underground sewer, stormdrain, and water supply facilities
- Off-site traffic improvements consistent with the traffic study completed for the previously approved development project
- Off-site water/sewer/electrical connections
- Off-site creation of a bike lane
- Off-site movement of fire hydrant to accommodate project driveway

Surrounding land uses consist of mostly commercial and office, rural residential, specific plan, residential-variable, and holding area as defined by the County of San Diego Zoning and Property Information (County of San Diego, 2025). To the north of the Subject Property is mostly undeveloped with a few residences and the Native Oaks Golf Club, to the south is commercial buildings and a few residences, to the east are a few residences and the Native Oaks Golf Club, and to the west are some commercial, residential, and open space.

## 1.5 POTENTIAL PERMITS AND APPROVALS

The Proposed Project, as described in **Section 2** and **Appendix B**, may require the federal permits and approvals identified in **Table 1-1**.

**Table 1-1: Potential Permits and Approvals Required**

Agency	Permit or Approval
Bureau of Indian Affairs	Transfer of the approximately 8.5-acre Subject Property into federal trust status for the San Pasqual Band of Mission Indians of California.
U.S. Environmental Protection Agency (USEPA)	Verification of project coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activity as required by the Clean Water Act (CWA).
State Historic Preservation Office (SHPO)	Consultation under Section 106 of the National Historic Preservation Act (NHPA) if historic properties may be impacted by the Proposed Project.

# Section 2 | Alternatives

## 2.1 OVERVIEW OF ALTERNATIVES

The BIA is considering approval of the acquisition of an 8.5-acre property into federal trust status and the subsequent development by the Tribe of a grocery store, convenience store, multiple commercial buildings, fuel pumps, and parking spaces. This EA evaluates two alternatives:

- **Alternative A:** Transfer of Subject Property from fee-to-trust and the subsequent development of a grocery store, convenience store, multiple commercial buildings, fuel pumps, and parking spaces (Proposed Project).
- **Alternative B:** No Action.

Each alternative is described in detail in **Appendix B** and summarized below.

### 2.1.1 Alternative A –Proposed Project

The proposed Federal action is the acquisition of the Subject Property in trust for the Tribe. This would shift civil regulatory jurisdiction over the Subject Property from the State and County to the Tribe and the Federal government. After the Subject Property is in trust status, the Tribe would construct a 51,163-square-foot-grocery store, 6,008-square-foot convenience store, 19,720-square- feet of commercial buildings, 12 fuel pumps, and 330 parking spaces. Total development footprint would be 76,891 square-feet. A site plan for Alternative A is provided in **Figure 4 of Appendix A**.

- **Water Supply:** Water will be supplied by the Valley Center Municipal Water District (VCMWD) via existing pipelines.
- **Waste and Wastewater:** Wastewater generated by the Proposed Project would be conveyed to VCMWD Woods Valley Ranch Water Reclamation Facility (WRF) for treatment. Solid waste collection would be provided by EDCO.
- **Access and Parking:** Three access points to Native Oaks Village would be off of Valley Center Road and one from Charlan Road. Parking for 330 vehicles would be provided on surface parking lots throughout the Subject Property.
- **Law Enforcement and Fire Services:** Law Enforcement and Fire Services would be provided by the San Diego County Sheriff and Valley Center Fire Protection District (VCFPD), with cooperation and assistance as needed from the San Pasqual Tribal Police and Fire Departments.
- **Construction and Design:** Some preliminary construction work has already been completed on the site and in the area, as detailed in **Appendix B**. The remainder of construction is conservatively assumed to begin in May 2026 and last approximately 18 months; includes earthwork, excavating, backfilling and compaction, pouring of foundations, steel and wood structural framing, masonry, electrical and mechanical work, and building finishing. Construction of the Proposed Project would adhere to the IBC, 2024 Edition, consistent with the San Pasqual Tribal Building and Safety Policy (San

Pasqual, 2019). No import or export of soil would be required for site development. Runoff is collected within an existing culvert to an existing graded channel..

- **Utilities and Energy:** San Diego Community Power (SDCP) would provide electricity and San Diego Gas and Electric (SDGE) would provide gas.
- **Environmental Controls:** Protective measures and best management practices (BMPs), including regulatory requirements and voluntary measures that would be implemented by the Tribe, have been incorporated into the design of Alternative A. These measures are listed in **Table 2-1**.

### 2.1.2 Alternative B – No Action

The 8.5-acre property would not be placed into trust. Although development is possible based on the preliminary site work and permits obtained for the property, the Tribe is not sure to what extent the site would be developed should the property not be taken into trust. They may decide to sell the property or develop a smaller development subject to local approval. Given that level of development on the Subject Property under Alternative B is unknown, for the purposes of this EA, we assume no development would occur. There would be no development of a grocery store, convenience store, multiple commercial buildings, fuel pumps, or parking spaces. The property would remain in its current state.

## 2.2 COMPARISON OF THE ALTERNATIVES

Alternative A would place approximately 8.5 acres of land into trust. Compared with Alternative B, impacts from developing Alternative A would include temporary construction activities and an increase in visitation to the Subject Property. Development of Alternative A would increase economic activity and provide employment and income opportunities for area residents. Alternative A would be consistent with the current land use designations on the Subject Property. Alternative A would meet the purpose and need articulated in **Section 1.2**, whereas Alternative B would not.

## 2.3 ALTERNATIVES ELIMINATED FROM CONSIDERATION

For an EA where there are no unresolved conflicts with respect to alternative uses of available resources, only the proposed action needs to be considered (516 DM 1 Section 1.5(b)(1)(ii), 42 U.S.C. Section 4332(2)(H)). No unresolved conflicts with respect to alternative uses of available resources on the Project Site have been identified. There are no known alternatives that would offer substantial environmental advantages over the Proposed Project, and which may be feasibly accomplished in a successful manner considering economic, environmental, social, technological, and legal factors. The Proposed Project uses are consistent with the previous project approved by the County for the Subject Property, and thus alternative uses were eliminated from further consideration.

**Table 2-1: Protective Measures and Best Management Practices**

Resource Area	Standard Operating Procedure/Design Features/Best Management Practices
Land Resources	<ul style="list-style-type: none"> <li>▪ Erosion control measures shall be implemented during construction as described further under the Water Resources BMPs.</li> <li>▪ Standard engineering practices and International Building Code (IBC) standards will be used, including adherence to geotechnical standards ensuring soil suitability for structures.</li> </ul>
Water Resources	<ul style="list-style-type: none"> <li>▪ Water consumption will be reduced through low-flow appliances and drought resistant landscaping, and the incorporation of “Save Water” signs near water faucets.</li> <li>▪ The Tribe shall apply for coverage under and comply with the National Pollutant Discharge Elimination System Construction General Permit (CGP) from the USEPA for construction site runoff during the construction phase in compliance with the CWA and similar to the SWPPP that was prepared, implemented, and maintained throughout the grading phase of development. A SWPPP shall be prepared, implemented, and maintained throughout the construction phase of the development, consistent with CGP requirements. The SWPPP prepared for the Project Site would include, but would not be limited to, the following BMPs to minimize storm water effects to water quality during construction:               <ul style="list-style-type: none"> <li>○ To the extent feasible, grading activities shall be limited to the immediate area required for construction.</li> <li>○ Loose aggregate chunks and dust will be swept or shoveled and collected (not hosed down a storm drain) for recycling or proper disposal.</li> <li>○ To minimize dust generation during construction, soil will be wetted down with water prior to ground disturbance. All generated waste must be properly disposed of.</li> <li>○ Temporary erosion control measures (such as silt fences, fiber rolls, vegetated swales, a velocity dissipation structure, staked straw bales, temporary re-vegetation, rock bag dams, erosion control blankets, and sediment traps) shall be employed for disturbed areas. Existing catch basins with the project vicinity will have inlet protection measures installed to provide secondary protection from polluted stormwater entering the onsite drainage facilities.</li> <li>○ Construction activities shall be scheduled to minimize land disturbance during peak runoff periods.</li> <li>○ Disturbed areas shall be paved or re-vegetated following construction activities.</li> <li>○ Construction area entrances and exits shall be stabilized with large-diameter rock.</li> <li>○ A spill prevention and countermeasure plan shall be developed which identifies proper storage, collection, and disposal measures for potential pollutants (such as fuel, fertilizers, pesticides, etc.) used onsite.</li> <li>○ Petroleum products shall be stored, handled, used, and disposed of properly in accordance with provisions of the CWA (33 USC §§ 1251 to 1387).</li> <li>○ Construction materials, including topsoil and chemicals, shall be stored, covered, and isolated to prevent runoff losses and contamination of surface and groundwater.</li> <li>○ Fuel and vehicle maintenance areas shall be established away from all drainage courses and designed to control runoff.</li> <li>○ Sanitary facilities shall be provided for construction workers.</li> <li>○ Disposal facilities shall be provided for soil wastes, including excess asphalt during construction.</li> <li>○ Solid waste storage containers will be stored in a roofed enclosure so that runoff cannot come into contact with the waste storage containers. The storage area will</li> </ul> </li> </ul>

Resource Area	Standard Operating Procedure/Design Features/Best Management Practices
	<p>be paved with the area’s grading to prevent uncontaminated stormwater from flowing into the waste storage area.</p> <ul style="list-style-type: none"> <li>○ Wheel wash or rumble strips and sweeping of paved surfaces shall be used to remove any and all tracked soil.</li> </ul>
Air Quality	<p>The following BMPs will be implemented during construction to suppress dust:</p> <ul style="list-style-type: none"> <li>▪ Exposed construction surfaces will be watered daily as needed. These areas include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.</li> <li>▪ At least two feet of free board space will be covered/maintained on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways will be covered.</li> <li>▪ Wet power vacuum street sweepers will be used to remove any visible track out mud or dirt onto adjacent public roads at least once a day. Dry powered sweeping will be prohibited.</li> <li>▪ Vehicle speeds on unpaved roads will be limited to 15 miles per hour.</li> <li>▪ Paving of roadways, driveways, sidewalks, and parking lots will be completed as soon as possible. Building pads will be laid as soon as possible after grading unless seeding or soil binders are used.</li> <li>▪ Idling time will be minimized by shutting equipment off when not in use or by reducing the time of idling to five minutes. Clear signage that posts this requirement for workers will be provided at the entrances to the site.</li> <li>▪ Construction equipment will be maintained in proper working condition according to manufacturer’s specifications. The equipment will be checked by a certified mechanic and determined to be running in proper condition before it is operated.</li> </ul> <p>The following BMPs will be implemented during operation to reduce emissions of criteria air pollutants (CAPs):</p> <ul style="list-style-type: none"> <li>▪ Energy efficient lighting and appliances will be used, which would reduce energy usage, thus reducing indirect CAP.</li> <li>▪ Water consumption will be reduced through low-flow appliances, drought resistant landscaping, and the incorporation of “Save Water” signs near water faucets.</li> <li>▪ Recycling bins will be installed throughout the office and community facilities for glass, cans, and paper products. Trash and recycling receptacles will be placed strategically outside to encourage recycling.</li> </ul>
Transportation and Circulation	<p>The following BMPs shall be implemented during construction:</p> <ul style="list-style-type: none"> <li>▪ A traffic management plan shall be prepared in accordance with standards set forth in the Manual on Uniform Traffic Control Devices for Streets and Highways. The traffic management plan shall be submitted to each affected local jurisdiction and/or agency.</li> <li>▪ Prior to construction, the contractor shall coordinate with emergency service providers as necessary to avoid obstructing emergency response service. Police, fire, ambulance, and other emergency response providers shall be notified in advance of the details of the construction schedule, location of construction activities, duration of the construction period, and any access restrictions that could impact emergency response services.</li> <li>▪ Flagging, performed in consultation with the California Highway Patrol, California Department of Transportation, and the Sacramento County Sheriff’s Department, shall be provided when necessary to assist with construction traffic control.</li> <li>▪ Transport of construction material shall be scheduled outside of the area-wide commute peak hours.</li> <li>▪ Where feasible, lane closures or obstructions associated with construction of the project</li> </ul>

Resource Area	Standard Operating Procedure/Design Features/Best Management Practices
	shall be limited to off-peak hours to reduce traffic congestion and delays.
Public Services and Utilities	<p>BMPs to be implemented during construction:</p> <ul style="list-style-type: none"> <li>▪ Construction equipment shall contain spark arrestors, as provided by the manufacturer.</li> <li>▪ Staging areas, welding areas, or areas slated for development using spark-producing equipment shall be cleared of dried vegetation or other materials that could serve as fire fuel.</li> <li>▪ The Tribe shall contact the Utility Notification Center to notify the utility service providers of excavation at the work site. In response, the utility service providers shall mark or stake the horizontal path of underground utilities, provide information about the utilities, and/or give clearance to dig.</li> <li>▪ The site shall be cleaned daily of trash and debris to the maximum extent practicable.</li> </ul> <p>BMPs to be implemented during construction and operation:</p> <ul style="list-style-type: none"> <li>▪ A solid waste management plan will be developed and adopted by the Tribe that addresses recycling and solid waste reduction and proper disposal onsite during construction and operation. These measures will include, but not be limited to, the installation of a trash compactor for cardboard and paper products, the installation of ample and visible trash and recycling bins to encourage proper disposal, and periodic waste stream audits.</li> </ul>
Noise	<ul style="list-style-type: none"> <li>▪ Construction activities shall be limited to daytime hours between 7:00 a.m. and 7:00 p.m., Monday through Saturday.</li> <li>▪ All powered equipment shall comply with applicable federal regulations, and all such equipment will be fitted with adequate mufflers according to the manufacturer’s specifications to minimize construction noise effects.</li> <li>▪ Heating, ventilation, and air conditioning equipment shall be shielded to reduce noise.</li> <li>▪ Construction equipment and machinery that produce reduced vibration levels shall be utilized to the extent feasible.</li> </ul>
Hazardous Materials	<ul style="list-style-type: none"> <li>▪ Underground storage tanks (USTs), piping, and fuel dispensers shall be designed, built, installed, tested, and certified to prevent fuel leaks, as required by 40 CFR Part 280. Leak prevention measures required under 40 CFR Part 280 include corrosion resistant and double walled tanks and piping, inclusion of spill and overflow prevention equipment, and use of leak detection equipment.</li> <li>▪ Fuel Pumps will include regular inspections and maintenance and staff training on safety procedures. Key maintenance includes checking for leaks, ensuring proper calibration, and cleaning equipment. For safety fire extinguishers will be available within each structure and at the fuel island. Emergency shutoff systems and hose breakaway coupling systems will be installed at the fuel pumps.</li> </ul> <p>Personnel shall follow BMPs for filling and servicing construction equipment and vehicles. BMPs that are designed to reduce the potential for incidents/spills involving the hazardous materials include the following.</p> <ul style="list-style-type: none"> <li>▪ Fuel, oil, and hydraulic fluids shall be transferred directly from a service truck to construction equipment to reduce the potential for accidental release.</li> <li>▪ Catch-pans shall be placed under equipment to catch potential spills during servicing.</li> <li>▪ Refueling shall be conducted only with approved pumps, hoses, and nozzles.</li> <li>▪ All disconnected hoses shall be placed in containers to collect residual fuel from the hose.</li> <li>▪ Vehicle engines shall be shut down during refueling.</li> <li>▪ No smoking, open flames, or welding shall be allowed in refueling or service areas.</li> <li>▪ Refueling shall be performed away from bodies of water to prevent contamination of water in the event of a leak or spill.</li> </ul>

Resource Area	Standard Operating Procedure/Design Features/Best Management Practices
	<ul style="list-style-type: none"> <li>▪ Service trucks shall be provided with fire extinguishers and spill containment equipment, such as absorbents.</li> <li>▪ Should a spill contaminate soil, the soil shall be put into containers and disposed of in accordance with local, state, and federal regulations.</li> <li>▪ All containers used to store hazardous materials shall be inspected at least once per week for signs of leaking or failure.</li> </ul>
Visual Resources	<p>The following BMPs shall be implemented to reduce visual impacts during operations, such as from lighting and glare:</p> <ul style="list-style-type: none"> <li>▪ Exterior lighting on new buildings shall be downcast, shielded, and limited to the extent feasible so as to not cast significant light or glare into the public right-of-way or any surrounding residentially zoned properties.</li> <li>▪ Landscaping will be consistent with existing surroundings to the extent feasible.</li> <li>▪ Project lighting sources would have light controls implemented to reduce glare, including but not limited to dimmers and motion sensors.</li> <li>▪ Light absorbing materials and finished with low specular reflection would be used to absorb lights.</li> <li>▪ The exterior lighting of will be designed in accordance with the International Dark-Sky Association’s Model Lighting Ordinance so as not to cast light or glare off site (e.g. utilize a warm correlated color temperatures (3000K or less) for exterior lighting for reduced likelihood of blue wavelengths which stimulate the photoreceptors of humans and some wildlife).</li> </ul>

# Section 3 | Environmental Setting and Consequences

This section summarizes the existing environmental conditions in the region of the Subject Property and evaluates the potential environmental consequences of implementing each alternative. The analysis focuses on a range of resource areas consistent with NEPA and BIA guidance, including land resources, water resources, air quality, biological resources, cultural and paleontological resources, socioeconomic conditions, transportation and circulation, land use, public services, noise, hazardous materials, and visual resources.

This section presents summary-level impact analysis; supporting documentation, including a detailed description of the environmental setting, regulatory context and analysis, is included in **Appendix C**. Where applicable, the analysis identifies any mitigation measures or BMPs that would be implemented to avoid or minimize impacts.

## 3.1 LAND RESOURCES

Detailed information on the physical characteristics of the Subject Property, including geological setting, topography, seismic conditions, soil types and characteristics, mineral resources, applicable regulations, and potential impacts are provided in **Appendix C-1**.

### 3.1.1 Environmental and Regulatory Setting

The Subject Property is located within a valley between ridges at the northern end of the Peninsular Ranges, and the majority is relatively flat with an elevation around 1,300 feet amsl. The Subject Property is located within Seismic Zone 4, which is the highest seismic zone and is subject to ground shaking. Soils consist of two mapped types, with low to high shrink-swell potential but are moderately to well drained. The Subject Property has no known mineral resources. Land development activities are subject to federal and local requirements, including the CWA, which governs stormwater discharges and erosion control.

### 3.1.2 Impacts

The following provides a summary of potential effects on land resources for each alternative. Detailed information regarding impacts can be found in **Appendix C-1**.

The following provides a summary of potential effects on land resources for each alternative. Detailed information regarding impacts can be found in **Appendix C-1**.

#### **Alternative A**

- **Topography:** The grading activities proposed during construction would largely preserve the existing site topography. **Less than significant impact with no mitigation.**
- **Seismic Conditions:** The site is within Seismic Zone 4; adherence to the provisions of the International Building Code (IBC) would reduce potential risk of structure damage. **Less than significant impact with no mitigation.**

- **Soil Hazards:** Erosion risk will be addressed through standard erosion and sedimentation control BMPs and Construction General Permit (CGP) compliance. **Less than significant impact with no mitigation.**
- **Mineral Resources:** No mapped mineral resources are present on or adjacent to the site; nearest known deposits are over two miles away. **No impact.**

### Alternative B

Under Alternative B, no development would occur, and the Subject Property would remain in its current state. **No impact.**

## 3.2 WATER RESOURCES

Detailed information on the existing surface water, drainage, flooding, and groundwater conditions of the Subject Property, as well as applicable regulations and technical analysis of potential impacts, is provided in **Appendix C-2**.

### 3.2.1 Environmental and Regulatory Setting

The Subject Property is located within the Moosa Canyon Watershed (USEPA, 2025). The primary surface water feature within the vicinity of the Subject Property is Moosa Canyon Creek, which is located approximately 0.11 miles north of the Subject Property, and Moosa Canyon Creek South Fork which is located 0.25 miles to the west of the Subject Property. There is evidence of an old ephemeral watercourse that used to traverse the site from south to north (U.S. Fish and Wildlife Service [USFWS], 2025; **Figure 5 of Appendix A**). This old watercourse was redirected into a graded channel located east of the Subject Property and then running west to a storm drainage channel through the center of the Subject Property to Valley Center Road. This east-west drainage channel was undergrounded prior to the Tribe's purchase of the Subject Property. Other surface water features that are located just north and east of the Subject Property are located in the Native Oaks Golf Club and consist of ephemeral channels, intermittent channels, man-made ponds, and wetlands. The site lies outside of the 500-year Federal Emergency Management Agency (FEMA) floodplain.

The Subject Property is not located within a designated groundwater basin, the nearest basin—the San Luis Rey Valley is located approximately 6 miles northeast of the Subject Property. A connection with the VCMWD will supplies potable water to the property.

Water resource protection is governed by multiple federal and state requirements. These include the CWA, which regulates pollutant discharges to surface waters through the NPDES permit program; the Safe Drinking Water Act (SDWA), which establishes water quality standards; EO 11988, which guides development in flood-prone areas; and the Porter-Cologne Water Quality Control Act and the Sustainable Groundwater Management Act (SGMA). Additional information on these requirements is provided in **Appendix C-2**.

### 3.2.2 Impacts

The following provides a summary of potential effects on water resources for each alternative. Detailed information regarding impacts can be found in **Appendix C-2**.

## Alternative A

- **Stormwater, Drainage, and Flooding:** Stormwater collection would continue to be routed through onsite drainage facilities that convey water to multiple bioretention basins and then off-site. Activities would occur outside the FEMA floodplain and drainage would be conveyed to existing culverts and a graded channel. **Less than significant impact with no mitigation.**
- **Surface Water and Groundwater Resource Availability:** Groundwater extraction would not be affected due to use of VCMWD water system, which obtains its water supply from surface water sources. VCMWD would supply San Luis Rey Indian Water Rights Settlement waters (from the Colorado River) pursuant to a wheeling agreement with the Tribe. Alternative A would result in a minor increase in impervious surfaces within the Subject Property, which will not significantly affect groundwater recharge as stormwater would continue to be routed through the onsite drainage facilities that convey water off-site and to multiple biofiltration basins. **Less than significant impact with no mitigation.**
- **Water Quality:** Wastewater will be collected and treated via an established connection to VCMWD sanitary sewer. Potential impacts to water quality from project construction and operation would be avoided or minimized through Stormwater Pollution Prevention Plan (SWPPP) and CWA implementation and use of BMPs. **Less than significant impact with no mitigation.**

## Alternative B

Under Alternative B, no development would occur, and the Subject Property would remain in its current state. **No impact.**

## 3.3 AIR QUALITY

Detailed information on air quality conditions, applicable regulatory requirements, and quantified emissions modeling is provided in **Appendix C-3**.

### 3.3.1 Environmental and Regulatory Setting

The Subject Property is located within the San Diego Air Basin (SDAB) and is under the jurisdiction of the San Diego Air Pollution Control District (SDAPCD). San Diego County, where the Subject Property is located, is currently designated nonattainment for ozone and attainment (maintenance) for carbon monoxide (CO). Once the Subject Property is taken into trust, air quality regulation would fall under the jurisdiction of the USEPA. Key federal and state regulatory frameworks include the Clean Air Act (CAA) and the General Conformity Rule; hazardous air pollutants (HAPs), such as diesel particulate matter (DPM), are also considered. Additional information on applicable regulations is provided in **Appendix C-3**.

### 3.3.2 Impacts

The following provides a summary of potential effects on air quality for each alternative. Detailed information regarding impacts can be found in **Appendix C-3**.

## Alternative A

- **Construction Emissions:** Equipment and site disturbance would generate criteria air pollutants (CAPs) and DPM, but emissions would not exceed federal *de minimis* thresholds. Standard construction BMPs listed in **Appendix B** including, but not limited to, site watering, street sweeping, limits on vehicle speed, and minimization of vehicle idling, would minimize fugitive dust and off-site emissions. **Less than significant impact with no mitigation.**
- **Operation Emissions:** Emissions from mobile, area, and energy sources would remain below *de minimis* thresholds. BMPs listed in **Appendix B** include adherence to applicable building standards and use of energy and water saving appliances, which would further minimize operational emissions. Operation of the 12 fueling pumps would release HAPs; however, compliance with the New Source Review (NSR) permitting program would reduce emissions. **Less than significant impact with no mitigation.**

## Alternative B

Under Alternative B, no development would occur, and the Subject Property would remain in its current state. **No impact.**

# 3.4 BIOLOGICAL RESOURCES

Detailed information on biological resources, including applicable regulations, site-specific habitat conditions, and potential impacts, is provided in **Appendix C-4**.

## 3.4.1 Environmental and Regulatory Setting

The Subject Property includes ruderal/developed habitat and no aquatic habitats. There is no critical habitat within or adjacent to the Property.

Federally listed species with potential to occur in the region of the Subject Property include Coastal California Gnatcatcher (*Polioptila californica californica*), Least Bell's Vireo (*Vireo bellii pusillus*), Southwestern Pond Turtle (*Actinemys pallida*), Western Spadefoot (*Spea hammondi*), Monarch Butterfly (*Danaus plexippus*), Nevin's Barberry (*Berberis nevinii*), San Diego Ambrosia (*Ambrosia pumila*), San Diego Thornmint (*Acanthomintha ilicifolia*), Willowy Monardella (*Monardella viminea*). There is no potential habitat for Southwestern Pond Turtle and Western Spadefoot. The project site provides minimal suitable nesting habitat for migratory birds and raptors. Biological resource regulations include the Federal Endangered Species Act (FESA), Migratory Bird Treaty Act (MBTA), Bald and Golden Eagle Protection Act, CWA, relevant provisions of the California Fish and Game Code. Additional information on applicable regulations is provided in **Appendix C-4** and **Appendix D**.

## 3.4.2 Impacts

The following provides a summary of potential effects on biological resources for each alternative. Detailed information regarding impacts can be found in **Appendix C-4**.

## Alternative A

- **Habitats:** Development would impact approximately 8.5 acres of ruderal/disturbed habitat. **Less than significant with no mitigation.**

- **Wetlands and Waters of the U.S.:** Construction would not involve direct impacts to any aquatic habitats and would not result in filling, excavating, re-routing, or other impacts to features with potential to be waters of the U.S. With adherence to NPDES permit and implementation of SWPPP and BMPs, construction indirect impacts to waters of the U.S. would be **Less than significant with no mitigation.**
- **Federally Listed Species:** No federally listed plant or animal species were found to occur in the Subject Property. Construction and operation of Alternative A would not convert habitat or otherwise impact special-status species. **Less than significant with no mitigation.**
- **Nesting Migratory Birds:** Small ornamental trees are located in the central eastern boundary of the Subject Property, which provide minimally suitable habitat for nesting and migratory birds. If tree removal is conducted during the nesting season (February 15 to September 1), potentially occurring nesting birds/raptors have the potential to be impacted. Mitigation measures listed in **Section 4** include a preconstruction nesting migratory bird/raptor survey should tree removal commence during the general nesting season. **Less than significant impact with mitigation.**
- **Critical Habitat:** No designated critical habitat within or adjacent to property. Nearest critical habitat is for coastal California gnatcatcher two miles south of the property. **No impact.**

### **Alternative B**

Under Alternative B, no development would occur, and the Subject Property would remain in its current state. **No impact.**

## **3.5 CULTURAL AND PALEONTOLOGICAL RESOURCES**

Detailed information on cultural and paleontological resources, including applicable regulations, technical survey results, and potential impacts, is provided in **Appendix C-5.**

### **3.5.1 Environmental and Regulatory Setting**

A cultural resources investigation of the Subject Property was conducted in 2018 and included a records search, pedestrian survey, and Native American consultation. No known cultural or paleontological resources have been identified on the Subject Property (**Appendix C-5**).

Cultural resources within the Project Site are subject to federal regulations, including Section 106 of the NHPA, the Native American Graves Protection and Repatriation Act (NAGPRA), the Archaeological Resources Protection Act (ARPA), and the Paleontological Resources Preservation Act. These laws govern the identification, evaluation, and protection of archaeological, tribal, and paleontological resources on federal or tribal lands (**Appendix C-5**).

### **3.5.2 Impacts**

The following provides a summary of potential effects on cultural and paleontological resources for each alternative. Detailed information regarding impacts can be found in **Appendix C-5.**

### **Alternative A**

- **Cultural Resources:** The Subject Property is highly disturbed due to previous development and grading. However, the potential for unknown subsurface archaeological and cultural

resources exists. Mitigation includes monitoring during ground disturbing activities and implementing inadvertent discovery treatment protocols. **Less than significant impact with mitigation.**

- **Paleontological Resources:** The Subject Property is highly disturbed due to previous development and grading. However, previously unknown paleontological resources could be discovered. Mitigation measures would ensure proper handling of any discoveries. **Less than significant impact with mitigation.**

### **Alternative B**

Under Alternative B, no development would occur, and the Subject Property would remain in its current state. **No impact.**

## **3.6 SOCIOECONOMIC CONDITIONS**

Detailed information on socioeconomic conditions and regulatory context is provided in **Appendix C-6.**

### **3.6.1 Environmental and Regulatory Setting**

The Subject Property is located in Valley Center in San Diego County, California. Valley Center has an unemployment rate of 2.2% in 2023, an average household income of approximately \$104,115 (in 2022), and stable housing vacancy rates (5.3%) (**Appendix C-6**).

### **3.6.2 Impacts**

The following provides a summary of potential effects on socioeconomic conditions for each alternative. Detailed information regarding impacts can be found in **Appendix C-6.**

### **Alternative A**

- **Employment and economy:** Construction and operations would generate one-time and recurring employment and economic output in San Diego County. However, these beneficial impacts would be less than significant in the context of County employment and economic output. **Less than significant impact with no mitigation.**
- **Fiscal Impacts:** There would be a loss in property tax revenue for the County of 0.002%, a very small percentage of the County's overall revenue. Property tax revenue would cease due to trust status. **Less than significant impact with no mitigation.**
- **Housing:** Although the operation of the Project may result in the in-migration of a small number of additional employee households, overall, the Project would not have significant local or regional impacts on the housing. **Less than significant impact with no mitigation.**

### **Alternative B**

Under Alternative B, no development would occur, and the Subject Property would remain in its current state. **No impact.**

## 3.7 TRANSPORTATION AND CIRCULATION

Detailed information on transportation networks, intersections, and transit systems is provided in **Appendix C-7**.

### 3.7.1 Environmental and Regulatory Setting

Regional access to the Subject Property is provided by Valley Center Road, which runs in a general north to south direction and is located west of the Subject Property. Valley Center Road is a four-lane roadway that connects the two nodes of the Valley Center Community Plan Area: South Village (where the Subject Property is located) and North Village. The Subject Property is located between SR 76 to the north, SR 78 to the south, and SR 79 to the east. Local access to the Subject Property is currently provided from Valley Center Road and Mirar De Valle Road, which dead ends into Valley Center Road.

Relevant transportation regulations and planning policies include the San Diego County General Plan and the Valley Center Road Corridor Concept Plan. Detailed transportation information is provided in **Appendix C-7**.

### 3.7.2 Impacts

The following provides a summary of potential effects on transportation and circulation for each alternative. Detailed information regarding impacts can be found in **Appendix C-7**.

#### **Alternative A**

- **Construction Traffic**: Construction would generate additional temporary trips for workers and material hauling. **Less than significant impact with no mitigation.**
- **Intersections and Roadway Segments**: Alternative A would result in an increase in traffic on study area roadways and at study area intersections. Targeted intersection improvements identified for the Liberty Bell Project previously approved for the Subject Property (see **Section 1.4**), have already been constructed or are currently under construction. With implementation of these improvements, project trips would not exceed the County's thresholds and would result in acceptable operating conditions at all study intersections and roadway segments. **Less than significant impact with no mitigation.**
- **Bicycle, Pedestrian, and Transit Networks**: Alternative A would not generate a large number of new pedestrian trips, bicycling activity, or transit riders. Any new pedestrian or bicycle trips generated by the Proposed Project could be safely accommodated on designated pedestrian and bicycle facilities that have already been developed on Valley Center Road adjacent to the Subject Property. Transit and active transportation networks would not be degraded. **Less than significant impact with no mitigation.**

#### **Alternative B**

Under Alternative B, no development would occur, and the Subject Property would remain in its current state. **No impact.**

## 3.8 LAND USE

Detailed information on land use, including applicable regulations, surrounding designations, agricultural classifications, and compatibility considerations, is provided in **Appendix C-8**.

### 3.8.1 Environmental and Regulatory Setting

The Subject Property is located in San Diego County, within Valley Center. It is currently undeveloped and is zoned primarily commercial with a small portion zoned rural residential. Surrounding land uses to the north of the Subject Property include open space, residential, and the Native Oaks Golf Club; to the south is commercial and residential; to the east is residential and the Native Oaks Golf Club, and to the west is commercial, residential, and open space. The Subject Property and surrounding area are within the Valley Center Community Plan.

Regulatory context includes local land use plans such as the San Diego County General Plan and Valley Center Community Plan. Federal regulations include the Farmland Protection Policy Act (FPPA). According to the California Department of Conservation (DOC) Farmland Mapping and Monitoring Program (FMMP), the Subject Property is designated as Urban and Built-Up Land, Other, and Farmland of Local Importance (**Appendix C-8**).

### 3.8.2 Impacts

The following provides a summary of potential effects on land use for each alternative. Detailed information regarding impacts can be found in **Appendix C-7**.

#### Alternative A

- **Land Use Compatibility:** Consistent with the existing land use and zoning under County policies, and although County land use regulations would not apply once in trust, the proposed development is compatible with surrounding commercial, residential, and recreational uses. The project does not involve expansion of public utilities or roadways or otherwise remove obstacles to growth. **Less than significant impact.**
- **Agriculture:** Conversion of land mapped as Farmland of Local Importance would occur; however, the Subject Property is not irrigated, is zoned for commercial and residential use, and is not in active agricultural production. Surrounding lands are not zoned for agriculture, and no displacement of farming or conflict with agricultural operations would result. **Less than significant impact.**

#### Alternative B

Under Alternative B, no development would occur, and the Subject Property would remain in its current state. **No impact.**

## 3.9 PUBLIC SERVICES

Detailed information on public services, including applicable regulations, service provider data, and projected demand under each alternative, is provided in **Appendix C-9**.

### 3.9.1 Environmental and Regulatory Setting

The Subject Property is located within service areas for VCMWD, which provides water and wastewater reclamation services. Water is supplied through potable water lines. the City's Municipal Water System, which has sufficient supply through 2045, supported by a Water Shortage Contingency Plan and Water Master Plan. Wastewater is treated at the VCMWDs Woods Valley Ranch WRF. Solid waste collection is provided by EDCO Valley Center.

Law enforcement is provided by the San Diego Sheriff, particularly the Valley Center Sheriff's substation; while fire protection is provided by the VCFPD. SDGE, which provides transmission and distribution of natural gas and electric. SDCP is a California Joint Powers Authority provider that supplies to the Subject Property. Public school services are provided by the Valley Center-Pauma Unified School District. Additional public services include nearby parks such as Cole Grade Park and Keys Creek County Preserve.

Applicable regulations include the CWA, SDWA, Public Law 280, Senate Bill 1383 and Assembly Bill (AB) 939 for waste reduction, and local utility and emergency services planning documents. Further detail is included in **Appendix C-9**.

### 3.9.2 Impacts

The following provides a summary of potential effects on public services for each alternative. Detailed information regarding impacts can be found in **Appendix C-9**.

#### Alternative A

- **Water Supply**: Water would be provided via newly installed mains; sufficient water is available to meet future demands of Alternative A. **Less than significant impact with no mitigation.**
- **Wastewater**: A newly installed wastewater connection to the VCMWDs Woods Valley Ranch WRF system would be utilized. The small increase of wastewater that is consistent with current zoning and would not affect the overall capacity of the WRF. **Less than significant impact with no mitigation.**
- **Solid Waste Service**: Solid waste services would be provided by EDCO Valley Center. Operational waste generation would increase by overall 303 tons of solid waste per year, a small fraction of landfill capacity. **Less than significant impact with no mitigation.**
- **Electricity and Natural Gas**: Electricity will be provided by SDGE or San Diego Community Power using SDGE facilities off-site. Natural gas services would be provided by SDGE. Previously installed electrical infrastructure and natural gas services on the property would be utilized. If any additional extensions are needed the Tribe will coordinate with SDGE. BMPs for utility line locations during construction will ensure a **Less than significant impact with no mitigation.**
- **Law Enforcement**: The San Diego County Sheriff will provide primary law enforcement services with cooperation and assistance from the San Pasqual Tribal Police Department. On-site development would be consistent with past use and current zoning. Calls for service would not be disproportionate to other developments in the County. A minimal increase in

calls does not warrant new or expanded facilities. **Less than significant impact with no mitigation.**

- **Fire Protection and EMS:** The VCFPD would provide primary fire protection services with cooperation and assistance from the San Pasqual Tribal Fire Department. Calls for service would not be disproportionate to other developments in the County. A minimal increase in calls does not warrant new or expanded facilities. To reduce risk of fire during construction, BMPs will be implemented. **Less than significant impact with no mitigation.**
- **Schools and Parks:** Small increased of use expected from patrons and residents, but not at levels requiring facility expansion **Less than significant impact with no mitigation.**

## Alternative B

Under Alternative B, no development would occur, and the Subject Property would remain in its current state. **No impact.**

## 3.10 NOISE

Detailed information on noise conditions, modeling methodology, and applicable regulatory thresholds is provided in **Appendix C-10.**

### 3.10.1 Environmental and Regulatory Setting

The dominant noise source in the vicinity of the Subject Property is the traffic along Valley Center Road, Mirar de Valle Road, and Charlan Road. Other noise sources in the area include residential sounds and activities from limited commercial and recreational development, such as from the Native Oaks Golf Course to the east and north. The estimated ambient noise level (assumed to be primarily due to traffic noise) in the vicinity is approximately 55 decibels (dBA) equivalent continuous sound pressure level ( $L_{eq}$ ) over a 24-hour period.

Criteria and guidelines from the Federal Transit Administration (FTA) for construction and vibration thresholds and Noise Abatement Criteria (NAC) were reviewed. In addition, local noise elements in the San Diego County General Plan and County of San Diego Municipal Code were analyzed. Further detail is included in **Appendix C-10.**

### 3.10.2 Impacts

The following provides a summary of potential effects on noise for each alternative. Detailed information regarding impacts can be found in **Appendix C-10.**

## Alternative A

- **Construction Noise:** Construction equipment could generate maximum noise levels up to 85 dBA at 50 feet. The nearest sensitive receptor is less than 50 feet from the Subject Property, where maximum noise levels could exceed the County's 75 dBA standard (Municipal Code §36.409) and the FTA 90 dBA daytime construction threshold. To address this, Mitigation Measure NOI-1 requires use of quieter equipment where feasible, placement of stationary sources away from residences, possible temporary noise-reducing fencing, and designation of a disturbance coordinator. Construction would also be limited to 7 a.m.–7 p.m. Monday through Saturday, with no work on Sundays or holidays. **Less than significant with mitigation.**

- **Operational Noise:** Not expected to generate new sources of noise. Small increase in traffic and activity, but not substantial enough to significantly increase the ambient noise environment. **Less than significant impact with no mitigation.**
- **Construction and Operation Vibration:** Construction could require use of vibratory equipment within 25 feet of adjacent residences, which may exceed the FTA residential threshold of 72 vibration decibels (VdB) for frequent events. Mitigation Measure NOI-1 includes measures to reduce vibration impacts, such as limiting use of high-vibration equipment near residences, using lower-vibration equipment where feasible, and appointing a disturbance coordinator. Operational activities would consist primarily of passenger vehicles and light-duty trucks, which would be well below the 72 VdB FTA vibration threshold. **Less than significant impact with mitigation.**

### Alternative B

Under Alternative B, no development would occur, and the Subject Property would remain in its current state. **No impact.**

## 3.11 HAZARDOUS MATERIALS

Detailed information on hazardous materials, including applicable regulations is provided in **Appendix C-11.**

### 3.11.1 Environmental and Regulatory Setting

A Phase I Environmental Site Assessment (ESA) and Phase II ESA were conducted for the Subject Property and found no presence of hazardous materials above screening levels or background ranges.

Hazardous Materials are regulated by multiple agencies including USEPA, U.S. Department of Transportation and regulations including Resource Conservation and Recovery Act (RCRA), Federal Food, Drug, and Cosmetic Act, Hazard Communication Standard (HCS), Federal Hazardous Substance Act and Toxic Substance Control Act amongst others. Further detail is included in **Appendix C-11.**

### 3.11.2 Impacts

The following provides a summary of potential effects on hazardous materials for each alternative. Detailed information regarding impacts can be found in **Appendix C-11.**

### Alternative A

- **Hazardous Materials- Construction:** Limited quantities of hazardous materials would be used during construction, BMPs required through the NPDES CGP limit or eliminate risk of accidental releases of hazardous materials. **Less than significant impact with no mitigation.**
- **Hazardous Materials- Operation:** Common hazardous materials, such as cleaning supplies, would be used during operation, but would be handled, stored and disposed of according to federal guidelines. Fuel pumps would be installed according to applicable regulations and would have specific safety measures in place. **Less than significant impact with no mitigation.**

- **Wildfire Risk- Construction:** Subject Property is in a very high fire hazard severity zone and is surrounded by very high fire hazard and high fire hazard severity zones. With this very high severity zone rating, chances of fires during construction is possible, although the Subject Property is previously disturbed with minimal vegetation and the surrounding area is mostly developed. Furthermore, BMPs would reduce the probability of igniting a fire. **Less than significant impact with no mitigation.**
- **Wildfire Risk- Operation:** Alternative A would be designed to meet IBC, including measures related to fire and structural safety. **Less than significant impact with no mitigation.**

### Alternative B

Under Alternative B, no development would occur, and the Subject Property would remain in its current state. **No impact.**

## 3.12 VISUAL RESOURCES

Detailed information on visual resources, including applicable design standards, key scenic viewpoints, and photo simulations, is provided in **Appendix C-12.**

### 3.12.1 Environmental and Regulatory Setting

The Subject Property contains limited defining natural visual characteristics. The topography of the Subject Property is relatively flat with elevations at approximately 1300 feet amsl. The Subject Property is located in Woods Valley, bounded by Bear Ridge to the south, Moosa Canyon Creek is just north and east of the Property at elevations of approximately 1350 feet amsl, and there is an undeveloped and steeply sloped knoll to the north and east that rises to elevations of approximately 1675 feet. The visual characteristics of the Subject Property are similar to the developed land in the surrounding area.

Title 24 Outdoor Lighting Zones local plans will be used, and standards would be applied for visual resources. Further detail is included in **Appendix C-12.**

### 3.12.2 Impacts

The following provides a summary of potential effects on visual resources for each alternative. Detailed information regarding impacts can be found in **Appendix C-12.**

### Alternative A

- **Visual Compatibility:** Proposed development would be consistent with the developments and land use in the surrounding area and keep with the visual characteristics that exist in the vicinity of the Subject Property. **Less than significant impact with no mitigation.**
- **Lighting and Glare:** Lighting would include BMPs, including designing exterior lights to meet the International Dark-Sky Association's Model Lighting Ordinance and use of low-glare materials. Increases in ambient light would be consistent with surrounding development. **Less than significant impact with no mitigation.**

## **Alternative B**

Under Alternative B, no development would occur, and the Subject Property would remain in its current state. **No impact.**

### **3.13 OTHER REASONABLY FORESEEABLE IMPACTS**

As described in **Sections 3.1** through **3.12**, the Proposed Action and subsequent Proposed Project would not result in any significant impacts with the implementation of mitigation measures listed in **Section 4**. There are no reasonably foreseeable development projects on or in the vicinity of the Subject Property.

# Section 4 | Mitigation

Mitigation measures to address potentially significant impacts that could result from implementation of a federal action consist of the following:

- Avoiding the impact altogether by not taking a certain action or parts of an action.
- Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
- Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- Compensating for the impact by replacing or providing substitute resources or environments.

Mitigation measures to be implemented during construction and operation of the Proposed Project are summarized in **Table 4-1** below. Mitigation is enforceable because it is (1) inherent to the project design; and/or (2) required by federal or Tribal regulations. In accordance with the IAM; Part 59, Chapter 3.3(D), it is the policy of the BIA to:

- Take the appropriate steps to ensure negative environmental effects are prevented, minimized or mitigated whenever possible.
- Monitor for and assess the effectiveness of mitigation measures identified to mitigate adverse environmental impacts in EAs.

**Table 4-1: Mitigation Measures**

Resource Area	Proposed Mitigation
Biological Resources	<p><b>BIO-1: Potentially nesting migratory birds and other birds of prey in accordance with the federal MBTA</b></p> <p>1. If tree removal occurs during the general nesting season (February 15 to September 1), a preconstruction nest survey shall be conducted within the proposed construction area within 7 days of initiating removal. If active nests are identified, a qualified biologist shall determine a suitable avoidance buffer based on the needs of the species observed. The buffer shall be established using construction fencing, flagging, or similar. The buffer shall remain in place until after the nesting season or until the biologist has determined the nest is no longer active.</p>
Cultural Resources	<p><b>CUL-1: Inadvertent Discovery Protocols</b></p> <p>1. During grading and other ground-disturbing activities, a qualified archaeologist and a Native American representative shall monitor the work due to the property’s disturbance history and the presence of nearby recorded sites. In the event that a cultural or paleontological resource is inadvertently discovered during Project activities, work must be halted within 30 feet of the find and the qualified archaeologist (36 CFR § 61) notified immediately so that an assessment of its potential significance can be undertaken. Construction activities may continue in other areas but may not resume in the area of the find until the BIA provides written permission. If the discovery proves to be significant, additional work, such as data recovery excavation, may be warranted and would be discussed in consultation with the BIA, affiliated tribal organizations, and any other relevant regulatory agencies or invested parties, as appropriate.</p>

Resource Area	Proposed Mitigation
	<p><b>CUL-2: Human Remains</b></p> <p>1. If human remains are discovered during ground-disturbing activities on Tribal lands, the NAHC and BIA representative shall be contacted immediately. No further disturbance shall occur until the NAHC and BIA representative have made the necessary findings as to the origin and disposition. If the remains are determined to be of Native American origin, the BIA representative shall notify a Most Likely Descendant. The Most Likely Descendant is responsible for recommending the appropriate disposition of the remains and any grave goods.</p>
Noise	<p><b>NOI-1: Construction Noise and Vibration Impacts to Sensitive Receptors</b></p> <p>A. Loud or high-vibration generating stationary construction equipment shall be located as far away from residential receptor areas as feasible.</p> <p>B. Construction equipment and machinery that produce reduced noise and vibration levels shall be utilized to the extent feasible.</p> <p>C. To minimize construction noise exposure, the line of sight between the nearby sensitive receptors along the Subject Property’s western boundary and active construction areas shall be obstructed using noise-reducing fencing. If feasible, the six-foot permanent fence included as part of Alternative A shall be constructed prior to or early in the construction phase to provide noise attenuation for nearby residences. If the permanent fence is constructed early, temporary augmentations shall be added as needed to enhance its effectiveness. If this fence is not installed, temporary noise-reducing construction fencing shall be installed along the boundary of the Subject Property in the vicinity of adjacent residences to block the line of sight between nearby sensitive receptors and construction activities.</p> <p>D. The Tribe shall monitor construction noise and vibration and will designate a disturbance coordinator, post the coordinator’s contact telephone number conspicuously around the Subject Property, and provide the number to nearby sensitive receptors. The disturbance coordinator shall receive all public complaints, be responsible for determining the cause of the complaints, and implement any feasible measures to alleviate the problem.</p>

# Section 5 | Consultation and Coordination

## Federal Agencies Consulted

- **Federal Emergency Management Agency:** The FEMA Map Service Center was utilized to review Flood Information Rate Maps.
- **Federal Transit Administration (FTA):** FTA guidance manuals were consulted regarding transit noise and vibration standards.
- **U.S. Bureau of Labor Statistics:** Reviewed website to obtain labor statistics.
- **U.S. Census Bureau:** Reviewed website for information concerning demographical data.
- **U.S. Department of Agriculture Natural Resources Conservation Service (USDA NRCS):** Consulted website for data concerning farmland and soil characteristics information.
- **U.S. Department of Health and Human Services:** Reviewed website for information concerning federal poverty guidelines to determining poverty.
- **U.S. Environmental Protection Agency:** Reviewed website for information regarding National Ambient Air Quality Standards (NAAQS) Attainment status. Additionally, the USEPA's Waterbody Reports database was queried for information regarding water quality. The Enforcement and Compliance History Online (ECHO) database was consulted.
- **U.S. Fish and Wildlife Service:** Consulted to obtain a list of federally listed special-status species with the potential to occur in the Vicinity of the Subject Property. Additionally, the USFWS National Wetlands Inventory (NWI) was consulted to identify potential wetlands and waters in the vicinity of the Subject Property.
- **U.S. Geological Survey (USGS):** Reviewed website for information concerning geological and hydrological information in addition to geological hazards, such as volcanic information.

## State Agencies Consulted

- **California Department of Conservation (DOC), California Geological Survey (CGS):** Reviewed website for geological information for the County of San Diego.
- **California Department of Forestry and Fire Protection (CAL FIRE):** Reviewed website for information concerning wildfire data within the State.
- **California Department of Water Resources (DWR):** Website and publications were reviewed for information about local groundwater basins.
- **California Historical Resources Information System (CHRIS):** Consulted in order to obtain resource records and reports about specific cultural resources.
- **California Native Plant Society's (CNPS) database *Inventory of Rare and Endangered Plants of California*:** Online database was reviewed to obtain a list of rare and endangered plants of California.

- **California Natural Diversity Database (CNDDDB):** Online database was reviewed to obtain a list of threatened, endangered, and sensitive species with the potential to occur in the vicinity of the Subject Property. The online database was also consulted to obtain maps of sensitive habitat and sensitive species' ranges.
- **California State Historic Preservation Officer (SHPO):** The California Office of Historic Preservation may be consulted regarding the potential for the project alternatives to impact cultural resources in accordance with the NHPA.
- **California Department of Resources Recycling and Recovery (CalRecycle):** Website was reviewed to obtain solid waste numbers by land use.
- **Native American Heritage Commission (NAHC):** A record search of the NAHC Sacred Lands File (SLF), and list of Native American tribes who may also have knowledge of cultural resources in the project area was conducted.

#### **Local Agencies and Service Providers**

- **San Diego Community Power (SDCP):** Website was reviewed to obtain information about electricity providing services.
- **San Diego County:** San Diego County website, reports, and planning documents, such as the General Plan, were consulted for information regarding numerous environmental topics, such as land use, public services, taxes, and cumulative projects.
- **San Diego County Sheriff:** Website was reviewed to obtain information on law enforcement services in the Project vicinity.
- **San Diego Gas and Electric (SDGE):** Website was reviewed to obtain information about SDGE services and gas and electrical capacity.
- **San Diego Parks and Recreation:** Website was reviewed to obtain information about parks and recreational facilities in the Project vicinity.
- **Valley Center Fire Protection District (VCFPD):** Website was reviewed to obtain fire and emergency services information for the department.
- **Valley Center Municipal Water District:** Website and Urban Water Management Plan were reviewed to obtain information about the VCMWD water supply and wastewater treatment systems.
- **Valley Center-Pauma Unified School District:** Website was reviewed to obtain information about the schools in the Project vicinity.

## Section 6 | Preparers

Name	Qualifications	Participation
<b>Acorn Environmental – Environmental Assessment</b>		
Bibiana Sparks	BS; 17 years of experience	Project Director; EA Author
Chad Broussard	BS, JD 24 years of experience	Project Director; EA Author
John Fox	BS; MBA 36 years of experience	Senior Environmental Analyst; EA Author
Shadde Rosenblum	MS; 26 years of experience	Senior Technical Analyst; EA Author
Kimberly Fuchs	BS; 25 years of experience	Senior Environmental Analyst; EA Author
Kristen Miner	BS, MS; 11 years of experience	Senior Environmental Analyst; EA Author
Kimberlina Gomez	BS, MS; 3 years of experience	Environmental Analyst; EA Author
Emma Miller	BA; 3 years of experience	Environmental Analyst; EA Author
Dana Hirschberg	24 years of experience	Graphics

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