



8.0 EFFECTS FOUND NOT TO BE SIGNIFICANT

CEQA provides that an EIR shall focus on the significant effects on the environment and discuss potential environmental effects with emphasis in proportion to their severity and probability of occurrence. The City of Oceanside (City) prepared the *Oceanside Transit Center Redevelopment Initial Study* (Initial Study; dated January 2023) to analyze the proposed project's effect on specific environmental topic areas, included as part of the Environmental Checklist form presented in *CEQA Guidelines* Appendix G; refer to [Appendix 11.1, *Notice of Preparation/Initial Study*](#). The Initial Study concluded that certain impacts were identified as “less than significant” or “no impact” due to the inability of a project of this scope to yield such impacts or the absence of project characteristics producing effects of this type. These effects are not required to be included in the EIR's primary environmental analysis sections ([Section 5.1, *Aesthetics/Light and Glare*](#), through [5.15, *Utilities and Service Systems*](#)). In accordance with *CEQA Guidelines* Section 15128, the following discussion includes a brief description of potential impacts found to be less than significant in the Initial Study. The lettered analyses under each topic area directly correspond to their order in *CEQA Guidelines* Appendix G.

AESTHETICS. *Except as provided in Public Resources Code Section 21099, would the project:*

- b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

No Impact. Based on the California Department of Transportation's (Caltrans) California Scenic Highway Mapping System, there are no officially designated, or eligible, State scenic highways that are located within or adjacent to the project site.¹ However, Interstate 5 (I-5) is part of the California Scenic Highway System and is eligible for designation as an Official Scenic Highway. I-5 is located 0.5 mile east of the project site. Given the proximity of I-5 to the project site, and intervening structures, vegetation, and topography, no readily available public view are afforded of the project site from I-5. As such, no impacts are anticipated in this regard.

AGRICULTURE AND FORESTRY RESOURCES. *In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:*

¹ Caltrans, *California State Scenic Highway System Map*, <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>, accessed October 10, 2022.



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

No Impact. Per the California Department of Conservation, the project area is situated within urban and built-up land.² The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Thus, no impacts would result in this regard.

- b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

No Impact. The project site is divided into several zones, including the Downtown District: Public Transportation and Railroad (Subdistrict D-14), High Density Residential (Subdistrict D-5), Public Utility and Transportation (PUT), Office Professional, Coastal (OP), and Medium Density Residential, Coastal (R-3). The project site is not zoned for agricultural use nor covered under an existing Williamson Act contract.^{3,4} Thus, no impacts would occur in this regard.

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

No Impact. As stated above in Agriculture and Forestry Resources (b), the project site and surrounding area is not zoned for any forest land, timberland, or timberland production. Project implementation would not affect any existing lands zoned for forest land, timberland, or timberland production. Therefore, no impacts would occur.

- d) *Result in the loss of forest land or conversion of forest land to non-forest use?*

No Impact. Refer to response to Agriculture and Forestry Resources (c). No impact would occur.

- e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

No Impact. Refer to responses to Agriculture and Forestry Resources (a) through (d). No agricultural resources or forest land exists within or adjacent to the project site. Therefore, future buildout of the project would not result in the conversion of farmland to non-agricultural use or forest land to non-forest use. No impacts would occur in this regard.

AIR QUALITY. *Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:*

- d) *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

² California Department of Conservation, *California Important Farmland Finder*, <https://maps.conservation.ca.gov/DLRP/CIFF/>, accessed September 28, 2022.

³ California Department of Conservation Division of Land Resource Protection, *The Williamson Act Status Report 2020-21*, May 2022.

⁴ California Department of Conservation Division of Land Resource Protection, *State of California Williamson Act Contract Land Map*, 2016.



Less Than Significant Impact. Land uses and industrial operations that are associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding facilities. The proposed project involves development of a mixed commercial, office, residential, transit, and hotel development and would not include any uses identified by the San Diego Air Pollution Control District (SDAPCD) as being associated with strong odors.

Construction activities associated with the proposed project may generate detectable odors from heavy-duty equipment exhaust and architectural coatings. However, construction-related odors would be short-term in nature and cease upon project completion. In addition, the project would be required to comply with the California Code of Regulations, Title 13, Sections 2449(d)(3) and 2485, which minimizes the idling time of construction equipment either by requiring equipment to be shut off when not in use or limiting idling time to no more than five minutes. Compliance with these existing regulations would further reduce the detectable odors from heavy-duty equipment exhaust. The project would also be required to comply with the SDAPCD Rule 67.0 – Architectural Coating, which would minimize odor impacts from volatile organic compounds (VOCs) emissions during architectural coating applications. Any odor impacts to existing adjacent land uses would be short-term and negligible. As such, the project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. Impacts would be less than significant in this regard.

BIOLOGICAL RESOURCES. *Would the project:*

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

No Impact. Riparian habitats occur along the banks of rivers and streams. Sensitive natural communities are considered to be rare in the region by regulatory agencies, known to provide habitat for sensitive animal or plant species, or known to be important wildlife corridors. The project site is located in a highly developed area of the City. There are also no banks of rivers or streams identified within or near the project site. As such, no riparian or other sensitive natural communities occur within the project site. No impacts would result in this regard.

- c) *Have a substantial adverse effect on State or Federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

No Impact. Wetlands are defined under the Federal Clean Water Act as land that is flooded or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that normally does support, a prevalence of vegetation adapted to life in saturated soils. Wetlands include areas such as swamps, marshes, and bogs. The project site is predominately paved and developed with the existing NCTD transit center and associated ancillary structures. No wetlands are present on-site. As such, no impact would result in this regard.



GEOLOGY AND SOILS. *Would the project:*

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

No Impact. The Alquist-Priolo Earthquake Fault Zoning Act (Act) (Public Resources Code 2621-2624, Division 2 Chapter 7.5) was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The Act only addresses the hazard of surface fault rupture and is not directed toward other earthquake hazards. The Act requires the State Geologist to establish regulatory zones, known as "Earthquake Fault Zones," around the surface traces of active faults and to issue appropriate maps. Local agencies must regulate most development projects within these zones. Before a project can be permitted, cities and counties must require a geologic investigation to demonstrate that proposed buildings would not be constructed across active faults. An evaluation and written report of a specific site must be prepared by a licensed geologist. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back from the fault (typically 50-foot setbacks are required).

The project area is not situated in the immediate vicinity of a known active or potentially active fault.⁵ The nearest active fault is the Oceanside section of the Newport-Inglewood-Rose Canyon fault zone, located greater than three miles to the southwest.⁶ Therefore, the potential for surface rupture is considered low. As such, the project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. No impact would occur in this regard.

- a)(3) *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?*

No Impact. The potential for seismic-related ground failure is associated with the probability of severe ground shaking because of a nearby active fault. Liquefaction is the phenomenon that occurs when saturated granular soils develop high pore water pressures during seismic shaking and behave like a heavy fluid. This phenomenon generally occurs in areas of high seismicity where groundwater is shallow and loose granular soils or hydraulic fill soils subject to liquefaction are present. The project site is not located within liquefaction zone.⁷ As such, the risk of liquefaction is considered negligible. No impact would occur.

- e) *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

⁵ California Department of Conservation, *Fault Activity Map of California*, <https://maps.conservation.ca.gov/cgs/fam/>, accessed October 17, 2022.

⁶ Ibid.

⁷ City of Oceanside, Oceanside General Plan Update, *Background Report #4: Environmental Conditions*, June 2021.



No Impact. No septic tanks or alternative wastewater disposal systems are proposed for the project. The proposed development would be connected to the existing sewer system and would not involve septic tanks or alternative wastewater disposal systems. Therefore, no impact would occur in this regard.

HAZARDS AND HAZARDOUS MATERIALS. *Would the project:*

- a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Less Than Significant Impact. Substantial risks associated with hazardous materials are not typically associated with residential, hotel, office, or retail uses. Minor cleaning products along with the occasional use of pesticides and herbicides for landscape maintenance of the project site are generally the extent of hazardous materials that would be routinely utilized on-site. Thus, as the presence and on-site storage of these materials are common for residential or office/hospitality uses and would not be stored in substantial quantities (quantities required to be reported to a regulatory agency), impacts in this regard are less than significant.

Limited amounts of some hazardous materials could be used in the short-term construction of the project, including standard construction materials (e.g., paints and solvents), vehicle fuel, and other hazardous materials from neighborhood serving commercial uses. The routine transportation, use, and disposal of these materials would be required to adhere to State and local standards and regulations for handling, storage, and disposal of hazardous substances. With compliance with the existing State and local procedures that are intended to minimize potential health risks associated with their use, impacts associated with the handling, storage, and transport of these hazardous materials during construction would be less than significant.

- c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

No Impact. The closest school is Saint Mary Star of the Sea Elementary School, located approximately 0.31 mile to the southeast of the project site at 1806 South Horne Street. Thus, the project would not result in the handling of hazardous waste during site disturbance activities within proximity to this existing school. No impacts would result in this regard.

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?*

No Impact. The closest airport, Bob Maxwell Field Oceanside Municipal Airport, is public use airport located approximately 2.49 miles to the northeast of the project site at 480 Airport Road. The project site is located outside of the airport influence area and is not located within the vicinity of a private airstrip or any airport land use plan, or within two miles of a public airport. As such, no impacts would occur in this regard.

- g) *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

No Impact. The project site consists of, and is surrounded by, urban/developed land, and no areas of wildland are present in the project vicinity. Additionally, the California Department of Forestry and



Fire (CAL FIRE) *Fire Hazard Severity Zone (FHSZ) Viewer*, the project site is not located in or near a State responsibility area (SRA).⁸ Further, the project site is not located in or near a Very High Fire Hazard Severity Zone (VHFHSZ).⁹ Therefore, project implementation would not expose people or structures to a significant risk involving wildland fires, and no impacts would occur in this regard.

HYDROLOGY AND WATER QUALITY. *Would the project:*

d) *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*

No Impact. The project site is not within a Federal Emergency Management Agency (FEMA) regulated Special Flood Hazard Area (SFHA) such that flooding does not occur during the one or 0.2 percent annual chance flood event.¹⁰ No impacts would occur in this regard.

A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, lake, or storage tank. The project site is not located adjacent to any lakes or confined bodies of water; therefore, the potential for a seiche to affect the site is considered negligible. No impact would occur in this regard.

A tsunami is a sea wave caused by a sudden displacement of the ocean floor, most often due to earthquakes. The project site is not located within a mapped tsunami hazard zone; therefore, damage due to tsunamis is considered low.¹¹ No impact would occur in this regard.

LAND USE AND RELEVANT PLANNING. *Would the project:*

a) *Physically divide an established community?*

No Impact. Factors that could physically divide a community include, but are not limited to:

- Construction of major highways or roadways.
- Construction of storm channels.
- Closing bridges or roadways; and
- Construction of utility transmission lines.

The key factor with respect to this threshold is the potential to create physical barriers that change the connectivity between areas of a community to the extent that persons are separated from other areas of the community. The proposed project would not physically divide an established community. The project would involve demolishing existing structures on-site and would construct a new mixed-use transit-oriented community with office, retail, hotel, transit, community facilities, and multi-family residential uses, as well as public and private open space and associated parking and landscaping. This mixed-use development would focus housing development in smart growth opportunity areas,

⁸ CAL FIRE, *FHSZ Viewer*, <https://egis.fire.ca.gov/FHSZ/>, accessed August 17, 2022.

⁹ Ibid.

¹⁰ Federal Emergency Management Agency, *Flood Insurance Rate Map #06073C0734J*, December 20, 2019.

¹¹ California Department of Conservation's California Geologic Survey, *California Tsunami Maps and Data*, <https://www.conservation.ca.gov/cgs/tsunami/maps>, accessed November 4, 2022.



particularly at a transit-oriented site and along a major commercial corridor and improve on-site intermodal connectivity serving the existing on-site transit center, compared to the existing condition. Proposed development would also be a continuation of the existing mixed uses to the north and residential uses to the south of the project site. Thus, development of the proposed project would not physically divide an established community, and no impacts would occur in this regard.

MINERAL RESOURCES. *Would the project:*

- a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?*

No Impact. The project site is located in a developed area of the city. According to the California Department of Conservation's Geologic Survey, the project site is identified as Mineral Resource Zone 3 (MRZ-3).¹² MRZ-3 is defined as areas containing mineral deposits, the significance of which cannot be evaluated from available data. Although the project site is classified as such, the project site consists of an existing transit center and associated office uses and a surface parking lot, and no mineral recovery activities currently occur at the project site, nor in the project area. Implementation of the proposed mixed-use transit-oriented community would have no impact on the potential for future mining activities in the project area. Thus, no impacts would occur in this regard.

- b) *Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

No Impact. Refer to response to Mineral Resources (a). Additionally, according to the General Plan Environmental Resource Management Element, the two major areas of mineral deposits in the city occur within the San Luis Rey River Basin and along El Camino Real, north of Oceanside Boulevard; these areas are not within the project vicinity. As such, no impact would occur in this regard.

NOISE. *Would the project:*

- c) *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels?*

No Impact. The closest airport, Bob Maxwell Field Oceanside Municipal Airport, is a public use airport located approximately 2.49 miles to the northeast of the project site at 480 Airport Road. The project site is located outside of the airport influence area. Additionally, there are no private airports located within two miles of the project site. As such, no impacts would occur in this regard.

POPULATION AND HOUSING. *Would the project:*

- b) *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*

No Impact. The project would not displace substantial numbers of existing people or housing and would not necessitate the construction of replacement housing elsewhere. As discussed in [Section 3.0, Project Description](#), the project involves the demolition of existing structures that support transit uses,

¹² California Department of Conservation's Geologic Survey, *Update of Mineral Land Classification: Portland Cement Concrete-Grade Aggregate in the Western San Diego County Production-Consumption Region, California*, 2017.



including office buildings and parking. There are no existing permanent populations of people or housing on-site. Therefore, the proposed project would not displace a substantial number of people or housing necessitating the construction of replacement housing elsewhere. No impact would result in this regard.

WILDFIRE. *If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project:*

a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

No Impact. According to the California Department of Forestry and Fire (CAL FIRE) *Fire Hazard Severity Zone (FHSZ) Viewer*, the project site is not located in or near a State responsibility area (SRA).¹³ Further, the project site is not located in or near a Very High Fire Hazard Severity Zone (VHFHSZ).¹⁴ As such, the project site and immediate vicinity are not classified as a VHFHSZ or within a SRA, and no impact would occur in this regard.

b) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

No Impact. Refer to response to Wildfire (a).

c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

No Impact. Refer to response to Wildfire (a).

d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

No Impact. Refer to response to Wildfire (a).

¹³ CAL FIRE, *FHSZ Viewer*, <https://egis.fire.ca.gov/FHSZ/>, accessed August 17, 2022.

¹⁴ Ibid.