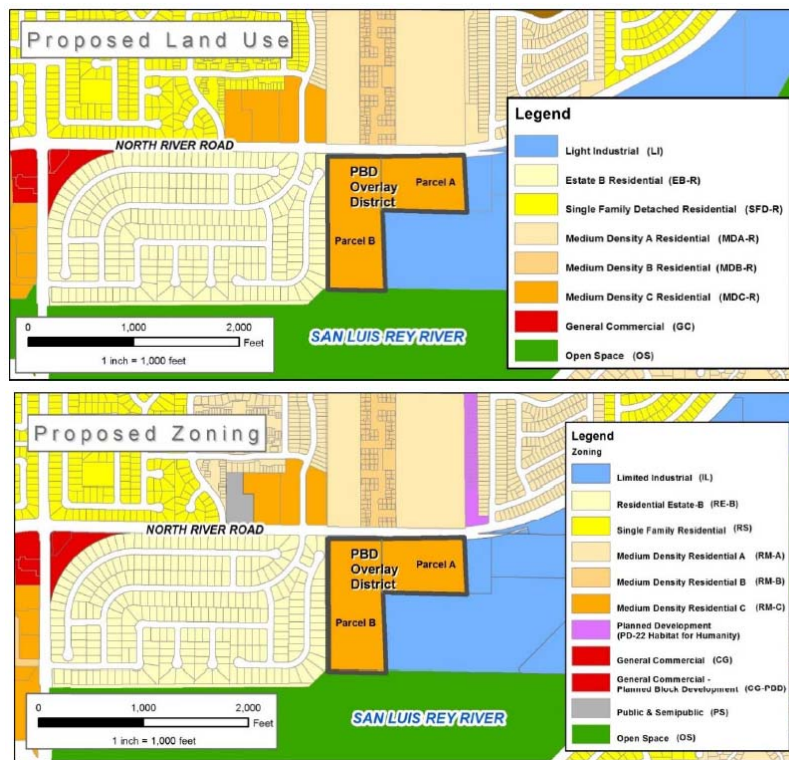


FINAL ENVIRONMENTAL IMPACT REPORT TIERRA NORTE PLANNED BLOCK DEVELOPEMNT

State Clearinghouse No. 2018111034

General Plan Amendment (GPA13-00001), Zoning Amendment (ZA13-00001) and Development Plan (D17-00007) – Kawano Property

General Plan Amendment (GPA13-00004), Zoning Amendment (ZA13-00008) and Development Plan (D17-00006) – Nagata Property



Lead Agency:
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054



Prepared by:
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June 2022

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Zoning Amendment (ZA13-00001 & ZA13-00008)
Development Plan (D17-00007 & D17-00006)
Oceanside, California**

**Prepared for:
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List of Abbreviated Terms

AB	Assembly Bill
ACM	Asbestos Containing Materials
ADT	Average Daily Trips
AHERA	Asbestos Hazard Emergency Response Act
ALUCP	Airport Land Use Compatibility Plan
AMSL	Above Mean Sea Level
APCD	Air Pollution Control District
APN	Assessor's Parcel Number
AST	Aboveground Storage Tank
ASTM	American Society of Testing Materials
BAU	Business As Usual
BGS	Below Ground Surface
BMP	Best Management Practice
Btu	British Thermal Units
CAAQS	California Ambient Air Quality Standards
CalARP	California Accidental Release Prevention
CAL FIRE	California Department of Forestry and Fire Protection
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
CALGreen	California Green Building Standards
CalOSHA	California Division of Occupational Safety and Health Administration
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CARB	California Air Resources Board
CBC	California Building Code
CCR	California Code of Regulations
CDC	California Department of Conservation
CDFW	California Department of Fish and Wildlife
CDHS	California Department of Health Services
CDO	Cease and Desist Orders
CEC	California Energy Commission
CERLA	Comprehensive Environmental Response, Compensation, and Liability Act
CERLIS	Comprehensive Environmental Response Compensation Liability Information System
CERS	California Environmental Reporting System
CESA	California Endangered Species Act
CEQA	California Environmental Quality Act
Cfs	Cubic Feet per Second
CFC	California Fire Code
CFGC	California Fish and Game Code
CFR	Code of Federal Regulations
CH ₄	Methane
CHMIRS	California Hazardous Material Incident Report System
CHP	California Highway Patrol
CHSC	California Health and Safety Code
CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CNRA	California Natural Resources Agency
CO	Carbon Monoxide
CO ₂	Carbon Dioxide
CORRACTS	RCRA Corrective Action Order
CPUC	California Public Utilities Commission
CRHP	California Register of Historical Resources

CRPR	California Rare Plant Ranks
CUPA	Certified Unified Program Agency
CWA	Clean Water Act
CWC	Clean Water Code
CY	Cubic Yards
dB	Decibels
dBA	A-weighted Decibel Scale
DPM	Diesel Particulate Matter
DTSC	Department of Toxic Substance Control
ECAE	Energy Climate Action Element
EDR	Environmental Data Resources, Inc.
EIR	Environmental Impact Report
EMFAC	Emission Factor
ERNS	Emergency Response Notification System
ESA	Endangered Species Act
ESA	Environmental Site Assessment
EV	Electric Vehicle
FAA	Federal Aviation Administration
FAR	Floor Area Ratio
FEMA	Federal Emergency Management Agency
FINDS	Facility Index Systems
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping Monitoring Program
FRP	Federal Response Plan
FTA	Federal Transit Administration
GHG	Greenhouse Gas
GPD	Gallons per day
GPM	Gallons per minute
GWP	Global Warming Potential
H ₂ S	Hydrogen Sulfide
HA	Hydrologic Area
HAP	Hazardous Air Pollutant
HCM	Highway Capacity Manual
HCP/NCCP	Habitat Conservation Plan/ Natural Community Conservation Plan
HFCs	Hydrofluorocarbons
HMMD	Hazardous Materials Management Division
HMP	Hydromodification Management Plan
HOA	Home Owner's Association
HRA	Health Risk Assessment
HREC	Historic Recognized Environmental Conditions
HU	Hydrologic Unit
HVAC	Heating, Ventilation, Air Conditioning
IBC	International Building Code
ICC	International Code Council
IFC	International Fire Code
IPCC	Intergovernmental Panel on Climate Change
IPS	Inches per Second
ITS	Institute of Transportation Studies
LBP	Lead-Based Paint
LCP	Local Coastal Program
LED	Light-Emitting Diode
LESA	Land Evaluation and Site Assessment
LID	Low Impact Development
LOS	Level of Service
LSA	Lake or Streambed Alteration
LTRP	Long-Term Resource Plan

LTS	Local Transportation Study
LUST	Leaking Underground Storage Tanks
MBTA	Migratory Bird Treaty Act
MEIR	Maximally Exposed Individual Resident
MGD	Million Gallons per Day
MHCP	Multiple Habitat Conservation Program
MLD	Most Likely Descendent
MM	Mitigation Measure
MMRP	Mitigation Monitoring and Reporting Program
MOU	Memorandum of Understanding
MPH	Miles Per Hour
MRZ	Mineral Resource Zone
MS4	Municipal Separate Storm Sewer Systems
MT	Metric Tons
MT CO ₂ E	Metric Tons of Carbon Dioxide Equivalent
MTP	Master Transportation Plan
NAAQS	National Ambient Air Quality Standards
N ₂ O	Nitrous Dioxide
NAHC	Native American Heritage Commission
NCCP	Natural Community Conservation Planning
NCTD	North County Transit District
NF ₃	Nitrogen Trifluoride
NFPA	National Fire Protection Association
NFRAP	No Further Remedial Action Planned
NHPA	National Historical Preservation Act
NHTSA	National Highway Traffic Safety Administration
NOC	Notice of Completion
NOP	Notice of Preparation
NO ₂	Nitrogen Dioxide
NO _x	Oxides of Nitrogen
NPDES	National Pollutant Discharge Elimination System
NPL	National Priorities List
NPPA	Native Plant Protection Act
NRHP	National Register of Historic Places
O ₃	Ozone
OAQPS	Office of Air Quality Planning and Standards
OEHHA	Office of Environmental Health Hazard Assessment
OFD	Oceanside Fire Department
OMC	Oceanside Municipal Code
OPD	Oceanside Police Department
OPR	Office of Planning and Research
OSHA	Occupational Safety and Health Administration
PAMA	Pre-Approved Mitigation Area
Pb	Lead
PBD	Planned Block Development
PBDP	Planned Block Development Plan
PFCs	Perfluorocarbons
PG&E	Pacific Gas & Electric
PM _{2.5}	Particulate Matter Less Than 2.5 Microns in Diameter
PM ₁₀	Particulate Matter Less Than 10 Microns in Diameter
PPB	Parts Per Billion
PPM	Parts Per Million
PPV	Peak Particle Velocity
PRC	Public Resources Code
PRG	Preliminary Remediation Goals
PRIMP	Paleontological Resources Impact Mitigation Program

RAQS	Regional Air Quality Standards
RCP	Regional Comprehensive Plan
RCRA	Resource Conservation and Recovery Act
RECs	Recognized Environmental Conditions
REL	Reference Exposure Levels
RHNA	Regional Housing Needs Assessment
ROG	Reactive Organic Gases
RPS	Renewable Portfolio Standard
RTP/SCS	Regional Transportation Plan and Sustainable Communities Strategy
RWQCB	Regional Water Quality Control Board
SAM	Site Assessment and Mitigation
SANDAG	San Diego Association of Governments
SB	Senate Bill
SCAQMD	South Coast Air Quality Management District
SCIC	South Coastal Information Center
SCS	Sustainable Communities Strategy
SDAB	San Diego Air Basin
SDAPCD	San Diego Air Pollution Control District
SDG&E	San Diego Gas & Electric
SDWA	San Diego Water Authority
SF	Square Feet
SF ₆	Sulfur Hexafluoride
SIP	State Implementation Plan
SLF	Sacred Lands File
SLIC	Spills Leaks Investigations and Cleanup
SMARA	Surface Mining and Reclamation Act
SO ₂	Sulfur Dioxide
SOPA	Society of Professional Archaeologists
SPT	Standard Penetration Test
SR	State Route
SRA	State Responsibility Area
SWLF	Solid Waste Land Fill
SWPPP	Storm Water Pollution Prevention Plan
SWQMP	Storm Water Quality Management Plan
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminants
TCR	Tribal Cultural Resource
TMDL	Total Maximum Daily Load
TNW	Traditional Navigable Water
TPA	Transit Priority Area
TPH	Total Petroleum Hydrocarbons
TPZ	Timberland Production Zone
TSD	Treatment Storage and Disposal
UPA	Unified Program Agencies
USACE	United States Army Corps of Engineers
U.S. EPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UST	Underground Storage Tank
UWMP	Urban Water Management Plan
VCP	Voluntary Cleanup Sites
VMT	Vehicle Miles Traveled
VOCs	Volatile Organic Compounds
WCPZ	Wildlife Corridor Planning Zone
WoS	Waters of the State
WoUS	Waters of the United States

WQIP Water Quality Improvement Plan
ZNE Zero Net Energy

ES.0 EXECUTIVE SUMMARY

ES.1 INTRODUCTION

The California Environmental Quality Act (CEQA), Public Resources Code Section 21000, et seq. requires that before a public agency makes a decision to approve a project that could have one or more adverse effects on the physical environment, the agency must inform itself about the project's potential environmental impacts, give the public an opportunity to comment on the environmental issues, and take feasible measures to avoid or reduce potential harm to the physical environment.

This Environmental Impact Report (EIR), California State Clearinghouse (SCH) Number 2018111034 was prepared in accordance with CEQA Guidelines Article 9, Section 15120 to 15132, to evaluate the potential environmental impacts associated with planning, constructing, and operating the proposed Tierra Norte Planned Block Development (hereafter, "Project"). This EIR does not recommend approval, approval with modification, or denial of the Project; rather, this EIR is a source of factual information regarding potential impacts that the Project may cause to the physical environment. The Draft EIR (DEIR) was available for public review for a minimum of 45 days, after consideration of public comment, the City of Oceanside will consider certifying the Final Environmental Impact Report (FEIR) and adopting the required findings in conjunction with Project approval. In the case that there are any adverse environmental impacts that cannot be mitigated to below a level of significance, the City of Oceanside must adopt a Statement of Overriding Considerations, stating why the City is taking action to approve the Project with or without modification despite its unavoidable impacts.

The Executive Summary complies with CEQA Guidelines Section 15123 "Summary". This EIR document includes a description of the Project and evaluates the physical environmental effects that could result from Project implementation. This EIR evaluates all subject areas listed in Appendix G of the CEQA Guidelines, which include the following: Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire. The scope of the Project was determined through the consideration of public comment received in response to the EIR's Notice of Preparation (NOP). The NOP and comments received in response to the NOP are attached to this EIR as **Appendix A**. Based on preliminary evaluation of the probable effects of the Project and a thorough review of the comments on the NOP, the EIR analyzes effects having potentially significant impacts related to the following:

- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Transportation
- Tribal Cultural Resources

Refer to EIR Chapter 4.0 *Environmental Analysis*, for a full account and analysis of the subject matters listed above. During the scoping process, it was determined that there would be no impact or less than significant impact to: Aesthetics, Agriculture and Forestry Resources, Energy, Greenhouse Gas Emissions, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, Utilities and Service Systems, and Wildfire. Although the environmental issue areas above were determined to have a less than significant impact or no impact, an analysis of each of these issue areas was provided for informational purposes. These topics are described in Chapter 4.0 *Environmental Analysis*, of this EIR and supported by analysis contained in the Project technical reports.

For each of the subject environmental topics analyzed in detail in Chapter 4.0, this EIR describes the following:

- Environmental Setting
- Regulatory Setting
- Thresholds of Significance
- Project Impact analysis
- Mitigation Implementation and Monitoring
- Level of Significance After Mitigation

A summary of the Project's environmental impacts and the mitigation measures required by the City of Oceanside in order to reduce or avoid these impacts is included in this Executive Summary as **Table ES-2 Summary of Impacts, Mitigation Measures and Conclusions**. The City of Oceanside applies mitigation measures which it determines: 1) are feasible and practical for project applicants to implement; 2) are feasible and practical for the City to monitor and enforce; 3) are legal for the City to impose; and 4) would result in a benefit to the physical environment. CEQA does not require the Lead Agency to analyze an exhaustive list of every imaginable mitigation measure, or measures that are duplicative of mandatory regulatory requirements.

This EIR also discusses alternatives to the Project. Alternatives are described and analyzed that would attain most of the Project's objectives while avoiding or substantially reducing the Project's significant adverse environmental effects. A summary of the Project alternatives analysis is provided below in Section ES.4 *Project Alternatives*. And a full discussion of the Project alternatives is provided in Chapter 7.0 *Alternatives*.

ES.2 PROJECT SYNOPSIS

ES.2.1 LOCATION AND REGIONAL SETTING

The 25.6-acre Project Site is located in the north/northeast portion of the City which is located within the northwestern portion of the County. Refer to **Figure 2.1**. The City is bound by the Pacific Ocean to the west, Camp Pendleton to the north, the City of Vista and unincorporated areas of the County to the east, and the City of Carlsbad to the south. Major features of the area include the beaches, Buena Vista Lagoon, the San Luis Rey River, and the open areas of Camp Pendleton. Regional access to the Project Site is provided from State Route 76 (SR-76) and College Boulevard to North River Road. The Project Site is located north of SR-76, on the south side of North River Road generally between Avenida Descanso and Calle Montecito in the North Valley Neighborhood of the City. Refer to **Figure 2.2** and **Figure 2.3**.

The Project Site consists of two (2) parcels. The eastern parcel is located at 4665 North River Road on Assessor's Parcel Number (APN) 157-060-40 and is approximately 9.7 total acres. This parcel is wide and rectangular in shape and is bound to the north by North River Road, to the east by Calle Montecito, and to the south by Calle Joven and to the west by a paved emergency access road within an easement running along the west property boundary.

The western parcel is located at 4617 North River Road on APN 157-060-17 and is comprised of approximately 15.9 acres. This parcel is long and rectangular in shape and is bound to the north by North River Road, to the east by Calle Joven which stubs before the middle of the property boundary, to the south by the San Luis Rey River, and to the west by single-family residential development. Main access for both parcels is provided from North River Road. Calle Joven provides a potential access point to the western parcel and provides access to the eastern parcel from the east and south.

The current General Plan land use designation of both the east and western parcels is Light Industrial (LI). A General Plan Amendment is required to designate the Project Site as Medium Density – C Residential (MDC-R) in order to provide for appropriate densities and use types that will allow for the envisioned multi-family development of the Project Site. Both parcels are currently designated as Limited Industrial (IL) under the Zoning Ordinance. A Zone Amendment is required to designate the Project Site as Medium Density Residential (RM-C) consistent with the proposed MDC-R land use. The RM-C zoning designation will allow for future implementation of a multi-family development.

A PBDDP for the Overlay District has been prepared for the Project (**Appendix E**) and is intended to permit flexibility in land-use regulations and site development standards under control of the Planning Commission and City Council where flexibility or coordinated planning for a large site or a site under multiple ownerships will enhance the potential for superior urban design. The PBDDP establishes the land use and development standards that will regulate future residential development proposals for the Project Site.

ES.2.2 PROJECT OBJECTIVES

The primary objectives of the proposed Project are as follows:

1. Establish a Planned Block Development Overlay District to permit flexibility in land-use regulation and site development standards under control of the City of Oceanside Planning Commission and City Council where flexibility or coordinated planning for a large site or a site under multiple ownerships will enhance the potential for superior urban design.
2. Provide realistic future housing opportunities for the community located on an infill development site.
3. Establish land use and development standards that will regulate future residential development proposals for the subject property.
4. Promote site planning and architectural design that is intended to promote development in a deliberate, highly livable residential community which is compatible with the surrounding neighborhood.

ES.2.3 PROJECT SUMMARY DESCRIPTION

The Tierra Norte PBD Project proposes a General Plan Amendment, Zone Amendment and Development Plan to establish a PBD Overlay District for the total of 25.6-acre land area located at 4665 and 4617 North River Road.

The proposed PBD would consist of a medium density residential development on the designated Project Site in the future. The proposed MDC-R designation would allow a density of 15.1 to 20.9 du/ acre with a potential overall development range between 359 and 497 dwelling units. The proposed PBDP would have a maximum allowance of 400 dwelling units for the entire overlay district in order to provide development that is consistent with the lower end density of the MDC-R land use category (which results in 15.6 du/ acre). **Table 3.5-1** displays a summary of the land use characteristics of the PBD Overlay District.

The proposed MDC-R and RM-C land use and zoning designations for the PBD Overlay District will allow for the future development of residential communities that may be achieved through a variety of Site and building designs. Specific site layouts and residential product designs would ultimately be identified as part of future development plans proposed for the properties. Medium density residential building types that are permitted in the PBD Overlay include small lot attached single-family homes, detached condominiums, townhomes, courtyard clusters, duplex homes and garden apartments along with various other product type configurations. Each potential building type is described in further detail in Section 3.5 of the EIR.

The PBDP provides the Development Standards for the Project and are included in **Table 3.5-2**. These standards address development criteria including site design, open space, and parking. The regulations are intended to allow flexibility for specific development proposals while providing reliable base criteria to ensure appropriate development within the PBD Overlay Area and promote the formation of a well-designed medium density residential neighborhood.

Primary access to the Project Site is proposed by constructing a south leg at the intersection of North River Road and Riverview Way. This intersection would be signalized. A secondary access is anticipated to connect with Calle Joven which is located along the southern boundary of the eastern parcel. Project landscaping would be designed and implemented in compliance with the City of Oceanside Zoning Ordinance Section 1050 for minimum landscaping requirements and Section 3019 for Landscaping, Irrigation and Hydroseeding requirements.

The following project design features have been incorporated into the Project in order to reduce air quality and greenhouse gas emissions and energy usage associated with operation of the Project.

- The Project will install Low Flow water fixtures in all residential units.
- All lights within the development will be designed to use LED technology and will be for both indoor and outdoor lighting areas.
- The Project will provide separate waste containers to allow for simpler material separations or the Project will pay for a waste collection service that recycles the materials in accordance with AB 341 to achieve a 75% waste diversion. All green waste will be diverted from landfills and recycled as mulch.
- The Project will only install natural gas hearth units where applicable. No wood burning hearths would be provided onsite.
- The Project will utilize Tier 4 construction equipment or equivalent. Tier 4 refers to the latest emission milestone by the United States Environmental Protection Agency (U.S.

EPA) and California Air Resources Board (CARB) which applies to new engines found in off-road equipment including construction equipment.

The Project would provide the roadway improvements and contributions as displayed in **Table 3.5-4** unless subsequent traffic analysis demonstrates that the improvements are not warranted. Prior to submittal of the final site plan, a traffic analysis shall be prepared to identify the timing, trigger, improvement, and fair share contribution for each analyzed roadway segment and intersection.

The principal discretionary actions required of the City of Oceanside to implement the Project would include a General Plan Amendment, Zone Amendment and Development Plan to establish a PBD Overlay District for the total of 25.6-acre land area located at 4665 and 4617 North River Road.

ES.3 AREAS OF CONTROVERSY

CEQA Guidelines Section 15123(b)(2) requires that areas of controversy known to the Lead Agency (City of Oceanside) be identified in the Executive Summary.

On November 15, 2018 the City posted a Notice of Preparation (NOP) with the San Diego County (County) Clerk in accordance with Section 15082 of the CEQA Guidelines. The NOP was mailed to public agencies, organizations, and other interested individuals to solicit their comments on the scope and content of the environmental analysis. The NOP and comments received during the NOP comment period are included as **Appendix A** of this EIR and were considered as part of the preparation of this EIR. Comments received covered topics including aesthetics, agriculture, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazardous materials, hydrology, land use and planning, noise, population and housing, public services, transportation and traffic, tribal cultural resources and utilities and service systems. The initial 30-day public scoping period concluded on December 15, 2018.

Regarding issues to be resolved, this EIR addresses the environmental issues that are known by the City and identified during the public scoping meeting. The EIR also addresses issues that were identified in the comment letters received during the NOP for the Project (refer to **Appendix A**).

ES.4 PROJECT ALTERNATIVES

In compliance with CEQA Guidelines Section 15126.6, an EIR must describe a range of reasonable alternatives to the Project or to the location of the Project. Each alternative must be able to feasibly attain most of the Project's objectives and avoid or substantially lessen the Project's significant effects on the environment. A detailed description of each alternative evaluated in this EIR, as well as an analysis of the potential environmental impacts associated with each alternative, is provided in Section 7.0 *Alternatives*. Also described in Section 7.0 is a list of alternatives that were considered but rejected from further analysis. The alternatives that were considered and further analyzed are provided in the sections below. **Table ES-1** below provides a summary of the effects of each alternative for each of the environmental impact areas addressed.

**Table ES-1
Comparison of Project and Alternatives Impacts**

Environmental Issue Area	Project Impact	Alternative 1: No Project Alternative	Alternative 2: Reduced Intensity Alternative	Alternative 3: Reduced Project Footprint Alternative
Aesthetics	Less Than Significant	No Impact (Less Impact Than Project)	Less Than Significant (Less Impact Than Project)	Less Than Significant (Less Impact Than Project)
Agriculture and Forestry Resources	Less Than Significant	No Impact (Less Impact Than Project)	Less Than Significant (Similar Impact as Project)	Less Than Significant (Less Impact Than Project)
Air Quality	Less Than Significant After Mitigation	Less Than Significant (Less Impact Than Project)	Less Than Significant After Mitigation (Less Impact Than Project)	Less Than Significant (Less Impact Than Project)
Biological Resources	Less Than Significant After Mitigation	No Impact (Less Impact Than Project)	Less Than Significant After Mitigation (Similar Impact as Project)	Less Than Significant After Mitigation (Less Impact Than Project)
Cultural Resources	Less Than Significant After Mitigation	No Impact (Less Impact Than Project)	Less Than Significant After Mitigation (Similar Impact as Project)	Less Than Significant After Mitigation (Less Impact Than Project)
Energy	Less Than Significant	Less Than Significant (Less Impact Than Project – would not include Project design features to address CAP)	Less Than Significant (Less Impact Than Project)	Less Than Significant (Less Impact Than Project)
Geology and Soils	Less Than Significant After Mitigation	No Impact (Less Impact Than Project)	Less Than Significant After Mitigation (Similar Impact as Project)	Less Than Significant After Mitigation (Less Impact Than Project)
Greenhouse Gas Emissions	Less Than Significant	Less Than Significant (Less Impact Than Project – would not include Project design features to address CAP)	Less Than Significant (Less Impact Than Project)	Less Than Significant (Less Impact Than Project)
Hazards and	Less Than Significant	Less Than Significant	Less Than Significant	Less Than Significant

Environmental Issue Area	Project Impact	Alternative 1: No Project Alternative	Alternative 2: Reduced Intensity Alternative	Alternative 3: Reduced Project Footprint Alternative
Hazardous Materials	After Mitigation	(Less Impact Than Project)	After Mitigation (Similar Impact as Project)	After Mitigation (Less Impact Than Project)
Hydrology and Water Quality	Less Than Significant After Mitigation	No Impact (Less Impact Than Project)	Less Than Significant After Mitigation (Similar Impact as Project)	Less Than Significant After Mitigation (Less Impact Than Project)
Land Use and Planning	Less Than Significant After Mitigation	No Impact (Less Impact Than Project)	Less Than Significant After Mitigation (Similar Impact as Project)	Less Than Significant After Mitigation (Less Impact Than Project)
Mineral Resources	Less Than Significant	No Impact (Less Impact Than Project)	Less Than Significant (Similar Impact as Project)	Less Than Significant (Similar Impact as Project)
Noise	Less Than Significant After Mitigation	Less Than Significant (Less Impact Than Project)	Less Than Significant After Mitigation (Less Impact Than Project)	Less Than Significant After Mitigation (Less Impact Than Project)
Population and Housing	Less Than Significant	No Impact (Less Impact Than Project)	Less Than Significant (Less Impact Than Project)	Less Than Significant (Less Impact Than Project)
Public Services	Less Than Significant	No Impact (Less Impact Than Project)	Less Than Significant (Less Impact Than Project)	Less Than Significant (Less Impact Than Project)
Recreation	Less Than Significant	No Impact (Less Impact Than Project – would not include pedestrian sidewalk improvements or trail connection)	Less Than Significant (Less Impact Than Project)	Less Than Significant (Less Impact Than Project)
Transportation	Less Than Significant After Mitigation	No Impact (Less Impact Than Project – would not include transportation improvements to surrounding roadways)	Less Than Significant After Mitigation (Similar Impact as Project)	Less Than Significant After Mitigation (Similar Impact as Project)
Tribal Cultural Resources	Less Than Significant After Mitigation	No Impact	Less Than Significant After Mitigation	Less Than Significant After Mitigation

Environmental Issue Area	Project Impact	Alternative 1: No Project Alternative	Alternative 2: Reduced Intensity Alternative	Alternative 3: Reduced Project Footprint Alternative
		(Less Impact Than Project)	(Similar Impact as Project)	(Less Impact Than Project)
Utilities and Service Systems	Less Than Significant	No Impact (Less Impact Than Project)	Less Than Significant (Less Impact Than Project)	Less Than Significant (Less Impact Than Project)
Wildfire	Less Than Significant	No Impact (Less Impact Than Project)	Less Than Significant (Similar Impact as Project)	Less Than Significant (Similar Impact as Project)
Meets the Project Objectives?	Yes	No	Partially	Partially

ES.4.1 NO PROJECT ALTERNATIVE

The No Project Alternative assumes that the Project Site would not be developed as multi-family residential and that the Project Site would remain as warehouse/office and shipping operations, single-family residences, and in agricultural cultivation in its present condition. The purpose of the No Project Alternative analysis is to allow a lead agency to compare the impacts of approving the proposed Project with the impacts of not approving the Project.

Under implementation of the No Project Alternative, potentially significant Project impacts associated with air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, transportation, and tribal cultural resources identified for the Project would not occur under this alternative. Under the No Project Alternative, the Project Site would remain and would maintain its current condition and no significant environmental impacts would occur. Benefits of the Project such as transportation improvements and contributions; enhanced pedestrian improvements and connections; Project design features which aim to address requirements of the CAP; and improved traffic along North River Road and Riverview Way, SR076 and College Boulevard, Douglas Drive from Pala Road to El Camino Real and Douglas Drive from El Camino Real to Mission Avenue would not be realized under the No Project Alternative. The No Project Alternative would not meet any of the Project objectives.

ES.4.2 REDUCED INTENSITY ALTERNATIVE

Under the Reduced Intensity Alternative, the 25.6-acre Project Site would be developed with a less intensive residential use such as single-family homes which would be consistent with the land uses to the west of the Project Site. This alternative would require a General Plan Amendment and Zone Amendment in order to revise the existing land use and zoning designations from light industrial uses to residential estate (RE-B) similar to the development located directly to the west. The single-family development to the west contains 270 residences and has a density of approximately 3.0 du/ acre.

The Reduced Intensity Alternative would reduce Project impacts related to aesthetics, air quality, energy, GHG emissions, noise, population and housing, public services, recreation, and utilities

and service systems. Impacts related to transportation would be similar to that of the Project; however the Project under this alternative would result in reduced vehicle trips. The Reduced Intensity Alternative would still be required to implement the mitigation measures identified for the Project in order to reduce potentially significant impacts to a level below significant. However, it is anticipated that under this alternative, roadway improvements and contributions in accordance with the reduced number of trips would be provided. All other impacts would be the same under the Reduced Intensity Alternative and the Project. Project objectives under this alternative would only be met to an extent.

ES.4.3 REDUCED PROJECT FOOTPRINT ALTERNATIVE

The Reduced Project Footprint Alternative would construct a reduced sized multi-family development on the Project Site. For the purposes of this analysis, it is assumed that the entire 9.7-acre eastern parcel would be developed and only the northern and northwestern four (4) acres of the western parcel would be developed. This would avoid the land consisting of agricultural operations which totals approximately 11.8 acres of row crops. Development would be reduced by approximately 50% under this alternative and therefore, for the purposes of this alternatives analysis, a total of 200 multi-family units would be developed. It is also assumed that only one (1) of the existing single-family residences located on the western parcel would remain and would not be demolished as part of Project construction. Under this alternative, it is assumed that a General Plan Amendment and Zone Amendment would be required for both parcels in order to designate the site for medium density residential uses.

The Reduced Project Footprint Alternative would result in reductions to impacts related to aesthetics, agriculture and forestry resources, biological resources, cultural resources, energy, geology and soils, GHG emissions, hazards and hazardous materials, hydrology and water quality, land use, noise, population and housing, public services, recreation, and tribal cultural resources. Impacts related to mineral resources, transportation, and wildfire would be similar to the Project. All mitigation measures identified for the Project would be applicable to this alternative except for mitigation measure MM-HAZ-5 related to pesticides as no disturbance to the agricultural lands would occur under this alternative. Appropriate transportation roadway improvements in accordance with the reduced traffic under this alternative would be implemented as provided in the City's MTP. Project objectives under this alternative would only be met to an extent.

ES.5 SUMMARY OF IMPACTS, MITIGATION MEASURES, AND CONCLUSIONS

Table ES-2 summarizes the Project's environmental impacts, as required by CEQA Guidelines Section 15123(a). This table also provides the mitigation measures required to reduce potentially significant impacts to a level below significance. After implementation of all mitigation measures, all Project impacts would be reduced to a level below significance. The Project would not result in any significant and unavoidable impacts.

Table ES-2
Summary of Impacts, Mitigation Measures and Conclusions

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
Aesthetics (See Section 4.2 for the complete analysis of Aesthetics)		
<u>Threshold a:</u> The Project Site is located in a primarily developed area surrounded by various residential land use types to the west and north, industrial uses to the east and southeast, and the San Luis Rey River to the south. The established residential uses include single-family residences, multi-family condominiums and apartments and mobile home communities. The western parcel is visible from the north side of the San Luis Rey River Trail but is not visible from the south side of the San Luis Rey River Trail due to intervening vegetation. The eastern parcel is partially visible from the north side of the San Luis Rey River Trail, since views of the light industrial uses, south of the eastern parcel are more prevalent. The eastern parcel is not visible from the south side of the San Luis Rey River Trail due to intervening vegetation and the existing industrial buildings. Due to the distance of these designated visual open space areas from the Project Site, and due to intervening topography, the Project would not impact views of these visual open space areas as a result. The Project would be located in an area of existing development and would be of similar massing and appearance to the existing single-family, multi-family and mobile home developments and industrial uses, and would not degrade views from a visual open space area. The future multi-family residential development would have a maximum building height of 35 feet, as provided in the PBDP, similar to that of the surrounding residential developments. In its present condition, the Project Site does not provide an expansive view of a highly valued landscape or scenic vista and it would not interfere with views of an existing scenic vista. The future development associated with the Project would not contrast with surrounding land uses or with the existing visual landscape of the immediate vicinity. <u>Impacts to scenic vistas would be less than significant.</u>	No mitigation required.	Less than significant impact.
<u>Threshold b:</u> The Project Site is located over 30 miles from the six (6) officially designated state scenic highways within the County. Caltrans has also listed SR-76 from Interstate 5 (I-5) to Route79 at Lake Henshaw as an eligible state scenic highway. The portion of SR-76 within this eligible scenic highway is located approximately 0.80 mile south of the Project Site. Due to the Project Site distance and intervening topography from SR-76, non-native tree species and historic residences located onsite would not be visible from this portion of the eligible state scenic highway. Impacts to scenic resources within a state scenic highway would be less than significant .	No mitigation required.	Less than significant impact.
<u>Threshold c:</u>	No mitigation required.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
The Project is located in a primarily urbanized area surrounded by various residential land use types including single-family, multi-family apartments and condominiums, mobile homes and industrial development. The Project would provide a PBD Overlay District for future development of the Project Site to multi-family residential development. The existing visual character of the surrounding area is characterized by development; primarily containing various residential land use types and light industrial buildings. Overall, the Project area would remain developed similar to current conditions. Although the visual character of the Project Site would change with the development of multi-family residential buildings on a site with existing single-family residences, agricultural activity, and warehouse operations, the development would not substantially degrade the existing visual character of the surrounding area and would appear as a continuation of existing development in the Project vicinity. Further, the Project would be of similar massing and appearance to the existing single-family, multi-family and mobile home developments and industrial uses in the surrounding area. Amendment is required to designate the Project Site as RM-C from IL consistent with the proposed land use. The Project PBDP would provide Community Design Guidelines for the future medium density residential development, which are intended to be flexible in order to allow for a diversity of quality project designs that are responsive to and compatible with existing surroundings and are compatible with the City’s Zoning Ordinance. The Project is located in an urbanized area and would not conflict with applicable zoning and other regulations governing scenic quality, and impacts would be less than significant.		
<u>Threshold d:</u> The Project would include indoor lighting within the proposed residential buildings and outdoor lighting around the site boundary as well as internal street lighting. All indoor and outdoor light fixtures provided as part of the Project would exclusively utilize high-efficiency LED technology. Chapter 4 of the PBDP provides Community Design Guidelines for lighting. Onsite lighting would incorporate a scale and aesthetic that best compliments the residential character of the development. Street lighting would be utilized to the minimum extent possible to provide a safe community, but also to enhance neighborhood character. All lighting would be hooded and designed to prevent light spillover. Lighting along roadways would be designed to emphasize pedestrian scale and orientation. The Project would ensure safe pedestrian lighting is incorporated with interior paths and community walkways. All onsite lighting including pole height regulations would be in conformance with Section 3117 of the Zoning Ordinance. All outdoor lighting including shielding and glare reduction measures would comply with the standards in Article 30, Section 3024 of the Zoning Ordinance. Onsite buildings would be designed and constructed with materials that would not contain highly reflective materials. The Project would comply with Chapter 39 of the OMC related to light pollution regulations. Therefore, the Project would not have a	No mitigation required.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
significant increase in the amount of light pollution in the area and would not directly impact the effectiveness of the Palomar Observatory. The Project would not create a new source of light or glare which would adversely affect day or nighttime views in the area, and impacts would be less than significant.		
Agriculture and Forestry Resources (See Section 4.3 for the complete analysis of Agriculture and Forestry Resources)		
<u>Threshold a:</u> A FMMP map was prepared for the Project Site and is displayed in Figure 4.3-1. As shown in the FMMP, the eastern parcel (4665 North River Road) is designated as Urban Built-Up Land. On the western parcel (4617 North River Road), the northwest corner is designated as Urban Built-Up Land while the remainder of the parcel is designated as Other Land. The Other Land designation is characterized by land not included in any other FMMP mapping category. Common examples of land within this category include low density rural developments, wetland and riparian areas not suitable for livestock grazing, and vacant and nonagricultural land surrounded on all sides by urban development. The immediate surroundings of the Project Site also consist of Urban Built-Up Land and Other Land. No areas designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance are located within close proximity to the Project Site. Although existing agricultural uses exist within the Project Site which would be converted within the PBD Overlay District to future medium density residential uses, the land is not recognized as a designated agricultural use. The Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance pursuant to the FMMP to non-agricultural use and impacts would be less than significant.	No mitigation required.	Less than significant impact.
<u>Threshold b:</u> The General Plan land use designation for the Project Site is LI under the General Plan and the zoning designation for the Project Site is IL under the Zoning Ordinance. The Project would not conflict with existing zoning for agricultural use or a Williamson Act contract as the Project Site is not designated for such uses. The Project would implement a PBD Overlay District to allow for medium density residential uses on a site that is currently zoned for industrial uses. The Project would not conflict with existing zoning for agricultural use or Williamson Act contract and impacts would be less than significant.	No mitigation required.	Less than significant impact.
<u>Threshold c:</u> The General Plan land use designation for the Project Site is LI under the General Plan and the zoning designation for the Project Site is IL under the Zoning Ordinance. The Project Site does not contain lands designated as forest land, timberland or timberland zoned Timberland Production as defined by Public Resources Code and Government Code sections.	No mitigation required.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
No impact to forest land, timberland, or timberland zoned Timberland Production would occur.		
<u>Threshold d:</u> The eastern parcel within the Project Site is developed with a packing warehouse with offices, associated storage sheds, a former fruit stand, and a vacant residence. Vegetation on this parcel consists of developed land, disturbed land and non-native vegetation. The western parcel is predominately in agricultural cultivation and includes approximately 11.82 acres of row crops. This parcel also contains a single-family residence, an old warehouse, a packing shed, small out buildings and farm equipment and miscellaneous materials and machinery. Vegetation on this parcel consists of developed land, disturbed land non-native vegetation and row crops. The Project Site does not contain forest land and therefore would not result in the loss of forest land or convert forest land to non-forest use. No impact would occur.	No mitigation required.	Less than significant impact.
<u>Threshold e:</u> As displayed in the FMMP prepared for the Project (Figure 4.3-1), the Project Site consists of Urban Built-Up Land and Other Land. Land surrounding the Project Site including the residential developments to the west and north and the industrial uses to the east, south and southeast are also designated as Urban Built-Up Land. The areas to the south within the San Luis Rey River are designated as Other Land. No areas designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance are located within the immediate vicinity to the Project Site. According to the Biological Resources Letter Reports prepared for the Project Site (Appendix G and Appendix H), the eastern parcel consists of 5.55 acres of developed land, 3.96 acres of disturbed land, and 0.19 acre of non-native vegetation. Vegetation on the western parcel consists of 1.44 acres of developed land, 2.13 acres of disturbed land, 0.40 acre of non-native vegetation, and 11.82 acres of row crops. Due to the location and nature of the Project, the Project would not involve other changes in the existing environment which would result in conversion of farmland to non-agricultural use or the conversion of forest land to non-forest use. The Project would result in a less than significant impact .	No mitigation required.	Less than significant impact.
Air Quality (See Section 4.4 for the complete analysis of Air Quality)		
<u>Threshold a:</u> As provided in Table 4.4-6 , the Project would not exceed SDAPCD air quality standards during construction and no mitigation is required. Table 4.4-7 provides the expected daily pollutant generation during operation of the Project. Operational emissions would not exceed SDAPCD screening thresholds during summer or winter scenarios and would not result in a significant impact to air quality. The expected construction emissions for a project under the existing zoning and land use would be greater compared to emissions generated by the Project. The Project	No mitigation required.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
would therefore be considered less intense than a project under the existing zoning and land use. Because the RAQS would be based on the existing land use and zoning of the Project Site, and because the Project would be considered less intense than a project under the existing zoning and land use designation, the Project would not create more growth than projected by SANDAG and would not conflict with the SIP and RAQS. The Project would not conflict with or obstruct implementation of an applicable air quality plan, and impacts would be less than significant.		
<u>Threshold b:</u> As provided in Table 4.4-6 and Table 4.4-7, the Project would not exceed SDAPCD air quality thresholds during construction or operation of the Project. Due to distance of the two cumulative projects and intervening topography, air quality construction emissions would not increase beyond what is calculated within this air quality analysis and the air quality emissions provided in Table 4.4-6. Therefore, a less than significant cumulative construction impact would occur. Project operational air quality emissions would not exceed SDAPCD’s area, energy or mobile thresholds, as displayed in Table 4.4-7 and therefore, the Project would have a less than significant cumulative operational impact. The Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under applicable federal and state ambient air quality standards, and therefore impacts to air quality would be less than significant.	No mitigation required.	Less than significant impact.
<u>Threshold c:</u> As shown in Figure 4.4-1, sensitive receptors include single-family residents directly to the west (approximately 20 feet from Project Site boundary), the mobile home estates and multi-family residences directly to the north (approximately 122 feet), North River Club Apartments (approximately 180 feet) to the northwest, Shepherd of the Valley Lutheran Church (approximately 833 feet) to the northwest, Nicholas Elementary School located 0.28 mile southwest, Cesar Chavez Middle School located 0.40 mile southeast, Libby Elementary School (0.59 mile), Libby Lake Park (0.43 mile) and Libby Lake Child Development Center (0.45 mile) located northeast and Reynolds Elementary School located 0.90 mile north of the Project Site. The evaluation of air quality impacts to sensitive receptors is based on the potential to result in physical health issues. No non-cancer risks are expected as a result of the Project. A complete analysis of Lead Based Paint and Asbestos Containing Materials is provided in Section 4.10 <i>Hazards and Hazardous Materials</i>. The Project would disturb LBP-containing materials through the removal and disposal of materials from existing structures onsite which has the potential to cause a health hazard and represents a significant impact (Impact AQ-1).Project construction would require the removal and disposal of onsite buildings that have the potential to disturb ACMs, which has the potential to cause adverse health effects and represents a significant impact (Impact AQ-2). Project construction would require the removal and disposal	Sensitive Receptors Health Risks Related to LBP and ACMs (Impact AQ-1, Impact AQ-2 and Impact AQ-3) Mitigation measures MM-HAZ-1, MM-HAZ-2 and MM-HAZ-3, which are presented in Section 4.10.5, would reduce this impact to below a level of significance. MM-HAZ-1 Prior to any disturbance of painted building materials within existing buildings, the Construction Contractor and/or Project Applicant shall conduct a Pre-Demolition Lead Based Paint (LBP) Survey on all onsite structures. Compliance with the recommendations of the Pre-Demolition LBP Survey will evaluate the Project Site for LBP that will require special handling and disposal in accordance the Occupational Safety and Health Administration (OSHA) and the Code of Federal Regulations (CFR) and the CCR California Occupational Safety and Health Administration (CalOSHA). All recommendations of the Pre-Demolition LBP Survey shall be adhered to during all building structure removal activities. MM-HAZ-2 Prior to any disturbances of onsite structures, a comprehensive Asbestos Hazard Emergency Response Act-level (AHERA) Pre-Demolition Asbestos Containing Material (ACM) Survey shall be conducted on all onsite structures by the Construction Contractor and/or Project Applicant. The Pre-Demolition ACM Survey will determine the presence and location of ACMs and proper handling and disposal methods which are to be adhered to during all building structure removal activities.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
of irrigation pumps potentially containing ACMs which has the potential to cause adverse health and environmental effects and represent a significant impact (Impact AQ-3). Based on the model output results, the CO impacts at the intersection of College Drive and SR-76 would not exceed CAAQS significance threshold and would result in a less than significant. Based on these results, since all other remaining intersections have lower traffic volumes, it is concluded that all other remaining intersections would also have a less than significant impact to CO hot spots. The Project would not expose sensitive receptors to substantial pollutant concentrations, and therefore, impacts would be less than significant.	MM-HAZ-3 During all onsite grading activities, any suspect transite pipes shall be managed as ACM until not proven to be. Any pipes determined to contain ACM shall be properly disposed of from the Project Site in accordance with recommendations provided in the Phase II Environmental Site Assessment prepared by SECOR International Inc. provided as Appendix D of this EIR. Special care shall be taken during handling, removal and disposal of potential transite-containing pipes in order to avoid disaggregating it into a friable condition which could increase health and safety concerns.	
<u>Threshold d:</u> Project construction would not result in other emissions (such as those leading to odors) affecting a substantial number of people. The Project would operate as a multi-family development with a maximum of 400 dwelling units. The Project would include interior roads, utility improvements, parking and landscaping. Long-term operation of the Project would not be expected to cause odor impacts. Operation of the Project would not result in other emissions (such as those leading to odors) affecting a substantial number of people, and impacts would be less than significant.	No mitigation required.	Less than significant impact.
Biological Resources (See Section 4.5 for the complete analysis of Biological Resources)		
<u>Threshold a:</u> A Biological Resources Letter Report was prepared for the eastern parcel located at 4665 North River Road and is provided as Appendix G to address potential impacts of the proposed future residential development on the 9.71-acre parcel. Implementation of the Project is assumed to result in the direct impact of all 9.71 acres of land onsite. No off-site impacts are would occur. As depicted in Table 4.5-1, direct impacts to developed land, disturbed land and non-native vegetation are not considered significant and would not require mitigation as guided by the Subarea Plan. The Project is surrounded by development to the north, south and east, and agriculture to the west (western parcel). Additionally, the implementation of an infill residential development Project would not result in any significant indirect impacts to biological resources. A Biological Resources Letter Report was prepared for the western parcel located at 4617 North River Road and is provided as Appendix H. The Biological Resources Letter Report addresses potential impacts of the Project to biological resources on the 15.91-acre parcel. Implementation of the Project is assumed to result in the direct impact of all 15.91 acres of onsite habitat. Off-site impacts are not expected as a result of the Project. As depicted in Table 4.5-2, direct impacts to developed land, disturbed land, non-native vegetation and row crops are not considered significant to biological resources and would not require mitigation as guided by the Subarea Plan. The Project is surrounded by development to the north, east, and west. The only area that could be subject to indirect impacts would be the land to the south between the San Luis Rey River and the western parcel. However, because the surrounding land	Raptor Foraging and Migratory Birds (Impact BIO-1) MM-BIO-1 The project applicant shall develop an educational pamphlet (in English and Spanish) for the identification of raptor nests and to guide tree pruning activities in suburban areas during the breeding season. Landscaping companies and tree trimming services that have projects in the City shall be required to use the pamphlet to educate their employees on the recognition of raptor nest trees. Trimming of trees containing raptor or migrating bird nests shall be prohibited during the raptor breeding season (January 15 to August 31). Human disturbance shall be restricted around documented nesting habitat during the breeding season based on the following: To avoid any direct and indirect impacts to raptors and/or any migratory birds, grubbing and clearing of vegetation that may support active nests and construction activities adjacent to nesting habitat would occur outside of the breeding season (January 15 to August 31). If removal of habitat and/or construction activities is necessary adjacent to nesting habitat during the breeding season, the applicant shall retain a City-approved biologist to conduct a pre-construction survey to determine the presence or absence of non-listed nesting migratory birds on or within 300 feet of the construction area, and federally or state-listed birds and raptors on or within 500 feet of the construction area. The pre-construction survey must be conducted within 10 calendar days prior to the start of construction, the results of which must be submitted to the City for review and approval prior to initiating any construction activities. If nesting birds are detected by the City-approved biologist, the following buffers shall be established:	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
is already developed with residences and light industrial development, it is unlikely that additional future residential development would significantly increase indirect impacts that would already be present such as human intrusion, artificial lighting and noise. However, the Project would provide light shielding and glare reduction measures and lighting would be hooded in order to prevent light spillover into neighboring areas. Project-related construction and operational noise levels would not exceed City standards. Project drainage and storm water control facilities would be designed and installed for proper collection and disposal of surface runoff to further prevent indirect impacts to the San Luis Rey River. The Project would not have a substantial adverse effect, either directly or indirectly, on any sensitive habitat or vegetation community. The Project would not have a substantial adverse effect, either directly, or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS. Impacts would be less than significant. CFGC Section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except otherwise provided by the CFGC or any regulation made pursuant to the code. The federal MBTA prohibits the killing or transport of native migratory birds, or any part, nest, or egg or any such bird unless allowed by another regulation (such as for “game” birds). Therefore, all native, non-game birds onsite, and the nests and eggs of all native non-game birds, are protected during the nesting season even if these birds are not special-status or otherwise protected. MBTA-covered bird species have the potential to occur onsite and the Project has the potential to impact MBTA-covered species, and therefore a significant impact (Impact BIO-1) would occur.	1. No work within 300 feet of a non-listed nesting migratory bird nest, and 2. No work within 500 feet of a listed bird or raptor nest. However, the City may reduce these buffer widths depending on site-specific conditions (e.g., the width and type of screening vegetation between the nest and proposed activity) or the existing ambient level of activity (e.g., existing level of human activity within the buffer distance). If construction must take place within the recommended buffer widths above, the project applicant would contact the City to determine the appropriate buffer.	
<u>Threshold b:</u> The Project Site is located in a primarily developed area surrounded by various residential uses to the west and north, industrial uses to the east and southeast, and the San Luis Rey River to the south. As discussed above, the Project would result in direct impacts to 5.55 acres of developed land, 3.96 acres of disturbed land and 0.19 acres of non-native vegetation on the eastern parcel. The Project would result in direct impacts to 1.44 acres of developed land, 2.13 acres of disturbed land, 0.40 acre of non-native vegetation, and 11.82 acres of row crops on the western parcel. Project impacts to vegetation communities and land covers are provided in Table 4.5-1 and Table 4.5-2. Impacts to these habitats are not considered significant and would not require mitigation as guided by the Subarea Plan. No riparian habitat or other sensitive natural communities exist onsite. Therefore, the Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations by CDFW or USFWS. Impacts would be less than significant.	No mitigation required.	Less than significant impact.
<u>Threshold c:</u>	No mitigation required.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
Although the Project Site is located near the San Luis Rey River, no jurisdictional wetlands or waterways occur onsite. The western parcel is located adjacent to an area designated as a 100-year floodplain as displayed in the Subarea Plan Development Constraints Figure (Figure 2-6). However, the floodplain does not extend onsite. The floodplain is located approximately 0.1 mile from the eastern parcel. The Project Site does not contain vernal pools. The Project is surrounded by development to the north, east, and west. The only area that could be subject to indirect impacts would be the land to the south between the San Luis Rey River and the western parcel. The parcel is approximately 20 feet above the improved channel of the San Luis Rey River. However, because the surrounding land is already developed with residences and light industrial development, it is unlikely that additional future residential development would significantly increase indirect impacts that would already be present such as human intrusion, artificial lighting and noise. However, the Project would provide light shielding and glare reduction measures and lighting would be hooded in order to prevent light spillover into neighboring areas. Project-related construction and operational noise levels would not exceed City standards. Project drainage and storm water control facilities would be designed and installed for proper collection and disposal of surface runoff to further prevent indirect impacts to the San Luis Rey River. Therefore, the Project would not have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means. Impacts would be less than significant.		
<u>Threshold d:</u> As stated in the Biological Resources Letter Reports (Appendix G and Appendix H) no evidence of the Project Site as use by large mammals was found during the biological site survey. On the western parcel, the site is separated by fencing from land along the San Luis Rey River that large animals could potentially use. Therefore the site is very unlikely to serve as a wildlife corridor or linkage due to the fencing along the only area that could serve as a wildlife corridor and the development surrounding the remainder of the site. On the eastern parcel, the site is separated from land along the San Luis Rey River by a parking area. The site cannot serve as a wildlife corridor or linkage due to the lack of connectivity to land that could serve as a wildlife corridor or linkage. Therefore, the Project would not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites. Impacts would be less than significant.	No mitigation required.	Less than significant impact.
<u>Threshold e:</u> General Plan Policy 3.11 regulates the protection of biological resources, In accordance with Policy A, A Biological Resources Letter Report was prepared for both parcels and included a field survey. The Project is in compliance with Policy A. In accordance with Policy C, direct impacts to habitat/ vegetation communities	No mitigation required.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
would not result in a significant impact and therefore no mitigation is required. The Project is in compliance with Policy C. Further, the Project does not include areas of scenic, ecological or recreational value; unique vegetation or wildlife habitats; or contain endangered or threatened species. Therefore, the Project would not conflict with Policies B, D or E. The Project would comply with all other applicable City regulations and requirements related to landscaping, including Sections 1050 and 3019 of the Zoning Ordinance and the Oceanside Municipal Code related to the protection of biological resources. The Project would not conflict with any local policies or ordinances protecting biological resources. Impacts would be less than significant.		
<u>Threshold f:</u> The City is included in the North County MHCP which was adopted by SANDAG on March 28, 2003.The Project is located within the Subarea Plan which is the HCP utilized by the City to address how the City will conserve natural biotic communities and sensitive plant and wildlife species. According to the Preserve Planning Map and Habitat Conservation Overlay Zones Figure (Figure 4-1) of the Subarea Plan, the Project Site is not located within the WCPZ, the Coastal Zone or the boundaries of any PAMA. The Project Site is located within the Off-Site Mitigation Zone. The Project Site is surrounded primarily by various residential uses and industrial development. It is unlikely that the Project Site would be used as an Off-Site Mitigation Zone. Impacts to these habitats/vegetation communities are not considered significant and would not require mitigation as guided by the Subarea Plan. The Project would not conflict with the provisions of an adopted HCP, NCCP or other approved local, regional, or state habitat conservation plan. A less than significant impact would occur.	No mitigation required.	Less than significant impact.
Cultural Resources (See Section 4.6 for the complete analysis of Cultural Resources)		
<u>Threshold a:</u> As described in the Archaeological Survey and Assessment Report prepared by Heritage Resources (Appendix I), three (3) historic residences (P-37-038464, P-37-038465 and P-37-038469) were recorded as a result of the field survey. The three (3) recorded residences, referred to as the Frank Kawano residence, the Henry Nagata residence and the Yatsu Nagata residence are further described above in Table 4.6-2. As documented in the historic research, the three residences were built as family residences for the Kawano and Nagata families.None of the three (3) historic residences found on the Project Site meet the criteria for eligibility for the California Register of Historic Resources per the California Code of Regulations (CCR) Section 15064.5. The Project would not cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5. Impacts would be less than significant.	No mitigation required.	Less than significant impact.
<u>Threshold b:</u>	Archaeological Resources (Impact CUL-1)	Less than significant impact.

Summary of Impact	Mitigation Measure		Level of Significance After Mitigation
As described in the Archaeological Survey and Assessment Report prepared by Heritage Resources (Appendix I), three (3) isolated prehistoric artifacts (P-37-038466, P-37-038467and P-37-038468) were recorded as a result of the archaeological field survey. A more detailed description of the recorded artifacts can be found in Table 4.6-2. Surface observations during the archaeological field survey were sufficient to conclude that the isolates in their disturbed context lack sufficient data potential and integrity to address important research questions, and therefore do not meet the criteria for eligibility for the California Register of Historical Resources per CCR Section 15064.5. No cultural resources which qualify as unique archaeological resources were found on the Project Site. However, due to the location of the Project Site on an alluvial terrace associated with the San Luis Rey River and due to the occurrence of three (3) isolated prehistoric artifacts during the field survey, construction activities, including ground disturbing activities have the potential to cause an adverse change in the significance of an archaeological resource should they be located on the Project Site. This represents a significant impact (Impact CUL-1).	MM-CUL-1a	Prior to issuance of a Grading Permit, the Applicant/Owner shall enter into a pre-excavation agreement, otherwise known as a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement with the “Traditionally and Culturally Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe”. A copy of the agreement shall be included in the Grading Plan Submittals for the Grading Permit. The purpose of this agreement shall be to formalize protocols and procedures between the Applicant/Owner and the “TCA Native American Monitor associated with a TCA Luiseño Tribe” for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and tribal cultural resources, located and/or discovered through a monitoring program in conjunction with the construction of the proposed Project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities. At the discretion of the Luiseño Native American Monitor, artifacts may be made available for 3D scanning/printing, with scanned/printed materials to be curated at a local repository meeting the federal standards of 36CFR79.	
	MM-CUL-1b	Prior to the issuance of a Grading Permit, the Applicant/Owner or Grading Contractor shall provide a written and signed letter to the City of Oceanside Planning Division stating that a Qualified Archaeologist and Luiseño Native American Monitor have been retained at the Applicant/Owner or Grading Contractor’s expense to implement the monitoring program, as described in the pre-excavation agreement.	
	MM-CUL-1c	The Qualified Archaeologist shall maintain ongoing collaborative consultation with the Luiseño Native American monitor during all ground disturbing activities. The requirement for the monitoring program shall be noted on all applicable construction documents, including Demolition Plans, Grading Plans, etc. The Applicant/Owner or Grading Contractor shall notify the City of Oceanside Planning Division of the start and end of all ground disturbing activities.	
	MM-CUL-1d	The Qualified Archaeologist and Luiseño Native American Monitor shall attend all applicable pre-construction meetings with the General Contractor and/or associated Subcontractors to present the archaeological monitoring program. The Qualified Archaeologist and Luiseño Native American Monitor shall be present onsite full-time during grubbing, grading and/or other ground altering activities, including the placement of imported fill materials or fill used from other areas of the Project Site, to identify any evidence of potential archaeological or tribal cultural resources. All fill materials shall be absent of any and all tribal cultural resources.	
	MM-CUL-1e	In order for potentially significant archaeological artifact deposits and/or cultural resources to be readily detected during mitigation monitoring, a written “Controlled Grade Procedure” shall be prepared by a Qualified Archaeologist, in consultation with the Luiseño Native American monitor, other TCA Luiseño Tribes that have participated in the state-prescribed process for this Project, and the Applicant/Owner, subject to the approval of City representatives. The Controlled	

Summary of Impact	Mitigation Measure		Level of Significance After Mitigation
	MM-CUL-1f	Grade Procedure shall establish requirements for any ground disturbing work with machinery occurring in and around areas the Qualified Archaeologist and Luiseño Native American monitor determine to be sensitive through the cultural resource mitigation monitoring process. The Controlled Grade Procedure shall include, but not be limited to, appropriate operating pace, increments of removal, weight and other characteristics of the earth disturbing equipment. A copy of the Controlled Grade Procedure shall be included in the Grading Plan Submittals for the Grading Permit. The Qualified Archaeologist or the Luiseño Native American monitor may halt ground disturbing activities if unknown tribal cultural resources, archaeological artifact deposits or cultural features are discovered. Ground disturbing activities shall be directed away from these deposits to allow a determination of potential importance. Isolates and clearly non-significant deposits will be minimally documented in the field, and before grading proceeds these items shall be secured until they can be repatriated. If items cannot be securely stored on the Project Site, they may be stored in off-site facilities located in San Diego County. If the Qualified Archaeologist and Luiseño Native American monitor determine that the unearthed tribal cultural resource, artifact deposits or cultural features are considered potentially significant TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this Project shall be notified and consulted regarding the respectful and dignified treatment of those resources. The avoidance and protection of the significant tribal cultural resource and/or unique archaeological resource is the preferable mitigation. If, however, it is determined by the City that avoidance of the resource is infeasible, and it is determined that a data recovery plan is necessary by the City as the Lead Agency under CEQA, TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this Project shall be notified and consulted regarding the drafting and finalization of any such recovery plan. For significant tribal cultural resources, artifact deposits or cultural features that are part of a data recovery plan, an adequate artifact sample to address research avenues previously identified for sites in the area will be collected using professional archaeological collection methods. The data recovery plan shall also incorporate and reflect the tribal values of the TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this Project. If the Qualified Archaeologist collects such resources, the Luiseño Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect the tribal cultural resources that are unearthed during the ground disturbing activities, the Luiseño Native American monitor, may at their discretion, collect said resources and provide them to the appropriate TCA Luiseño Tribe, as determined through the appropriate process, for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Ground disturbing activities shall not resume until the Qualified Archaeologist, in consultation with the Luiseño Native American Monitor, deems the cultural resource or feature has been appropriately documented and/or protected.	
	MM-CUL-1g	The landowner shall relinquish ownership of all tribal cultural resources unearthed	

Summary of Impact	Mitigation Measure		Level of Significance After Mitigation
	MM-CUL-1h	during the cultural resource mitigation monitoring conducted during all ground disturbing activities, and from any previous archaeological studies or excavations on the Project Site to the appropriate TCA Luiseño Tribe, as determined through the appropriate process, for respectful and dignified treatment and disposition, including reburial at a protected location onsite, in accordance with the Tribe’s cultural and spiritual traditions. All cultural materials that are associated with burial and/or funerary goods will be repatriated to the Most Likely Descendant (MLD) as determined by the Native American Heritage Commission per California Public Resources Code Section 5097.98. No tribal cultural resources shall be subject to curation. Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusions of the archaeological monitoring program (e.g., data recovery plan) shall be submitted by the Qualified Archaeologist, along with the Luiseño Native American monitor’s notes and comments, to the City of Oceanside Planning Division for approval.	
<u>Threshold c:</u> Several areas within the Project Site have been previously graded and disturbed and therefore the possibility of discovering human remains during construction is considered low. However, due to the fact that the Project involves ground disturbing activities, construction activities have the potential to disturb human remains, including those located outside of formal cemeteries, and therefore a significant impact would occur (Impact CUL-2).	Human Remains (Impact CUL-2) MM-CUL-2	As specified by California Health and Safety Code Section 7050.5, if human remains are found on the Project Site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Office of the Medical Examiner by telephone. No further excavation or disturbance of the Project Site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Medical Examiner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. If suspected Native American remains are discovered, the remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur onsite in the presence of a Luiseño Native American monitor. By law, the Medical Examiner will determine within two (2) working days of being notified if the remains are subject to his or her authority. If the Medical Examiner identifies the remains to be of Native American ancestry, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC shall make a determination as to the MLD.	Less than significant impact.
Energy (See Section 4.7 for the complete analysis of Energy)			
<u>Threshold a:</u> Construction Energy Use During construction, the Project would result in an increase in energy consumption during the anticipated 26-month construction period. Construction phases anticipated to occur are demolition, site preparation, grading, paving, building construction and architectural coating. Heavy-duty construction equipment associated with construction activities would rely on diesel fuel to power off-road construction	No mitigation required.		Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
vehicles and equipment as well as construction worker vehicles and delivery and haul trucks. Electricity associated with the conveyance of water would be used during Project construction for dust control and electricity used to power lighting, electronic equipment, or other construction activities necessitating electrical power. The Project would also result in electricity used in the production of construction materials such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass. <u>Construction Related Electricity</u> During construction of the Project electricity would be consumed to construct the future multi-family residential development. Electricity would be supplied to the Project Site by SDG&E and would be obtained from the existing electrical lines in the vicinity of the Project Site. Electricity consumed during construction would vary throughout the construction phases based on the activities being performed. Construction activities include electricity associated with the conveyance of water that would be used for dust control and electricity to power necessary lighting, electronic equipment, and other construction activities necessitating electrical power. The electricity used for such activities would be less than that required during operation of the Project, would be temporary and would have a minimal contribution to the Project’s overall energy consumption. Construction activities associated with the future development of the medium density residential development would require electricity consumption that would not be expected to have an adverse impact on available electricity supplies and infrastructure. Therefore, the use of electricity during the Project construction would not be wasteful, inefficient, or unnecessary. It is anticipated that the construction of the Project would require nominal improvements to existing SDG&E distribution lines and facilities. Project construction would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of electricity resources, and impacts would be less than significant. <u>Construction Related Natural Gas</u> Construction of the Project would not typically involve the consumption of natural gas. Therefore, natural gas would not be supplied to support construction activities and there would be no demand generated by Project construction. The Project would be expected to connect to the existing gas service lines along North River Road and specific tie-in locations for gas services will be determined at the time the Project Site is developed. . Gas services would be provided by SDG&E. It is anticipated that the construction of the Project would require nominal improvements to existing SDG&E natural gas distribution lines and facilities. Construction related energy impacts associated with the installation of natural gas services and connections are expected to be confined to trenching to place the lines below the surface. The developer would be responsible for notifying and coordinating with SDG&E to identify proper locations and depth of all gas lines and		

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
connections to avoid disruption of services to the neighboring properties. Project construction would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of natural gas resources, and impacts would be less than significant. <u>Construction Related Transportation Energy</u> Petroleum-based fuel usage represents the highest amount of transportation energy to be consumed during construction, which would be utilized by off-road equipment, on-road automobiles transporting workers to and from the Project Site and on-road trucks transporting equipment and supplies to the construction site and hauling demolition materials to off-site refuse and disposal facilities. The Project would generate approximately 414 worker vehicle trips over all construction phase of the Project, spanning approximately 26 months. Worker trips would generate approximately 4,471 vehicle miles traveled (VMT). During the demolition phase of construction, the Project would generate 273 hauling trips which would generate a total of 5,460 VMT. During the building construction phase, the Project is expected to generate 43 vendor trips which is expected to generate approximately 313 VMT. The Project is not expected to result in a significant use of transportation related energy resources. The Project would adhere to all State and SDAPCD regulations for off-road equipment and on-road trucks related to clean engines to provide fuel efficiency. The Project would utilize Tier 4 construction equipment or equivalent. Tier 4 refers to the latest emission milestone by the U.S. EPA and CARB which applies to new engines found in off-road equipment including construction equipment. Title 13 of the CCR Section 2485 regulates limitations for idling of vehicles and equipment. Idling requirements are for on-road and off-road diesel-powered equipment and is enforced by CARB. Section 2485 also regulates proper maintenance of equipment to result in fuel savings. Given the high cost of fuel, contractors and developers have a financial incentive to avoid wasteful, inefficient and unnecessary consumption of energy during construction. The Project would not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during Project construction, and impacts would be less than significant. Operational Energy Use Long-term operation of the Project would require the use of electrical and natural gas energy sources for heating, ventilation, air conditioning (HVAC), lighting, appliances, electronics, electric vehicle charging spaces, and pool operations. Energy would be consumed during operations related to water usage, solid waste disposal, and vehicle trips. <u>Operational Related Electricity</u>		

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
Electricity associated with operation of the Project was calculated using CalEEMod Version2016.3.2. According to the CalEEMod model results provided in the Greenhouse Gas Assessment (Appendix L), the Project would use approximately 1,749,050 kilowatt hours of electricity per year (kWh/year). Under the current land use designation of the Project Site as LI, an industrial facility of approximately 1,000,000 SF could be developed on the Project Site. A facility of this size, incorporating the same project design features as the Project, would use approximately 6,470,500 kWh/ year. Electricity services would be provided by SDG&E electric transmission and distribution lines and new electric services lines would connect to existing services in North River Road. The Project would consume electricity similarly to that of the existing multi-family residential developments to the north and northwest and would comply with all applicable 2019 Title 24 Part 6 Building Efficiency Standards. Project design features have been incorporated into the Project in order to reduce energy usage associated with operation of the Project. The Project would include the following design features: • The Project will install Low Flow water fixtures in all residential units. • All lights within the development will be designed to use LED technology and will be for both indoor and outdoor lighting areas. • The Project will provide separate waste containers to allow for simpler material separations or the Project will pay for a waste collection service that recycles the materials in accordance with AB 341 to achieve a 75% waste diversion. All green waste will be diverted from landfills and recycled as mulch. • The Project will only install natural gas hearth units where applicable. No wood burning hearths would be provided onsite. Project operation would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of electricity resources, and impacts would be less than significant. <u>Operational Related Natural Gas</u> Operation of the Project would result in the consumption of natural gas. As provided in the Project design features listed above, the Project would only install natural gas hearth units where applicable. According to the CalEEMod model results provided in the Greenhouse Gas Assessment (Appendix L) the Project would use 5,753,140 kilo British thermal units per year (kBtu/ year) of natural gas. The Project would comply with the 2019 Title 24 Part 6 Building Efficiency Standards including enhanced insulation and the use of efficient natural gas appliances and HVAC units. The Project would minimize the use of natural gas use and that existing and planned natural gas facilities and supplies would be sufficient to support the Project’s natural gas demand. Project operation would not result in potentially significant environmental impact		

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
due to wasteful, inefficient, or unnecessary consumption of natural gas resources, and impacts would be less than significant. <u>Operational Related Transportation Energy</u> Operation of the Project would result in increased consumption of petroleum-based fuels related to vehicular travel to and from the Project Site. According to the Local Transportation Study (Appendix P) prepared for the Project, the Project would generate 3,200 ADT and 5,627,149 VMT per year. The Project would be designed and constructed in accordance with all applicable and current City of Oceanside Building codes related to energy and transportation. Additionally, the Project would implement Transportation Demand Management (TDM) strategies to reduce transportation VMT impacts including the following: 1. Provide information about the SANDAG iCommute Program and encourage carpooling. 2. Develop and/or promote bicycle usage through a bike share program to help reduce vehicle usage and demand for parking by providing users with on-demand access to bikes for short-term rental, contribute to electric bicycle charging stations, contribute to bicycle infrastructure improvements, and disseminate a bicycle riders guide to make it easier for people to bike and walk to work. Develop a bicycle rider’s guide. 3. Provide pedestrian improvements such as connection from the Project Site to the north side of the San Luis Rey River trail; encourage residents to walk by providing mapped walking routes; promoting walking groups; and providing incentives. 4. Provide information about maps, routes, and schedules for public transit. Operation of the Project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, and impacts would be less than significant.		
<u>Threshold b:</u> The City’s CAP and ECAE of the General Plan provide goals, policies and measures to meet State GHG and energy consumption and GHG reduction goals. Table 4.7-2 displays the Project’s consistency with applicable CAP policies. Table 4.7-3 displays the Project’s consistency with ECAE policies. The Project would have a projected GHG emission rate of 2.72 MT CO₂E/SP (or 3,172.26 MT CO₂E / 1,168 persons) and would not generate emissions that would exceed the City’s efficiency metric threshold of 3.5 MT CO₂E/SP and therefore would not conflict with the goals of the State. As provided in Table 4.7-2 and Table 4.7-3, the Project would not conflict with or obstruct local plans for renewable energy or energy efficiency, and impacts would be less than significant.	No mitigation required.	Less than significant impact.
Geology and Soils (See Section 4.8 for the complete analysis of Geology and Soils)		
<u>Threshold a:</u>	Strong Seismic Ground Shaking (Impact GEO-1a), Seismic-Related Ground Failure (Impact GEO-1b)	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
The Project would not directly or indirectly cause potential substantial adverse effects 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. Impacts would be less than significant. The Project Site is likely to be subjected to seismic ground shaking similar to that of the rest of the County and Southern California, due to seismic activity of the region as a whole. This represents a significant impact (Impact GEO-1a). Ground separation as a result of seismic activity is not expected at the Project Site. Further analysis and testing indicated that the eastern parcel contained subsoils that have a marginal liquefaction potential and subsoils that are not liquefiable. However, the potentially liquefiable thin layers occur at the depth which is sandwiched between non-liquefiable layers on top and on the bottom and are approximately three (3) feet thick. Liquefaction potential within these thin layers are not considered to be a major influencing factor on the overall subsoil profile. Collapse of the upper dry, loose alluvial soils during a major seismic event along a nearby active fault is considered the most significant geotechnical concern on this parcel, specifically in areas of the property underlain by young alluvial deposits. This represents a significant impact (Impact GEO-1b). Based on site observations of the western parcel, the results of the liquefaction analyses indicate that much of the saturated sandy and silty portions of the alluvium within the upper approximately 50 feet possesses factors of safety against soil liquefaction of less than 1.3 and are therefore considered liquefiable. Without any deep ground modification procedures, the western parcel may be assumed to be subject to approximately 5.5 inches of liquefaction-induced, differential settlement. This represents a significant impact (Impact GEO-1c). Landslide potential is not present on the Project Site and is not considered a geotechnical factor in the re-development of the site. No significant slopes are present on the Project Site. Therefore, the Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving landslides. Impacts would be less than significant.	and 1c), Unstable Geologic Unit or Soil (Impact GEO-1d and GEO-1e) MM-GEO-1 Prior to construction and during construction of the Project, the construction Contractor shall ensure that Project construction complies with all conclusions and recommendations identified on pages 16 through 36 of the Geotechnical Investigation for the eastern parcel prepared by Vinje & Middleton Engineering, Inc. (2016) and the conclusions and recommendations identified on pages 9 through 13 of the Report of Geotechnical Investigation for the western parcel prepared by Christian Wheeler Engineering (2015). The construction Contractor shall follow the specific guidelines within the Geotechnical Investigations for site preparation, earthwork, foundations, pavement design, liquefaction mitigation, corrosivity, on-grade slabs, and retaining walls.	
<u>Threshold b:</u> The potential for soil erosion would increase during construction activities, including grading and demolition, as a result of vehicles and heavy equipment exposing soil surfaces to wind or water and a significant impact (Impact GEO-2) would occur. However, prior to obtaining a grading permit the Project would be required to prepare a Storm Water Pollution Prevention Plan (SWPPP), which would describe and depict in detail the various grading and construction-related BMPs to be implemented onsite during construction. The SWPPP would be prepared in conformance with City regulations and the NPDES SWRCB Construction General Permit. Sediment and erosion control BMPs described in the SWPPP may include,	Soil Erosion (Impact GEO-2) Mitigation measures MM-HYDRO-1a, MM-HYDRO-1b and MM-HYDRO-1c, which are presenting in Section 4.11.5, would reduce this impact to below a level of significance. MM-HYDRO-1a Prior to issuance of a grading permit, the Project would be required to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the NPDES SWRCB’s Construction General Permit and City regulations. The SWPPP would describe and depict in detail the various grading and construction-related BMPs necessary to minimize the Project’s impacts to erosion, sedimentation and water quality. With the approval of a SWPPP, a Waste Discharge Identification	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
but are not limited to, straw mulch, soil binders, silt fencing, gravel bags, street sweeping and vacuuming and storm drain inlet protection.	Number from the San Diego Water Board would be obtained. In accordance with the City’s Urban Runoff Management and Discharge Control Ordinance, the SWPPP shall be available at the construction site at all times. BMPs described in the SWPPP shall be site-specific, seasonally appropriate and construction phase appropriate, and implemented at the site-year round. BMPs are not limited to and shall be implemented in the following categories: (1) Project planning; (2) good site management, including waste management; (3) non-storm water management; (4) erosion control; (5) sediment control, including but not limited to dust control and off-site tracking; (6) run-on and runoff control; and (7) active/passive sediment treatment systems, where applicable. Specific sediment and erosion control BMPs described in the SWPPP may include, but are not limited to, placement of straw mulch, soil binders, silt fencing, gravel bags, street sweeping and vacuuming and storm drain inlet protection. MM-HYDRO-1b Prior to issuance of a grading permit, the Project shall prepare a Storm Water Quality Management Plan (SWQMP) in accordance with all applicable state and local regulations including RWQCB regulations and the City of Oceanside BMP Design Manual. The Project-specific SWQMP shall address construction and operational impacts to water quality and shall identify potential pollutants of concern. The Project shall incorporate all permanent source control BMPs as identified in the SWQMP into the Project design. MM-HYDRO-1c Low Impact Development (LID) and Site Design BMPs shall be incorporated into the Project design to reduce impacts to water quality. The contractor shall construct the LID BMPs in accordance with the Project SWQMP and the engineer of work shall inspect that all LID BMPs have been constructed in compliance with the approved plans and all applicable specifications and permits.	
<u>Threshold c:</u> Eastern Parcel The eastern parcel is underlain with terrace deposits which consist of red brown-colored sandstone that is considered to be stable, competent rocks that will provide adequate support for future fills, structures and improvements as part of the proposed PBD and future multi-family residential development. The eastern parcel is also underlain with younger alluvium deposits which are silty fine to medium grained sandy deposits. Onsite alluvium generally occurs in a loose condition near the surface and becomes more uniformly firm to locally dense at depth. As discussed in section 4.8.4.a.iii, the eastern parcel would have a potentially significant impact related to liquefaction. Impacts related to settlements and subsidence and collapsible soils represent a significant impact (Impact GEO-1d). Western Parcel The western parcel is underlain with artificial fill, topsoil, and alluvium which consists of poorly-graded sand and silty sand, poorly-graded sand with lesser	Strong Seismic Ground Shaking (Impact GEO-1a), Seismic-Related Ground Failure (Impact GEO-1b and 1c), Unstable Geologic Unit or Soil (Impact GEO-1d and GEO-1e) MM-GEO-1 Prior to construction and during construction of the Project, the construction Contractor shall ensure that Project construction complies with all conclusions and recommendations identified on pages 16 through 36 of the Geotechnical Investigation for the eastern parcel prepared by Vinje & Middleton Engineering, Inc. (2016) and the conclusions and recommendations identified on pages 9 through 13 of the Report of Geotechnical Investigation for the western parcel prepared by Christian Wheeler Engineering (2015). The construction Contractor shall follow the specific guidelines within the Geotechnical Investigations for site preparation, earthwork, foundations, pavement design, liquefaction mitigation, corrosivity, on-grade slabs, and retaining walls.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
amounts of silty sand, silty sand – sandy silt, and poorly-graded sand. The western parcel is relatively flat with gently sloping terrain. As determined in the Geotechnical Investigation prepared for the property, the potential for slope failures and landslides is very low. As discussed in section 4.8.4.a.iii, the western parcel would have a potentially significant impact related to liquefaction. Based on the areal extent of materials around the area of the Project Site that are anticipated to be liquefiable and the location of the property in proximity to the San Luis Rey River valley, lateral earth displacements could be expected in the event of major, proximal seismic event that triggers soil liquefaction. Impacts related to liquefaction and lateral spreading represents a significant impact (Impact GEO-1e) .		
<u>Threshold d:</u> Detrimentially expansive soil is defined as clayey soil which has an expansion index of 50 or greater when tested in accordance with the American Society of Testing Materials (ASTM) laboratory test. Onsite soils for both the eastern and western parcels are non- to very low expansive deposits. In accordance with Table 18-I-B of the 1994 Uniform Building Code, onsite soils have an expansion index of 50 or less indicated low to very low expansive soils. The Project would not be located on expansive soil as defined in the Uniform Building Code creating substantial direct or indirect risks to life or property. Impacts would be less than significant .	No mitigation required.	Less than significant impact.
<u>Threshold e:</u> Wastewater service is currently provided to the Project Site by the City Water Utilities Department and future sewer infrastructure would connect to existing sewer services. No septic tanks or alternative waste water disposal systems were found onsite during the Phase I Environmental Site Assessments (Appendix B and Appendix C) and the use of septic tanks are not proposed as part of the Project. The Project would not have soils incapable of adequately supporting waste water disposal systems, and therefore impacts would be less than significant .	No mitigation required.	Less than significant impact.
<u>Threshold f:</u> The eastern parcel is underlain by Pleistocene age Terrace Deposits and Alluvium Deposits. Younger alluvium deposits associated with the nearby San Luis Rey River occur in the central and western areas of the property, outside the Terrace Deposits. Alluvium onsite is silty fine to medium grained sandy deposits. Paleistocene river terrace deposits consist of skills, teeth, and/or bones of amphibians, reptiles, birds and mammals. The western parcel is underlain by Artificial Fill (Qaf), topsoil and Quaternary-age alluvial deposits (Qal). Artificial fill does not present potential for the occurrence of paleontological resources due to their recent age and destructive nature of their origin. Similarly, topsoils do not exhibit potential for significant paleontological resources. Unnamed Quaternary river deposits representing the sediments of ancient river courses and have the potential to contain important vertebrate remains. The presence of Paleistocene river terrace deposits and Quaternary river deposits onsite which have the potential to consist of paleontological resources represents a significant impact (Impact GEO-3) .	Paleontological Resources (Impact GEO-3) MM-GEO-3a Prior to the issuance of a grading permit, the applicant shall submit a letter to the City from a qualified professional paleontologist or a California Registered Professional Geologist with appropriate paleontological expertise, as defined by the Society of Vertebrate Paleontology’s guidelines, indicating that they have been retained by the applicant to prepare and implement a Paleontological Resources Impact Mitigation Program (PRIMP). The qualified paleontologist shall be available “on-call” to the City and the applicant throughout the duration of ground-disturbing activities. The PRIMP shall include preconstruction coordination; construction monitoring; emergency discovery procedures; sampling and data recovery, if needed; preparation, identification and analysis of the significance of fossil specimens salvaged, if any; museum storage of any specimens and data recovered; and reporting. Earth-moving construction activities shall be monitored wherever these activities will disturb previously undisturbed sediment. Monitoring will not need to be conducted in areas where sediments have been previously disturbed or in areas where exposed sediments will be buried but not otherwise disturbed. In such cases, spot-checking of the excavation site is sufficient. This mitigation measure	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
	MM-GEO-3b shall apply to all excavation activities within the areas containing Paleistocene river terrace deposits and Quaternary river deposits. Prior to the issuance of a grading permit, the City shall confirm the following measure is identified on the grading plan and will be implemented: Grading activities are subject to a Paleontological Resource Impact Mitigation Program (PRIMP). If potential fossils are discovered by construction crews or during monitoring by a qualified paleontologist, all earthwork or other types of ground disturbance within 50 feet of the discovery shall stop immediately until the qualified professional paleontologist can assess the nature and importance of the discovery. If a fossil of scientific value or uniqueness is identified by the paleontologist, the paleontologist shall record the find and allow work to continue or recommend salvage and recovery of the fossil. If treatment and salvage is required, recommendations shall be consistent with Society of Vertebrate Paleontology guidelines and currently accepted scientific practice and shall be subject to review and approval by the City. Work in the affected area may resume once the fossil has been assessed and/or salvaged and the City, in consultation with the professional paleontologist, has provided written approval to resume work.	
Greenhouse Gas Emissions (See Section 4.9 for the complete analysis of Greenhouse Gas Emissions)		
<u>Threshold a:</u> Construction Impacts Construction of the Project would result in GHG emissions primarily associated with the use of off-road construction equipment, on-road hauling and vendor trucks, and worker vehicle trips. This GHG analysis includes construction of the entire Project including demolition, grading, utility infrastructure, facilities, improvements and structures. The expected annual construction emissions are provided in Table 4.9-3 below. As provided in Table 4.9-3, construction of the Project would produce approximately 1,414.35 MT CO₂E over the construction life of the Project. Based on the methodology provided by the SCAQMD, it is recommended to average the construction emissions over the Project lifetime which is assumed to be 30 years. Given this, the annual construction emissions for the Project would be 47.15MT CO₂E per year. Operation Impacts Emissions from daily operations of the Project would include sources such as area, energy, mobile, solid waste and water uses which are calculated within CalEEMod. Operational Project emissions would also generate GHG emissions through the use of carbon fuel burning vehicles for transportation. The Project is expected to generate 3,200 ADT as the result of an estimated maximum of 400 residential units. As a Project design feature, the Project would exclusively utilize high-efficiency indoor and outdoor LED lighting for all buildings. As a Project design feature, the Project would limit residential units to natural gas hearths only where applicable and would not include the use of any wood burning hearths. Project-specific site	No mitigation required.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
development plans would specify the use of natural gas hearths. Table 4.9-5 provides the Project’s operation GHG emissions.As provided in Table 4.9-5, Project buildout with annualized construction emissions would generate 3,172.26MT CO₂E annually which includes Project design features discussed above. As provided in the Methodology discussion, projects that generate emissions exceeding 900 MT CO₂E must comply with the following thresholds of significance for new development. Projects within the City that are to be implemented by year 2025 are required to meet an efficiency metric threshold of 3.5 MT CO₂E/SP. The Project would have a projected GHG emission rate of 2.72 MT CO₂E/SP (or 3,172.26 MT CO₂E / 1,168 persons). Based on this, the Project would generate fewer emissions than the City’s specific localized efficiency metric threshold of 3.5 MT CO₂E/SP. The Project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment and impacts would be less than significant.		
<u>Threshold b:</u> Consistency with City of Oceanside General Plan GHG emissions for the buildout of the General Plan would include both the combined construction and operational emissions for land uses. Construction emissions from a project under the existing land use would generally be similar to construction emissions generated from the Project which includes a maximum of 400 medium density residential units, though this use has not been included in the General Plan buildout scenario. Generally, if GHG emissions from the General Plan buildout scenario are higher than the proposed project action, assuming the proposed project action adheres to the General Plan and CAP, the project would generate a less than significant GHG impact. Using a similar methodology and the same CalEEMod software, the 1,000,000 SF LI facility was modeled. Based on the General Plan buildout scenario modeled the site could generate as much as 6,851.42 MT CO₂E, which is more than double the GHG emissions anticipated for the Project. The Project, as a less intense use, would result in GHG emissions that are approximately 50% less than the GHG emissions generated by a project under the existing use of the site as LI. The policies of the Land Use Element and ECAE of the General Plan provided in Section 4.9.2, are designed to reduce GHG emissions, promote alternative transportation and other methods of efficiency. The Project would not conflict with the General Plan applicable goals and policies related to GHG emissions. Consistency with City of Oceanside Climate Action Plan As provided in Table 4.9-5, the Project would generate 3,172.26 MT CO₂E each year during a typical operational year. This includes the combined operational and construction GHG emissions amortized over a 30-year period. The Project would	No mitigation required.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
have a projected GHG emission rate of 2.72 MT CO₂E/SP (or 3,172.26MT CO₂E / 1,168 persons). Based on this, the Project would generate fewer emissions than the City’s specific localized efficiency metric of 3.5 MT CO₂E/SP for projects that will be implemented prior to year 2025. Project design features discussed previously are included as part of the Project to address the requirements of the CAP and will be a requirement of Project implementation. Therefore, the Project would be in compliance with the City’s CAP and the Project would not generate a significant impact to GHG emissions. The Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHG, and impacts would be less than significant.		
Hazards and Hazardous Materials (See Section 4.10 for the complete analysis of Hazards and Hazardous Materials)		
<u>Threshold a:</u> Construction <u>Construction Materials</u> Construction of the Project would entail routine transport of typical construction materials potentially hazardous to humans, wildlife, and sensitive environments. These materials could include gasoline, diesel fuel, used oil, solvents, cleaners, lead paint debris, concrete, asphalt, lubricants, and other petroleum-based products used for the operation and maintenance of construction equipment and vehicles. BMPs such as proper and clear labeling of chemicals, storage in approved containers, preparation of an accidental release plan, and compliance with hazardous materials handling protocols would be prepared and implemented to ensure safe storage, handling, transport, use and disposal of all hazardous materials during the construction phase of the Project, in compliance with all applicable laws, ordinances, rules, regulations, and orders. Project construction materials would not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials. <u>Lead Based Paint and Asbestos Containing Materials</u> Project construction would also include demolition of existing buildings onsite which would require transportation of such materials to a regulated off-site recycling facility. The Project would disturb LBP-containing materials through the demolition, removal and disposal of materials from existing structures onsite which has the potential to cause a health hazard and represents a significant impact (Impact HAZ-1). Asbestos is a common term for a group of naturally occurring mineral fibers. In 1978 the U.S. EPA had effectively banned the use of ACMs in building materials. Given the pre-1978 construction of onsite structures, ACMs would have likely been used in onsite structures. Project construction would require the demolition, removal and disposal of onsite buildings that have the potential to disturb ACMs, which has the	Transport, Use, Disposal of Hazardous Materials and Release of Hazardous Materials (Impact HAZ-1, Impact HAZ-2, Impact HAZ-3, Impact HAZ-4 and Impact HAZ-5) MM-HAZ-1 Prior to any disturbance of painted building materials within existing buildings, the Construction Contractor and/or Project Applicant shall conduct a Pre-Demolition Lead Based Paint (LBP) Survey on all onsite structures. Compliance with the recommendations of the Pre-Demolition LBP Survey will evaluate the Project Site for LBP that will require special handling and disposal in accordance the Occupational Safety and Health Administration (OSHA) and the Code of Federal Regulations (CFR) and the CCR California Occupational Safety and Health Administration (CalOSHA). All recommendations of the Pre-Demolition LBP Survey shall be adhered to during all building structure removal activities. MM-HAZ-2 Prior to any disturbances of onsite structures, a comprehensive Asbestos Hazard Emergency Response Act-level (AHERA) Pre-Demolition Asbestos Containing Material (ACM) Survey shall be conducted on all onsite structures by the Construction Contractor and/or Project Applicant. The Pre-Demolition ACM Survey will determine the presence and location of ACMs and proper handling and disposal methods which are to be adhered to during all building structure removal activities. MM-HAZ-3 During all onsite grading activities, any suspect transite pipes shall be managed as ACM until not proven to be. Any pipes determined to contain ACM shall be properly disposed of from the Project Site in accordance with recommendations provided in the Phase II Environmental Site Assessment prepared by SECOR International Inc. provided as Appendix D of this EIR. Special care shall be taken during handling, removal and disposal of potential transite-containing pipes in order to avoid disaggregating it into a friable condition which could increase health and safety concerns. MM-HAZ-4 During construction activities occurring around the area of the diesel aboveground storage tank (AST), soils located shallower than 15 feet below ground surface (bgs) shall be excavated, characterized, and properly disposed, if determined necessary, in compliance with the recommendations set forth in the Phase II Environmental Site Assessment prepared by SECOR International Inc. provided as Appendix D of this EIR.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
potential to cause adverse health effects and represents a significant impact (Impact HAZ-2). Irrigation pumps and piping were located on the western parcel. Portions of the pipe, if not replaced by PVC in the 1970s, could have been constructed of transite, a material composed of asbestos and cement. Project construction would require the removal and disposal of irrigation pumps potentially containing ACMs which has the potential to cause adverse health and environmental effects and represent a significant impact (Impact HAZ-3). <u>Underground Storage Tank and Aboveground Storage Tank</u> The Phase II Environmental Site Assessment provides the results of the sampling of the former USTs on the western parcel. USTs would not create a significant hazard to the public or the environment through the routine, transport, use or disposal of hazardous materials. An aboveground propane storage tank was observed at the western portion of the eastern parcel. The aboveground tank appeared to be in good condition with no suspect conditions noted in the area. Three (3) ASTs were observed on the western parcel. Based on these screening levels, it appears that soils at 15 feet bgs in the vicinity of the AST contained contaminants such as gasoline, diesel and motor oil range petroleum hydrocarbons at concentrations below Soil Screening Levels. However, soils shallower than 15 feet bgs have the potential to contain higher concentrations of these contaminants, representing a significant impact (Impact HAZ-4). Compliance with County DEH HMD requirements in accordance with the APSA for the removal of the AST and compliance with proper disposal methods of soils above 15 feet bgs within the diesel AST area would reduce impacts related to the removal and disposal of the onsite diesel AST to less than significant levels. Therefore, ASTs would not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials. <u>Pesticides</u> Based on the regulatory and historical research completed during the Phase I Environmental Site Assessment for the eastern parcel (Appendix B), no information has been revealed that would conclude that an accidental spill or release of pesticides products has occurred on this parcel, therefore further soils sampling to test for residual pesticides was not conducted on the eastern parcel. As provided in the Phase II Environmental Site Assessment Report for the western parcel (Appendix D), various pesticides were detected in all one-foot samples at levels which exceed their respective U.S. EPA PRGs. The top three (3) feet of soils throughout the agricultural field portions of the western parcel have the potential to contain pesticides which have the potential to create a hazard to the public or the environment, representing a significant impact (Impact HAZ-5).	MM- HAZ-5 Prior to issuance of a grading permit, the Project shall provide a Grading Plan that addresses the corrective grading of the site and directs the grading Contractor on appropriate means to complete corrective grading activities. The Grading Plan shall incorporate recommendations set forth in the Geotechnical Investigation prepared by Christian Wheeler Engineering dated December 2, 2015, which is provided as Appendix K of this EIR, to compact onsite soils to an average depth of 8 to 10 feet during grading.	

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
Operation Depending on the residential building type, the development could contain a pool facility as part of the development. For the purposes of this EIR, a pool is included as part of the Project Description. No special status hazardous materials are proposed as part of the operation of the proposed future multi-family development. Hazardous materials used onsite would be limited to standard household cleaning supplies, maintenance and landscape care products, other household products, building materials such as paint, concrete, and asphalt, and similar substances. Cleaning and maintenance products associated with the onsite pool would also be used in limited quantities. These materials would be limited to private use of commercially available products. When used and disposed of in accordance with the manufacturer’s instructions and applicable laws and regulations, these materials do not present a hazard to the environment. During operation of the Project, the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, and impacts would be less than significant.		
<u>Threshold b:</u> No significant environmental concerns were noted during the Site Reconnaissance for the eastern parcel. On the western parcel, additional soil testing for USTs was conducted, three (3) ASTs were observed – one (1) requiring additional soil testing – two (2) water wells were observed, irrigation pumps and piping with potential ACMs were located onsite, several pallets of batteries were observed, a large mound of fill dirt was observed, and soil testing for pesticides was conducted. Both parcels which contain existing buildings constructed prior to 1978 have the potential to contain LBP and ACM which would be disturbed during Project demolition activities. Based on the sampling of soils within the vicinity of the UST and assuming that the approximate location and status of the USTs were accurately depicted, it is determined the most probable case to be that the USTs have been removed as there was no significant soil contamination found during site assessment and testing. Further, the Cortese List verification (Appendix M) concluded that the Project Site is not included on the List of Leaking USTs nor are any permitted USTs located onsite. USTs would not create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Three (3) ASTs were observed on the western parcel. No further investigation of the 450-gallon propane AST was required and it would be removed from the Project Site prior to site development. The approximately 1,000-gallon water AST was used to store irrigation water and required no further investigation. The water AST would be removed from the Project Site prior to site development. The diesel AST required further soil sampling and testing for petroleum hydrocarbon contamination.	Refer to mitigation measures MM-HAZ-1 through MM-HAZ-5 above.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
ASTs would not create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Historical agricultural use of pesticides on the eastern parcel is not considered to be a recognized environmental condition in connection with the parcel. On the western parcel, the top three (3) feet of soils throughout the agricultural field portions of the site will need to be addressed by corrective grading. Given the geotechnical recommendations to re-compact onsite soils to an average depth of 8 to 10 feet during grading, it is anticipated that incidental mixing inherent in the grading will generate average concentrations after grading below residential PRGs and hazards waste levels and therefore would adequately address the residual pesticides. As recommended in the Phase II Environmental Site Assessment, a grading plan would be developed to direct the grading contractor on appropriate means to complete the corrective grading. Pesticides contained in onsite soils would not create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The Project would disturb LBP-containing materials through the removal and disposal of materials from existing structures onsite which has the potential to cause a health hazard and represents a significant impact (Impact HAZ-1). Project construction would require the removal and disposal of onsite buildings that have the potential to disturb ACMs, which has the potential to cause adverse health effects and represents a significant impact (Impact HAZ-2). Project construction would require removal of transite pipes which have the potential to have ACMs resulting in a significant impact (Impact HAZ-3). Operational use of limited hazardous materials would not create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment.		
<u>Threshold c:</u> The nearest schools within the Project vicinity are Nicholas Elementary School (0.28 mile southwest of the western parcel boundary), Libby Elementary School (0.59 mile northeast), Nichols Elementary School (0.43 mile southwest) and Cesar Chavez Middle School (0.59 mile southeast). Each of these schools is located over one-quarter mile away from the Project Site. As discussed in Section 4.10.4a and 4.10.4b, compliance with applicable state, local and federal laws regulating hazardous materials and compliance with the recommendations of the Phase I and Phase II Environmental Site Assessments (Appendix B, Appendix C and Appendix D) would ensure all construction and operational activities involving potentially hazardous materials would not emit hazardous emissions and would properly handle hazardous or acutely hazardous materials, substances or waste. Project construction would require the removal and disposal of onsite buildings and pipes that have the potential to disturb ACMs, which has the potential to cause adverse health effects. Mitigation measures have been	No mitigation required.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
identified (MM-HAZ-1, MM-HAZ-2, MM-HAZ-3) to reduce potential impacts to below a level of significance. Additionally, no schools are located within one-quarter mile of the Project Site and are located over 0.28 mile from the southern-most boundary of the western parcel of the Project Site. Existing warehouse structures and residential buildings, having the potential to contain LBP and ACMs are located over 0.40 from the nearest school. The Project would not exceed SDAPCD thresholds for any pollutant during construction and operation phases of the Project. The Project was determined to have a less than significant impact to cancer risks and non-cancer health risks as a result of Project construction. Further, the Project would not cause a significant impact during operation of the Project in relation to CO hot spots. The Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school and impacts would be less than significant.		
<u>Threshold d:</u> The Phase I Environmental Site Assessments for the eastern parcel (Appendix B) and western parcel (Appendix C) each contained an environmental database search report obtained by EDR. The eastern parcel was not listed in any of the standard federal, state or local regulatory databases searched by EDR. No records of releases of hazardous substances or petroleum products pertaining to the eastern parcel are on file with the County DEH. On the western parcel, one (1) HIST UST listing was reported within a one-half mile radius of the parcel. The western parcel is listed under this database as having had a total of three (3) USTs as confirmed above in the <i>Site Reconnaissance</i> discussion. No leaks are reported or associated with these USTs. Based on the sampling of soils within the vicinity of the UST and assuming that the approximate location and status of the USTs were accurately depicted, it is determined the most probable case to be that the USTs have been removed as there was no significant soil contamination found during site assessment and testing. Additionally, a Cortese List Verification (Appendix M) was prepared for the Project Site pursuant to Government Code Section 65962.5. The Project Site was not listed any of the data resources. Therefore, the Project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and as a result, would not create a significant hazard to the public or the environment, and impacts would be less than significant.	No mitigation required.	Less than significant impact.
<u>Threshold e:</u> The Oceanside Municipal Airport is located approximately 2.93 miles southwest of the Project Site. The Project Site is not located within the Oceanside Municipal Airport Influence Area or any of the safety zones as displayed in the Oceanside Municipal ALUCP. Additionally, the Project is located approximately 4.5 miles southeast of the Camp Pendleton Air Terminal. Therefore, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area, and impacts would be less than significant.	No mitigation required.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
<u>Threshold f:</u> Access to the eastern parcel is provided by paved entries/exits that connect to North River Road to the north and Calle Joven to the east and south. Calle Joven is an improved road located on the parcel within a 60-foot wide public right-of-way easement. A paved fire road is located within an emergency access easement along the west side of the property between the eastern and western parcels. Access to the western parcel is currently provided by North River Road. Site development plans would be provided at the time of Project Site development and would indicate sufficient access to and throughout the development. As provided in the Public Safety Element of the General Plan, Norther River Road between El Camino Real and College Boulevard, North River Road to Vandegrift Boulevard and SR- 76 (throughout the City) are the nearest evacuation routes. As part of the development process, the Project will be reviewed by the OFD to ensure it does not impair with any emergency response or evacuation plans. Additionally, the Project would provide roadway improvements and contributions as displayed in Table 3.5-4 unless subsequent traffic analysis demonstrates that the improvements are not warranted. Prior to submittal of the final site plan, a traffic analysis shall be prepared to identify the timing, trigger, improvement, and fair share contribution for each analyzed roadway segment and intersection. The adopted emergency plans applicable to the Project area consist of the Multi-Jurisdictional Hazard Mitigation Plan for San Diego County, the San Diego County Emergency Operations Plan, and City Emergency Plan. Compliance of all Fire Department requirements would ensure the Project would not impair an adopted emergency response plan or emergency evacuation plan. Therefore the Project would not impair implementation of or physically interfere with an adopted emergency response plan or evacuation plan and impacts would be less than significant.	No mitigation required.	Less than significant impact.
<u>Threshold g:</u> The Project Site is not located in a SRA as recognized by the Board of Forestry and Fire Protection as areas where CAL FIRE is the primary emergency response agency responsible for fire suppression and prevention. Additionally, the Project Site is not located in an area of “high” or “extreme” fire hazard as depicted in Figure PS-5 in the Public Safety Element of the General Plan. The Project Site is located in a developed, urbanized area surrounded primarily by various residential land uses such as single-family residential, multi-family apartments and condominiums and mobile home communities and light industrial land uses. The Project is not located adjacent to wildland areas and therefore, would not exacerbate wildfire risks and thereby exposing people or structures to a significant risk of loss, injury or death involving wildland fires and impacts would be less than significant.	No mitigation required.	Less than significant impact.
Hydrology and Water Quality (See Section 4.11 for the complete analysis of Hydrology and Water Quality)		
<u>Threshold a:</u>	Violate Water Quality Standard (Impact HYDRO-1a, 1b, and 1c) and Erosion or Siltation (Impact HYDRO-1d)	Less than significant impact.

Summary of Impact	Mitigation Measure		Level of Significance After Mitigation
The Project Site is located within the Mission Hydrologic Sub-Area 903.11 of the Lower San Luis HA 903.10 of the San Luis Rey HU. The San Luis Rey River and the Pacific Ocean, San Luis Rey River HU, at the San Luis Rey River mouth is listed on the SWRCB 303(d) list of impaired water bodies. This means that storm water runoff from the Project Site has the potential to impact these water bodies.Pollutant generation associated with construction and operational activities for the Project have the potential to violate a water quality standard or waste discharge requirement or otherwise substantially degrade surface or groundwater quality and a significant impact would occur (Impact HYDRO-1a). Construction The potential for erosion would increase during construction activities as a result of the movement of vehicles, heavy equipment, and general earthwork activities which would accelerate the erosion process. Wind erosion also has the potential to occur on bare soils or where vehicles and equipment cause dust. Fuels, oils, lubricants, other hazardous substances and waste used and generated during construction then have the potential to be released and impact water quality.During construction, the Project has the potential to violate a water quality standard or waste discharge requirement, and would result in a significant impact (Impact HYDRO-1b). Operation Post-construction, the Project would introduce impervious surfaces and new sources of pollutants from urban runoff. Impervious site features consist of the multi-family residential buildings, internal roads, parking areas, internal sidewalks and off-site sidewalk improvements, pedestrian walkways, and paseos. Pervious features within the future multi-family development would include landscaping and public and private usable open space areas. Project Site development plans would also indicate storm water movement throughout the site, its discharge locations and proposed treatment methods in accordance with the City’s BMP Design Manual. The Project would create impervious surfaces that have the potential to violate a water quality standard or waste discharge requirement, and would have a significant impact (Impact HYDRO-1c).	MM-HYDRO-1a	Prior to issuance of a grading permit, the Project would be required to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the NPDES SWRCB’s Construction General Permit and City regulations. The SWPPP would describe and depict in detail the various grading and construction-related BMPs necessary to minimize the Project’s impacts to erosion, sedimentation and water quality. With the approval of a SWPPP, a Waste Discharge Identification Number from the San Diego Water Board would be obtained. In accordance with the City’s Urban Runoff Management and Discharge Control Ordinance, the SWPPP shall be available at the construction site at all times. The City of Oceanside Engineering Department shall approve the SWPPP upon satisfaction of all RWQCB requirements. BMPs described in the SWPPP shall be site-specific, seasonally appropriate and construction phase appropriate, and implemented at the site-year round. BMPs are not limited to and shall be implemented in the following categories: (1) Project planning; (2) good site management, including waste management; (3) non-storm water management; (4) erosion control; (5) sediment control, including but not limited to dust control and off-site tracking; (6) run-on and runoff control; and (7) active/passive sediment treatment systems, where applicable. Specific sediment and erosion control BMPs described in the SWPPP may include, but are not limited to, placement of straw mulch, soil binders, silt fencing, gravel bags, street sweeping and vacuuming and storm drain inlet protection.	
	MM-HYDRO-1b	Prior to issuance of a grading permit, the Project shall prepare a Storm Water Quality Management Plan (SWQMP) in accordance with all applicable state and local regulations including RWQCB regulations and the City of Oceanside BMP Design Manual. The Project-specific SWQMP shall address construction and operational impacts to water quality and shall identify potential pollutants of concern. The Project shall incorporate all permanent source control BMPs as identified in the SWQMP into the Project design. The City of Oceanside Engineering Department shall approve the SWQMP upon satisfaction of all RWQCB requirements.	
	MM-HYDRO-1c	Low Impact Development (LID) and Site Design BMPs shall be incorporated into the Project design to reduce impacts to water quality. The contractor shall construct the LID BMPs in accordance with the Project SWQMP and the engineer of work shall inspect that all LID BMPs have been constructed in compliance with the approved plans and all applicable specifications and permits.	
<u>Threshold b:</u> On the eastern parcel groundwater was encountered at depths of 26 to 27 feet bgs. Indicated groundwater levels are expected to fluctuate depending upon seasonal rainfall conditions and annual storm events influencing flow levels within the nearby San Luis Rey River. Within the western parcel groundwater was encountered at depths ranging from about 18 to 24 feet below the existing grades. All observed onsite water wells would be properly abandoned in accordance with County DEH	No mitigation required.		Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
requirements prior to site development and any wells discovered during site grading activities would be properly abandoned at that time. No wells were identified on the eastern parcel. The Project would not utilize groundwater during construction or operation of the Project. Due to the depth of groundwater and the proposed use and development of the Project Site, the Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge, such that the Project may impede sustainable groundwater management of the basin, and impacts would be less than significant.		
<u>Threshold c:</u> i. Erosion and Siltation The potential for erosion would increase during construction activities as a result of the movement of vehicles, heavy equipment, and general earthwork activities which would accelerate the erosion process. Wind erosion also has the potential to occur on bare soils or where vehicles and equipment cause dust. Therefore, the Project has the potential to result in exposed soils or changes in runoff that could result in erosion or siltation during the construction phase of the Project, and would have a significant impact (Impact HYDRO-1d). ii. Increase Runoff Development plans for the Project would be provided upon Project Site development and would include minor grade alterations, less than 10 feet, in order to create level building pad surfaces throughout the site. Site drainage over the finished surfaces would flow away from structures and to off-site structures similar to pre-development conditions. Project Site development would include a drainage system as part of the Project design and would be designed to convey runoff through a system of storm drain inlets and pipes and site-specific BMPs and would be installed for proper collection and disposal of surface runoff. The drainage system would be designed in accordance with City requirements in order to accommodate the Project’s increased flows such that flooding would not occur. Development of the Project Site would minimally alter the exiting drainage patterns onsite and would increase the amount of impervious surfaces contributing to changes in the amount of surface runoff, representing a significant impact (Impact HYDRO-2a). iii. Runoff Capacity Project Site development would include a drainage system as part of the Project design and would be designed to convey runoff through a system of storm drain inlets and pipes and site-specific BMPs and would be installed for proper collection and disposal of surface runoff. The drainage system would be designed in accordance with City requirements in order to accommodate the Project’s increased	Refer to mitigation measures MM-HYDRO-1a through MM-HYDRO-1c above. Increase Runoff (Impact HYDRRO-2a) and Runoff Capacity (Impact HYDRO-2b) MM-HYDRO-2 Prior to issuance of a grading permit, the Project shall prepare a Project-specific Drainage Study which shall analyze existing and proposed drainage conditions of the Project Site. The Project Drainage Study shall be prepared and onsite drainage patterns shall be designed in compliance with applicable state and local standards. Project compliance with the design and recommendations of the Drainage Study would ensure proper site development of runoff flows.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
flows such that flooding would not occur. Development of the Project Site would minimally alter the exiting drainage patterns onsite and would increase the amount of impervious surfaces contributing to changes in the amount of surface runoff. The increase in surface runoff has the potential to exceed the capacity of existing drainage systems, or provide additional sources of polluted runoff, representing a significant impact (Impact HYDRO-2b). iv. Flood Flows Development plans for the Project would be provided upon Project Site development, and it is anticipated that site drainage over the finished surfaces would flow away from structures and to off-site structures similar to pre-development conditions. Development of the Project Site would include a drainage system as part of the Project design and would be designed to convey runoff through a system of storm drain inlets and pipes and site-specific BMPs and would be installed for proper collection and disposal of surface runoff. Both parcels are located within FEMA Flood Zone “X” and are not located within a designated 100-year flood plain. Therefore, the Project would not substantially alter the existing drainage pattern of the Project Site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces in a manner which would impede or redirect flood flows, and impacts would be less than significant.		
<u>Threshold d:</u> As stated previously, both parcels within the Project Site are located within FEMA Flood Zone “X” and are not located within a designated 100-year flood plain. The risk potential for flood hazard to the Project Site caused by tsunamis is very low. The Project Site is located approximately 1.4 miles east of Whelan Lake, 1.3 miles east of Windmill Lake, approximately two (2) miles west of Guajome Lake, 5.4 miles east of the Oceanside Harbor and over eight (8) miles from the nearest reservoir. The risk potential for flooding to the Project Site caused by seiches is very low. The Project would not risk release of pollutants due to Project inundation as it is not located in a flood hazard, tsunami, or seiche zone, and impacts would be less than significant.	No mitigation required.	Less than significant impact.
<u>Threshold e:</u> Preparation and compliance with the Project-specific SWQMP and SWPPP would ensure the Project would not conflict or obstruct with implementation of a water quality control plan. The Project Site is located within the Lower San Luis Rey Valley Groundwater Basin; however, according to the Department of Water Resources Bulletin 118, only Pala and Pauma Valleys are subject to the requirements of SGMA. The County of San Diego is designated as a non-GSA member. Thus, the Project would not conflict with a sustainable groundwater management plan.	No mitigation required.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
The Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan, and impacts would be less than significant .		
Land Use and Planning (See Section 4.12 for the complete analysis of Land Use and Planning)		
<u>Threshold a:</u> The Project Site is located in a developed, urbanized area north of SR-76 and south of North River Road generally between Avenida Descanso and Calle Montecito. The surrounding North Valley Neighborhood includes a diversity of land uses from residential to light industrial. Directly north of the Project Site are residential uses and include land use designations of medium density residential including multi-family condominiums and apartments, mobile home communities, and single-family residences. Parcels to the east and south of the Project Site are designated as LI. To the west of the Project Site is a developed single-family residential subdivision consisting of 270 residences. The Project would provide access from the intersection of North River Road and Riverview Way with potential secondary access from Calle Joven. The Project would construct a sidewalk along North River Road along the Project frontage and pedestrian access throughout the Project Site including a connection from the Project Site to the north side of the San Luis Rey River trail. The proposed sidewalk improvements and associated landscaping would assist in the safe movement connection for the existing established community. The Project would not physically divide an established community, and therefore no impact would occur.	No mitigation required.	Less than significant impact.
<u>Threshold b:</u> The Project is subject to several local and regional plans intended to avoid environmental effects. Such applicable local plans include the Zoning Ordinance, General Plan, and the Oceanside Subarea Plan of the North County MHCP. The applicable regional plans include San Diego Forward: The Regional Plan and SDAPCD Rules and Regulations. The Project would meet the goal for the purpose of the RM-C zone as described under section 1010 Article 10 of the Zoning Ordinance by providing medium density residential housing with a maximum 400 multi-family dwelling units. The proposed Zoning Amendment for the Site would be more compatible with the surrounding residential land uses than the current IL zoning designation. Section 3024 of the Zoning Ordinance requires all zoning districts to comply with performance standards related to the following: noise, vibration, dust and odors, glare, combustibles and explosives, radioactive materials, hazards and extremely hazardous materials, heat and humidity and electromagnetic interference. Prior to approval of the Zone Amendment, the Project would be required to comply with the above performance standards to the satisfaction of the City. The Project would not	Refer to mitigation measures MM-TRANSP0-1 through MM-TRANSP0-2. Refer to mitigation measures MM-BIO-1. Refer to mitigation measures MM-HAZ-1 through MM-HAZ-3.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
conflict with the performance standards or any other applicable ordinances and regulations provided by the City’s Zoning Ordinance. The Project, under the proposed Zoning Amendment, not conflict with the Zoning Ordinance. The General Plan Land Use Element provides objectives and policies related to general plan consistency, land use compatibility, medium density residential districts, residential enhancement and natural resource management. Table 4.12-1 below provides the City’s applicable General Plan Land Use Element objectives and policies followed by a land use consistency analysis with regard to each policy. With future approval and adoption of the General Plan Amendment by City Council, the proposed Project would not conflict with the City’s General Plan with regard to allowable land uses. The Project wound not conflict with a General Plan Land Use Element policy. Section 4.18 <i>Transportation</i> of this EIR provides the complete VMT analysis which identifies Project traffic impacts based on the Vehicle Miles Traveled Analysis prepared by LOS Engineering, Inc. (Appendix Q). SANDAG provides a map-based VMT model for the San Diego region that includes the City. The Project is located in an area having a VMT per Capita by Census Tract at 92.7% of the regional mean and therefore the Project exceeds the 85% significance threshold and is considered to have a significant impact on transportation VMT. The Project exceeds the VMT threshold by 7.8% (Impact LU-1). Therefore, the Project would exceed the thresholds adopted by the City for VMT per capita. The Subarea Plan is the only applicable local, regional or state habitat conservation plan that applies to the Project. Although the Project was designed to comply with the measures outlined in the MHCP and the Subarea Plan, the Project has the potential to result in significant impacts to MBTA-covered bird species which have the potential to occur onsite, and therefore a significant impact (Impact LU-2) would occur. The Project would include mitigation measures consistent with the Subarea Plan to address potential direct, significant and unavoidable impacts to sensitive biological resources. The Project’s consistency with applicable policy objectives is presented in Table 4.12-3. As shown in Table 4.12-3, the Project would not conflict with the applicable policy objectives of the Regional Plan. As provided in Section 4.4 <i>Air Quality</i>, construction health risks are assessed as a result of the Project. The Project would disturb LBP-containing materials through the removal and disposal of materials from existing structures onsite which has the potential to cause a health hazard and represents a significant impact (Impact LU-3a). Project construction would require the removal and disposal of onsite buildings that have the potential to disturb ACMs, which has the potential to cause adverse health effects and represents a significant impact (Impact LU-3b). Project construction would require the removal and disposal of irrigation pumps potentially containing ACMs which has the potential to cause adverse health and environmental effects and represent a significant impact (Impact LU-3c). Therefore, the Project		

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
has the potential to conflict with SDAPCD rules and regulations for health risks.		
Mineral Resources (See Section 4.13 for complete analysis of Mineral Resources)		
<u>Threshold a:</u> The Project Site is located in a primarily developed area with various types of residential uses including single-family residents to the west, multi-family apartments and condominiums and mobile home estate community to the north and northeast, and light industrial uses to the south and east. According to the Environmental Resource Management Element of the General Plan, Figure ERM-5 Sand Deposits, the Project Site is located within an area of probable construction quality minerals. Additionally, the Project Site is designated as MRZ-2 under the County of San Diego Guidelines for Determining Significance – Mineral Resources (County of San Diego, 2007), indicating that adequate information exists to suggest that significant mineral deposits are present or that it is determined that a high likelihood of their presence exists. The City’s Environmental Resource Management Element of the General Plan describes silica sand, primarily used in glass manufacturing, as the significant mineral deposit that is currently being extracted. As outlined in the Geotechnical Investigations performed for the east and western parcels, silica sand does not underlie the Project Site. Furthermore, the current Project Site does not include an operating mine nor would the Project Site be large enough to support a mine or quarry. Additionally, the Project Site is located in a developed portion of the City and is not zoned for such activities. Though the Project Site is located in an area designated as MRZ-2, there is no evidence of mineral deposits that are minable, process-able, and marketable under the technologic and economic conditions that exist at present, estimated to exist in the next 50 years, or meets/exceeds the minimum monetary values outlined in the County of San Diego Guidelines for Determining Significance – Mineral Resources (County of San Diego, 2007). The Project would not 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 and therefore a less than significant impact would occur.	No mitigation required.	Less than significant impact.
<u>Threshold b:</u> The Project Site is designated as MRZ-2 which indicates that there is adequate information to suggest that significant mineral deposits are present or there is a high likelihood of their presence as depicted in the County of San Diego Guidelines for Determining Significance – Mineral Resources, Figure 2 (County of San Diego, 2007). However, the Project Site would not be considered a typical MRZ-2 area because it does not include an operating mine nor do the Geotechnical Investigations prepared for the Project Site indicate onsite soils to contain significant mineral deposits. Furthermore, the Project Site is surrounded by residential and industrial uses. The Project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land	No mitigation required.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
use plan and therefore a less than significant impact would occur.		
Noise (See Section 4.14 for the complete analysis of Noise)		
<u>Threshold a:</u> Construction Noise Construction noise is short-term in nature and varies from hour to hour and day to day, depending on the equipment in use, the operations performed, and the distance between the source and receptor. Equipment that would be in use during construction for demolition, site preparation, grading, paving, building construction and architectural coatings, which all generate noise, include concrete/industrial saws, rubber tired dozers, tractors, loaders, backhoes, excavators, graders, scrapers, water trucks, pavers, other paving equipment, rollers, cranes, forklifts, generator sets, welders and air compressors. Noise levels generated by heavy construction equipment can range from 60 dBA to 100 dBA when measured at 50 feet. However, these noise levels diminish rapidly with distance from the construction site at a rate of approximately 6 dBA per doubling distance. As stated previously, the nearest sensitive receptors are the single-family residences located directly to the west of the Project Site, with the nearest residence approximately 20 feet from the Project Site Boundary to the edge of residence. Due to physical constraints of the Project Site and procedures for normal site preparation operations, most of the equipment and construction activities would be spread out over the site rather than at the Project Site boundary. The majority of the grading operations are anticipated to occur more than 200 feet from the nearest property lines. Therefore, the worst-case noise condition would occur when the construction equipment is working in close proximity to each other at an average distance of approximately 200 feet from the property lines. A distance of 115 feet to the nearest sensitive receptor is used to be conservative. The construction noise levels during Project construction are provided in Table 4.14-6 . As provided in Table 4.14-6 , none of the proposed construction equipment would exceed the City’s 85 dBA standard for operation of construction equipment at 100 feet from the source. Additionally, the Project would not generate construction noise at or beyond the property lines at an average sound level greater than 75 dBA as provided by the City of San Diego and County of San Diego property line thresholds, which were used in absence of the City’s property line standards for construction. Therefore, the Project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project Site in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies, and construction impacts would be less than significant . Operation Noise <u>Residential Activities and Nuisance Noise</u>	Onsite Transportation Noise Levels (Impact NOI-1a and Impact NOI-1b) MM-NOI-1a Prior to operation, the Project would construct a 7-foot barrier at the top of the slope of the northern boundary of the Project Site along North River Road in order to reduce noise levels for the residences located adjacent to the roadway. The location and height of the required barrier is shown in Figure 4.14-1 of this EIR. The noise barrier shall be constructed of a non-gapping material consisting of masonry, ½-inch thick glass, earthen berm or any combination of these materials. The noise barrier shall not contain any gaps or knot holes and shall incorporate either overlapping boards at least one (1) inch or utilizing a tongue-and-grove design in order to reduce the presence of gaps or knot holes. MM-NOI-1b Prior to issuance of the first building permit and after the architectural floor plans have been provided, a final interior noise assessment shall be obtained for the residential units located along North River Road and shall be approved to the satisfaction of the City of Oceanside Building Department. Consistent with Title 24 of the California Code of Regulations, the Project shall ensure a 45 dBA CNEL interior noise level due to the fact that the building façade noise levels are above 60 dBA CNEL.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
Noise generated from residential uses are generally from sources such as amplified music, barking dogs, garbage trucks, and landscape maintenance equipment that may be disturbing to other residents. Other noise generated specifically from the Project would be from the onsite pool equipment and usage and HVAC systems. Noise impacts are more likely to occur in the more densely developed areas of the Project Site where residences would be closer together and neighbors would be more likely to hear a neighbor’s dog or music. Maintenance equipment would not be operating at any one location for more than a few minutes and it is not likely that the equipment would be operating all at the same time. Operation of maintenance equipment would generally not exceed the hourly noise level limit at adjacent residential receptors and a less than significant impact is anticipated. The Project Site is surrounded primarily by various residential uses including single-family residences, multi-family apartments and condominiums, mobile home community, and light industrial uses. Noise produced by the nearby uses would be similar to that of the proposed Project. Therefore, residential activities associated with Project operation would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies, and impacts would be less than significant. Transportation Noise <u>Onsite Roadway Noise</u> The primary source of noise impacts to the Project Site is from vehicular noise from North River Road. The projected roadway noise levels from vehicular traffic as a result of the Project were calculated using the methods in the Highway Noise Model published by the Federal Highway Administration (FHWA). As provided in the Noise Study (Appendix N) based on the exterior noise model for the roadways, the worst-case exterior noise level at the building façades nearest the roadways is 73.4 dBA CNEL along North River Road at a distance of 50 feet from the centerline. Therefore, the residential rear yards would be set back a minimum of 80 feet from the centerline of North River Road. Based on the increased distance from the roadway, the noise level would be reduced to a worst-case exterior noise level of 71.4 dBA CNEL. Based on these findings, the Project’s worst-case onsite noise levels from the adjacent roadways would exceed the City’s 65 dBA noise standard resulting in a significant impact (Impact NOI-1a). Consistent with Title 24 of the CCR and the City’s noise guidelines, a project is required to perform an interior assessment on the portions of a project site where building façade noise levels are above 60 dBA CNEL in order to ensure a 45 dBA CNEL interior noise level. The Project would exceed building façade noise levels of 60 dBA CNEL and has the potential to exceed interior noise levels which would result in a significant impact (Impact NOI-1b). <u>Off-Site Project Related Transportation Noise Levels</u>		

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
The off-site Project-related roadway segment noise levels projected in the Noise Study were calculated using the methods in the Highway Noise Model published by the FHWA. In order to determine if direct off-site noise level increases associated with the development of the Project will create noise impacts, the noise levels for the near term conditions were compared with the noise level increase from when the Project is fully built. Table 4.14-8 and Table 4.14-9 provide the noise levels and reference distances to the 65 dBA CNEL contours for the roadways in the vicinity of the Project Site under the Existing Scenario and Existing + Project Scenarios, respectively. As provided in Table 4.14-10, the overall roadway segment noise levels will increase from 0.0 dBA CNEL and 0.40 dBA CNEL in nearby roadway segments with the development of the Project. These values do not take into account the effect of any noise barriers, structures, or topography that may affect roadway noise levels. The Project would not create a direct noise increase of more than 3 dBA CNEL on any roadway segment. As stated above, community noise level changes greater than 3 dBA are often identified as audible and considered potentially significant. Therefore, the Project’s direct contributions to off-site roadway noise increases would not cause any significant impacts to existing or future noise sensitive land uses. The Project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies, and direct off-site traffic noise during Project operation would be less than significant. <u>Cumulative Traffic Noise Levels</u> In order to determine if cumulative off-site noise level increases associated with the development of the Project and other planned or permitted projects in the vicinity will create noise impacts, the noise levels for the near-term Project Buildout and other planned and permitted projects were compared with the existing conditions.As provided in Table 4.14-12, the overall cumulative segment noise levels would increase from 0.1 dBA CNEL to 0.6 dBA CNEL on nearby roadway segments with the development of the Project in addition to all cumulative projects. Therefore, the Project’s contributions to off-site roadway noise increase would not be considered cumulatively considerable and would not cause a significant impact. The Project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies and cumulative traffic noise during Project operation would be less than significant. <u>Threshold b:</u> Construction Groundborne Vibration The nearest vibration-sensitive land uses would be the single-family residences		
	No mitigation required.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
located directly to the west and the mobile home estates and multi-family residences to the north and northwest. These vibration-sensitive land uses would be located 50 feet or more from the construction activities. The anticipated construction equipment would be spread out over the Project Site, working in different areas of the site as needed. For instance, a single dozer may be utilized near the Project Site boundary while the other equipment would be working on the opposite side of the Project Site. As displayed in Table 4.14-13, Project construction activities would result in PPV levels below the FTA’s criteria for vibration induced structural damage to residential buildings near the demolition and construction areas. The FTA criterion for infrequent vibration induced annoyance is 80 VdB for residential uses. Therefore, Project construction activities would generate levels of vibration that would not exceed the FTA criteria for nuisance for nearby residential uses. Additionally, in accordance with City regulations, construction activities would be limited to the hours of 7:00 AM to 6:00 PM. Compliance with City construction hour regulations would further reduce vibration impacts to nearby sources. As discussed above, during construction none of the proposed construction equipment would exceed the City’s 85 dBA standard for operation of construction equipment at 100 feet from the source. Additionally, the Project would not generate construction noise at or beyond the property lines at an average sound level greater than 75 dBA as provided by the City of San Diego and County of San Diego thresholds, which were used in absence of the City’s property line standards for construction. The Project would not generate excessive groundborne vibration or groundborne noise levels during construction, and impacts would be less than significant. Operational Groundborne Vibration and Noise Noise generated from residential uses are generally from sources such as amplified music, barking dogs, garbage trucks, and landscape maintenance equipment that may be disturbing to other residents. Other noise generated specifically from the Project would be from the onsite pool equipment and usage and HVAC systems. Future onsite HVAC systems would be designed and manufactured to feature rotating and reciprocating components that are well-balanced with isolated vibration within or external to the equipment casings to reduce vibration. The operation of the future multi-family development with a maximum of 400 units is not a use typically associated with excessive groundborne vibrations or noise. Therefore, the Project would not generate excessive groundborne vibration or groundborne noise during operation, and impacts would be less than significant.		
<u>Threshold c:</u> No private airstrips are located within the vicinity of the Project Site. The Project is located approximately 2.93 miles northwest of the Oceanside Municipal Airport and 4.5 miles southeast of the Camp Pendleton Air Terminal. The Project Site is not located within a noise exposure range or any of the safety zones as provided in the Oceanside Municipal Airport ALUCP.	No mitigation required.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
The Project would not expose people residing or working in the Project area to excessive noise levels and impacts would be less than significant .		
Population and Housing (See Section 4.15 for the complete analysis of Population and Housing)		
<u>Threshold a:</u> General Plan Amendment and Zone Amendment The Project would establish a PBD Overlay District to allow for the future development of medium density residential housing with a maximum of 400 dwelling units. Utilizing the City’s average occupancy per household of 2.92 persons/unit (SANDAG, 2013), the Project would result in approximately 1,168 people residing on the Project Site. Although the Project would promote a residential development on a site with existing land use and zoning designations for light industrial uses, the Project would provide a medium density residential in-fill development surrounded by properties primarily with residential use and would provide a transition between both residential and industrial uses. Alternatively, development of the site to the fullest potential as a light industrial use would not be compatible with the surrounding residential development. Extension of Infrastructure The Project would result in an incremental increase in demand of water and wastewater services and facilities. Water and sewer utility services for the Project would connect to existing facilities surrounding the site and would provide both on- and off-site connections. Existing potable water piping in the vicinity of the Project Site would be adequate to serve the Project as provided in the Water Overview Letter (Appendix S). The Project would be subject to additional analysis to determine the Project’s cost share for any necessary improvements to the off-site trunk sewer in North River Road. The Project, as part of the entitlement process, would be required to contribute its share of the costs for potential modifications to the North Valley Sewer Lift Station. The Project would also connect to existing electrical and gas services and specific tie-in locations would be determined at the time the Project Site is developed. The Project’s incremental increase in demand for water, wastewater, electrical and natural gas services, the proposed utility service connections and contributions to the shared costs for potential modifications to the North Valley Sewer Lift Station are not considered to be growth-inducing. The Project would not construct any new public roadways which have the potential to further induce growth. The Project would not provide any widening improvements along North River Road but would provide sidewalk improvements along the Project frontage. Additionally, the Project would install a traffic signal at North River Road and Riverview Way at the Project frontage. The Project would provide other traffic improvements and contributions as displayed in Table 3.5-4 unless subsequent traffic analysis demonstrates that the improvements are not warranted. Prior to submittal of the final site plan, a traffic analysis shall be prepared to identify the timing, trigger, improvement, and fair share contribution for each analyzed roadway segment and intersection.	No mitigation required.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
The associated environmental impacts have been identified and evaluated in Chapters 4.0 through 4.21 of this EIR. As documented in this EIR, the Project’s projected population would result in significant impacts to air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, transportation and tribal cultural resources. Mitigation measures MM-BIO-1, MM-CUL1a through MM-CUL1h, MM-CUL-2, MM-GEO1, MM-GEO-3a through MM-GEO-3b, MM-HAZ-1 through MM-HAZ-5, MM-HYDRO-1a through MM-HYDRO-1c, MM-HYDRO-2, MM-NOI-1a and MM-NOI-1b, and MM-TRANSP0-1 and MM-TRANSP0-2 which are provided in this EIR would be implemented in order to reduce these significant impacts to a level below significance.The Project would have a significant impact (Impact LU-1) related to conflicting with a land use plan, policy, or regulation. Implementation of mitigation measures MM-TRANSP0-1 and MM-TRANSP0-2 would reduce impacts related to compliance with the City’s VMT guidelines would be reduced to a level below significance. Although the increased population as a result of the Project is not within the City’s population projections, all physical impacts to the environment due to the increase in population have been evaluated throughout this EIR, as discussed above. No additional environmental impacts would occur as a result of the Project. Furthermore, there are no components of the Project that would remove obstacles to development in the surrounding area, as the majority of lands surrounding the Project Site are developed with urban uses, are in the process of being developed, or are planned as open space. No impact to population growth would result from any Project-related improvements as these improvements would not induce substantial growth on the surrounding area. The Project would exceed local and/or regional population projections; however, the Project would not indirectly induce growth by removing impediments to growth. Impacts associated with the Project’s increase in population have been evaluated throughout this EIR and mitigation measures have been imposed in order to reduce impacts to less than significant levels. Therefore, Project impacts as a result of population growth would be less than significant.		
<u>Threshold b:</u> The Project would establish a PBD Overlay District to allow for the future development of medium density residential housing with a maximum of 400 dwelling units on a 25.6-acre site. The eastern parcel is currently developed with a small office/warehouse facility and a small wood-frame house serving as a caretaker’s residence. The facility has historically served as a packing warehouse dating back to the 1960s for produce shipping and storage operations. Existing structures onsite include a 23,152-SF office/warehouse building, three small sheds, and a small house. The western parcel is predominately in agricultural cultivation (approximately 75%) but supports two (2) single-family residences, an old warehouse on the northwest portion of the site, a packing shed, small out buildings and an abundant amount of old farm equipment and miscellaneous materials and machinery. The onsite facility has historically served as storage for agricultural operations.	No mitigation required.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
Although a total of three (3) residential structures exist within the Project Site, only one (1) of the structures is occupied by residents while the other two (2) are clearly vacant and in poor condition. Development of the Project will result in the demolition of this occupied residence; however, the Project would construct up to 400 new medium density residential units which offsets the loss of this one (1) unit. Therefore, the Project would not displace a substantial number of existing people or housing, necessitating the construction of replacement housing elsewhere and impact would be less than a significant .		
Public Services (See Section 4.16 for the complete analysis of Public Services)		
<u>Threshold a:</u> Fire Protection It is anticipated that Fire Station 5 would respond to the majority of the future emergency calls for the residential development, and when Station 5 is unavailable, units identified for response to the site would come from multiple stations include stations from the City of Carlsbad and the City of Vista. The Project would provide all required setbacks, fire truck access and turnarounds, fire hydrants, address numbers, and sprinklers in accordance with OFD requirements. A Knox Box would be provided onsite of the future residential development and the specific location would be provided at the time the development plans are prepared. The Project would provide transportation improvements and contributions as displayed in Table 3.5-4 unless subsequent traffic analysis demonstrates that the improvements are not warranted. Prior to submittal of the final site plan, a traffic analysis shall be prepared to identify the timing, trigger, improvement, and fair share contribution for each analyzed roadway segment and intersection. These transportation improvements would further improve emergency access in the surrounding areas of the Project Site. The Project would contribute all required development impact fees in accordance with the City’s current requirements, a portion of which would go towards funding fire protection services in the City. At the time a development is proposed, Project development plans and building plans will be reviewed by OFD to ensure that the Project meets all requirements related to access, fire hydrants, and setbacks and would comply with all conditions set forth for Project approval. Existing fire protection services are provided to the adjacent residential developments and the need for new or altered fire protection facilities is not expected. The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, and impacts would be less than significant . Police Protection Police protection and law enforcement is provided by OPD which operates out of	No mitigation required.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
their station located at 3855 Mission Avenue, approximately 1.58 miles southwest of the Project Site. Although the Project would result in a slight increase in demand for police services, there are not any aspects of the Project that would make it any more demanding on police services compared to similar types of residential development in the area. Adequate access for police personnel to the Project Site would be provided and the increase in demand for police protection services is not expected to be significant. Future onsite security measures would be determined based on the residential building type at the time of Project Site development to further increase safety and could include measures such as gated entries, security cameras, security monitors, lit parking lots, and specific security protocols for club house and leasing office. The Project would contribute to all required impact fees in accordance with the City’s current requirements, a portion of which would go towards funding police protection services in the City. No new police facilities or expansion of facilities would be required to serve the Project. The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, and impacts would be less than significant. Schools The Project Site is located within the boundaries of the OUSD and is located within the attendance boundaries of Libby Elementary School, Martin Luther King Jr. Middle School and El Camino High School. The OUSD provided a letter in response to information request for the environmental document and is provided as Appendix O of this EIR. As stated in the letter provided by OUSD, existing capacity is available for this school to adequately meet the needs of current student population as well as future incoming students from the Project. As stated in the letter provided by OUSD, existing capacity is available for this school to adequately meet the needs of current student population as well as future incoming students from the Project.As stated in the letter provided by OUSD, existing capacity is available for this school to adequately meet the needs of current student population as well as future incoming students from the Project. The Project would contribute to all required development impact fees for schools in accordance with the City’s current requirements, which go towards funding school facilities in the City. The current impact fee for schools required for a residential project in the OUSD is \$4.08 per SF. The Project would not result in substantial adverse physical impacts associated with the provision of new of physically altered governmental facilities, the construction of which could cause significant environmental impacts, and a less than significant impact would occur. Parks		

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
Regardless of the future specific development type, the proposed multi-family development would provide areas of common open space, community amenity areas, pedestrian amenities for social interaction such as small gathering areas, benches and seating, water features and shaded areas. The Project Community Design and Site Planning guidelines provides for enhanced pedestrian circulation with access and connections to internal walkways, paseos and open space systems, including connections to the San Luis Rey River and unpaved trail located to the south As provided in the Site Development Regulations Summary in the PBDP (Appendix E), the Project would provide 350 SF of usable open space per unit. The design of the common and private usable open space areas will be per the standards presented in Section 1050(Q) of the Zoning Ordinance. As stated previously, the Project would provide a variety of open space and recreational amenities within the proposed development. The Project would be required to contribute to all required development impact fees for parks in accordance with the City’s current requirements, which go towards funding park and recreational facilities in the City. The current development fee for parks is \$4,431 per unit as outlined in the City Impact Fee Schedule for New Developments. Payment of these fees would offset any increased demand placed on public parks as a result of the Project. The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, and Project impacts would be less than significant. Other Public Facilities The Project would develop a maximum of 400 multi-family residential units onsite resulting in approximately 1,168 people residing within the Project Site. These residents would assume to frequent other public facilities such as local library branches operated by the City. The Oceanside Public Library system consists of two branches located at 330 North Coast Highway and the Mission Branch located at 3861 Mission Avenue. The Oceanside Library also operates the READS Literacy Center located at 321 N. Nevada Street. Bookmobile services are located at Libby Lake Park, John Landes Park, Rancho Del Oro Park, Balderrama Recreation Center, Crown Heights Resource Center and Libby Lake Community Center. The increase in residences as a result of the Project is not expected to significantly impact the Oceanside Public Library’s ability to serve existing and future users. Therefore, the Project would not result in substantial adverse physical impacts associated with the provision of new of physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, and Project impacts would be less than significant.		
Recreation (See Section 4.17 for the complete analysis of Recreation)		

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
<u>Threshold a:</u> As required by Section 1050 (Q) (Usable Open Space) of the Zoning Ordinance, the Project would include 350 SF of usable open space per unit. With the maximum development of 400 dwelling units, approximately 140,000 SF of usable open space would be provided within the development of the Project. Additionally, pedestrian amenities would be provided throughout the development such as gathering areas, benches and seating, water features and shaded areas. Internal streets with sidewalks would be designed to promote pedestrian activity within the development. Enhanced pedestrian circulation would provide access and connections to internal walkways, patios, and open space systems, including a connection to the San Luis Rey River trail located south of the Project Site. The future medium density residential development under the PBD Overlay District would likely result in an increased use of existing neighborhood and regional parks and recreational facilities. However, the Project would be required to contribute to all required development impact fees related to parks at a cost of \$4,431 per residential unit in accordance with the City’s Impact Fee Schedule. Payment of these fees would offset the potential increase in usage and demand placed on existing public recreational facilities as a result of the Project. Impact fees for parks are used for creating, rehabilitating, or expanding recreational facilities to meet the demand of new residents to the City. The Project would not result in an increased use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility may occur or be accelerated and impacts would be less than a significant impact.	No mitigation required.	Less than significant impact.
<u>Threshold b:</u> The Project would be required to contribute to all required development impact fees for parks in accordance with the City’s current requirements, which go towards funding park and recreational facilities in the City. The city’s current development impact fee for parks is \$4,431 per residential unit. The impact fees would be used by the City for rehabilitating, expanding, and/or creating new recreational facilities. The Project would include open space and recreational amenities as part of the Project footprint, and all impacts associated with development of the Project and associated facilities are included within the environmental analysis of this EIR and are not expected to have adverse impacts beyond those provided in this EIR. The Project would not include recreational facilities or require the expansion of recreational facilities which might have an adverse physical effect on the environment and a less than a significant impact would occur.	No mitigation required.	Less than significant impact.
Transportation (See Section 4.18 for the complete analysis of Transportation)		
<u>Threshold a:</u> A Local Transportation Study (Appendix P) and Vehicle Miles Traveled Analysis (Appendix Q) were prepared by LOS Engineering, Inc. The VMT Analysis is	No mitigation required.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
required to satisfy the CEQA Guidelines requirement for utilizing VMT as the measure of effectiveness for determining transportation impacts. The Local Transportation Study (LTS) includes the analysis to determine measureable transportation impacts as a result of the Project that would justify any roadway improvements or fair share participation. The Project would provide the roadway improvements/contributions as shown in Table 3.5-4 unless subsequent traffic analysis demonstrates that the improvements are not warranted. Prior to submittal of the final site plan, a traffic analysis shall be prepared to identify the timing, trigger, improvement, and fair share contribution for each analyzed roadway segment and intersection. Table 4.18-3 provides the Project’s consistency with applicable policies and implementation strategies provided in the Circulation Element Master Transportation Roadway Plan. The Project would not conflict with any applicable policies of the Circulation Element and impacts would be less than significant. The overall goal of the Circulation Element of the General Plan is to provide complete streets and multi-modal transportation systems within the City. The Project would construct sidewalks along the Project frontage adjacent to the public streets. With these improvements, the pedestrian infrastructure from the Project access points, extending to the nearest intersection with a classified roadway or 0.5 mile walking distance, did not have any deficiencies, path obstructions, or missing sidewalk segments for the study area on the same street side as the Project. However, there is a missing sidewalk on the north side of North River Road between Calle Montecito and Redondo Drive. Additionally, the Project would provide pedestrian improvements with connections from the Project Site to the north side of the San Luis Rey River trail. North River Road from Douglas Drive to roughly the driveway of the OFD Station #5 has an existing Class 2 bike lane as shown in the City of Oceanside Bicycle Master Plan 2017 Update. No bicycle infrastructure improvements are required as part of the Project. NCTD lists Bus Route 303 within 0.5 mile walking distance from the Project access. Bust stops near the Project Site are located on North River Road by Avenida Descanso and on North River Road by Calle Montecito. The closest bus stop west of the Project Site is located on North River Road at Avenida Descanso. The westbound bus stop is located on the north side of North River Road and to the west of Avenida Descanso. The eastbound bust stop is located on the south side of North River Road east of Avenida Descanso. Both bus stops include a bench and are in good condition. The closest bus stop east of the Project Site is located on North River Road at Calle Montecito. The westbound bus stop is located on the north side of North River Road west of Calle Montecito and the eastbound bus stop is located on the south side of North River Road east of Calle Montecito. Both bus stops include a bench and are in		

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
good condition. No transit improvements are required as part of the Project. A summary of the bus services times are provided in Table 4.18-1 and include weekday and weekend services. The overall goal of the General Plan Circulation Element is to obtain complete streets and multi-modal transportation systems. The Project would not conflict with the City’s General Plan Circulation Element or other plans related to multi-modal transportation systems. The Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, bicycle and pedestrian facilities and therefore would have a less than significant impact.		
<u>Threshold b:</u> Per CEQA Guidelines Section 15064.3(b) Criteria for Analyzing Transportation Impacts, for land use projects, VMT exceeding an applicable threshold of significance may indicate a significant transportation impact.The City of Oceanside City Council adopted the <i>Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment</i> in August 2020. These guidelines documents a threshold of 500 ADT for projects inconsistent with the General Plan and 1,000 ADT for projects consistent with the General Plan as a trigger for requiring a VMT analysis. The Project would provide a maximum of 400 multi-family residential units and is calculated to generate 3,200 ADT and is therefore required to prepare a VMT analysis. A Vehicle Miles Traveled Analysis was prepared by LOS Engineering, Inc. and is provided as Appendix Q of this EIR. Residential projects utilize VMT per capita to define a significant transportation impact when a project exceeds a level of 15% below existing VMT (i.e. greater than 85% of the regional mean). The City utilizes this guideline consistent with the OPR’s <i>Technical Advisory on Evaluating Transportation Impacts in CEQA</i>. SANDAG provides a map-based VMT model for the San Diego region that includes the City. The Project is located in an area having a VMT per Capita by Census Tract at 92.7% of the regional mean and therefore the Project exceeds the 85% significance threshold and is considered to have a significant impact on transportation VMT. The Project exceeds the VMT threshold by 7.8%. Therefore, the Project would conflict with CEQA Guidelines Section 15064.3 (b) which represents a significant impact (Impact TRANSPO-1). The Project would implement mitigation measures MM-TRANSPO-1 and MM-TRANSPO-2 as identified in the California Air Pollution Control Association (CAPCOA) <i>Quantifying Greenhouse Gas Mitigation Measures a Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures</i> (August 2010). The mitigation measures are identified in Section 4.18.5. As described in Section 4.18.5, implementation of mitigation measures MM-TRANSPO-1 and MM-TRANSPO-2 would reduce this transportation impact (Impact TRANSPO-1) to a level below significance.	Vehicle Miles Traveled (Impact TRANSPO-1) MM-TRANSPO-1 The Project shall implement CAPCOA reduction measure LUT-1: Increase Density, which is applicable to residential projects in an urban or suburban area. The Project shall provide a PBDP to establish land use and development standards that regulate future residential development proposals on the Project Site, including establishing medium density residential uses in accordance with the MDC-R designation. MM-TRANSPO-2 The Project shall implement CAPCOA reduction measure SDT-1: Provide Pedestrian Network Improvements, which is applicable to residential projects in an urban and suburban area. The Project shall provide a pedestrian access network to link areas of the Project Site which encourages people to walk instead of drive. The Project shall provide pedestrian access that internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the Project Site. The Project shall minimize barriers to pedestrian access and interconnectivity. Physical barriers such as walls, landscaping, and slopes that impede pedestrian circulation shall be eliminated.	Less than significant impact.
<u>Threshold c:</u> The Project would provide a maximum of 400 medium density residential units. A	No mitigation required.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
range of multi-family housing types can be provided on the Project Site and specific site layouts and residential product designs will be identified as part of future development plans for the Project Site. Driveways proposed along North River Road and potential secondary access driveways from Calle Joven would be consistent with the City’s Engineers Design and Processing Manual which includes driveway standards to provide safe geometric designs and line of sight for drivers, pedestrians and bicyclists. The Project would construct a sidewalk along North River Road along the Project frontage. At the time a development is proposed, Project development plans and building plans will be reviewed by OFD to ensure that fire truck access roadways in addition to fire lanes, turn-around radius and access meet City standards. The Project would not substantially increase hazards due to a geometric design feature or incompatible use and impacts would be less than significant.		
<u>Threshold d:</u> Emergency access to the Project Site would be provided by North River Road by constructing a south leg at the intersection of North River Road and Riverview Way. This intersection would be signalized in accordance with the Signal Warrant Condition B “Interruption of Continuous Traffic”, which is satisfied with the addition of Project traffic. A secondary access is anticipated to connect with Calle Joven which is located along the southern boundary of the eastern parcel. Currently a gated fire access alley is provided along the western portion of Calle Joven that runs in between the two parcels. Project access specifications will be provided as part of the development plans at the time of Project Site development. The Project would provide all required setbacks, fire truck access and turnarounds, fire hydrants, address numbers, and sprinklers in accordance with OFD requirements. Fire extinguishers sizes and locations will be determined by the Fire Marshal during the building permit application. At the time a development is proposed, Project development plans and building plans will be reviewed by OFD to ensure that the Project meets all requirements related to access, fire hydrants, and setbacks and would comply with all conditions set forth for Project approval. The Project would comply with the CFC and the OMC requirements which are intended to ensure adequate emergency access. The Project would meet such requirements and therefore, the Project would not result in inadequate emergency access, and impacts would be less than significant.	No mitigation required.	Less than significant impact.
Tribal Cultural Resources (See Section 4.19 for the complete analysis of Tribal Cultural Resources)		
<u>Threshold a:</u> No cultural resources which qualify as unique historical resources were found on the Project Site. However, because the Project Site is located on an alluvial terrace associated with the San Luis Rey River and because three (3) isolated prehistoric artifacts were discovered during the field survey, construction activities, including ground disturbing activities have the potential to cause an adverse change in the	Listed or Eligible Tribal Cultural Resource and Resource to a California Native American Tribe (Impact TCR-1a and Impact TCR-1b) Mitigation measures MM-CUL-1a through MM-CUL-1h which is presented in Section 4.6.5, would reduce this impact to below a level of significance. MM-CUL-1a Prior to issuance of a Grading Permit, the Applicant/Owner shall enter into a pre-	Less than significant impact.

Summary of Impact	Mitigation Measure		Level of Significance After Mitigation
significance of a tribal cultural resource, representing a significant impact (Impact-TCR-1a).		excavation agreement, otherwise known as a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement with the “Traditionally and Culturally Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe”. A copy of the agreement shall be included in the Grading Plan Submittals for the Grading Permit. The purpose of this agreement shall be to formalize protocols and procedures between the Applicant/Owner and the “TCA Native American Monitor associated with a TCA Luiseño Tribe” for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and tribal cultural resources, located and/or discovered through a monitoring program in conjunction with the construction of the proposed Project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities. At the discretion of the Luiseño Native American Monitor, artifacts may be made available for 3D scanning/printing, with scanned/printed materials to be curated at a local repository meeting the federal standards of 36CFR79.	
	MM-CUL-1b	Prior to the issuance of a Grading Permit, the Applicant/Owner or Grading Contractor shall provide a written and signed letter to the City of Oceanside Planning Division stating that a Qualified Archaeologist and Luiseño Native American Monitor have been retained at the Applicant/Owner or Grading Contractor’s expense to implement the monitoring program, as described in the pre-excavation agreement.	
	MM-CUL-1c	The Qualified Archaeologist shall maintain ongoing collaborative consultation with the Luiseño Native American monitor during all ground disturbing activities. The requirement for the monitoring program shall be noted on all applicable construction documents, including Demolition Plans, Grading Plans, etc. The Applicant/Owner or Grading Contractor shall notify the City of Oceanside Planning Division of the start and end of all ground disturbing activities.	
	MM-CUL-1d	The Qualified Archaeologist and Luiseño Native American Monitor shall attend all applicable pre-construction meetings with the General Contractor and/or associated Subcontractors to present the archaeological monitoring program. The Qualified Archaeologist and Luiseño Native American Monitor shall be present onsite full-time during grubbing, grading and/or other ground altering activities, including the placement of imported fill materials or fill used from other areas of the Project Site, to identify any evidence of potential archaeological or tribal cultural resources. All fill materials shall be absent of any and all tribal cultural resources.	
	MM-CUL-1e	In order for potentially significant archaeological artifact deposits and/or cultural resources to be readily detected during mitigation monitoring, a written “Controlled Grade Procedure” shall be prepared by a Qualified Archaeologist, in consultation with the Luiseño Native American monitor, other TCA Luiseño Tribes that have participated in the state-prescribed process for this Project, and the Applicant/Owner, subject to the approval of City representatives. The Controlled Grade Procedure shall establish requirements for any ground disturbing work with	

Summary of Impact	Mitigation Measure		Level of Significance After Mitigation
		machinery occurring in and around areas the Qualified Archaeologist and Luiseño Native American monitor determine to be sensitive through the cultural resource mitigation monitoring process. The Controlled Grade Procedure shall include, but not be limited to, appropriate operating pace, increments of removal, weight and other characteristics of the earth disturbing equipment. A copy of the Controlled Grade Procedure shall be included in the Grading Plan Submittals for the Grading Permit.	
	MM-CUL-1f	The Qualified Archaeologist or the Luiseño Native American monitor may halt ground disturbing activities if unknown tribal cultural resources, archaeological artifact deposits or cultural features are discovered. Ground disturbing activities shall be directed away from these deposits to allow a determination of potential importance. Isolates and clearly non-significant deposits will be minimally documented in the field, and before grading proceeds these items shall be secured until they can be repatriated. If items cannot be securely stored on the Project Site, they may be stored in off-site facilities located in San Diego County. If the Qualified Archaeologist and Luiseño Native American monitor determine that the unearthed tribal cultural resource, artifact deposits or cultural features are considered potentially significant TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this Project shall be notified and consulted regarding the respectful and dignified treatment of those resources. The avoidance and protection of the significant tribal cultural resource and/or unique archaeological resource is the preferable mitigation. If, however, it is determined by the City that avoidance of the resource is infeasible, and it is determined that a data recovery plan is necessary by the City as the Lead Agency under CEQA, TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this Project shall be notified and consulted regarding the drafting and finalization of any such recovery plan. For significant tribal cultural resources, artifact deposits or cultural features that are part of a data recovery plan, an adequate artifact sample to address research avenues previously identified for sites in the area will be collected using professional archaeological collection methods. The data recovery plan shall also incorporate and reflect the tribal values of the TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this Project. If the Qualified Archaeologist collects such resources, the Luiseño Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect the tribal cultural resources that are unearthed during the ground disturbing activities, the Luiseño Native American monitor, may at their discretion, collect said resources and provide them to the appropriate TCA Luiseño Tribe, as determined through the appropriate process, for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Ground disturbing activities shall not resume until the Qualified Archaeologist, in consultation with the Luiseño Native American Monitor, deems the cultural resource or feature has been appropriately documented and/or protected.	
	MM-CUL-1g	The landowner shall relinquish ownership of all tribal cultural resources unearthed during the cultural resource mitigation monitoring conducted during all ground	

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
	disturbing activities, and from any previous archaeological studies or excavations on the Project Site to the appropriate TCA Luiseño Tribe, as determined through the appropriate process, for respectful and dignified treatment and disposition, including reburial at a protected location onsite, in accordance with the Tribe’s cultural and spiritual traditions. All cultural materials that are associated with burial and/or funerary goods will be repatriated to the Most Likely Descendant (MLD) as determined by the Native American Heritage Commission per California Public Resources Code Section 5097.98. No tribal cultural resources shall be subject to curation. MM-CUL-1h Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusions of the archaeological monitoring program (e.g., data recovery plan) shall be submitted by the Qualified Archaeologist, along with the Luiseño Native American monitor’s notes and comments, to the City of Oceanside Planning Division for approval.	
<u>Threshold b:</u> The Rincon Band of Luiseño Indians (Rincon Band) identified the Project Site to be located within the territory of the Luiseño people and is within the Rincon Band’s specific area of historic interest. Embedded in the Luiseño territory are Rincon’s history, culture and identity. The Rincon Band has knowledge of one Luiseño Traditional Cultural Place (TCP), <i>Tamiymay</i>, located within one half mile of the Project Site. The San Luis Rey Band of Mission Indians identified the City, along with other cities located in northern San Diego County, as traditional and culturally affiliated territories. The tribe is determined in the preservation and protection of tribal cultural resources within all jurisdictions. The tribe has indicated that there is a multitude of tribal cultural resources and sacred places within the proposed Project area. Considering this information, there is potential for the discovery of unknown tribal cultural resources during Project ground disturbing and grading activities. The Project has the potential to cause a substantial adverse change in the significance of a tribal cultural resource, representing a significant impact (Impact-TCR-1b). The City continues coordination and communication with the tribes listed by the NAHC, specifically the Rincon Band and San Luis Rey Band of Mission Indians which are the two prominent tribes with interest in the Project area.	Refer to mitigation measures MM-CUL-1a through MM-CUL-1h above.	Less than significant impact.
Utilities and Service Systems (See Section 4.20 for the complete analysis of Utilities and Service Systems)		
<u>Threshold a:</u> Water The Project Site would be served by the City of Oceanside Water Utilities Department. Water services are currently provided to the Project Site which has historically operated as a packing warehouse facility and office, with agricultural support activities and a single residence on the eastern parcel, and agricultural	No mitigation required.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
cultivation, warehouse operations and single-family residences on the western parcel. There is an existing 16-inch cast iron pipe in North River Road along the Project frontage. This is a non-potable water line which may at one time have been used for ground water. No connections to this pipeline are intended to be made. A Water Service Overview letter was prepared by Dexter Wilson Engineering, Inc. (Appendix S) and outlines the existing water facilities and the ability of existing facilities in the vicinity of the Project to provide adequate water services. Using the water demand factor for industrial land uses from the City’s Water Master Plan, the existing demand for water would result in 59,500 gallons per day (gpd) on average. The proposed land use for the Project Site is MDC-R which would have a water demand factor of 3,000 gpd/ acre and would be expected to use 71,400 gpd on average. Based on the change in land use, the Project is estimated to increase the water use for the site by 11,900 gpd. Table 4.20-1 provides a summary of the changes in water demand as a result of the Project. According to the City’s Water, Sewer and Recycled Water Design and Construction Manual (August 2017), under the existing LI land use, a planning level fire hydrant flow of 4,000 gallons per minute (gpm) would be required. Under the proposed MDC-R land use, the planning level fire flow reduces to 3,000 gpm resulting in a decrease of fire flow of 1,000 gpm. Based on the elevations of the proposed Project Site ranging from 65 to 70 feet, the maximum static pressure within the site will be 110 pound-force per square inch (psi), which is in conformance with the Water, Sewer and Recycled Water Design and Construction Manual. The Project would comply with all Water Utilities Department conditions and would incorporate all requirements into the Project design. Such conditions would include, but are not limited to the following: • For developments requiring new water service or increased water service to a property, the landowner must enter into an agreement with the City providing for landowner’s assignment of any rights to divert or extract local groundwater supplies for the benefit of the property to receive new or increased water service, or in return for water service from the City, upon such terms as may be provided by the Water Utilities Director. • The developer will be responsible for developing all water and sewer utilities necessary to develop the property. Any relocation of water and/or sewer utilities is the responsibility of the developer and shall be done be an approved licensed contractor at the developer’s expense. • All water and wastewater construction shall conform to the most recent edition of the <i>Water, Sewer, and Recycled Water Design and Construction Manual</i> or as approved by the Water Utilities Director. • The property owner shall maintain private water and wastewater utilities located on private property. • Water services and sewer laterals constructed in existing right-of-way locations are to be constructed by an approved and licensed contractor at the developer’s expense.		

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
Buildings requiring a NFPA 13 or NFPA 13R automatic sprinkler system for fire protection shall have a dedicated fire service connection to a public water main with a double check detector backflow assembly. Location of the backflow assembly must be approved by the Fire Department. Project impacts related to the relocation or construction of new or expanded water facilities would be less than significant. Wastewater The City Wastewater Division collects, treats and disposes of all of the City’s sewage. The Project would be served by the San Luis Rey Wastewater Treatment Plant. In North River Road along the Project frontage there is an existing 27-inch gravity sewer which increases to 30-inch diameter as it gravity flows west to the San Luis Rey Wastewater Treatment Plant by way of the North Valley Sewer Lift Station. The North Valley Sewer Lift Station is located at 3930 North River Road, approximately one mile west of the Project Site. An existing 8-inch sewer main in Calle Joven flows east to Calle Montecito then north to North River Road where it connects to the existing 27-inch gravity trunk sewer. A Sewer Service Overview letter was prepared by Dexter Wilson Engineering, Inc. (Appendix R) and outlines the existing sewer facilities and the ability of existing facilities in the vicinity of the Project to provide adequate sewer services. Based on the existing light industrial land use of the Project Site, using the sewer generation factor provided in the City’s Sewer Master Plan, the sewer generation for the existing use of the Project Site is 23,800 gpd on average. Using this factor the expected sewer flow of the proposed Project would be 56,000 gpd on average. Thus, the Project would result in an increase of sewer generation of the site by 32,200 gpd on average. The additional sewage flow for the Project would result in 83,076 gpd peak or 57.7 gpm peak. This is equivalent to 0.083 mgd. Due to the increase in sewage flow generated by the Project compared to the existing onsite operations and compared to the City’s Sewer Master Plan projections, the Project would be required to contribute its share of the costs for potential modifications to the North Valley Sewer Lift Station at the time of Project entitlement. It is anticipated that any improvements or modifications required to the North Valley Sewer Lift Station as a result of the Project’s share of increase in flows, would occur as part of the existing sewer lift station which would be located in a developed area that has already been disturbed and would not result in impacts to sensitive resources. Therefore, impacts related to off-site sewer improvements to the North Valley Sewer Lift Station would be less than significant. The La Salina Wastewater Treatment Plant, which is being shut down, there is not a concern that a small increment of flow generated by the Project can be accommodated by the San Luis Rey Wastewater Treatment Plant, as provided in the Sewer Service Overview Letter. Therefore, impacts related to the construction or relocation of new or expanded wastewater treatment facilities would be less than		

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
significant. Storm Water Drainage As discussed in Chapter 4.11 <i>Hydrology and Water Quality</i>, Project Site development would include a drainage system as part of the Project design and would be designed to convey runoff through a system of storm drain inlets and pipes and site-specific BMPs which would be installed for proper collection and disposal of surface runoff. The construction related activities to install this infrastructure was included in the air quality, GHG and noise analysis of this EIR (see Section 4.4, Section 4.8, and Section 4.14) and construction related air quality and GHG emissions are less than significant. Similarly, construction related noise impacts are less than significant. The environmental effects of installing these storm water facilities have been evaluated within this EIR and these improvements are included within the Project development footprint. These onsite storm water infrastructure improvements are considered within the Project footprint, as described in the Project Description (Section 3.0 of this EIR). These onsite storm water infrastructure improvements do not result in any new Project footprint-related impacts beyond those already disclosed in this document. Impacts related to the construction or relocation of new or expanded storm water drainage facilities would be less than significant. Gas, Electric Power, and Telecommunication Facilities Gas and electricity services would be provided by SDG&E electric and gas transmission and distribution lines and new gas and electric services lines would connect to existing services in the Project vicinity. Existing gas and electrical services are provided in the Project vicinity and are currently provided to the Project Site for existing agricultural and warehouse operations, and office and resident usage. As provided in Section 4.7 <i>Energy</i>, the Project would consume electricity similarly to that of the existing multi-family residential developments to the north and northwest and would comply with all applicable 2019 Title 24 Part 6 Building Efficiency Standards. These onsite gas, electric and telecommunications infrastructure improvements are considered within the Project footprint, as described in the Project Description (Section 3.0 of this EIR). These onsite energy and telecommunications infrastructure improvements do not result in any new Project footprint-related impacts beyond those already disclosed in this document. Impacts related to the construction or relocation of new or expanded gas, electric power, or telecommunication facilities would be less than significant.		
<u>Threshold b:</u>	No mitigation required.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
The Project would result in an increase in water demand through proposed Project activities, such as water use for residents, irrigation, recreational pool facility, fire protection systems, and other uses associated with a multi-family development that would create a demand for water. A Water Supply Assessment pursuant to SB 610 is not required for the Project as it does not propose the construction of 500 residential units, or development with an equivalent water demand. The Project is for a PBD Overlay District to allow for the future development of a maximum of 400 multi-family units on the 25.6-acre Project site. A Water Service Overview letter was prepared by Dexter Wilson Engineering, Inc. (Appendix S) and outlines the existing water facilities and the ability of existing facilities in the vicinity of the Project to provide adequate water services. The existing demand for water onsite under the light industrial land use would result in 59,500 gpd on average. The proposed land use for the Project Site is MDC-R which would have a water demand factor of 3,000 gpd/ acre and would be expected to use 71,400 gpd on average. Based on the change in land use, the Project is estimated to increase the water use for the site by 11,900 gpd. Using the existing demand of water as provided above (59,500 gpd or 67 AFY) and the projected demand for multi-family development (71,400 gpd or 80 AFY), the Project Site would result in a 0.26% of the total projected water use of the City at Project buildout in year 2040. The Project would result in 0.26% of the City’s total projected water use in year 2040. Given the small incremental impact of the Project on the City’s total projected water use, it is not expected that the City would have to change either its current supply strategy or the implementation of its Water Shortage Contingency Plan in response to a drought, to meet the Project and existing and planned water demand in the City. Therefore, it is anticipated that there would be sufficient water supplies available from the City Water Utilities Department to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years and impacts would be less than significant.		
<u>Threshold c:</u> A Sewer Service Overview was prepared by Dexter Wilson Engineering, Inc. (Appendix R) and provides an overview of existing sewer facilities and the ability of the existing facilities to provide adequate sewer service to the Project. The Project is expected to generate 56,000 gpd of wastewater on average. Based on the change in land use from light industrial to multi-family residential, the Project would increase sewer generation onsite by 32,200 gpd on average. The Project would result in generation of sewage flows that are greater than what was accounted for in the City’s Sewer Master Plan. As stated previously, the additional peak sewage flow is estimated to be 0.083 mgd. The buy-in cost for wastewater treatment and disposal is expected to be satisfied by the payment of the sewer connection fees on a per dwelling unit basis. Since the San Luis Rey Wastewater Treatment Plant is undergoing expansion to accommodate the flows	No mitigation required.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
from the La Salina Wastewater Treatment Plant, which is being shut down, there is not a concern that a small increment of flow generated by the Project can be accommodated by the San Luis Rey Wastewater Treatment Plant, as provided in the Sewer Service Overview Letter. Therefore, impacts related to adequate capacity to serve the Project’s projected demand in addition to existing commitments would be less than significant .		
<u>Threshold d:</u> Waste Management, Inc. would provide solid waste disposal services to the Project Site as with the rest of the City. Solid waste collected from the City is disposed of at the El Sobrante Landfill located in Corona, California. As provided in the El Sobrante Landfill 2019 Annual Report (Riverside County Department of Waste Resources, 2020), the landfill has a capacity of 132,130,376 tons remaining at the end of 2019. At the current rate, this equates to approximately 39 years of site life remaining. The Project is estimated to generate a total of 730,000 pounds of solid waste annually. This estimate however, does not account for landfill diversion that would result from recycling and waste reduction activities. Given the remaining lifespan of the El Sobrante Landfill and the Project’s waste generation, the landfill would have sufficient permitted capacity remaining to serve the Project. Additionally, the Project would participate in the City’s recycling programs which would further reduce solid waste being sent to the landfill. The Project would provide three (3) separate trash enclosures each properly labeled for solid waste, recyclable waste and organic waste as required by the City. The Project would comply with the measures in accordance with the Zero Waste Plan. The Project is not expected to generate solid waste in excess of the capacity of local infrastructure or state or local standards, not is it expected to impair the attainment of solid waste reduction goals, and impacts would be less than significant .	No mitigation required.	Less than significant impact.
<u>Threshold e:</u> The Project would generate solid waste both from construction and operation. As stated above, the Project would provide three (3) separate trash enclosures each properly labeled for solid waste, recyclable waste and organic waste as required by the City. In accordance with the City’s adoption of the CALGreen Building Standards Code, a Waste Management Plan would be submitted to the City prior to the issuance of building permits. This Waste Management Plan would provide detail of how non-hazardous construction waste generated during the course of the Project would be recycled or salvaged for re-use at a minimum rate of 65%. Compliance with the City’s waste requirements would ensure compliance with all federal, state and local management and reduction statues and regulations for solid waste, and impacts would be less than significant .	No mitigation required.	Less than significant impact.
Wildfire (See Section 4.21 for the complete analysis of Wildfire)		
<u>Threshold a:</u>	No mitigation required.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
The Project Site is not located within a very high fire hazard severity zone within the Oceanside Local Responsibility Area mapped by CAL FIRE, and it is not located within a SRA where CAL FIRE is the primary emergency response agency responsible for fire suppression and prevention. The PBDP provides the Development Standards for the Project including setbacks, vehicular access, and signage in addition to fire hydrants, address numbers, and sprinklers as required by the OFD for residential developments. Main access to the Project Site will be from North River Road and Calle Joven will provide secondary and emergency access at points along the southern and eastern boundaries of the site. All emergency access points will meet the standards required by the OFD and City Development Standards. The Project would provide transportation improvements which would improve traffic in the vicinity and further improve emergency access in the surrounding areas of the Project Site. The Project Site is bounded by North River Road to the north which is designated as an evacuation route from El Camino Real to College Boulevard according to the Public Safety Element of the General Plan (Figure PS-11). Additional evacuation routes nearest to the Project Site are North River Road to Vandegrift Boulevard and SR-76 throughout the City. Libby Elementary School (0.59 mile northeast) is the nearest refuge center as provided in the Public Safety Element of the General Plan. With compliance of all Fire Department requirements, the Project would not impair an adopted emergency response plan or emergency evacuation plan, and impacts would be less than significant.		
<u>Threshold b:</u> The Project Site is relatively flat with topography ranging from 68 to 72 feet amsl on both the eastern and western parcels. The Project Site is located in a developed area surrounded primarily by multi-family residential to the north and north east including multi-family condominiums, apartments and mobile home estate community, single-family residential to the west, light industrial uses to the east and southeast. The Project Site is not located in a very high fire hazard severity zone within the Oceanside Local Responsibility Area as mapped by CAL FIRE, nor is the site located within a SRA where CAL FIRE is the primary emergency response agency responsible for fire suppression and prevention. Additionally, the Project Site is not located in an area of “high” or “extreme” fire hazard as depicted in Figure PS-5 in the General Plan Public Safety Element. There are no aspects of the Project Site or location which would exacerbate wildfire risks due to slope, prevailing winds and other factors and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire, and impacts would be less than significant.	No mitigation required.	Less than significant impact.
<u>Threshold c:</u> The Project would establish a PBD Overlay District to allow for future multi-family residential development of the site. The PBDP provides the development regulations	No mitigation required.	Less than significant impact.

Summary of Impact	Mitigation Measure	Level of Significance After Mitigation
for the Project including setbacks, vehicular access, building height and signage. The Project would also provide all required fire hydrants, address numbers, and sprinklers in accordance with OFD regulations. Upon future development of the Project Site, development plans would be reviewed and approved by OFD. The Project Site is located in a developed area surrounded by various residential uses such as single-family residences, multi-family apartments and condominiums, mobile home community and light industrial uses. Power lines and utilities exist in the vicinity of the Project Site and the Project would connect to the existing facilities. No installation or maintenance of associated infrastructure such as roads, fuel breaks or emergency water sources, power lines or other utilities would be required for the Project that would exacerbate fire risk or that would result in temporary or ongoing impacts to the environment, and impacts would be less than significant.		
<u>Threshold d:</u> As stated in the Geotechnical Investigations prepared for the Project Site (Appendix J and Appendix K), the Project Site and surrounding areas are relatively flat and the potential for landslides and slope failure to occur onsite are very low. According to the FEMA FIRM panel 756 of 2375, the Project Site is located within a Zone X, meaning the Project Site has a 0.2% chance of being affected by a flood hazard. The Project Site would not expose people or structures to flooding or landslides. Additionally, the western parcel, which is the nearest portion of the Project Site to the San Luis Rey River, is about 20 feet above the improved channel of the river and a grouted rip-rap embankment separates the property from the channel bottom. Therefore, Project would not 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, and impacts would be less than significant.	No mitigation required.	Less than significant impact.

1.0 INTRODUCTION

1.1 PROJECT OVERVIEW

This Draft Environmental Impact Report (EIR) is an informational document intended to inform public agency decision makers and the general public of the significant environmental effects of implementation of the Tierra Norte Planned Block Development (PBD) Overlay District project (Project), previously titled North River Road PBD Overlay District, identify possible ways to minimize the significant impacts, and describe reasonable alternatives to the Project. The public agency shall consider the information in the EIR, along with other information, which may be presented to the agency [*California Environmental Quality Act (CEQA) Guidelines* Section 15121(a)] for informational purposes.

The Project proposes a General Plan Amendment, Zone Amendment and Development Plan to establish a PBD Overlay District for the site located at 4665 and 4617 North River Road in the City of Oceanside (City) on a total of 25.6 acres (Project Site or site). The proposed PBD would consist of a medium density residential development on the designated Project Site in the future.

1.2 PURPOSE OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND THE ENVIRONMENTAL IMPACT REPORT

CEQA was enacted by the California Legislature in 1970. As noted under State CEQA Guidelines Section 15002, CEQA has four basic purposes.

1. Inform governmental decision-makers and the public about the potential, significant environmental effects of proposed activities.
2. Identify the ways that environmental damage can be avoided or significantly reduced.
3. Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
4. Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

The purpose of this EIR is to publicly disclose the significant effects of the proposed PBD Overlay District on the environment, to identify alternatives that would avoid or substantially lessen a significant effect, and to indicate the manner in which those significant effects can be mitigated or avoided (State CEQA Guidelines Section 15002[f]). Furthermore, pursuant to State CEQA Guidelines Section 15021, a public agency must avoid or mitigate significant environmental impacts of projects it carries out or approves whenever it is feasible to do so. In instances where significant impacts cannot be avoided or mitigated, a project may nonetheless be carried out or approved if the approving agency finds, through a Statement of Overriding Considerations, that economic, legal, social, technical, or other benefits outweigh the unavoidable significant environmental impacts.

1.3 INTENDED USES OF THE ENVIRONMENTAL IMPACT REPORT

This Draft EIR has been prepared in conformance with the requirements of the CEQA (Public Resources Code [PRC] Section 21000 et seq.); the State CEQA Guidelines (California Code of Regulations [CCR] Section 15000 et seq.); and the rules, regulations, and procedures adopted by the City. As stated above, the purpose of the EIR is to evaluate potential environmental impacts

associated with the development of the proposed Project. The City, in its role as Lead Agency as authorized by Section 15050 under the State CEQA Guidelines, has determined that an EIR is the appropriate environmental document for the proposed PBD Overlay District, General Plan Amendment, Zone Amendment and Development Plan.

This EIR has been prepared as a Project EIR, as defined in Section 15161 of the CEQA Guidelines. In accordance with CEQA, this Project EIR (hereafter “EIR”) examines the environmental impacts of a specific development project, the Project, and focuses on the physical changes in the environment that would result from the development of the Project. The EIR examines all phases of the Project including planning, construction, and operation.

In the event that any future actions require discretionary review, in accordance with CEQA Guidelines Sections 15162 through 15164, those actions would be examined in light of the EIR using a written checklist or similar device to determine whether the action is within the scope of the EIR and no further environmental document prepared pursuant to CEQA is required; or whether an additional CEQA document must be prepared.

1.4 SCOPE AND CONTENT OF THE ENVIRONMENTAL IMPACT REPORT

As the Lead Agency, the City is responsible for determining the scope and content of this EIR, a process referred to as “scoping.” As part of the scoping process, the City considered the environmental resources present on the Project Site and in the surrounding area and identified the probable environmental effects of the proposed Project. On November 15, 2018 the City posted a Notice of Preparation (NOP) with the San Diego County (County) Clerk in accordance with Section 15082 of the CEQA Guidelines. The NOP was mailed to public agencies, organizations, and other interested individuals to solicit their comments on the scope and content of the environmental analysis. The NOP provided a general location and description of the proposed actions, a description of the Project area, and a preliminary list of environmental issues to be addressed in detail.

A public scoping meeting was held on December 4, 2018 from 6:00 pm to 8:00 pm at the QLN Conference Center located at 1938 Avenida Del Oro, Oceanside, CA to obtain information regarding the content and scope of the Draft EIR. City staff and members of the local community attended the scoping meeting and/or submitted written comment during the public comment period. Scoping meeting attendees were provided an opportunity to voice comments or concerns regarding the potential effects of the Project. The NOP and comments received during the NOP comment period are included as **Appendix A** of this EIR and were considered as part of the preparation of this EIR. Comments received covered numerous topics including aesthetics, agriculture, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazardous materials, hydrology, land use and planning, noise, population and housing, public services, transportation and traffic, tribal cultural resources and utilities and service systems.

This EIR evaluates all subject areas listed in Appendix G of the CEQA Guidelines, which include the following: Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities and Service Systems and Wildfire.

Based on preliminary evaluation of the probable effects of the Project and a thorough review of the comments on the NOP, the EIR analyzes effects having potentially significant impacts related to the following:

- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Transportation
- Tribal Cultural Resources

During the EIR preparation process, it was determined that there would be no impact or less than significant impacts to: Aesthetics, Agricultural and Forestry Resources, Energy, Greenhouse Gas Emissions, Mineral Resources, Population and Housing, Public Services, Recreation, Utilities and Service Systems and Wildfire. Although the environmental issue areas above were determined to have a less than significant impact or no impact, an analysis of each of these issue areas was provided for informational purposes. These topics are described in Chapter 4.0, *Environmental Analysis*, of this EIR and supported by analysis contained in the Project technical reports.

1.4.1 DRAFT ENVIRONMENTAL IMPACT REPORT AND PUBLIC REVIEW

This Draft EIR was prepared under the direction and supervision of the City. The Draft EIR will be made available to members of the public, responsible agencies and interested parties for a 45-day public review period (from February 23, 2022 to April 8, 2022) in accordance with CEQA Guidelines Section 15105.

Public review of the Draft EIR is intended to focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the Project might be avoided or mitigated. The Notice of Completion (NOC) of the Draft EIR will be filed with the State Clearinghouse as required by CEQA Guidelines Section 15085. In addition, the Notice of Availability of the Draft EIR will be distributed pursuant to CEQA Guidelines Section 15087. Interested parties may provide comments on the Draft EIR in written form. This EIR and related technical appendices are available for review during the 45-day public review period at the following locations:

Oceanside Public Library
300 N Coast Highway
Oceanside, CA 92054

Oceanside Public Library Mission Branch
3861 Mission Avenue
Oceanside, CA 92058

City of Oceanside website: <https://www.ci.oceanside.ca.us/gov/dev/planning/ceqa/default.asp>

Interested agencies and members of the public may submit written comments on the adequacy of the Draft EIR to the City's Development Services Department at 300 North Coast Highway, Oceanside, California 92054, addressed to Sergio Madera, City Planner, or emailed to SMadera@oceansideca.org. Comments on the Draft EIR must be received by the close of business on the last day of the 45-day public review period unless the City grants an extension.

1.4.2 FINAL EIR PUBLICATION AND CERTIFICATION

Once the 45-day public review period concluded, the City reviewed all public comments on the DEIR and provided a written response to each individual comment pertaining to the environmental issues of the Project. The FEIR includes all written comments received during the public review period and responses to each comment (**Appendix T** of the FEIR) and required revisions to the DEIR.

Each written public comment letter was assigned an alphanumeric label, and the individual comments within each written comment letter are bracketed and numbered accordingly. As such, the first written comment Letter A is numbered A-1. As identified in **Table 1.4-1**, a total of five (5) comment letters were received and are numbered A through E accordingly.

**Table 1.4-1
Public Comment Letters**

Comment Letter	Commenter	Association
A	California Department of Transportation (Caltrans)	State Agency
B	North County Transit District (NCTD)	County Agency
C	Rincon Band of Luiseño Indians	Federally Recognized Tribe and Sovereign Government
D	San Diego County Archaeological Society (SDCAS)	Organization
E	Amanda Soils	Individual

The responses to each comment to the DEIR represent a good-faith, reasoned effort to address the environmental issues identified by the comments. Under the CEQA Guidelines, the City, as Lead Agency, is not required to respond to all comments on the DEIR, but only those comments that raise environmental issues. In accordance with CEQA Guidelines Section 15088 and 15204, the City has evaluated the comments and prepared the attached written responses describing the disposition of any significant environmental issues raised. CEQA does not require the City to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. Rather, CEQA requires the Lead Agency to provide a good faith effort, reasoned analysis supported by factual information.

In the case of specific comments, the City has responded with specific analysis; in the case of a general comment or a recurring comment where repeat issues are expressed, the reader is referred to a series of "topical responses", where applicable. For this reason, each reviewer is encouraged to review the topical responses and other written responses for further information.

Changes have been made to the DEIR in strikeout/underline format in response to the comments received and to provide updates and clarifications to information provided herein. Consistent with the CEQA Guidelines Section 15088.5(b), these revisions do not result in what constitutes new significant information that would require recirculation of the document. These revisions

provided further clarification based upon the comment received and did not result in any new significant impacts.

The City will consider certification of the FEIR. If the FEIR is certified, the City may consider the Project for approval. When deciding whether to approve the Project, the City will use the information provided in the FEIR to consider potential impacts to the physical environment. The City will also consider all written comments received on the DEIR during the public review period in making its decision to certify the FEIR as complete and compliant with CEQA and in making its determination whether to approve or deny the Project. Environmental considerations, as well as economic and social factors, will be weighed by the City to determine the most appropriate course of action.

Prior to approving the Project, the City must make written findings and adopt a Statement of Overriding Considerations with response to any significant and unavoidable environmental effect identified in the FEIR. If the Project is approved, the City will file a Notice of Determination (NOD) with the State Clearinghouse and San Diego County Clerk within five (5) working days after Project approval. Subsequent to certification of the FEIR, agencies with permitting authority over all or portions of the Project will use the FEIR's evaluation of the Project's environmental effects in considering whether to approve or deny applicable permits.

1.4.3 MITIGATION MONITORING AND REPORTING PROGRAM

CEQA requires that a lead agency adopt a reporting and mitigation monitoring program for changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The final Mitigation Monitoring and Reporting Program (MMRP) will be incorporated into the Final EIR (Chapter 10.0). The City, as the designated lead agency, is responsible for enforcing and verifying that each mitigation measure is implemented as required by the MMRP.

1.5 ORGANIZATION OF DRAFT ENVIRONMENTAL IMPACT REPORT

The content and format of this Draft EIR are designed to meet the requirements of CEQA and State CEQA Guidelines Article 9. **Table 1.5-1** summarizes the organization and content of the Draft EIR.

**Table 1.5-1
Document Organization and CEQA Requirements**

Draft EIR Chapter	Contents
Summary	Includes a brief summary of the proposed Project; identifies each significant effect, including proposed mitigation measures and alternatives to reduce or avoid the effect; identifies the areas of controversy known to the Lead Agency, including issues raised by agencies and the public; and summarizes the issues to be resolved, including the choice among alternatives and whether or how to mitigate the significant effects (State CEQA Guidelines Section 15123).
Chapter 1	Discusses the purpose of CEQA and this Draft EIR, the scope and content of this Draft EIR, the organization of this Draft EIR, and the intended uses for

Draft EIR Chapter	Contents
Introduction	this Draft EIR (State CEQA Guidelines Section 15124 (d)).
Chapter 2 Environmental Setting	Describes the overall existing physical conditions in the vicinity of the proposed Project when the analysis was initiated. In addition, the specific existing conditions for each resource area are described in the applicable resource section in Chapter 4, <i>Environmental Analysis</i> (State CEQA Guidelines Section 15124 (a), (b), and (c)).
Chapter 3 Project Description	Contains both a map of the precise location and boundaries of the proposed Project and its location relative to the region, lists the proposed Project's central objectives and underlying purpose, and provides a detailed description of the proposed Project's characteristics (State CEQA Guidelines Section 15124 (a), (b), and (c)).
Chapter 4 Environmental Analysis	Describes the existing physical conditions for each resource area, lists the applicable laws and regulations relative to the specific resource, describes the impact assessment methodology, lists the criteria for determining whether an impact is significant, identifies the direct and indirect significant impacts that would result from implementation of the proposed Project, and lists feasible mitigation measures that would eliminate or reduce the identified significant impacts.
Chapter 5 Cumulative Impacts	Describes the potential cumulative effects of the Project, defines the cumulative study area for each resource, determines the effects of past, present, and reasonably foreseeable future Projects within each study area if the cumulative study area is cumulatively significant, and evaluates the contribution of the proposed Planned Block Development Overlay District to contribute to a cumulatively significant impact (CEQA Guidelines Sections 15125-15126.4 and 15130). Cumulative impact refers to two or more individual effects that, when considered together, are considerable or that compound or increase other environmental impacts.
Chapter 6 Other CEQA Considerations	Addresses the proposed Project's potential growth-inducing impacts, which could foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment; describes the significant irreversible changes associated with the proposed Project's implementation; and addresses potential significant and unavoidable impacts associated with the Project.
Chapter 7 Alternatives to the Proposed Project	Describes a reasonable range of alternatives to the proposed Project including the No-Project Alternative, compares and contrasts the significant environmental impacts of alternatives to the proposed Project, and identifies the environmentally superior alternative (CEQA Guidelines Section 15126.6).
Chapter 8 List of Preparers and Agencies Consulted	Lists the individuals and agencies involved in preparing the Draft EIR (CEQA Guidelines Section 15129).

Draft EIR Chapter	Contents
Chapter 9 References	Provides a comprehensive listing by chapter of all references cited in the Draft EIR (CEQA Guidelines Section 15129).
Appendices	Presents additional background information and technical detail for several of the resource areas. Please note that several of the technical appendices may reference the previous project title “North River Road”, however, the contents and information are still applicable to the project described in this EIR. The public review response to comments on the DEIR is included as Appendix T of the FEIR.
Figures and Tables	Displays important Project information; figures include the precise location and boundaries of the proposed Project along with the regional location.
Acronyms and Abbreviations	A list of acronyms and abbreviations provided for the reader’s reference.

2.0 ENVIRONMENTAL SETTING

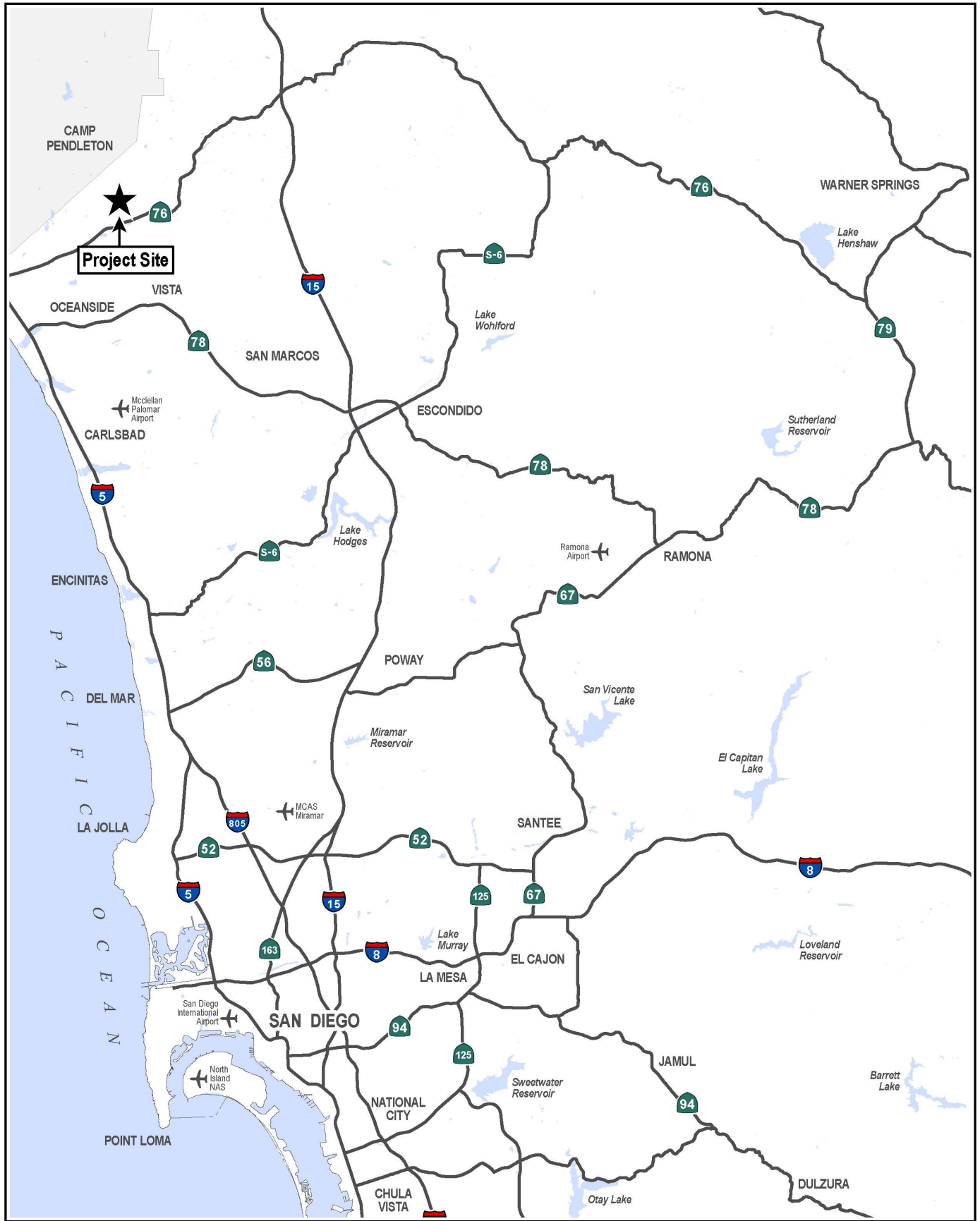
2.1 INTRODUCTION

As required by Section 15125 of the CEQA Guidelines, this chapter of the EIR provides a description of the overall physical environmental conditions in the vicinity of the proposed project area from both a local and regional perspective, as they existing at the time the NOP was published. This section also discusses the cumulative condition baseline consistent with Section 15130(b)(1)(B) of the CEQA Guidelines. Resource-specific existing conditions are provided within each individual resource section of Chapter 4.0 *Environmental Analysis* and Chapter 5.0 *Cumulative Analysis*. Chapters 4.0 and 5.0 also contain a project consistency analysis with all applicable plans and policies.

2.2 PROJECT SETTING

2.2.1 REGIONAL SETTING

The Project is located in the City of Oceanside which is located in the coastal zone of northern San Diego County (**Figure 2.2-1**). The City is bound by the Pacific Ocean to the west, Camp Pendleton to the north, the City of Vista and unincorporated areas of the County to the east, and the City of Carlsbad to the south. Unlike the growing urban San Diego region to the south, northern San Diego County has remained suburban and semi-rural over the years. Major features of the area include the beaches, Buena Vista Lagoon, the San Luis Rey River, and the open areas of Camp Pendleton. Regional access to the Project Site is provided from State Route 76 (SR-76) and College Boulevard to North River Road.



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Climate

The local climate within the Project Site area is characterized as semi-arid with consistently mild, warmer temperatures throughout the year. The average summer time high temperature in the region is approximately 69 degrees Fahrenheit (°F), with highs reaching 71°F on average during the months of July through September. The average winter time low temperature is approximately 46°F, reaching as low as 45°F on average during the months of November through March. Average precipitation in the local area is approximately 10.28 inches per year, with the bulk of precipitation falling during November through March¹.

Air Basin

The Project Site is located within the San Diego Air Basin (SDAB) and is subject to San Diego Air Pollution Control District (SDAPCD) guidelines and regulations. The SDAB is one of 15 basins that geographically divide California. The SDAB lies in the southwest corner of California, comprises the entire San Diego region, and covers approximately 4,260 square miles.

The climate of the County, as in most of Southern California, is influenced by the strength and position of the semi-permanent high-pressure system over the Pacific Ocean, known as the Pacific High. This high-pressure ridge over the West Coast often creates a pattern of late-night and early-morning low clouds, hazy afternoon sunshine, daytime onshore breezes, and little temperature variation year-round. The SDAB is characterized as a Mediterranean climate with dry, warm summers and mild, occasionally wet winters. Average temperature ranges from the mid-40s to the high 90s, with an average of 201 days of warmer than 70°F. The SDAB experiences 9 to 13 inches of rainfall annually, with most of the region's precipitation falling from November to March, with infrequent precipitation during the summer. El Niño and La Niña patterns have large effects on the annual rainfall received in the County, where the County receives less than normal rainfall during La Niña years.

Air quality standards have been set pursuant to the federal and state Clean Air Acts, which are referred to as the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS). The favorable climate of San Diego also works to create air pollution problems. The SDAB has been determined to be in non-attainment of the federal and state ozone (O₃) air quality standards. In the fall months, the SDAB is often impacted by Santa Ana winds, which can transport air pollution from the South Coast Air Basin and increase O₃ concentrations in the County. Under certain conditions, atmospheric oscillation results in the offshore transport of air from the Los Angeles region to the County that also raises the O₃ concentrations within the SDAB. Due to this condition and the associated Clean Air Act requirements, Regional Air Quality Strategy (RAQS) have been developed to address the reduction of O₃ in the SDAB. Refer to Section 4.4 *Air Quality* for additional information regarding air quality in the SDAB.

Geology

Much of southern California, including the County, is characterized by a series of Quaternary-age fault zones that consist of several individual faults. A portion of the Newport-Inglewood Fault Zone is located approximately 14 kilometers (approximately 8.7 miles) west of the site. Other active fault zones in the region include the Palos Verdes Fault Zone to the northwest, the Rose Canyon and Coronado Bank Fault Zones to the southwest, and the Elsinore, Earthquake Valley and San Jacinto Fault Zones to the east. These faults and distances are provided in **Table 2.2-1** below.

¹ Western Regional Climate Center (WRCC). 2020. "Historical Climate Information". Accessed September 2020. <https://wrcc.dri.edu/>

**Table 2.2-1
Regional Fault Zones**

Fault Zone	Distance
Newport-Inglewood	9 miles
Rose Canyon	10 miles
Elsinore-Julian	19 miles
Coronado Bank	26 miles
Palos Verdes	37 miles
San Jacinto (Anza)	41 miles
Earthquake Valley	42 miles
Source: Geotechnical Investigation Prepared by Vinje & Middleton Engineering, Inc (Appendix J) Report of Geotechnical Investigation Prepared by Christian Wheeler Engineering (Appendix K)	

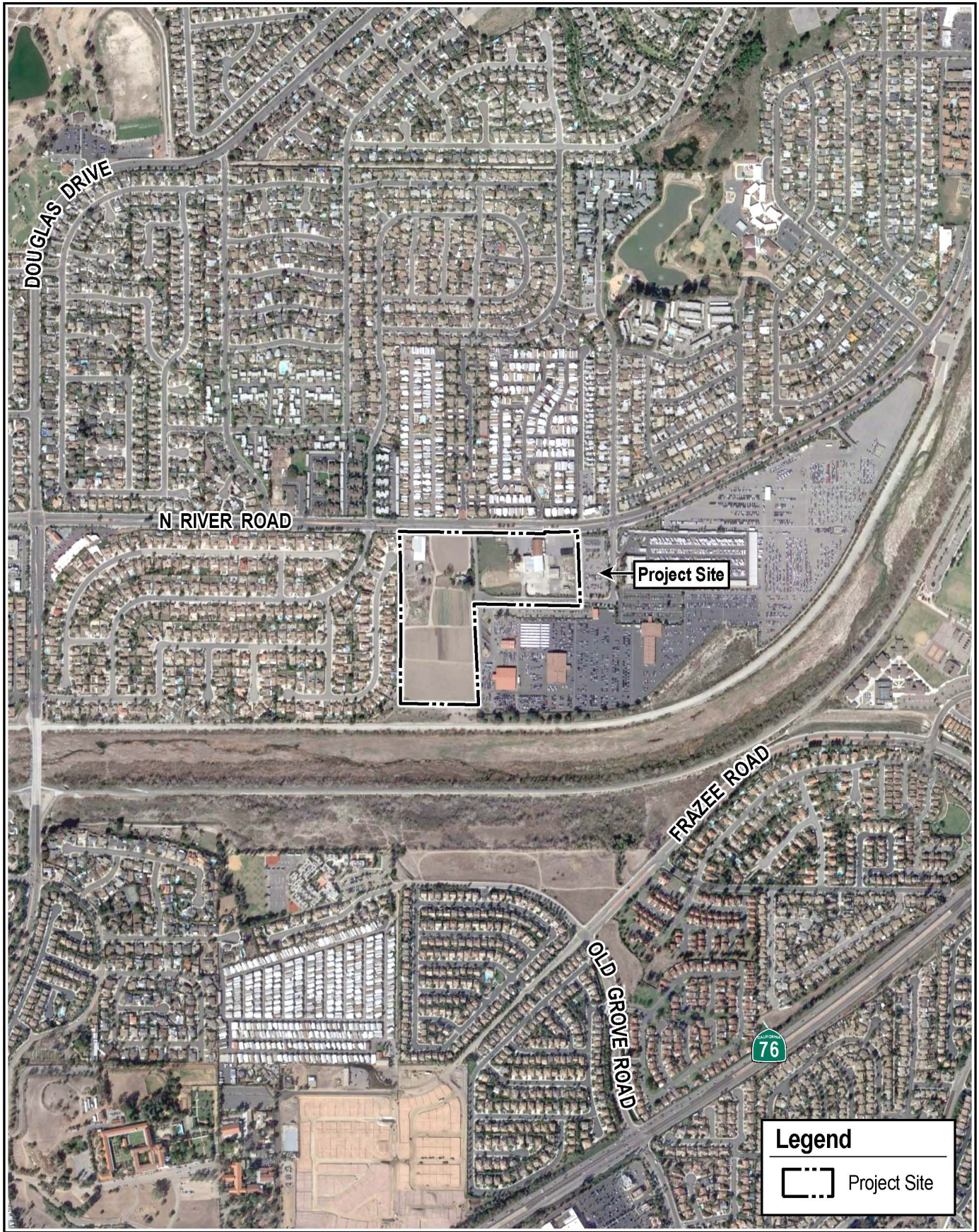
2.2.2 PROJECT LOCATION

The 25.6-acre Project Site is located in the north/northeast portion of the City which is located within the northwestern portion of the County. The Project Site is located north of SR-76, on the south side of North River Road generally between Avenida Descanso and Calle Montecito in the North Valley Neighborhood of the City (**Figure 2.2-2** and **Figure 2.2-3**).

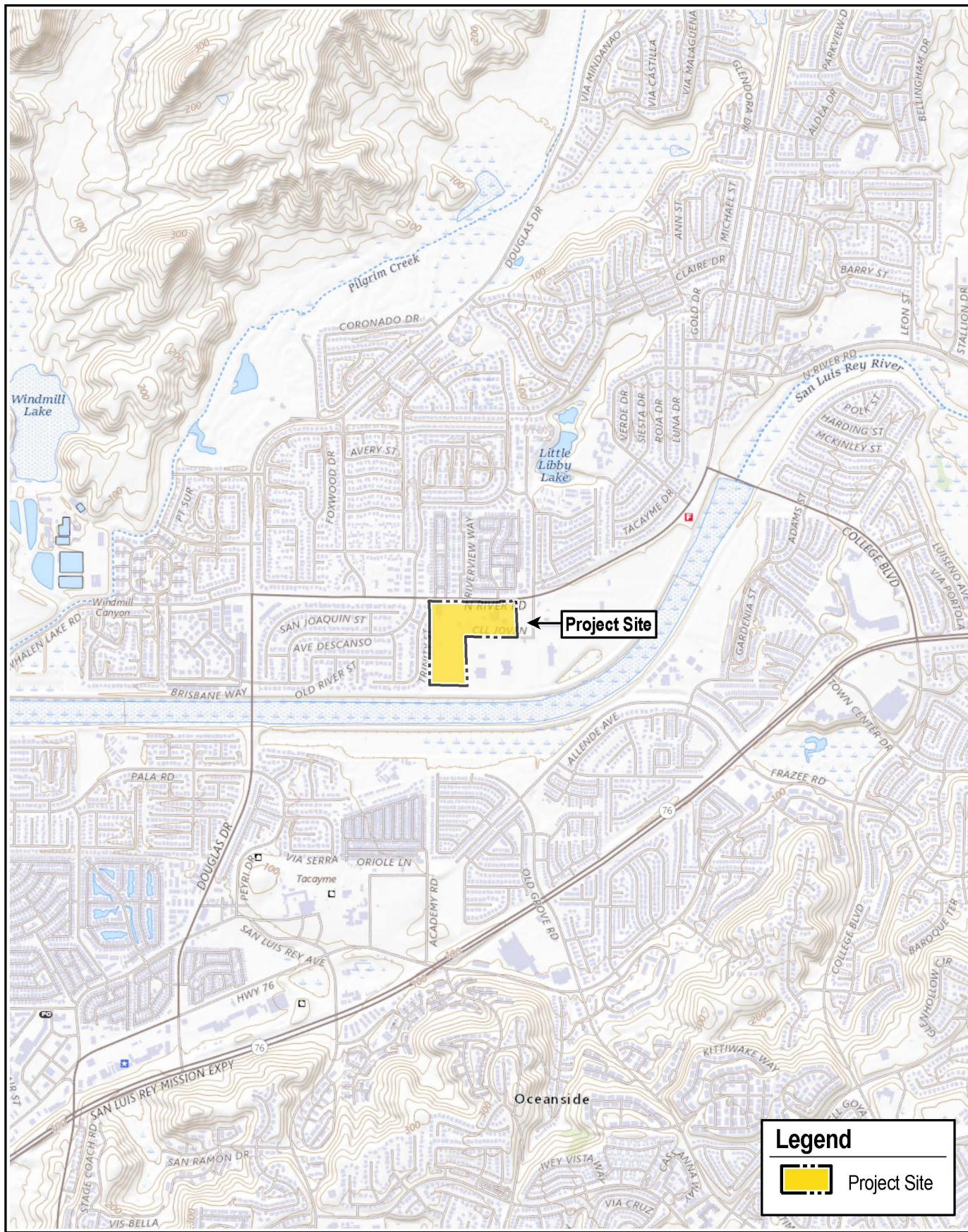
The Project Site consists of two (2) parcels. The eastern parcel is located at 4665 North River Road on Assessor's Parcel Number (APN) 157-060-40 and is approximately 9.7 total acres. This parcel is wide and rectangular in shape and is bound to the north by North River Road, to the east by Calle Montecito, and to the south by Calle Joven and to the west by a paved emergency access road within an easement running along the west property boundary.

The western parcel is located at 4617 North River Road on APN 157-060-17 and is comprised of approximately 15.9 acres. This parcel is long and rectangular in shape and is bound to the north by North River Road, to the east by Calle Joven which stubs before the middle of the property boundary, to the south by the San Luis Rey River, and to the west by single-family residential development.

Main access for both parcels is provided from North River Road. Calle Joven provides a potential access point to the western parcel and provides access to the eastern parcel from the east and south.



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Surrounding Uses

The properties located along the north side of North River Road in this area are generally developed residential parcels and include land use designations of Medium Density – C Residential (MDC-R), Medium Density – B Residential (MDB-R), and Medium Density – A Residential (MDA-R). The corresponding zoning categories for these properties are Medium Density Residential C (RM-C), Medium Density Residential B (RM-B), Medium Density Residential A (RM-A), and PD-22 (Planned Development for Habitat for Humanity single-family residential project). The established uses in this area consist of multi-family condominiums and apartments, mobile home communities and single-family development.

The properties to the east are designated under the Light Industrial (LI) land use category with the corresponding zoning designation of Limited Industrial (IL). The property to the southeast consists of parking and support areas for the Oceanside Auto Auction. A recreational vehicle/self-storage use is also located farther to the east. This light industrial area extends east to the San Luis Rey River boundary.

The area to the south side of North River Road that is currently designated for light industrial uses, including the Project Site, encompasses ten (10) contiguous parcels totaling roughly 112 acres. Approximately 74 acres are dedicated to the auto auction site and 12 acres to the recreational vehicle storage facility. The remaining approximate 26 acres comprise the proposed Project.

To the west of the Project Site is a developed single-family residential subdivision zoned Residential Estate – B (RE-B) consisting of 270 residences.

2.2.3 EXISTING CONDITIONS

The existing conditions of the Project Site are discussed in the following sections and are broken down into discussions of the eastern and western parcels respectively.

Eastern Parcel

The eastern parcel is currently developed with a small office/warehouse facility on the eastern portion of the property. The facility has historically served as a packing warehouse dating back to the 1960s for produce shipping and storage operations. The offices were added at a later date to support administrative functions. The warehouse and shipping activities at this facility were greatly reduced in 2008 due to the ownership opening a larger facility in the Otay Mesa area. The property remains today as a remnant agricultural support use with a small office and very limited shipping/warehouse operations. Existing structures onsite include a 23,152-square foot (SF) office/warehouse building, three small sheds, a former fruit stand, and a small wood-frame house serving as a caretaker's residence in the central portion of the property.

Access to the property is provided by paved entries/exits that connect to North River Road to the north and Calle Joven to the east and south. Calle Joven is an improved road located on the parcel within a 60-foot wide public right-of-way easement. A paved fire road is located within an emergency access easement along the west side of the property.

Aerial Photographs

A Phase I Environmental Site Assessment was prepared by Vinje & Middleton Engineering, Inc. for the eastern parcel and is provided as **Appendix B** of this EIR. **Table 2.2-1** provides the findings of the review of aerial photographs for the site.

Table 2.2-2
Aerial Photographs Eastern Parcel

Year	Eastern Parcel
1938 1946	The site appears to be mostly vacant with some agriculture activity. A residence is depicted along the eastern site boundary.
1953 1964 1967	The site appears to be developed with an additional residence and associated structures in the central portion of the site and continued agricultural activities.
1980 1989 1990 1994 1997	The onsite structures are depicted in their current configurations with dirt parking surrounding the structures. Agricultural uses continue on the western portion of the site.
2002 2003 2005 2009 2010 2012	The site is depicted in its current configuration with paved areas surrounding the structures.

Topography

The property features level topography with elevations ranging from 68 to 72 feet above mean sea level (amsl). Minor grade slopes are associated with a small elevated area east of the packing plant structures. Graded slopes are also present ascending to adjacent roadways along the west and south site margins. All graded slopes are constructed at gradients approaching 2:1 maximum generally approach a maximum of five (5) feet height. Approximately half of the eastern parcel is surfaced with concrete and asphalt paving with the other areas undeveloped.

Biological Resources

A Biological Resources Letter Report was prepared for the eastern parcel by REC Consultants, Inc. and is provided as **Appendix G** of this EIR. Three land cover categories were observed onsite including developed land, disturbed land and non-native vegetation.

The Project Site is occupied by approximately 5.55 acres of developed land which is described as areas that have been constructed upon or otherwise physically altered to an extent that native vegetation is no longer supported. Other characteristics of this land category include permanent or semi-permanent structures, pavement or hardscape, and landscaped areas that require irrigation. The developed land onsite consists of existing structures and paved areas such as parking lots and driveways along with limited planning areas.

Disturbed land occupies approximately 3.96 acres onsite. This land cover is described as areas that have been physically disturbed (by previous legal human activity) and are no longer recognizable as a native or naturalized vegetation association, but continues to retain a soil substrate. Disturbed land onsite consists of open soil primarily vegetated by non-native annual species.

Non-native vegetation occupies approximately 0.19 acre onsite. This habitat is characterized by predominately non-native species introduced and established through human action. Onsite non-native species consist of cyclops acacia (*Acacia cyclops*), ngaio (*Myoporum laetum*), Mexican fan palm, Australian saltbush (*Atriplex semibaccata*), red brome (*Bromus madritensis* subsp. *rubens*), ripgut grass (*Bromus diandrus*), lamb's quarters (*Chenopodium album*) and horehound (*Marrubium vulgare*).

No special-status species were observed onsite. As indicated in the Biological Resources Letter Report, a sensitive or special-status species plant or animal is any taxon that is officially listed by the California or the federal government as Endangered, Threatened, or Rare or candidate for one of those listings; classified as Fully Protected, Species of Special Concern or Watch List animal species by the California Department of Fish and Wildlife (CDFW); included in the California Rare Plant Ranks (CRPR) 1 through 4; or included in the City's Narrow Endemics list.

Geology and Soils

A Geotechnical Investigation was prepared for the eastern parcel by Vinje & Middleton Engineering, Inc. and is provided as **Appendix J** of this EIR. The northeast and eastern portions of the property are underlain by Pleistocene age Terrace Deposits. Other areas of the property are underlain by alluvium deposits to the depths explored and are further described below.

Terrace Deposits

The northeast and eastern portions of the property are underlain at shallow depths by Pleistocene age Terrace Deposits. The Terrace Deposits consist of red brown-colored sandstone that was found in cemented and dense conditions overall. The property Terrace Deposits are considered competent rocks that would provide adequate support for future fills, structures and improvements.

Alluvium

Younger alluvium deposits, associated with the nearby San Luis Rey River, occur in the central and western areas of the property, outside the Terrace Deposits. Alluvium deposits discovered within the subject property are typically silty fine to medium grained sandy deposits. Site alluvium generally occurs in a loose condition near the surface and become more uniformly firm to locally dense at depth. Based on site discoveries, alluvium is known to extend more than 50 feet beneath much of the alluvial portion of the property.

Pesticides

The eastern parcel has historically been utilized for agricultural purposes where historical agricultural activities within the State have been known to use various pesticides. Based on the regulatory and historical research completed during the Phase I Environmental Site Assessment, no information has been revealed that would conclude that an accidental spill or release of pesticides products has occurred on this parcel. In addition, neither stressed vegetation nor evidence of storage of pesticides was observed onsite during the Site Reconnaissance or based on regulatory and historical research reviews.

Hydrology

Site drainage within the developed portion of the Project Site, the central and east portions, is generally developed to flow away from structures and improvements to storm drains and then off-site. Drainage in the western portion of the property generally sheet drains in a southerly direction directly to a dirt swale which drains into a storm drain in the southwest corner of the Project Site.

Groundwater was encountered at depths of 26 to 27 feet below the ground surface. Indicated groundwater levels are expected to fluctuate depending upon seasonal rainfall conditions and annual storm events influencing flow levels within the nearby San Luis Rey River.

The property is located within FEMA Flood Zone “X” and is not located within a designated 100-year flood plain. The San Luis Rey River is located approximately 800 feet to the south.

No water wells or drinking water systems were observed or noted onsite during the Phase I Environmental Site Assessment and investigation.

Western Parcel

The western parcel is predominately in agricultural cultivation (approximately 75%) but supports two (2) single-family residences one on the eastern portion of the site and one behind the warehouse, an old warehouse on the northwest portion of the site, a packing shed, small out buildings and an abundant amount of old farm equipment and miscellaneous materials and machinery. The onsite facility has historically served as storage for agricultural operations. One (1) building was previously damaged due to a fire.

Main access to the parcel is from North River Road on the north side. Calle Joven ends at the eastern boundary of the parcel. A gated emergency access drive within an established easement is located on the adjacent parcel to the east providing an emergency access route from Calle Joven to North River Road.

Aerial Photographs

A Phase I Environmental Site Assessment for the western parcel was prepared by SECOR International Incorporated and is provided in **Appendix C** of this EIR. **Table 2.2-2** describes the review of aerial photographs for the western parcel.

Table 2.2-3
Aerial Photographs Western Parcel

Year	Western Parcel
1946	The site appears to be developed with a small residential structure. The remainder of the site appears to be a portion of a larger agricultural land. The surrounding area is predominately agricultural with small pockets of undeveloped land, mostly along the San Luis Rey River.
1953	The site appears to be developed with one of the existing residential structures and a small shed. The surrounding appears similar to the 1946 photograph.
1963	The site is now developed with all the existing residences and packing house. The surrounding area appears similar to the 1946 photograph.
1974	The warehouse structure located on the site appears in this photograph and the site appears to be in its current configuration. Residential neighborhoods appear to the north of the site.
1990	The site appears similar to the 1974 photograph. The property located adjacent and west of the site appears to be graded for the existing residential development. The surrounding areas appear to be predominately residential.
1994	The site and its surroundings appear to be similar to the 1990 photograph. The auto auction yard appears east of the site.

2002	The site and its surroundings appear similar to the 1994 photograph.

Based on the review of historical aerial photographs, the site appears as agriculture with residential houses. The surrounding area is described as a residential/commercial zone denoted by residential housing and several commercial buildings in the surrounding area.

Topography

The property features level topography with elevations ranging from 68 to 72 feet amsl. The parcel is relatively level and is about 20 feet above the improved channel of the San Luis Rey River. A grouted rip-rap embankment separates the property from the channel bottom.

Biological Resources

A Biological Resources Letter Report was prepared by REC Consultants, Inc. for the western property and is provided as **Appendix H** of this EIR. During the biological survey four habitats/land cover categories were observed onsite including developed land, disturbed land, non-native vegetation and row crops.

Developed land occupies approximately 1.44 acres onsite and consists of a residence, warehouse, and associated parking areas.

Disturbed land occupies approximately 2.13 acres onsite. Disturbed land onsite is characterized by largely bare ground with dirt mounds and farm equipment. It is not dominated by any species or group of species but contains non-native species as giant reed (*Arundo donax*), flax-leaf fleabane (*Erigeron bonariensis*), English plantain (*Plantago lanceolata*), and puncture vine (*Tribulus terrestris*) as well as native species such as western jimson weed (*Datura wrightii*), telegraph weed (*Heterotheca grandiflora*), coast prickly-pear (*Opuntia littoralis*), western cottonwood (*Populus fremontii* subsp. *fremontii*) and blue elderberry (*Sambucus nigra* subsp. *caerulea*).

Non-native vegetation occupies approximately 0.40 acre onsite. The onsite non-native vegetation is characterized by non-native tree and shrub species such as cyclops acacia (*Acacia cyclops*), bougainvillea (*Bougainvillea* sp.), sweet orange (*Citrus x sinensis*), ngaio (*Myoporum laetum*), olive (*Olea europaea*), and pomegranate (*Punica granatum*). Native species observed in this habitat include Douglas mugwort (*Artemisia douglasiana*), western sycamore (*Platanus racemose*), and bicolor cudweed (*Pseudognaphalium bioletti*).

Row crops occupy approximately 11.82 acres onsite. This habitat is comprised of annual and perennial crops grown in rows with open space between rows. Species composition frequently changes by season and year. Row crops often occur in floodplains or upland areas with high soil quality. Row crops are nearly always artificially irrigated. Onsite row crops consisted of watermelon (*Citrullus lanatus* var. *citroides*), cantaloupe (*Cucumis melo* var. *cantalupo*) and broccoli (Italica Group). Other non-native species observed growing around the row crops included short-pod mustard (*Hirschfeldia incana*), castor bean (*Ricinus communis*), white-stem filaree (*Erodium moschatum*), and common sow-thistle (*Sonchus oleraceus*).

No naturally occurring special-status species were detected onsite or have moderate to high potential to occur onsite. One special-status species that was observed onsite, Torrey pine (*Pinus torreyana*), was observed onsite by the residence and off-site by the southeast corner of the property. This species is often used for landscaping and the Project Site is well outside of the species' natural range, and therefore it is assumed that the species were planted.

Geology and Soils

A Geotechnical Investigation was prepared for the western parcel by Christian Wheeler Engineering and is provided in **Appendix K** of this EIR. The western parcel is located within the Coastal Physiographic Province of San Diego County and is underlain by artificial fill, alluvium, and old paralic deposits. Each geologic unit found onsite is further discussed below.

Artificial Fill (Qaf)

The artificial fill found onsite was most likely placed during a leveling operation for the farmland. The fill material was noted to range from 1 to 3.5 feet in thickness and consisted of dry to damp, relatively loose, silty sand. Some of the fill material contained debris and trash that will require removal by hand-picking during the grading operations. The fill material is expected to have a low to very low expansion index, low strength parameters and moderate settlement potential. Based on the relatively loose condition of the existing fill, it would need to be removed and replaced as properly compacted fill as part of the remedial grading operations.

Topsoil

An approximately one to two-foot thick layer of natural topsoil was noted onsite. Topsoil consisted generally of fine-grained, silty sand that was dry to moist and loose to medium dense in consistency. The topsoil is expected to possess a low expansion index, low strength parameters and a moderate settlement potential. Based on the relatively loose condition of the existing topsoil it would need to be removed and replaced as properly compacted fill as part of the remedial grading operations.

Alluvium (Qal)

Quaternary-aged alluvial deposits were encountered below the topsoil and/or fill layers within the property. The alluvial materials were encountered at depths of two to four feet below the existing site grades and were noted to extend to depths greater than the maximum explored depth of 60 feet below existing grades. The alluvial deposits generally consisted of poorly-graded sand and silty sand, silty sand – sandy silt, and poorly-graded sand. The exposed alluvium was typically damp to moist to depths of about 15 feet below the existing grades, very moist to wet within a few feet of the water table, and saturated below the water table.

Pesticides

Based on the historical use of the site for agricultural operations, soil sampling was provided to test for residual pesticides and the investigation and results are provided in the Phase II Environmental Site Assessment Report (**Appendix D**) prepared by SECOR. As provided in the Phase II Environmental Site Assessment Report for the western parcel, various pesticides were detected in all one-foot samples at levels which exceed their respective U.S. EPA Preliminary Remediation Goals (PRGs). Three-foot samples were then taken and reported pesticides at concentrations which are below their respective U.S. EPA PRGs or state hazardous waste levels. Therefore, the top three (3) feet of soils throughout the agricultural field portions of the site will need to be addressed by corrective grading. Project impacts related to pesticides are further discussed in Section 4.8 *Geology and Soils* and Section 4.10 *Hazards and Hazardous Materials*.

Hydrology

The western parcel slopes southward at a very shallow angle towards the San Luis Rey River and site drainage generally drains in this direction. Storm water runoff from the Calle Joven to the east channels onto the property. As provided in the Phase I Environmental Site Assessment, no evidence of improper discharge from the site was observed. Additionally, no surface water was visually identified onsite.

The proposed residential development area of the parcel is located within FEMA Flood Zone “X” and is not located within a designated 100-year flood plain. The San Luis Rey River is located approximately 175 feet to the south.

Groundwater was encountered at depths ranging from about 18 to 24 feet below the existing grades.

According to the Phase I Environmental Site Assessment, two (2) operational water wells are located on the site adjacent to the irrigation water above ground storage tanks. According to the Environmental Data Resources (EDR) report there are 11 water wells which could potentially be located on the site installed between the years of 1911 and 1952, however the accuracy of the coordinates listed for each well are unknown.

Existing Utilities

Water and sewer services are currently provided to the Project Site but the City of Oceanside Water Utilities Department. A Sewer Service Overview (**Appendix R**) and a Water Service Overview (**Appendix S**) were prepared for the Project and are provided as part of this EIR.

An existing 27-inch gravity sewer is located within North River Road at the Project frontage which increases to 30-inch diameter as it gravity flows west to the San Luis Rey Wastewater Treatment Plant by way of the North Valley Sewer Lift Station. This lift station is located at 3930 North River Road. The North River Road Trunk Sewer extends east in North River Road to Stallion Drive where the Rainbow MWD flow enters the City sewer system.

Local sewer collectors are located in Calle Montecito and Calle Joven. An existing 8-inch sewer main located in Calle Joven flows east to Calle Montecito then north to North River Road where it connects to the existing 27-inch gravity trunk sewer.

Existing potable water lines are located in North River Road, Calle Montecito and Calle Joven. Calle Joven water line extends along the south side of the eastern parcel. An existing 14-inch 320 Pressure Zone water main in North River Road extends west to Douglas Drive and then south to Mission Avenue where it connects to a 24-inch transmission main. The 14-inch water line in North River Road extends east and continues north in Vandegrift Boulevard increasing in size to 18-inch and 24-inch as it works its way to Pilgrim Creek Reservoir off of Douglas Drive east of Vandegrift Boulevard.

There is an existing 16-inch cast iron pipe in North River Road along the Project frontage, which is a non-potable water line which may at one time have been used for ground water. No connections to this pipeline are intended as part of the Project.

Electrical and natural gas services in the area are provided by San Diego Gas & Electric (SDG&E) and currently serve the existing Project Site. Three (3) pole-mounted transformers are provided on a single utility pole at the northern border of the eastern parcel, as well as one (1) pad-mounted transformer, and another pad-mounted transformer in the central area of the parcel. These transformers are owned and maintained by SDG&E and appear to be in good condition. On the western parcel six (6) pole-mounted transformers are located along the western boundary of the parcel and a pad-mounted transformer is located north of the warehouse structure. All transformers were observed to be in good condition.

Communication systems for telephone, internet and cable television are serviced by utility providers such as SBC, AT&T, IBM, and other local independent companies. Existing telecommunication facilities are located in the Project vicinity and are provided to the existing Project Site.

Public Service Providers

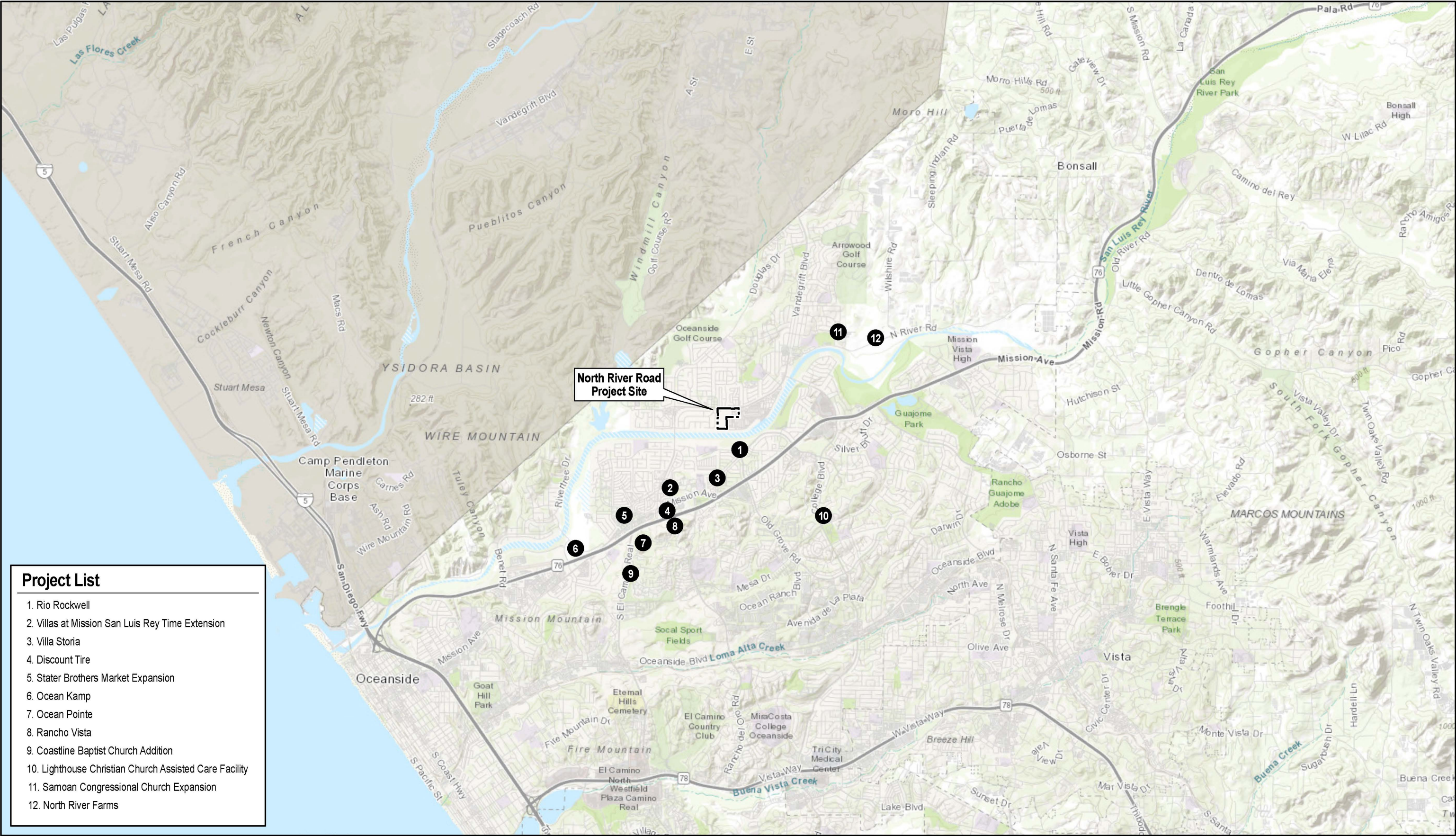
Fire protection services are provided by the City of Oceanside Fire Department (OFD). The OFD operates out of eight (8) fire stations throughout the City. The nearest fire station to the Project Site is Station 5 located at 4841 North River Road, approximately 0.71 mile northeast of the Project Site.

The Oceanside Police Department (OPD) provides law enforcement and police protection services to the City. OPD operates out of their station located at 3855 Mission Avenue, approximately 1.58 miles southwest of the Project Site.

The Project Site is located within the boundaries of the Oceanside School District. High school students (grades 9-12) living within the Project Site would attend El Camino High School located at 400 Rancho Del Oro Drive, approximately 1.86 miles southwest of the Project Site. Middle school students (grades 6-8) would attend Martin Luther King Jr. Middle School located at 1290 Ivey Road located 2.0 miles south of the Project Site. Elementary school students (grades K-5) would attend Libby Elementary School located at 423 W Redondo Drive, approximately 0.59 mile northeast.

2.3 CUMULATIVE PROJECT SETTING

The study area for the cumulative impact analysis is based on existing projects under review, and recently approved projects that are under construction or not yet constructed. The cumulative projects are located within an approximate two-mile radius from the Project Site and are provided in **Table 2.3-1** and displayed in **Figure 2.3-1**.



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**Table 2.3-1
Cumulative Projects**

#	Project Name	Location	Description	Status
City of Oceanside				
1	Rio Rockwell	Old Grove Road and Frazee Road	78-unit residential development	Approved – Not Constructed
2	Villas at Mission San Luis Rey	North El Camino Road and Peyri Drive, north of Mission Avenue	Time Extension for an approved project consisting of independent living, assisted living and memory care facility with 259 beds	Under Construction
3	Villa Stora	North of Mission Avenue at Academy Road	Residential development with single- and multi-family units	Under Construction
4	Discount Tire	South of Mission Avenue, east of Douglas Drive	Construction of 7,680 SF retail tire store specializing in the sale and installation of tires and wheels	Approved – Not Constructed
5	Stater Brothers Market Expansion	3770 Mission Avenue	Expansion of an existing Stater Brothers supermarket to increase building size, remodel façade of supermarket, and relocated entrance	Under Construction
6	Ocean Kamp	Mission Avenue and Foussat Road	Mixed-use development with commercial and residential and an event center	Under Review
7	Ocean Pointe	Stage Coach and Vista Bella	Time Extension for a Tentative Map and Development Plan for an approved project for 158 condominium units	Approved – Not Constructed
8	Rancho Vista	South of SR-76, west of Rancho Del Oro Drive	29-unit single-family development for Seniors age 55 and over	Approved – Not Constructed
9	Coastline Baptist Church Addition	East of South El Camino Real, north of Vista Oceana	Addition, remodel and site improvements for accessibility to an existing church	Approved
10	Lighthouse Christian Church Assisted Care Facility	East of College Blvd., north of Mesa Drive	Tentative Parcel Map for an assisted care facility	Approved
11	Samoan Congressional Church Expansion	201 Stallion Drive	Addition of fellowship hall, Parson's residence, and future foyer to existing sanctuary	Under Review
12	North River Farms	East of North River Road and College Boulevard	A mixed-use development with up to 689 residences, 25,000 SF of commercial space, 5,000 SF of restaurant space, 30 acres of agricultural use, and 100-room hotel.	*See note below

*Since preparation of this EIR and associated transportation analyses, a Superior Court ruling (May 2021) determined the referendum overturning the North River Farms project is invalid and the development may proceed "assuming other pending litigation does not prevent it." Separate ongoing litigation efforts are continuing to appeal the May 2021 Superior Court decisions and to challenge approval of the project EIR. The inclusion of traffic and environmental impacts associated with that project in the cumulative analysis represents a worst-case assessment of cumulative impacts.

2.4 CUMULATIVE IMPACT METHODOLOGY

According to Section 15130(b) of the State CEQA Guidelines, a cumulative impact analysis may be conducted using one of two methods. The List Method, which includes “a list of past, present, and probable activities producing related or cumulative impacts”; or the Summary-of-Projections Method, which uses “a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact.” The cumulative analysis for the Project will utilize the List Method. Cumulative Impacts are further analyzed and discussed in Chapter 5.0 *Cumulative Analysis*.

3.0 PROJECT DESCRIPTION

3.1 INTRODUCTION

The Project includes a General Plan Amendment (GPA13-00001 & GPA13-00004), Zone Amendment (ZA13-00001 & ZA13-00008) and Development Plan (D17-00007 and D17-00006) / Planned Block Development Overlay District for two properties located at 4617 North River Road (western parcel) and 4665 North River Road (eastern parcel) to allow for future development of the site. The Tierra Norte Planned Block Development Overlay District includes two parcels located on Assessor's Parcel Numbers (APNs) 157-060-17 and 157-060-40 which comprise a total of approximately 25.6 acres of land.

The Project Site is located on the south side of North River Road generally between Avenida Descanso and Calle Montecito in the North Valley Neighborhood of Oceanside. Main access to the Project Site is proposed from North River Road, while Calle Joven would provide secondary and emergency access at points along the southern and eastern boundaries of the site.

The eastern parcel, (4665 North River Road) is located on APN 157-060-40 and is approximately 9.7 total acres in size. The western parcel (4617 North River Road) is located on APN 157-060-17 and comprises approximately 15.9 acres.

3.2 PROJECT SITE CHARACTERISTICS

The eastern parcel is currently developed with a small office/warehouse facility. The facility has historically served as a packing warehouse dating back to the 1960s for produce shipping and storage operations. The property features level topography with elevations ranging from 68 to 72 feet amsl. Existing structures onsite include a 23,152-SF office/warehouse building, three small sheds, and a small wood-frame house serving as a caretaker's residence. Approximately half of this parcel is surfaced with concrete and asphalt paving with the other areas undeveloped. The property is located within FEMA Flood Zone "X" and is not located within a designated 100-year flood plain. The San Luis Rey River is located approximately 800 feet to the south.

The western parcel is currently developed with small warehouse buildings and a single-family residence. The onsite facility has historically served as storage for agricultural operations. Approximately 75% of the site is in agricultural cultivation. The northwest portion of the parcel contains several warehouse buildings used primarily for agricultural storage. The eastern end of the parcel includes an older, occupied, single-family residence. The property features level topography with elevations ranging from 68 to 72 feet amsl. The proposed residential development area of the parcel is located within FEMA Flood Zone "X" and is not located within a designated 100-year flood plain. The San Luis Rey River is located approximately 175 feet to the south.

The current City of Oceanside General Plan (General Plan) land use designation of both parcels is LI and zoning designation for both parcels is designated as IL under the City of Oceanside Zoning Ordinance (Zoning Ordinance).

The surrounding North Valley Neighborhood presents a diversity of land uses situated between Camp Pendleton on the north and the San Luis Rey River to the south. The Project area is home to a number of single- and multi-family developments ranging from new development to homes nearly 50 years old. The Project Site is surrounded by properties with a mixture of land use and zoning designations as follows:

- To the west is a developed single-family residential subdivision zoned RE-B consisting of 270 residences.
- The properties to the east are designated under the LI land use category with the corresponding zoning designation of IL. The property to the southeast consists of parking and support areas for the Oceanside Auto Auction. A recreational vehicle/self-storage use is also located further to the east. This light industrial area extends east to the San Luis Rey River boundary.
- The properties located along the north side of North River Road in this area are generally developed residential parcels and include land use designations of MDC-R, MDB-R, and MDA-R. The corresponding zoning categories for these properties are RM-C, RM-B, RM-A and PD-22. The established uses in this area consist of multi-family condominiums and apartments, mobile home communities, and single-family residential development.
- The area on the south side of North River Road that is currently designated for light industrial uses, including the proposed Project, encompasses 10 contiguous parcels totaling roughly 112 acres. Approximately 74 acres are dedicated to the auto auction site and 12 acres to the recreational vehicle storage facility. The remaining approximately 26 acres comprise of the proposed Project.

3.3 PROJECT OBJECTIVES

CEQA Guidelines (Section 15124 (b)) require that the project description shall contain a statement of the objectives sought by the project and should include the underlying purpose of the project. The primary objectives of the proposed Project are as follows:

1. Establish a Planned Block Development Overlay District to permit flexibility in land-use regulation and site development standards under control of the City of Oceanside Planning Commission and City Council where flexibility or coordinated planning for a large site or a site under multiple ownerships will enhance the potential for superior urban design.
2. Provide realistic future housing opportunities for the community located on an infill development site.
3. Establish land use and development standards that will regulate future residential development proposals for the subject property.
4. Promote site planning and architectural design that is intended to promote development in a deliberate, highly livable residential community which is compatible with the surrounding neighborhood.

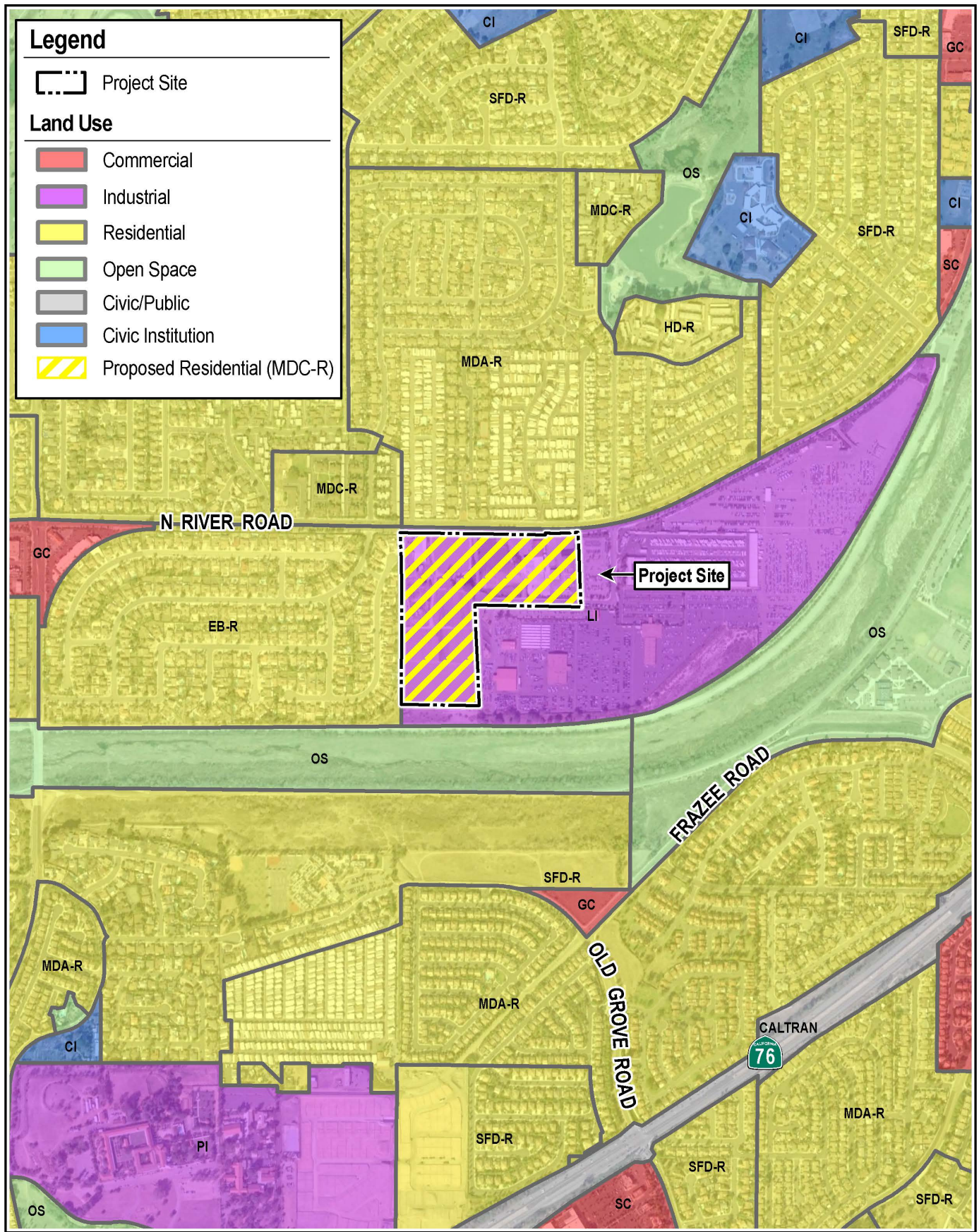
3.4 PROJECT APPROVALS

General Plan Amendment

The current General Plan land use designation of both the east and western parcels is LI. A General Plan Amendment is required to designate the Project Site as MDC-R in order to provide for appropriate densities and use types that will allow for the envisioned multi-family development of the Project Site. The proposed medium-density residential use will also provide a transition between the light industrial uses located to the south and east, and the existing residential uses located to the north and west. The

MDC-R designation will allow for a density range of 15.1 to 20.9 dwelling units per acre (du/ acre) with a potential overall development range between 359 and 497 dwelling units. However, the parcels will constitute the PBD Overlay District where the designated Planned Block Development Plan (PBDP) will regulate specific project designs and institutes a dwelling unit cap. The PBDP prepared for the Project is located in **Appendix E**. A maximum allowance of only 400 dwelling units is permitted with a corresponding maximum overall density of 15.6 du/ acre, which is consistent with the lower end of the MDC-R density range.

The existing and proposed land use of the Project Site is displayed in **Figure 3.4-1**.

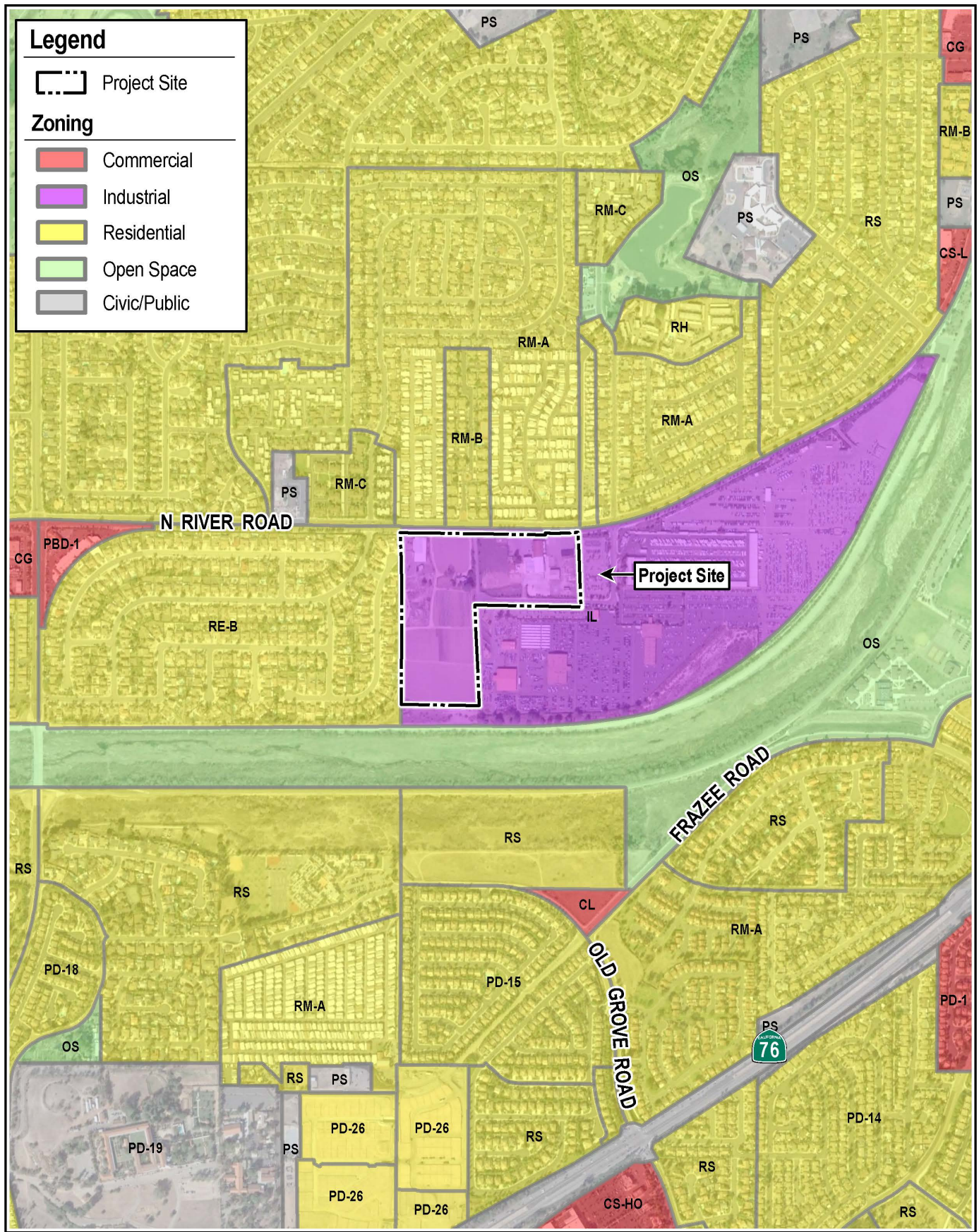


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Zone Amendment

Both parcels are currently designated as IL under the Zoning Ordinance. A Zone Amendment is required to designate the Project Site as RM-C consistent with the proposed MDC-R land use. The RM-C zoning designation will allow for future implementation of a multi-family development. The RM-C zoning designation is for Medium-Density Residential District (15.1 to 20.9 du/ acre) with a potential overall development range between 359 and 497 dwelling units. However, the parcels constitute the PBD Overlay District where the designated PBDP will regulate specific project designs and institutes a dwelling unit cap. A maximum allowance of only 400 dwelling units is permitted with a corresponding maximum overall density of 15.6 du/ acre, which is consistent with the lower end of the MDC-R density range.

The existing and proposed zoning designation of the Project Site is displayed in **Figure 3.4-2**.



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Development Plan / Planned Block Development Overlay District

A PBDP for the Overlay District has been prepared for the Project (**Appendix E**) and is intended to permit flexibility in land-use regulations and site development standards under control of the Planning Commission and City Council where flexibility or coordinated planning for a large site or a site under multiple ownerships will enhance the potential for superior urban design.

The PBDP establishes the land use and development standards that will regulate future residential development proposals for the Project Site. The PBDP presents site planning and architectural design criteria intended to promote development of a well thought-out, highly livable residential community which is compatible with the surrounding neighborhood. While a comprehensive project may be proposed for the entire Overlay District, it is recognized that each parcel exists under separate ownership and that multiple development plans may also be considered. The PBDP will regulate specific project designs and institutes a dwelling unit cap. A maximum allowance of 400 dwelling units is permitted with a corresponding maximum overall density of 15.6 du/ acre, which is consistent with the lower end of the MDC-R density range.

3.5 PROJECT CHARACTERISTICS**Project Overview**

The Tierra Norte PBD Project proposes a General Plan Amendment, Zone Amendment and Development Plan to establish a PBD Overlay District for the total of 25.6-acre land area located at 4665 and 4617 North River Road.

Land Use Summary

The proposed PBD would consist of a medium density residential development on the designated Project Site in the future. As stated previously, the proposed MDC-R designation would allow a density of 15.1 to 20.9 du/ acre with a potential overall development range between 359 and 497 dwelling units. The proposed PBDP would have a maximum allowance of 400 dwelling units for the entire overlay district in order to provide development that is consistent with the lower end density of the MDC-R land use category (which results in 15.6 du/ acre). **Table 3.5-1** displays a summary of the land use characteristics of the PBD Overlay District.

**Table 3.5-1
PBD Overlay District Land Use Summary**

Area	Gross Developable Acres	Existing General Plan Land Use	Proposed General Plan Land Use	Land Use Density (du/acre)	Possible Dwelling Unit Range	Dwelling Unit Cap ¹
Eastern Parcel	7.9 ²	Light Industrial (LI)	Medium Density – C Residential (MDC-R)	15.1-20.9	119-165	132
% of Total	33% of 23.8	-	-	-	-	33% of 400
Western Parcel	15.9	Light Industrial (LI)	Medium Density – C Residential (MDC-R)	15.1-20.9	240-332	268
% of Total	67% of 23.8	-	-	-	-	67% of 400
Total	23.8	-	-	-	359-497	-

Area	Gross Developable Acres	Existing General Plan Land Use	Proposed General Plan Land Use	Land Use Density (du/acre)	Possible Dwelling Unit Range	Dwelling Unit Cap ¹
Maximum Number of Dwelling Units Permitted Within PBD Overlay District:						400³
¹ The development potential of each parcel is capped based on a percentage of its size in relation to the overall PBD Area. Redistribution of dwelling units between each parcel up to the maximum unit range (Eastern Parcel up to 165du; Western Parcel up to 332du) may be proposed in conjunction with separate development applications unique to each parcel. However, implementation of this density transfer mechanism requires a corresponding reduction of dwelling units from the cap amount of the other parcel(s) so that the overall maximum cap of 400 dwelling units is not exceeded.						
² The Eastern Parcel consists of a total land area of 9.7 acres; however, approximately 1.8 acres are comprised of roadway and emergency access rights-of-way. Such existing rights-of-way are defined as “Undevelopable Lands” under the City of Oceanside General Plan and Zoning Ordinance. Therefore, the Eastern Parcel contains 7.9 Gross Developable Acres of land applicable to density calculations.						
³ This is the maximum overall dwelling unit amount potential within the PBD Overlay District. Lower unit counts and densities may be proposed with future development applications. Final development areas, gross developable acreage and dwelling unit distribution will be determined in conjunction with detailed project development plans. The maximum development potential within the PBD Overlay District will remain at 400 dwelling units.						
Source: Tierra Norte Planned Block Development Overlay District Development Plan prepared by The Lightfoot Planning Group (Appendix E)						

Potential Medium Density Building Types

The proposed MDC-R and RM-C land use and zoning designations for the PBD Overlay District will allow for the future development of residential communities that may be achieved through a variety of Site and building designs. Specific site layouts and residential product designs would ultimately be identified as part of future development plans proposed for the properties.

Medium density residential building types that are permitted in the PBD Overlay include small lot attached single-family homes, detached condominiums, townhomes, courtyard clusters, duplex homes and garden apartments along with various other product type configurations. Each potential building type is described in further detail below.

Attached Single-Family and Duplex Homes

Homes paired together with a common wall and designed to “live” more like single-family homes and are typically designed in two to three unit configurations. A smaller residential footprint provides space for private yards and usable outdoor areas.

- Density: 7-12 du/ac
- Height: 1-2 stories
- Unit Size: 1,400-2,000 SF

Condominiums and Courtyard Cluster Homes

Courtyard Cluster Homes can be described as connected homes that share an auto court access and are typically grouped in configurations of four to six units. This design presents a single-family streetscape aesthetic while reducing the direct exposure of street facing garages. Building configurations provide private yard and usable outdoor space.

- Density: 8-14 du/ac
- Height: 2-3 stories

- Unit Size: 1,200-1,800 SF

Rowhomes

Rowhomes are attached townhomes featuring two and three-story designs with typical configurations ranging from three to six units in size. Building designs integrated with common open space and landscape areas provide each home with well-designed living areas on upper floors, private patio and balcony areas, and dedicated garages.

- Density: 10-15 du/ac
- Height: 2-3 stories
- Unit Size: 1,200-2,100 SF

Garden Court Townhomes

Buildings are oriented to front on common open space and landscaped areas. Garages are typically rear-loaded along shared alleys. Typical two and three-story building designs allow for a variety of floor plan options with attached garages. Units have front and rear exposure with patios, balconies, window and door openings.

- Density: 12-18 du/ac
- Height: 2-3 stories
- Unit Size: 1,200-2,000 SF

Motor Court Condominiums/Apartments

Attached homes organized around a shared access drive with configurations of six to eight units. Courtyard design minimizes building mass and produces a lower density residential appearance along street frontage. Building frontages are oriented along landscaped common areas.

- Density: 16-20 du/ac
- Height: 2-3 stories
- Unit Size: 1,100-1,600 SF

Garden Apartments

Buildings typically feature three-story designs and stacked flat configurations and may allow for direct garage access. Design focus is on entire building and less on individual units. Living spaces are focused toward internal landscape areas and courtyards. Private open space is typically provided via balconies or patios.

- Density: 18-22 du/ac
- Height: 3 stories
- Unit Size: 850-1,100 SF

Project Construction

Development plans for the Project are not proposed at this time; however, the Project would ultimately include demolition of existing structures and facilities and the construction of new multi-family residential structures with associated interior roads, landscaping, surface and subsurface improvements.

Improvements would consist of pavement improvements, utilities and other site improvements associated with typical redevelopment.

Prior to demolition activities, the Project would conduct a Pre-Demolition Lead-Based Paint (LBP) Survey on all onsite structures prior to any disturbance of painted materials. Prior to any disturbances of onsite structures, a comprehensive Asbestos Hazard Emergency Response Act-level (AHERA) Pre-Demolition Asbestos Containing Materials (ACM) Survey would be conducted on all onsite structures.

The Project would comply with the City's construction and demolition requirements by preparing and submitting a Waste Management Plan prior to issuance of building permits and prior to building construction. The Waste Management Plan would demonstrate how the Project fulfills the California Green Building Standards Code (CALGreen) waste diversion requirements and estimates the amount of waste produced and diverted. Preparation of a Waste management Plan would ensure Project compliance with the City's Construction and Demolition Recycling Guide, CALGreen and the California Department of Resources Recycling and Recovery (CalRecycle). The Project would further comply with the Oceanside Municipal Code (OMC) Section 13.17 which regulates the disposal of construction material.

It is anticipated that the entire 25.6-acre Project Site would be disturbed during construction activities throughout site preparation and grading. Minor grade alterations of less than ten (10) feet are expected for the creation of level building pad surfaces. The Project is anticipated to consist of masonry or wood-frame structures with exterior stucco supported on shallow stiff foundations with stem walls and slab-on-grade floors, or slab-on-ground with turn-down footings.

Construction is anticipated to begin in January 2024 and will be completed in 2026.

Utilities

Sewer

Sewer improvements for the Project would include onsite sewer collection system and potential off-site sewer improvements. An onsite private sewer collection system would connect to the existing 8-inch public sewer in Calle Joven pending confirmation of adequate capacity. Additional studies would determine how many dwelling units could be accommodated by the existing 8-inch public sewer in Calle Joven and Calle Montecito. As an alternative, the onsite private sewer collection system would connect to the existing 27-inch or 30-inch trunk sewer in North River Road. This trunk sewer line will have the capacity for a portion of the proposed PBD Project as discussed in the Sewer Service Overview provided as **Appendix R** of this EIR. The 2015 Sewer Master Plan for the City does not identify any near-term or long-term improvements needed for the North River Road trunk sewer.

The Project would be subject to additional analysis to determine the Project's cost share for any necessary improvements to the off-site trunk sewer in North River Road. The Project, as part of the entitlement process, will be expected to contribute its share of the costs for potential modifications to the North Valley Sewer Lift Station.

Water

Water system improvements would be divided into two components consisting of water system piping and water storage. Based on the analysis provided in the Water Service Overview (**Appendix S**), existing potable water piping in the vicinity of the Project would be adequate to serve the Project. The Project would connect to existing potable water lines in North River Road, Calle Montecito and Calle Joven.

Specific water line connections would be determined during preparation of Project Site development plans.

The Project would be required to contribute its share of the future users' storage capacity based on the additional average water demand of 11,900 gallons per day (gpd). Development of the Project would include connections to the future recycled water distribution main in North River Road for irrigation services for the Project.

All onsite wells located on the Project Site would be identified on the development plans and would be properly abandoned prior to development of the Project Site. As a condition of providing water service, the City requires any ground water rights associated with an existing well or associated with a property to be ascribed to the Water Utilities Department.

Drainage and Storm Water Facilities

Drainage and storm water facilities would be designed during preparation of Project Site development plans. Drainage and storm water control facilities would be designed to convey runoff through a system of storm drain inlets and pipes and site-specific BMPs and would be installed for proper collection and disposal of surface runoff. The drainage system would be designed in accordance with City requirements in order to accommodate the Project's increased flows such that flooding would not occur. Hydromodifications and storm water management would be designed and constructed with consideration of geotechnical recommendations and conditions.

On the western parcel, grading around the proposed structures would be graded so that surface water flows rapidly away from structures without ponding. Rain gutters with downspouts are recommended to discharge runoff away from structures and into controlled drainage devices. Storm water systems that incorporate infiltration would not be implemented due to the potential for hydro-consolidation of onsite soils.

On the eastern parcel, Site drainage over finished pad surfaces would flow away from structures onto the adjacent street similar to existing conditions. Hydromodification design and location of associated drainage improvements would be completed with consideration of characteristics of onsite soils. Surface water would not infiltrate into the underlying bearing and subgrade soils, wall backfills or impact graded embankments.

Electricity, Natural Gas and Telecommunications

Electrical and natural gas services in the area are provided by SDG&E and currently serve the Project Site. The Project would be expected to connect to the existing service lines along North River Road and specific tie-in locations for electrical and gas services will be determined at the time the Project Site is developed. The Project does not propose the use of any wood burning hearths.

Communication systems for telephone, internet and cable television are serviced by utility providers such as SBC, AT&T, IBM, and other local independent companies. Existing telecommunication facilities are located in the Project vicinity and are provided to the existing Project Site. At the time of Project Site development, specific tie-in locations to existing communication services will be determined.

Development Regulations

The PBDP provides the Development Standards for the Project and are included in **Table 3.5-2**. These standards address development criteria including site design, open space, and parking. The regulations are

intended to allow flexibility for specific development proposals while providing reliable base criteria to ensure appropriate development within the PBD Overlay Area and promote the formation of a well-designed medium density residential neighborhood.

Where the PBDP does not address a particular development standard, the applicable standards of the Zoning Ordinance shall apply. The standards for the RM-C zoning district are applicable as the proposed underlying use is MDC-R. As stated in the PBDP, if there is a discrepancy between the provisions of the Zoning Ordinance and the PBDP, the regulations set forth in the PBDP shall prevail.

**Table 3.5-2
Project Development Standards**

Standard ¹	PBDP Overlay
Regulations Consistent with Current RM-C Standards in the Zoning Ordinance	
Minimum Lot Area	7,500 SF
Minimum Lot Width	60 SF
Maximum Site Coverage	65%
Supplemental Development Standards (As presented in the Zoning Ordinance – Article 30)	Screening of Mechanical Equipment
	Per Section 3021
	Refuse Storage Areas
	Per Section 3022
	Underground Utilities
	Per Section 3023
	Performance Standards
Regulations as Proposed for PBD Overlay District	Per Section 3024
	Maximum Fence & Wall Height
	Per Section 3040
	Vehicular Access
Minimum Site Perimeter Setbacks ²	Per Section 3114
	Signs
	Per Article 33
From North River Road	Nonconforming Structures
	Per Article 35
From Calle Joven	
From Side and Rear Property Lines	10 feet (1 story structures)
	15 feet (2 nd story portion of structures)
	20 feet (3 rd story portion of structures)
	*An additional 5 feet of setback required for structures adjacent to single-family residences
Minimum Building Separation Distance ³	
Front to Front	20 feet
Side to Side	10 feet
Rear to Rear	10 feet
From Internal Streets	5 feet
All Others	10 feet
Maximum Building Height ⁴	35 feet (3 story maximum)
Maximum Fence & Wall Height	6 feet for perimeter and internal project walls. 8 feet for walls along North River Road frontage.
Usable Open Space	350 SF/unit – Minimum Overall Total
	Design of common and private usable open space areas shall be per the standards presented in Section 1050 (Q) (Usable Open Space) of the Zoning Ordinance
¹ Lot Area, Lot Width and Site Coverage amounts are applicable to the overall development site, not individual dwelling unit lot areas	

Standard ¹	PBDP Overlay
² Encroachment of up to two (2) feet may be permitted into minimum building setbacks and separation distance for architectural features, chimneys, roof overhangs, balconies, and similar features. Patio areas at grade are exempt from separation distance requirements. ³ Building separation requirements shall be provided in conjunction with noted setback requirements and in lieu of the standards presented in Section 1050 (N) (Windows Opposite Court) of the Zoning Ordinance. ⁴ Building height shall be measured from finished grade, exclusive of all architectural and structural features per section 3018 of the Zoning Ordinance 'Exceptions to Height Limits' Source: Tierra Norte Planned Block Development Overlay District Development Plan prepared by The Lightfoot Planning Group (Appendix E)	

Parking

Off-street parking would be incorporated with any future residential project in a manner which best serves the proposed development and use of the Site. Off-street parking outside the PBD Overlay District is not permitted to meet the parking requirements established by the PBDP. Parking associated with future multi-family residential development as part of the Project would be provided per the standards in **Table 3.5-3** below.

Table 3.5-3
Parking Standards Summary

Standard	Parking Requirements
Detached Residential	Two-car garage/unit
Attached Residential	1.5 spaces / one bedroom or studio units, which must include 1 covered space
	2 spaces / two or more bedroom units, which must include 1 covered space
Guest Parking	A minimum number of spaces equal to 25% of the total number of dwelling units
Parking Space Dimensions	8.5 feet x 18 feet minimum (non-garage spaces)
Garage Dimensions	10 feet wide x 19 feet deep Minimum for one-car garages
	20 feet wide x 19 feet deep Minimum for two-car garages
Garage Setbacks	Garage setbacks shall be measured from the back of sidewalk, curb line, or edge of access drive (whichever is least) based on building orientation. Garage setbacks from access drives shall be either: • Less than or equal to 4 feet; or • Greater than or equal to 18 feet • Parking shall not be permitted in drives less than 18 feet in length (exclusive of sidewalk and curb areas)
Source: Tierra Norte Planned Block Development Overlay District Development Plan prepared by The Lightfoot Planning Group (Appendix E)	

Access

Primary access to the Project Site is proposed by constructing a south leg at the intersection of North River Road and Riverview Way. This intersection would be signalized. A secondary access is anticipated to connect with Calle Joven which is located along the southern boundary of the eastern parcel. Currently a gated fire access alley is provided along the western portion of Calle Joven that runs in between the two parcels. Project access specifications will be provided as part of the development plans at the time of Project Site development.

Lighting

Indoor and outdoor light fixtures would be provided as part of the Project and would exclusively utilize high-efficiency Light-Emitting Diode (LED) technology for all Project lighting. All proposed onsite lighting including pole heights, shielding and glare reduction measures would be in compliance with the Zoning Ordinance Article 30, Section 3024.

Chapter 4 of the PBDP provides Community Design Guidelines for lighting. Site lighting would incorporate a scale and aesthetic that best compliments the residential character of the development. Street lighting would be utilized to the minimum extent possible to provide a safe community, but also to enhance neighborhood character. All lighting would be hooded and designed to prevent light spillover. Lighting along roadways would be designed to emphasize pedestrian scale and orientation. The Project would ensure safe pedestrian lighting is incorporated with interior paths and community walkways.

Landscaping

Project landscaping would be designed and implemented in compliance with the City of Oceanside Zoning Ordinance Section 1050 for minimum landscaping requirements and Section 3019 for Landscaping, Irrigation and Hydroseeding requirements. The Project would implement efficient irrigation systems with respect to water conservation. Irrigation heads would be chosen to provide maximum coverage of the landscaped areas.

The Community Design Guidelines provided in Chapter 4 of the PBDP contain landscaping design guidelines and design requirements for the proposed Project. Per the Community Design Guidelines, landscape areas would be incorporated to enhance the appearance of structures, define site functions of outdoor spaces, and screen undesirable views of parking areas and utilities. The Project would integrate appropriate landscaping that includes a variety of trees, shrubs, and other plantings. Landscaping would be designed to be compatible with building design and the use of trellises, arbors, cascading landscaping, vines and perimeter garden walls will be incorporated where suitable.

Project landscaping would provide native and drought tolerant species and would not include exotic plant species that may be invasive to native habitats. The Project would comply with Chapter 37 Article VII of the OMC for water efficient landscape regulations. Invasive exotic plant species not to be used include those listed on the California Invasive Plant Council's Invasive Plant Inventory.

Recreation

Public and private open space areas would be integrated into the proposed multi-family development. As provided in **Table 3.5-2**, the Project would provide 350 SF of usable open space per unit. Open space areas will be designed per the standards presented in Section 1050(Q) of the Zoning Ordinance. Pedestrian amenities throughout the development would be provided for social interaction such as small gathering areas, benches and seating, water features and shaded areas.

The Project would construct a sidewalk along the Project frontage adjacent to North River Road. Internal streets with sidewalks would be designed to promote pedestrian activity within the development. Enhanced pedestrian circulation would provide access and connections to internal walkways, paseos, and open space systems. The Project would provide additional pedestrian improvements such as connection from the Project Site to the north side of the San Luis Rey River trail.

Depending on the residential building type for the proposed medium density residential development, the development could contain an onsite pool facility and associated amenities and structures. For the purpose of this EIR, a pool is included as part of the Project Description and is provided in the scope of the technical reports prepared for the Project Site which are provided in this EIR as **Appendix A** through **Appendix S**.

Off-Site Improvements

As part of proposed off-site improvements, the Project would connect to existing water infrastructure in the vicinity of the Project Site in order to serve the Project. Off-site water improvements would include connections to existing potable water lines in North River Road, Calle Montecito and Calle Joven. Specific water line connections would be determined during preparation and approval of Project Site development plans.

Off-site sewer improvements would include connections to the existing 8-inch public sewer in Calle Joven and Calle Montecito. Alternatively the Project would connect to the existing 27-inch or 30-inch trunk sewer in North River Road upon determination of adequate capacity. Specific sewer connections would be determined during preparation and approval of Project Site development plans. No near-term or long-term improvements to the truck sewer in North River Road are anticipated based conclusions identified in the 2015 Sewer Master Plan.

Project Conservation Design Features

Project design features have been incorporated into the Project in order to reduce air quality and greenhouse gas emissions and energy usage associated with operation of the Project. The Greenhouse Gas Assessment provided as **Appendix L** of this EIR defines specifically which Project design features were included within the emissions calculations software. It should be expected that when a design feature is included within emissions modeling that those particular features would be required for the Project such that the City can recommend approval. The Project would include the following design features:

- The Project will install Low Flow water fixtures in all residential units.
- All lights within the development will be designed to use LED technology and will be for both indoor and outdoor lighting areas.
- The Project will provide separate waste containers to allow for simpler material separations or the Project will pay for a waste collection service that recycles the materials in accordance with AB 341 to achieve a 75% waste diversion. All green waste will be diverted from landfills and recycled as mulch.
- The Project will only install natural gas hearth units where applicable. No wood burning hearths would be provided onsite.
- The Project will utilize Tier 4 construction equipment or equivalent. Tier 4 refers to the latest emission milestone by the United States Environmental Protection Agency (U.S. EPA) and California Air Resources Board (CARB) which applies to new engines found in off-road equipment including construction equipment.

Project Transportation Improvements and Contributions

The Project would provide the following roadway improvements and contributions as displayed in **Table 3.5-4** unless subsequent traffic analysis demonstrates that the improvements are not warranted. Prior to submittal of the final site plan, a traffic analysis shall be prepared to identify the timing, trigger, improvement, and fair share contribution for each analyzed roadway segment and intersection.

**Table 3.5-4
Project Improvements/Contributions and Unit Trigger**

Intersection	Timing	Improvement/Contribution
*Douglas Dr/ Mission Ave	At the 400 th Unit	Pay a fair share of 8.6% into the City's Thoroughfare and Signal Account for an adaptive signal system due to right-of-way constraints.
*North River Rd/ Riverview Way	At the 1 st Unit	Install traffic signal with fiber communication
*North River Rd/ College Blvd	At the 150 th Unit	Pay a fair share of 11.7% into the City's Thoroughfare and Signal Account for an adaptive signal system due to right-of-way constraints.
*SR-76/ College Blvd	At the 132 nd Unit	Pay a fair share of 5.7% into the City's Thoroughfare and Signal Account for an adaptive signal system due to right-of-way constraints.
Segment	Timing	Improvement/Contribution
*Douglas Dr from North River Road to Rainier Way	At the 210 th Unit	Pay a fair share of 4.4% into the City's Thoroughfare and Signal Account for an adaptive signal system due to right-of-way constraints.
*Douglas Dr from Rainier Way to Pala Rd	At the 210 th Unit	Pay a fair share of 4.3% into the City's Thoroughfare and Signal Account for an adaptive signal system due to constraint of a four lane bridge.
*Douglas Dr from Pala Rd to El Camino Real	At the 210 th Unit	Pay a fair share of 4.2% into the City's Thoroughfare and Signal Account for an adaptive signal system due to right-of-way constraints or toward bus pull outs.
*Douglas Dr from El Camino Real to Mission Ave	At the 265 th Unit	Pay a fair share of 3.8% into the City's Thoroughfare and Signal Account for an adaptive signal system due to right-of-way constraints.
*College Blvd from North River Rd to Buchanan Park	At the 293 rd Unit	Pay a fair share of 3.2% into the City's Thoroughfare and Signal Account for an adaptive signal system due to a constraint of a four lane bridge.
*College Blvd from Buchanan Park to Adams St	At the 205 th Unit	Pay a fair share of 3.3% into the City's Thoroughfare and Signal Account for an adaptive signal system due to transition from six to four lanes before bridge.
*College Blvd from Adams St to Via Cupeno	At the 377 th Unit	Pay a fair share of 2.4% into the City's Thoroughfare and Signal Account for an adaptive signal system because segment is built out to six lanes.
Source: Local Transportation Study prepared by LOS Engineering, Inc. (Appendix P)		
*The Project would provide the roadway improvements and contributions as listed unless subsequent traffic analysis demonstrates that the improvements are not warranted. Prior to submittal of the final site plan, a traffic analysis shall be prepared to identify the timing trigger, improvement, and fair share contribution for each analyzed roadway segment and intersection.		

4.0 ENVIRONMENTAL ANALYSIS

This Chapter provides information on the existing environmental conditions, evaluates the potential environmental consequences of the Project, and recommends mitigation measures for each environmental category, if necessary. Based on preliminary evaluation of the probable effects of the Project and thorough review of the public scoping meeting comments, each of which are included in this EIR as **Appendix A**, it is determined that the Project could result in significant impacts to the following resource categories:

- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Transportation
- Tribal Cultural Resources

Therefore, this EIR evaluates the potential impacts for these issues from construction and operation of the Project. The potential cumulative impacts for the resource categories are addressed in Chapter 5.0 *Cumulative Impacts*.

4.1 INTRODUCTION

The following Chapters provide information on the existing environmental conditions, analyzes the potential environmental impacts that may occur as a result of Project construction and operation, and recommends mitigation measures for each environmental category if the Project would result in a significant impact. The assessment of each environmental resource category analyzed herein discussed in this chapter includes the following:

- Environmental Setting
- Regulatory Setting
- Thresholds of Significance
- Project Impact Analysis
- Mitigation Implementation and Monitoring
- Level of Significance after Mitigation

4.2 AESTHETICS

4.2.1 ENVIRONMENTAL SETTING

Regional Setting

San Diego County encompasses 4,261 square miles and is characterized by varied topography including ocean, lagoons, mountains and desert. The western side of the County is bordered by the Pacific Ocean and is primarily urban while the eastern side of the County is composed of mountains, desert and undeveloped backcountry.

The City of Oceanside is located in coastal northern portion of the County. The City encompasses approximately 42 square miles and is bound by Camp Pendleton to the north, the City of Carlsbad to the south, the Pacific Ocean to the West, and the City of Vista and unincorporated portions of the County to the east. In contrast to urban growth in the southern part of the County, northern portions of the County have remained suburban and semi-rural over the years. Major features of the area include the beaches, the San Luis Rey River, Buena Vista Lagoon, and the open areas of Camp Pendleton. The City has approximately four (4) miles of shoreline, including a public marina, a 2,000-foot pier, and public beaches. Most of the City is developed, with the eastern portion of the City characterized by single-family houses on curving streets and cul-de-sacs, intermixed with canyon and hillside open spaces. Park, commercial and institutional uses occur within and around the residential uses. The western portion of the City along the coast is characterized by a grid pattern of streets with single-family houses adjacent to major commercial and mixed-use areas.

Existing Visual Character

Eastern Parcel

The eastern parcel is currently developed with a small office/warehouse facility on the eastern portion of the property. The facility has historically served as a packing warehouse dating back to the 1960s for produce shipping and storage operations. Warehouse offices are located onsite to support administrative functions. The warehouse and shipping activities at this facility were greatly reduced in 2008 due to the ownership opening a larger facility in the Otay Mesa area. The property remains today as a remnant agricultural support use with a small office and very limited shipping/warehouse operations. Existing structures onsite include a 23,152-SF office/warehouse building, three small sheds, a former fruit stand, and a vacant small wood-frame house serving as a caretaker's residence in the central portion of the property. The western portion of the eastern parcel is mostly vacant and undeveloped. The northern portion of the eastern parcel is mostly asphalt paved, while the southern portion surrounding the warehouse is mostly concrete paved.

The visual character of the eastern parcel is described as industrial with older structures that have been well-kept. The vacant residence and warehouse facility are visible from the Project frontage along North River Road as well as other shipping and truck storage.

Access to the property is provided by paved entries/exits that connect to North River Road to the north and Calle Joven to the east and south. Calle Joven is an improved road located on the parcel within a 60-foot wide public right-of-way easement. A paved fire road is located within an emergency access easement along the west side of the property.

The property features level topography with elevations ranging from 68 to 72 feet amsl. Approximately half of the eastern parcel is surfaced with concrete and asphalt paving with the other areas undeveloped. As stated in the Biological Resources Letter Report prepared for this parcel (**Appendix G**), the site consists of developed land, disturbed land and non-native vegetation.

Western Parcel

The western parcel is predominately in agricultural cultivation (approximately 75%) but supports an occupied single-family residence on the eastern portion of the site, an old warehouse on the northwest portion of the site, a packing shed, small out buildings and an abundant amount of old farm equipment and miscellaneous materials and machinery. The onsite facility has historically served as storage for agricultural operations. The approximately 15,725-SF warehouse includes a refrigerated storage room, room temperature storage room and an awning storage area with truck access. Two loading docks are located on the western side of the warehouse and this structure is constructed of metal siding on a concrete foundation. The packing house structure is located south of the warehouse and had historically been used for sorting and packing fruit and/or berries produced on the onsite farmland. This structure is described to be in disrepair due to the amount of time it has been out of operation. There are a total of three (3) residences onsite each constructed of wood framing. Only one residence is currently occupied.

The visual character of the western parcel is heavily influenced by the existing farmland and row crops and a warehouse that is abandoned and run-down which is visible from the Project frontage at North River Road.

Main access to the parcel is from North River Road on the north side. Calle Joven ends at the eastern boundary of the parcel. A gated emergency access drive within an established easement is located on the adjacent parcel to the east providing an emergency access route from Calle Joven to North River Road.

The western parcel features level topography with elevations ranging from 68 to 72 feet amsl. The western parcel is relatively level and is about 20 feet above the improved channel of the San Luis Rey River. A grouted rip-rap embankment separates the property from the channel bottom. As provided in the Biological Resources Letter Report prepared for the western parcel (**Appendix H**), the site contains developed land, disturbed land, non-native vegetation and row crops.

Surrounding Uses

The properties located along the north side of North River Road in this area are generally developed residential parcels and include land use designations of MDC-R, MDB-R, and MDA-R. The corresponding zoning categories for these properties are RM-C, RM-B, RM-A, and PD-22 (Planned Development for Habitat for Humanity single-family residential project). The established uses in this area consist of multi-family condominiums and apartments, mobile home communities and single-family residential development. It is assumed that the building height of these surrounding residential areas are in compliance with the maximum building height regulations provided in the Zoning Ordinance for these residential zones which is 36 feet.

The properties to the east are designated under the LI land use category with the corresponding zoning designation of IL. The property to the southeast consists of parking and support areas for the Oceanside Auto Auction. A recreational vehicle/self-storage use is also located farther to the east. This light industrial area extends east to the San Luis Rey River boundary. The maximum building height regulations for buildings in the IL zones is 80 feet.

The area to the south side of North River Road that is currently designated for light industrial uses, including the Project Site, encompasses ten contiguous parcels totaling roughly 112 acres. Approximately 74 acres are dedicated to the auto auction site and 12 acres to the recreational vehicle storage facility. The remaining approximate 26 acres comprise the proposed Project.

To the west of the Project Site is a developed single-family residential subdivision zoned RE-B consisting of 270 residences.

Scenic Resources

Currently there is no City-wide inventory of scenic views. However, the City's Local Coastal Program (LCP) Land Use Plan states that the City's important aesthetic resources include views of the Pacific Ocean, San Luis Rey River, Buena Vista Lagoon, Oceanside Harbor and Oceanside Pier. The Project Site is located 5.5 miles east of the Pacific Ocean. The Project Site is located 5.38 miles northeast of the Buena Vista Lagoon, approximately 5.41 miles northeast of the Oceanside Harbor, and 5.45 miles from the Oceanside Pier. The eastern parcel is located approximately 800 feet north of the San Luis Rey River and the western parcel is located approximately 175 feet north of the San Luis Rey River and is about 20 feet above the improved channel of the San Luis Rey River.

The Environmental Resource Management Element of the General Plan identifies existing open space areas identified as areas of visual open space as provided in Figure ERM-8. The nearest designated visual open space areas are the San Luis Rey River and Mission San Luis Rey. The designated portion of the San Luis Rey River is located over two (2) miles southwest of the Project Site and Mission San Luis Rey is located approximately 0.88 mile southwest of the Project Site.

Scenic Highways

Currently the California Department of Transportation (Caltrans) has officially designated six (6) State Scenic Highway sections within the County (Caltrans, 2017):

- Highway 52 in the City of Santee;
- Highway 75 along the Silver Strand in the City of Coronado;
- Highway 75 along the San Diego-Coronado Bridge;
- Highway 78 in Anza Borrego Desert State Park;
- Highway 125 in the City of La Mesa; and
- Highway 163 in Balboa Park

Each of these highways is located over 30 miles from the Project Site. Caltrans has also listed SR-76 from Interstate 5 (I-5) to Route 79 at Lake Henshaw as an eligible state scenic highway. The portion of SR-76 within this eligible scenic highway is located approximately 0.80 mile south of the Project Site.

Light and Glare

Light introduction can be a nuisance to adjacent residential areas, diminish the view of the clear night sky and if uncontrolled, can cause disturbances for motorists traveling in the area. Light spill is typically defined as the presence of unwanted light on properties adjacent to a property being illuminated.

Existing sources of light are present in the Project area including lights from the adjacent industrial developments and street lights along North River Road and Calle Joven and within the adjacent residential developments.

Glare is caused by the reflection of sunlight or artificial light by highly polished surfaces such as window glass or reflective materials and from broad expanses of light-colored surfaces or vehicle headlights. Perceived glare is the unwanted and potentially objectionable sensation experienced by a person looking directly or indirectly into the light source of a luminaire. Existing sources of glare in the Project area include reflective building materials (e.g., windows) and passing cars along North River Road, Calle Joven and Calle Montecito.

Palomar Observatory

The Palomar Observatory, located atop Palomar Mountain, is located approximately 27 miles northeast of the Project Site. The Observatory is a center of astronomical research and is home to three (3) active research telescopes. Light pollution is an increasing problem for Palomar Observatory as rapid urbanization has resulted in a significant increase in the amount of sky glow and directly impacting the effectiveness of the Palomar Observatory. The Palomar Observatory has extensively worked with the surrounding communities to minimize the impacts of light pollution and continue to work with City, County and Tribal governments to mitigate the effects of local light pollution. The Project Site is not located within a 15-mile radius of Palomar Mountain, as identified in the County of San Diego Outdoor Light Control Ordinance Zone Map.

4.2.2 REGULATORY SETTING

City of Oceanside Municipal Code

Chapter 39 of the City of Oceanside Municipal Code (OMC) establishes light pollution regulations to restrict the use of certain light fixtures that could emit undesirable light rays into the night sky, having a detrimental effect on regional astronomical observation and research. OMC Chapter 39 identifies lighting-related standards including lamp types allowed, shielding requirements and hours of operation for certain lighting types. The requirements for lamp source and shielding of light emissions for outdoor light fixtures are included in **Table 4.2-1** below.

Table 4.2-1
City of Oceanside Lighting Standards

Class I – Color Rendition Important	
Lamp Type	Requirement
Low pressure sodium	Permitted
Other lights above 4050 lumens	Permitted
Other lights 4050 lumens or less	Permitted
Class II – Parking Lots, Roadways, Security	
Low pressure sodium	Permitted
Other lights above 4050 lumens	Prohibited
Other lights 4050 lumens or less	Permitted
Class III – Decorative	
Low pressure sodium	Permitted
Other lights above 4050 lumens	Prohibited
Other lights 4050 lumens or less	Permitted

City of Oceanside General Plan

The General Plan serves as a policy guide for determining the appropriate physical development and character of the City.

Land Use Element

The objectives and policies in the Land Use Element of the General Plan provide guidance for the protection of visual resources within the City. The following goals and policies of the Land Use Element are relevant to the Project:

1.1 Community Values

Objective: To ensure the enhancement of long-term community and neighborhood values through effective land use planning.

Policy A: Land Uses shall be attractively planned and benefit the community.

Policy B: Land Uses shall not significantly distract from nor negatively impact surrounding conforming land uses.

Policy D: The City shall support and encourage the fulfillment of widespread neighborhood and community values.

1.11 Balanced Land Use

Objective: To develop and use lands for the long-term provision of a balanced, self-sufficient and efficient community.

Policy A: The City shall establish and enforce a balanced distribution of land uses to organize the City in a hierarchy of activity centers and land use so as to foster a sense of neighborhood, community and regional identity.

Policy B: The City shall analyze proposed land uses for assurance that the land use will contribute to the proper balance of land uses within the community or provide a significant benefit to the community.

1.12 Land Use Compatibility

Objective: To minimize conflicts with adjacent or related land uses.

Policy A: Adequate setbacks, buffering, and/or innovative site design shall be required for land uses that are contiguous to and incompatible with existing land uses.

Policy B: The use of land shall not create negative visual impacts to surrounding land uses.

Policy C: The use of land shall not subject people to potential sources of objectionable noise, light, odors, and other emissions nor the exposure of toxic, radioactive, or other dangerous materials.

1.2 Site Design

Objective: To provide high-quality site design, all proposed land development projects shall take advantage of natural or manmade environments to maximize energy conservation, natural air circulation, public safety, visual aesthetics, private and common open spaces, privacy and land use compatibility.

Policy A: The Placement of proposed structural components, landscaping, access ways, etc. shall be oriented on the site in such a manner to maximize:

- The quality of view and vistas from the site to the surrounding environment;
- The quality of views and vistas of the site from surrounding land uses.

Policy C: New development or land uses shall provide coordinated site design wherever possible with existing or proposed adjacent land uses to provide complimentary site design, unified circulation access, and joint use of ancillary facilities.

1.23 Architecture

Objective: The architectural quality of all proposed projects shall enhance neighborhood and community values and City image.

Policy A: Architectural form, treatments and materials shall serve to significantly improve on the visual image of the surrounding neighborhood.

Policy B: Structures shall work in harmony with landscaping and adjacent urban and/or topographic form to create an attractive line, dimension, scale and/or pattern.

3.21 Scenic Open Areas

Policy A: The City shall encourage the preservation of significant visual open areas.

Environmental Resource Management Element

The Environmental Resource Management Element of the General Plan outlines recommended action programs to implement and achieve long-range planning objectives. The City Implementation Program actions related to visual resources and scenic areas include:

Objectives: Recreation and Scenic Areas – Encourage the preservation of significant visual open spaces when such preservation is in the best interest of the public health, safety and welfare.

The City will:

1. Plan readily accessible recreation facilities close to population centers and education facilities utilizing public open space while protecting natural sites of significant scenic or ecological value.

4.2.3 THRESHOLDS OF SIGNIFICANCE

Per Appendix G of the CEQA Guidelines, impacts would be considered significant if the Project would:

- a. Have a substantial adverse effect on a scenic vista;

- b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;
- c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from public accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality;
- d. Create a new source of light or glare which would adversely affect day or nighttime views in the area?

4.2.4 PROJECT IMPACT ANALYSIS

Would the Project:

- a. Have a substantial adverse effect on a scenic vista?

The Project Site is located in a primarily developed area surrounded by various residential land use types to the west and north, industrial uses to the east and southeast, and the San Luis Rey River to the south. The established residential uses include single-family residences, multi-family condominiums and apartments and mobile home communities.

The Project would provide a PBD Overlay District for the development of future multi-family residential units on a total of 25.6 acres and would provide a maximum of 400 residential units. The Project would provide an effective transition between existing light industrial uses located to the east and the residential uses located to the west and north. A range of multi-family housing types can be provided on the Project Site and specific site layouts and residential product designs will be identified as part of future development plans for the Project Site.

Currently there is no City-wide inventory of scenic views. However, the City's LCP Land Use Plan states that the City's important aesthetic resources include views of the Pacific Ocean, San Luis Rey River, Buena Vista Lagoon, Oceanside Harbor and Oceanside Pier. The Project Site is located 5.5 miles east of the Pacific Ocean. The Project Site is located 5.38 miles northeast of the Buena Vista Lagoon, approximately 5.41 miles northeast of the Oceanside Harbor, and 5.45 miles from the Oceanside Pier. The eastern parcel is located approximately 800 feet north of the San Luis Rey River and the western parcel is located approximately 175 feet north of the San Luis Rey River and is about 20 feet above the improved channel of the San Luis Rey River.

The western parcel is visible from the north side of the San Luis Rey River Trail but is not visible from the south side of the San Luis Rey River Trail due to intervening vegetation. The eastern parcel is partially visible from the north side of the San Luis Rey River Trail, since views of the light industrial uses, south of the eastern parcel are more prevalent. The eastern parcel is not visible from the south side of the San Luis Rey River Trail due to intervening vegetation and the existing industrial buildings.

The Environmental Resource Management Element of the General Plan identifies existing open space areas identified as areas of visual open space as provided in Figure ERM-8. The nearest designated visual open space areas are the San Luis Rey River and Mission San Luis Rey. The designated portion of the San Luis Rey River is located over two (2) miles southwest of the Project Site and Mission San Luis Rey is located approximately 0.88 mile southwest of the Project Site. Due to the distance of these designated visual open space areas from the Project Site, and due to intervening topography, the Project would not impact views of these visual open space areas as a result. The Project would be located in an area of existing development and would be of similar massing and appearance to the existing single-family, multi-family and mobile home developments and industrial uses, and would not degrade views from a

visual open space area. The future multi-family residential development would have a maximum building height of 35 feet, as provided in the PBDP, similar to that of the surrounding residential developments. Additionally, the Project would not have an effect on public viewpoint locations that may include views of the Pacific Ocean or other resources identified in the Environmental Resource Management Element of the General Plan due to distance, topography and intervening developments.

The PBDP prepared for the Project provides the site development regulations for the Project Site which are consistent with the regulations for RM-C zones provided in the Zoning Ordinance including minimum lot area and width, maximum site coverage, fence and wall height, signs, and nonconforming structures. Additional site development regulations including setbacks, building separation distance and building height would be regulated by the PBDP which would be approved as part of the proposed Project.

In its present condition, the Project Site does not provide an expansive view of a highly valued landscape or scenic vista and it would not interfere with views of an existing scenic vista. The future development associated with the Project would not contrast with surrounding land uses or with the existing visual landscape of the immediate vicinity.

Therefore, the Project would not have a substantial adverse effect on a scenic vista, and related impacts would be **less than significant**.

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

The Project Site is located over 30 miles from the six (6) officially designated state scenic highways within the County. Caltrans has also listed SR-76 from Interstate 5 (I-5) to Route 79 at Lake Henshaw as an eligible state scenic highway. The portion of SR-76 within this eligible scenic highway is located approximately 0.80 mile south of the Project Site.

The Project Site does not include any rock outcrops. As provided in the Biological Resource Letter Report (**Appendix G**), the eastern parcel contains developed land, disturbed land and non-native vegetation. The western parcel consists of developed land, disturbed land, non-native vegetation including non-native tree species and row crops as described in the Biological Resources Letter Report (**Appendix H**). As described in the Archaeological Survey and Assessment Report (**Appendix I**), three (3) historic residences (P-37-038464, P-37-038465 and P-37-038469) were recorded as a result of the field survey. The three (3) recorded residences, referred to as the Frank Kawano residence, the Henry Nagata residence and the Yatsu Nagata residence and are further described in Section 4.6 *Cultural Resources*. The recorded historic residences do not embody the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values and are not likely to yield information of prehistory or history and impacts to these resources are considered less than significant.

Due to the Project Site distance and intervening topography from SR-76, non-native tree species and historic residences located onsite would not be visible from this portion of the eligible state scenic highway. Therefore, the Project would not substantially damage scenic resources, including trees, rock outcroppings, and historic buildings within a state scenic highway and impacts would be **less than significant**.

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

The Project is located in a primarily urbanized area surrounded by various residential land use types including single-family, multi-family apartments and condominiums, mobile homes and industrial development. The Project would provide a PBD Overlay District for future development of the Project Site to multi-family residential development.

The eastern parcel is currently developed with a small office/warehouse facility as agricultural support with limited shipping and warehouse operations in its current state. Other onsite structures consist of three small sheds, a former fruit stand, and a vacant small wood-frame house serving as a caretaker's residence. The eastern parcel is mostly asphalt paved, while the southern portion surrounding the warehouse is mostly concrete paved. The visual character of the eastern parcel is described as industrial with older structures that have been well-kept. The vacant residence and warehouse facility are visible from the Project frontage along North River Road as well as other shipping and truck storage areas.

The western parcel is predominately in agricultural cultivation (approximately 75%) but supports an occupied single-family residence on the eastern portion of the site, an old warehouse, a packing shed, small out buildings and contains an abundant amount of old farm equipment and miscellaneous materials and machinery. The visual character of the western parcel is heavily influenced by the existing farmland and row crops and a warehouse that is abandoned and run-down which is visible from the Project frontage at North River Road.

The proposed General Plan Amendment and Zone Amendment for the Project would allow for a density range of 15.1 to 20.9 du/acre and the Project would provide a maximum of 400 multi-family dwelling units. The Project would provide an effective transition between existing light industrial uses located to the east and south and the residential uses located to the west and north. A range of multi-family housing types can be provided on the Project Site and specific site layouts and residential product designs will be identified as part of future development plans for the Project Site.

Landscape areas within the future development would be incorporated to enhance the appearance of structures, define site functions of outdoor spaces, and screen undesirable views of parking areas and utilities. The Project would integrate appropriate landscaping that includes a variety of trees, shrubs, and other plantings. Landscaping would be designed to be compatible with building design and the use of trellises, arbors, cascading landscaping, vines and perimeter garden walls will be incorporated where suitable. Public and private open space areas would be integrated into the proposed multi-family development and would provide 350 SF of usable open space per unit. Pedestrian amenities throughout the development would be provided for social interaction such as small gathering areas, benches and seating, water features and shaded areas. Internal streets with sidewalks would be designed to promote pedestrian activity within the development. Enhanced pedestrian circulation would provide access and connections to internal walkways, paseos, and open space systems.

The existing visual character of the surrounding area is characterized by development; primarily containing various residential land use types and light industrial buildings. Overall, the Project area would remain developed similar to current conditions. Although the visual character of the Project Site would change with the development of multi-family residential buildings on a site with existing single-family residences, agricultural activity, and warehouse operations, the development would not substantially degrade the existing visual character of the surrounding area and would appear as a continuation of existing development in the Project vicinity. Further, the Project would be of similar massing and appearance to the existing single-family, multi-family and mobile home developments and industrial uses in the surrounding area.

A General Plan Amendment is required to designate the Project Site as MDC-R from LI and a Zone Amendment is required to designate the Project Site as RM-C from IL consistent with the proposed land use. The Project PBDP would provide Community Design Guidelines for the future medium density residential development, which are intended to be flexible in order to allow for a diversity of quality project designs that are responsive to and compatible with existing surroundings and are compatible with the City's Zoning Ordinance. The Community Design Guidelines include site planning and architectural design criteria intended to promote development of a well-planned desirable residential community. The PBDP prepared for the Project provides the site development regulations for the Project Site which are consistent with the regulations for RM-C zones provided in the Zoning Ordinance including minimum lot area and width, maximum site coverage, fence and wall height, signs, and nonconforming structures. Additional site development regulations including setbacks, building separation distance and building height would be regulated by the PBDP which would be approved as part of the proposed Project.

The Project is located in an urbanized area and would not conflict with applicable zoning and other regulations governing scenic quality, and impacts would be **less than significant**.

- d. Create a new source of light or glare which would adversely affect day or nighttime views in the area?

The Project would include indoor lighting within the proposed residential buildings and outdoor lighting around the site boundary as well as internal street lighting. All indoor and outdoor light fixtures provided as part of the Project would exclusively utilize high-efficiency LED technology.

Chapter 4 of the PBDP provides Community Design Guidelines for lighting. Onsite lighting would incorporate a scale and aesthetic that best complements the residential character of the development. Street lighting would be utilized to the minimum extent possible to provide a safe community, but also to enhance neighborhood character. All lighting would be hooded and designed to prevent light spillover. Lighting along roadways would be designed to emphasize pedestrian scale and orientation. The Project would ensure safe pedestrian lighting is incorporated with interior paths and community walkways.

All onsite lighting including pole height regulations would be in conformance with Section 3117 of the Zoning Ordinance. All outdoor lighting including shielding and glare reduction measures would comply with the standards in Article 30, Section 3024 of the Zoning Ordinance.

Existing sources of light in the surrounding area of the Project Site include lights from the adjacent industrial developments and within the adjacent residential developments, and street lights along North River Road and Calle Joven. Additional existing sources of lighting are produced from the warehouse and shipping operations, offices, agricultural operations and residential structures onsite.

Glare is caused by the reflection of sunlight or artificial light by highly polished surfaces such as window glass or reflective materials and from broad expanses of light-colored surfaces or vehicle headlights. Perceived glare is the unwanted and potentially objectionable sensation experienced by a person looking directly or indirectly into the light source of a luminaire. Existing sources of glare in the Project area include reflective building materials (e.g., windows) and passing cars and trucks along North River Road, Calle Joven and Calle Montecito.

Onsite buildings would be designed and constructed with materials that would not contain highly reflective materials. Specific building materials and architectural designs would be provided as part of future development plans for the Project Site. Project compliance with Chapter 39 of the OMC for light pollution regulations and Article 30 of the Zoning Ordinance, in addition to the placement of fixtures and

shielding of lighting from adjacent land uses, potential impacts relating to new sources of light and glare would be reduced to less than significant levels.

The Palomar Observatory, located atop Palomar Mountain, is located approximately 27 miles northeast of the Project Site. Light pollution is an increasing problem for Palomar Observatory as rapid urbanization has resulted in a significant increase in the amount of sky glow and directly impacting the effectiveness of the Palomar Observatory. The Project Site is not located within a 15-mile radius of Palomar Mountain, as identified in the County of San Diego Outdoor Light Control Ordinance Zone Map. Additionally, the Project would comply with Chapter 39 of the OMC related to light pollution regulations. Therefore, the Project would not have a significant increase in the amount of light pollution in the area and would not directly impact the effectiveness of the Palomar Observatory.

The Project would not create a new source of light or glare which would adversely affect day or nighttime views in the area, and impacts would be **less than significant**.

4.2.5 MITIGATION IMPLEMENTATION AND MONITORING

No significant impacts to aesthetics have been identified and therefore, no mitigation measures are required.

4.2.6 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts related to aesthetics from the implementation of the Project would be less than significant.

4.3 AGRICULTURE AND FORESTRY RESOURCES

4.3.1 ENVIRONMENTAL SETTING

Regional Setting

San Diego County is the only county in California that qualifies as both a major urban county and is ranked among the top ten agricultural counties in the state in terms of agricultural value. It is estimated that of the County's approximately 2.73 million acres, 305,573 acres (2013) are in agriculture. San Diego County is the southwestern most county in the state, enjoying a Mediterranean climate that optimizes production of a variety of crops that may be more difficult to produce elsewhere in the state. A variety of agricultural commodities make up San Diego County's agriculture. In terms of total value, nursery and flower crops account for 62%; fruits and nuts account for 22%; field crops account for <1%; vegetables account for 9%; and livestock and poultry products (i.e. milk and eggs), livestock and poultry (i.e. cattle, chickens, hogs, rabbits, sheep), specialty crops and apiary products account for approximately 1% each.

The agriculture industry in Oceanside is valued at approximately \$12 million annually. This accounts for approximately ten percent of the County's agriculture output. Major crops include avocados, tomatoes, citrus and nursery stock.

There is one primary area of significant agricultural production in the City. Morro Hills agricultural area is located generally north of Mission Avenue and east of Vandegrift Boulevard. Avocados are the primary crop and production contributes to the North County output of over 90% of all avocados in California.

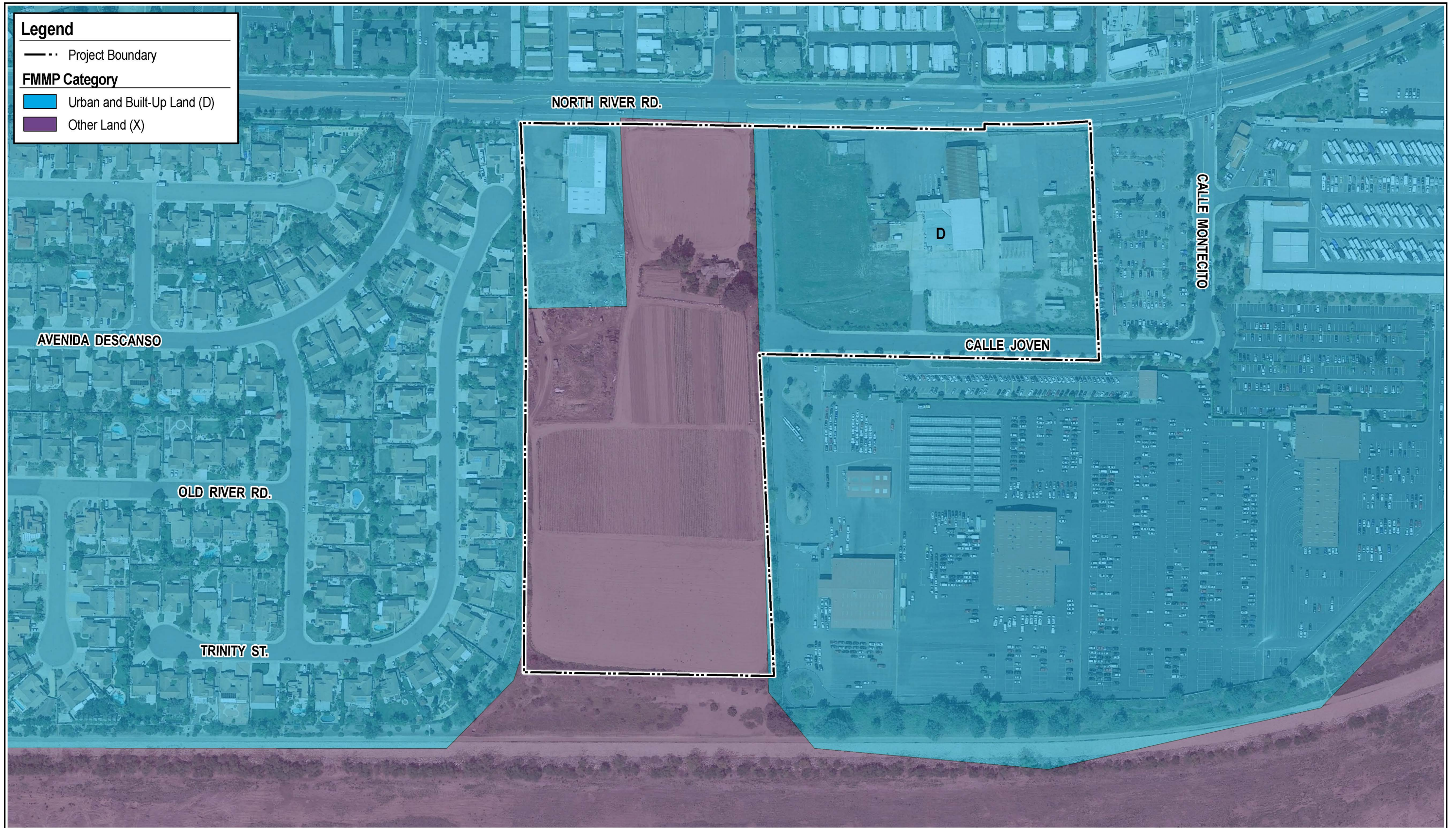
Prime Agricultural Land, Prime Farmland and Soils of Statewide Importance

Soils in the San Diego County region are generally considered poor, with only 6% of the region's soils considered prime agricultural land, defined within Government Code Section 51201(c). In San Diego County, prime agricultural land is sparsely scattered throughout the region and is often constrained by protected biological resources such as wetlands, restricting the feasibility of their use.

The California Department of Conservation's Farmland Mapping and Monitoring Program's (FMMP) farmland categories are based on local soil characteristics and irrigation status, with the best quality land identified as Prime Farmland and Farmland of Statewide Importance. In San Diego County, 44 local soils qualify for the Prime Farmland designation and 65 soils qualify for the Farmland of Statewide Importance designation.

Onsite Agriculture

According to the FMMP map prepared for the Project, which is provided as **Figure 4.3-1**, the eastern parcel (4665 North River Road) is designated as Urban Built-Up Land. This designation is characterized by land that is occupied by structures with building density of at least one unit to 1.5 acres, or approximately six (6) structures to a 10-acre parcel. On the western parcel (4617 North River Road), the northwest corner is designated as Urban Built-Up Land while the remainder of the parcel is designated as Other Land. The Other Land designation is characterized by land not included in any other FMMP mapping category. Common examples of land within this category include low density rural developments, wetland and riparian areas not suitable for livestock grazing, and vacant and nonagricultural land surrounded on all sides by urban development.



Document Path: T:\Project_Data\North River Road (Nagata-Kawano) - 1115\Final_Maps\EIR_Nov2021\NRR_Fig-4.3-1_FMMP_111521.mxd

Eastern Parcel

According to the aerial photographs provided in the Phase I Environmental Site Assessment (**Appendix B**), the eastern parcel has contained agricultural activities beginning between 1938 and 1946. Existing features of the eastern parcel includes a packing warehouse with offices, associated storage sheds, a former fruit stand, and a vacant residence. Warehousing activities have been reduced and are reportedly being transferred to a new facility. The western portion of this parcel is predominately vacant and undeveloped.

Western Parcel

According to the Phase I Environmental Site Assessment (**Appendix C**) prepared for this parcel, the site appears to have been utilized for agricultural activities since 1946. The western parcel in its existing state is predominately in agricultural cultivation (approximately 75%) and includes approximately 11.82 acres of row crops. This parcel supports three residential structures, two commercial structures including a warehouse and packing house, a dispatch office, several small storage sheds, and an abundant amount of old farm equipment and miscellaneous materials and machinery scattered throughout the site.

An approximately 15,725-SF warehouse includes a refrigerated storage room, room temperature storage room and an awning storage area with truck access. Two (2) loading docks are located on the western side of the warehouse. The structure is constructed of metal siding on a concrete foundation. According to the aerial photographs, it appears that this structure was built sometime between 1963 and 1974.

The packing house structure is located south of the warehouse. This structure had historically been used for sorting and packing fruit and berries produced on the farm land. According to the Phase I Environmental Site Assessment, it appeared to be in a state of disrepair and as if it had been a long time since it had last been operated. According to the aerial photographs it appears that this structure was built sometime between 1953 and 1963.

Surrounding Agricultural Uses

Land surrounding the Project Site including the residential developments to the west and north and the industrial uses to the east, south and southeast are also designated as Urban Built-Up Land. The areas to the south within the San Luis Rey River are designated as Other Land.

The Project Site is located approximately 1.6 miles southwest of the Morro Hills agricultural area and approximately 1.9 miles northwest of the Rancho Del Oro agricultural areas. Morro Hills is one of the primary areas of significant agricultural production in the City, as noted in the Environmental Resources Management Element of the General Plan.

4.3.2 REGULATORY SETTING**State**Farmland Mapping and Monitoring Program (FMMP)

The California Department of Conservation (CDC), FMMP was established in 1982 to provide consistent, timely, and accurate data for identifying California's agricultural land resources. Agricultural land is rated according to soil quality and irrigation status; the best quality land is identified as Prime Farmland. FMMP is used by both CEQA and the Right to Farm disclosure law as the official source for agricultural land data.

California Land Conservation Act of 1965 (Williamson Act)

The California Land Conservation Act of 1965, also known as the Williamson Act, gave the authority to local governments to sign contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners would receive tax relief for agreeing not to change the use of their open space or agricultural lands for a contract period of ten years. There are no Williamson Act contracts associated with the Project Site.

California Code, Public Resources Code Section 12220(g), Section 4526 and Section 51104(g)

Public Resources Code Section 12220(g) defines forest land as land that can support ten percent of native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation and other public benefits.

Public Resources Code Section 4526 defines timberland as land, other than land owned by the federal government and land designated by the board as experiment forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees.

Public Resources Code Section 51104(g) defines a timberland production zone (TPZ) as an area which has been zoned pursuant to Section 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, as defined in subdivision (h).

LocalCity of Oceanside General Plan

The General Plan Land Use Element has a goal for the continual long-term enhancement of the community through the development and use of land which is appropriate and orderly with respect to type, location, timing and intensity. The following objectives and policies provide guidance for the protection of agricultural resources within the City and are relevant to the Project:

2.03 Agricultural Subdivision

Policy A: The City shall assure in all actions that the legal parcels or interests in agricultural lands are of sufficient size to viably conduct agricultural practices.

2.5 Agricultural

Objective: To identify, conserve and enhance Oceanside's agricultural areas.

Policy A: Agricultural areas are characterized by their primary function that is to farm, graze, or conduct animal husbandry. Agricultural areas typically involve continuous tracts of agricultural land uses with only a very minor intrusion of non-agricultural land uses. These non-agricultural land uses are only of the type and size to service the special needs of the agricultural area.

Policy C: The City, in all proposed actions converting agricultural lands to other land uses, consider the loss of those lands to the potential agricultural productivity to the community; and shall assure that land use compatibility to agricultural lands is fully defined and assured.

Policy D: Land use compatibility is of primary importance to agricultural areas, since land use conflicts between agricultural and non-agricultural uses can force the economic non-viability of agricultural areas.

3.19 Agricultural Resources

Policy A: The City shall apply agricultural land use designations and zoning classifications to areas of significant productive agricultural use.

Policy B: Extension of City services to agricultural areas will be limited.

Policy C: The City shall encourage participation of agricultural property owners in Williamson Act contracts.

4.3.3 THRESHOLDS OF SIGNIFICANCE

Per Appendix G of the CEQA Guidelines, in determining whether impacts to agriculture 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. Impacts would be considered significant if the Project would:

- 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;
- b. Conflict with existing zoning for agricultural use, or a Williamson Act contract;
- 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));
- d. Result in the loss of forest land or conversion of forestland to non-forest use;
- 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.

4.3.4 PROJECT IMPACT ANALYSIS

Would the Project:

- 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?

A FMMP map was prepared for the Project Site and is displayed in **Figure 4.3-1**. As shown in the FMMP, the eastern parcel (4665 North River Road) is designated as Urban Built-Up Land. On the western parcel (4617 North River Road), the northwest corner is designated as Urban Built-Up Land

while the remainder of the parcel is designated as Other Land. The Other Land designation is characterized by land not included in any other FMMP mapping category. Common examples of land within this category include low density rural developments, wetland and riparian areas not suitable for livestock grazing, and vacant and nonagricultural land surrounded on all sides by urban development.

The immediate surroundings of the Project Site also consist of Urban Built-Up Land and Other Land. No areas designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance are located within close proximity to the Project Site. Although existing agricultural uses exist within the Project Site which would be converted within the PBD Overlay District to future medium density residential uses, the land is not recognized as a designated agricultural use. Therefore, the Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance pursuant to the FMMP to non-agricultural use. Impacts would be **less than significant**.

b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

The General Plan land use designation for the Project Site is LI under the General Plan and the zoning designation for the Project Site is IL under the Zoning Ordinance. The Project proposes a General Plan Amendment to designate the site as MDC-R in order to provide for appropriate densities and use types that will allow for the envisioned multi-family development of the site. The proposed medium-density residential use will also provide a transition between the light industrial uses located to the south and east, and the existing residential uses located to the north and west.

A Zone Amendment is proposed to designate the Project Site as RM-C consistent with the proposed MDC-R land use. The RM-C designation will allow for future implementation of a multi-family development.

The Project would not conflict with existing zoning for agricultural use or a Williamson Act contract as the Project Site is not designated for such uses. The Project would implement a PBD Overlay District to allow for medium density residential uses on a site that is currently zoned for industrial uses. Therefore, the Project would not conflict with existing zoning for agricultural use or Williamson Act contract and impacts would be **less than significant**.

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))?

The General Plan land use designation for the Project Site is LI under the General Plan and the zoning designation for the Project Site is IL under the Zoning Ordinance. The Project Site does not contain lands designated as forest land, timberland or timberland zoned Timberland Production as defined by Public Resources Code and Government Code sections. The Project would not conflict with existing zoning, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. **No impact** would occur.

d. Result in the loss of forest land or conversion of forestland to non-forest use?

The eastern parcel within the Project Site is developed with a packing warehouse with offices, associated storage sheds, a former fruit stand, and a vacant residence. Vegetation on this parcel consists of developed land, disturbed land and non-native vegetation.

The western parcel is predominately in agricultural cultivation and includes approximately 11.82 acres of row crops. This parcel also contains a single-family residence, an old warehouse, a packing shed, small out buildings and farm equipment and miscellaneous materials and machinery. Vegetation on this parcel consists of developed land, disturbed land non-native vegetation and row crops.

The Project Site does not contain forest land and therefore would not result in the loss of forest land or convert forest land to non-forest use. **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?

As displayed in the FMMP prepared for the Project (**Figure 4.3-1**), the Project Site consists of Urban Built-Up Land and Other Land. Land surrounding the Project Site including the residential developments to the west and north and the industrial uses to the east, south and southeast are also designated as Urban Built-Up Land. The areas to the south within the San Luis Rey River are designated as Other Land. No areas designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance are located within the immediate vicinity to the Project Site.

According to the Biological Resources Letter Reports prepared for the Project Site (**Appendix G** and **Appendix H**), the eastern parcel consists of 5.55 acres of developed land, 3.96 acres of disturbed land, and 0.19 acre of non-native vegetation. Vegetation on the western parcel consists of 1.44 acres of developed land, 2.13 acres of disturbed land, 0.40 acre of non-native vegetation, and 11.82 acres of row crops.

The Project proposes a PBD Overlay District to allow for the future development of medium density residential uses. Due to the location and nature of the Project, the Project would not involve other changes in the existing environment which would result in conversion of farmland to non-agricultural use or the conversion of forest land to non-forest use. The Project would result in a **less than significant** impact.

4.3.5 MITIGATION IMPLEMENTATION AND MONITORING

No significant impacts to agriculture and forestry resource have been identified and therefore, no mitigation measures are required.

4.3.6 LEVEL OF SIGNIFICANCE AFTER MITIGATION

No impacts related to agriculture and forestry resources would occur as a result of the Project.

4.4 AIR QUALITY

The following documents were used in the preparation of this section and is included in its entirety in **Appendix F** and **Appendix P**.

Ldn Consulting, Inc. October 8, 2021. *Air Quality Assessment, Tierra Norte Planned Block Development – Overlay District, City of Oceanside, CA.* (**Appendix F**)

LOS Engineering, Inc. February 4, 2022. *Tierra Norte Residential Development Plan Southside of N. River Rd btw Ave Descanso and Calle Montecito, City of Oceanside, Local Transportation Study.* (**Appendix P**)

4.4.1 ENVIRONMENTAL SETTING

The Project Site lies within the San Diego Air Basin (SDAB) and is subject to the San Diego Air Pollution Control District (SDAPCD) guidelines and regulations. The SDAB is one of 15 air basins that geographically divide California. The SDAB lies in the southwest corner of California and comprises the entire San Diego region and covers approximately 4,260 square miles, contiguous with the political boundaries of the County.

The primary factors that determine air quality are the locations of air pollutant sources and the amount of pollutants emitted. Meteorological and topographical conditions are also important factors. Factors such as wind speed and direction, air temperature gradients and sunlight, and precipitation and humidity interact with physical landscape features to determine the movement and dispersal of air pollutants. Meteorological and topographical factors that affect air quality in the SDAB are described below.

Climate and Meteorology

Climate within the SDAB area often varies dramatically over short geographical distances with cooler temperatures on the western coast gradually warming to the east as prevailing winds from the west heats up. Most of southern California is dominated by high-pressure systems for much of the year, which keeps the County mostly sunny and warm. Typically, during the winter months, the high pressure system drops to the south and brings cooler, moister weather from the north. It is common for inversion layers to develop within high-pressure areas, which mostly define pressure patterns over the SDAB. These inversions are caused when a thin layer of atmosphere increases in temperature with height. An inversion acts like a lid preventing vertical mixing of air through convective overturning. As the pollutants become more concentrated in the atmosphere, photochemical reactions occur that produce ozone (O₃), commonly known as smog.

Meteorological trends within the City produce daytime highs typically ranging between 65°F in the winter to approximately 78°F in the summer with August usually being the hottest month. Median temperatures range from approximately 55°F in the winter to approximately 70°F in the summer. The average humidity is approximately 64% in the winter and approximately 72% in the summer.

Air Pollution Climatology

Pursuant to the 1990 federal Clean Air Act amendments, the U.S. EPA classifies air basins (or portions thereof) as “attainment” or “non-attainment” for each criteria pollutant, based on whether the National Ambient Air Quality Standards (NAAQS) have been achieved. Generally, if the recorded concentrations of a pollutant are lower than the standard, the area is classified as “attainment” for that pollutant. If an

area exceeds the standard, the area is classified as “non-attainment” for the pollutant. If there is not enough data available to determine whether the standard is exceeded in an area, the area is designated as “unclassified” or “unclassifiable”.

Areas that achieve the standards after a non-attainment designation are re-designated as maintenance areas and must have approved Maintenance Plans to ensure continued attainment of the standards. The California Clean Air Act, like its federal counterpart, called for the designation of areas as “attainment” or “non-attainment” but based on California Ambient Air Quality Standards (CAAQS) rather than the NAAQS.

During the fall and winter, air quality problems are created due to carbon monoxide (CO) and oxides of nitrogen (NO_x) emissions. CO concentrations are generally higher in the morning and late evening. In the morning, CO levels are elevated due to cold temperatures and the large number of motor vehicles traveling. Higher CO levels during the late evenings are a result of stagnant atmospheric conditions trapping CO in the area. Since CO is produced almost entirely from automobiles, the highest CO concentrations in the basin are associated with heavy traffic. Nitrogen dioxide (NO₂) levels are also generally higher during fall and winter days.

Under certain conditions, atmospheric oscillation results in the offshore transport of air from the Los Angeles region to the County. This often produces high O₃ concentrations, as measured at air pollutant monitoring stations within the County. The transport of air pollutants from Los Angeles to the County has also occurred within the stable layer of the elevated subsidence inversion, where high levels of O₃ are transported.

SDAB Attainment Designation

An area is designated in attainment when it is in compliance with the NAAQS and/or CAAQS. These standards are set by the EPA or CARB for the maximum level of a given air pollutant that can exist in the outdoor air without unacceptable effects on human health or public welfare.

The criteria pollutants of primary concern that are considered in this analysis are O₃, NO₂, CO₂, SO₂, PM₁₀ and PM_{2.5}. Although there are no ambient standards for volatile organic compounds (VOCs) or nitrogen oxide (NO_x), they are important as precursors to O₃. The portion of the SDAB where the proposed Project is located is designated as non-attainment for federal and state ozone (O₃), and for state particulate matter (PM₁₀ and PM_{2.5}).

Local Air Quality

Criteria pollutants are measured continuously throughout the SDAB. This data is used to track ambient air quality patterns throughout the County and to determine attainment status when compared to the NAAQS and CAAQS. The SDAPCD is responsible for monitoring and reporting data. As of 2020, the district operates ten (10) monitoring sites, which collect data on criteria pollutants². Four additional sites collect meteorological data, which is used by the SDAPCD to assist with pollutant forecasting, data analysis and characterization of pollutant transport. The closest monitoring location to the Project Site is the Camp Pendleton monitoring station. **Table 4.4-1** identifies the criteria pollutants monitored at the aforementioned stations since 2015.

² San Diego Air Pollution Control District (SDAPCD). 2018. *Annual Air Quality Monitoring Network Plan 2018*

Table 4.4-1
Ambient Air Quality Summary near the Project Site

Pollutant	Closest Recorded Ambient Monitoring Site	Averaging Time	CAAQS	NAAQS	2015	2016	2017	2018
O ₃	Camp Pendleton or Escondido Monitoring Station	1 Hour	0.09 ppm	No Standard	0.09	0.08	0.09	0.08
		8 Hour	0.070 ppm	0.070 ppm	0.08	0.07	0.08	0.07
PM ₁₀ (µg/m ³)		24 Hour	50 µg/m ³	150 µg/m ³	30	-	-	N/A
		Annual Arithmetic Mean	20 µg/m ³	No Standard -	19.4	-	-	N/A
PM _{2.5} (µg/m ³)		24 Hour	No Standard	35 µg/m ³	29.4	-	-	N/A
		Annual Arithmetic Mean	12 µg/m ³	15 µg/m ³	8.6	-	-	N/A
NO ₂ (ppm)		Annual Arithmetic Mean	0.030 ppm	0.053 ppm	0.006	0.006	0.006	0.005
		1 Hour	0.18 ppm	0.100 ppm	0.060	0.072	0.0063	0.048
CO (ppm)		1 Hour	20 ppm	35 ppm	3.1	-	-	N/A
		8 Hour	9 ppm	9 ppm	2.0	-	-	N/A
Notes: - Days exceeded marked with indicated no data available Source: Air Quality Assessment Prepared by Ldn Consulting, Inc. (Appendix F)								

4.4.2 REGULATORY SETTING

Federal

Federal Standards and Definitions

The Federal Air Quality Standards were developed per the requirements of the Federal Clean Air Act, a federal law passed in 1970 and further amended in 1990. This law provides the basis for the national air pollution control effort. An important part of the Federal Clean Air Act was the development of NAAQS for major air pollutants.

The Federal Clean Air Act established two types of air quality standards otherwise known as primary and secondary standards. Primary Standards set limits for the intention of protecting public health, which includes sensitive populations such as people with asthma, children and elderly. Secondary Standards set limits to protect public welfare to include the protection against decreased visibility, damage to animals, crops, vegetation and buildings.

The EPA Office of Air Quality Planning and Standards (OAQPS) has set NAAQS for principal “criteria” pollutants. These criteria pollutants are defined as:

1. Carbon Monoxide (CO) is a colorless, odorless gas that is produced from the partial combustion of carbon-containing compounds, usually in internal-combustion engines. Common sources of CO to outdoor air are cars, trucks, and other vehicles or machinery that burn fossil fuels. Breathing air with a high concentration of CO reduces the amount of oxygen that can be transported in the blood stream to the heart and brain, and can cause dizziness, confusion, and unconsciousness.
2. Lead (Pb) is a neurotoxin that distributes throughout the body in the blood and accumulates in the bones. It can adversely affect the nervous system, kidney function, immune system, reproductive and developmental systems, and the cardiovascular system. Elevated lead in the environment can result in decreased growth and reproductive rates in plants and animals. At the national level, major sources of lead in the air include ore and metals processing, piston-engine aircraft operation on leaded aviation fuel, waste incinerators, utilities, and lead-acid battery manufacturers.
3. Nitrogen Dioxide (NO₂) is a reactive, oxidizing gas that can irritate airways in the human respiratory system. Exposure can aggravate or develop respiratory diseases, particularly asthma. NO₂ and other nitrogen oxides interact with water, oxygen, and other chemicals in the atmosphere to form acid rain, harming sensitive ecosystems such as lakes and forests. Nitrogen oxides make the air hazy, affecting public views, and also contribute to nutrient pollution in coastal waters. NO₂ primarily enters the air from the burning of fuel from cars, trucks, buses, and power plants.
4. Particulate Matter (PM₁₀ or PM_{2.5}) is a complex mixture of solid particles and liquid droplets found in the air. These particles vary in shape, size, and chemical composition, and can be made of metal, soot, soil, and dust. Some are emitted directly from a source, such as construction sites, unpaved roads, fields, or smokestacks, but most form in the atmosphere as a result of reactions of chemicals such as sulfur dioxide and nitrogen oxides – pollutants emitted from power plants, industries, and automobiles. These particles contribute significantly to regional haze and visibility reduction in California, and can also be inhaled and cause health problems.
5. Ozone (O₃) is a highly oxidative unstable gas that can trigger a variety of health problems when breathed, such as chest pain, coughing, throat irritation, and airway inflammation. It can reduce lung function and worsen bronchitis, emphysema, and asthma. This pollutant forms in the atmosphere through reactions between chemicals directly emitted from vehicles, industrial plants, and many other sources.
6. Sulfur Dioxide (SO₂) is a gaseous compound of sulfur and oxygen that forms when sulfur-containing fuel is burned in locomotives, ships, and off-road diesel equipment. It is also emitted from industrial processes. Short-term exposures to sulfur dioxide can harm the respiratory system and make breathing difficult. People with asthma, children, and the elderly are sensitive to these effects. SO₂ can contribute to acid rain.

The EPA is responsible for implementing most aspects of the Federal Clean Air Act, including setting NAAQS for major pollutants; setting hazardous air pollutant (HAP) standards; approving state attainment plans; setting motor vehicle emission standards; issuing stationary source emission standards and permits; and establishing acid rain control measures, atmospheric O₃ protection measures, and enforcement provisions.

The Federal Clean Air Act requires the EPA to reassess the NAAQS at least every five (5) years to determine whether adopted standards are adequate to protect public health based on current scientific evidence. States with areas that exceed the NAAQS must prepare a (State Implementation Plan (SIP) that demonstrates how those areas will attain the standards within mandated time frames.

Federal Energy Policy and Conservation Act

In 1975, Congress enacted the Federal Energy Policy and Conservation Act to serve the nation's energy demands and promote feasibly attainable conservation methods. This act established the first fuel economy standards for on-road motor vehicles in the United States. Pursuant to the act, the National Highway Traffic Safety Administration (NHTSA) is responsible for establishing additional vehicle standards. The Corporate Average Fuel Economy (CAFE) standards reduce energy consumption by increasing the fuel economy of cars and light trucks. The NHTSA and U.S. EPA jointly administer the CAFE standards. Congress has specified that CAFE standards must be set at the "maximum feasible level" with consideration given for: (1) technological feasibility; (2) economic practicality; (3) effect of other standards on fuel economy; and (4) need for the nation to conserve energy.

In response to *Massachusetts v. Environmental Protection Agency*³, the George W. Bush administration issued Executive Order 13432 in 2007, directing USEPA, the U.S. Department of Transportation (USDOT), and the U.S. Department of Energy (USDOE) to establish regulations that reduce emissions from motor vehicles, non-road vehicles, and non-road engines by 2008⁴. In 2009, the NHTSA issued a final rule regulating fuel efficiency for and GHG emissions from cars and light-duty trucks for model year 2011; in 2010, the U.S. EPA and NHTSA issued a final rule regulating cars and light-duty trucks for model years 2012–2016⁵.

In 2010, President Obama issued a memorandum directing the U.S. EPA, USDOT, USDOE, and NHTSA to establish additional standards regarding fuel efficiency and emission reduction, clean fuels, and advanced vehicle infrastructure. In response to this directive, the U.S. EPA and NHTSA proposed stringent, coordinated federal emission and fuel economy standards for model years 2017–2025 light-duty vehicles⁶. The final rule was adopted in 2012 for model years 2017–2021, and the U.S. EPA issued augural standards for model year 2022 through 2025 following direction from the Obama Administration⁷.

In August 2018, the Trump Administration released a notice of proposed rulemaking, the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021–2026 Passenger Cars and Light Trucks (SAFE Vehicles Rule), which proposed freezing fuel-efficiency requirements and lock in model year 2020 standards through 2026⁸. In March 2020, the Trump Administration issued the SAFE Vehicles Rule, which sets fuel economy and carbon dioxide standards that increase 1.5 percent in stringency each year from model year 2021–2026 for both passenger cars and light trucks⁹.

³ *Massachusetts v. Environmental Protection Agency* (2007) 127 S.Ct. 1438.

⁴ US Government Publishing Office, Administration of George W. Bush, Accessed May 2020, <https://www.gpo.gov/fdsys/pkg/WCPD-2007-05-21/pdf/WCPD-2007-05-21-Pg631.pdf>.

⁵ U.S. EPA, Regulations for Greenhouse Gas Emissions from Commercial Trucks & Buses, Accessed May 2020, <https://www.epa.gov/regulations-emissions-vehicles-and-engines/regulations-greenhouse-gas-emissions-commercial-trucks>.

⁶ U.S. EPA, Presidential Announcements and Letters of Support related to Greenhouse Gas Emissions, Accessed May 2020, <https://www.epa.gov/regulations-emissions-vehicles-and-engines/presidential-announcements-and-letters-support-related>.

⁷ U.S. EPA, *Final Rule for Model Year 2017 and Later Light-Duty Vehicle Greenhouse Gas Emissions and Corporate Average Fuel Economy Standards*, Accessed May 2020, <https://www.gpo.gov/fdsys/pkg/FR-2012-10-15/pdf/2012-10-15.pdf>.

⁸ U.S. EPA, *The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021–2026 Passenger Cars and Light Trucks*, Accessed May 2020, <https://www.gpo.gov/fdsys/pkg/FR-2018-08-24/pdf/2018-16820.pdf>.

⁹ National Highway Traffic Safety Administration, *SAFE*, Accessed May 2020, <https://www.nhtsa.gov/corporate-average-fuel-economy/safe>.

In addition to the regulations applicable to cars and light-duty trucks described above, in 2016, the U.S. EPA and NHTSA announced fuel economy and emissions standards for medium- and heavy-duty trucks for model years 2018–2027 (for certain trailers) and 2021–2027 (for semi-trucks, large pickup trucks, vans, and all types and sizes of buses and work trucks). The final standards are expected to lower CO₂ emissions by approximately 1.1 billion metric tons, save vehicle owners fuels costs of about \$170 billion, and reduce oil consumption by up to 2 billion barrels over the lifetime of the vehicles sold under the program¹⁰.

Hazardous Air Pollutants

The 1997 federal Clean Air Act amendments required the EPA to identify National Emission Standards for Hazardous Air Pollutants to protect public health and welfare. Hazardous air pollutant include certain volatile organic chemicals, pesticides, herbicides, and radionuclides that present a tangible hazard, based on scientific studies of exposure to humans and other mammals. Under the 1990 Clean Air Act amendments, which expanded the control program for hazardous air pollutants, 187 substances and chemical families were identified as hazardous air pollutants.

State

State Standards and Definitions

CARB sets the laws and regulations for air quality on the state level. Subsidiary responsibilities are assigned to air quality management districts and air pollution control districts at the regional and county levels. CARB is responsible for ensuring implementation of the California Clean Air Act of 1988, responding to the Federal Clean Air Act, and regulating emissions from motor vehicles and consumer products.

CARB established CAAQS, which are generally the same as or more restrictive than the NAAQS and also limit four additional contaminants. **Table 4.4-2** identifies both the NAAQS and CAAQS, and the additional contaminants are defined below:

1. Visibility Reducing particles are particles in the air that obstruct visibility. Some are directly emitted to the air such as windblown dust and soot, while others form from the chemical transformation of gaseous pollutants emitted largely by fuel combustion.
2. Sulfates are salts of Sulfuric Acid which occur as microscopic particles (aerosols) resulting from fossil fuel and biomass combustion. They increase the acidity of the atmosphere and can form acid rain.
3. Hydrogen Sulfide (H₂S) is a colorless gas with the odor of rotten eggs or flatulence. It can induce irritation of the eyes and headache, nausea, or vomiting. The most common sources of H₂S emissions are oil and natural gas extraction and processing. It also forms from bacterial breakdown of organic matter.
4. Vinyl Chloride, a chlorinated hydrocarbon, is a toxic, colorless gas with a sweet odor. It is an industrial chemical used in the production of its polymer, polyvinyl chloride. It may be emitted from industrial processes, but today is mainly found near landfills, sewage treatment plants, and hazardous waste sites due to microbial breakdown of chlorinated solvents.

¹⁰ U.S. EPA, *Final Rule for Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles – Phase 2*, Accessed May 2020, <https://www.epa.gov/regulations-emissions-vehicles-and-engines/final-rule-greenhouse-gas-emissions-and-fuel-efficiency>.

Table 4.4-2
Ambient Air Quality Standards

Ambient Air Quality Standards						
Pollutant	Average Time	California Standards¹		Federal Standards²		
		Concentration³	Method⁴	Primary^{3,5}	Secondary^{3,6}	Method⁷
Ozone (O₃)⁸	1 hour	0.09 ppm (180 µg/m ³)	Ultraviolet Photometry	-	Same as Primary Standard	Ultraviolet Photometry
	8 hour	0.070 ppm (137 µg/m ³)		0.070 ppm (137 µg/m ³)		
Respirable Particulate Matter (PM₁₀)⁹	24 hour	50 µg/m ³	Gravimetric or Beta Attenuation	150 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m ³		-		
Fine Particulate Matter (PM_{2.5})⁹	24 Hour	-	-	35 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m ³	Gravimetric or Beta Attenuation	12.0 µg/m ³	15 µg/m ³	
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m ³)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m ³)	-	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9.0 ppm (10 mg/m ³)		9.0 ppm (10 mg/m ³)	-	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m ³)		-	-	
Nitrogen Dioxide (NO₂)¹⁰	1 Hour	0.18 ppm (339 µg/m ³)	Gas Phase Chemiluminescence	100 ppb (188 µg/m ³)	-	Gas Phase Chemiluminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m ³)		0.053 ppm (100 µg/m ³)	Same as Primary Standard	
Sulfur Dioxide (SO₂)¹¹	1 Hour	0.25 ppm (655 µg/m ³)	Ultraviolet Fluorescence	75 ppb (196 µg/m ³)	-	Ultraviolet Fluorescence: Spectrophotometry (Pararosaniline Method)
	3 Hour	-		-	0.5 ppm (1300 µg/m ³)	
	24 Hour	0.04 ppm (105 µg/m ³)		0.14 ppm (for certain areas) ¹¹	-	
	Annual Arithmetic Mean	-		0.030 ppm (for certain	-	

Ambient Air Quality Standards						
Pollutant	Average Time	California Standards ¹		Federal Standards ²		
		Concentration ³	Method ⁴	Primary ^{3,5} areas) ¹¹	Secondary ^{3,6}	Method ⁷
Lead ^{12,13}	30 Day Average	1.5 µg/m ³	Atomic Absorption	-	-	High Volume Sample and Atomic Absorption
	Calendar Quarter	-		1.5 µg/m ³ (for certain areas) ¹²	Same as Primary Standard	
	Rolling 3-Month Average	-		0.15 µg/m ³		
Visibility Reducing Particles ¹⁴	8 Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape	No National Standards		
Sulfates	24 Hour	25 µg/m ³	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m ³)	Ultraviolet Fluorescence			
Vinyl Chloride	24 Hour	0.01 ppm (26 µg/m ³)	Gas Chromatography			
1. California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, suspended particulate matter—PM10, PM2.5, and visibility reducing articles are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations. 2. National standards (other than ozone, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest eight hour concentration in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24 hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m3 is equal to or less than one. For PM2.5, the 24 hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact U.S. EPA for further clarification and current federal policies. 3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas. 4. Any equivalent procedure which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used. 5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health. 6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant. 7. Reference method as described by the EPA. An “equivalent method” of measurement may be used but must have a “consistent relationship to the reference method” and must be approved by the EPA. 8. On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm. 9. On December 14, 2012, the national annual PM2.5 primary standard was lowered from 15 µg/m³ to 12.0 µg/m³. The existing national 24-hour PM2.5 standards (primary and secondary) were retained at 35 µg/m³, as was the annual secondary standard of 15 µg/m³. The existing 24-hour PM10 standards (primary and secondary) of 150 µg/m³ were also retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years. 10. To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm. 11. On June 2, 2010, a new 1-hour SO2 standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO2 national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated non-attainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved. Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the						

Ambient Air Quality Standards						
Pollutant	Average Time	California Standards ¹		Federal Standards ²		
		Concentration ³	Method ⁴	Primary ^{3,5}	Secondary ^{3,6}	Method ⁷
California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.						
12. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.						
13. The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard (1.5 µg/m3 as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated non-attainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.						
14. In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.						
Source: Air Quality Assessment Prepared by Ldn Consulting, Inc. (Appendix F)						

Toxic Air Contaminants

The State Air Toxics Program was established in 1983 under Assembly Bill (AB) 1807. The California toxic air contaminants (TAC) list identifies more than 700 pollutants, of which carcinogenic and non-carcinogenic toxicity criteria have been established for a subset of these pollutants pursuant to the California Health and Safety Code. In accordance with AB 2728, the state TAC list includes the (federal) hazardous air pollutants (HAPs). The Air Toxics "Hot Spots" Information and Assessment Act of 1987 (AB 2588) seeks to identify and evaluate risk from air toxics sources. However, AB 2588 does not regulate air toxics emissions. TAC emissions from individual facilities are quantified and prioritized. "High priority" facilities are required to perform a health risk assessment (HRA), and if specific thresholds are exceeded, are required to communicate the results to the public in the form of notices and public meetings.

Diesel particulate matter (DPM) is part of a complex mixture that makes up diesel exhaust. CARB classified "particulate emissions from diesel-fueled engines" as a TAC in August 1998. DPM is emitted from a broad range of diesel engines: on-road diesel engines of trucks, buses, and cars, and off-road diesel engines including locomotives, marine vessels, and heavy-duty construction equipment, among others.

California Health and Safety Code Section 41700

Section 41700 of the Health and Safety Code states that a person shall not discharge from any source whatsoever quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public; or that endanger the comfort, repose, health, or safety of any of those persons or the public; or that cause, or have a natural tendency to cause, injury or damage to business or property. This section also applies to sources of objectionable odors.

Air Quality and Land Use Handbook

CARB published the *Air Quality and Land Use Handbook*¹¹ on April 28, 2005 to serve as a general guide for considering health effects associated with siting sensitive receptors proximate to sources of TAC emissions. The recommendations provided therein are voluntary and do not constitute a requirement or mandate for either land use agencies or local air districts. The goal of the guidance document is to protect sensitive receptors, such as children, the elderly, acutely ill, and chronically ill persons, from exposure to TAC emissions. Some examples of CARB's siting recommendations include the following: (1) avoid

¹¹ CARB, *Air Quality and Land Use Handbook: A Community Perspective* (April 2005), <https://www.arb.ca.gov/ch/handbook.pdf>.

siting sensitive receptors within 500 feet of a freeway, urban road with 100,000 vehicles per day, or rural roads with 50,000 vehicles per day; (2) avoid siting sensitive receptors within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units per day, or where transport refrigeration unit operations exceed 300 hours per week); and (3) avoid siting sensitive receptors within 300 feet of any dry cleaning operation using perchloroethylene and within 500 feet of operations with two (2) or more machines.

California Code of Regulations

The California Code of Regulations (CCR) is the official compilation and publication of regulations adopted, amended, or repealed by State agencies pursuant to the Administrative Procedure Act (APA). The CCR includes regulations that pertain to air quality emissions. Specifically, Section 2485 in Title 13 of the CCR, states that the idling of all diesel-fueled commercial vehicles (weighing over 10,000 pounds) during construction shall be limited to five (5) minutes at any location. In addition, Section 93115 in Title 17 of the CCR states that operation of any stationary, diesel-fueled, compression-ignition engines shall meet specified fuel and fuel additive requirements and emission standards.

Sierra Club v. County of Fresno

The California Supreme Court, in *Sierra Club v. County of Fresno* (2018) 6 Cal. 5th 502 (“Friant Ranch”), determined the air quality analysis in the EIR was inadequate for the significant and unavoidable impacts because it did not make “a reasonable effort to substantively connect the project’s air quality impacts to likely health consequences.” The State Supreme Court determined that, as it relates to significant and unavoidable impacts, “The EIR should be revised to relate the expected adverse air quality impacts to likely health consequences or explain in meaningful detail why it is not feasible at the time of drafting to provide such an analysis.”

In April 2019, the Sacramento Metropolitan Air Quality Management District (SMAQMD) published an Interim Recommendation on implementing the Friant Ranch decision in the review and analysis of proposed projects under CEQA in Sacramento County¹². To date, the SMAQMD is the only California air district to formally release, as guidance, an “Interim Recommendation” for lead agencies and practitioners preparing CEQA documents for projects within Sacramento County to comply with the Friant Ranch decision. Consistent with the expert opinions submitted to the Court in Friant Ranch by the San Joaquin Valley Air Pollution Control District (SJVAPCD) and the South Coast Air Quality Management District (SCAQMD), the SMAQMD guidance confirms the absence of an acceptable or reliable quantitative methodology that would correlate the expected criteria air pollutant emissions of projects to the likely health consequences to people of project-generated criteria air pollutant emissions. The SMAQMD guidance explains that while it is in the process of developing a methodology to assess these impacts, lead agencies should follow the advice in Friant Ranch to explain in meaningful detail why this analysis is not yet feasible. As such, it is currently not scientifically feasible to provide a reliable quantitative analysis directly correlating a project’s significant pollutant emissions and human health.

Regional

The State of California has 35 air districts, which each hold responsibility for ensuring that the criteria pollutant levels are below the NAAQS and CAAQS. Air basins that exceed either the NAAQS or the CAAQS for any criteria pollutants are designated as “non-attainment” areas for that pollutant. Currently, there are 16 non-attainment areas for the federal ozone standard and four non-attainment areas for the

¹² SMAQMD, “*Friant Ranch* Interim Recommendation,” April 25, 2019.

PM_{2.5} standard (CARB, 2018). The state therefore created the California SIP, which is designed to provide measures needed for California air basins to attain ambient air quality standards.

The SDAPCD is the government agency which regulates air pollution within the County. To try to achieve attainment status within the SDAB, the SDAPCD developed a Regional Air Quality Strategy (RAQS) outlining control measures. As noted above, the City is currently in “non-attainment” status for federal and state O₃ standards, and for state particulate matter (PM₁₀ and PM_{2.5}) standards. However, an attainment plan is only available for O₃. The RAQS was adopted in 1992 and is revised periodically with the latest revision having occurred in 2016.

The 2016 update mostly summarizes how the 2009 update has lowered NO_x and VOCs emissions which reduces O₃ and clarifies and enhances emission reductions by introducing for discussion three (3) new VOC and four (4) new NO_x reduction measures. NO_x and VOCs are precursors to the formation of O₃ in the atmosphere. The criteria pollutant standards are generally attained when each monitor within the region has no exceedances during the previous three (3) calendar years. A complete listing of the current attainment status for criteria pollutants with respect to both federal and state non-attainment status by pollutants for the County is shown in **Table 4.4-3** (SDAPCD, 2018).

SDAPCD reviews projects to ensure that they would not: (1) cause or contribute to any new violation of any air quality standard; (2) increase the frequency or severity of any existing violation of any air quality standard; or (3) delay the timely attainment of any air quality standard or any required interim emission reductions or other milestones of any federal attainment plan.

The RAQS is largely based on population predictions by the San Diego Association of Governments (SANDAG). Projects that produce less growth than predicted by SANDAG would generally conform to the RAQS. Projects that create more growth than projected by SANDAG may create a significant impact if the project produces unmitigable air quality emissions or if the project produces cumulative impacts.

Table 4.4-3
San Diego County Air Basin Attainment Status by Pollutant

Criteria Pollutant	Federal Designation	State Designation
Ozone (8-hour)	Non-attainment	Non-attainment
Ozone (1-hour)	Attainment*	Non-attainment
Carbon Monoxide	Attainment	Attainment
PM ₁₀	Unclassifiable **	Non-attainment
PM _{2.5}	Attainment	Non-attainment
Nitrogen Dioxide	Attainment	Attainment
Sulfur Dioxide	Attainment	Attainment
Lead	Attainment	Attainment
Sulfates	No Federal Standard	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Visibility	No Federal Standard	Unclassified
* The federal 1-hour standard of 12 pphm was in effect from 1979 through June 15, 2005. The revoked standard is referenced here because it was employed for such a long period and because this benchmark is addressed in State Implementation Plans. ** At the time of designation, if the available data does not support a designation of attainment or non-attainment, the area is designated as unclassifiable. (SDAPCD, 2018) Source: Air Quality Assessment Prepared by Ldn Consulting, Inc. (Appendix F)		

SDAPCD Rules and Regulations

As stated above, the SDAPCD is responsible for planning, implementing, and enforcing federal and state ambient standards in the SDAB. The following rules and regulations apply to all sources in the jurisdiction of SDAPCD and would apply to the proposed project.

Rule 20.2 – Air Quality Impact Assessment Screening Thresholds

The SDAPCD established screening level thresholds in Rule 20.2 for new or modified stationary sources of air pollutants. The County's Guidelines for Determining Significance and Report Format and Content Requirements incorporate screening level thresholds from Rule 20.2 for use in all County-related Air Quality Impact Assessments and for determining CEQA air quality impacts. These screening criteria can be used to demonstrate that a project's total emissions would not result in a significant impact as defined by CEQA. As provided in the Air Quality Assessment prepared by Ldn Consulting, Inc. and provided in this EIR as **Appendix F**, since the SDAPCD does not have air quality impact thresholds for VOCs, it is acceptable to use the SCAQMD thresholds, which generally has stricter emissions thresholds than the SDAPCD.

Rule 50 – Visible Emissions

This rule prohibits discharge into the atmosphere from any single source of emissions whatsoever of any air contaminant for a period or periods aggregating more than three minutes in any period of 60 consecutive minutes that is darker in shade than that designated as Number 1 Ringelmann Chart, as published by the United States Bureau of Mines, or of such opacity as to obscure an observer's view to a degree greater than does smoke of a shade designated as Number 1 on the Ringelmann Chart (SDAPCD 1997).

Rule 51 – Nuisance

This rule prohibits the discharge, from any source, of such quantities or air contaminants or other materials that cause or have a tendency to cause injury, detriment, nuisance, annoyance to people and/or the public, or damage to any business or property (SDAPCD 1976).

Rule 55 – Fugitive Dust

Rule 55 regulates fugitive dust emissions from any commercial construction or demolition activity capable of generating fugitive dust emissions, including active operations, open storage piles, and inactive disturbed areas, as well as track-out and carry-out onto paved roads beyond a project site (SDAPCD 2009b).

Rule 67.01 – Architectural Coatings

This rule requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce VOC emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories (SDAPCD 2015a).

Rule 1200 – Toxic Air Contaminants (New Source Review)

This rule requires each stationary source that is required to prepare a public risk assessment to provide written public notice of risks at or above the following levels: maximum incremental cancer risks equal to or greater than 10 in 1 million, or cancer burden equal to or greater than 1.0, or total acute non-cancer health hazard index equal to or greater than 1.0, or total chronic non-cancer, health hazard index equal to or greater than 1.0 (SDAPCD 2017b).

San Diego Association of Governments (SANDAG)

SANDAG is the regional planning agency for the County and serves as a forum for regional issues relating to transportation, the economy, community development and the environment. SANDAG serves as the federally-designated metropolitan planning organization for the County. SANDAG has prepared San Diego Forward: The Regional Plan (Regional Plan) for the San Diego region. The Regional Plan, including its Sustainable Communities Strategy (SCS), is built on an integrated set of public policies, strategies, and investments to maintain, manage, and improve the transportation system so that it meets the diverse needs of the San Diego region through 2050.

In regard to air quality, the Regional Plan sets the policy context in which SANDAG participates in and responds to the air district's air quality plans and builds off the air district's air quality plan processes that are designed to meet health-based criteria pollutant standards in several ways. First, it complements air quality plans by providing guidance and incentives for public agencies to consider best practices that support the technology-based control measures in air quality plans. Second, the Regional Plan emphasizes the need for better coordination of land use and transportation planning, which heavily influences the emissions inventory from the transportation sectors of the economy.

LocalCity of Oceanside General Plan*Environmental Resource Management Element*

The Environmental Resource Management Element of the General Plan outlines recommended action programs to implement and achieve long-range planning objectives. The City Implementation Program actions related to air quality include:

Objectives: Air Quality

1. Cooperate with County, State, and federal agencies in continuing programs of air quality improvement

Land Use Element

The Land Use Element of the General Plan provides guidance for protection of air quality. The following policies of the Land Use Element are relevant to the proposed project:

3.18 Air Quality

Policy A: The City shall cooperate with the San Diego County Air Pollution Control Board, and participate in the Regional Air Quality Control Strategy (RAQS).

4.4.3 THRESHOLDS OF SIGNIFICANCE

Per Appendix G of the CEQA Guidelines, impacts would be considered significant if the Project would:

- a. Conflict with or obstruct implementation of the applicable air quality plan;
- b. Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard;

- c. Expose sensitive receptors to substantial pollutant concentrations;
- d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

Appendix G of the CEQA Guidelines indicates that, where available, the significance criteria established by the applicable air quality management district or pollution control district may be relied upon to determine whether the proposed Project would have a significant impact on air quality.

As part of its air quality permitting process, the SDAPCD has established thresholds for permitted stationary sources in the County. The SDAPCD sets forth quantitative emission thresholds below which a stationary source would not have a significant impact on ambient air quality. These levels may be used to evaluate the increased emissions which would be discharged to the SDAB from proposed land development projects. Project-related air quality impacts estimated in this environmental analysis would be considered significant if any of the applicable significance thresholds presented in **Table 4.4-4** below, are exceeded.

Table 4.4-4
Screening Thresholds for Criteria Pollutants

Pollutant	Total Emissions (Pounds per Day)	Total Emissions (Tons per Year)
Construction Emissions		
Respirable Particulate Matter (PM ₁₀ and PM _{2.5})	100 and 55	15
Nitrogen Oxide (NO _x)	250	40
Sulfur Oxide (SO _x)	250	40
Carbon Monoxide (CO)	550	100
Volatile Organic Compounds (VOCs)	75	40
Reactive Organic Gases (ROG) SCAQMD	75	40
Operational Emissions		
Respirable Particulate Matter (PM ₁₀ and PM _{2.5})	100 and 55	15
Nitrogen Oxide (NO _x)	250	40
Sulfur Oxide (SO _x)	250	40
Carbon Monoxide (CO)	550	100
Lead and Lead Compounds	3.2	0.6
Volatile Organic Compounds (VOCs)	75	40
Reactive Organic Gases (ROG) SCAQMD	75	40
Source: Air Quality Assessment Prepared by Ldn Consulting, Inc. (Appendix F)		

Methodology

Air quality impacts related to construction and daily operations of the North River Road PBD were calculated using the latest CalEEMod Version 2016.3.2 air quality model, which was developed by BREEZE Software for the SCAQMD in 2017. The construction module in CalEEMod is used to calculate the emissions associated with the construction of the Project and uses methodologies presented in the U.S. EPA AP-42 document with emphases on Chapter 11.9. The CalEEMod input/output model is provided in

Attachment A of the Air Quality Assessment prepared by Ldn Consulting, Inc. and is included in this EIR as **Appendix F**.

The AERSCREEN dispersion model was used to determine the concentration for air pollutants at any location near the pollutant generator. The model will also predict the maximum exposure distance and concentrations. The AERSCREEN input and output file for the Project are shown in Attachment B of the Air Quality Assessment prepared by Ldn Consulting, Inc. and is included in this EIR as **Appendix F**. The worst case exhaust emissions generated from the Project from construction equipment was utilized and calculated within the CalEEMod model.

Once the dispersed concentrations of diesel particulates are estimated in the surrounding air, they are used to evaluate estimated exposure to people. Exposure was evaluated by calculating the dose in milligrams per kilogram body weight per day (mg/kg/d). For residential exposure, the breathing rates are determined for specific age groups, so inhalation dose (Dose-air) is calculated for each of these age groups: 0<2, 2<9, 2<16, 16<30 and 16<70 years. The Air Quality Assessment (**Appendix F**) provides the in depth algorithms to calculate the dose for exposure and the worst-case cancer risk dose calculation.

The Office of Environmental Health Hazard Assessment (OEHHA) recommends that an exposure duration (residency time) of 30 years be used to estimate individual cancer risk for the Maximally Exposed Individual Resident (MEIR). OEHHA also recommends that the 30-year exposure duration be used as the basis for public notification and risk reduction audits and plans. Exposure durations of 9 years and 70 years are recommended to be evaluated for the MEIR to show the range of cancer risk based on residency periods.

Non-cancer risks or risks defined as chronic or acute are also known with respect to DPM and are determined by the hazard index. To calculate hazard index, DPM concentration is divided by its chronic Reference Exposure Levels (REL). Where the total equals or exceeds one, a health hazard is presumed to exist. RELs are published by the OEHHA and diesel exhaust has a REL of $5\mu\text{g}/\text{m}^3$ and targets the respiratory system.

Health risk calculations, in its entirety, are provided in Attachment C of the Air Quality Assessment which is included in this EIR as **Appendix F**. The sensitive receptors in close proximity to the Project Site are displayed in **Figure 4.4-1**.



T:\Project_Data\North River Road (Nagata-Kawano) - 1115\Final_Maps\IEIR_Nov2021\NRR_Fig.4.4-1_SensitiveReceptors_111521.mxd

4.4.4 PROJECT IMPACT ANALYSIS

Would the Project:

- a. Conflict with or obstruct implementation of the applicable air quality plan?

The Federal Clean Air Act forms the basis for the national air pollution control effort. Pursuant to the Clean Air Act the U.S. EPA classifies air basins as “attainment” or “non-attainment” for each criteria air pollutant, based on whether the NAAQS have been achieved. The EPA set NAAQS for six (6) pollutants based on parts per million, parts per billion and micrograms per cubic meter. States with areas that exceed the NAAQS must prepare a SIP that demonstrates how those areas would attain the NAAQS within mandated timeframes. In addition, the 2016 RAQS were adopted on the local level to demonstrate how the region would comply with the federal standards.

The State of California has 35 air districts, which each hold responsibility for ensuring that the criteria pollutant levels are below the NAAQS and CAAQS. Air basins that exceed either the NAAQS or the CAAQS for any criteria pollutants are designated as “non-attainment” areas for that pollutant. Currently, there are 15 non-attainment areas for the federal O₃ standard, two (2) non-attainment areas for the PM_{2.5} standard and a number of areas are in non-attainment for PM₁₀ (CARB, 2018). The State therefore created the California SIP, which is designed to provide measures needed for California air basins to attain ambient air quality standards.

The SDAPCD is the governmental agency that regulates sources of air pollution within the County. Due to the SDAB non-attainment of the federal O₃ standard, RAQS have been established for O₃ and O₃ precursors (NO_x and VOCs). The RAQS is largely based on population predictions by SANDAG. Projects that create more growth than projected by SANDAG have the potential to conflict with the SIP and RAQS and have the potential to cause a significant impact if the Project produces unmitigable air quality emissions or if the Project produces cumulative impacts.

As provided in **Table 4.4-6** below, the Project would not exceed SDAPCD air quality standards during construction and no mitigation is required. **Table 4.4-7** provide the expected daily pollutant generation during operation of the Project. Operational emissions would not exceed SDAPCD screening thresholds during summer or winter scenarios and would not result in a significant impact to air quality.

Existing zoning of the Project Site as LI, which has a Floor Area Ratio (FAR) of 1.0, could result in a project as large as 1,000,000 SF under the existing zoning and General Plan designation. Based on the medium density residential building types provided in the PBDP, the FAR for the Project under any of the probable medium density residential building types would not exceed 1.0.

Therefore, expected construction emissions for a project under the existing zoning and land use would be greater compared to emissions generated by the Project. The Project would therefore be considered less intense than a project under the existing zoning and land use. Because the RAQS would be based on the existing land use and zoning of the Project Site, and because the Project would be considered less intense than a project under the existing zoning and land use designation, the Project would not create more growth than projected by SANDAG and would not conflict with the SIP and RAQS.

The Project would not conflict with or obstruct implementation of an applicable air quality plan, and impacts would be **less than significant**.

- b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

As discussed above, the SDAB is in non-attainment for the federal O₃ standard, as well as the state particulate matter (PM_{2.5} and PM₁₀) standard. Below is an analysis of the criteria pollutants, including O₃ precursors, and particulate matter.

Construction Emissions

Construction of the Project would result in the temporary addition of pollutants into the SDAB from onsite sources such as building demolition, off-road construction equipment, soil disturbance, and VOC off-gassing and off-site sources including on-road haul trucks, vendor trucks and worker vehicle trips. Project construction emissions were estimated using California Emissions Estimator Model (CalEEMod) Version 2016.3.2 for construction calculations. **Table 4.4-5** displays the expected Project construction schedule for construction processes for the entire Project including demolition, grading, utility infrastructure, improvements and structures onsite and the expected equipment required.

Table 4.4-5
Expected Construction Timing and Equipment

Equipment Identification	Proposed Start Date	Proposed Completion Date	Quantity
Demolition	1/1/2024	2/9/2024	
Concrete/ Industrial Saws			1
Rubber Tired Dozers			3
Tractors/ Loaders/ Backhoes			2
Site Preparation	2/10/2024	3/8/2024	
Rubber Tired Dozers			3
Tractors/ Loaders/ Backhoes			4
Grading	3/9/2024	5/10/2024	
Excavators			2
Graders			1
Rubber Tired Dozers			1
Scrapers			2
Tractors/ Loaders/ Backhoes			2
Paving	5/11/2024	6/28/2024	
Pavers			2
Paving equipment			2
Rollers			2
Building Construction	7/1/2024	3/6/2026	
Cranes			1
Forklifts			3
Generator Sets			1
Tractors/ Loaders/ Backhoes			3
Welders			1
Architectural Coating	11/28/2025	3/6/2026	
Air Compressors			1

This equipment list is based upon equipment inventory within CalEEMod. The quantity and types are based upon assumptions provided by the Project applicant.

Source: Air Quality Assessment Prepared by Ldn Consulting, Inc. (Appendix F)

Project construction dates were estimated based on a construction start date in 2024 with construction ending in 2026. CalEEMod was utilized for all construction calculations and has been manually updated to reflect SDAPCD Rule 67 VOC paint standards and to include the Project's use of Tier 4 construction equipment. Tier 4 refers to the latest emission milestone by the U.S. EPA and CARB which applies to new engines found in off-road equipment including construction equipment. Tier 4 compliant engines significantly reduce emissions of particulate matter and NO_x. The Project's construction emissions are based on these assumptions and the expected construction emissions are provided in **Table 4.4-6** below.

Table 4.4-6
Expected Project Construction Emissions Summary (lbs/day)

Year	ROG	NO _x	CO	SO ₂	PM ₁₀ (Dust)	PM ₁₀ (Exhaust)	PM ₁₀ (Total)	PM _{2.5} (Dust)	PM _{2.5} (Exhaust)	PM _{2.5} (Total)
2024	1.26	5.94	33.43	0.06	18.21	0.10	18.28	9.97	0.10	10.03
2025	71.92	6.08	27.14	0.07	3.13	0.07	3.20	0.84	0.07	0.90
2026	71.88	5.99	26.71	0.06	3.13	0.07	3.20	0.84	0.06	0.90
Significance Threshold	75	250	550	250	-	-	100	-	-	55
Significant Impact?	No	No	No	No	-	-	No	-	-	No

Source: Air Quality Assessment Prepared by Ldn Consulting, Inc. (Appendix F)

Based on the findings in **Table 4.4-6**, Project emissions would not exceed SDAPCD air quality thresholds during construction and therefore, no direct construction impacts related to air quality would occur and no mitigation measures are required.

Project construction emissions would not exceed SDAPCD thresholds for any pollutant, and would not result in considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable Federal or State ambient air quality standard (PM₁₀, PM_{2.5} or O₃). Impacts related to Project construction emissions would be **less than significant**.

Operational Emissions

Once Project construction is completed, the Project would generate emissions from daily operations which would include sources such as area, energy, waste and water uses, and mobile emissions which were calculated within CalEEMod. Area sources include consumer products, landscaping, and architectural coatings as part of regular maintenance. The largest energy uses would be from electricity and natural gas to operate pools located within the future residential development. Mobile or transportation related emissions are calculated in CalEEMod using Emission Factor (EMFAC) 2014 rates which are built into CalEEMod.

In the EMFAC model, the emission rates are multiplied with vehicle activity data provided by the regional transportation agencies to calculate the statewide or regional emission inventories. An emission inventory is based on the emission rate (e.g., grams per pollutant emitted over a mile) and vehicle activity (e.g., miles driven per day). Area sources originate from daily onsite uses, which require either burning fuel to generate energy (i.e. natural gas pool heaters or electric motors for pumping) or the evaporation of organic gases such as from paints (architectural coatings).

The estimated average daily trips (ADT) for the Project is 3,200 with an average trip distance of 5.33 miles, as provided in the Local Transportation Study prepared by LOS Engineering, Inc. (**Appendix P**) which utilizes SANDAG Traffic Generation methodologies. Consumer product emissions are generated by a wide range of product categories, including air fresheners, automotive products, household cleaners, and personal care products. Emissions associated with these products primarily depend on the increased population associated with residential development. Default Consumer Product emission factors were used in the CalEEMod model. Architectural coatings would be compliant with SDAPCD Rule 67. **Table 4.4-7** displays the expected daily operational pollutant emissions for the Project under summer and winter scenarios.

Table 4.4-7
Expected Daily Pollutant Generation (Project Operational Emissions)

	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summer Scenario						
Area Source Emission Estimates (lbs/day)	11.70	7.02	35.79	0.04	0.72	0.72
Energy Emission Estimates (lbs/day)	0.17	1.45	0.62	0.01	0.12	0.12
Mobile Emissions Estimates (lbs/day)	3.52	12.97	33.48	0.12	11.78	3.21
Total (lbs/day)	15.39	21.44	69.89	0.18	12.62	4.05
SDAPCD Screening Level Thresholds	75	250	550	250	100	55
Significant Impact?	No	No	No	No	No	No
Winter Scenario						
Area Source Emission Estimates (lbs/day)	11.70	7.02	35.79	0.04	0.72	0.72
Energy Emission Estimates (lbs/day)	0.17	1.45	0.62	0.01	0.12	0.12
Mobile Emissions Estimates (lbs/day)	3.39	13.17	33.73	0.12	11.78	3.21
Total (lbs/day)	15.26	21.64	70.14	0.17	12.62	4.05
SDAPCD Screening Level Thresholds	75	250	550	250	100	55
Significant Impact?	No	No	No	No	No	No
Daily pollutant generation assumes trip distances within CalEEMod The final numbers are all rounded within Excel and are reported as rounded numbers. Source: Air Quality Assessment Prepared by Ldn Consulting, Inc. (Appendix F)						

As shown in **Table 4.4-7**, the Project operational emissions would not exceed SDAPCD thresholds for any pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard (PM₁₀, PM_{2.5} or O₃). Impacts from Project operational emissions would be **less than significant**.

Cumulative Air Quality Impacts

Air quality is largely a cumulative impact and is cumulatively evaluated based on the air basin. The non-attainment status of regional pollutants is a result of past and present development and SDAPCD develops and implements plans for future attainment of ambient air quality standards. Based on these

considerations, Project-level thresholds of significance for criteria pollutants are relevant in the determination of whether a project's individual emissions would have a cumulatively significant impact of air quality.

According to the SDAPCD, individual construction projects that exceed the SDAPCD's recommended daily thresholds for project-specific impacts would cause a cumulatively considerable increase in emissions for those pollutants for which the SDAB is in non-attainment.

As discussed above, the Project would not exceed SDAPCD's daily significance thresholds during construction or operation. Furthermore, based on review of the Project Local Transportation Study (**Appendix P**), the two largest and nearest cumulative projects are the Villa Storia residential development which includes the construction of 420 homes, and the North River Farms Mixed-Use project which would construct up to 689 homes, 25,000 SF of commercial space, restaurant space, 30 acres of farm use, and a 100-room hotel. Since preparation of the traffic analysis provided in the Local Transportation Study, the zone amendment required for the North River Farms project was overturned by referendum and an agricultural zoning designation will be retained for the North River Farms project site. The inclusion of traffic associated with the North River Farms project in the cumulative analysis represents a worst-case assessment for the near term traffic conditions.

The Project health risk screening model predicted that diesel exhaust during construction would produce the highest concentrations roughly 225 meters (0.14 mile) from the Project centroid and the chances for cumulative overlap could only be expected if a nearby project being constructed simultaneously produced air quality emissions that incrementally contribute to the proposed Project air quality emissions. The Villa Storia and Rio Rockwell cumulative projects are located 0.87 and 0.18 mile from the Project Site centroid respectively. Due to distance of the two cumulative projects and intervening topography, air quality construction emissions would not increase beyond what is calculated within this air quality analysis and the air quality emissions provided in **Table 4.4-6** above. Therefore, a less than significant cumulative construction impact would occur.

Project operational air quality emissions would not exceed SDAPCD's area, energy or mobile thresholds, as displayed in **Table 4.4-7** above and therefore, the Project would have a less than significant cumulative operational impact. The Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under applicable federal and state ambient air quality standards, and therefore impacts to air quality would be **less than significant**.

c. Expose sensitive receptors to substantial pollutant concentrations?

Some receptors to air quality are considered more sensitive to air pollutants than others, because of pre-existing health problems, proximity to the emissions source, or duration of exposure to air pollution. Land uses such as primary and secondary schools, hospitals, and convalescent homes are considered to be relatively sensitive to poor air quality because they contain people who are very young, old, and in the infirm are more susceptible to respiratory infections and other air quality-related health problems than the general public.

Residential areas are also considered sensitive to poor air quality because people in residential areas are often at home for extended periods of time. Recreational land uses are moderately sensitive to air pollution because of the vigorous exercise associated with recreational land uses having a high demand on respiratory system functions. CARB has identified the following people as most likely to be affected by air pollution: children less than 14 years of age, the elderly over 65 years of age, athletes, and those with cardiovascular and chronic respiratory diseases. These groups are classified as sensitive population groups.

Sensitive receptors relative to the Project Site are shown in **Figure 4.4-1**. As shown in **Figure 4.4-1**, sensitive receptors include single-family residents directly to the west (approximately 20 feet from Project Site boundary), the mobile home estates and multi-family residences directly to the north (approximately 122 feet), North River Club Apartments (approximately 180 feet) to the northwest, Shepherd of the Valley Lutheran Church (approximately 833 feet) to the northwest, Nicholas Elementary School located 0.28 mile southwest, Cesar Chavez Middle School located 0.40 mile southeast, Libby Elementary School (0.59 mile), Libby Lake Park (0.43 mile) and Libby Lake Child Development Center (0.45 mile) located northeast and Reynolds Elementary School located 0.90 mile north of the Project Site. The evaluation of air quality impacts to sensitive receptors is based on the potential to result in physical health issues.

Construction Health Risks

Based on the air quality modeling, which includes the use of Tier 4 equipment during Project construction, the worst-case PM_{10} emissions from onsite construction exhaust would cumulatively produce 0.0136 tons over the construction duration (797 calendar days) or an average of 0.000179 grams/second.

Utilizing the AERSCREEN dispersion model, the peak maximum 1-hour concentration of diesel exhaust is $0.235 \mu\text{g}/\text{m}^3$ during the worst-case construction period. Converting the peak 1-hour concentration to an annual concentration yields an annual concentration of $0.0188 \mu\text{g}/\text{m}^3$. Therefore, the worst-case inhalation cancer risk is 7.08 per million exposed at 225 meters (0.14 mile) from the geometric centroid of the Project. As stated previously, diesel exhaust would produce the highest concentrations roughly 225 meters or 0.14 mile from the Project centroid. The single-family residences, mobile home estates, multi-family residences, the North River Club Apartments and Shepherd of the Valley Lutheran Church are located within the 0.14-mile geometric centroid.

In compliance with SDAPCD Rule 1200, at no time shall a project increase the cancer risk to over 10 in 1 million. Projects that increase cancer risk between 1 and 10 million shall implement toxics best available control technology (T-BACT). The Project has been designed to utilize Tier 4 construction equipment including equipment fitted with diesel particulate filters, catalytic converters and or selective catalytic reduction technology to conform to T-BACT requirements. Therefore, cancer risks as a result of the Project would be **less than significant**.

There are known acute and chronic health risks associated with diesel exhaust which are considered non-cancer risks. These risks are calculated based on methods identified in the Air Quality Assessment provided as **Appendix F** of this EIR. Using the health risk calculations with the hourly concentration of $0.235 \mu\text{g}/\text{m}^3$ divided by the REL of $5 \mu\text{g}/\text{m}^3$, yields a Health Hazard Index of 0.05, which is less than one. As stated above in the Methodology discussion, where the total equals or exceeds one, a health hazard is presumed to exist. Therefore, no non-cancer risks are expected as a result of the Project.

Lead Based Paint and Asbestos Containing Materials

A complete analysis of Lead Based Paint and Asbestos Containing Materials is provided in Section 4.10 *Hazards and Hazardous Materials*. Before 1978, lead was a common ingredient in paint because it added strength, shine and extended the life of the paint. Given the pre-1978 construction of onsite structures, it is likely that existing structures would contain lead-based paint (LBP). Lead poisoning can result from children having access to, and ingestion of LBP-covered surfaces. Inhalation of dust produced by normal oxidation, or scraping, sand-blasting of the paint, which may contain significant amounts of lead, is a health hazard. The Project would disturb LBP-containing materials through the removal and disposal of

materials from existing structures onsite which has the potential to cause a health hazard and represents a **significant impact (Impact AQ-1)**.

Asbestos is a common term for a group of naturally occurring mineral fibers. Due to its durability and insulating quality, it was used in a wide variety of building products. Adverse health effects have been associated with the inhalation of airborne asbestos fibers. The asbestos materials that are tightly bound in building materials do not represent an exposure hazard unless disturbed in such a way that releases airborne fibers i.e., (cutting, drilling, or sanding). In 1978 the U.S. EPA had effectively banned the use of asbestos containing materials (ACMs) in building materials. Given the pre-1978 construction of onsite structures, ACMs would have likely been used in onsite structures. Project construction would require the removal and disposal of onsite buildings that have the potential to disturb ACMs, which has the potential to cause adverse health effects and represents a **significant impact (Impact AQ-2)**.

Irrigation pumps and piping were located onsite according to the Phase II Environmental Assessment (**Appendix D**). Portions of the pipe, if not replaced by PVC in the 1970s, could have been constructed of transite, a material composed of asbestos and cement. Project construction would require the removal and disposal of irrigation pumps potentially containing ACMs which has the potential to cause adverse health and environmental effects and represent a **significant impact (Impact AQ-3)**.

Operational Health Risks

Air pollution emissions related to Project-generated traffic have the potential to create new, or worsen existing, localized air quality violations with respect to CO. These increased CO “hot spots” are determined through the utilization of the Institute of Transportation Studies (ITS) Transportation Project-Level Carbon Monoxide Protocol¹³.

In the event Project traffic adds vehicular trips to an intersection that operates at Level of Service (LOS) E or F, or if the addition of project trips re-classify an intersection from an acceptable LOS to LOS E or F, and when total intersection peak hour trips exceed 3,000 vehicles, it is recommended that projects within the County conduct a CO “hot spot” analysis. The City of Oceanside uses the County’s screening thresholds to conduct CO hot spot analyses. The Project would generate 3,200 ADT and therefore a CO hot spot analysis is provided.

The ITS Transportation Project-Level Carbon Monoxide Protocol recommends running the EMFAC model to determine emission rates for the Project year as well as conduct dispersion modeling utilizing CALINE to determine worst-case emission concentrations. The EMFAC 2014 model which is consistent with CalEEMod 2016.3.2 is provided as Attachment D of the Air Quality Assessment provided as **Appendix F** of this EIR.

The Local Transportation Study prepared for the Project indicated that the Project, combined with existing traffic would add trips to four intersections currently operating at LOS E or worse, and only two intersections would generate more than 3,000 peak hour vehicle trips during Project buildout. The worst-case intersection or the intersection having the most vehicles (College Drive and SR-76) is expected to operate with over 6,000 vehicles during the AM and PM peak hours. These intersections and the number of peak hour vehicles are provided in **Table 4.4-8** below. It should be noted that Project mitigation for transportation impacts would reduce these impacts to less than significant levels; however, the LOS would remain at LOS E or worse.

¹³ University of California, Davis for California Department of Transportation (1997, December). *CO Protocol*. Retrieved from http://www.dot.ca.gov/hq/env/air/documents/COProtocol_searchable.pdf

Table 4.4-8
Project Intersections LOS E or Worse and Delay

Intersection	Peak Hour	Number of Peak Hour Vehicles	LOS
Shopping Center Drive/ North River Road	AM	4,094	D
	PM	4,354	E
College Drive / SR-76	AM	6,239	E
	PM	6,976	F
Source: Air Quality Assessment prepared by Ldn Consulting, Inc. (Appendix F)			

Micro-scale operations during these conditions show that the Project would add trips to these intersections and would have the potential to generate CO emissions in excess of the CAAQS. For purposes of this analysis, the CAAQS would be considered the most stringent air quality standard with CO limits of 9 ppm for the 1-hour standard and 20 ppm CO for the 8-hour standard and are used within this analysis. The CALINE model incorporated the highest 8-hour and 1-hour air quality data as collected at the nearby monitoring stations identified in **Table 4.4-2**.

The CALINE4 model was setup to show a typical intersection with a north, east, south and west segment extending a typical 50-meters in every direction. Peak hour volumes were taken from the peak hour turning movements within the Project traffic analysis for the worst-case intersection identified and CALINE4 was updated accordingly. Sensitive receptors were assumed to be roughly 25-feet to each roadway, representing a worst-case environment.

Table 4.4-9 displays the 1-hour emission concentration predictions and the 8-hour average after utilizing the carbon dioxide persistence factor of 0.7. Based on the model output results, the CO impacts at the intersection of College Drive and SR-76 would not exceed CAAQS significance threshold and would result in a less than significant. Based on these results, since all other remaining intersections have lower traffic volumes, it is concluded that all other remaining intersections would also have a **less than significant impact** to CO hot spots.

Table 4.4-9
Expected Carbon Monoxide Hot Spot Concentration Levels

Intersection	Vehicles Per Hour	Predicted Concentration PPM	
	PM	1-Hour	8-Hour
College Drive / SR-76 – AM	6,239	0.1	0.07
College Drive / SR-76 – PM	6,976	0.1	0.07
CAAQS Significance Thresholds		20	9
Significant Impact?		No	No
Emission levels taken from EMFAC 2014.			
Traffic volumes were obtained from the Project Local Transportation Study prepared by LOS Engineering, Inc. (Appendix P)			
Source: Air Quality Assessment prepared by Ldn Consulting, Inc. (Appendix F)			

The Project would not expose sensitive receptors to substantial pollutant concentrations, and therefore, impacts would be **less than significant**.

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

The California Health and Safety Code, Division 26, Part 4, Chapter 3, Section 41700, SDAPCD Rule 51, and the OMC Section 13.16 (commonly referred to as the Public Nuisance Law) prohibits emissions from any source whatsoever in such quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to the public health or damage to property. SDAPCD Rule 51 also regulates odor emissions.

Construction

Potential odors produced during construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment, architectural coatings and asphalt pavement application, which would disperse rapidly from the Project Site and generally occurs at magnitudes that would not affect a substantial number of people. Construction odors would be considered short-term and would not create offensive odors and would not affect a substantial number of people. The Project would be required to comply with the City's Public Nuisance Law, the SDAPCD's Rule 51 and the California Health and Safety Code regarding construction odor.

Project construction would not result in other emissions (such as those leading to odors) affecting a substantial number of people, and impacts would be **less than significant**.

Operation

The Project would operate as a multi-family development with a maximum of 400 dwelling units. The Project would include interior roads, utility improvements, parking and landscaping. Long-term operation of the Project would not be expected to cause odor impacts.

While almost any source may emit objectionable odors, some land uses are more likely to produce odors because of their operation. Land uses more likely to produce odors include agriculture, chemical plants, composting operations, dairies, fiberglass molding manufacturing, landfills, refineries, rendering plants, rail yards, and wastewater treatment plants. The Project which would operate as a multi-family residential development would not contain any of the land uses described above that would not emit objectionable odors.

Any unforeseen odors generated by the Project will be controlled in accordance with SDAPCD Rule 51 and the City's Public Nuisance Law, which would prohibit the discharge of air contaminants that harm, endanger, or annoy individuals or the public; endanger the comfort, health or safety of individuals or the public; or cause injury or damage to business or property. Failure to comply with these rules could subject the offending facility to possible fines and/or operational limitations in an approved odor control or odor abatement plan.

Operation of the Project would not result in other emissions (such as those leading to odors) affecting a substantial number of people, and impacts would be **less than significant**.

4.4.5 MITIGATION IMPLEMENTATION AND MONITORING

Sensitive Receptors Health Risks Related to LBP and ACMs (Impact AQ-1, Impact AQ-2 and Impact AQ-3)

Mitigation measures MM-HAZ-1, MM-HAZ-2 and MM-HAZ-3, which are presented in Section 4.10.5, would reduce this impact to below a level of significance.

- MM-HAZ-1** Prior to any disturbance of painted building materials within existing buildings, the Construction Contractor and/or Project Applicant shall conduct a Pre-Demolition Lead Based Paint (LBP) Survey on all onsite structures. Compliance with the recommendations of the Pre-Demolition LBP Survey will evaluate the Project Site for LBP that will require special handling and disposal in accordance the Occupational Safety and Health Administration (OSHA) and the Code of Federal Regulations (CFR) and the CCR California Occupational Safety and Health Administration (CalOSHA). All recommendations of the Pre-Demolition LBP Survey shall be adhered to during all building structure removal activities.
- MM-HAZ-2** Prior to any disturbances of onsite structures, a comprehensive Asbestos Hazard Emergency Response Act-level (AHERA) Pre-Demolition Asbestos Containing Material (ACM) Survey shall be conducted on all onsite structures by the Construction Contractor and/or Project Applicant. The Pre-Demolition ACM Survey will determine the presence and location of ACMs and proper handling and disposal methods which are to be adhered to during all building structure removal activities.
- MM-HAZ-3** During all onsite grading activities, any suspect transite pipes shall be managed as ACM until not proven to be. Any pipes determined to contain ACM shall be properly disposed of from the Project Site in accordance with recommendations provided in the Phase II Environmental Site Assessment prepared by SECOR International Inc. provided as **Appendix D** of this EIR. Special care shall be taken during handling, removal and disposal of potential transite-containing pipes in order to avoid disaggregating it into a friable condition which could increase health and safety concerns.

4.4.6 LEVEL OF SIGNIFICANCE AFTER MITIGATION

The analysis in Section 4.10.4 identified potential for significant impacts related to health risks and exposure of pollutant concentrations to sensitive receptors specifically from LBP and ACMs. Implementation of mitigation measure MM-HAZ-1 requires a Pre-Demolition LBP Survey in order to evaluate the structures for LBP and identify proper handling and disposal methods of such materials. With implementation of mitigation measure MM-HAZ-1, Impact AQ-1 related to the exposure of pollutant concentrations such as LBP to sensitive receptors would be reduced to level below significance.

Implementation of mitigation measure MM-HAZ-2 requires a Pre-Demolition ACM Survey in order to evaluate the existing structures for ACMs and identify proper handling and disposal methods of such materials. With implementation of MM-HAZ-2, Impact AQ-2 related to the exposure of pollutant concentrations such as ACMs to sensitive receptors would be reduced to level below significance.

Implementation of mitigation measure MM-HAZ-3 would require special handling, removal and disposal of transite pipes that have the potential to disrupt ACMs in order to avoid disruption to such materials which could increase health and safety concerns. With implementation of MM-HAZ-3, Impact AQ-3 related to exposure of pollutant concentrations such as ACMs in transite pipes would be reduced to level below significance.

Therefore, impacts related to air quality would be reduced to less than significant.

4.5 BIOLOGICAL RESOURCES

The following documents were used in the preparation of this section and are included in their entirety in **Appendix G** and **Appendix H**.

REC Consultants, Inc. September 15, 2021. *Biological Resources Letter Report for the 9.71-acre North River Road (Kawano Property) Project Site, Oceanside, California; APN 157-060-40-00; Prepared for the City of Oceanside. (Appendix G)*

REC Consultants, Inc. September 15, 2021. *Biological Resources Letter Report for the 15.91-acre North River Road (Nagata Property) Project Site, Oceanside, California; APN 157-060-17-00; Prepared for the City of Oceanside. (Appendix H)*

4.5.1 ENVIRONMENTAL SETTING

Regional Planning Context

The 25.6-acre Tierra Norte Project Site is located within the City of Oceanside north of the San Luis Rey River. The Project Site is located on the south side of North River Road generally between Avenida Descanso and Calle Montecito in the North Valley Neighborhood of the City. The City is included in the North County Multiple Habitat Conservation Program (MHCP) and utilizes the Oceanside Subarea Habitat Conservation Plan/Natural Communities Conservation Plan to address how the City will conserve natural biotic communities and sensitive plant and wildlife species.

The MHCP is a long-term regional conservation plan established to protect sensitive species and habitats in northern San Diego County. The MHCP is divided into seven subarea plans – one (1) for each jurisdiction within the MHCP – that are permitted and implemented separately from one another. The MHCP encompasses the cities of Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach and Vista. Each of the cities must adopt its own subarea plan that identifies city-specific regulations and policies pertaining to the sensitive resources found within that jurisdiction.

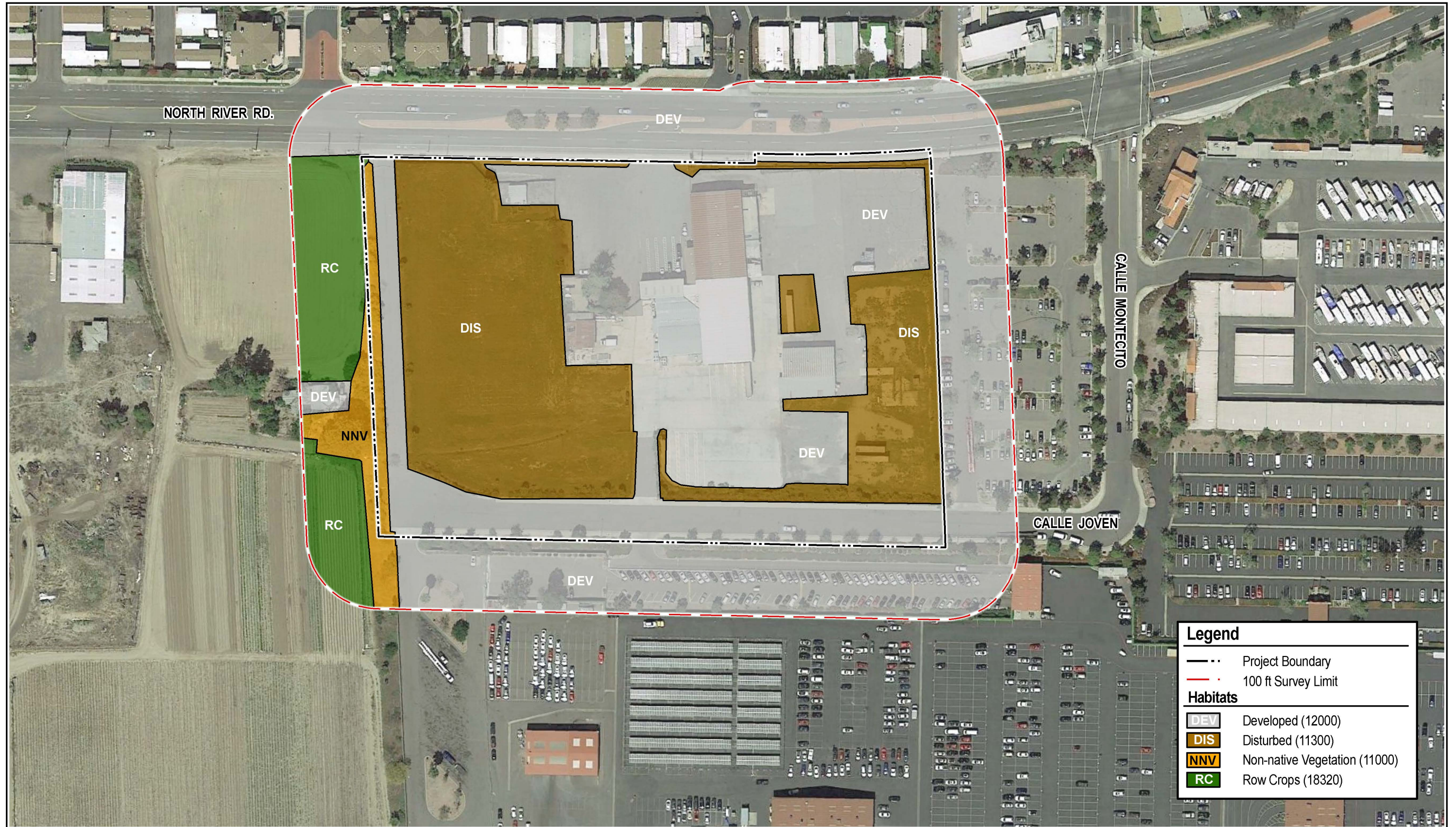
The draft Oceanside Subarea Plan (Subarea Plan) is a citywide conservation program which addresses how the City will conserve the biodiversity and ecosystem function within the City and surrounding areas while also allowing for continued economic development within its jurisdiction. While not formally adopted or approved, the Subarea Plan is used to provide guidance and policy direction regarding biological resources. Other local ordinances, codes and documents incorporating biological conservation programs and preservation of open spaces include the General Plan and Zoning Ordinance. The Subarea Plan is the overarching conservation document used by the City to incorporate all aspects of these documents. Within the Subarea Plan Preserve Planning Map and Habitat Conservation Overlay Zones (Figure 4-1 of the Subarea Plan), the Project Site is not within the Wildlife Corridor Planning Zone (WCPZ), the Coastal Zone, or the boundaries of any Pre-Approved Mitigation Area (PAMA). The Project Site is located within the Off-Site Mitigation Zone.

Existing Biological Resources

Eastern Parcel

The eastern parcel located at 4665 North River Road contains the 9.71-acre parcel. Elevations of this parcel range from approximately 70 feet amsl to 77 feet amsl. Existing biological resources were investigated through a field survey and records review. During the site survey, three (3) land cover

categories were observed onsite: developed land, disturbed land and non-native vegetation. Existing biological resources on the eastern parcel are displayed in **Figure 4.5-1**.



Legend

Project Boundary

100 ft Survey Limit

Habitats

DEV

Developed (12000)

DIS

Disturbed (11300)

NNV

Non-native Vegetation (11000)

RC

Row Crops (18320)

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Developed Land

The site is occupied by approximately 5.55 acres of developed land which is described as areas that have been constructed upon or otherwise physically altered to and extend that native vegetation is no longer supported. Other characteristics of this land category include permanent or semi-permanent structures, pavement or hardscape, and landscaped areas that require irrigation. The developed land onsite consists of existing structures and paved areas such as parking lots and driveways along with limited planning areas.

Disturbed Land

Disturbed land occupies approximately 3.96 acres onsite. This land cover is described as areas that have been physically disturbed (by previous legal human activity) and are no longer recognizable as a native or naturalized vegetation association, but continues to retain a soil substrate. Disturbed land onsite consists of open soil primarily vegetated by non-native annual species.

Non-Native Vegetation

Non-native vegetation occupies approximately 0.19 acre onsite. This habitat is characterized by predominately non-native species introduced and established through human action. Onsite non-native species consist of cyclops acacia (*Acacia cyclops*), ngaio (*Myoporum laetum*), Mexican fan palm, Australian saltbush (*Atriplex semibaccata*), red brome (*Bromus madritensis* subsp. *rubens*), ripgut grass (*Bromus diandrus*), lamb's quarters (*Chenopodium album*) and horehound (*Marrubium vulgare*).

Sensitive Biological Resources

No special status species were observed onsite. Based on the California Natural Diversity Database (CNDDB) records, no special status species have moderate to high potential to occur onsite. No narrow endemic species are expected to occur onsite.

Although the Project Site is located near the San Luis Rey River, no jurisdictional wetlands or waterways occur onsite. Due to the proximity of the Project Site to the San Luis Rey River, it is located near an area designated as a 100-year floodplain; however the 100-year floodplain designation does not extend onsite. Further, this parcel does not include any hilltops, rock outcrops, uncommon soils, unusual topography or any other unique features or resources.

The site is separated from land along the San Luis Rey River that large animals could potentially use by a large parking area. The site cannot serve as a wildlife corridor or linkage due to the lack of connectivity to land that could serve as a wildlife corridor or linkage by the development around the site.

Western Parcel

The western parcel located at 4617 North River Road is 15.91 acres. Elevations on this parcel range from 66 feet amsl to 72 feet amsl. During the site survey, four (4) habitats/land cover categories were observed onsite: developed land, disturbed land, non-native vegetation, and row crops. Existing biological resources on the western parcel are displayed in **Figure 4.5-2**.



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Developed Land

Developed land occupies approximately 1.44 acres onsite and consists of a residence, warehouse, and associated parking areas.

Disturbed Land

Disturbed land occupies approximately 2.13 acres onsite. Disturbed land onsite is characterized by largely bare ground with dirt mounds and farm equipment. It is not dominated by any species or group of species but contains non-native species as giant reed (*Arundo donax*), flax-leaf fleabane (*Erigeron bonariensis*), English plantain (*Plantago lanceolata*), and puncture vine (*Tribulus terrestris*) as well as native species such as western jimson weed (*Datura wrightii*), telegraph weed (*Heterotheca grandiflora*), coast prickly-pear (*Opuntia littoralis*), western cottonwood (*Populus fremontii* subsp. *fremontii*) and blue elderberry (*Sambucus nigra* subsp. *caerulea*).

Non-Native Vegetation

Non-native vegetation occupies approximately 0.40 acre onsite. The onsite non-native vegetation is characterized by non-native tree and shrub species such as cyclops acacia (*Acacia cyclops*), bougainvillea (*Bougainvillea* sp.), sweet orange (*Citrus x sinensis*), ngaio (*Myoporum laetum*), olive (*Olea europaea*), and pomegranate (*Punica granatum*). Native species observed in this habitat include Douglas mugwort (*Artemisia douglasiana*), western sycamore (*Platanus racemose*), and bicolor cudweed (*Pseudognaphalium bioletti*).

Row Crops

Row crops occupy approximately 11.82 acres onsite. This habitat is comprised of annual and perennial crops grown in rows with open space between rows. Species composition frequently changes by season and year. Row crops often occur in floodplains or upland areas with high soil quality. Row crops are nearly always artificially irrigated. Onsite row crops consisted of watermelon (*Citrullus lanatus* var. *citroides*), cantaloupe (*Cucumis melo* var. *cantalupo*) and broccoli (Italica Group). Other non-native species observed growing around the row crops included short-pod mustard (*Hirschfeldia incana*), castor bean (*Ricinus communis*), white-stem filaree (*Erodium moschatum*), and common sow-thistle (*Sonchus oleraceus*).

Sensitive Biological Resources

One (1) special status species, Torrey pine (*Pinus torreyana*) was observed onsite. This species is often used for landscaping and the Project Site is well outside of the natural range for the Torrey pine species. Therefore, the two (2) individuals located onsite near the residence and the three (3) individuals located just off-site by the property's southeast corner are assumed to have been planted. Based on CNDDB records searches no special status species have moderate or high potential to occur onsite. No narrow endemic species are expected to occur onsite.

No jurisdictional wetlands or waterways occur on this parcel. This parcel does not include any hilltop, rock outcrops, uncommon soils or unusual topography. The parcel is relatively level and is about 20 feet above the improved channel of the San Luis Rey River. Due to the parcel's proximity to the San Luis Rey River, it is directly adjacent to an area designated as a 100-year floodplain. However, the floodplain does not extend onsite.

Fencing separates the parcel from land along the San Luis Rey River that large animals could potentially use. This portion of the Project Site is very unlikely to serve as a wildlife corridor or linkage because of the fencing along the only area that could serve as a wildlife corridor and the development around the remainder of the site.

4.5.2 REGULATORY SETTING

Federal

Endangered Species Act

The federal Endangered Species Act (ESA) provides the legal framework for the listing of species that are threatened and/or endangered with extinction as well as for the protection of listed species (threatened or endangered species) and their habitats. The ESA is administered by the United States Fish and Wildlife Service (USFWS). Project activities that jeopardize threatened or endangered species and the habitats upon which they rely are considered a “take” under the ESA. The ESA defines “take” as “to harass, harm, pursue, hunt shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct.”

Clean Water Act

The Clean Water Act (CWA) provides guidance for the protection, restoration, and maintenance of the chemical, physical, and biological integrity of the nation’s waters. Section 401 of the CWA requires that an applicant for a federal license or permit allowing activities that result in a discharge to jurisdictional Waters of the U.S (WoUS) obtain a state water quality certification that the discharge complies with other provisions of the CWA. The Regional Water Quality Control Board (RWQCB) administers the certification program in California.

Section 402 of the CWA is regulated by the U.S. EPA and establishes a permitting system for the discharge of any pollutant (except dredge or fill material) into WoUS. It establishes a framework for regulating municipal and industrial storm water discharges under the National Pollutant Discharge Elimination System (NPDES) program. The RWQCB also administers the NPDES permits for construction activities and operations with oversight provided by the State Water Resources Control Board (SWRCB) and the USEPA.

Section 404 of the CWA establishes a permit program administered by the U.S. Army Corps of Engineers (USACE) regulating the discharge of dredge or fill material into navigable waters. Navigable waters are WoUS including territorial seas, which include navigable waters; perennial and intermittent streams, lakes, rivers, and ponds; and wetlands, marshes and wet meadows.

Migratory Bird Treaty Act

All migratory bird species that are native to the U.S. or its territories are protected under the federal Migratory Bird Treaty Act (MBTA), as amended under the Migratory Bird Treaty Reform Act of 2004. The MBTA permits the killing or transport of native migratory birds or any part, nest, or egg of any such bird unless allowed by another regulation adopted in accordance with the MBTA. No permit is issued under the MBTA, and the MBTA does not mandate specific protection measures. However, typical pre-construction requirements include nesting bird surveys during the avian breeding season and avoidance measures if nesting birds are discovered within or adjacent to a project. In addition, the USFWS commonly places restrictions on disturbances allowed near active raptor nests.

State

California Endangered Species Act

The California Endangered Species Act (CESA) generally parallels the main principles and provisions of the federal ESA and is administered by CDFW. The CESA allows the “take” of listed plant and wildlife species either by concurring with a federal Incidental Take Permit under California Fish and Game Code (CFGF) Section 2080.1 or, for species that are state-listed but not federally listed, issuing an Incidental Take Permit under CFGF Section 2081 if specific criteria are met. The Subarea Plan is considered an Incidental Take Permit pursuant to CFGF Section 2081.

California Fish and Game Code

The CFGF provides protection for several types of sensitive biological resources. CFGF Section 3503 and 3513 protects avian species, their nests, and their eggs from being “taken” unless authorized by CDFW through implementation of appropriate avoidance, minimization, and/or mitigation measures. CFGF Section 1600 through 1603 regulates project activities within rivers, streams, lakes, wetlands, and riparian habitat. CDFW can issue a Lake or Streambed Alteration (LSA) Agreement for projects affecting these jurisdictional resources. If the activity will not substantially affect any CDFW jurisdictional resources, the activity may be commenced without an LSA agreement.

Native Plant Protection Act

The Native Plant Protection Act (NPPA), under CFGF Sections 1900 through 1913, regulates collection, transport, and commerce in plants that are listed as rare or endangered.

Natural Community Conservation Planning Act

CDFW’s Natural Community Conservation Planning (NCCP) Act is a combined effort by the State of California and both public and private partners to take an ecosystem approach to protecting and preserving biological diversity. CDFW and USFWS provide support, direction, and guidance to local agencies to develop an NCCP that identifies economic activity that is compatible with the long-term, regional protection of plants, wildlife, and their habitats.

The applicable NCCP for the proposed Project – the Subarea Plan within the MHCP – is discussed in Local Regional Setting below.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act regulates water quality for project activities in California/ Pursuant to the Porter-Cologne Act, under Section 13000 et seq. of the California Water Code (CWC), the RWQCB issues Water Quality Certifications for project activities that fill or dredge within Wetland and Non-Wetland WoUS and Waters of the State (WoS), including isolated waters such as vernal pools, and other waters showing lack of connectivity to a Traditional Navigable Water (TNW).

Local

North County Multiple Habitat Conservation Program

The MHCP is a comprehensive conservation planning process that was developed to create, manage, and monitor an ecosystem preserve in northwestern San Diego County. It is one of three subregional plans that will contribute to a regional preserve system in the County. The MHCP is intended to conserve not

only habitat that is already in public ownership, but also other areas that will offer protection to rare, threatened, and endangered plants and wildlife.

The MHCP was adopted and certified by the SANDAG Board of Directors on March 28, 2003 and encompasses the cities of Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach and Vista. Each of these cities must adopt its own Subarea Plan that identifies city-specific regulations and policies pertaining to the sensitive resources found within the jurisdiction. The MHCP allows local jurisdictions to maintain land use control and development flexibility by planning a regional preserve system that can meet future public and private project mitigation needs.

Draft Oceanside Subarea Plan

The Subarea Plan is a draft HCP/NCCP prepared pursuant to the ESA and the NCCP Act, which are described above. The Subarea Plan forms a part of the MHCP and addresses how the City will allow for continued economic development within its jurisdiction while conserving the biodiversity and ecosystem function of the area.

Approval and adoption of the Subarea Plan is intended to result in issuance of federal and state authorizations for the take of certain listed rare, threatened, or endangered species. These authorizations would be granted to the City by the USFWS and CDFW. The City, in turn, would then authorize the taking of natural habitats or associated species by projects within its jurisdiction, as long as those biological resources are adequately conserved by the Subarea Plan and the proposed projects are consistent with and covered by the provisions of the Subarea Plan. The Subarea Plan has yet to be adopted by City Council, and implementing agreements with CDFW and USFWS have yet to be signed. Therefore, incidental take permits currently cannot be issued under the plan. However, the document provides guidance for project applicants to determine potential impacts to biological resources and to develop appropriate mitigation, avoidance, and minimization measures.

The Subarea Plan assigns all land within the City into one of four Preserve Planning Zones: WCPZ, Off-Site Mitigation Zone, Coastal Zone, and Ag Exclusion Zone. Each of these has varying policies and standards that are applicable in addition to the City-wide standards.

City of Oceanside General Plan

Land Use Element

The Land Use Element of the General Plan contains environmental resource management objectives and policies pertaining to biological resources. Applicable objectives and policies include the following:

3.11 Vegetation and Wildlife Habitats Objective: Recognition and preservation of significant areas with regard to vegetation and wildlife habitats.

Policies:

- A. A biological survey report, including a field survey, shall be required for a proposed project site if the site is largely or totally in a natural state or if high interest species of plants or animals have been found on nearby properties.
- B. Where appropriate, the City shall apply open space land use designations and open space zoning to areas of significant scenic, ecological, or recreational value.

- C. In areas where vegetation or wildlife habitat modification is inevitable, mitigation and/or compensatory measures such as native plant restoration, land reclamation, habitat replacement, or land interest donation will be considered.
- D. Areas containing unique vegetation or wildlife habitats shall receive a high priority for preservation.
- E. Specific plans shall be developed in conjunction with regional and county agencies where appropriate, for areas where there is occurrence of endangered or threatened species.

Environmental Resource Management Element

The Environmental Resource Management Element of the General Plan contains long-range policy goals and objectives to evaluate and manage these biological resources including the following:

Vegetation and Wildlife Habitats Objective: Conserve and enhance vegetation and wildlife habitats, especially areas of rare, endangered, or threatened species.

4.5.3 THRESHOLDS OF SIGNIFICANCE

Per Appendix G of the CEQA Guidelines, impacts would be considered significant if the Project would:

- a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;
- 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;
- 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;
- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance;
- f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

4.5.4 PROJECT IMPACT ANALYSIS

Would the Project:

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

Sensitive Habitat

Eastern Parcel

A Biological Resources Letter Report was prepared for the eastern parcel located at 4665 North River Road and is provided as **Appendix G** to address potential impacts of the proposed future residential development on the 9.71-acre parcel. **Figure 4.5-3** depicts the anticipated impacts to biological resources on the eastern parcel as a result of the Project. Implementation of the Project is assumed to result in the direct impact of all 9.71 acres of land onsite. No off-site impacts are would occur. Habitat impacts as a result of the Project are provided in **Table 4.5-1**.

Table 4.5-1
Impacts to Habitat/Vegetation Communities on the Eastern Parcel

Habitat/ Vegetation Community	Existing Onsite	Impacts Onsite	Mitigation Ratio	Mitigation Required (acres)
Developed Land	5.55	5.55	-	0.00
Disturbed Land	3.96	3.96	-	0.00
Non-Native Vegetation	0.19	0.19	-	0.00
TOTAL*	9.71	9.71	-	0.00
*Numbers do not sum due to rounding; the total value is correct. Source: Biological Resources Letter Report (Kawano) (Appendix G)				

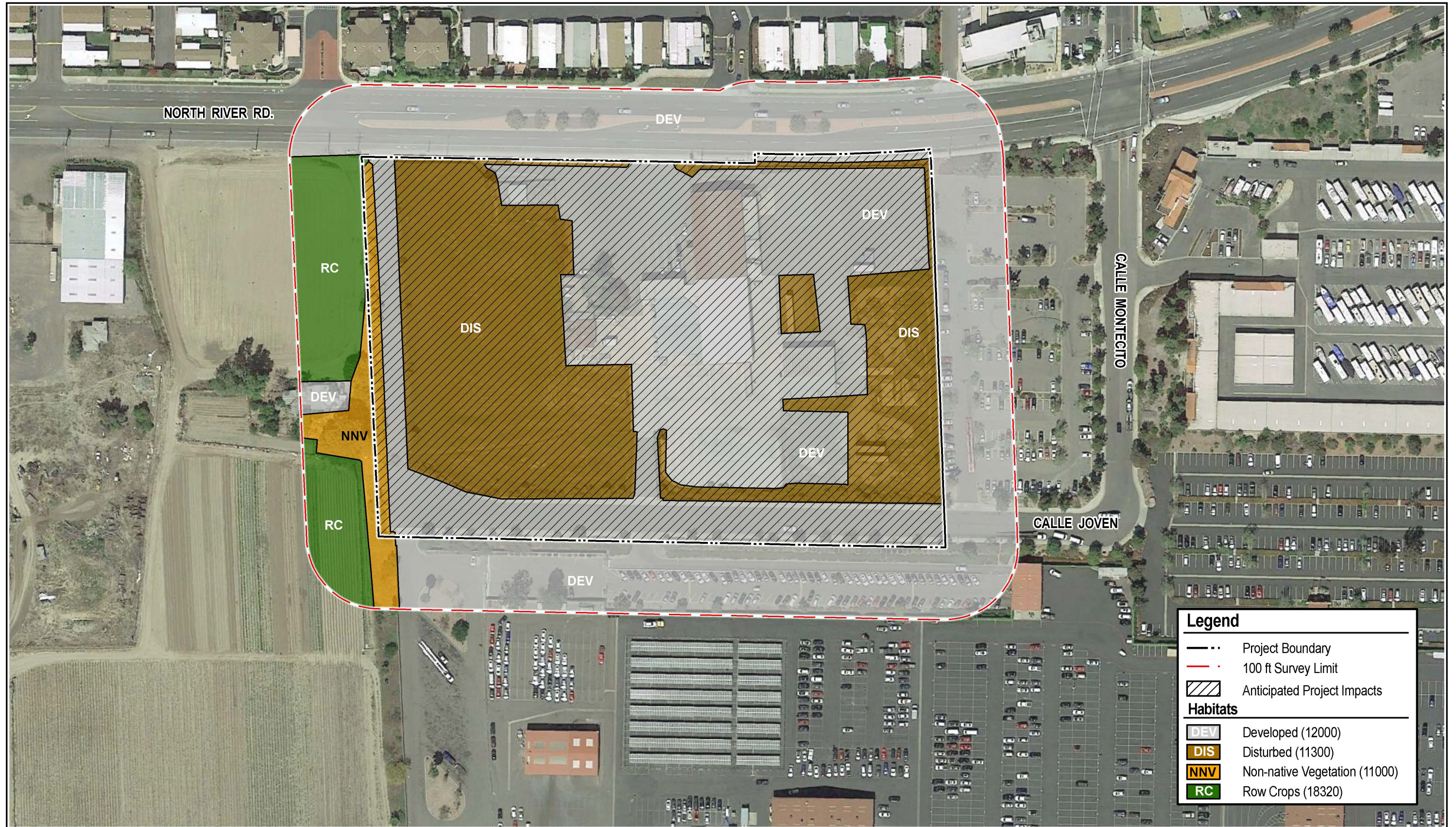
As depicted in **Table 4.5-1**, direct impacts to developed land, disturbed land and non-native vegetation are not considered significant and would not require mitigation as guided by the Subarea Plan. The Project is surrounded by development to the north, south and east, and agriculture to the west (western parcel). Additionally, the implementation of an infill residential development Project would not result in any significant indirect impacts to biological resources.

Western Parcel

A Biological Resources Letter Report was prepared for the western parcel located at 4617 North River Road and is provided as **Appendix H**. The Biological Resources Letter Report addresses potential impacts of the Project to biological resources on the 15.91-acre parcel. Implementation of the Project is assumed to result in the direct impact of all 15.91 acres of onsite habitat. **Figure 4.5-4** depicts the anticipated impacts to biological resources on the western parcel as a result of the Project. Off-site impacts are not expected as a result of the Project. Habitat impacts as a result of the Project are provided in **Table 4.5-2**.

Table 4.5-2
Impacts to Habitat/ Vegetation Communities on the Western Parcel

Habitat/ Vegetation Community	Existing Onsite	Impacts Onsite	Mitigation Ratio	Mitigation Required (acres)
Developed Land	1.47	1.44	-	0.00
Disturbed Land	2.16	2.13	-	0.00
Non-Native Vegetation	0.45	0.40	-	0.00
Row Crops	11.83	11.82	-	0.00
TOTAL	15.91	15.91*	-	0.00
*Numbers do not sum due to rounding; the total value is correct. Source: Biological Resources Letter Report (Nagata) (Appendix H)				



Document Path: T:\Project_Data\North River Road (Nagata-Kawano) - 1115\Final_Maps\VEIR_Nov2021\NRR_Fig-4.5-3_Bio_Impacts_East_111521.mxd



Document Path: T:\Project_Data\North River Road (Nagata-Kawano) - 1115\Final_Maps\EIR_Nov2021\NRR_Fig-4.5-4_Bio_Impacts_West_111521.mxd

As depicted in **Table 4.5-2**, direct impacts to developed land, disturbed land, non-native vegetation and row crops are not considered significant to biological resources and would not require mitigation as guided by the Subarea Plan. The Project is surrounded by development to the north, east, and west. The only area that could be subject to indirect impacts would be the land to the south between the San Luis Rey River and the western parcel. However, because the surrounding land is already developed with residences and light industrial development, it is unlikely that additional future residential development would significantly increase indirect impacts that would already be present such as human intrusion, artificial lighting and noise. However, the Project would provide light shielding and glare reduction measures and lighting would be hooded in order to prevent light spillover into neighboring areas. Project-related construction and operational noise levels would not exceed City standards. Project drainage and storm water control facilities would be designed and installed for proper collection and disposal of surface runoff to further prevent indirect impacts to the San Luis Rey River.

The Project would not have a substantial adverse effect, either directly or indirectly, on any sensitive habitat or vegetation community.

Sensitive or Special-Status Species

As indicated in the Biological Resources Letter Report, a sensitive or special-status plant or animal species is any taxon that is officially listed by the California or the federal government as Endangered, Threatened, or Rare or candidate for one of those listings; classified as Fully Protected, Species or Special Concern or Watch List animal species by the CDFW; included in the CRPR 1 through 4; or included in the City's Narrow Endemics list.

Eastern Parcel

No special-status species were observed onsite. Based on CNDDDB records searches in the Project quadrangle and evaluation of current Project Site conditions, no special sensitive or special-status species have moderate to high potential to occur onsite.

No narrow endemic species are expected to occur onsite.

Western Parcel

One (1) special status species, Torrey pine (*Pinus torreyana*) was observed onsite. This species is often used for landscaping and the Project Site is well outside of the natural range for the Torrey pine species. Therefore, the two (2) individuals located onsite near the residence and the three (3) individuals located just off-site by the property's southeast corner are assumed to have been planted.

Based on CNDDDB records searches no special status species have moderate or high potential to occur onsite. No narrow endemic species are expected to occur onsite.

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

Raptor Foraging and Migratory Birds

Raptors are protected under the CFGC Section 3503.5, which specifically protects all birds including raptors, owls, and turkey vultures. As provided in the CFGC, it is unlawful to take, possess or destroy any such raptors or their nests and eggs except as otherwise provided in the CFGC. The Project Site is

unlikely to support raptor foraging due to the fact that no suitable prey species were observed onsite and much of the site is in active agriculture use.

CFGC Section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except otherwise provided by the CFGC or any regulation made pursuant to the code. The federal MBTA prohibits the killing or transport of native migratory birds, or any part, nest, or egg or any such bird unless allowed by another regulation (such as for “game” birds). Therefore, all native, non-game birds onsite, and the nests and eggs of all native non-game birds, are protected during the nesting season even if these birds are not special-status or otherwise protected. MBTA-covered bird species have the potential to occur onsite and the Project has the potential to impact MBTA-covered species, and therefore a **significant impact (Impact BIO-1)** would occur.

- 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?*

The Project Site is located in a primarily developed area surrounded by various residential uses to the west and north, industrial uses to the east and southeast, and the San Luis Rey River to the south. As discussed above, the Project would result in direct impacts to 5.55 acres of developed land, 3.96 acres of disturbed land and 0.19 acres of non-native vegetation on the eastern parcel. The Project would result in direct impacts to 1.44 acres of developed land, 2.13 acres of disturbed land, 0.40 acre of non-native vegetation, and 11.82 acres of row crops on the western parcel. Project impacts to vegetation communities and land covers are provided in **Table 4.5-1** and **Table 4.5-2**.

Impacts to these habitats are not considered significant and would not require mitigation as guided by the Subarea Plan. No riparian habitat or other sensitive natural communities exist onsite. Therefore, the Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations by CDFW or USFWS. Impacts would be **less than significant**.

- 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?*

Although the Project Site is located near the San Luis Rey River, no jurisdictional wetlands or waterways occur onsite. The western parcel is located adjacent to an area designated as a 100-year floodplain as displayed in the Subarea Plan Development Constraints Figure (Figure 2-6). However, the floodplain does not extend onsite. The floodplain is located approximately 0.1 mile from the eastern parcel. The Project Site does not contain vernal pools.

The Project is surrounded by development to the north, east, and west. The only area that could be subject to indirect impacts would be the land to the south between the San Luis Rey River and the western parcel. The parcel is approximately 20 feet above the improved channel of the San Luis Rey River. However, because the surrounding land is already developed with residences and light industrial development, it is unlikely that additional future residential development would significantly increase indirect impacts that would already be present such as human intrusion, artificial lighting and noise. However, the Project would provide light shielding and glare reduction measures and lighting would be hooded in order to prevent light spillover into neighboring areas. Project-related construction and operational noise levels would not exceed City standards. Project drainage and storm water control facilities would be designed and installed for proper collection and disposal of surface runoff to further prevent indirect impacts to the San Luis Rey River.

Therefore, the Project would not have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means. Impacts would be **less than significant**.

- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

As stated in the Biological Resources Letter Reports (**Appendix G** and **Appendix H**) no evidence of the Project Site as use by large mammals was found during the biological site survey. On the western parcel, the site is separated by fencing from land along the San Luis Rey River that large animals could potentially use. Therefore the site is very unlikely to serve as a wildlife corridor or linkage due to the fencing along the only area that could serve as a wildlife corridor and the development surrounding the remainder of the site.

On the eastern parcel, the site is separated from land along the San Luis Rey River by a parking area. The site cannot serve as a wildlife corridor or linkage due to the lack of connectivity to land that could serve as a wildlife corridor or linkage. Therefore, the Project would not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites. Impacts would be **less than significant**.

- e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

The following General Plan policies related to the protection of biological resources are provided in the Land Use Element of the General Plan, Policy 3.11:

3.11 Vegetation and Wildlife Habitats

Policy A: A biological survey report, including a field survey, shall be required for a proposed project site if the site is largely or totally in a natural state or if high interest species of plants or animals have been found on nearby properties.

Policy B: Where appropriate, the City shall apply open space land use designations and open space zoning to areas of significant scenic, ecological, or recreational value.

Policy C: In areas where vegetation or wildlife habitat modification is inevitable, mitigation and/or compensatory measures such as native plan restoration, land reclamation, habitat replacement, or land interest donation will be considered.

Policy D: Areas containing unique vegetation or wildlife habitats shall receive a high priority for preservation.

Policy E: Specific plans shall be developed in conjunction with regional and County agencies where appropriate, for areas where there is occurrence of endangered or threatened species.

In accordance with Policy A, A Biological Resources Letter Report was prepared for both parcels and included a field survey. The Project is in compliance with Policy A. In accordance with Policy C, direct impacts to habitat/ vegetation communities would not result in a significant impact and therefore no

mitigation is required. The Project is in compliance with Policy C. Further, the Project does not include areas of scenic, ecological or recreational value; unique vegetation or wildlife habitats; or contain endangered or threatened species. Therefore, the Project would not conflict with Policies B, D or E.

The Project would comply with all other applicable City regulations and requirements related to landscaping, including Sections 1050 and 3019 of the Zoning Ordinance and the Oceanside Municipal Code related to the protection of biological resources. The Project would not conflict with any local policies or ordinances protecting biological resources. Impacts would be **less than significant**.

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

The City is included in the North County MHCP which was adopted by SANDAG on March 28, 2003. The Project is located within the Subarea Plan which is the HCP utilized by the City to address how the City will conserve natural biotic communities and sensitive plant and wildlife species. According to the Preserve Planning Map and Habitat Conservation Overlay Zones Figure (Figure 4-1) of the Subarea Plan, the Project Site is not located within the WCPZ, the Coastal Zone or the boundaries of any PAMA. The Project Site is located within the Off-Site Mitigation Zone.

The Project Site is surrounded primarily by various residential uses and industrial development. Habitat on the eastern parcel consists of developed land, disturbed land and non-native vegetation. Habitat on the western parcel is characterized by developed land, disturbed land, non-native vegetation, and row crops. Therefore, it is unlikely that the Project Site would be used as an Off-Site Mitigation Zone. Impacts to these habitats/vegetation communities are not considered significant and would not require mitigation as guided by the Subarea Plan.

The Project would not conflict with the provisions of an adopted HCP, NCCP or other approved local, regional, or state habitat conservation plan. A **less than significant impact** would occur.

4.5.5 MITIGATION IMPLEMENTATION AND MONITORING

Raptor Foraging and Migratory Birds (Impact BIO-1)

MM-BIO-1

The project applicant shall develop an educational pamphlet (in English and Spanish) for the identification of raptor nests and to guide tree pruning activities in suburban areas during the breeding season. Landscaping companies and tree trimming services that have projects in the City shall be required to use the pamphlet to educate their employees on the recognition of raptor nest trees. Trimming of trees containing raptor or migrating bird nests shall be prohibited during the raptor breeding season (January 15 to August 31). Human disturbance shall be restricted around documented nesting habitat during the breeding season based on the following:

To avoid any direct and indirect impacts to raptors and/or any migratory birds, grubbing and clearing of vegetation that may support active nests and construction activities adjacent to nesting habitat would occur outside of the breeding season (January 15 to August 31). If removal of habitat and/or construction activities is necessary adjacent to nesting habitat during the breeding season, the applicant shall retain a City-approved biologist to conduct a pre-construction survey to determine the presence or absence of non-listed nesting migratory birds on or within 300 feet of the construction area, and federally or

state-listed birds and raptors on or within 500 feet of the construction area. The pre-construction survey must be conducted within 10 calendar days prior to the start of construction, the results of which must be submitted to the City for review and approval prior to initiating any construction activities. If nesting birds are detected by the City-approved biologist, the following buffers shall be established:

1. No work within 300 feet of a non-listed nesting migratory bird nest, and
2. No work within 500 feet of a listed bird or raptor nest. However, the City may reduce these buffer widths depending on site-specific conditions (e.g., the width and type of screening vegetation between the nest and proposed activity) or the existing ambient level of activity (e.g., existing level of human activity within the buffer distance). If construction must take place within the recommended buffer widths above, the project applicant would contact the City to determine the appropriate buffer.

4.5.6 LEVEL OF SIGNIFICANCE AFTER MITIGATION

The analysis in Section 4.5.4 identified the potential for significant impacts related to raptor foraging and migratory birds covered by the MBTA. Implementation of mitigation measure MM-BIO-1 requires educational tools to identify and protect raptor nests and requires construction activities including clearing and grubbing to occur outside the avian breeding season and requirements for pre-construction surveys if construction must occur during the breeding season. With implantation of mitigation measure MM-BIO-1, Impact BIO-1 related to raptor foraging and migratory birds would be reduced to below a level of significance. Therefore, all impacts to biological resources will be reduced to less than significant.

4.6 CULTURAL RESOURCES

The following document was used in the preparation of this section and is included in its entirety in **Appendix I**.

Heritage Resources. September 6, 2019. *Archaeological Survey and Assessment for the North River Road Planned Block Development Overlay District Development Plan. (Appendix I)*

4.6.1 ENVIRONMENTAL SETTING

Prehistoric Cultural Setting

The earliest archaeological dates for occupation of southern California are approximately 9,000 to 10,000 years before the present (B.P.). The earliest people were first identified and labeled the San Dieguito Complex by Malcom Rogers, early archaeological curator at the San Diego Museum of Man. The San Dieguito people were found to be highly mobile, relying primarily on hunting for subsistence.

Other early archaeological site types that predominate along the Alta and Baja California coasts are dense shell middens containing few finely-flaked hunting artifacts and abundant milling tools. Rogers labeled the prehistoric occupants of these sites the La Jolla Complex. Roger proposed that the differences between the San Dieguito and La Jolla peoples were related to environmental changes. Since the earliest period of archaeology in San Diego County, the coastal lagoons have been recognized as an intensive focus of prehistoric occupation and informative location for archaeological research. Shell midden sites have been identified on the Torrey Pines, San Elijo, Batiquitos and Agua Hedionda lagoon margins. However, few archaeological sites in the Buna Vista and Loma Alta estuary areas were recorded in this early period of archaeological research most likely due to the area's early development.

One of the first academic archaeological studies of coastal San Diego County focused on the coastal archaeological manifestations in the Batiquitos Lagoon area. This study pioneered some of the major archaeological research approaches that were employed in the subsequent decades of the 20th century. In the early 1960s the University of California Los Angeles conducted a survey of Batiquitos Lagoon as well as test excavations of two (2) sites (SDI-211 and SDI-603). This study focused on environmental factors affecting prehistoric settlement on the Batiquitos Lagoon. Radiocarbon dates from the excavations at SDI-603 suggest that the site was occupied between 7500 and 3700 years B.P., now known as the early and middle Archaic period of Southern California prehistory.

Major shifts in population between 10,000 and 6,000 years ago as a result of drying in the interior deserts and the rising sea levels on the coast, further resulted in a major shift of populations from the desert to the coast. Subsequently, stabilization of sea level resulted in populations shifting away from the coastal lagoons and a change again in subsistence pattern.

In the 1950s D.L. True defined an inland counterpart of these early archaeological patterns in the northern reaches of San Diego County, specifically along the San Luis Rey River drainage, which opens into the Pacific Ocean southwest of the Project Site. This was labeled as the Pauma Complex. True's research suggested that differences in the archaeological assemblages reflected variances in subsistence strategies adapted to differing coastal and inland environments and resources.

Concurrent with adaptation to these regional environmental changes over the past millennium major new technologies were adopted. The first of these new technological ideas to arrive was the knowledge of how to process the acorn into an edible food staple, reflected in the archaeological record by the prevalence of

deep bedrock grinding mortars and large habitation complexes situated in oak-filled mountain valleys. The bow-and-arrow was also new, reflected in the archaeological record by the presence of small projectile points. New ideas about religion and ceremony are reflected by the replacement of internment burial patterns of the Archaic by cremation and burial of the ashes, often in pottery vessels. Finally, knowledge of the technology of pottery making moved into the Californias from the Southwest.

Acorn processing and bow-and-arrow technologies may have come to the mountains and coast earlier, the emergence of pottery production dates to about Anno Domini (A.D.) 800. While Rogers had labeled this most recent cultural complex the Diegueño, the name given to the local Indians by the Spanish padres, current archaeological research refers to them as Late Prehistoric peoples. Alta California Indian tribes south of the approximate dividing line of the San Luis Rey River prefer Kumeyaay. Iipai/Tipai are also names that reflect a northern/southern cultural division of Kumeyaay people.

In the Late Prehistoric period and into historical times, the Luiseno were associated with the San Luis Rey River, Palomar Mountain to the east, and the Temecula and San Jacinto Valleys to the north. The Cupeno and Cahuilla lived in the mountain and desert regions to the east and northeast, the Kamia, Quechan, and Cocopa to the east near and along the Colorado River, and the Paipai and Kiliwa to the south in Baja California.

Evidence of Late Prehistoric peoples in the area of the San Luis Rey River was first systematically investigated by Clement Meighan. Based on the distribution of potsherds and milling stone elements, the site was concluded to contain a small Pauma Complex occupation, San Luis Rey I in the lower levels, and primarily San Luis Rey II elements in the upper levels and on the surface.

Ethnographic Setting

Many of the early ethnographers recognized the importance of communal gatherings and ritual ceremony to the social and cultural fabric of Native Alta and Baja Californians. Almost every Yuman and Luiseño ethnographic account mentions the widely practiced Karuk or Nukil, the ceremony for the dead. The mourning ceremony is also among the Southern Diegueño customs. Gatherings for communal food collecting and ceremonial events, strengthening inter-lineage social and cultural ties and providing settings for exchange of goods and ideas are enumerated for the Cahuilla and Luiseño.

Common elements between these people are the centrality of reciprocal relationships and gift giving in exchange to observance of the ceremony. For months before the ceremony was to happen, the entire clan prepared by gathering and storing foods, purchasing clothing and fabrics, and even manufacturing goods for sale to gather money. Scattered members of the clan were recalled to help. These ceremonies exemplify the centrality of communal gatherings and exchange to the culture of the Alta and Baja California Indians. By the twentieth century, gathers and exchange in ceremonial context were still highly important. By this time, European goods and Europeans themselves were often incorporated into the exchange network.

Exchange and travel were critical constituents of the Baja and Alta California Indian social and cultural fabric – adaptations for subsistence within a constantly changing environment. The archaeological evidence confirms ten thousand years of adaptation through seasonal migrations and through exchange. During the Late Prehistoric period, archaeological pottery, stone, and faunal materials document exchange between desert, mountain, and coastal peoples. The ethnographic information further illustrates that this exchange was perceived and implemented within a ritual and ceremonial context.

Ceremonies gathered relations from as far east as the Colorado River and south as Baja California. These gatherings were frequent and provided for significant exchange of goods and foods, implemented within a

framework of gift-giving and reciprocity. The documentation suggests that during the historical period, culture was adapted to accommodate interactions with the Anglo world.

Historic Cultural Setting

The arrival of the Spanish colonists in San Diego Bay marked the beginning of European presence in San Diego and the end of the traditional hunter-gatherer existence of the local Native Americans. Settlement during the Spanish period focused on the Presidio defensive post at the opening of the San Diego River into San Diego Bay and on the Missions: San Diego de Alcalá several miles inland on the north terrace of the San Diego River valley and San Luis Rey inland on the San Luis Rey River. The missions rapidly incorporated huge tracts of surrounding valleys and mesas into cattle and horse pasturage. The inland valleys became a part of this pasturage and were the richest grazing lands of the mission. The Mission San Luis Rey is located on the south side of the San Luis Rey River approximately one (1) mile southwest of the Project Site.

With the overthrow of the Spanish crown in 1821, the County became a part of the newly established Mexican republic and after the 1830s secularization of the missions, California ranchos were established throughout the County. The Rancho Santa Margarita y Las Flores southeastern boundary is approximately one mile northwest of the Project Site and the western boundary of the Rancho Guajome is approximately one-half mile east.

As early as the 1870s, rural farmsteads established along the north and south sides of North River Road, tucked between the Mission and two Rancho properties. At least 14 farmsteads were established along this stretch of North River Road.

From the late 1870s through the mid-twentieth century, the Project Site area was part of a rural farming community of farmers located in the San Luis Rey River Valley. Development of the San Luis Rey River Valley during the late 19th century was typical of most non-urbanized portions of San Diego County on the west of the Peninsular Ranges. Pioneer farmers in the 1870s quickly occupied most available river valley bottom lands in San Diego County. A pioneer farmer has been defined as any agricultural producer who established in any unsettled region and began farming on any scale. Farmers living in small rural communities were instrumental in the development of the County as they fed the growing urban population and provided business for local markets.

By the 1880s, farmers discovered that moderate slopes and hills were better for cultivation of vines and fruits than valley bottom lands. Structural components of the farmsteads varied with each individual farmer but were generally consisted of a frame or adobe house that could range in style from modest two-room vernacular structure to a large Victorian home. Common types of outbuildings included barns, granaries, other storage areas, shops, spring houses, livestock pens, gardens, cow lots, cisterns, wells and privies.

During the late nineteenth century pioneer farming settlement period, William H. Libby obtained a U.S. Land Patent for 160 acres on June 7, 1877. This land encompassed the south half of the southeast quarter of Section 5 and the west half of the southwest quarter of Section 4, Township 11 south Range 4 West. The acreage included the stretch of land north of the San Luis Rey and south of North River Road; the Project Site was at the eastern end of this patent.

Kawano Property (Eastern Parcel)

Frank Y. Kawano purchased the 4665 North River Road parcel in 1947 and began farming with his brothers in the San Luis Rey Valley area. In 1980 Kawano Inc. was described as growing truck crops such

as tomatoes, strawberries and cauliflower on land in San Diego County. An office, warehouse and the agricultural plots from the 1979 era are currently located on the property. The only remaining structure greater than 50 years of age is the Frank Kawano residence.

Nagata Property (Western Parcel)

In 1947 the Nagata Family partnered with the Kawano brothers to purchase the two (2) North River Road parcels. By 1953, the brothers had constructed two residences and a packing shed on the west central portion of the property. The remainder of the property was in agriculture. In 1967, one (1) of the western structures was gone and an additional structure, possibly a warehouse, was added.

The Nagata family has continued to utilize the property for agricultural activities, most recently raising organic crops on the property. The property is currently owned by Nagata Brothers, LLC. A modern warehouse, two residences, the agricultural fields, and the burned remnants of the circa 1950s packing shed are currently located on the property. The only two (2) remaining structures that are greater than 50 years of age are the Harry Nagata and Yatsu Nagata residences.

Onsite Historical Resources

A one-mile radius record search was conducted by the South Coast Information Center (SCIC). Ninety-two (92) cultural resources studies have been conducted within the one-mile radius of the Project Site. Five (5) are located in close proximity to the Project Site but had negative results. These archaeological and cultural studies have resulted in the recordation of 24 cultural resources. **Table 4.6-1** lists the recorded cultural resources within a one-mile radius of the Project Site.

The record search results indicate that many sensitive archaeological sites are associated with the Mission San Luis Rey and surrounding area of approximately 0.5 mile on the south side of the San Luis Rey River. There are no archaeological resources recorded closer than 0.4 mile to the Project Site.

Table 4.6-1
Cultural Resources within One-Mile of the Project

Primary Site #	Site Description	Recorder	Relation to Proposed Project
P-37-000241	Mission San Luis Rey	M. Courtney (2017), "ABE" (1952), D. Dominici (1989)	Approximately 0.8 mile southwest across San Luis Rey River
P-37-001272	Slight shell scatter, flaked and ground stone artifacts, fire-cracked rock	D. Dominici (1989)	Approximately 0.8 mile east-southeast across San Luis Rey River
P-37-001273	Groundstone, potsherd	T. Kearns (1971)	Approximately 0.7 mile southeast across San Luis Rey River
P-37-001274	Cobble tools, manos, flakes, destroyed	T. Kearns (1971)	Approximately 0.4 mile northeast
P-37-001275	Pestle, scraper plane, flakes, patination, destroyed	T. Kearns (1971)	Approximately 0.4 mile northeast
P-37-001283	Metates, manos, hammerstones, cobble tools, flakes, potsherds, historic, shell, bone, mostly destroyed	T. Kearns (1971)	Approximately 0.5 mile southwest across San Luis Rey River

Primary Site #	Site Description	Recorder	Relation to Proposed Project
P-37-005422	Flaked stone, brownware pottery, shell, cattle bone, fire-affected rock, historic (Chinese ceramics, Majolica, building material, metal, clothing, glass) associated with Mission San Luis Rey	Robbins-Wade, Shultz, Westlund, Wilson, Gilmer (1995), D. Dominici (1989), Greenwood, Bente (1978)	Approximately 0.8 mile south-southwest across San Luis Rey River
P-37-005457	Two felsite flakes, cleared and grazed	R. Norwood (1977)	Approximately 0.7 mile north
P-37-005458	Surface shell scatter, cleared and grazed	R. Norwood (1977)	Approximately 0.8 mile north
P-37-005459	Felsite flake, 20 frags shell, cleared and grazed	R. Norwood (1977)	Approximately 0.9 mile north
P-37-005460	Two felsite flakes, 100 frags shell, cleared and grazed	R. Norwood (1977)	Approximately 0.9 mile west-northwest
P-37-005461	Light shell scatter, mano fragment, cleared and grazed	R. Norwood (1977)	Approximately 1.0 mile west-northwest
P-37-005462	Isolated battered core tools	R. Norwood (1977)	Approximately 1.0 mile northwest
P-37-005508	Lithic debitage and tools, shell, fire-affected cobbles, disturbed by cultivation and road	D. Dominici (1989), McManus, Corum (1977), T. Kearns (1971)	Approximately 1.0 mile northwest
P-37-010078	Adobe foundation, well/cistern, associated with Mission San Luis Rey, disturbed by agriculture use and dumping	T. Jacques (1984)	Approximately 0.7 mile southwest across San Luis Rey River
P-37-010079	Adobe brick walls, prickly pear cactus, deteriorated but intact	T. Jacques (1984)	Approximately 0.7 mile southwest across San Luis Rey River
P-37-010080	Shell, hammerstones, flakes, projectile point frag	T. Jacques (1984)	Approximately 0.7 mile southwest across San Luis Rey River
P-37- 011461	Adobe wall section, disturbed by Mission Ave.	D. Dominici (1989)	Approximately 1.0 mile southwest across San Luis Rey River
P-37- 011462	Historic cemetery, two TBW sherds	D. Dominici (1989)	Approximately 1.0 mile southwest across San Luis Rey River
P-37-011961	Flaked and ground stone, TBW sherds, historic glass, ceramics, adobe floor/roof tiles, metal	T. Gross, M. robbins-Wase, L. Jacobson (1990)	Approximately 0.5 mile southwest across San Luis Rey River
P-37-011970	Bedrock milling, flaked and ground stone artifacts, pottery, shell, bone, historic structures, historic artifacts, disturbed by grading, fill, agriculture	Kyle et al. (1990)	Approximately 0.9 mile northwest
P-37-014928	Isolated flake	D. Dominici (1989)	Approximately 1.0 mile south-southwest across San Luis Rey River
P-37-026841	Historic artifact scatter	S. Rosenberg (2005)	Approximately 0.7 mile

Primary Site #	Site Description	Recorder	Relation to Proposed Project
			northeast
P-37-037110	San Luis Rey Wastewater Treatment Plan, NR status 6Z		Approximately 1.0 mile west
Source: Archaeological Survey and Assessment (Appendix I)			

As a result of the field survey, three (3) isolated prehistoric artifacts and the three (3) historic residences were recorded. **Table 4.6-2** displays the six (6) recorded resources on the Project Site.

Table 4.6-2
Onsite Recorded Resources

Site #	Site Description
P-37-038466	This isolated occurrence consists of a brownware pottery rim sherd fragment and a fragment of <i>donax</i> sp. Shell located in the dripline of a warehouse an adjacent erosional rill amidst gravel and broken glass debris.
P-37-038467	This isolated occurrence consists of a brownware pottery sherd fragment located in a disturbed context.
P-37-038468	This isolated occurrence consists of a bifacial granitic mano located in a disturbed context.
P-37-038464	This resource consists of the Frank Kawano residence.
P-37-038466	This resource consists of the Harry Nagata residence.
P-37-038469	This resource consists of the Yatsu Nagata residence.
Source: Archaeological Survey and Assessment (Appendix I)	

4.6.2 REGULATORY SETTING

Federal

National Historic Preservation Act

The National Historic Preservation Act (NHPA) establishes the federal policy for preservation of historical resources, including archaeological sites, and sets in place a program for the preservation of historic properties by requiring federal agencies to consider effects to significant cultural resources prior to undertakings. Section 106 of the NHPA requires federal agencies to take into account the effects of projects on historic properties. It also gives the Advisory Council on Historic Preservation and the state historic preservation offices an opportunity to consult.

Executive Order 11593

Executive Order 11593 provides the following: (1) orders the protection and enhancement of the cultural environment through requiring federal agencies to administer the cultural properties under their control in a spirit of stewardship and trusteeship for future generations; (2) initiates measures necessary to direct their policies, plans, and programs in such a way that federally owned sites, structures, and objects of historical, architectural, or archaeological significance are preserved, restored, and maintained for the

inspiration and benefit of the people; and (3) in consultation with the Advisory Council on Historic Preservation, institutes procedures to assure that federal plans and programs contribute to the preservation and enhancement of non-federally owned sites, structures, and objects of historical, architectural, or archaeological significance.

National Register of Historic Places

The National Register of Historic Places (NRHP) is the nation's official list of historic places. The register is overseen by the National Park Service and requires that a property or resource eligible for listing in the register meet one (1) or more of the following four (4) criteria at the national, state or local level to ensure integrity and obtain official designation:

- The property must be associated with events that have made a significant contribution to the broad patterns of our history.
- The property must be associated with the lives of persons significant in our past.
- The property must embody the distinctive characteristics of a type, period, or method of construction, represent the work of a master, possess high artistic values, or represent a significant and distinguishable entity whose components may lack individual distinction.
- The property must show, or may be likely to yield, information important to history or prehistory.

Properties are nominated to the register by the state historic preservation officer of the state in which the property is located, by the federal preservation officer for properties under federal ownership or control, or by the tribal preservation officer if on tribal lands. Listing in the NRHP provides formal recognition of a property's historic, architectural, or archaeological significance based on the national standards used by every state. Once a property is listed in the NRHP, it becomes searchable in the NRHP database of research information.

State

California Code of Regulations Section 15064.5

California Code of Regulations Section 15064.5 defines the term "historical resource" as including the following:

1. A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources.
2. A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant on a historical resource survey meeting the requirements section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the

California Register of Historical Resources (Public Resources Code Section 5024.1, Title 14, CCR, Section 4852) including the following:

- a. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- b. Is associated with the lives of persons important to our past;
- c. Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of an important creative individual, or possesses high artistic values; or
- d. Has yielded, or may be likely to yield, information important in prehistory or history.

California Public Resources Code Section 5097

California Public Resources Code Section 5097 (Native American Historic Resources Protection Act) identifies the unauthorized disturbance or removal of archaeological or historical resources located on public land as a misdemeanor. It prohibits the knowing destruction of objects of antiquity without a permit on public lands, and it provides for criminal sanctions. This section was further amended in 1987 to require consultation with the Native American Heritage Commission (NAHC) whenever Native American graves are found. California Public Resources Code Section 5097.5 states that "no person shall knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, paleontological or historic feature situated on public lands, except with the express permission of the public agency having jurisdiction over the lands."

Assembly Bill 52

AB 52, in effect as of July 1, 2015, introduces the tribal cultural resource as a class of cultural resource and provides additional considerations relating to Native American consultation into CEQA. A tribal cultural resource is described as any of the following:

1. Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - a. Included or determined to be eligible for inclusion in the California Register of Historical Resources.
 - b. Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.
3. A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.
4. A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "non-unique archaeological resource" as defined in

subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

Tribal Cultural Resources are further analyzed in Chapter 4.19 of this EIR.

Senate Bill 18

In 2004, SB 18 was enacted, requiring local governments to consult with California Native American tribes prior to making certain planning decisions. The purpose of the consultation is to protect the identity of traditional tribal cultural places “cultural places” through local land use planning. As required by Government Code Sections 65352.3 and 655762.5, the NAHC maintains a list of tribes with whom local agencies must consult. The intent of SB 18 is to provide all California Native American tribes an opportunity to consult with local governments for the purpose of preserving and protecting their cultural places.

California Health and Safety Code

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. California Health and Safety Code Section 7050.5 requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains can occur until the county coroner has examined the remains. If the coroner determines or has reason to believe that the remains are those of a Native American, the coroner must contact the NAHC within 24 hours. The NAHC will notify the most likely descendent (MLD). With the permission of the landowner, the MLD may inspect the site of discovery. The inspection must be completed within 48 hours of the MLD being granted access to the site. The MLD may recommend means of treating or disposing of, with appropriate dignity, the human remains and items associated with Native Americans.

Local

City of Oceanside Municipal Code

Chapter 14 of the City of Oceanside Municipal Code, referred to as the Historic Preservation Ordinance, (Ordinance No. 82-14, Section 1, 9-8-82) established the criteria for which a property is eligible as an Oceanside Historical Site:

- a. It exemplifies or reflects special elements of the city's cultural, social, economic, political, aesthetic, engineering, or architectural history; or
- b. It is identified with persons or events significant in local, state, or national history; or
- c. It embodies distinctive characteristics of a style, type, period, or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship; or
- d. It is representative of the notable work of a builder, designer, or architect; or
- e. It is found by the council to have significant characteristics which should come under the protection of this chapter.

City of Oceanside General Plan

Environmental Resource Management Element

The Environmental Resource Management Element of the General Plan outlines recommended action programs to implement and achieve long-range planning objectives. The City Implementation Program actions related to cultural resources include:

Objective: Cultural Sites – Encourage the conservation and protection of significant cultural resources for future scientific, historic, and educational purposes

In order to achieve this objective, the City of Oceanside will:

1. Encourage the use of “o” zoning and open space easements for the preservation of cultural sites.
2. Encourage private organizations to acquire, restore, and maintain significant historical sites
3. Encourage investigation by the appropriate groups (i.e. museums, university students, etc.) to explore and record the significant archaeological sites in the area and to forward this information to appropriate County agencies for inclusion in the San Diego County Natural Resources Inventory (Section 2, Special Factors).

Land Use Element

The Land Use Element of the General Plan provides guidance for protection of cultural resources. The following policies of the Land Use Element are relevant to the proposed Project:

3.2 Cultural Resources

Policies:

- A. The City shall encourage open space land use designations and open space zoning or open space easements for the preservation of cultural resources.
- B. The City shall encourage the acquisition, restoration, and/or maintenance of significant cultural resources by private organizations.
- C. Cultural resources that must remain on-site to preserve their significance shall be preserved intact and interpretive signage and protection shall be provided by project developers.
- D. An archaeological survey report shall be prepared by a SOPA (Society of Professional Archaeologists) certified archaeologist for a project proposed for grading or development if any of the following conditions are met:
 1. The site is completely or largely in a natural state;
 2. There are recorded sites on nearby properties;
 3. The project site is near or overlooks a water body (creek, stream, lake, freshwater lagoon);
 4. The project site includes large boulders and/or oak trees; or
 5. The project site is located within a half-mile of Mission San Luis Rey.
- E. The presence of agriculture on a potential project site shall not preclude the requirement for an archaeological survey report if any of the above listed conditions are established.

4.6.3 THRESHOLDS OF SIGNIFICANCE

Per Appendix G of the CEQA Guidelines, impacts would be considered significant if the Project would:

- a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5;
- b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5;
- c. Disturb any human remains, including those interred outside of formal cemeteries.

4.6.4 PROJECT IMPACT ANALYSIS

Would the Project:

- a. *Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?*

As described in the Archaeological Survey and Assessment Report prepared by Heritage Resources (**Appendix I**), three (3) historic residences (P-37-038464, P-37-038465 and P-37-038469) were recorded as a result of the field survey. The three (3) recorded residences, referred to as the Frank Kawano residence, the Henry Nagata residence and the Yatsu Nagata residence are further described above in **Table 4.6-2**.

Research in the form of review of the Chain of Title of the subject parcels, review of records at the Oceanside Historical Society and San Diego History Center, review of online documents, interviews with property owners, and in-field architectural documentation provided sufficient information to address the criteria for eligibility for the California Register of Historical Resources.

As documented in the historic research, the three residences were built as family residences for the Kawano and Nagata families. While the Kawano and Nagata families are known as successful agricultural families in the City in the latter half of the 20th century, their residences are not associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage nor are they associated with the lives of persons important in our past. The structural documentation completed during the field survey confirms that the three (3) residences are vernacular structures and do not embody the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values. Additionally, as structures they have not yielded or may be likely to yield information in prehistory or history. As a result, none of the three (3) historic residences found on the Project Site meet the criteria for eligibility for the California Register of Historic Resources per the California Code of Regulations (CCR) Section 15064.5.

The Project would not cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5. Impacts would be **less than significant**.

- b. *Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?*

As described in the Archaeological Survey and Assessment Report prepared by Heritage Resources (**Appendix I**), three (3) isolated prehistoric artifacts (P-37-038466, P-37-038467 and P-37-038468) were recorded as a result of the archaeological field survey. A more detailed description of the recorded artifacts can be found in **Table 4.6-2**. Surface observations during the archaeological field survey were sufficient to conclude that the isolates in their disturbed context lack sufficient data potential and integrity to address important research questions, and therefore do not meet the criteria for eligibility for the California Register of Historical Resources per CCR Section 15064.5.

No cultural resources which qualify as unique archaeological resources were found on the Project Site. However, due to the location of the Project Site on an alluvial terrace associated with the San Luis Rey River and due to the occurrence of three (3) isolated prehistoric artifacts during the field survey, construction activities, including ground disturbing activities have the potential to cause an adverse change in the significance of an archaeological resource should they be located on the Project Site. This represents a **significant impact (Impact CUL-1)**.

c. Disturb any human remains, including those interred outside of formal cemeteries?

Several areas within the Project Site have been previously graded and disturbed and therefore the possibility of discovering human remains during construction is considered low. However, due to the fact that the Project involves ground disturbing activities, construction activities have the potential to disturb human remains, including those located outside of formal cemeteries, and therefore a **significant impact** would occur (**Impact CUL-2**).

4.6.5 MITIGATION IMPLEMENTATION AND MONITORING

Archaeological Resources (Impact CUL-1)

- MM-CUL-1a** Prior to issuance of a Grading Permit, the Applicant/Owner shall enter into a pre-excavation agreement, otherwise known as a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement with the “Traditionally and Culturally Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe”. A copy of the agreement shall be included in the Grading Plan Submittals for the Grading Permit. The purpose of this agreement shall be to formalize protocols and procedures between the Applicant/Owner and the “TCA Native American Monitor associated with a TCA Luiseño Tribe” for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and tribal cultural resources, located and/or discovered through a monitoring program in conjunction with the construction of the proposed Project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities. At the discretion of the Luiseño Native American Monitor, artifacts may be made available for 3D scanning/printing, with scanned/printed materials to be curated at a local repository meeting the federal standards of 36CFR79.
- MM-CUL-1b** Prior to the issuance of a Grading Permit, the Applicant/Owner or Grading Contractor shall provide a written and signed letter to the City of Oceanside Planning Division stating that a Qualified Archaeologist and Luiseño Native American Monitor have been retained at the Applicant/Owner or Grading Contractor’s expense to implement the monitoring program, as described in the pre-excavation agreement.
- MM-CUL-1c** The Qualified Archaeologist shall maintain ongoing collaborative consultation with the Luiseño Native American monitor during all ground disturbing activities. The requirement for the monitoring program shall be noted on all applicable construction documents, including Demolition Plans, Grading Plans, etc. The Applicant/Owner or Grading Contractor shall notify the City of Oceanside Planning Division of the start and end of all ground disturbing activities.

MM-CUL-1d

The Qualified Archaeologist and Luiseño Native American Monitor shall attend all applicable pre-construction meetings with the General Contractor and/or associated Subcontractors to present the archaeological monitoring program. The Qualified Archaeologist and Luiseño Native American Monitor shall be present onsite full-time during grubbing, grading and/or other ground altering activities, including the placement of imported fill materials or fill used from other areas of the Project Site, to identify any evidence of potential archaeological or tribal cultural resources. All fill materials shall be absent of any and all tribal cultural resources.

MM-CUL-1e

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

MM-CUL-1f

The Qualified Archaeologist or the Luiseño Native American monitor may halt ground disturbing activities if unknown tribal cultural resources, archaeological artifact deposits or cultural features are discovered. Ground disturbing activities shall be directed away from these deposits to allow a determination of potential importance. Isolates and clearly non-significant deposits will be minimally documented in the field, and before grading proceeds these items shall be secured until they can be repatriated. If items cannot be securely stored on the Project Site, they may be stored in off-site facilities located in San Diego County. If the Qualified Archaeologist and Luiseño Native American monitor determine that the unearthed tribal cultural resource, artifact deposits or cultural features are considered potentially significant TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this Project shall be notified and consulted regarding the respectful and dignified treatment of those resources. The avoidance and protection of the significant tribal cultural resource and/or unique archaeological resource is the preferable mitigation. If, however, it is determined by the City that avoidance of the resource is infeasible, and it is determined that a data recovery plan is necessary by the City as the Lead Agency under CEQA, TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this Project shall be notified and consulted regarding the drafting and finalization of any such recovery plan. For significant tribal cultural resources, artifact deposits or cultural features that are part of a data recovery plan, an adequate artifact sample to address research avenues previously identified for sites in the area will be collected using professional archaeological collection methods. The data recovery plan shall also incorporate and reflect the tribal values of the TCA Luiseño Tribes that have participated in the state-prescribed

consultation process for this Project. If the Qualified Archaeologist collects such resources, the Luiseño Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect the tribal cultural resources that are unearthed during the ground disturbing activities, the Luiseño Native American monitor, may at their discretion, collect said resources and provide them to the appropriate TCA Luiseño Tribe, as determined through the appropriate process, for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Ground disturbing activities shall not resume until the Qualified Archaeologist, in consultation with the Luiseño Native American Monitor, deems the cultural resource or feature has been appropriately documented and/or protected.

MM-CUL-1g

The landowner shall relinquish ownership of all tribal cultural resources unearthed during the cultural resource mitigation monitoring conducted during all ground disturbing activities, and from any previous archaeological studies or excavations on the Project Site to the appropriate TCA Luiseño Tribe, as determined through the appropriate process, for respectful and dignified treatment and disposition, including reburial at a protected location onsite, in accordance with the Tribe's cultural and spiritual traditions. All cultural materials that are associated with burial and/or funerary goods will be repatriated to the Most Likely Descendant (MLD) as determined by the Native American Heritage Commission per California Public Resources Code Section 5097.98. No tribal cultural resources shall be subject to curation.

MM-CUL-1h

Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusions of the archaeological monitoring program (e.g., data recovery plan) shall be submitted by the Qualified Archaeologist, along with the Luiseño Native American monitor's notes and comments, to the City of Oceanside Planning Division for approval.

Human Remains (Impact CUL-2)**MM-CUL-2**

As specified by California Health and Safety Code Section 7050.5, if human remains are found on the Project Site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Office of the Medical Examiner by telephone. No further excavation or disturbance of the Project Site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Medical Examiner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. If suspected Native American remains are discovered, the remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur onsite in the presence of a Luiseño Native American monitor. By law, the Medical Examiner will determine within two (2) working days of being notified if the remains are subject to his or her authority. If the Medical Examiner identifies the remains to be of Native American ancestry, he

or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC shall make a determination as to the MLD.

4.6.6 LEVEL OF SIGNIFICANCE AFTER MITIGATION

The analysis in Section 4.6.4 identified potential for significant impacts related to archaeological resources and human remains. Implementation of mitigation measure MM-CUL-1a through MM-CUL-1h requires construction monitoring by a Qualified Archaeologist and Native American monitor and specific protocols for pre-construction, construction, and post-construction activities, requirements in the event of a discovery of cultural resources and reporting of monitoring activities and evaluation of results. With mitigation measure MM-CUL-1a through MM-CUL-1h, Impact CUL-1 related to archaeological resources would be reduced to below a level of significance by requiring specific monitoring program protocols during construction which would allow for proper care of resources in the event of a discovery.

Mitigation measure MM-CUL-2 would reduce potential impacts related to the discovery of human remains by implementing specific protocol and methods for evaluation of remains in the event that remains are discovered during construction, reducing potential for further disturbance. Therefore, all impacts to cultural resources will be reduced to less than significant.

4.7 ENERGY

The following document was used in the preparation of this section and is included in its entirety in **Appendix L** and **Appendix P**:

Ldn Consulting, Inc. November 15, 2021. *Greenhouse Gas Assessment, Tierra Norte Planned Block Development – Overlay District, City of Oceanside, CA.* (**Appendix L**)

LOS Engineering, Inc. February 4, 2022. *Tierra Norte Residential Development Plan Southside of N. River Rd btw Ave Descanso and Calle Montecito, City of Oceanside, Local Transportation Study.* (**Appendix P**)

4.7.1 ENVIRONMENTAL SETTING

The section of the EIR addresses the energy implications of the Project and represents a summary of the Project's anticipated energy needs, impacts and conservation measures.

Local Service and Energy Use

Electricity

SDG&E is the utility company which provides electric services in Southern Orange County and the County, including the City and the Project Site. Within its 4,100 square-mile service area are 3.6 million customers, 1.4 million electric meters, and 873,000 natural gas meters. According to the California Energy Commission (CEC), SDG&E consumed approximately 18,767 gigawatt hours of electricity in total in 2018 (CEC, 2018a). SDG&E produces electric power from a variety of sources, with 44% coming from renewable energy sources such as geothermal, solar, wind, and biomass/waste as of August 2019 (CPUC, 2019). As of 2018, approximately 19,749 gigawatt hours of electricity were consumed in the County, with 12,807 gigawatt hours consumed in the non-residential sector and 6,942 gigawatt hours consumed in the residential sector (CEC, 2018c).

Natural Gas

Most of the natural gas used in California comes from out-of-state basins located in the Southwest, Canada, and the Rocky Mountains. Less than one-tenth of state demand is produced in-state (EIA, 2018). Most of the gas transported from out-of-state, as well as some of what is produced in-state is delivered to regional transmission systems for Pacific Gas and Electric (PG&E) and SoCalGas natural gas transmission pipeline systems. SDG&E is a customer of SoCalGas and receives all of its natural gas from the SoCalGas system. The California Public Utilities Commission (CPUC) regulates natural gas utility service for customers that receive natural gas from various utilities throughout the state including SDG&E (CPUC, 2019). In 2019 (assumes January 2019 to December 2019), approximately 534 million British thermal units (Btu) of natural gas were consumed in the County, with the residential sector accounting for approximately 304 million Btu of consumption and non-residential accounting for approximately 230 million Btu of consumption (CEC, 2019d).

Petroleum

California has the fourth-largest share of the nation's crude oil reserves, and as such, is the nation's fourth-largest producer – accounting for about five percent of total U.S. production in 2017. Overall, crude oil production has declined in California over the past three (3) decades and more than half of crude

oil refined in California is imported from foreign suppliers. California is the second largest consumer of petroleum products in the nation and the largest consumer of motor gasoline. The vast majority of petroleum consumed in the state is used in the transportation sector (EIA, 2018). As of 2015, there were 27.8 million light-duty vehicles in California. The annual gasoline consumption in 2017 was estimated to be 15.8 billion gallons (CEC, 2017). Gasoline and other vehicle fuels are a commercially provided commodity and would be available to the Project and its users at nearby outlets.

4.7.2 REGULATORY SETTING

Federal

Federal Energy Policy and Conservation Act and Amendments

In 1975, minimum energy efficiency standards for many major appliances were established by the U.S. Congress with the Federal Energy Policy and Conservation Act. These standards have been amended in subsequent legislation, including the federal Energy Policy Act of 2005. The Department of Energy is required to set efficiency standards that achieve the maximum energy efficiency improvement that is still economically and technologically feasible.

Energy Independence and Security Act of 2007

The Energy Independence and Security Act of 2007 is an energy policy law adopted by Congress which established energy efficiency standards for several equipment types and appliances which were not already subject to a standard, and updated some existing standards. It established significant new standards for lightbulbs, requiring that by 2020, light bulbs must consume 60% less than the light bulbs of the time – effectively phasing out the incandescent light bulb.

State

Global Warming Solutions Act

AB 32, also known as the California Global Warming Solutions Act of 2006 enacted Sections 38500-38599 of the California Health and Safety Code. AB 32 establishes regulatory, reporting and market procedures to achieve quantifiable reductions in greenhouse gas (GHG) emissions and a cap on statewide GHG emissions. AB 32 requires reduction of statewide GHG emissions to 1990 levels by 2020. The procedures for reducing GHG emissions will relate to the generation and efficient use of energy. The California Air Resources Board (CARB) adopted the Climate Change Scoping Plan in 2008, with subsequent updates in 2014 and 2017, which is the state's plan to achieve the statewide GHG reductions required by AB 32. The most significant proposed GHG reductions are recommended through improving emission standards for light-duty vehicles, implementation of the Low-Carbon Fuel Standard, energy efficiency measures in buildings and appliances, and a Renewable Portfolio Standard (RPS) for electricity production.

Renewable Portfolio Standards

Executive Order S-14-08 was signed by Governor Arnold Schwarzenegger and is known as the RPS. It requires all retail sellers of electricity to serve 33% of their load with renewable energy by 2020. State government agencies were directed to take all appropriate actions to implement this target in all regulatory proceedings, including siting, permitting, and procurement for renewable energy power plants and transmission lines.

More recently, California Senate Bill (SB) 350 amends the RPS to require an annual increase in renewable energy generation by utility providers, equivalent to at least 50% by 2030.

California Energy Commission

The CEC's Integrated Energy Policy Report set forth policies that would enable the state to meet its energy needs under the carbon constraints established in the 2006 Global Warming Solutions Act. The Integrated Energy Policy Report also provides a set of recommended actions to achieve these policies.

California Energy Storage Law

California's Energy Storage Law (AB 2514) requires the governing board of each publicly owned utility to "determine appropriate targets" if any, for the utility to procure viable and cost-effective energy storage systems (California Public Utilities Code Section 2836(b)(1)). AB 2514 also requires that "all procurement of energy storage systems" by a publicly owned utility "shall be cost-effective" (California Public Utilities Code Section 2836.6).

Title 24 Standards Code

Title 24, Part 6 of the CCR is also titled the Energy Efficiency Standards. The CEC has adopted changes to the Building Energy Efficiency Standards in order to accomplish the following:

- Respond to California's energy crisis to reduce energy bills, increase energy delivery system reliability, and contribute to an improved economic condition for the state.
- Respond to the AB 970 (Statutes of 2000) urgency legislation to adopt and implement updated and cost-effective building energy efficiency standards.
- Respond to various statutes of 2001, which included urgency legislation to adopt energy efficiency building standards for outdoor lighting.
- Emphasize energy efficiency measures that save energy at peak periods and seasons, improve the quality of installation of energy efficiency measures, incorporate recent publicly funded building science research, and collaborate with California utilities to incorporate results of appropriate market incentives programs for specific technologies.

The 2019 Title 24 standards were approved and adopted by the California Building Standards Commission and became effective on January 1, 2020. These standards will further reduce energy used and associated GHG emissions. Nonresidential buildings built to the latest standards will use an estimated 30% less energy than those built to the previous standards.

In addition to these efforts, in 2008, the California Building Standards Commission adopted the nation's first green building standards. The California Green Building Standards Code (Part 11 of Title 24) is commonly known as CALGreen, and establishes minimum mandatory standards as well as voluntary standards for the planning and design of sustainable site planning and development, water efficiency and conservation, material conservation, and resource use efficiency. The CALGreen 2019 standards will become effective on January 1, 2020. The mandatory standards require the following:

- 20% mandatory reduction in indoor water use.
- Diversion of 50% of construction and demolition waste from landfills.
- Mandatory inspections of energy systems to ensure optimal working efficiency.

Local

SDG&E Long-Term Resource Plan

In 2004, SDG&E filed a long-term resource plan (LTRP) with the CPUC, identifying how it would meet the needs of customers in SDG&E's service area. The plan identifies energy demand reduction targets, goals for increasing renewable energy supplies and transmission capacity.

The LTRP set a standard for acquiring 33 percent of SDG&E's energy mix from renewables by 2020. SDG&E is currently ahead of schedule to achieve that target, procuring 44% of its energy mix from renewables as of August 2019 (CPUC, 2019). The plan calls for an increased usage of energy supplies from within the region, aiming to achieve and maintain the capacity to generate 75% of peak summer demand within County generation by 2020.

City of Oceanside Climate Action Plan

The City adopted a Climate Action Plan (CAP) in May of 2019. The purpose of the CAP is to align the City with state efforts to reduce GHG emissions while balancing a variety of community interests such as quality of life, economic development and social equity. It contains measures and strategies to reduce GHG emissions resulting from energy and buildings, water and wastewater, solid waste, transportation and land use, and agriculture and forestry. Electricity consumption and natural gas usage account for 26% and 16% of community GHG emissions in the City, respectively. Measures and strategies developed to reduce GHG emissions produced from the energy use sector which are relevant to the Project include:

Measure W1: Implementation of the Water Conservation Plan

Strategies:

- Residential Clothes Washer Rebate
- Rotating Sprinkler Nozzle Rebates
- Model Water Efficient Landscape Ordinance

Measure TL2: Electric Vehicle Promotion

Strategies:

- Consistent with state requirements for pre-wiring for level 2 charging circuits in multi-family developments, require charging stations to be installed at half of all pre-wired spaces.

Measure TL4: Expand Complete Streets Programs

Strategies:

- Require new developments to provide connections and/or extensions of the bicycle and pedestrian networks where applicable.

Measure AF1: Urban Forestry Program

Strategies:

- Adopt a Green Streets Ordinance that requires all new development Projects to incorporate shade trees. Establish criteria for the number of shade trees. Criteria may be reasonably linked to metrics such as the number of residences, building area, or impervious area.

Energy Climate Action Element of the General Plan

The Energy Climate Action Element (ECAE) of the General Plan addresses energy consumption and other activities within the City that may contribute to adverse environmental impacts, with particular emphasis on those activities associated with human-induced climate change. The ECAE outlines goals and policies meant to incorporate the concept of sustainability into the City's decision-making process including development review protocols. The major themes and goals of the ECAE are related to energy efficiency and renewable energy, smart growth and multimodal transportation, zero waste, water conservation, urban greening, local agriculture, and sustainable consumption.

4.7.3 THRESHOLDS OF SIGNIFICANCE

Per Appendix G of the CEQA Guidelines, impacts would be considered significant if the Project would:

- a. Result in potentially significant environmental impact due to wasteful, inefficient, unnecessary consumption of energy resources, during project construction or operation;
- b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

4.7.4 PROJECT IMPACT ANALYSIS

Would the Project:

- a. Result in potentially significant environmental impact due to wasteful, inefficient, unnecessary consumption of energy resources, during project construction or operation?

Construction Energy Use

During construction, the Project would result in an increase in energy consumption during the anticipated 26-month construction period. Construction phases anticipated to occur are demolition, site preparation, grading, paving, building construction and architectural coating. Heavy-duty construction equipment associated with construction activities would rely on diesel fuel to power off-road construction vehicles and equipment as well as construction worker vehicles and delivery and haul trucks. Electricity associated with the conveyance of water would be used during Project construction for dust control and electricity used to power lighting, electronic equipment, or other construction activities necessitating electrical power. The Project would also result in electricity used in the production of construction materials such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass.

Construction Related Electricity

During construction of the Project electricity would be consumed to construct the future multi-family residential development. Electricity would be supplied to the Project Site by SDG&E and would be obtained from the existing electrical lines in the vicinity of the Project Site. Electricity consumed during construction would vary throughout the construction phases based on the activities being performed. Construction activities include electricity associated with the conveyance of water that would be used for dust control and electricity to power necessary lighting, electronic equipment, and other construction activities necessitating electrical power.

The electricity used for such activities would be less than that required during operation of the Project, would be temporary and would have a minimal contribution to the Project's overall energy consumption. Construction activities associated with the future development of the medium density residential development would require electricity consumption that would not be expected to have an adverse impact on available electricity supplies and infrastructure. Therefore, the use of electricity during the Project construction would not be wasteful, inefficient, or unnecessary.

The Project would be expected to connect to the existing electrical service lines along North River Road and specific tie-in locations for electrical services will be determined at the time the Project Site is developed. It is anticipated that the construction of the Project would require nominal improvements to existing SDG&E distribution lines and facilities. Electricity is currently provided to the Project Site for agriculture activities, warehouse activities, office and residential usages. Where feasible, all new service installations and connections would be scheduled and implemented in a manner that would not result in electrical services interruptions to surrounding properties.

Project compliance with the Zoning Ordinance Section 3023 – Underground Utilities for guidelines and requirements related to installation of electrical lines would ensure that the Project fulfills its responsibilities related to infrastructure installation, coordination of any electrical infrastructure removals or relocations, and would limit impacts associated with grading, construction and development. Construction of the Project's electrical infrastructure is not anticipated to adversely affect the electrical infrastructure serving the surrounding uses or utility system capacity.

Project construction would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of electricity resources, and impacts would be **less than significant**.

Construction Related Natural Gas

Construction of the Project would not typically involve the consumption of natural gas. Therefore, natural gas would not be supplied to support construction activities and there would be no demand generated by Project construction.

The Project would be expected to connect to the existing gas service lines along North River Road and specific tie-in locations for gas services will be determined at the time the Project Site is developed. . Gas services would be provided by SDG&E. It is anticipated that the construction of the Project would require nominal improvements to existing SDG&E natural gas distribution lines and facilities. Construction related energy impacts associated with the installation of natural gas services and connections are expected to be confined to trenching to place the lines below the surface. The developer would be responsible for notifying and coordinating with SDG&E to identify proper locations and depth of all gas lines and connections to avoid disruption of services to the neighboring properties.

Project construction would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of natural gas resources, and impacts would be **less than significant**.

Construction Related Transportation Energy

Petroleum-based fuel usage represents the highest amount of transportation energy to be consumed during construction, which would be utilized by off-road equipment, on-road automobiles transporting workers to and from the Project Site and on-road trucks transporting equipment and supplies to the construction site and hauling demolition materials to off-site refuse and disposal facilities. Equipment proposed for

Project construction would include concrete/industrial saws, rubber tired dozers, tractors, loaders, backhoes, excavators, graders, scrapers, pavers, other paving equipment, rollers, cranes, forklifts, generator sets, welders and air compressors. The number of each type of equipment and the number of days per construction phase is displayed in **Table 4.7-1** below. These variables were input into CalEEMod to generate construction emissions and energy usage. The Project would generate approximately 414 worker vehicle trips over all construction phase of the Project, spanning approximately 26 months (Greenhouse Gas Assessment, **Appendix L**). Worker trips would generate approximately 4,471 vehicle miles traveled (VMT). During the demolition phase of construction, the Project would generate 273 hauling trips which would generate a total of 5,460 VMT. During the building construction phase, the Project is expected to generate 43 vendor trips which is expected to generate approximately 313 VMT.

Table 4.7-1
Expected Construction Equipment

Equipment Identification	Number of Equipment
Demolition (30 Days)	
Concrete/Industrial Saws	1
Rubber Tired Dozers	3
Tractors/Loaders/Backhoes	2
Site Preparation (20 Days)	
Rubber Tired Dozers	3
Tractors/Loaders/Backhoes	4
Grading (45 Days)	
Excavators	2
Graders	1
Rubber Tired Dozers	1
Scrapers	2
Tractors/Loaders/Backhoes	2
Paving (35 Days)	
Pavers	2
Paving Equipment	2
Rollers	2
Building Construction (440 Days)	
Cranes	1
Forklifts	3
Generator Sets	1
Tractors/Loaders/Backhoes	3
Welders	1
Architectural Coating (71 Days)	
Air Compressors	1
Source: Greenhouse Gas Assessment Prepared by Ldn Consulting, Inc. (Appendix L)	

The Project is not expected to result in a significant use of transportation related energy resources. The Project would adhere to all State and SDAPCD regulations for off-road equipment and on-road trucks related to clean engines to provide fuel efficiency. The Project would utilize Tier 4 construction equipment or equivalent. Tier 4 refers to the latest emission milestone by the U.S. EPA and CARB which applies to new engines found in off-road equipment including construction equipment.

Title 13 of the CCR Section 2485 regulates limitations for idling of vehicles and equipment. Idling requirements are for on-road and off-road diesel-powered equipment and is enforced by CARB. Section 2485 also regulates proper maintenance of equipment to result in fuel savings. Given the high cost of fuel, contractors and developers have a financial incentive to avoid wasteful, inefficient and unnecessary consumption of energy during construction.

The Project would not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during Project construction, and impacts would be **less than significant**.

Operational Energy Use

The Project would provide a PBD Overlay District, would require a General Plan Amendment to designate the Project Site as MDC-R from LI and would require a Zone Amendment to designate the Project Site as RM-C from IL. This would provide for the future development of medium density residential at 15.1 to 20.9 du/ acre. The Project would provide a maximum of 400 multi-family residential units. Specific site layouts and residential product designs would ultimately be identified as part of future development plans proposed for the properties. The Project would provide residential buildings, parking, landscaping, and public and private open space areas. Long-term operation of the Project would require the use of electrical and natural gas energy sources for heating, ventilation, air conditioning (HVAC), lighting, appliances, electronics, electric vehicle charging spaces, and pool operations. Energy would be consumed during operations related to water usage, solid waste disposal, and vehicle trips.

Operational Related Electricity

Electricity associated with operation of the Project was calculated using CalEEMod Version 2016.3.2. According to the CalEEMod model results provided in the Greenhouse Gas Assessment (**Appendix L**), the Project would use approximately 1,749,050 kilowatt hours of electricity per year (kWh/year). Under the current land use designation of the Project Site as LI, an industrial facility of approximately 1,000,000 SF could be developed on the Project Site. A facility of this size, incorporating the same project design features as the Project, would use approximately 6,470,500 kWh/ year. The CalEEMod calculations for the 1,000,000 SF industrial facility are provided in Attachment C of the Greenhouse Gas Assessment provided in this EIR as **Appendix L**.

Electricity services would be provided by SDG&E electric transmission and distribution lines and new electric services lines would connect to existing services in North River Road. The Project is located in a developed area surrounded primarily by various residential land use types and light industrial uses. Surrounding residential development includes single-family residences, multi-family apartments and condominiums and mobile home estates. Existing electrical services are provided in the Project vicinity and are currently provided to the Project Site for agricultural and warehouse operations, and office and resident usage. The Project would consume electricity similarly to that of the existing multi-family residential developments to the north and northwest and would comply with all applicable 2019 Title 24 Part 6 Building Efficiency Standards.

Project design features have been incorporated into the Project in order to reduce energy usage associated with operation of the Project. The Project would include the following design features:

- The Project will install Low Flow water fixtures in all residential units.
- All lights within the development will be designed to use LED technology and will be for both indoor and outdoor lighting areas.

- The Project will provide separate waste containers to allow for simpler material separations or the Project will pay for a waste collection service that recycles the materials in accordance with AB 341 to achieve a 75% waste diversion. All green waste will be diverted from landfills and recycled as mulch.
- The Project will only install natural gas hearth units where applicable. No wood burning hearths would be provided onsite.

Project operation would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of electricity resources, and impacts would be **less than significant**.

Operational Related Natural Gas

Operation of the Project would result in the consumption of natural gas. As provided in the Project design features listed above, the Project would only install natural gas hearth units where applicable. According to the CalEEMod model results provided in the Greenhouse Gas Assessment (**Appendix L**) the Project would use 5,753,140 kilo British thermal units per year (kBtu/ year) of natural gas. The Project would comply with the 2019 Title 24 Part 6 Building Efficiency Standards including enhanced insulation and the use of efficient natural gas appliances and HVAC units. The Project would minimize the use of natural gas use and that existing and planned natural gas facilities and supplies would be sufficient to support the Project's natural gas demand.

Project operation would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of natural gas resources, and impacts would be **less than significant**.

Operational Related Transportation Energy

Operation of the Project would result in increased consumption of petroleum-based fuels related to vehicular travel to and from the Project Site. According to the Local Transportation Study (**Appendix P**) prepared for the Project, the Project would generate 3,200 ADT and 5,627,149 VMT per year.

The Project would be designed and constructed in accordance with all applicable and current City of Oceanside Building codes related to energy and transportation. Additionally, the Project would implement Transportation Demand Management (TDM) strategies to reduce transportation VMT impacts including the following:

5. Provide information about the SANDAG iCommute Program and encourage carpooling.
6. Develop and/or promote bicycle usage through a bike share program to help reduce vehicle usage and demand for parking by providing users with on-demand access to bikes for short-term rental, contribute to electric bicycle charging stations, contribute to bicycle infrastructure improvements, and disseminate a bicycle riders guide to make it easier for people to bike and walk to work. Develop a bicycle rider's guide.
7. Provide pedestrian improvements such as connection from the Project Site to the north side of the San Luis Rey River trail; encourage residents to walk by providing mapped walking routes; promoting walking groups; and providing incentives.
8. Provide information about maps, routes, and schedules for public transit.

Operation of the Project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, and impacts would be **less than significant**.

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The City's CAP and ECAE of the General Plan provide goals, policies and measures to meet State GHG and energy consumption and GHG reduction goals. **Table 4.7-2** displays the Project's consistency with applicable CAP policies. **Table 4.7-3** displays the Project's consistency with ECAE policies.

Table 4.7-2
Project Consistency with CAP Measures

CAP Measure	CAP Strategy	Project Consistency
<i>Measure W1: Implementation of the Water Conservation Plan</i>	• Residential Clothes Washer Rebate • Rotating Sprinkler Nozzle Rebates • Model Water Efficient Landscape Ordinance	The Project would provide water efficient washing machines in single units or within community laundry rooms, depending on the residential building type. The Project would implement efficient irrigation systems with respect to water conservation. Irrigation heads would be chosen to provide maximum coverage of the landscaped areas. All landscaping would be native and drought tolerant and would comply with the City's Water Efficient Landscape Ordinance.
<i>Measure TL2: Electric Vehicle Promotion</i>	Consistent with state requirements for pre-wiring for level 2 charging circuits in multi-family developments, require charging stations to be installed at half of all pre-wired spaces.	The Project would provide the required number of electric vehicle (ev) parking spaces based on the final number of residential units to be determined on the future Project development plans.
<i>Measure TL4: Expand Complete Streets Programs</i>	Require new developments to provide connections and/or extensions of the bicycle and pedestrian networks where applicable.	The Project would contribute to bicycle infrastructure improvements and would provide pedestrian improvements such as connection from the Project Site to the north side of the San Luis Rey trail and along the Project frontage.
<i>Measure AF1: Urban Forestry Program</i>	Adopt a Green Streets Ordinance that requires all new development projects to incorporate shade trees. Establish criteria for the number of shade trees. Criteria may be reasonably linked to metrics such as the number of residences, building area, or impervious area.	Shade trees would be provided within the residential development and parking areas. Specific locations of shade trees would be specified and determined on the Project development plans.

Table 4.7-3
Project Consistency with ECAE Policies

ECAE Policy	ECAE Policy Description	Project Consistency
<i>Policy ECAE-1c-3</i>	Develop outreach and educational materials promoting energy efficiency and conservation that can be distributed to new homeowners.	The Project would supply new residents with information on energy efficiency and conservation strategies upon move-in. Additional materials would be provided within the onsite property management offices.
<i>Policy ECAE-1c-7</i>	As an alternative to natural gas, encourage building electrification, including electric heat pump appliances, space heaters, and water heaters.	As a Project design feature, natural gas hearth units would be installed only where applicable. Electrical sources would be provided to the extent feasible.
<i>Policy ECAE-1d-3</i>	Encourage the use of locally-produced construction materials, including salvaged lumber.	The Project would use locally-produced construction materials for onsite building construction to the extent feasible.
<i>Policy ECAE-2a-2</i>	In the City's commercial corridors, promote a mix of land uses that contributes to a sense of place, creates synergies between local businesses and affords residents the opportunity to live, work, and play within a walkable radius.	The Project Site is located in an area surrounded primarily by various residential land use types and industrial uses. Commercial uses are located 0.50 mile to the west of the Project Site. The San Luis Rey River Trail is located to the south of the Project Site and trail connections would be provided as part of the Project. The Project would allow residents the opportunity to live, work and play within in walking distance of once another.
<i>Policy ECAE-2b-2</i>	In conjunction with infill and redevelopment projects, pursue opportunities to integrate public open space into the City's urbanized corridors.	The Project would provide onsite public and private usable open space at 350 SF of usable open space per unit. Pedestrian amenities throughout the development would be provided for social interaction such as small gathering areas, benches and seating, water features and shaded areas. Internal streets with sidewalks would be designed to promote pedestrian activity within the development. Enhanced pedestrian circulation would provide access and connections to internal walkways, paseos, and open space systems. The Project would provide pedestrian connections to the San Luis Rey River trail.
<i>Policy ECAE-2c-4</i>	Ensure that capital improvements are consistent with the City's Complete Streets policies, as articulated in the Circulation Element.	The Project would provide transportation improvements in the vicinity of the Project in accordance with the City's Circulation Element including those listed in Table 3.5-4 .
<i>Policy ECAE-2f-2</i>	Explore incentives for electric vehicle charging facilities in multi-family developments.	The Project would provide the required number of electric vehicle (ev) parking spaces based on the final number of residential units to be determined on the future Project development plans.
<i>Policy ECAE-3a-2</i>	Continue to enhance organics waste	Trash enclosures would be located throughout

ECAE Policy	ECAE Policy Description	Project Consistency
	recycling opportunities for both the commercial and residential sector in accordance with the City's Zero Waste goals and State Organics mandates.	the multi-family development. As a Project design feature the Project will provide separate waste containers to allow for simpler material separations or the Project will pay for a waste collection service that recycles the materials in accordance with AB 341 to achieve a 75% waste diversion. All green waste will be diverted from landfills and recycled as mulch.
<i>Policy ECAE-3a-14</i>	Improve monitoring and enforcement of the City's construction waste diversion requirements.	The Construction Contractor would ensure that construction waste would be properly diverted in accordance with the City's construction waste diversion requirements. This includes preparation and submittal of a Waste Management Plan prior to issuance of building permits.
<i>Policy ECAE-4a-3</i>	Enforce mandatory water use efficiency measures and State prohibitions on wasteful water use practices.	The Project would install Low Flow water fixtures in all residential units and would encourage residents to reduce water usage and practice water efficiency.
<i>Policy ECAE-4a-4</i>	Encourage a watershed approach to low water use and sustainable landscaping practices through education on climate, soil, plants, water efficiency, irrigation, and design.	The Project would provide native and drought tolerant landscaping and would comply with the Water Efficient Landscape Ordinance. The Project would implement efficient irrigation systems with respect to water conservation. Irrigation heads would be chosen to provide maximum coverage of the landscaped areas.
<i>Policy ECAE-4a-10</i>	Promote the expansion of the City's tree canopy, on both private property and within the public right-of-way, as means of reducing storm water runoff, evapotranspiration, heat gain, and other phenomena that impact water supply.	The Project would provide landscaping throughout the development including tree canopy's which would be provided on the future development plans and landscape plans for the Project Site. These trees would be utilized to the extent feasible for reducing storm water runoff and other phenomena that impact water supply.
<i>Policy ECAE-5a-7</i>	Encourage new development to incorporate shade trees, to the extent practical and financially feasible.	Shade trees would be provided within the residential development and parking areas. Specific locations of shade trees would be specified and determined on the Project development plans.
<i>Policy ECAE-6a-3</i>	Direct future housing and employment growth to the City's urban areas.	The Project is surrounded primarily by various residential land use types including single-family, multi-family apartments and condominiums, and mobile home communities and light industrial uses. The Project would provide a medium density residential development that would complement existing residential uses while providing a transition from light industrial uses.

The Project would have a projected GHG emission rate of 2.72 MT CO₂E/SP (or 3,172.26 MT CO₂E / 1,168 persons) and would not generate emissions that would exceed the City's efficiency metric threshold of 3.5 MT CO₂E/SP and therefore would not conflict with the goals of the State. As provided in **Table 4.7-2** and **Table 4.7-3**, the Project would not conflict with or obstruct local plans for renewable energy or energy efficiency, and impacts would be **less than significant**.

4.7.5 MITIGATION IMPLEMENTATION AND MONITORING

No significant impacts to energy have been identified and therefore, no mitigation measures are required.

4.7.6 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Based upon the analysis presented in Section 4.7-4, Project impacts related to energy would be less than significant.

4.8 GEOLOGY AND SOILS

The following documents were used in the preparation of this section and are included in their entirety in **Appendix B, Appendix C, Appendix D, Appendix I, Appendix J, Appendix K and Appendix R.**

Vinje & Middleton Engineering, Inc. October 6, 2015. *Phase I Environmental Site Assessment 4665 N River Road, Oceanside, California.* (**Appendix B**)

SECOR International Incorporated. June 8, 2005. *Phase I Environmental Site Assessment Report, 4617 North River Road, Oceanside, California.* (**Appendix C**)

SECOR International Incorporated. August 10, 2005. *Phase II Environmental Site Assessment Report, 4617 North River Road, Oceanside, California.* (**Appendix D**)

Heritage Resources. September 6, 2019. *Archaeological Survey and Assessment for the North River Road Planned Block Development Overlay District Development Plan.* (**Appendix I**)

Vinje & Middleton Engineering, Inc. January 18, 2016. *Geotechnical Investigation Proposed Multi-Family Residential Project 4665 North River Road Oceanside, California.* (**Appendix J**)

Christian Wheeler Engineering. December 2, 2015. *Report of Geotechnical Investigation Nagata Property 4617 North River Road, Oceanside, California.* (**Appendix K**)

Dexter Wilson Engineering, Inc. October 6, 2020. *North River Road Planned Block Development Overlay District – Sewer Service Overview.* (**Appendix R**)

4.8.1 ENVIRONMENTAL SETTING

Regional Geologic Setting

Much of southern California, including the County, is characterized by a series of Quaternary-age fault zones that consist of several individual faults. A portion of the Newport-Inglewood Fault Zone is located approximately 14 kilometers (approximately 8.7 miles) west of the Project Site. Other active fault zones in the region include the Palos Verdes Fault Zone to the northwest, the Rose Canyon and Coronado Bank Fault Zones to the southwest, and the Elsinore, Earthquake Valley and San Jacinto Fault Zones to the east. These faults and distances are provided in **Table 4.8-1** below.

Table 4.8-1
Regional Fault Zones

Fault Zone	Distance From Project Site
Newport-Inglewood	9 miles
Rose Canyon	10 miles
Elsinore-Julian	19 miles
Coronado Bank	26 miles
Palos Verdes	37 miles
San Jacinto (Anza)	41 miles
Earthquake Valley	42 miles
Source: Geotechnical Investigation Prepared by Vinje & Middleton Engineering, Inc. (Appendix J) and Report of Geotechnical Investigation Prepared by Christian Wheeler Engineering (Appendix K)	

Faults or significant shear zones are not indicated on or in close proximity to the Project Site. As with most areas of California, the County lies within a seismically active zone, however, coastal areas of the County are characterized by low levels of seismic activity relative to inland areas to the east. During a 40-year period, 37 earthquakes were recorded in the County coastal areas by the California Institute of Technology. None of the events exceeded a Richter magnitude of 3.7, nor did any of the earthquakes generate more than modest ground shaking or significant damages.

Historically, the most significant earthquake events which affect local areas originate along well known, distant fault zones to the east and the Coronado Bank Fault to the west. The fault zones provided in **Table 4.8-1** are considered most likely to impact the region of the Project Site during the lifetime of the Project. The faults are periodically active and capable of generating moderate to locally high levels of ground shaking at the Project Site.

Topography

Eastern Parcel

The eastern parcel features level topography with elevations ranging from 68 to 72 feet amsl. Minor grade slopes are associated with a small elevated area east of the packing plant structures. Graded slopes also present ascending to adjacent roadways along the west and south site margins. All graded slopes are constructed at gradients approaching 2:1 maximum generally approach a maximum of five (5) feet high. Approximately half of the eastern parcel is surfaced with concrete and asphalt paving with the other areas undeveloped.

Western Parcel

The western parcel features level topography with elevations ranging from 68 to 72 feet amsl. The parcel is relatively level and is about 20 feet above the improved channel of the San Luis Rey River. A grouted rip-rap embankment separates the property from the channel bottom.

Geology and Soils

Eastern Parcel

A Geotechnical Investigation was prepared for the eastern parcel by Vinje & Middleton Engineering, Inc. and is provided as **Appendix J**. The northeast and eastern portions of the eastern parcel are underlain by Pleistocene age Terrace Deposits. Other areas of the eastern parcel are underlain by alluvium deposits to the depths explored and are further described below.

Terrace Deposits

The northeast and eastern portions of the eastern parcel are underlain at shallow depths by Pleistocene age Terrace Deposits. The Terrace Deposits consist of red brown-colored sandstone that was found in cemented and dense conditions overall. The Terrace Deposits are considered competent rocks that would provide adequate support for future fills, structures and improvements.

Alluvium

Younger alluvium deposits, associated with the nearby San Luis Rey River, occur in the central and western areas of the eastern parcel, outside the Terrace Deposits. Alluvium deposits discovered are

typically silty fine to medium grained sandy deposits. Site alluvium generally occurs in a loose condition near the surface and become more uniformly firm to locally dense at depth. Based on site discoveries, alluvium is known to extend more than 50 feet beneath much of the alluvial portion of the eastern parcel.

Western Parcel

A Geotechnical Investigation was prepared for the western parcel by Christian Wheeler Engineering and is provided in **Appendix K**. The western parcel is located within the Coastal Physiographic Province of the County and is underlain by artificial fill, alluvium, and old paralic deposits. Each geologic unit found onsite is further discussed below.

Artificial Fill (Qaf)

The artificial fill found onsite was most likely placed during a leveling operation for the farmland. The fill material was noted to range from 1 to 3.5 feet in thickness and consisted of dry to damp, relatively loose, silty sand. Some of the fill material contained debris and trash that will require removal by hand-picking during the grading operations. The fill material is expected to have a low to very low expansion index, low strength parameters and moderate settlement potential. Based on the relatively loose condition of the existing fill, it would need to be removed and replaced as properly compacted fill as part of the remedial grading operations.

Topsoil

An approximately one to two-foot thick layer of natural topsoil was noted onsite. Topsoil consisted generally of fine-grained, silty sand that was dry to moist and loose to medium dense in consistency. The topsoil is expected to possess a low expansion index, low strength parameters and a moderate settlement potential. Based on the relatively loose condition of the existing topsoil it would need to be removed and replaced as properly compacted fill as part of the remedial grading operations.

Alluvium (Qal)

Quaternary-aged alluvial deposits were encountered below the topsoil and/or fill layers within the western parcel. The alluvial materials were encountered at depths of two to four (4) feet below the existing site grades and were noted to extend to depths greater than the maximum explored depth of 60 feet below existing grades. The alluvial deposits generally consisted of poorly-graded sand and silty sand, silty sand – sandy silt, and poorly-graded sand. The exposed alluvium was typically damp to moist to depths of about 15 feet below the existing grades, very moist to wet within a few feet of the water table, and saturated below the water table.

Pesticides and Soil Sampling

Eastern Parcel

The eastern parcel has historically been utilized for agricultural purposes primarily as a packing warehouse for produce shipping and storage. Based on the regulatory and historical research completed during the Phase I Environmental Site Assessment (**Appendix B**), no information has been revealed that would conclude that an accidental spill or release of pesticides products has occurred on this parcel, therefore further soils sampling to test for residual pesticides was not conducted. In addition, stressed vegetation or evidence of storage of pesticides was not observed onsite during the Site Reconnaissance or based on regulatory and historical research reviews. Historical agricultural use of pesticides on the eastern parcel is not considered to be a recognized environmental condition in connection with the parcel.

Western Parcel

Approximately 75% of the western parcel is in agricultural cultivation. Based on the historical use of the site for agricultural operations, soil sampling was provided to test for residual pesticides and the investigation and results are provided in the Phase II Environmental Site Assessment Report (**Appendix D**) prepared by SECOR. As provided in the Phase II Environmental Site Assessment Report for the western parcel, various pesticides were detected in all one-foot samples at levels which exceed their respective U.S. EPA Preliminary Remediation Goals (PRGs). Three-foot samples were then taken and reported pesticides at concentrations which are below their respective U.S. EPA PRGs or state hazardous waste levels. Therefore, the top three (3) feet of soils throughout the agricultural field portions of the site will need to be addressed by corrective grading. The presence of pesticides in onsite soils is further discussed in Section 4.10 *Hazards and Hazardous Materials* and impacts related to pesticides (Impact HAZ-5) would be mitigation with implementation of mitigation measure MM-HAZ-5.

The Phase II Environmental Site Assessment also included soil sampling and testing of the fill dirt mound that was found on the western parcel south of the existing packing house. Fill dirt samples contained non-detectable levels of gasoline, diesel, and motor oil range petroleum hydrocarbons and VOCs. The chemical analysis of the soils samples reported concentrations of analyzed metals and other arsenic well below their respective U.S. EPA PRGs. Arsenic was detected in two (2) of the samples at concentrations of 2.0 and 1.9 mg/kg, respectively. While these concentrations exceed the U.S. EPA PRGs for arsenic in residential soils, they are within the typically occurring natural background levels for soils in California (a range of 0.6 to 11 mg/kg). These samples also indicated the presence of several pesticides at levels below their respective U.S. EPA PRGs. Based on the findings of the Phase II Environmental Site Assessment, the fill dirt is unlikely to have environmentally impacts to the Project Site and no further investigation is recommended.

Groundwater

Eastern Parcel

On the eastern parcel, groundwater was encountered at depths of 26 to 27 feet below the ground surface. Indicated groundwater levels are expected to fluctuate depending upon seasonal rainfall conditions and annual storm events influencing flow levels within the nearby San Luis Rey River.

Western Parcel

On the western parcel, groundwater was encountered at depths ranging from about 18 to 24 feet below the existing grades.

Geologic Hazards – Faults/ Seismicity

The most significant geologic factor which could impact the Project Site is related to ground shaking during an earthquake event along an active fault. Moderate to locally heavy levels of ground shaking can be anticipated during rare events over the lifetime of the future medium density residential development.

The fault zones provided in **Table 4.8-1** are considered most likely to impact the region of the Project Site during the lifetime of the Project. The faults are periodically active and capable of generating moderate to locally high levels of ground shaking onsite. Ground separation as a result of seismic activity is not expected at the Project Site.

Geologic Hazards – Tsunamis, Seiches and Flooding

Tsunamis are great sea waves produced by submarine earthquakes or volcanic eruptions. The Project Site is located approximately 5.5 miles east of the Pacific Ocean. The risk potential for damage to the Project Site caused by tsunamis is very low.

Seiches are periodic oscillations in large bodies of water such as lakes, harbors, bays or reservoirs. The Project Site is located approximately 1.4 miles east of Whelan Lake, 1.3 miles east of Windmill Lake, approximately two (2) miles west of Guajome Lake, 5.4 miles east of the Oceanside Harbor and over eight (8) miles from the nearest reservoir. The risk potential for damage to the Project Site caused by seiches is very low.

Flooding hazards at the Project Site were evaluated by a review of nearby drainage basins and review of the appropriate Flood Insurance Rate Map compiled by FEMA. The San Luis Rey River is a significant feature that drains a large portion of northern San Diego County and is located directly south of the Project Site. According to FEMA Map Panel 756 of 2375, the Project Site is situated within Zone X, designated as areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than one (1) foot or with drainage areas less than one (1) square mile; and areas protected by levees from 1% annual chance flood.

Geologic Hazards – Liquefaction

Soil liquefaction or related ground failures can adversely impact manmade structures and improvements at sites where subsoils consist of loose alluvial deposits inundated with groundwater. Liquefaction is the collapse of the soil structure in association with an increase in pore pressure during a seismic event. In order for liquefaction to occur, three (3) conditions must be present: loose sandy or cohesion-less silty deposits, shallow groundwater and earthquake shaking of significant magnitude and duration.

Eastern Parcel

On the eastern parcel, the subsoil profile consists of ancient alluvial (Qal) deposits that are chiefly medium dense to dense deposits with satisfactory to relatively high Standard Penetration Test (SPT) values. Dense alluvial deposits are generally less susceptible to liquefaction. Static groundwater level was also established at depths of 26 feet below the existing ground levels and may be expected to fluctuate.

Further analysis and testing indicated that the eastern parcel contained subsoils that have a marginal liquefaction potential and subsoils that are not liquefiable. The analysis generally indicates satisfactory factor of safety against potential liquefaction within the saturated subsoil layers overall, with the exception of two (2) thin layers where liquefiable and marginally liquefiable soils occur at depths of 30 and 42 feet respectively. However, the potentially liquefiable thin layers occur at the depth which is sandwiched between non-liquefiable layers on top and on the bottom and are approximately three (3) feet thick. Liquefaction potential within these thin layers are not considered to be a major influencing factor on the overall subsoil profile.

Western Parcel

Based on site observations, the results of the liquefaction analyses indicate that much of the saturated sandy and silty portions of the alluvium within the upper approximately 50 feet possesses factors of safety against soil liquefaction of less than 1.3 and are therefore considered liquefiable. Without any deep ground modification procedures, the western parcel may be assumed to be subject to approximately 5.5 inches of liquefaction-induced, differential settlement.

Geologic Hazards – Lateral Spreading

Lateral ground spreading can occur when viscous liquefied soils flow downslope usually towards a river channel or shoreline. Factors such as the absence of significant volumes of potentially stain softening liquefiable soils beneath a site and the relatively gentle hydraulic gradient of the water table across the area are considered favorable with regards to limiting potential lateral spreading.

Based on the areal extent of materials around the Project Site that are anticipated to be liquefiable and the location of the site in proximity to the San Luis Rey River valley, lateral earth displacements on the order a few inches across the general area of the proposed development could be expected in the event of major, proximal seismic event that triggers soil liquefaction.

Geologic Hazards – Landslides and Slope Stability

As part of the Geotechnical Investigation, review of *Landslide Hazards in the Southern Part of the San Diego Metropolitan Area* classifies the County into areas of relative landslide susceptibility. The Project Site is mapped within a Relative Landslide Susceptibility Area 2, which is considered to be marginally susceptible to land sliding. Based on the findings provided in the Geotechnical Investigation, the potential for slope failures within the site is very low. Landslide potential is not present on the Project Site and is not considered a geotechnical factor in the re-development of the site. No significant slopes are present on the Project Site. Anticipated future graded fill slopes would be grossly stable to design heights provided all geotechnical and grading recommendations are implemented during grading.

Geologic Hazards – Expansive SoilsEastern Parcel

Site soils are predominately sandy granular non- to very low expansive deposits. Potentially expansive soils may locally occur at the site in minor quantities. Site potentially expansive soils, if encountered, should be selectively buried in deeper fills or thoroughly mixed with an abundance of available non-expansive soils in order to manufacture a non- to very low expansive mixture as recommended in the Geotechnical Investigation prepared by Vinje & Middleton Engineering, Inc.

Western Parcel

The foundation soils are expected to have a low expansive index and the site preparation and foundation recommendations provided in the Geotechnical Investigation prepared by Christian Wheeler Engineering reflect the low expansive soil condition.

Paleontological Resource Setting

The City is located within the Coastal Plain Region which is an area characterized by interbedded marine and non-marine sedimentary rock units deposited over the last 75 million years. The sedimentary rocks overlie a buried topography of plutonic crystalline rocks composed of granite and granodiorite. Many of the level surfaces in the coastal region are elevated marine terraces and are characteristic features of the Coastal Plain Region.

As described above, the eastern parcel is underlain by Pleistocene age Terrace Deposits and Alluvium Deposits. Younger alluvium deposits associated with the nearby San Luis Rey River occur in the central and western areas of the property, outside the Terrace Deposits. Alluvium onsite is silty fine to medium

grained sandy deposits. Paleistocene river terrace deposits consist of skills, teeth, and/or bones of amphibians, reptiles, birds and mammals.

The western parcel is underlain by Artificial Fill (Qaf), topsoil and Quaternary-age alluvial deposits (Qal). Unnamed Quaternary River deposits representing the sediments of ancient river courses and have the potential to contain important vertebrate remains. Artificial fill does not present potential for the occurrence of paleontological resources due to their recent age and destructive nature of their origin. Similarly, topsoils do not exhibit potential for significant paleontological resources.

4.8.2 REGULATORY SETTING

Federal

International Building Code

The International Building Code (IBC) is a model building code developed by the International Code Council that provides the basis for the California Building Code (CBC). The purpose of the IBC is to provide minimum standards for building construction to ensure public safety, health and welfare. The IBC is updated every three (3) years.

Occupational Safety and Health Administration Regulations

Excavation and trenching are among the most hazardous construction activities. The Occupational Safety and Health Administration (OSHA) Excavation and Trenching Standard, Title 29 of the Code of Federal Regulations Part 1926.650, covers requirements for excavation and trenching operations. OSHA requires that excavations in which employees could potentially be exposed to cave-ins be protected by sloping or benching the sides of the excavation, supporting the sides of the excavation, or placing a shield between the side of the excavation and the work area.

National Pollutant Discharge Elimination System Permits

In California, the SWRCB administers the U.S. EPA regulations (55 CFR 47900) requiring the permitting of storm water generated pollution under the NPDES. Pursuant to these Federal regulations, two (2) separate NPDES permits must be complied with for all projects. The SWRCB has oversight of the first, the General Permit which governs activities at construction sites of one (1) acre or greater to eliminate soil erosion from leaving the project site and entering local waterways. The San Diego Water Board governs the second, the Municipal Storm Water permit, which governs all storm water related activities within the local jurisdiction. Both permits require the implementation of Best Management Practices (BMPs), both temporary and permanent, to reduce/eliminate pollutant loads, including eroded soils, into WoUS or WoS.

State

California Geologic Survey

The California Geologic Survey provides guidance with regard to seismic hazards. The California Geologic Survey's Special Publication 117A, Guidelines for Evaluating and Mitigating Seismic Hazards in California, provides guidance for evaluation and mitigation of earthquake-related hazards for projects within designated zones of required investigation.

State of California Division of Occupational Safety and Health, California Department of Industrial Relations

The State of California Division of Occupational Safety and Health Administration (CalOSHA) Excavations Standard (Subchapter 4, Article 6) provides detailed requirements for excavation operations. CalOSHA requires that all excavations in which employees could potentially be exposed to cave-ins be protected by sloping or benching the sides of the excavation, supporting the sides of the excavation, or placing a shield between the side of the excavation and the work area.

California Building Code

The CBC is codified in the California Code of Regulations as Title 24, Part 2 and is largely based on the International Building Code. The purpose of the CBC is to establish minimum standards to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, and general stability by regulating and controlling the design, construction, quality of materials, use, occupancy, location and maintenance of all building and structures within its jurisdiction. The CBC describes requirements for engineering geologic reports, supplemental ground-response reports, and geotechnical reports. It also contains specific provisions for structures located in seismic zones. Compliance with the CBC requires that structures be constructed to resist the effects of earthquake motions.

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act (Act) was passed in 1972 to mitigate the hazard of surface faulting and occupied structures. The main purpose of the Act is to prevent the construction of buildings used for human occupancy on the surface of traces of active faults. Before a project can be permitted, cities and counties must require a geologic investigation to demonstrate that potential buildings will not be constructed across active faults. A state registered geologist must prepare the geologic evaluation and written report for the specific project site. If an active fault is found, a structure for human occupancy must be set back from the fault trace. The Project Site is not identified on an Alquist-Priolo Earthquake Fault Zone Map.

Seismic Hazards Mapping Act

The 1990 Seismic Hazards Mapping Act (California Public Resources Code Chapter 7.8) and related regulations established a statewide minimum public safety standard for mitigation of earthquake hazards. The purpose of the Act is to protect public safety from the effects of strong ground shaking, liquefaction, landslides or other ground failure, and other hazards caused by earthquakes. It accomplishes this by specifying the minimum level of mitigation a project must provide to reduce the risk of ground failure during an earthquake to a level that prevents collapse of buildings used for human occupancy. Under the Act, the Lead Agency can withhold permits until geologic investigations are conducted and mitigation measures are incorporated. The Seismic Hazards Mapping Act addresses not only seismically induced hazards but also expansive soils, settlement, and slope stability. The program and actions mandated by the Seismic Hazards Mapping Act closely resemble those of the Alquist-Priolo Fault Zoning Act.

LocalCity of Oceanside General Plan*Public Safety Element*

The General Plan Public Safety Element specifically addresses seismic hazards and geologic conditions and includes the following objectives:

Seismic and Geologic Hazard Objectives

1. Consider seismic and geologic hazards when making land use decisions particularly in regard to critical structures.
2. Minimize the risk of occupancy of all structures from seismic and geologic occurrences.
3. Provide to the public all available information about existing seismic and geologic conditions.

The General Plan Public Safety Element includes the Public Safety Plan which includes definitions, maps and mitigation information for seismic and geologic hazards that exist within the City.

Environmental Resource Management Element

The Environmental Resource Management Element includes the following objective for Soil, Erosion and Drainage:

Soil, Erosion and Drainage Objective

1. Consider appropriate engineering and land use planning techniques to mitigate rapid weathering of the rocks, soil erosion, and the siltation of the lagoons.

The Environmental Resource Management Element also provides a general map of soil types within the City (Figure ERM-3 Soils and Land Forms).

Land Use Element

The General Plan Land Use Element contains the following objectives and policies regarding geology and soils:

1.152 Seismic and Geologic Hazards

- A. The City shall consider seismic and geologic hazards when making land use decisions, particularly in regards to risk sensitive land uses as defined in the Public Safety Element.
- B. High Risk land uses, as defined in the Public Safety Element, should be prohibited from areas of high seismic or geologic hazard.
- C. The City shall regulate land uses within areas highly susceptible to seismic and geologic hazards.
- D. The city shall require expanded soils and geologic testing and necessary engineering precautions when deemed necessary to reduce risks to acceptable levels. Wave action, erosion, and geotechnical reports shall be required as determined necessary.

3.14 Grading and Excavations

Objective: To provide mitigation recommendations for grading and excavations in the City of Oceanside.

Policies: Investigation and evaluation of currently affected areas will indicate the measures to be included, such as the following measures:

1. Keep grading to a minimum, leave vegetation and soils undisturbed wherever possible.
2. Plant bare slopes and cleared areas with appropriate vegetation immediately after grading.
3. Chemically treat soils to increase stability and resistance to erosion.
4. Install retaining structures where appropriate.
5. Construct drainage systems to direct and control rate of surface runoff.
6. Construct silt traps and settling basins in drainage systems.
7. Construct weirs and check dams on streams.

3.23 Paleontological Resources

Objective: Recovery, retention and evaluation of paleontological resources.

- A. Paleontological survey reports shall be prepared by a qualified paleontologist approved by the City for all proposed projects that are located in the area designated as having a high potential for fossils on the City's natural resource management data base system.

City of Oceanside Building Code

Chapter 6 of the OMC, Building Construction Regulations outlines the regulations and requirements for construction of buildings within the City's jurisdiction, including seismic and geologic safety design standards. The City adopts the most recent CBC as the local building code and amends as needed.

City of Oceanside Grading Ordinance

The City of Oceanside Grading Ordinance (Ordinance No. 92-15), which provides the Grading Regulations Manual, requires that all grading, clearing, brushing or grubbing on natural or existing grade must have a grading permit from the City Engineer. A Landscape and Irrigation Plan is required for developments such as, but not limited to, commercial, grading permits, grading slopes, industrial, parking lots, planned residential developments, remodeling which requires a permit, and subdivisions. Section 1501(d) of the City's Grading Ordinance details the requirements and practices of the Erosion Control System to lessen the potential for sediment runoff and erosion.

4.8.3 THRESHOLDS OF SIGNIFICANCE

Per Appendix G of the CEQA Guidelines, impacts would be considered significant if the Project would:

- a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - i. 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;
 - ii. Strong seismic ground shaking;
 - iii. Seismic-related ground failure, including liquefaction;
 - iv. Landslides.

- b. Result in substantial soil erosion or the loss of topsoil;
- c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse;
- d. Be located on expansive soil, as defined in Table 18-I-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property;
- e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water;
- f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

4.8.4 PROJECT IMPACT ANALYSIS

Would the Project:

- a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - i) 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?

A portion of the Newport-Inglewood Fault Zone is located approximately 14 kilometers (approximately 8.7 miles) west of the Project Site. Other active fault zones in the region include the Palos Verdes Fault Zone to the northwest, the Rose Canyon and Coronado Bank Fault Zones to the southwest, and the Elsinore, Earthquake Valley and San Jacinto Fault Zones to the east. These faults and distances are identified in **Table 4.8-1**, provided above in the Environmental Setting.

A Geotechnical Investigation Report was prepared for the eastern parcel (4665 North River Road) by Vinje & Middleton Engineering, Inc. and is provided as **Appendix J**. A Geotechnical Investigation Report was prepared for the western parcel (4617 North River Road) by Christian Wheeler Engineering and is provided as **Appendix K**. The Project Site is not located in proximity to Alquist-Priolo Earthquake Fault zone and no active or potentially active faults are known to traverse the site.

Impacts related to earthquake faults are not present at the Project Site and are not considered a significant geotechnical hazard related to the proposed PBD and future multi-family development. The Project would not directly or indirectly cause potential substantial adverse effects 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. Impacts would be **less than significant**.

- ii) Strong seismic ground shaking?

A portion of the Newport-Inglewood Fault Zone is located approximately 14 kilometers (approximately 8.7 miles) west of the Project Site. Other active fault zones in the region include the Palos Verdes Fault Zone to the northwest, the Rose Canyon and Coronado Bank Fault Zones to the southwest, and the Elsinore, Earthquake Valley and San Jacinto Fault Zones to the east. These faults and distances are identified in **Table 4.8-1** provided above in the Environmental Setting.

These faults are periodically active and capable of generating moderate to locally high levels of ground shaking at the Project Site. The Project Site is likely to be subjected to seismic ground shaking similar to that of the rest of the County and Southern California, due to seismic activity of the region as a whole.

This represents a **significant impact (Impact GEO-1a)**. Ground separation as a result of seismic activity is not expected at the Project Site.

iii) Seismic-related ground failure, including liquefaction?

Soil liquefaction or related ground failures can adversely impact manmade structures and improvements at sites where subsoils consist of loose alluvial deposits inundated with groundwater. Liquefaction is the collapse of the soil structure in association with an increase in pore pressure during a seismic event. In order for liquefaction to occur, three (3) conditions must be present: loose sandy or cohesion-less silty deposits, shallow groundwater and earthquake shaking of significant magnitude and duration.

Eastern Parcel

On the eastern parcel, the subsoil profile consists of ancient alluvial (Qal) deposits that are chiefly medium dense to dense deposits with satisfactory to relatively high SPT values. Dense alluvial deposits are generally less susceptible to liquefaction. Static groundwater level was also established at depths of 26 feet below the existing ground levels and may be expected to fluctuate.

Further analysis and testing indicated that the eastern parcel contained subsoils that have a marginal liquefaction potential and subsoils that are not liquefiable. The analysis generally indicates satisfactory factor of safety against potential liquefaction within the saturated subsoil layers overall, with the exception of two (2) thin layers where liquefiable and marginally liquefiable soils occur at depths of 30 and 42 feet respectively. However, the potentially liquefiable thin layers occur at the depth which is sandwiched between non-liquefiable layers on top and on the bottom and are approximately three (3) feet thick. Liquefaction potential within these thin layers are not considered to be a major influencing factor on the overall subsoil profile. Collapse of the upper dry, loose alluvial soils during a major seismic event along a nearby active fault is considered the most significant geotechnical concern on this parcel, specifically in areas of the property underlain by young alluvial deposits. This represents a **significant impact (Impact GEO-1b)**.

Western Parcel

Based on site observations, the results of the liquefaction analyses indicate that much of the saturated sandy and silty portions of the alluvium within the upper approximately 50 feet possesses factors of safety against soil liquefaction of less than 1.3 and are therefore considered liquefiable. Without any deep ground modification procedures, the western parcel may be assumed to be subject to approximately 5.5 inches of liquefaction-induced, differential settlement. This represents a **significant impact (Impact GEO-1c)**.

iv) Landslides?

As part of the Geotechnical Investigations of the Project Site, review of *Landslide Hazards in the Southern Part of the San Diego Metropolitan Area* classifies the County into areas of relative landslide susceptibility. The Project Site is mapped within a Relative Landslide Susceptibility Area 2, which is considered to be marginally susceptible to land sliding. Based on the findings provided in the Geotechnical Investigations, the potential for slope failures within the Project Site is very low. Landslide potential is not present on the Project Site and is not considered a geotechnical factor in the re-development of the site. No significant slopes are present on the Project Site. Anticipated future graded fill slopes would be grossly stable to design heights provided all geotechnical and grading recommendations are implemented during grading. Therefore, the Project would not directly or indirectly

cause potential substantial adverse effects, including the risk of loss, injury or death involving landslides. Impacts would be **less than significant**.

b. Result in substantial soil erosion or the loss of topsoil?

The potential for soil erosion would increase during construction activities, including grading and demolition, as a result of vehicles and heavy equipment exposing soil surfaces to wind or water and a **significant impact (Impact GEO-2)** would occur. However, prior to obtaining a grading permit the Project would be required to prepare a Storm Water Pollution Prevention Plan (SWPPP), which would describe and depict in detail the various grading and construction-related BMPs to be implemented onsite during construction. The SWPPP would be prepared in conformance with City regulations and the NPDES SWRCB Construction General Permit. Sediment and erosion control BMPs described in the SWPPP may include, but are not limited to, straw mulch, soil binders, silt fencing, gravel bags, street sweeping and vacuuming and storm drain inlet protection.

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

Eastern Parcel

The eastern parcel is underlain with terrace deposits which consist of red brown-colored sandstone that is considered to be stable, competent rocks that will provide adequate support for future fills, structures and improvements as part of the proposed PBD and future multi-family residential development. The eastern parcel is also underlain with younger alluvium deposits which are silty fine to medium grained sandy deposits. Onsite alluvium generally occurs in a loose condition near the surface and becomes more uniformly firm to locally dense at depth.

Slope stability and landslides would not be a major geotechnical hazard or factor in the development of the Project Site, as provided in the Geotechnical Investigation. Anticipated settlements after removal and re-compaction of the upper alluvial soils are expected to be within the allowable tolerances on the order of one (1) inch, which is expected to occur below the heaviest loaded footing(s). Buildings and improvements founded on loose to very loose and dry sandy deposits may be damaged by soil collapse. Collapsible soils are typified by low values of dry unit weight and natural water content. Upper alluvial deposits onsite are in a dry and loose to very loose condition indicating a high potential for collapse.

As discussed in section 4.8.4.a.iii, the eastern parcel would have a potentially significant impact related to liquefaction. Impacts related to settlements and subsidence and collapsible soils represent a **significant impact (Impact GEO-1d)**.

Western Parcel

The western parcel is underlain with artificial fill, topsoil, and alluvium which consists of poorly-graded sand and silty sand, poorly-graded sand with lesser amounts of silty sand, silty sand – sandy silt, and poorly-graded sand. The western parcel is relatively flat with gently sloping terrain. As determined in the Geotechnical Investigation prepared for the property, the potential for slope failures and landslides is very low.

As discussed in section 4.8.4.a.iii, the western parcel would have a potentially significant impact related to liquefaction. Based on the areal extent of materials around the area of the Project Site that are anticipated to be liquefiable and the location of the property in proximity to the San Luis Rey River

valley, lateral earth displacements could be expected in the event of major, proximal seismic event that triggers soil liquefaction. Impacts related to liquefaction and lateral spreading represents a **significant impact (Impact GEO-1e)**.

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

Detrimentially expansive soil is defined as clayey soil which has an expansion index of 50 or greater when tested in accordance with the American Society of Testing Materials (ASTM) laboratory test. Onsite soils for both the eastern and western parcels are non- to very low expansive deposits. In accordance with Table 18-I-B of the 1994 Uniform Building Code, onsite soils have an expansion index of 50 or less indicated low to very low expansive soils. The Project would not be located on expansive soil as defined in the Uniform Building Code creating substantial direct or indirect risks to life or property. Impacts would be **less than significant**.

- e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

The proposed PBD would allow for future development of multi-family residences on the Project Site. As such, site-specific development plans would be provided upon development of the Project Site. The Project is located in a developed area surrounded by residential uses to the north and west. Wastewater service is currently provided to the Project Site by the City Water Utilities Department and future sewer infrastructure would connect to existing sewer services.

An onsite private sewer collection system would connect to the existing 8-inch public sewer in Calle Joven pending confirmation of adequate capacity. This confirmation would occur at the time a development project is proposed on the site. As an alternative, the onsite private sewer collection system would connect to the existing 27-inch or 30-inch trunk sewer in North River Road. This trunk sewer line will have the capacity for a portion of the proposed PBD Project as discussed in the Sewer Service Overview provided as **Appendix R** of this EIR.

No septic tanks or alternative waste water disposal systems were found onsite during the Phase I Environmental Site Assessments (**Appendix B** and **Appendix C**) and the use of septic tanks are not proposed as part of the Project. The Project would not have soils incapable of adequately supporting waste water disposal systems, and therefore impacts would be **less than significant**.

- f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Paleontological resources are the remains of and/or traces of prehistoric life, exclusive of human remains, and including the localities where fossils were collected and the sedimentary rock formations from which they were derived.

The City is located within the Coastal Plain Region which is an area characterized by interbedded marine and non-marine sedimentary rock units deposited over the last 75 million years. The sedimentary rocks overlie a buried topography of plutonic crystalline rocks composed of granite and granodiorite. Many of the level surfaces in the coastal region are elevated marine terraces and are characteristic features of the Coastal Plain Region.

The eastern parcel is underlain by Pleistocene age Terrace Deposits and Alluvium Deposits. Younger alluvium deposits associated with the nearby San Luis Rey River occur in the central and western areas of

the property, outside the Terrace Deposits. Alluvium onsite is silty fine to medium grained sandy deposits. Paleistocene river terrace deposits consist of skills, teeth, and/or bones of amphibians, reptiles, birds and mammals.

The western parcel is underlain by Artificial Fill (Qaf), topsoil and Quaternary-age alluvial deposits (Qal). Artificial fill does not present potential for the occurrence of paleontological resources due to their recent age and destructive nature of their origin. Similarly, topsoils do not exhibit potential for significant paleontological resources. Unnamed Quaternary river deposits representing the sediments of ancient river courses and have the potential to contain important vertebrate remains. The presence of Paleistocene river terrace deposits and Quaternary river deposits onsite which have the potential to consist of paleontological resources represents a **significant impact (Impact GEO-3)**.

4.8.5 MITIGATION IMPLEMENTATION AND MONITORING

Strong Seismic Ground Shaking (Impact GEO-1a), Seismic-Related Ground Failure (Impact GEO-1b and 1c), Unstable Geologic Unit or Soil (Impact GEO-1d and GEO-1e)

MM-GEO-1 Prior to construction and during construction of the Project, the construction Contractor shall ensure that Project construction complies with all conclusions and recommendations identified on pages 16 through 36 of the Geotechnical Investigation for the eastern parcel prepared by Vinje & Middleton Engineering, Inc. (2016) and the conclusions and recommendations identified on pages 9 through 13 of the Report of Geotechnical Investigation for the western parcel prepared by Christian Wheeler Engineering (2015). The construction Contractor shall follow the specific guidelines within the Geotechnical Investigations for site preparation, earthwork, foundations, pavement design, liquefaction mitigation, corrosivity, on-grade slabs, and retaining walls.

Soil Erosion (Impact GEO-2)

Mitigation measures MM-HYDRO-1a, MM-HYDRO-1b and MM-HYDRO-1c, which are presenting in Section 4.11.5, would reduce this impact to below a level of significance.

MM-HYDRO-1a Prior to issuance of a grading permit, the Project would be required to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the NPDES SWRCB's Construction General Permit and City regulations. The SWPPP would describe and depict in detail the various grading and construction-related BMPs necessary to minimize the Project's impacts to erosion, sedimentation and water quality. With the approval of a SWPPP, a Waste Discharge Identification Number from the San Diego Water Board would be obtained. In accordance with the City's Urban Runoff Management and Discharge Control Ordinance, the SWPPP shall be available at the construction site at all times.

BMPs described in the SWPPP shall be site-specific, seasonally appropriate and construction phase appropriate, and implemented at the site-year round. BMPs are not limited to and shall be implemented in the following categories: (1) Project planning; (2) good site management, including waste management; (3) non-storm water management; (4) erosion control; (5) sediment control, including but not limited to dust control and off-site tracking; (6) run-on and runoff control; and (7) active/passive sediment treatment systems, where

applicable. Specific sediment and erosion control BMPs described in the SWPPP may include, but are not limited to, placement of straw mulch, soil binders, silt fencing, gravel bags, street sweeping and vacuuming and storm drain inlet protection.

MM-HYDRO-1b Prior to issuance of a grading permit, the Project shall prepare a Storm Water Quality Management Plan (SWQMP) in accordance with all applicable state and local regulations including RWQCB regulations and the City of Oceanside BMP Design Manual. The Project-specific SWQMP shall address construction and operational impacts to water quality and shall identify potential pollutants of concern. The Project shall incorporate all permanent source control BMPs as identified in the SWQMP into the Project design.

MM-HYDRO-1c Low Impact Development (LID) and Site Design BMPs shall be incorporated into the Project design to reduce impacts to water quality. The contractor shall construct the LID BMPs in accordance with the Project SWQMP and the engineer of work shall inspect that all LID BMPs have been constructed in compliance with the approved plans and all applicable specifications and permits.

Paleontological Resources (Impact GEO-3)

MM-GEO-3a Prior to the issuance of a grading permit, the applicant shall submit a letter to the City from a qualified professional paleontologist or a California Registered Professional Geologist with appropriate paleontological expertise, as defined by the Society of Vertebrate Paleontology's guidelines, indicating that they have been retained by the applicant to prepare and implement a Paleontological Resources Impact Mitigation Program (PRIMP). The qualified paleontologist shall be available "on-call" to the City and the applicant throughout the duration of ground-disturbing activities. The PRIMP shall include preconstruction coordination; construction monitoring; emergency discovery procedures; sampling and data recovery, if needed; preparation, identification and analysis of the significance of fossil specimens salvaged, if any; museum storage of any specimens and data recovered; and reporting. Earth-moving construction activities shall be monitored wherever these activities will disturb previously undisturbed sediment. Monitoring will not need to be conducted in areas where sediments have been previously disturbed or in areas where exposed sediments will be buried but not otherwise disturbed. In such cases, spot-checking of the excavation site is sufficient. This mitigation measure shall apply to all excavation activities within the areas containing Paleistocene river terrace deposits and Quaternary river deposits.

MM-GEO-3b Prior to the issuance of a grading permit, the City shall confirm the following measure is identified on the grading plan and will be implemented:

Grading activities are subject to a Paleontological Resource Impact Mitigation Program (PRIMP). If potential fossils are discovered by construction crews or during monitoring by a qualified paleontologist, all earthwork or other types of ground disturbance within 50 feet of the discovery shall stop immediately until the qualified professional paleontologist can assess the nature and importance of the discovery. If a fossil of scientific value or uniqueness is identified by the paleontologist, the paleontologist shall record the find and allow work to

continue or recommend salvage and recovery of the fossil. If treatment and salvage is required, recommendations shall be consistent with Society of Vertebrate Paleontology guidelines and currently accepted scientific practice and shall be subject to review and approval by the City. Work in the affected area may resume once the fossil has been assessed and/or salvaged and the City, in consultation with the professional paleontologist, has provided written approval to resume work.

4.8.6 LEVEL OF SIGNIFICANCE AFTER MITIGATION

The analysis in Section 4.8.4 identified the potential for significant impacts related to strong seismic ground shaking, seismic-related ground failure, unstable geologic units or soil, soil erosion and paleontological resources. Implementation of mitigation measure MM-GEO-1 requires implementation of all recommendations identified in the Geotechnical Investigation Reports prepared by Vinje & Middleton Engineering, Inc. (2016) and Christian Wheeler Engineering (2015). The recommendations detailed in the Geotechnical Investigations include specific guidelines for site preparation, earthwork, foundations, pavement design, liquefaction mitigation, corrosivity, on-grade slabs, and retaining walls. Proper compliance with each of the detailed recommendations set forth in the Geotechnical Investigations will minimize geotechnical hazards related to seismic ground shaking, seismic-related ground failure, and unstable geologic units or soil. With implementation of mitigation MM-GEO-1, Impact GEO-1a, Impact GEO-1b, Impact GEO-1c, Impact GEO-1d and Impact GEO-1e related to seismic ground shaking, seismic-related ground failure, and unstable geologic units or soil would be less than significant.

Implementation of mitigation measure MM-HYDRO-1a requires preparation and implementation of a Project-specific SWPPP which would describe and implement in detail the various grading and construction-related BMPs necessary to minimize the Project's impact to water quality and erosion to the site and the San Luis Rey River and eventually the Pacific Ocean. Implementation of mitigation measure MM-HYDRO-1b requires preparation of a Project-specific SWQMP and compliance with permanent source control BMPs. Such BMPs may include storm drain signage, trash storage protection, pest control practices, sweeping of parking lots and sidewalks in order to prevent polluted runoff from entering the storm drain system. Ongoing compliance with and maintenance of the source control BMPs would prevent storm water pollution, reducing impacts to water quality standards. Implementation of mitigation measure MM-HYDRO-1c would provide LID and Site Design BMPs which would treat storm water runoff using methods such as the green streets approach and swales, which would utilize vegetation and soil to slow and filter storm water runoff and further reduce impacts to water quality and the potential for violation of water quality standards and erosion. Mitigation measures MM-HYDRO-1a, MM-HYDRO-1b and MM-HYDRO-1c would reduce Impact GEO-2 related to soil erosion to below a level of significance.

Implementation of mitigation measures MM-GEO-3a and MM-GEO-3b require a qualified professional paleontologist to be retained to prepare and implement a PRIMP, and provide construction monitoring during ground-disturbing activities in order to assess and provide recommendations in the event that paleontological resources are discovered. MM-GEO-3b requires specific notes to be identified on the grading plan to ensure the PRIMP is properly implemented. With implementation of mitigation measures MM-GEO-3a and MM-GEO-3b, Impact GEO-3 related to paleontological resources would be reduced to less than significant considering any fossils discovered would be properly excavated and the associated paleontological research information would be preserved to the extent feasible. In summary, all geology and soils impacts would be reduced to below a level of significance.

4.9 GREENHOUSE GAS EMISSIONS

The following documents were used in the preparation of this section and are included in their entirety in **Appendix L** and **Appendix P**.

Ldn Consulting, Inc. November 15, 2021. *Greenhouse Gas Assessment, Tierra Norte Planned Block Development – Overlay District, City of Oceanside, CA.* (**Appendix L**)

LOS Engineering, Inc. February 4, 2022. *Tierra Norte Residential Development Plan Southside of N. River Rd btw Ave Descanso and Calle Montecito, City of Oceanside, Local Transportation Study.* (**Appendix P**)

4.9.1 ENVIRONMENTAL SETTING

The Project Site is located in the northern portion of the City within the SDAB. The Project Site features level topography with elevations ranging from 68 to 72 feet amsl. The eastern parcel is currently developed with a small office/warehouse facility on the eastern portion of the property. The facility has historically served as a packing warehouse dating back to the 1960s for produce shipping and storage operations. The property remains today as a remnant agricultural support use with a small office and very limited shipping/warehouse operations. Existing structures onsite include a 23,152-SF office/warehouse building, three small sheds, a former fruit stand, and a small wood-frame house serving as a caretaker's residence in the central portion of the property.

The western parcel is predominately in agricultural cultivation (approximately 75%) but supports a single-family residence on the eastern portion of the site, an old warehouse on the northwest portion of the site, a packing shed, small out buildings and an abundant amount of old farm equipment and miscellaneous materials and machinery. The onsite facility has historically served as storage for agricultural operations.

The current uses of the Project Site as described above, are generating GHG emissions through daily operations, vehicle trips for employees and residents, and trucks hauling produce and goods off-site.

The properties located along the north side of North River Road in this area are generally developed residential parcels and include land use designations MDC-R, MDB-R, and MDA-R. The established uses in this area consist of multi-family condominiums and apartments, mobile home communities and single-family development.

The properties to the east are designated under the LI land use category with the corresponding zoning designation of IL. The property to the southeast consists of parking and support areas for the Oceanside Auto Auction. A recreational vehicle/self-storage use is also located farther to the east. This light industrial area extends east to the San Luis Rey River boundary.

The area to the south side of North River Road that is currently designated for light industrial uses, including the Project Site, encompasses ten contiguous parcels totaling roughly 112 acres. Approximately 74 acres are dedicated to the auto auction site and 12 acres to the recreational vehicle storage facility. The remaining approximate 26 acres comprise the proposed Project.

To the west of the Project Site is a developed single-family residential subdivision zoned RE-B consisting of 270 residences.

The local climate within the Project Site area is characterized as semi-arid with consistently mild, warmer temperatures throughout the year. Median temperatures within the City are typically cooler given the close proximity to the Pacific Ocean. Median temperatures range from approximately 55°F in the winter to approximately 72°F in the summer.

The Greenhouse Effect

Climate change refers to any substantial change in measures of climate, such as temperature, precipitation, or wind, lasting for an extended period (decades or longer). Gases that trap heat in the atmosphere are often called greenhouse gases (GHGs) because they absorb and emit thermal infrared radiation which acts like an insulator to the planet. The “greenhouse effect” is the trapping and build-up of heat in the atmosphere near the earth’s surface. The greenhouse effect traps heat in the atmosphere through the following process: short-wave radiation emitted as light from the sun is absorbed by the earth, a portion of this energy is reflected back towards space in the form of long-wave radiation, and GHGs in the upper atmosphere absorb this long-wave radiation and emit it back toward the earth – trapping heat in the atmosphere. The greenhouse effect is a natural process which regulates the earth’s ambient temperature. Global climate change concerns are focused on whether human activities are leading to an enhancement of the greenhouse effect. Over the years as human activities require the use of burning fossil fuels, stored carbon is released into the air in the form of carbon dioxide (CO₂) and to a much lesser extent CO.

Greenhouse Gases

Principal GHGs include CO₂, methane (CH₄), nitrous oxide (N₂O), O₃, and water vapor. Some GHGs such as CO₂, CH₄, and N₂O occur naturally and are emitted to the atmosphere through natural processes and human activities. Emissions of CO₂ are largely byproducts of fossil fuel combustion, whereas CH₄ results mostly from off-gassing associated with agricultural practices and landfills. Man-made GHGs, which have a much larger heat-absorption potential than CO₂, include fluorinated gases such as hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulfur hexafluoride (SF₆) and nitrogen trifluoride (NF₃), which are associated with certain industrial products and processes.

Gases in the atmosphere can contribute to climate change both directly and indirectly. Direct effects occur when the gas itself absorbs radiation. Indirect radiative forcing occurs when chemical transformations of the substance produce other GHGs, when a gas influences the atmospheric lifetimes of other gases, and/or when a gas affects atmospheric processes that alter the radiative balance of the earth.

The Intergovernmental Panel on Climate Change (IPCC) developed the global warming potential (GWP) concept to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. The GWP of a GHG is defined as the ratio of the time-integrated radiative forcing from the instantaneous release of 1 kilogram of a trace substance relative to that of 1 kilogram of a reference gas. The reference gas used is CO₂ therefore GWP-weighted emissions are measured in metric tons of CO₂ equivalent (MT CO₂E).

Contributions to Greenhouse Gas Emissions

According to the EPA Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2018, the total gross GHG emissions in 2018 was 6,676.6 million MT CO₂E. Total U.S. emissions have increased by 3.7% from 1990 to 2018. The primary GHG emitted by human activities in the U.S. was CO₂, representing approximately 81.3% of total GHG emissions. The largest source of CO₂ and of overall GHG emissions was fossil fuel combustion.

The CARB Emissions Trends Report for 2000 to 2018 indicates that statewide GHG emissions in 2018 were 425 million MT CO₂E, which is 10 million MT CO₂E higher than 2017 levels and 6 million MT CO₂E below the 2020 GHG limit. **Table 4.9-1** displays the 2018 GHG emissions by source for California.

Table 4.9-1
2018 California GHG Emissions by Source

Source Category	Percent of Total
Transportation	39.9%
Industrial	21.0%
Electricity	14.8%
Residential and Commercial	9.7%
Agriculture	7.7%
High GWP	4.8%
Waste	2.1%
Source: CARB Emissions Trends Report for 2000 to 2018	

The City's Climate Action Plan (CAP) contains the community inventory of GHG emission which is displayed in **Table 4.9-2** below. The 2013 "baseline" emissions serve as the City's starting point against which future inventories may be compared and GHG emissions targets adjusted.

Table 4.9-2
Community GHG Emissions by Source

Source Category	Percent of Total
Transportation	48%
Electricity	26%
Natural gas	17%
Solid Waste	4%
Water	3%
Municipal	3%
Source: City of Oceanside CAP	

4.9.2 REGULATORY SETTING

Federal

Federal Clean Air Act

In the past, the U.S. EPA has not regulated GHGs because it asserted that the Clean Air Act (CAA) did not authorize it to issue mandatory regulations to address global climate change. However, in 2007 the U.S. Supreme Court held that the U.S. EPA must consider regulation of motor-vehicle GHG emissions¹⁴. The Court did not mandate that the U.S. EPA enact regulations to reduce GHG emissions but found that the only instances in which the U.S. EPA could avoid taking action were if it found that GHGs do not contribute to climate change or if it offered a "reasonable explanation" for not determining that GHGs contribute to climate change. In December 2009, the U.S. EPA issued an endangerment finding for GHGs under the CAA, concluding that GHGs threaten the public health and welfare of current and future

¹⁴ *Massachusetts v. Environmental Protection Agency et al.* (127 S. Ct. 1438 (2007))

generations and that motor vehicles contribute to GHG pollution¹⁵. This is the first step in regulating GHGs under the provisions of the CAA. These findings provide the basis for adopting new national regulations to mandate GHG emission reductions under the Federal CAA. The EPA's endangerment finding paves the way for Federal regulation of GHGs.

Under the Consolidated Appropriations Act of 2008 (HR 2764), Congress established mandatory GHG reporting requirements for some emitters of GHGs. In addition, on September 22, 2009, the U.S. EPA issued the Final Mandatory Reporting of Greenhouse Gases Rule. The rule requires annual reporting to the U.S. EPA of GHG emissions from large sources and suppliers of GHGs, including facilities that emit 25,000 MT or more a year of GHGs.

Executive Order 13432

In response to the *Massachusetts v. Environmental Protection Agency* ruling, President George W. Bush signed Executive Order 13432 on May 14, 2007, directing the U.S. EPA, along with the Departments of Transportation, and Energy to initiate a regulatory process that responds to the Supreme Court's decision. Executive Order 13432 was codified into law by the 2009 Omnibus Appropriations Law signed on February 17, 2009. The order sets goals in the areas of energy efficiency, acquisition, renewable energy, toxics reductions, recycling, sustainable buildings, electronics stewardship, fleets, and water conservation.

Light-Duty Vehicle Greenhouse Gas and Corporate Average Fuel Economy Standards

On May 19, 2009, President Barack Obama announced a national policy for fuel efficiency and emissions standards in the United States auto industry. The adopted federal standard applies to passenger cars and light-duty trucks for model years 2012 through 2016. The rule surpasses the prior Corporate Average Fuel Economy standards (CAFE)¹⁶ and requires an average fuel economy standard of 35.5 miles per gallon (mpg) and 250 grams of CO₂ per mile by model year 2016, based on U.S. EPA calculation methods. These standards were formally adopted on April 1, 2010. In August 2012, standards were adopted for model year 2017 through 2025 for passenger cars and light-duty trucks. By 2025, vehicles are required to achieve 54.5 mpg (if GHG reductions are achieved exclusively through fuel economy improvements) and 163 grams of CO₂ per mile. According to the U.S. EPA, a model year 2025 vehicle would emit one-half of the GHG emissions from a model year 2010 vehicle.¹⁷ In 2017, the U.S. EPA recommended no change to the GHG standards for light-duty vehicles for model years 2022-2025.

In March 2020, the U.S. EPA and National Highway Traffic Safety Administration (NHTSA) adopted the Safer Affordable Fuel-Efficient Vehicles Rule that maintains the CAFE and CO₂ standards applicable in model year 2020 for model years 2021 through 2026. The estimated CAFE and CO₂ standards for model year 2020 are 43.7 mpg and 204 grams of CO₂ per mile for passenger cars and 31.3 mpg and 284 grams of CO₂ per mile for light trucks, projecting an overall industry average of 37 mpg, as compared to 46.7 mpg under the standards issued in 2012. The final Safer Affordable Fuel-Efficient Vehicles Rule also

¹⁵ United States Environmental Protection Agency, *Endangerment, and Cause or Contribute Findings for Greenhouse Gases under Section 202(a) of the Clean Air Act*, website: <https://www.epa.gov/ghgemissions/endangerment-and-cause-or-contribute-findings-greenhouse-gases-under-section-202a-clean>, accessed February 2020.

¹⁶ The Corporate Average Fuel Economy standards are regulations in the United States, first enacted by Congress in 1975, to improve the average fuel economy of cars and light trucks. The U.S. Department of Transportation has delegated the National Highway Traffic Safety Administration as the regulatory agency for the Corporate Average Fuel Economy standards.

¹⁷ United States Environmental Protection Agency, EPA and NHTSA Set Standards to Reduce Greenhouse Gases and Improve Fuel Economy for Model Years 2017-2025 Cars and Light Trucks, August 2012, <https://nepis.epa.gov/Exe/ZyPDF.cgi/P100EZ7C.PDF?Dockey=P100EZ7C.PDF>.

excludes CO₂e emission improvements associated with air conditioning refrigerants and leakage (and, optionally, offsets for nitrous oxide and methane emissions) after model year 2020.¹⁸

Heavy-Duty Engines and Vehicles Fuel Efficiency Standards

In addition to the regulations applicable to cars and light-duty trucks, on August 9, 2011, the U.S. EPA and the NHTSA announced Phase I fuel economy and GHG standards for medium- and heavy-duty trucks, which apply to vehicles from model years 2014 through 2018¹⁹. The U.S. EPA and the NHTSA adopted standards for CO₂ emissions and fuel consumption, respectively, tailored to each of three (3) main vehicle categories: (1) combination tractors, (2) heavy-duty pickup trucks and vans, and (3) vocational vehicles. According to the U.S. EPA, this program will reduce GHG emissions and fuel consumption for affected vehicles by 6% to 23%.

Building on the Phase I standards, in August 2016, U.S. EPA and NHTSA jointly finalized Phase II standards for medium- and heavy-duty vehicles through model year 2027 that will improve fuel efficiency and cut carbon pollution to reduce the impacts of climate change. The final standards are expected to lower CO₂ emissions by approximately 1.1 billion MT; save vehicle owners fuel costs of about \$170 billion; and reduce oil consumption by up to two (2) billion barrels over the lifetime of the vehicles sold under the program²⁰.

Energy Independence and Security Act of 2007

The Energy Independence and Security Act of 2007 is an energy policy which would aid in the reduction of national GHG emissions by the following measures:

1. Increase the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard requiring fuel producers to use at least 36 billion gallons of biofuel in 2022.
2. Set a target of 35 miles per gallon for the combined fleet of cars and light trucks by model year 2020 and direct National Highway Traffic Safety Administration (NHTSA) to establish a fuel economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for work trucks.
3. Prescribe or revise standards affecting regional efficiency for heating and cooling products and procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances.

State

Assembly Bill 939 and Assembly Bill 341

¹⁸ National Highway Traffic Safety Administration (NHTSA) and U.S. Environmental Protection Agency (USEPA), 2018. *Federal Register* / Vol. 83, No. 165 / Friday, August 24, 2018 / Proposed Rules, *The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021–2026 Passenger Cars and Light Trucks 2018*. Available at: <https://www.gpo.gov/fdsys/pkg/FR-2018-08-24/pdf/2018-16820.pdf>.

¹⁹ United States Environmental Protection Agency, Office of Transportation and Air Quality. *EPA and NHTSA Adopt First-Ever Program to Reduce Greenhouse Gas Emissions and Improve Fuel Efficiency of Medium- and Heavy-Duty Vehicles*, August 2011.

²⁰ *Regulations for Greenhouse Gas Emission from Commercial Trucks & Buses*, November 16, 2016, website: https://19january2017snapshot.epa.gov/regulations-emissions-vehicles-and-engines/regulations-greenhouse-gas-emissions-commercial-trucks_.html.

In 1989, AB 939, known as the Integrated Waste Management Act (California Public Resources Code, Section 40000 *et seq.*), was passed in response to the increase in waste stream and the decrease in landfill capacity. The statute established the California Integrated Waste Management Board, which oversees a disposal reporting system. AB 939 mandated a reduction of waste being disposed where jurisdictions were required to meet diversion goals of all solid waste through source reduction, recycling, and composting activities of 50% by year 2000. AB 341 amended the California Integrated Waste Management Act of 1989 to include a provision declaring that it is the policy goal of the state that not less than 75% of solid waste be source-reduced, recycled, or composted by the year 2020 and annually thereafter. In addition, AB 341 required the California Department of Resources Recycling and Recovery (CalRecycle) to develop strategies to achieve the state's policy goal.

Assembly Bill 1493

AB 1493 was enacted in July 2002 in response to the transportation sector accounting for more than half of California's CO₂ emissions. It required CARB to set GHG emission standards for passenger vehicles, light-duty trucks, and other vehicles determined by the board that are used primarily for personal transportation in the state. The AB 1493 required that CARB set GHG emission standards for vehicles manufactured in 2009 and all subsequent model years. CARB adopted the standards in September 2004.

Executive Order S-3-05

Executive Order S-3-05, signed in June 2005, established the following statewide goals: GHG emissions should be reduced to 2000 levels by 2010, 1990 levels by 2020, and 80 percent below 1990 levels by 2050. Under this Executive Order, the California Environmental Protection Agency (CalEPA) is directed to report biannually on progress made toward meeting the GHG targets and the impacts to California due to global warming, including impacts to water supply.

Assembly Bill 32

AB 32, also known as the California Global Warming Solutions Act of 2006, requires California to reduce its GHG emissions to 1990 levels by 2020, representing a reduction of approximately 15% below emissions expected under a "business-as-usual" scenario.

Under AB 32, CARB is responsible for carrying out and developing the programs and requirements necessary to achieve the GHG emissions reduction mandate of AB 32 and to monitor compliance with any rule, regulation, order, emission limitation, or emission reduction measure adopted. The full implementation of AB 32 will help mitigate risks associated with climate change, while improving energy efficiency, expanding the use of renewable energy sources, achieving cleaner transportation, and reducing waste.

AB 32 requires CARB to develop a Scoping Plan that lays out California's strategy for meeting the goals and must be updated every five (5) years. In December 2008, CARB approved the initial Scoping Plan, which included a suite of measures to sharply cut GHG emissions. In May 2014, CARB approved the first update to the Scoping Plan which builds upon the initial Scoping Plan with new strategies and recommendations. In December 2017 CARB adopted the *2017 Climate Change Scoping Plan Update* (2030 Scoping Plan). The 2030 Scoping Plan builds on the successful framework established in the initial Scoping Plan and First Update, while identifying new, technologically feasible, and cost effective strategies that will serve as the framework to achieve the 2030 GHG target and define the state's climate change priorities to 2030 and beyond.

For local governments, the 2030 Scoping Plan replaced the initial Scoping Plans 15% reduction goal with a recommendation to aim for a community-wide goal of no more than 6 MT CO₂E per capita by 2030 and no more than 2 MT CO₂E per capita by 2050, which are consistent with the state's long-term goals.

The 2030 Scoping Plan recommends strategies for implementation at the statewide level to meet the goals of AB 32, SB 32, and Executive Order S-3-05 and establishes an overall framework for the measures that will be adopted to reduce California's GHG emissions. A Project is considered consistent with the statutes and executive orders if it meets the general policies in reducing GHG emissions in order to facilitate the achievement of the state's goals and does not impede attainment of those goals. A given Project need not be in perfect conformity with every planning policy or goal to be consistent, rather, a Project would be consistent if it furthers the objectives and does not obstruct their attainment.

Executive Order B-30-15

On April 29, 2015, California Governor Jerry Brown issued Executive Order B-30-15. Therein, Governor Brown:

- Established a new interim statewide reduction target to reduce GHG emissions to 40 percent below 1990 levels by 2030;²¹
- Ordered all state agencies with jurisdiction over sources of GHG emissions to implement measures to achieve reductions of GHG emissions to meet the 2030 and 2050 reduction targets;
- Directed CARB to update the Climate Change Scoping Plan to express the 2030 target in terms of MMTCO₂E.

Senate Bill 32

SB 32 was passed on September 8, 2016 and is known as the California Global Warming Solutions Act of 2006: Emissions Limit. SB 32 added Section 38566 to the Health and Safety Code which states that in adopting rules and regulations to achieve maximum technologically feasible and cost-effective GHG emissions reductions, the state board shall ensure that statewide GHG emissions are reduced to at least 40% below the statewide GHG emissions limit no later than December 31, 2030.

Senate Bill 97

SB 97 directs the Governor's Office of Planning and Research (OPR) to develop guidelines under the CEQA for the mitigation of GHG emissions. OPR was responsible for developing proposed guidelines by July 1, 2009, and the California Natural Resources Agency (CNRA) was directed to adopt guidelines by January 10, 2010.

In 2008 OPR issued a technical advisory as interim guidance regarding the analysis of GHG emissions, including those associated with vehicular traffic, energy consumption, water usage, and construction activities should be identified and estimated. On April 13, 2009, OPR submitted to the CNRA the proposed amendments to the CEQA Guidelines relating to GHG emissions. The CNRA adopted the CEQA Guidelines Amendments on December 30, 2009 and the amendments became effective on March 18, 2010.

The adopted amendments do not establish a GHG emission threshold; instead they allow a lead agency to develop, adopt, and apply its own thresholds of significance or those developed by other agencies or

²¹ In response to EO-B-30-15, this target was adopted by the California Senate under SB 32 on September 8, 2015.

experts. CNRA also acknowledges that a lead agency may consider compliance with regulations or requirements implementing AB 32 in determining the significance of a Project's GHG emissions.

Senate Bill 1078

SB 1078, adopted in 2002, established the Renewables Portfolio Standard (RPS) program, which requires an annual increase in renewable generation by the utilities equivalent to at least 1% of sales, with an aggregate goal of 20% by 2017. This goal was subsequently accelerated, requiring utilities to obtain 20% of their power from renewable sources by 2010.

Senate Bill X1 2

SB X1 2, established in 2011, expanded the RPS by establishing that 20% of the total electricity sold to retail consumers in California per year by December 31, 2013, and 33% by December 31, 2020 and in subsequent years be secured from qualifying renewable energy sources. Under this bill, a renewable electrical generation facility is one that uses biomass, solar thermal, photovoltaic, wind, geothermal, fuel cells using renewable fuels, small hydroelectric generation of 30 megawatts or less, digester gas, municipal solid waste conversion, landfill gas, ocean wave, ocean thermal, or tidal current, and that meets other specified requirements with respect to its location. In addition to the retail sellers previously covered by the RPS, SB X1 2 added local, publicly owned electric utilities to the RPS.

Senate Bill 350

The Clean Energy and Pollution Reduction Act of 2015, SB 350 (Chapter 547, Statutes of 2015) was approved by Governor Jerry Brown on October 7, 2015. SB 350 will: (1) increase the standards of the California RPS program by requiring that the amount of electricity generated and sold to retail customers per year from eligible renewable energy resources be increased to 50 percent by December 31, 2030; (2) require the State Energy Resources Conservation and Development Commission to establish annual targets for statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of statewide energy efficiency savings in electricity and natural gas final end uses of retail customers by January 1, 2030; (3) provide for the evolution of the Independent System Operator (ISO) into a regional organization; and (4) require the state to reimburse local agencies and school districts for certain costs mandated by the state through procedures established by statutory provisions. Among other objectives, the Legislature intends to double the energy efficiency savings in electricity and natural gas final end uses of retail customers through energy efficiency and conservation. In other words, SB 350 essentially requires the energy efficiency of existing buildings to be doubled by 2030.

Senate Bill 100

On September 10, 2018, Governor Jerry Brown signed SB 100, which further increased California's Renewables Portfolio Standard and requires retail sellers and local publicly owned electric utilities to procure eligible renewable electricity for 44 percent of retail sales by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030, and that CARB should plan for 100% eligible renewable energy resources and zero-carbon resources by December 31, 2045.

Senate Bill 1368

California SB 1368, a companion bill to AB 32, requires the California Public Utilities Commission (CPUC) and the California Energy Commission CEC to establish GHG emission performance standards for the generation of electricity. These standards also generally apply to power that is generated outside of California and imported into the State. SB 1368 provides a mechanism for reducing the emissions of

electricity providers, thereby assisting CARB to meet its mandate under AB 32. On January 25, 2007, the CPUC adopted an interim GHG Emissions Performance Standard, which is a facility-based emissions standard requiring that all new long-term commitments for baseload generation to serve California consumers be with power plants that have GHG emissions no greater than a combined cycle gas turbine plant. That level is established at 1,100 pounds of CO₂ per megawatt-hour. Further, on May 23, 2007, the CEC adopted regulations that establish and implement an identical Emissions Performance Standard of 1,100 pounds of CO₂ per megawatt-hour (see CEC Order No. 07-523-7).

Sustainable Communities and Climate Protection Act (SB 375)

California's Sustainable Communities and Climate Protection Act, also referred to as SB 375 became effective January 1, 2009. The goal of SB 375 is to help achieve AB 32's GHG emissions reduction goals by aligning the planning processes for regional transportation, housing, and land use.

Among other things, SB 375 requires the regional governing bodies in each of the State's major metropolitan areas to adopt, as part of their regional transportation plan, "sustainable community strategies" that will meet the region's target for reducing GHG emissions. SB 375 creates incentives for implementing the sustainable community strategies by allocating Federal transportation funds only to projects that are consistent with the emissions reductions.

Local governments would then devise strategies for housing development, road-building and other land uses to shorten travel distances, reduce vehicular travel time and meet the new targets. If regions develop these integrated land use, housing, and transportation plans, residential projects that conform to the sustainable community strategy (and therefore contribute to GHG reduction) can have a more streamlined environmental review process.

SB 375 requires CARB to develop regional reduction targets for GHGs, and prompts the creation of regional plans to reduce emissions from vehicle use throughout the state. California's 18 Metropolitan Planning Organizations (MPOs) have been tasked with creating "Sustainable Community Strategies" (SCS) in an effort to reduce the region's VMT in order to help meet AB 32 targets through integrated transportation, land use, housing and environmental planning. Pursuant to SB 375, CARB set per-capita GHG emissions reduction targets from passenger vehicles for each of the State's 18 MPOs. For the SCAG region, the targets are set at eight percent below 2005 per capita emissions levels by 2020 and 13% below 2005 per capita emissions levels by 2035. Beginning October 1, 2018, the target changed to 19% for 2035.

Center for Biological Diversity v. California Department of Fish and Wildlife and Newhall Land and Farming

The California Supreme Court took on the challenging CEQA issue of GHG emissions in the *Center for Biological Diversity v. California Department of Fish and Wildlife and Newhall Land and Farming* case, 2015) 224 Cal.App.4th 1105 (CBD vs. CDFW), also known as the "Newhall Ranch" case. The justices evaluated for compliance with CEQA one of the most common approaches to GHG analyses for development projects (i.e., evaluating the efficiency of a project's emissions in the context of the AB 32's 2020 reduction goal, as presented in the statewide CARB Scoping Plan, using a comparison to an unregulated, "business as usual (BAU)" emissions scenario.

As discussed in the *Newhall Ranch* decision, determining consistency with local GHG reduction plans or Climate Action Plans that qualify under Section 15183.5 of the CEQA Guidelines may be the most effective strategy for local governments to assess the significance of GHG emissions from proposed land

use developments. Qualified CAPs also provide a workable option for addressing post-2020 GHG emissions and resolving issues that arise out of project-level GHG analyses raised in the Court's decision.

Title 24 of the California Code of Regulations

Title 24 of the CCR, serves to enhance and regulate California's building standards. Part 6 of Title 24 specifically establishes Building Energy Efficiency Standards that are designed to ensure that new and existing buildings in the State of California achieve energy efficiency and preserve environmental quality.

The 2019 Title 24 building energy standards are the most recent, and became effective on January 1, 2020. Title 24, Part 11 known as CALGreen, instituted mandatory minimum environmental performance standards for all ground-up, new construction of commercial, residential, state-owned buildings, schools and hospitals. The CALGreen 2019 standards became effective on January 1, 2020. These standards focus on building energy efficiency. The mandatory standards require the following:

- 20% mandatory reduction in indoor water use;
- Diversion of 50% of construction and demolition waste from landfills;
- Mandatory inspections of energy systems to ensure optimal working efficiency;
- Low pollutant emitting exterior and interior finish materials, such as paints, carpets, vinyl flooring, and particle board.

Voluntary efficiency measures are provided at two separate tiers and are implemented at the discretion of local agencies and applicants.

Zero Net Energy Design Goals

The California Public Utilities Commission, CEC, and CARB have a shared established goal of achieving zero net energy (ZNE) for new construction in California as recognized in the first update to the Scoping Plan. The key policy timelines include: (1) all new residential construction in California will be ZNE by 2020, and (2) all new commercial construction in California will be ZNE by 2030. As most recently identified by the CEC, a ZNE code building is one where the value of the energy produced by onsite renewable energy resources is equal to the value of the energy consumed annually by the building using the CEC's Time Dependent Valuation metric. It should be noted that the 2019 Title 24 regulations which will be effective in 2020 requires rooftop solar for all new residential units.

Title 20

Title 20 of the CCR requires manufacturers of appliances to meet federal and state standards for energy and water efficiency. Performance of appliances must be certified through the CEC to demonstrate compliance with standards. New appliances regulated under Title 20 include: refrigerators, refrigerator-freezers and freezers, room air conditions and room air conditioning heat pumps, central air conditioners, spot air conditioners, vented gas space heaters, gas pool heaters, plumbing fittings and plumbing fixtures, fluorescent lamp ballasts, lamps, emergency lighting, traffic signal modules, dishwashers, clothes washers and dryers, cooking products, electric motors, low voltage dry-type distribution transformers, power supplies, televisions and consumer audio and video equipment, and battery charger systems.

Title 20 presents protocols for testing for each type of appliance covered under the regulations and appliances must meet the standards for energy performance, energy design, water performance and water design. Title 20 contains three (3) types of standards for appliances: federal and state standards for

federally regulated appliances, state standards for federally regulated appliances, and state standards for non-federally regulated appliances.

California Air Pollution Control Officers Association

The California Air Pollution Control Officers Association is the association of air pollution control officers representing all 35 air quality agencies throughout California. The California Air Pollution Control Officers Association is not a regulatory body, but has been an active organization in providing guidance in addressing the CEQA significance of GHG emissions and climate change as well as other air quality issues.

It should be noted that SANDAG has indicated that in the City of Oceanside, the average occupancy per household is 2.92 persons/ unit.

Local

San Diego Forward: The Regional Plan

SANDAG is the regional planning agency for San Diego County and serves as a forum for regional issues related to the economy, community development and the environment. SANDAG has prepared the Regional Plan, which includes a SCS that is built on an integrated set of public policies, strategies, and investments to maintain, manage, and improve the transportation system. The Regional Plan also participates in the district's air quality plans that are designed to meet health-based criteria pollutant standards.

City of Oceanside Climate Action Plan

The City adopted a CAP in May of 2019. The purpose of the CAP is to align the City with statewide efforts to reduce GHG emissions by expanding local renewable energy generation, reducing energy use, promoting recycling and reuse, facilitating active transportation, and encouraging other sustainable practices. The CAP is built on a variety of reduction measures that promote energy efficiency, increased renewable energy use, water conservation, and solid waste reduction. The City has established efficiency metric thresholds, for which Projects are to use to evaluate impacts from GHG emissions, in order to help the City meet state reduction targets for 2020 and 2030. Projects that generate mass GHG emissions exceeding 900 MT CO₂E must assess Project-induced emissions against CAP-aligned thresholds of significance. Under the CAP thresholds, Projects are required to meet an efficiency metric threshold of 4.0 MT CO₂E per service population (MT CO₂E/SP) per year for Projects that will be implemented prior to year 2020 and an efficiency metric threshold of 3.5 MT CO₂E/SP for projects that will not be implemented prior to 2020. Projects that meet these thresholds would be considered consistent with the City's CAP.

City of Oceanside General Plan

Land Use Element

The following policies of the Land Use Element regulate GHG emissions.

2.7121 Bicycle Facilities

Policy A: Development shall provide Class II Bikeways on all secondary, major and prime arterials.

2.7122 Pedestrian

Policy A: The construction of five foot wide sidewalks adjacent to the curb shall be required in all new developments and street improvements.

2.725 Energy

Policy B: The City shall encourage the use of energy efficient design, structures, materials, and equipment in all land development or uses.

Policy C: The City shall encourage the use of long-term lower cost energy sources.

Energy and Climate Action Element

Policy ECAE01a-2: Require that new development supply a portion of its energy demand through renewable sources, to the extent practical and financially feasible.

Policy ECAE-1d-3: Encourage the use of locally-produced construction materials, including salvaged lumber. .

Policy ECAE-2b-2: In conjunction with infill and redevelopment Projects, pursue opportunities to integrate public open space into the City's urbanized corridors.

Policy ECAE-2c-4: Ensure that capital improvements are consistent with the City's Complete Streets policies, as articulated in the Circulation Element.

Policy ECAE-3a-2: Continue to enhance organics waste recycling opportunities for both the commercial and residential sector in accordance with the City's Zero Waste goals and State Organics mandates.

Policy ECAE-3a-3: Continue to support and expand community composting programs including but not limited to backyard composting, community garden composting, school onsite composting, and multi-family composting initiatives.

Policy ECAE-3a-14: Improve monitoring and enforcement of the City's construction waste diversion requirements.

Policy ECAE-3c-3: Educate residents and businesses owners on ways to reduce the amount of junk mail and/or excess packaging they receive.

Policy ECAE-4a-3: Enforce mandatory water use efficiency measures and State prohibitions on wasteful water use practices.

Policy ECAE-4a-4: Encourage a watershed approach to low water use and sustainable landscaping practices through education on climate, soil, plants, water efficiency, irrigation, and design.

Policy ECAE-4a-10: Promote the expansion of the City's tree canopy, on both private property and within the public right-of-way, as means of reducing storm water runoff, evapotranspiration, heat gain, and other phenomena that impacts water supply and demand.

Policy ECAE-5b-3: In coordination with adjacent private property owners, identify hardscaped spaces within the public right-of-way that can be rendered permeable and plantable.

4.9.3 THRESHOLDS OF SIGNIFICANCE

Per Appendix G of the CEQA Guidelines, impacts would be considered significant if the project would:

- a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment;
- b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Local Thresholds

The City Planning Division Policy Directive 2018-01 (Revised) – CEQA GHG Impact Analysis: Thresholds of Significance dated November 6, 2019 provides direction on CEQA-compliant analysis of GHG emissions impacts associated with new development. While many Projects may otherwise be categorically exempt from CEQA review, those that generate mass GHG emissions exceeding 900 MT CO₂E (the generally accepted “bright line” threshold of significance for GHG emissions) must assess Project-induced emissions against CAP-aligned thresholds of significance. Therefore, if the Project does not exceed 900 MT CO₂E, it would demonstrate compliance with the City’s CAP.

Projects that generate emissions exceeding 900 MT CO₂E must comply with the following thresholds of significance for new development. Projects within the City that are to be implemented prior to 2020 are required to meet an efficiency metric threshold of 4.0 MT CO₂E/SP and efficiency metric threshold of 3.5 MT CO₂E/SP for Projects being implemented by year 2025. Projects that cannot comply with these thresholds of significance require an EIR and an associated Statement of Overriding Considerations.

4.9.4 PROJECT IMPACT ANALYSIS

Would the Project:

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

Construction Impacts

Construction of the Project would result in GHG emissions primarily associated with the use of off-road construction equipment, on-road hauling and vendor trucks, and worker vehicle trips. Construction of the Project would entail demolition of existing buildings, site preparation, grading, paving, building construction and architectural coatings. Equipment to be used during construction includes concrete/industrial saws, rubber tired dozers, tractors/loaders/backhoes, excavators, graders, scrapers, pavers, other paving equipment, rollers, cranes, forklifts, generator sets, welders and air compressors.

GHG emissions were calculated using the latest CalEEMod version 2016.3.2 model. Project construction dates which are input into GHG calculations, were estimated based on a construction start date in 2022 with construction ending in 2024. In the event that construction would begin or end at a later date, the emissions calculations provided in this analysis would be conservative as annual code updates, regulations and fleet improvements would typically have the effect of restricting and limiting emissions on construction equipment over time.

CalEEMod was utilized for all construction calculations and has been manually updated to reflect SDAPCD Rule 67 VOC paint standards and to include the Project's use of Tier 4 construction equipment as a Project design feature. The model also incorporates roughly 60,000 SF of onsite facilities which will be demolished as part of the Project. Additionally, the default VMT were updated to reflect EMFAC's average miles driven per trip within the County for 2024 as provided in Attachment B of the Greenhouse Gas Assessment which is provided as **Appendix L** of this EIR.

Based on the methodology provided by the South Coast Air Quality Management District (SCAQMD), due to the fact that GHG impacts from construction activities occur over a relatively short-term period of time, they contribute a relatively minimal portion of the overall lifetime Project GHG emissions. To adequately include GHG emissions from construction in the lifetime/operational GHG estimates for the Project, construction emissions are amortized over a 30-year Project lifetime. This GHG analysis includes construction of the entire Project including demolition, grading, utility infrastructure, facilities, improvements and structures. The expected annual construction emissions are provided in **Table 4.9-3** below.

Table 4.9-3
Expected Construction CO₂E Emissions Summary (MT/Year)

Year	Bio-CO ₂	NBio-CO ₂	Total CO ₂	CH ₄	N ₂ O	CO ₂ E
2024	0.00	601.70	601.70	0.12	0.00	604.73
2025	0.00	674.65	674.65	0.09	0.00	676.81
2026	0.00	132.42	132.42	0.02	0.00	132.81
Total						1,414.35
Yearly Average Construction Emissions (MT CO₂E / year over 30 years)						47.15
Source: Greenhouse Gas Assessment prepared by Ldn Consulting, Inc. (Appendix L)						

As provided in **Table 4.9-3**, construction of the Project would produce approximately 1,414.35 MT CO₂E over the construction life of the Project. Based on the methodology provided by the SCAQMD, it is recommended to average the construction emissions over the Project lifetime which is assumed to be 30 years. Given this, the annual construction emissions for the Project would be 47.15MT CO₂E per year.

Operation Impacts

Emissions from daily operations of the Project would include sources such as area, energy, mobile, solid waste and water uses which are calculated within CalEEMod. Area sources include landscaping, consumer products and architectural coatings as part of regular maintenance of Project facilities. Energy sources include electricity and natural gas consumption. Solid waste generation in the form of trash is also considered as decomposition of organic material breaks down to form GHGs. Water and wastewater emissions from the Project generate emissions from off-site water conveyance and operation of wastewater treatment facilities. Operational Project emissions would also generate GHG emissions through the use of carbon fuel burning vehicles for transportation. The Project is expected to generate 3,200 ADT as the result of an estimated maximum of 400 residential units.

Electrical energy-intensity factors were updated within CalEEMod to reflect SDG&E's emissions rate variations from 2009 which is the default rate data used by CalEEMod. In 2009, SDG&E achieved 10.5% procurement of renewable energy and in 2024 is estimated to have up to 43.8%. For the purposes of this analysis, the States 33% requirement was utilized. In 2030, an additional 27% reduction would be required or 2.7% per year. Given this, SDG&E energy-intensity factors for 2026 were calculated and were modeled as such within CalEEMod as provided in **Table 4.9-4** below.

Table 4.9-4
SDG&E Energy Intensity Factors

GHG	2009 Factors – 10.5% RPS (lbs/MWh)	2026 Factors – 46.5% Renewables (lbs/MWh)
Carbon Dioxide (CO ₂)	720.49	408.95
Methane (CH ₄)	0.029	0.017
Nitrous Oxide (N ₂ O)	0.006	0.003
RPS = Renewable Portfolio Standard Source: Greenhouse Gas Assessment prepared by Ldn Consulting, Inc. (Appendix L)		

As a Project design feature, the Project would exclusively utilize high-efficiency indoor and outdoor LED lighting for all buildings. LED indoor lighting is 75% to 90% more efficient than standard lighting. High-efficiency lighting is addressed by both the 2013 Title 24 standards and the 2016 Title 24 standards. Since the Project would be constructed after 2020, the Project would be required to comply with 2019 Title 24 lighting standards which have not yet been included in CalEEMod. Given this, the estimated GHG emissions from the Project would be conservative.

Default parameters in CalEEMod version 2016.3.2 do not account for high-efficiency lighting technologies. For the purposes of this analysis, the design feature to utilize 100% high-efficiency lighting would reduce energy usage from combined indoor and outdoor lighting by at least 75%. However, for the purposes of this analysis only a 65% reduction is utilized.

Under AB 341, the Project would be required to increase diversion of waste from landfills by 75%. The Project would provide separate waste containers to allow for simpler material separations or would direct the Project's Home Owner's Association (HOA) to pay for a waste collection service that recycles materials off-site. Additionally, the Project would provide for green waste collection so that organic waste can be diverted from landfills and be recycled as mulch. For the purposes of this analysis, a 25% reduction in solid waste-related GHGs was applied to reflect the AB 341 waste diversion standard.

As a Project design feature, the Project would limit residential units to natural gas hearths only where applicable and would not include the use of any wood burning hearths. Project-specific site development plans would specify the use of natural gas hearths.

Table 4.9-5 provides the Project's operation GHG emissions.

Table 4.9-5
Project Operational GHG Emissions (MT/Year)

Source	Bio-CO ₂	NBio-CO ₂	Total CO ₂	CH ₄	N ₂ O	CO ₂ E (MT/Year)
Area	0.00	319.91	319.91	0.01	0.01	321.9
Electrical Usage	0.00	324.44	324.44	0.01	0.00	325.49
Natural Gas	0.00	307.01	307.01	0.01	0.01	308.83
Mobile	0.00	1,971.11	1,971.11	0.10	0.00	1,973.69
Waste	28.01	0.00	28.01	1.66	0.00	69.4
Water	8.27	90.04	98.30	0.85	0.02	125.80
Total Operations (Includes reductions from Project Design Features)						3,125.11
Total Construction Emissions (Amortized over 30 years from Table 4.9-3 above)						47.15

Total Project GHG Emissions (Construction + Operation)	3,172.26
Residents at 2.92 persons per household* x 400 units	1,168
Emissions per Service Population (MT/SP)	2.72
Data is presented in decimal format and may have rounding errors. *From SANDAG Series 13 Regional Growth Forecast – Subregional Area 42 – Oceanside. Source: Greenhouse Gas Assessment prepared by Ldn Consulting, Inc. (Appendix L)	

As provided in **Table 4.9-5**, Project buildout with annualized construction emissions would generate 3,172.26MT CO₂E annually which includes Project design features discussed above. As provided in the Methodology discussion, projects that generate emissions exceeding 900 MT CO₂E must comply with the following thresholds of significance for new development. Projects within the City that are to be implemented by year 2025 are required to meet an efficiency metric threshold of 3.5 MT CO₂E/SP.

The Project would have a projected GHG emission rate of 2.72 MT CO₂E/SP (or 3,172.26 MT CO₂E / 1,168 persons). Based on this, the Project would generate fewer emissions than the City's specific localized efficiency metric threshold of 3.5 MT CO₂E/SP. The Project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment and impacts would be **less than significant**.

- b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Consistency with City of Oceanside General Plan

The Project Site has an existing General Plan designation as LI which allows a FAR of 1.0 and maximum lot coverage of 75%. The Project Site has a gross site area of 23.8 acres after land dedication and right-of-ways, and could accommodate a facility consisting of roughly 1,000,000 SF based on the gross site area and allowable FAR.

GHG emissions for the buildout of the General Plan would include both the combined construction and operational emissions for land uses. Construction emissions from a project under the existing land use would generally be similar to construction emissions generated from the Project which includes a maximum of 400 medium density residential units, though this use has not been included in the General Plan buildout scenario. Generally, if GHG emissions from the General Plan buildout scenario are higher than the proposed project action, assuming the proposed project action adheres to the General Plan and CAP, the project would generate a less than significant GHG impact.

Using a similar methodology and the same CalEEMod software, the 1,000,000 SF LI facility was modeled. Where applicable, the same Project design features were included and assumptions with respect to VMT per trip were also utilized. The CalEEMod calculations for this scenario are provided in Attachment C of the Greenhouse Gas Assessment provided as **Appendix L** of this EIR. Based on the General Plan buildout scenario modeled the site could generate as much as 6,851.42 MT CO₂E, which is more than double the GHG emissions anticipated for the Project.

The Project seeks to establish a PBD Overlay District and requires a General Plan Amendment which would designate the Project Site as MDC-R from LI and a Zone Amendment to designate the Project Site as RM-C from IL, consistent with the proposed land use designation for medium density residential. The Project would allow a maximum of 400 medium density residential units which would generate 3,172.26 MT CO₂E as identified in **Table 4.9-5**. The Project, as a less intense use, would result in GHG emissions that are approximately 50% less than the GHG emissions generated by a project under the existing use of the site as LI.

The policies of the Land Use Element and ECAE of the General Plan provided in Section 4.9.2, are designed to reduce GHG emissions, promote alternative transportation and other methods of efficiency.

Land Use Element

In accordance with the Land Use Element policies related to bicycle and pedestrian facilities, the Project would provide access to the existing Class 2 bike lane located at North River Road along the Project frontage. As part of the conditions of approval for the Project, the Project would develop and/or promote bicycle usage through a bike share program to help reduce vehicle usage and demand for parking by providing users with on-demand access to bikes for short-term rental, contribute to electric bicycle charging stations, contribute to bicycle infrastructure improvements, and disseminate a bicycle riders guide to make it easier for people to bike and walk to work. The Project would provide pedestrian improvements such as a connection from the Project Site to the north side of the San Luis Rey River trail to encourage residents to walk by providing mapped walking routes and promote walking groups.

As a Project design feature, the Project would exclusively utilize high-efficiency indoor and outdoor LED lighting for all proposed buildings. The Project would also contribute to waste diversion by providing separate waste containers for simplified material separations and would provide green waste collection that would be diverted from landfills and recycled as mulch. The Project would not include the use of any wood burning hearths and would use natural gas hearths only where applicable. Low Flow water fixtures would be installed in all residential units. Tier 4 construction equipment would be utilized which refers to the latest emission milestone by the U.S. EPA and CARB which applies to new engines found in off-road equipment including construction equipment.

Energy and Climate Action Element

Project would develop a future multi-family residential development in an area surrounded primarily by various residential land use types and industrial land uses. To the west of the Project Site are single-family residences, to the north are multi-family condominiums, apartments, mobile home communities and single-family residences, to the east are limited industrial uses and to the south includes the San Luis Rey River and industrial uses. As discussed above, the Project would provide high-efficiency indoor and outdoor LED lighting, would contribute to waste diversion requirements including green waste collection and would comply with all construction waste diversion requirements. The Project would also provide low flow water fixtures and would use natural gas hearths only where applicable. Tier 4 construction equipment would also be utilized during construction activities.

The Project would not conflict with the General Plan applicable goals and policies related to GHG emissions.

Consistency with City of Oceanside Climate Action Plan

The City's CAP was developed to align with state efforts to reduce GHG emissions and meet the State of California's 2050 GHG reduction goal. As provided in **Table 4.9-5**, the Project would generate 3,172.26 MT CO₂E each year during a typical operational year. This includes the combined operational and construction GHG emissions amortized over a 30-year period. The Project would have a projected GHG emission rate of 2.72 MT CO₂E/SP (or 3,172.26MT CO₂E / 1,168 persons). Based on this, the Project would generate fewer emissions than the City's specific localized efficiency metric of 3.5 MT CO₂E/SP for projects that will be implemented prior to year 2025.

Project design features discussed previously are included as part of the Project to address the requirements of the CAP and will be a requirement of Project implementation. Therefore, the Project would be in compliance with the City's CAP and the Project would not generate a significant impact to GHG emissions.

Consistency with SB 32, EO S-3-05

Executive Order S-3-05 establishes the following goals: GHG emissions should be reduced to 2000 levels by 2010, 1990 levels by 2020, and 80% below 1990 levels by 2050. SB 32 establishes a GHG emissions reduction target whereby CARB, in adopting rules and regulations to achieve the maximum technologically feasible and cost-effective GHG emissions reductions, shall ensure that statewide GHG emissions are reduced to at least 40% below 1990 levels by December 31, 2030. The Project would generate 3,172.26 MT CO₂E each year during a typical operational year or 2.72 MT CO₂E/SP. This includes the combined operational and construction GHG emissions amortized over a 30-year period.

The Project would not exceed the City's CAP threshold of 3.5 MT CO₂E/SP for projects that will be implemented prior to year 2025 and therefore would be in compliance with the City's CAP. The Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHG, and impacts would be **less than significant**.

4.9.5 MITIGATION IMPLEMENTATION AND MONITORING

No significant impacts to GHG have been identified and therefore, no mitigation measures are required.

4.9.6 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts related to GHG from the implementation of the Project would be less than significant.

4.10 HAZARDS AND HAZARDOUS MATERIALS

The following documents were used in the preparation of this section and are included in their entirety in **Appendix B, Appendix C, Appendix D** and **Appendix M**:

Vinje & Middleton Engineering, Inc. October 6, 2015. *Phase I Environmental Site Assessment 4665 N River Road, Oceanside, California.* (**Appendix B**)

SECOR International Incorporated. June 8, 2005. *Phase I Environmental Site Assessment Report, 4617 North River Road, Oceanside, California.* (**Appendix C**)

SECOR International Incorporated. August 10, 2005. *Phase II Environmental Site Assessment Report, 4617 North River Road, Oceanside, California.* (**Appendix D**)

REC Consultants, Inc. October 29, 2020. *Cortese List Verification.* (**Appendix M**)

4.10.1 ENVIRONMENTAL SETTING

Eastern Parcel

The eastern parcel is currently developed with a small office/warehouse facility on the eastern portion of the property. The facility has historically served as a packing warehouse for produce shipping and storage operations. The property remains today as a remnant agricultural support use with a small office and very limited shipping/warehouse operations. Existing structures onsite include a 23,152- SF office/warehouse building, three (3) small sheds, a former fruit stand, and a small wood-frame house serving as a caretaker's residence in the central portion of the property.

Access to the property is provided by paved entries/exits that connect to North River Road to the north and Calle Joven to the east and south. Calle Joven is an improved road located on the parcel within a 60-foot wide public right-of-way easement. A paved fire road is located within an emergency access easement along the west side of the property.

The eastern parcel features level topography with elevations ranging from 68 to 72 feet amsl. Minor grade slopes are associated with a small elevated area east of the packing plant structures. Graded slopes are also present ascending to adjacent roadways along the west and south site margins. Approximately half of the eastern parcel is surfaced with concrete and asphalt paving with the other areas undeveloped.

The eastern parcel consists of developed land, disturbed land and non-native vegetation. Onsite soils consist of Pleistocene age Terrace Deposits and Alluvium. The property is located within FEMA Flood Zone "X" and is not located within a designated 100-year flood plain. The San Luis Rey River is located approximately 800 feet to the south.

No water wells or drinking water systems were observed or noted onsite during the Phase I Environmental Site Assessment and investigation.

Western Parcel

The western parcel is predominately in agricultural cultivation (approximately 75%) but supports two single-family residences, one on the eastern portion of the site and one behind the warehouse, an old warehouse on the northwest portion of the site, a packing shed, small out buildings and an abundant

amount of old farm equipment and miscellaneous materials and machinery. The onsite facility has historically served as storage for agricultural operations.

The western parcel features level topography with elevations ranging from 68 to 72 feet amsl. The parcel is relatively level and is about 20 feet above the improved channel of the San Luis Rey River. A grouted rip-rap embankment separates the property from the channel bottom.

The western parcel consists of developed land, disturbed land, non-native vegetation and row crops. Onsite soils consist of artificial fill, alluvium, and old paralic deposits. The proposed residential development area of the parcel is located within FEMA Flood Zone “X” and is not located within a designated 100-year flood plain. The San Luis Rey River is located approximately 175 feet to the south.

According to the Phase I Environmental Site Assessment, two (2) operational water wells are located on the site adjacent to the irrigation water above ground storage tanks. According to the Environmental Data Resources, Inc. (EDR) report there are 11 water wells which could potentially be located on the site installed between the years of 1911 and 1952, however the accuracy of the coordinates listed for each well are unknown.

Site History

Aerial Photographs and Historic Topographic Maps

Historical aerial photographs and topographic maps for the Project Site and adjacent properties were reviewed in the Phase I Environmental Site Assessment for the eastern parcel (**Appendix B**) and in the Phase I Environmental Site Assessment for the western parcel (**Appendix C**).

Eastern Parcel

Observations based on review of aerial and topographic maps for the eastern parcel are provided in **Table 4.10-1** below. No environmental concerns to the eastern parcel relative to adjacent and nearby properties were noted during the historical aerial photograph review.

Table 4.10-1
Aerial Photographs and Historic Uses of the Eastern Parcel

Year	Eastern Parcel
1938 1946	The site appears to be mostly vacant with some agriculture activity. A residence is depicted along the eastern site boundary.
1953 1964 1967	The site appears to be developed with an additional residence and associated structures in the central portion of the site and continued agricultural activities.
1980 1989 1990 1994 1997	The onsite structures are depicted in their current configurations with dirt parking surrounding the structures. Agricultural uses continue on the western portion of the site.
2002 2003 2005 2009	The site is depicted in its current configuration with paved areas surrounding the structures.

2010	
2012	

Historic topographic maps were reviewed for the eastern parcel from the years 1893 to 2000. The observations from the review of the topographic maps are provided in **Table 4.10-2**. No environmental concerns associated with the surrounding area were noted during the historic topographic map review.

Table 4.10-2
Historic and Topographic Maps of the Eastern Parcel

Years	Observations
1893 to 1947	A few scattered structures are depicted in the vicinity from 1893 to 1947.
1893 to 1966	North River Road is depicted along the north of the eastern parcel in all topographic maps reviewed, but is labeled as Camp Pendleton Road until 1966.
1969 to 1978	Additional structures are depicted to the west of the site on the 1969 topographic map through 1978.
1978 to 2000	The San Luis Rey River is depicted nearby to the south as a seasonal streambed until 1978 and is depicted as an engineered channel on the 2000 topographic map. Structures are depicted in their current configuration from 1978 to 2000.
2000	Much of the surrounding area to the north and west is shaded pink indicating urban development. The surrounding area is depicted in its current configuration on the 2000 topographic map.

Western Parcel

Aerial photographs for the western parcel were obtained to evaluate historical usage of the site and adjacent properties. The photographs were also reviewed to evaluate any discernible evidence of potential sources of negative environmental impact at this parcel. **Table 4.10-3** provides the observations of the aerial photograph review. No potential site impact from adjoining properties was identified in the review of historical aerial photographs.

Table 4.10-3
Aerial Photographs and Historic Uses of the Western Parcel

Year	Western Parcel
1946	The site appears to be developed with a small residential structure. The remainder of the site appears to be a portion of a larger agricultural land. The surrounding area is predominately agricultural with small pockets of undeveloped land, mostly along the San Luis Rey River.
1953	The site appears to be developed with one of the existing residential structures and a small shed. The surrounding appears similar to the 1946 photograph.
1963	The site is now developed with all the existing residences and packing house. The surrounding area appears similar to the 1946 photograph.
1974	The warehouse structure located on the site appears in this photograph and the site appears to be in its current configuration. Residential neighborhoods appear to the north of the site.
1990	The site appears similar to the 1974 photograph. The property located adjacent and west of the site appears to be graded for the existing residential development. The surrounding areas appear to be predominately residential.
1994	The site and its surroundings appear to be similar to the 1990 photograph. The auto

	auction yard appears east of the site.
2002	The site and its surroundings appear similar to the 1994 photograph.

Historical topographic maps were obtained and reviewed for the western parcel for the years 1949 to 1997. The results of the historical topographic maps are provided in Table 4.10-4. No recognized environmental conditions were identified from the historical topographic map review for the western parcel.

Table 4.10-4
Historical Topographic Maps for the Western Parcel

Years	Observations
1949	The maps depict the site as agricultural land in 1949 and later.
1968	The 1968 map shows several structures on the site.
1975 to 1997	The 1975 map depicts the existing structures and streets in the area as they are today.

Site Reconnaissance

Eastern Parcel Site Reconnaissance

The objective of the Site Reconnaissance provided in the Phase I Environmental Site Assessment (Appendix B) is to obtain information indicating the likelihood of recognized environmental conditions in connection with the site. The Site Reconnaissance was conducted on September 18, 2015 by Vinje & Middleton Engineering, Inc.

Methodology

The Site Reconnaissance consisted of inspecting the site and walking accessible roads surrounding the property. All exterior and common areas were inspected and photographs were taken to document existing site conditions and are included in the Phase I Environmental Site Assessment.

Site Observations

During site observations, the following conditions were not observed on the eastern parcel:

- Hazardous substances/petroleum products
- Waste generation/storage/disposal
- Underground storage tanks (UST)
- Chemical/petroleum odors
- Pools of liquid
- Floor drains/sumps/wells
- Drums
- Stains or corrosion
- Unidentified substance containers
- Stained soil or pavement
- Stressed vegetation
- Pits, ponds or lagoons
- Wastewater discharges/disposal systems
- Septic systems/cesspools

- Non-hazardous solid waste disposal areas
- Drinking water systems/water wells/other wells

An aboveground propane storage tank was observed at the western portion of the eastern parcel. The aboveground tank appeared to be in good condition with no suspect conditions noted in the area.

Three (3) pole-mounted transformers were noted on a single utility pole at the norther border of the eastern parcel, one pad-mounded transformer was noted at the northern border of the site, and another pad-mounted transformer was noted in the central area of the eastern parcel. Transformers have the potential to contain polychlorinated biphenyls (PCB). PCBs are a group of man-made organic chemicals consisting of carbon, hydrogen and chlorine atoms. They have a range in toxicity and have been demonstrated to cause a variety of health effects. The transformers within the eastern parcel are owned and maintained by SDG&E and are not labeled with regards to PCB content. The transformers appeared to be in good condition with no evidence of leaks, stains or corrosion.

The Phase I Environmental Site Assessment for the eastern parcel did not address radon, however, because the western parcel is located in an area designated as a Radon Zone Level, it is assumed that the eastern parcel is also located in this area and radon is not considered an issue that would require further assessment on this parcel.

No significant environmental concerns were noted during the Site Reconnaissance for the eastern parcel.

Western Parcel Site Reconnaissance

The objective of the Site Reconnaissance provided in the Phase I Environmental Site Assessment (**Appendix C**) is to identify existing conditions and land uses that may suggest potential environmental impacts to the western parcel. The Site Reconnaissance was conducted on May 24, 2005 by SECOR International Inc.

Methodology

The Site Reconnaissance consisted of inspecting the site and walking accessible roads surrounding the site. All interior, exterior and common areas were inspected and photographs were taken and are provided in the Phase I Environmental Site Assessment.

Site Observations

During exterior property observations, minor surface staining was noted on the dirt driveways throughout the western parcel however, did not appear to be significant and no further investigation is recommended. No evidence of improper discharge from the western parcel was observed. No surface water was visually identified on the western parcel and no water saturated soil or leaking irrigation systems were observed.

Hazardous materials were stored south of the warehouse structure including several 55-gallon drums of motor oil positioned horizontally on a dispenser rack. Surface staining in this area was minimal and no further investigation is recommended.

According to the EDR report there are 11 water wells which could potentially be located on the western parcel, installed between the years 1911 and 1952. It is recommended that all observed onsite water wells be properly abandoned prior to site development and any wells discovered during site grading activities shall be properly abandoned at that time in accordance with the County DEH regulations. Two (2) manhole covers labeled “sewer” were located along the norther boundary of the site, approximately 20

feet south of North River Road. It is recommended that these features be avoided during site development.

No USTs were visually identified on the western parcel during Site Reconnaissance however; review of regulatory databases for the property and surrounding area performed by EDR indicated the historical presence of USTs onsite. The western parcel is listed as having had a total of three (3) USTs, one 1,000-gallon diesel tank, one 1,000-gallon gasoline tank, and one 550-gallon gasoline tank. No leaks are reported or associated with these USTs. Further testing of the soils in the vicinity of the USTs is discussed below under the section titled *Pesticides and Soil Sampling*.

Three aboveground storage tanks (AST) were observed onsite during the Site Reconnaissance as follows:

- Diesel AST – This tank had a capacity of approximately 500 gallons and was located between the warehouse and packing house structures on top of exposed dirt and grass. Significant staining was observed on the dirt surface beneath this AST. It is recommended that further investigation of the soils beneath this AST occur in order to assess the extent of diesel contamination.
- Propane AST – A 450-gallon AST containing propane was located onsite and in close proximity to the diesel AST. The propane was used for forklifts operated on the western parcel. Given that this AST is used to store propane, the Phase I Environmental Site Assessment recommends no further investigation and recommended the removal of this AST prior to site development.
- Water AST – An AST of unknown capacity (approximately 1,000 gallons) was used to store irrigation water and was located in the same area as the diesel and propane ASTs. Two (2) adjacent water wells supply water to this AST. Water pumps and PVC piping were connected to this tank. Given this AST has been used only for storing water, no further investigation is recommended although it is recommended that the water wells and ASTs be properly abandoned prior to site development in accordance with the County DEH regulations.

Several high voltage transformers were located on the western parcel. Six (6) pole-mounted transformers were observed along the western boundary of the parcel. A pad-mounted transformer was observed north of the warehouse structure. All of these transformers appeared to be in good condition with no observable leakage at the time of the Site Reconnaissance. No further investigation is recommended related to PCBs.

Other than the small non-hazardous debris piles, no evidence of illegal dumping of solid waste was observed on the western parcel. A large mound of fill dirt was observed south of the packing house. Further testing of the fill dirt is described below. Several pallets with stacks of used batteries were observed in front of the packing house structure. The batteries appeared to have been degrading and some of the cells were exposed. The soil sampling results in relation to metal contamination from the batteries is also provided below.

The western parcel is located in an area designated as a Radon Zone Level 3 and is not considered an issue that would require further assessment on this parcel.

Pesticides and Soil Sampling

Eastern Parcel

The eastern parcel has historically been utilized for agricultural purposes primarily as a packing warehouse for produce shipping and storage. Based on the regulatory and historical research completed during the Phase I Environmental Site Assessment (**Appendix B**), no information has been revealed that

would conclude that an accidental spill or release of pesticides products has occurred on this parcel, therefore further soils sampling to test for residual pesticides was not conducted. In addition, stressed vegetation or evidence of storage of pesticides was not observed onsite during the Site Reconnaissance or based on regulatory and historical research reviews. Historical agricultural use of pesticides on the eastern parcel is not considered to be a recognized environmental condition in connection with the parcel.

Western Parcel

Pesticide Soil Sampling

Approximately 75% of the western parcel is in agricultural cultivation. Based on the historical use of the site for agricultural operations, soil sampling was provided to test for residual pesticides and the investigation and results are provided in the Phase II Environmental Site Assessment Report (**Appendix D**) prepared by SECOR. As provided in the Phase II Environmental Site Assessment Report for the western parcel, various pesticides were detected in all one-foot samples at levels which exceed their respective U.S. EPA Preliminary Remediation Goals (PRGs). Three-foot samples were then taken and reported pesticides at concentrations which are below their respective U.S. EPA PRGs or state hazardous waste levels. Therefore, the top three (3) feet of soils throughout the agricultural field portions of the site will need to be addressed by corrective grading.

Given the geotechnical recommendations to re-compact onsite soils to an average depth of 8 to 10 feet during grading, it is anticipated that incidental mixing inherent in the grading will generate average concentrations after grading below residential PRGs and hazardous waste levels and therefore would address the residual pesticides adequately. As recommended in the Phase II Environmental Site Assessment, a grading plan would be developed to direct the grading contractor on appropriate means to complete the corrective grading.

Fill Dirt Sampling

The Phase II Environmental Site Assessment also included soil sampling and testing of the fill dirt mound that was found on the western parcel south of the existing packing house. Fill dirt samples contained non-detectable levels of gasoline, diesel, and motor oil range petroleum hydrocarbons and VOCs. The chemical analysis of the soils samples reported concentrations of analyzed metals and other arsenic well below their respective U.S. EPA PRGs. Arsenic was detected in two (2) of the samples at concentrations of 2.0 and 1.9 mg/kg, respectively. While these concentrations exceed the U.S. EPA PRGs for arsenic in residential soils, they are within the typically occurring natural background levels for soils in California (a range of 0.6 to 11 mg/kg). These samples also indicated the presence of several pesticides at levels below their respective U.S. EPA PRGs. Based on the findings of the Phase II Environmental Site Assessment, the fill dirt is unlikely to have environmentally impacts to the Project Site and no further investigation is recommended.

Battery Soil Sampling

Several pallets with stacks of used batteries were observed in front of the packing house structure. Further testing was provided in order to determine if potential contamination caused from metals have occurred at this location of the parcel. Chemical analysis of all soil samples reported concentrations of analyzed metals and other arsenic well below their respective U.S. EPA PRGs. Arsenic was detected in two (2) of the samples at concentrations of 3.4 and 1.7 mg/kg, respectively. While these concentrations exceed the U.S. EPA PRG for arsenic in residential soils, they are within the typically occurring natural background levels for soils in California. Based on this data, the batteries are unlikely to have environmentally

impacted the site and no further investigation is recommended. It is recommended that the batteries be removed from the property.

UST Soil Sampling

The Phase II Environmental Site Assessment provides the results of the sampling of the former USTs on the western parcel. Three (3) soil borings were taken in the vicinity of the former USTs which reported concentrations of gasoline, diesel and motor oil range petroleum hydrocarbons, as well as VOCs below their respective laboratory detection limits. Based on this data and assuming that the approximate location and status of the USTs were accurately depicted, it is determined the most probable case to be that the USTs have been removed as there was no significant soil contamination found during site assessment and testing.

AST Soil Sampling

The observed diesel AST onsite displayed significant staining on the dirt surface beneath the AST and further investigation was recommended in the Phase I Environmental Site Assessment. In the Phase II Environmental Site Assessment, soil samples were conducted at two (2) boring locations which were found to contain petroleum hydrocarbon contamination to the maximum explored depth of 15 feet below ground surface (bgs).

As presenting in the Phase II Environmental Site Assessment, boring B-1 at two (2) feet bgs exhibited diesel and oil range petroleum hydrocarbons at 450 and 150 mg/kg respectively. Boring B-1 at 15 feet bgs exhibited diesel range petroleum hydrocarbons at 45 mg/kg.

Boring B-2 at five (5) feet bgs exhibited diesel and oil range petroleum hydrocarbons at 220 and 39 mg/kg, respectively. Boring B-2 at 10 feet bgs exhibited gasoline, diesel, and oil range petroleum hydrocarbons at 0.62, 3,100 and 350 mg/kg respectively. This contains the peak concentrations of all samples obtained from Borings B-1 and B-2. Boring samples at B-2 at 15 feet bgs exhibited diesel and oil range petroleum hydrocarbons at 240 mg/kg. Samples at 15 feet bgs for borings B-1 and B-2 were not analyzed for gasoline or oil range petroleum hydrocarbons due to the relatively low levels found in shallower samples.

According to RWQCB Soil Screening Levels for gasoline, diesel and motor oil range petroleum hydrocarbons are 500, 1,000, and 10,000 mg/kg respectively. Based on these screening levels, it appears that soils at 15 feet bgs in the vicinity of the AST contained these contaminants at concentrations below Soil Screening Levels. The Phase II Environmental Site Assessment recommends that soils found shallower than 15 feet bgs be excavated, characterized, and properly disposed.

Lead Based Paint and Asbestos Containing Materials

Before 1978, lead was a common ingredient in paint because it added strength, shine and extended the life of the paint. Given the pre-1978 construction of onsite structures, it is likely that existing structures would contain LBP. Lead poisoning can result from children having access to, and ingestion of LBP-covered surfaces. Inhalation of dust produced by normal oxidation, or scraping, sand-blasting of the paint, which may contain significant amounts of lead, is a health hazard.

Asbestos is a common term for a group of naturally occurring mineral fibers. Due to its durability and insulating quality, it was used in a wide variety of building products. Adverse health effects have been associated with the inhalation of airborne asbestos fibers. The asbestos materials that are tightly bound in building materials do not represent an exposure hazard unless disturbed in such a way that releases

airborne fibers i.e., (cutting, drilling, or sanding). In 1978 the U.S. EPA had effectively banned the use of ACMs in building materials. Given the pre-1978 construction of onsite structures, ACMs would have likely been used in onsite structures.

Irrigation pumps and piping were located onsite according to the Phase II Environmental Assessment (**Appendix D**). Portions of the pipe, if not replaced by PVC in the 1970s, could have been constructed of transite, a material composed of asbestos and cement. ACMs represent a potential environmental concern. and therefore, during all onsite grading any suspect transite pipe shall be managed as ACM until not proven to be. Any ACM pipe will be properly disposed of from the site.

Environmental Records Review

Eastern Parcel

Federal and State environmental databases provided by EDR were reviewed pertaining to the documented and/or suspected releases of regulated hazardous substances and/or petroleum products within specified search distances. The following federal databases related to potential onsite and off-site sources of contamination were reviewed:

- National Priorities List (NPL)
- Delisted NPL
- Comprehensive Environmental Response, Compensation and Liability Information System (CERLIS)
- CERLIS No Further Remedial Action Planned (NFRAP)
- Resource Conservation and Recovery Act (RCRA) Corrective Action Order (CORRACTS) Hazardous Waste Treatment, Storage and Disposal (TSD) Facilities
- RCRA NON-CORRACTS Hazardous Waste TSD Facilities
- RCRA Hazardous Waste Generators (RCRA GEN)
- Emergency Response Notification System (ERNS)
- Facility Index Systems (FINDS)
- Federal Institutional/Engineering Control Registries (IC/EC)

The following state/local databases related to potential onsite and off-site sources of contamination were searched and reviewed:

- State Equivalent NPL and CERLIS (RESPNSE and EnviroStor)
- State Voluntary Cleanup Sites (VCP)
- State/Local Brownfield Sites and Institutional/Engineering Control Registries
- Inactive, Active, and/or Permitted Solid Waste/Landfill Facilities (SWL)
- Leaking Underground Storage Tanks (LUST)
- Spills, Leaks, Investigations and Cleanup (SLIC)
- Registered Underground and Aboveground Storage Tanks (UST/AST)
- San Diego County DEH Site Assessment and Mitigation (SAM)

The eastern parcel was not listed in any of the standard regulatory databases searched by EDR.

The eastern parcel is not listed on any of the non-American Society for Testing and Materials (ASTM) databases with the exception of one California Hazardous Material Incident Report System (CHMIRS) listing. There is one (1) other property within the site vicinity that is listed on the non-ASTM CHMIRS database, and seven (7) properties listed on the County DEH Hazardous Materials Management Division

(HMMD) non-ASTM database. These properties are not expected to have adversely impacted the eastern parcel. Due to distance of the off-site listed properties, orientation of the listed properties relative to the property, interpreted direct of groundwater flow, and/or regulatory case status information for the sites.

No records of releases of hazardous substances or petroleum products pertaining to the eastern parcel are on file with the County DEH.

Western Parcel

Databases maintained by various federal and state environmental agencies were reviewed by EDR. The purpose of the review was to identify reported listings for the western property and other properties in the vicinity. The databases reviewed included federal and states lists of known or suspected contaminated sites, known handlers or generators of hazardous waste, known waste disposal facilities and permitted ISTs. The databases which were reviewed are provided below:

- U.S. EPA NPL, Federal Superfund List
- U.S. EPA RCRA, CORRACTS, RCRA facilities with a “corrective action order” where a release of hazardous waste to the environment has occurred
- State equivalent Comprehensive Environmental Response, CERLIS list
- U.S. EPA CERLIS/NFRAP List
- State LUST
- State Solid Waste Land Fill Information System (SWLF), database consisting of open and closed and inactive solid waste disposal facilities and transfer stations
- State Registered UST List
- State Registered AST List
- RCRA, includes selective information on sites which generate, transport, store, or treat hazardous waste as defined by the RCRA act
- Office of Emergency Services CHMIRS
- Department of Toxic Substance Control (DTSC), Cal-Sites
- SWRCB HIST UST, Hazardous Substance Storage Container Database
- Cortese, Hazardous Waste and Substances Sites List
- SWRCB, Proposition Notification 65 Records (NOTIFY 65)
- Cleaners, a list of dry cleaner related facilities that have EPA ID numbers
- HAZNET, Hazardous Waste Information System, data is extracted from copies of hazardous waste manifests from DTSC

One (1) HIST UST listing was reported within a one-half mile radius of the western parcel. The western parcel is listed under this database as having had a total of three (3) USTs as confirmed above in the *Site Reconnaissance* discussion. No leaks are reported or associated with these USTs. The results of the USTs soil sampling is provided in the *Pesticides and Soil Sampling* discussion above.

Cortese List

A Cortese List database search was provided for the eastern and western parcels as discussed above and provided in the Phase I Environmental Site Assessment for the eastern parcel (**Appendix B**) in 2015 the Phase I Environmental Site Assessment for the western parcel in 2005 (**Appendix C**). Due to the fact that these database searches were conducted five (5) years and 15 years ago respectively, an updated Cortese List review was provided pursuant to Government Code Section 65962.5 and is provided as **Appendix M** of this EIR. The Project was not listed under the following data resources:

- List of hazardous waste and substances from the DTSC EnviroStor database;
- List of leaking underground storage tank sites from the State Water Board's GeoTracker database;
- List of solid waste disposal sites identified by Water Board with waste constituents above hazardous waste levels outside the waste management unit;
- List of "active" Cease and Desist Orders (CDO) and Cleanup Abatement Orders (CAO) from Water Board; and
- List of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by DTSC.

Wildfire Setting and History

The threat of brushfire is endemic to the Southern California coastal area, and the probability of fire occurring in the City is higher than for any other natural hazard. The City's climate, topography, and wildland urban interface, when fueled by shrub overgrowth, Santa Ana winds, and high temperatures, creates an ever-present threat of wildland fire.

Brush fire hazards exist to some degree throughout the City; however, it is "high" only in areas in proximity to residential development. The hazard is rated "extreme" in those areas where the vegetation changes from grass and sage to the denser and more flammable chaparral; an even higher risk occurs where residential development is scattered on large lots, where more of the natural vegetation is preserved, than in the standard single-family development. The Project Site is not located in an area of "high" or "extreme" fire hazard as depicted in Figure PS-5 in the Public Safety Element of the General Plan.

The Project Site consists primarily of developed land, disturbed land and non-native vegetation on both parcels and the western parcel contains row crops. Additionally, the Project Site is characterized as developed as it has been used for agricultural and warehouse operations since around the 1960s. The Project Site is surrounded by various residential land uses including single-family, multi-family apartments and condominiums and mobile home communities and light industrial uses. The Project Site is not located in a State Responsibility Area (SRA) recognized by the Board of Forestry and Fire Protection as areas where the California Department of Forestry and Fire Protection (CAL FIRE) is the primary emergency response agency responsible for fire suppression and prevention. Fire protection services to the Project Site would be provided by the OFD.

Airport Hazards

The Oceanside Municipal Airport is located approximately 2.93 miles southwest of the Project Site. The Project Site is not located within the Oceanside Municipal Airport Influence Area or any of the safety zones as displayed in the Oceanside Municipal Airport Land Use Compatibility Plan (ALUCP).

The Project is located 4.5 miles southeast of the Camp Pendleton Air Terminal.

4.10.2 REGULATORY SETTING

Federal

Federal Toxic Substances Control Act and Resource Conservation and Recovery Act

The Federal Toxic Substances Control Act of 1976 and the Resource Conservation and Recovery Act (RCRA) of 1976 established a program administered by the U.S. EPA for regulation of the generation, transportation, treatment, storage and disposal of hazardous waste. The RCRA was amended in 1984 by the Hazardous Solid Waste Act which affirmed and extended the “cradle-to-grave” system of regulating hazardous wastes. Any business, institution, or other entity that generates hazardous waste is required to identify and track the waste from the point of generation until it is recycled, reused, or disposed. Under the authority of the RCRA, the regulatory framework for managing hazardous waste, including requirements for entities that generate, store, transport, treat and dispose of hazardous waste is found in Title 40, Part 260-299, of the Code of Federal Regulations (CFR).

Hazardous Materials Transportation Act

The U.S. Department of Transportation regulates hazardous materials transportation under Title 49 of the CFR. State agencies with primary responsibility for enforcing federal and state regulations and responding to hazardous materials transportation emergencies are the California Highway Patrol (CHP) and Caltrans. These agencies also govern permitting for hazardous materials transportation.

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), commonly known as “Superfund”, was enacted by Congress on December 11, 1980. This law provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA established requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at these sites, and established a trust fund to provide for cleanup when no responsible party could be identified. CERCLA also enabled the revision of the National Contingency Plan which provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants.

Occupational Safety and Health Administration

The Occupational Safety and Health Administration (OSHA) is the federal agency responsible for ensuring worker safety. These regulations provide standards for a safe workplace and work practices, including those relating to hazardous materials handling and infection prevention during the Coronavirus Disease 2019 (COVID-19) pandemic. Under OSHA, contractors are required to comply with hazardous materials management and handling requirements to reduce the possibility of hazardous spills. OSHA provides guidance for construction employers and workers, such as those engaged in carpentry, ironworking, plumbing, electrical, heating/ventilation/air conditioning, masonry and concrete work, utility construction work, and earthmoving activities.

Resources Conservation and Recovery Act

RCRA is the principal law governing the management and disposal of hazardous materials. RCRA is considered a “cradle-to-grave” statute for hazardous wastes in that it addresses all aspects of hazardous materials from creation to disposal. RCRA applies to the Project because RCRA is used to define hazardous materials and provide requirements for their storage, use and disposal; off-site disposal facilities and the wastes each may accept are regulated under the RCRA.

International Fire Code

The International Fire Code (IFC), created by the International Code Council (ICC), is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The IFC regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The IFC and the International Building Code (IBC) use a hazard classification system to determine what protective measures are required to protect life safety in relation to fire. These measures may include construction standards, separations from property lines, and specialized equipment. To ensure that these safety measures are met, the IFC employs a permit system based on hazard classification.

Federal Response Plan

The FEMA Federal Response Plan (FRP) published April of 1999, is a signed agreement amongst 27 Federal departments and agencies, including the American Red Cross and provides the following: mechanisms for coordinating delivery of Federal assistance and resources to augment efforts of State and local governments overwhelmed by a major disaster or emergency; supports implementation of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (United States Code, Title 42, 5121 *et seq.*) as well as individual agency statutory authorities; and supplements other Federal emergency operations plans developed to address specific hazards. The FRP is implemented in anticipation of a significant event likely to result in a need for Federal assistance and in response to an actual event requiring Federal assistance under a Presidential declaration of a major disaster or emergency.

Federal Aviation Administration

The Federal Aviation Administration (FAA) has primary responsibility for the safety of civil aviation. The FAA's major functions regarding hazards include the following: 1) developing and operating a common system of air traffic control and navigation for both civil and military aircraft, 2) developing and implementing programs to control aircraft noise and other environmental effects of civil aviation, 3) regulating U.S. commercial space transportation, and 4) conducting reviews to determine that the safety of persons and property on the ground are protected.

State

California Occupational Safety and Health Administration

CalOSHA is the primary agency responsible for worker safety in the handling and use of chemicals in the workplace. CalOSHA standards are generally more stringent than federal regulations. The employer is required to monitor worker exposure to listed hazardous substances and notify workers of exposure. The regulations specify requirements for employee training, availability of safety equipment, accident prevention programs, and hazardous substance exposure warnings. CalOSHA also provides workplace safety and health guidelines for employers to take steps to protect workers during COVID-19 including specific guidelines for employers and workers in the construction industry.

California Hazardous Waste Control Act

DTSC is responsible for the enforcement of the Hazardous Waste Control Act (California Health and Safety Code, Section 25100 *et seq.*), which creates the framework under which hazardous wastes are managed in California. The law provides for the development of a state hazardous waste program that administers and implements the provisions of the federal RCRA cradle-to-grave waste management system in California. While the Hazardous Waste Control Act is generally more stringent than RCRA, until the EPA approves the California hazardous waste control program (which is charged with regulating

the generation, treatment, storage, and disposal of hazardous waste), both the state and federal laws apply in California. The Hazardous Waste Control Act lists 791 chemicals and approximately 300 common materials that may be hazardous; establishes criteria for identifying, packaging, and labeling hazardous wastes; prescribes management controls; establishes permit requirements for treatment, storage, disposal, and transportation; and identifies some wastes that cannot be disposed of in landfills.

According to Title 22 of the CCR, Sections 66001 *et seq.*, substances having a characteristic of toxicity, ignitability, corrosivity, or reactivity are considered hazardous waste. Hazardous wastes are hazardous substances that no longer have a practical use, such as material that has been abandoned, discarded, spilled, or contaminated or stored prior to proper disposal. Toxic substances may cause short-term or long-lasting health effects ranging from temporary effects to permanent disability or death.

Other types of hazardous materials include radioactive and biohazardous materials. Radioactive materials and wastes contain radioisotopes, which are atoms with unstable nuclei that emit ionizing radiation to increase their stability. Biohazardous materials and wastes include anything derived from living organisms. They may be contaminated with disease-causing agents, such as bacteria or viruses.

Government Code Section 65962.5 (a), Cortese List

California Government Code, Section 65962.5, commonly referred to as the Cortese List, was originally enacted in 1985. Government Code Section 65962.5 requires the CalEPA to develop, at least annually, an updated Cortese List. The DTSC is responsible for compiling and updating a list of the following:

- List of hazardous waste and substances from the DTSC EnviroStor database;
- List of leaking underground storage tank sites from the State Water Board's GeoTracker database;
- List of solid waste disposal sites identified by Water Board with waste constituents above hazardous waste levels outside the waste management unit;
- List of "active" Cease and Desist Orders (CDO) and Cleanup Abatement Orders (CAO) from Water Board; and
- List of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by DTSC.

California Accidental Release Prevention Program

The California Accidental Release Prevention (CalARP) Program CCR, Title 19, Division 2, Chapter 4.5 regulates facilities that use or store regulated substances, such as toxic or flammable chemicals, in quantities that exceed established thresholds. The overall purpose of CalARP is to prevent accidental release of regulated substances and reduce the severity of releases that may occur.

California Aboveground Petroleum Storage Act

The Aboveground Petroleum Storage Act (APSA) was originally adopted in 1989 and administered by the State Water Resources Control Board Regional Water Quality Control Boards. AB 1130 transferred the responsibility for the implementation, enforcement and administration of aboveground storage of petroleum to Unified Program Agencies (UPA). APSA regulates non-transportation related facilities with aggregate aboveground petroleum storage capacities of 1,320 gallons or more stored in aboveground storage containers, tanks, or oil-filled equipment. Unless exempted, a facility in the APSA Program must prepare and implement a Spill Prevention, Control and Countermeasures (SPCC) Plan, submit facility information in the California Environmental Reporting System (CERS), and pay a fee to the UPA. The

intent of the SPCC Plan is prevention of, preparedness for, and response to petroleum discharges by describing procedures, methods, and equipment at the facility to prevent such discharges.

California Health and Safety Code

In California, the handling and storage of hazardous materials is regulated by Division 20, Chapter 6.95, of the California Health and Safety Code (Section 25500 *et seq.*). Under this Section, facilities handling hazardous materials are required to prepare a hazardous materials business plan. Hazardous materials business plans contain basic information about the location, type, quantity, and health risks of hazardous materials stored, used, or disposed of in the state.

Chapter 6.95, Section 25507, of the California Health and Safety Code establishes minimum statewide standards including the minimum quantities for which businesses shall prepare a Hazardous Materials Business Plan. Additionally, in the event that a facility stores quantities of specific acutely hazardous materials above the thresholds set forth by the California Health and Safety Code, facilities are also required to prepare a risk management plan and California accidental release prevention plan.

California Emergency Services Act

Under the Emergency Services Act (California Government Code Section 8558 *et seq.*), the State of California developed an emergency response plan to coordinate emergency services provided by federal, state, and local agencies. The Governor's Office of Emergency Services administers the emergency response plans and coordinates the responses of other agencies, including the EPA, CHP, Regional Water Quality Control Boards (RWQCBs), air quality management districts, and county disaster response offices.

California Fire Code

The California Fire Code (CFC) is Chapter 9 of Title 24 of the CCR. It was created by the California Building Standards Commission and is based on the IFC created by the ICC. The CFC is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The CFC regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The CFC and the CBC use a hazard classification system to determine what protective measures are required to protect fire and life safety.

Local

County of San Diego Department of Environmental Health

The County DEH Hazardous Materials Division (HMD) is responsible for the protection of public health and the environment by ensuring hazardous materials, hazardous waste, medical waste, ASTs and USTs are properly managed. The HMD regulates the construction, operation, repair and removal of ASTs and USTs. The HMD has the authority pursuant to state law and County Code to regulate facilities that handle or store hazardous materials, and/or generate or treat hazardous waste. The HMD UST Program and the SAM Program oversee UST system removal activities. The primary function of the SAM Program in UST removal activities is to provide regulatory oversight to the site assessment and mitigation of USTs.

San Diego County Emergency Operations Plan

The Emergency Operations Plan is for use by the County and all of the cities within the County to respond to major emergencies and disasters. It describes the roles and responsibilities of all County

departments and the relationship between the County and all its departments and the jurisdictions within the County. The plan also identifies the sources of outside support that may be provided, through mutual aid and specific statutory authorities, by other jurisdictions, state and federal agencies, and the private sector.

San Diego County Multi-Jurisdiction Hazard Mitigation Plan

The Multi-Jurisdictional Hazard Mitigation Plan was prepared in 2010 and was revised in October 2017 and was prepared to meet FEMA requirements thus, making the County and all participating jurisdictions and special districts eligible for funding and technical assistance from the state and federal hazard mitigation programs. The plan includes a risk assessment to enable local jurisdictions to identify and prioritize appropriate mitigation actions that will reduce losses from potential hazards, including flooding, earthquakes, fires and artificial hazards. To address potential hazards, the plan incorporates mitigation goals and objectives, mitigation actions and priorities, an implementation plan, and documentation of the mitigation planning process for each of the 21 participating jurisdictions, including the City.

California Disaster and Civil Defense Master Mutual Aid Agreement

As provided for in the California Emergency Services Act, the California Disaster and Civil Defense Master Mutual Aid Agreement was developed in 1950 and adopted by all 58 counties in California. This statewide mutual aid system is designed to ensure that adequate resources prove to be inadequate to cope with a give situation. The County is located in Mutual Aid Region 6 of the state system, which also includes Imperial, Riverside, San Bernardino, Inyo, and Mono counties.

Oceanside Municipal Airport Land Use Compatibility Plan

The County Regional Airport Authority develops and adopts ALUCPs for each public use and military airport within its jurisdiction. The Oceanside Municipal ALUCP provides policies to ensure compatibility with the airport and surrounding land uses. Policies range from noise, overflight zones, and safety zones.

City of Oceanside Emergency Operations Plan

In 2017, the City adopted an Emergency Operations Plan. The purpose of the plan is to define the actions and roles necessary to provide a coordinated response, in order to ensure the most effective use of all resources for the maximum benefit, protection, and resiliency of the community in times of emergency. It includes an assessment of hazards the City faces, and establishes a system for coordinating the prevention, preparedness, response, recovery, and mitigation phases of emergency management. The plan defines responsibilities, establishes an emergency organization, and defines lines of communication.

City of Oceanside General Plan

The General Plan serves as a policy guide for determining the appropriate physical development and character of the City.

Hazard Waste Management Element of the General Plan

The Hazardous Waste Management Element of the City's General Plan provides measures necessary for the protection of the citizens of Oceanside during the siting of hazardous waste facilities in coordination with the San Diego County Hazardous Waste Management Plan, and measures to reduce the need for such facilities through the minimization of hazardous materials and wastes.

Public Safety Element of the General Plan

The Public Safety Element of the General Plan identifies and addresses features or characteristics existing in or near the City that represent a potential hazard to the community's citizens, sites and structures, public facilities and infrastructure. It establishes policies to minimize the danger to residents, workers, and visitors while identifying actions needed to manage crisis situations such as earthquakes, fires, and floods. This element also provides a Public Safety Plan which includes maps indicating areas that have increased susceptibility to these hazards and relocation routes during emergency evacuations. The following roadway relocation routes identified in the Public Safety Element are in proximity to the Project Site:

- Norther River Road between El Camino Real and College Boulevard
- North River Road to Vandegrift Boulevard
- SR- 76 (throughout the City)

4.10.3 THRESHOLDS OF SIGNIFICANCE

Per Appendix G of the CEQA Guidelines, impacts would be considered significant if the Project would:

- a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- b. Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment;
- 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, would the project result in a safety hazard or excessive noise for people residing or working in the project area;
- f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan;
- g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

4.10.4 PROJECT IMPACT ANALYSIS

Would the Project:

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

ConstructionConstruction Materials

Construction of the Project would entail routine transport of typical construction materials potentially hazardous to humans, wildlife, and sensitive environments. These materials could include gasoline, diesel fuel, used oil, solvents, cleaners, lead paint debris, concrete, asphalt, lubricants, and other petroleum-based products used for the operation and maintenance of construction equipment and vehicles. Handling

of these hazardous materials would be temporary in nature, and limited to quantities and concentrations consistent with construction of a typical infill residential development of this size.

BMPs such as proper and clear labeling of chemicals, storage in approved containers, preparation of an accidental release plan, and compliance with hazardous materials handling protocols would be prepared and implemented to ensure safe storage, handling, transport, use and disposal of all hazardous materials during the construction phase of the Project, in compliance with all applicable laws, ordinances, rules, regulations, and orders. The construction Contractor would ensure hazardous waste generated is properly disposed by a California registered hazardous waste hauler.

Project construction would also adhere to all local standards set forth by the City, as well as state and federal health and safety requirements that are intended to minimize hazardous materials risk to the public, such as CalOSHA requirements, Hazardous Waste Control Act CalARP, and the California Health and Safety Code. Project construction materials would not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials.

Lead Based Paint and Asbestos Containing Materials

Project construction would also include demolition of existing buildings onsite which would require transportation of such materials to a regulated off-site recycling facility. Before 1978, lead was a common ingredient in paint because it added strength, shine and extended the life of the paint. Given the pre-1978 construction of onsite structures, it is likely that existing structures onsite would contain LBP. Lead poisoning can result from children having access to, and ingestion of LBP-covered surfaces. Inhalation of dust produced by normal oxidation, or scraping, sand-blasting of the paint, which may contain significant amounts of lead, is a health hazard. The Project would disturb LBP-containing materials through the demolition, removal and disposal of materials from existing structures onsite which has the potential to cause a health hazard and represents a **significant impact (Impact HAZ-1)**.

Asbestos is a common term for a group of naturally occurring mineral fibers. Due to its durability and insulating quality, it was used in a wide variety of building products. Adverse health effects have been associated with the inhalation of airborne asbestos fibers. The asbestos materials that are tightly bound in building materials do not represent an exposure hazard unless disturbed in such a way that releases airborne fibers i.e., (cutting, drilling, or sanding). In 1978 the U.S. EPA had effectively banned the use of ACMs in building materials. Given the pre-1978 construction of onsite structures, ACMs would have likely been used in onsite structures. Project construction would require the demolition, removal and disposal of onsite buildings that have the potential to disturb ACMs, which has the potential to cause adverse health effects and represents a **significant impact (Impact HAZ-2)**.

Irrigation pumps and piping were located on the western parcel. Portions of the pipe, if not replaced by PVC in the 1970s, could have been constructed of transite, a material composed of asbestos and cement. Project construction would require the removal and disposal of irrigation pumps potentially containing ACMs which has the potential to cause adverse health and environmental effects and represent a **significant impact (Impact HAZ-3)**.

The Project would comply with the City's construction and demolition requirements by preparing and submitting a Waste Management Plan prior to issuance of building permits and prior to building construction. The Waste Management Plan would demonstrate how the Project fulfills the California CALGreen waste diversion requirements and estimates the amount of waste produced and diverted. Preparation of a Waste management Plan would ensure Project compliance with the City's Construction and Demolition Recycling Guide, CALGreen and CalRecycle requirements. The Project would further comply with the OMC Section 13.17 which regulates the disposal of construction material.

Underground Storage Tank and Aboveground Storage Tank

The Phase II Environmental Site Assessment provides the results of the sampling of the former USTs on the western parcel. Three (3) soil borings were taken in the vicinity of the former USTs which reported concentrations of gasoline, diesel and motor oil range petroleum hydrocarbons, as well as VOCs below their respective laboratory detection limits. Based on this data and assuming that the approximate location and status of the USTs were accurately depicted, it is determined the most probable case to be that the USTs have been removed as there was no significant soil contamination found during site assessment and testing. Further, the Cortese List Verification (**Appendix M**) concluded that the Project Site is not included on the List of Leaking USTs nor are any permitted USTs located onsite.

Therefore, USTs would not create a significant hazard to the public or the environment through the routine, transport, use or disposal of hazardous materials.

An aboveground propane storage tank was observed at the western portion of the eastern parcel. The aboveground tank appeared to be in good condition with no suspect conditions noted in the area.

Three (3) ASTs were observed on the western parcel. No further investigation of the 450-gallon propane AST was required and would be removed from the Project Site prior to site development. The approximately 1,000-gallon water AST was used to store irrigation water and required no further investigation. The water AST would be removed from the Project Site prior to site development. The diesel AST required further soil sampling and testing for petroleum hydrocarbon contamination. As discussed above, in the *Pesticides and Soil Sampling* discussion, based on these screening levels, it appears that soils at 15 feet bgs in the vicinity of the AST contained contaminants such as gasoline, diesel and motor oil range petroleum hydrocarbons at concentrations below Soil Screening Levels. However, soils shallower than 15 feet bgs have the potential to contain higher concentrations of these contaminants, representing a **significant impact (Impact HAZ-4)**.

The County DEH HMD is the Certified Unified Program Agency (CUPA) responsible for the regulatory inspections of all tank facilities subject to the APSA within the County. The Project would comply with all AST removal guidelines and recommendations for excavation of soils shallower than 15 feet bgs within the diesel AST area. Compliance with County DEH HMD requirements in accordance with the APSA for the removal of the AST and compliance with proper disposal methods of soils above 15 feet bgs within the diesel AST area would reduce impacts related to the removal and disposal of the onsite diesel AST to less than significant levels. Therefore, ASTs would not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials.

Pesticides

Based on the regulatory and historical research completed during the Phase I Environmental Site Assessment for the eastern parcel (**Appendix B**), no information has been revealed that would conclude that an accidental spill or release of pesticides products has occurred on this parcel, therefore further soils sampling to test for residual pesticides was not conducted on the eastern parcel. In addition, stressed vegetation or evidence of storage of pesticides was not observed onsite during the Site Reconnaissance or based on regulatory and historical research reviews. Historical agricultural use of pesticides on the eastern parcel is not considered to be a recognized environmental condition in connection with the parcel.

As provided in the Phase II Environmental Site Assessment Report for the western parcel (**Appendix D**), various pesticides were detected in all one-foot samples at levels which exceed their respective U.S. EPA PRGs. Three-foot samples were then taken and reported pesticides at concentrations which are below

their respective U.S. EPA PRGs or state hazardous waste levels. Therefore, the top three (3) feet of soils throughout the agricultural field portions of the western parcel have the potential to contain pesticides which have the potential to create a hazard to the public or the environment, representing a **significant impact (Impact HAZ-5)**.

Operation

Operation of the Project would consist of the development of a maximum of 400 multi-family residential units. Specific site layouts and residential product designs would ultimately be identified as part of future development plans proposed for the Project Site. Development of the Project Site would include an onsite sewer collection system as well as onsite water lines to connect to existing water lines in the vicinity of the Project Site. The Project would include onsite drainage and storm water facilities for proper collection and treatment of surface runoff. Electrical, natural gas and telecommunication facilities would be connected to existing services within the Project Site area. Open space would be provided onsite as 350 SF of usable open space per unit. Pedestrian amenities throughout the development would be provided for social interaction such as small gathering areas, benches and seating, water features and shaded areas. Internal streets with sidewalks would be designed to promote pedestrian activity within the development. Enhanced pedestrian circulation would provide access and connections to internal walkways, paseos, and open space systems. Depending on the residential building type, the development could contain a pool facility as part of the development. For the purposes of this EIR, a pool is included as part of the Project Description.

No special status hazardous materials are proposed as part of the operation of the proposed future multi-family development. Hazardous materials used onsite would be limited to standard household cleaning supplies, maintenance and landscape care products, other household products, building materials such as paint, concrete, and asphalt, and similar substances. Cleaning and maintenance products associated with the onsite pool would also be used in limited quantities. These materials would be limited to private use of commercially available products. When used and disposed of in accordance with the manufacturer's instructions and applicable laws and regulations, these materials do not present a hazard to the environment.

During operation of the Project, the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, and impacts would be **less than significant**.

- b. Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

No significant environmental concerns were noted during the Site Reconnaissance for the eastern parcel. On the western parcel, additional soil testing for USTs was conducted, three (3) ASTs were observed – one (1) requiring additional soil testing – two (2) water wells were observed, irrigation pumps and piping with potential ACMs were located onsite, several pallets of batteries were observed, a large mound of fill dirt was observed, and soil testing for pesticides was conducted. Both parcels which contain existing buildings constructed prior to 1978 have the potential to contain LBP and ACM which would be disturbed during Project demolition activities.

As discussed above in Section 4.10.4a, handling of potentially hazardous materials during Project construction would be temporary in nature, and limited to quantities and concentrations consistent with typical infill residential construction of this size. BMPs such as proper and clear labeling of chemicals, storage in approved containers, preparation of an accidental release plan, and compliance with hazardous materials handling protocols would be prepared and implemented to ensure safe storage, handling,

transport, use and disposal of all hazardous materials during the construction phase of the Project, in compliance with all applicable laws, ordinances, rules, regulations, and orders. The use of construction materials would not create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Based on the sampling of soils within the vicinity of the UST and assuming that the approximate location and status of the USTs were accurately depicted, it is determined the most probable case to be that the USTs have been removed as there was no significant soil contamination found during site assessment and testing. Further, the Cortese List verification (**Appendix M**) concluded that the Project Site is not included on the List of Leaking USTs nor are any permitted USTs located onsite. USTs would not create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Three (3) ASTs were observed on the western parcel. No further investigation of the 450-gallon propane AST was required and it would be removed from the Project Site prior to site development. The approximately 1,000-gallon water AST was used to store irrigation water and required no further investigation. The water AST would be removed from the Project Site prior to site development. The diesel AST required further soil sampling and testing for petroleum hydrocarbon contamination. As discussed above, in the *Pesticides and Soil Sampling* discussion, based on the screening levels, it appears that soils at 15 feet bgs in the vicinity of the AST contained contaminants at concentrations below Soil Screening Levels. The Phase II Environmental Site Assessment recommends that soils found shallower than 15 feet bgs be excavated, characterized, and properly disposed. ASTs would not create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Historical agricultural use of pesticides on the eastern parcel is not considered to be a recognized environmental condition in connection with the parcel. On the western parcel, the top three (3) feet of soils throughout the agricultural field portions of the site will need to be addressed by corrective grading. Given the geotechnical recommendations to re-compact onsite soils to an average depth of 8 to 10 feet during grading, it is anticipated that incidental mixing inherent in the grading will generate average concentrations after grading below residential PRGs and hazards waste levels and therefore would adequately address the residual pesticides. As recommended in the Phase II Environmental Site Assessment, a grading plan would be developed to direct the grading contractor on appropriate means to complete the corrective grading. Pesticides contained in onsite soils would not create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

The Project would disturb LBP-containing materials through the removal and disposal of materials from existing structures onsite which has the potential to cause a health hazard and represents a **significant impact (Impact HAZ-1)**. Project construction would require the removal and disposal of onsite buildings that have the potential to disturb ACMs, which has the potential to cause adverse health effects and represents a **significant impact (Impact HAZ-2)**. Project construction would require removal of transit pipes which have the potential to have ACMs resulting in a **significant impact (Impact HAZ-3)**.

No special status hazardous materials are proposed as part of the operation of the proposed future multi-family development. Hazardous materials used onsite would be limited to standard household cleaning supplies, maintenance and landscape care products, other household products, building materials such as paint, concrete, and asphalt, and similar substances. Cleaning and maintenance products associated with the onsite pool would also be used in limited quantities. These materials would be limited to private use of commercially available products. When used and disposed of in accordance with the manufacturer's

instructions and applicable laws and regulations, these materials do not present a hazard to the environment. Operational use of limited hazardous materials would not create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

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

The nearest schools within the Project vicinity are Nicholas Elementary School (0.28 mile southwest of the western parcel boundary), Libby Elementary School (0.59 mile northeast), Nichols Elementary School (0.43 mile southwest) and Cesar Chavez Middle School (0.59 mile southeast). Each of these schools is located over one-quarter mile away from the Project Site.

As discussed in Section 4.10.4a and 4.10.4b, compliance with applicable state, local and federal laws regulating hazardous materials and compliance with the recommendations of the Phase I and Phase II Environmental Site Assessments (**Appendix B**, **Appendix C** and **Appendix D**) would ensure all construction and operational activities involving potentially hazardous materials would not emit hazardous emissions and would properly handle hazardous or acutely hazardous materials, substances or waste.

The Project has the potential to disturb LBP-containing materials through the removal and disposal of building materials from existing structures onsite which has the potential to cause a health hazard. Project construction would require the removal and disposal of onsite buildings and pipes that have the potential to disturb ACMs, which has the potential to cause adverse health effects. Mitigation measures have been identified (MM-HAZ-1, MM-HAZ-2, MM-HAZ-3) to reduce potential impacts to below a level of significance. Additionally, no schools are located within one-quarter mile of the Project Site and are located over 0.28 mile from the southern-most boundary of the western parcel of the Project Site. Existing warehouse structures and residential buildings, having the potential to contain LBP and ACMs are located over 0.40 from the nearest school.

As discussed, in Section 4.4 *Air Quality*, the Project would not exceed SDAPCD thresholds for any pollutant during construction and operation phases of the Project. The Project was determined to have a less than significant impact to cancer risks and non-cancer health risks as a result of Project construction. Further, the Project would not cause a significant impact during operation of the Project in relation to CO hot spots. The Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school and impacts would be **less than significant**.

- d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

The Phase I Environmental Site Assessments for the eastern parcel (**Appendix B**) and western parcel (**Appendix C**) each contained an environmental database search report obtained by EDR. The eastern parcel was not listed in any of the standard federal, state or local regulatory databases searched by EDR. No records of releases of hazardous substances or petroleum products pertaining to the eastern parcel are on file with the County DEH.

On the western parcel, one (1) HIST UST listing was reported within a one-half mile radius of the parcel. The western parcel is listed under this database as having had a total of three (3) USTs as confirmed above in the *Site Reconnaissance* discussion. No leaks are reported or associated with these USTs. The

results of the USTs soil sampling is provided in the *Pesticides and Soil Sampling* discussion above. Based on the sampling of soils within the vicinity of the UST and assuming that the approximate location and status of the USTs were accurately depicted, it is determined the most probable case to be that the USTs have been removed as there was no significant soil contamination found during site assessment and testing.

Additionally, a Cortese List Verification (**Appendix M**) was prepared for the Project Site pursuant to Government Code Section 65962.5. The Project Site was not listed under the following data resources:

- List of hazardous waste and substances from the DTSC EnviroStor database;
- List of leaking underground storage tank sites from the State Water Board's GeoTracker database;
- List of solid waste disposal sites identified by Water Board with waste constituents above hazardous waste levels outside the waste management unit;
- List of "active" Cease and Desist Orders (CDO) and Cleanup Abatement Orders (CAO) from Water Board; and
- List of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by DTSC.

Although similar data base searches were conducted under the Phase I Environmental Site Assessments for the eastern and western parcels prepared in 2015 and 2005, respectively, the Cortese List Verification provided an update data base search. The western parcel was found to be within an Irrigated Lands Regulatory Program (ILRP) due to its history of agricultural activities. The ILRP includes sites which discharge agricultural runoff.

Therefore, the Project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and as a result, would not create a significant hazard to the public or the environment, and impacts would be **less than significant**.

- 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, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

The Oceanside Municipal Airport is located approximately 2.93 miles southwest of the Project Site. The Project Site is not located within the Oceanside Municipal Airport Influence Area or any of the safety zones as displayed in the Oceanside Municipal ALUCP. Additionally, the Project is located approximately 4.5 miles southeast of the Camp Pendleton Air Terminal.

Due to the Project Site's distance from the Oceanside Municipal Airport and Camp Pendleton Air Terminal, the Project would not expose workers or patrons to safety hazards associated with the airport. Therefore, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area, and impacts would be **less than significant**.

- f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Access to the eastern parcel is provided by paved entries/exits that connect to North River Road to the north and Calle Joven to the east and south. Calle Joven is an improved road located on the parcel within a 60-foot wide public right-of-way easement. A paved fire road is located within an emergency access

easement along the west side of the property between the eastern and western parcels. Access to the western parcel is currently provided by North River Road.

Site development plans would be provided at the time of Project Site development and would indicate sufficient access to and throughout the development. The Project would provide all required setbacks, fire truck access and turnarounds, fire hydrants, address numbers, and sprinklers in accordance with OFD requirements. Fire extinguishers sizes and locations will be determined by the Fire Marshal during the building permit application. Emergency Medical Service (EMS) vehicles would utilize an OPTICOM system which is a traffic control system that provides a green light and intersection right-of-way to emergency vehicles. A Knox Box would be provided onsite of the future residential development and the specific location would be provided at the time the development plans are prepared. A Knox Box is a small, wall-mounted safe that holds building keys in order for fire departments, emergency medical services and police to gain access into buildings in emergency situations.

As provided in the Public Safety Element of the General Plan, North River Road between El Camino Real and College Boulevard, North River Road to Vandegrift Boulevard and SR- 76 (throughout the City) are the nearest evacuation routes. As part of the development process, the Project will be reviewed by the OFD to ensure it does not impair with any emergency response or evacuation plans.

Additionally, the Project would provide the transportation improvements and contributions listed in **Table 3.5-4**, unless subsequent traffic analysis demonstrates that the improvements are not warranted. Prior to submittal of the final site plan, a traffic analysis shall be prepared to identify the timing, trigger, improvement, and fair share contribution for each analyzed roadway segment and intersection. The improvements and contributions would improve traffic in the vicinity and further improve emergency access and evacuation in the surrounding areas of the Project Site.

The adopted emergency plans applicable to the Project area consist of the Multi-Jurisdictional Hazard Mitigation Plan for San Diego County, the San Diego County Emergency Operations Plan, and City Emergency Plan. Compliance of all Fire Department requirements would ensure the Project would not impair an adopted emergency response plan or emergency evacuation plan. Therefore the Project would not impair implementation of or physically interfere with an adopted emergency response plan or evacuation plan and impacts would be **less than significant**.

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

The Project Site is not located in a SRA as recognized by the Board of Forestry and Fire Protection as areas where CAL FIRE is the primary emergency response agency responsible for fire suppression and prevention. Additionally, the Project Site is not located in an area of “high” or “extreme” fire hazard as depicted in Figure PS-5 in the Public Safety Element of the General Plan.

The Project Site features level topography with elevations ranging from 68 to 72 feet amsl. Vegetation onsite consists primarily of developed land, disturbed land and non-native vegetation on both parcels, with the western parcel also featuring row crops. The Project Site is located in a developed, urbanized area surrounded primarily by various residential land uses such as single-family residential, multi-family apartments and condominiums and mobile home communities and light industrial land uses. The Project is not located adjacent to wildland areas and therefore, would not exacerbate wildfire risks and thereby exposing people or structures to a significant risk of loss, injury or death involving wildland fires and impacts would be **less than significant**.

4.10.5 MITIGATION IMPLEMENTATION AND MONITORING

Transport, Use, Disposal of Hazardous Materials and Release of Hazardous Materials (Impact HAZ-1, Impact HAZ-2, Impact HAZ-3, Impact HAZ-4 and Impact HAZ-5)

MM-HAZ-1 Prior to any disturbance of painted building materials within existing buildings, the Construction Contractor and/or Project Applicant shall conduct a Pre-Demolition Lead Based Paint (LBP) Survey on all onsite structures. Compliance with the recommendations of the Pre-Demolition LBP Survey will evaluate the Project Site for LBP that will require special handling and disposal in accordance the Occupational Safety and Health Administration (OSHA) and the Code of Federal Regulations (CFR) and the CCR California Occupational Safety and Health Administration (CalOSHA). All recommendations of the Pre-Demolition LBP Survey shall be adhered to during all building structure removal activities.

MM-HAZ-2 Prior to any disturbances of onsite structures, a comprehensive Asbestos Hazard Emergency Response Act-level (AHERA) Pre-Demolition Asbestos Containing Material (ACM) Survey shall be conducted on all onsite structures by the Construction Contractor and/or Project Applicant. The Pre-Demolition ACM Survey will determine the presence

and location of ACMs and proper handling and disposal methods which are to be adhered to during all building structure removal activities.

- MM-HAZ-3** During all onsite grading activities, any suspect transite pipes shall be managed as ACM until not proven to be. Any pipes determined to contain ACM shall be properly disposed of from the Project Site in accordance with recommendations provided in the Phase II Environmental Site Assessment prepared by SECOR International Inc. provided as **Appendix D** of this EIR. Special care shall be taken during handling, removal and disposal of potential transite-containing pipes in order to avoid disaggregating it into a friable condition which could increase health and safety concerns.
- MM-HAZ-4** During construction activities occurring around the area of the diesel aboveground storage tank (AST), soils located shallower than 15 feet below ground surface (bgs) shall be excavated, characterized, and properly disposed, if determined necessary, in compliance with the recommendations set forth in the Phase II Environmental Site Assessment prepared by SECOR International Inc. provided as **Appendix D** of this EIR.
- MM- HAZ-5** Prior to issuance of a grading permit, the Project shall provide a Grading Plan that addresses the corrective grading of the site and directs the grading Contractor on appropriate means to complete corrective grading activities. The Grading Plan shall incorporate recommendations set forth in the Geotechnical Investigation prepared by Christian Wheeler Engineering dated December 2, 2015, which is provided as **Appendix K** of this EIR, to compact onsite soils to an average depth of 8 to 10 feet during grading.

4.10.6 LEVEL OF SIGNIFICANCE AFTER MITIGATION

The analysis in Section 4.10.4 identified the potential for significant impacts related to the transportation, use, and disposal of hazardous materials and the release of hazardous materials into the environment as a result of disturbance and removal of LBP-containing and ACMs within existing buildings, transite pipe ACMs, soils within AST areas, and pesticide-containing soils.

Implementation of mitigation measure MM-HAZ-1 requires a Pre-Demolition LBP Survey in order to evaluate the structures for LBP and identify proper handling and disposal methods of such materials. With implementation of mitigation measure MM-HAZ-1, Impact HAZ-1 related to the transportation, use and disposal and release of hazardous materials such as LBP would be reduced to level below significance.

Implementation of mitigation measure MM-HAZ-2 requires a Pre-Demolition ACM Survey in order to evaluate the existing structures for ACMs and identify proper handling and disposal methods of such materials. With implementation of MM-HAZ-2, Impact HAZ-2 related to the transportation, use and disposal and release of hazardous materials such as ACMs would be reduced to level below significance.

Implementation of mitigation measure MM-HAZ-3 would require special handling, removal and disposal of transite pipes that have the potential to disrupt ACMs in order to avoid disruption to such materials which could increase health and safety concerns. With implementation of MM-HAZ-3, Impact HAZ-3 related to transportation, use and disposal and release of hazardous materials such as ACMs in transite pipes would be reduced to level below significance.

Implementation of mitigation measure MM-HAZ-4 would require soils within the area of the diesel AST to be excavated, characterized, and properly disposed, if determined necessary, in compliance with the recommendations of the Phase II Environmental Site Assessment in order to avoid further contamination of onsite soils from the previous use of the diesel AST. With implementation of MM-HAZ-4, Impact

HAZ-4 related to transportation, use and disposal and release of hazardous materials such as gasoline, diesel and motor oil range petroleum hydrocarbons would be reduced to level below significance.

Implementation of mitigation measure MM-HA-5 would require preparation of grading plans in order to address corrective grading onsite. Grading activities would be directed by the recommendations of the Geotechnical Investigation related to compaction of soils. It is anticipated that incidental mixing inherent in the grading will generate average concentrations after grading below residential PRGs and hazards waste levels and therefore would adequately address the residual pesticides. With implementation of MM-HAZ-5, Impact HAZ-5 related to pesticides in onsite soils would be reduced to level below significance.

Therefore, impacts related to hazards and hazardous materials would be reduced to less than significant.

4.11 HYDROLOGY AND WATER QUALITY

The following documents were used in the preparation of this section and are included in their entirety in **Appendix B, Appendix C, Appendix J, and Appendix K.**

Vinje & Middleton Engineering, Inc. October 6, 2015. *Phase I Environmental Site Assessment 4665 N River Road, Oceanside, California.* (**Appendix B**)

SECOR International Incorporated. June 8, 2005. *Phase I Environmental Site Assessment Report, 4617 North River Road, Oceanside, California.* (**Appendix C**)

Vinje & Middleton Engineering, Inc. January 18, 2016. *Geotechnical Investigation Proposed Multi-Family Residential Project 4665 North River Road Oceanside, California.* (**Appendix J**)

Christian Wheeler Engineering. December 2, 2015. *Report of Geotechnical Investigation Nagata Property 4617 North River Road, Oceanside, California.* (**Appendix K**)

4.11.1 ENVIRONMENTAL SETTING

Hydrologic Setting

The proposed Project is located in the northern portion of the City of Oceanside in the North Valley Neighborhood. The 25.6-acre Project Site is located north of SR-76, on the south side of North River Road generally between Avenida Descanso and Calle Montecito in the North Valley Neighborhood of Oceanside.

The Project Site consists of two (2) parcels. The eastern parcel is located at 4665 North River Road on APN 157-060-40 and is approximately 9.7 total acres. The western parcel is located at 4617 North River Road on APN 157-060-17 and comprises of approximately 15.9 acres. This parcel is bound to the north by North River Road, to the east by Calle Joven which stubs before the middle of the property boundary, to the south by the San Luis Rey River, and to the west by single-family residential development. Further north and northeast are multi-family apartments and condominiums and a mobile estate community and light industrial uses are located to the east and southeast.

The eastern parcel features level topography with elevations ranging from 68 to 72 feet amsl. Minor grade slopes are associated with a small elevated area east of the packing plant structures. Graded slopes also present ascending to adjacent roadways along the west and south site margins. All graded slopes are constructed at gradients approaching 2:1 maximum generally approach a maximum of five (5) feet high. Approximately half of the eastern parcel is surfaced with concrete and asphalt paving with the other areas undeveloped. The western parcel also features level topography with elevations ranging from 68 to 72 feet amsl. The parcel is relatively level and is about 20 feet above the improved channel of the San Luis Rey River. A grouted rip-rap embankment separates the property from the channel bottom.

The San Luis Rey River is located directly south of the Project Site. The eastern parcel is located approximately 800 feet to the north of the San Luis Rey River while the western parcel is located approximately 175 feet to the north of the San Luis Rey River.

The San Diego region is divided into two (2) hydrologic regions by the northwest-trending Peninsular Range. Each hydrologic region is further divided into hydrologic units (HUs) that are defined as an entire watershed of one or more streams. Each HU is divided into hydrologic areas (HAs) which are the major

tributaries and/or major groundwater basins within the HU, and further divided into hydrologic subareas (HSAs), which are major subdivisions of HAs including both water-bearing and non-water-bearing formations. Surface waters within the San Diego region, including the City, include the ocean shoreline, bays, lagoons, lakes, reservoirs, streams and rivers.

The San Diego Hydrologic Region includes 11 HUs, including all of the Carlsbad, San Dieguito, Peñasquitos, San Diego, Pueblo, Sweetwater, and Otay watersheds; the majority of the San Luis Rey watershed; and portions of San Juan, Santa Margarita, and Tijuana watersheds. All of the watersheds in the San Diego Hydrologic Region ultimately drain to the Pacific Ocean.

Specifically, the Project Site is located within the Mission Hydrologic Sub-Area 903.11 of the Lower San Luis Hydrologic Area (HA) 903.10 of the San Luis Rey Hydrologic Unit (HU). The San Luis Rey River Watershed (HAs 903.1 to 903.3) is the second largest HU in the San Diego Region which extends over 55 miles across northern San Diego County before discharging into the Pacific Ocean in the City of Oceanside. The San Luis Rey River drains a watershed of approximately 360,000 acres or 562 square miles. Within the City, the San Luis Rey River is fed by one of its tributaries, Pilgrim Creek.

Land uses within watershed areas located west of Interstate 15 (I-15) include open space/undeveloped land, residential, commercial, industrial and agricultural land. This area also includes higher population concentrations. East of I-15, most of the land is owned and managed by government agencies, special districts, and tribal governments. The predominant uses are open space/undeveloped land and agricultural land. These land uses have introduced numerous pollutants into the river and have degraded the overall water quality.

Surface Water Quality

The San Luis Rey River and the Pacific Ocean in the San Luis Rey River HU, at the San Luis Rey River mouth is listed on the State Water Resources Control Board's (SWRCB) 303(d) list of impaired water bodies. Storm water runoff from the Project Site would flow to the Lower San Luis Rey River. Under Section 303(d) of the Clean Water Act (CWA), states are required to develop lists of water bodies that would not attain water quality objectives after implementation of required levels of treatment by point-source dischargers (municipalities and industries). Section 303(d) requires the state to develop a total maximum daily load (TMDL) for each of the listed pollutants as a means to alleviate the impairments within water bodies' surface water. **Table 4.11-1** lists the pollutants within the San Luis Rey River and Pacific Ocean, San Luis Rey River HU at the San Luis Rey River mouth. Urban runoff, agriculture and storm sewers are the likely sources of these pollutants for the San Luis Rey River.

Table 4.11-1
San Luis Rey River Water Quality Impairments

Water Body	Impairments
Lower San Luis Rey River (west of I-15)	Benthic Community Effects
	Bifenthrin (Pesticides)
	Chloride
	Nitrogen
	Phosphorus
	Total Dissolved Solids
Pacific Ocean Shoreline, San Luis Rey HU, at San Luis Rey River Mouth	Indicator Bacteria
Source: State Water Resources Control Board, Final 2014/2016 California Integrated Report (Clean Water Act Section 303(d) List / 305(b) Report	

Site Drainage

Site drainage on the eastern parcel within the developed portion of the site, the central and east portions, is generally developed to flow away from structures and improvements to storm drains and then off-site. Drainage in the western portion of the eastern parcel generally sheet drains in a southerly directly to a dirt swale which drains into a storm drain in the southwest corner of the site.

On the western parcel, the site slopes southward at a very shallow angle towards the San Luis Rey River. Storm water runoff from Calle Joven, directly adjacent and east of the parcel, is channeled onto the site. No evidence of improper discharge from the site was observed during the existing site observations. Excessive scouring or erosion was not in evidence during site observations on either parcel.

Both parcels are located within FEMA Flood Zone “X” and are not located within a designated 100-year flood plain. FEMA Zone X is described as designated as areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than one (1) foot or with drainage areas less than one (1) square mile; and areas protected by levees from 1% annual chance flood.

Groundwater

On the eastern parcel groundwater was encountered at depths of 26 to 27 feet below ground surface (bgs). Indicated groundwater levels are expected to fluctuate depending upon seasonal rainfall conditions and annual storm events influencing flow levels within the nearby San Luis Rey River. Within the western parcel groundwater was encountered at depths ranging from about 18 to 24 feet below the existing grades.

Approximately 8% of the City’s drinking water supply comes from the San Luis Rey Valley Groundwater Basin. Water from the basin is pumped from wells and treated at a reverse osmosis plant before being distributed to Oceanside residents.

The Project Site is located within the Lower San Luis Rey Valley Groundwater Basin; however, according to the Department of Water Resources Bulletin 118, only Pala and Pauma Valleys are subject to the requirements of Sustainable Groundwater Management Act (SGMA). The County of San Diego is designated as a non-Groundwater Sustainability Agency (GSA) member.

4.11.2 REGULATORY SETTING

Federal

Clean Water Act

The CWA was adopted in 1972 and is the principal federal law for the regulation of water quality. The CWA includes water quality standards, discharge limitations, and permits to protect the designated beneficial uses of water resources.

Section 303 of the CWA requires states to adopt water quality standards for all surface waters of the United States. The standards are based on the designated beneficial uses of the water body and must protect the most sensitive use where multiple uses exist.

Section 401 of the CWA requires any person applying for a federal permit or license that may result in pollutant discharge into waters of the United States to obtain a state certification. In California, the SWRCB administers certifications through the nine (9) RWQCBs. It must be demonstrated that the

activity complies with all applicable water quality standards, restrictions, and limitations in order to acquire certification. Section 401 certifications require applicants for federal permits relating to the construction or operation of a facility that may result in the discharge of a pollutant to obtain certification of those activities from the state in which the discharge originates. Section 404 establishes a permitting program to regulate the discharge of dredged or filled material into WoUS, which is administered by the United States Army Corp of Engineers (USACE).

Section 402 of the CWA places restrictions on certain types of construction, prohibiting discharges of pollutants contained in storm water runoff, except in compliance with a NPDES permit.

National Pollutant Discharge Elimination System

The NPDES program was established in 1987 in an amendment to the CWA, authorized by Section 402. In California, the NPDES program is implemented by the SWRCB. The program addresses non-agricultural sources of storm water runoff that could negatively impact the water quality of Waters of the United States. Under the program, entities that are regulated must obtain an NPDES storm water permit and implement a SWQMP and a SWPPP. The SWPPP must identify BMPs to reduce or prevent the discharge of pollutants into receiving waters. The regulations generally cover the following classes of storm water dischargers: operators of construction activities that disturb one or more acre of land, operators of municipal separate storm sewer systems (MS4), and owners and operators of certain industrial facilities. The SWPPP must also include description of BMPs to reduce pollutants in storm water discharges after construction phases are completed (post-construction BMPs). Implementation of the Project requires conformance with the NPDES Storm Water Program's Construction General Permit and the Regional MS4 Permit, as further defined and described below.

Federal Emergency Management Agency

FEMA is the primary federal agency responsible for coordination with communities to establish effective floodplain management standards. FEMA prepares Federal Insurance Rate Maps, which delineate the areas of special flood hazards and applicable risk premium zones. State and local agencies are responsible for implementing regulations, ordinances and policies in compliance with FEMA requirements to address floodplain management issues.

National Flood Insurance Act

FEMA administers the National Flood Insurance Program adopted under the National Flood Insurance Act of 1968. This program makes federally subsidized flood insurance available to homeowners, business owners, and renters within communities who participate in the program. Areas of special flood hazard (subject to inundation by a 100-year flood) are identified through regulatory flood maps called Flood Insurance Rate Maps (FIRM). Restrictions are imposed on development within the regulatory floodplain. Development is not allowed within the floodplain if it results in more than a one-foot increase in flood elevation, and is not allowed within the delineated floodways of floodplains.

State

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (Porter-Cologne Act) establishes the responsibilities and authorities of the California SWRCB and its nine (9) RWQCBs, which include identifying water quality objectives, preparing water quality plans for the region, and issuing NPDES permits. In California, all surface waters and groundwater are considered to be "Waters of the State" under this the Porter-Cologne

Act. Under the Porter-Cologne Act, a Water Quality Control Plan for the San Diego Basin was prepared (San Diego Basin – Region 9), designating beneficial uses for water bodies in the San Diego region and establishing water quality objectives and implementation plans to protect those uses.

Sustainable Groundwater Management Act of 2014

On September 16, 2014, Governor Jerry Brown signed into law a three-bill legislative package (AB 1739, SB 1168 and SB 1319) known as the Sustainable Groundwater Management Act of 2014. The legislation provides a framework for sustainable management of groundwater supplies by local authorities in high- and medium-priority alluvial basins, as designated by the California SWRCB. The groundwater sustainability agency, which can be a County, City or water district, must be formed by June 30, 2017 and would be required to prepare a groundwater sustainability plan by January 31, 2022. Each plan requires implementation measures to bring each basin into sustainability within 20 years of implementation of the plan.

In the County, the following four (4) basins have been designated to require plans: San Diego River Valley Basin, San Pasqual Basin, San Luis Rey River Basin and Borrego Valley Basin (all medium-priority basins). The Project Site is located within the Lower San Luis Rey Valley Groundwater Basin; however, according to the Department of Water Resources Bulletin 118, only Pala and Pauma Valleys are subject to the requirements of SGMA. The County of San Diego is designated as a non-Groundwater Sustainability Agency (GSA) member.

Local

San Diego Basin Plan

The San Diego Basin Plan, most recently amended on May 17, 2016, sets forth water quality objectives for Region 9. Specifically, the Basin Plan is designed to accomplish the following: (1) designate beneficial uses for surface and ground water; (2) set the narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state's anti-degradation policy; (3) describe mitigation measures to protect the beneficial uses of all waters within the region; and (4) describe surveillance and monitoring activities to evaluate the effectiveness of the Basin Plan. The San Diego Basin Plan incorporates by reference all applicable SWRCB and the San Diego Water Board plans and policies.

Regional MS4 Permit (Order No. R9-2015-0100)

The San Diego Water Board regulates discharges from Phase I MS4s in the San Diego Region under the Regional MS4 Permit. The Regional MS4 Permit covers 39 municipalities. These include the City, the County and special district entities located in the County, Southern Orange County, and southwest Riverside County who own and operate large MS4s that discharge storm water runoff (from rainfall events) and non-storm water runoff (e.g., dry weather runoff from irrigation overspray) to surface waters throughout the San Diego Region. The Regional MS4 Permit requires development of Water Quality Improvement Plans (WQIPs) that will allow the City to prioritize and address pollutants through an appropriate suite of BMPs in each watershed.

Pursuant to the CWA, the Regional MS4 Permit includes requirements that prohibit non-storm water discharges into MS4s and requires controls to reduce the discharge of pollutants in storm water to the maximum extent practicable. The Regional MS4 Permit regulates pollutants, including suspended solids, sediment, pathogens, heavy metals, petroleum products and polynuclear aromatic hydrocarbons, synthetic organics, nutrients, oxygen demanding substances, detergents, and trash from sources associated with

various forms of land development including car emissions and maintenance, sewage, pesticides, household hazards, pet waste and debris/litter.

The Regional MS4 Permit establishes water quality standards and requires the application of pollution prevention, source control and treatment control BMPs to effectively prevent and remove pollutants from runoff. The Regional MS4 Permit requires that BMP design and implementation occur at every phase of development including the planning, construction and operational phases.

County of San Diego Code of Regulatory Ordinances

The County Code of Regulatory Ordinances, Title 6, Division 4, Chapter 2 addresses vector control and grants the County DEH Vector Control Program (VCP) the authority to exercise the powers of vector control.

The County of San Diego Code of Regulatory Ordinances, Title 6, Division 7, Chapter 8 provides the Watershed Protection, Stormwater Management and Discharge Control Ordinance which sets forth storm water management requirements. This ordinance requires the use of structural BMPs to detain or infiltrate storm water for land development Projects and specifies that these BMPs must be designed to drain within 72 hours to preclude mosquito breeding.

City of Oceanside BMP Design Manual for Permanent Site Design, Storm Water Treatment and Hydromodification Management

In response to requirements mandated by the Regional MS4 Permit, the City has prepared the BMP Design Manual for Permanent Site Design, Storm Water Treatment and Hydromodification Management (BMP Design Manual). The BMP Design Manual addresses updated onsite post-construction storm water requirements for Standard Projects and Priority Development Projects and provides updated procedures for planning, preliminary design, selection and design of permanent storm water BMPs based on the performance standards presented in the Regional MS4 Permit. The intended users of the BMP Design Manual include applicants, for both private and public developments, their representatives responsible for preparation of SWQMPs, and City personnel responsible for review of these plans. The BMP Design Manual requires implementation of appropriate BMPs to achieve water quality goals through inclusion in a Project-specific SWQMP for Priority Development Projects (PDPs).

Projects are determined a PDP if it creates or replaces 10,000 SF or more of impervious surfaces for new development projects, 5,000 SF or more of impervious surfaces for redevelopment projects or 2,500 SF of impervious surfaces near Environmentally Sensitive Areas (ESA). A PDP SWQMP shall address implementation of source control BMPs and Low Impact Development (LID) practices such as conservation of natural topographic features, provision of development setbacks from natural water bodies and conveyances, minimization of site imperviousness, maximization of infiltration and retention and slowing of runoff.

City of Oceanside Municipal Code

Chapter 40 of the OMC is known as the Urban Runoff Management and Discharge Control Ordinance. The overall intent of this ordinance is to “protect the health, safety and general welfare of Oceanside residents; to protect water resources and to improve water quality; to cause the use of management practices by the City and its citizens that will reduce the adverse effects of polluted runoff discharges on waters of the state; to secure benefits from the use of storm water as a resource; and to ensure the City is compliant with applicable state and federal law” (Oceanside 2019). General provisions of the Urban Runoff Management and Discharge Control Ordinance include the following:

- Prohibiting polluted or non-storm water discharges from entering the storm water conveyance system;
- Establishing minimum requirements for urban runoff management, including source control requirements, to prevent and reduce pollution;
- Establishing requirements for development Project site design, to reduce urban runoff pollution and erosion;
- Establishing requirements for the management of flows from development Projects, both to prevent erosion and to protect and enhance existing water-dependent habitats;
- Establishing standards for the use of off-site facilities for urban runoff management to supplement onsite practices at new development sites; and
- Establishing notice to procedures and standards for adjusting urban runoff management requirements where necessary.

City of Oceanside General Plan

Environmental Resource Management Element

The General Plan establishes goals and implementing policies associated with hydrology and water quality in its Environmental Resource Management Element. The following objectives are relevant to this analysis:

Objectives: Water

1. Plan for an adequate water system based on the projected needs of the City.
2. Investigate sources of local water supplies to reduce dependence on imported water.
3. Minimize pollution of water supplies, including lakes, rivers, streams, lagoons, and ground water.
4. Minimize loss of life and property in flood prone areas.

Objectives: Soil, Erosion and Drainage

1. Consider appropriate engineering and land use planning techniques to mitigate rapid weathering of the rocks, soil erosion, and the siltation of the lagoons.

Community Facilities Element

The Community Facilities Element of the General Plan includes the following policies related to the storm water management system:

Objective: To provide adequate storm water management facilities and services for the entire community in a timely and cost effective manner, while mitigating the environmental impacts of construction of the storm drain system as well as storm water runoff.

Policies:

- 6.1** The Master Drainage Plan for the City of Oceanside shall establish standards for citywide drainage. Within each major watercourse addressed by the Plan, the City and/or developers shall assure that adequate drainage improvements and facilities are provided

to handle runoff when the drainage basin is fully developed to the intensity proposed by the Land Use Element of the General Plan.

- 6.2 All new development in the City of Oceanside shall pay drainage impact fees to defray that development's proportionate share of drainage facilities serving the basin where the new development is located.
- 6.3 The City shall continue to participate in the National Flood Insurance Program. Any development application for construction within the 100-year floodplain shall be reviewed to ensure that the Project complies with flood protection measures required by the National Flood Insurance Program. For existing developed areas within the 100-year floodplain, these same measures and standards shall be applied if City approval of substantial improvements or upgrades is sought.
- 6.4 To the degree that is economically feasible and consistent with sound engineering practices and maintenance criteria, the City shall discourage disruption of the natural landform and encourage the maximum use of natural drainage ways in new development. Non-structural flood measures to protect and stabilize land areas, should be considered as an alternative to constructing concrete channels where feasible.
- 6.5 The City shall locate and/or design new critical facilities to minimize potential flood damage from the 100-year flood. Such facilities include those that provide emergency response (hospitals, fire stations, police stations, civil defense headquarters, utility lines, ambulance services, and sewage treatment plants). Such facilities also include those that do not provide emergency response but attract large numbers of people, such as schools, theaters, and other public assembly facilities.
- 6.6 The City shall maintain public flood control channels and storm drains through dredging, repair, desilting, and clearing as needed to prevent any loss in effective use.
- 6.7 The City shall require appropriate and sufficient screening, fencing, landscaping, open space setbacks, or other permanent mitigation or buffering measures between drainage way corridors and adjacent and surrounding land uses. The employed measures shall be of sufficient scope to minimize, to the maximum extent possible, negative impacts to adjacent surrounding land uses from the particular drainage way corridor.
- 6.8 The City of Oceanside shall integrate required drainage planning efforts with linear open space amenities and trail corridors throughout the community, while addressing the issues of life safety, attractive nuisances, and long-term maintenance responsibility costs.
- 6.9 The City shall comply with the sections of the Federal Clean Water Act in regard to storm water drainage.

4.11.3 THRESHOLDS OF SIGNIFICANCE

Per Appendix G of the CEQA Guidelines, impacts would be considered significant if the Project would:

- a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality;
- b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin;

- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
 - i. Result in substantial erosion or siltation on- or off-site;
 - ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
 - iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;
 - iv. Impede or redirect flood flows.
- d. In flood hazard, tsunami, or seiche zones, risk release or pollutants due to project inundation;
- e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

4.11.4 PROJECT IMPACT ANALYSIS

Would the Project:

- a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

The Project Site is located within the Mission Hydrologic Sub-Area 903.11 of the Lower San Luis HA 903.10 of the San Luis Rey HU. The San Luis Rey River and the Pacific Ocean, San Luis Rey River HU, at the San Luis Rey River mouth is listed on the SWRCB 303(d) list of impaired water bodies. This means that storm water runoff from the Project Site has the potential to impact these water bodies.

TMDLS are developed to establish the maximum amount of a pollutant allowed in a waterbody while still meeting water quality standards. Considering the downstream waters are impaired, the potential pollutants of concern that may be generated by the Project as a result of development are sediment, nutrients, heavy metals, trash and debris, oxygen demanding substances, oil and grease, bacteria and viruses and pesticides.

Pollutant generation associated with construction and operational activities for the Project have the potential to violate a water quality standard or waste discharge requirement or otherwise substantially degrade surface or groundwater quality and a **significant impact** would occur (**Impact HYDRO-1a**).

The potential for pollutants to impact an impaired 303(d) listed water body is further described below and is separated into construction activities and operational activities.

Construction

The potential for erosion would increase during construction activities as a result of the movement of vehicles, heavy equipment, and general earthwork activities which would accelerate the erosion process. Wind erosion also has the potential to occur on bare soils or where vehicles and equipment cause dust. Fuels, oils, lubricants, other hazardous substances and waste used and generated during construction then have the potential to be released and impact water quality.

Pollutants released during grading and construction can degrade water quality if they are washed into surface waters, ultimately flowing to the San Luis Rey River and/or Pacific Ocean. Sediment is the most common pollutant associated with construction sites because of the associated earth-moving activities and

areas of exposed soil. During construction, the Project has the potential to violate a water quality standard or waste discharge requirement, and would result in a **significant impact (Impact HYDRO-1b)**.

Additionally, as discussed in Section 4.4 *Air Quality*, the Project would be required to comply with SDAPCD Rule 55, Fugitive Dust Control, which would further prevent erosion potential through the watering of active construction sites throughout the day.

Operation

Post-construction, the Project would introduce impervious surfaces and new sources of pollutants from urban runoff. Impervious site features consist of the multi-family residential buildings, internal roads, parking areas, internal sidewalks and off-site sidewalk improvements, pedestrian walkways, and paseos. Pervious features within the future multi-family development would include landscaping and public and private usable open space areas.

Project-specific development plans would indicate the layout of landscaping and open space areas and impervious areas along with the total amount of impervious and pervious areas. Project Site development plans would also indicate storm water movement throughout the site, its discharge locations and proposed treatment methods in accordance with the City's BMP Design Manual. The Project would create impervious surfaces that have the potential to violate a water quality standard or waste discharge requirement, and would have a **significant impact (Impact HYDRO-1c)**.

- b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

On the eastern parcel groundwater was encountered at depths of 26 to 27 feet bgs. Indicated groundwater levels are expected to fluctuate depending upon seasonal rainfall conditions and annual storm events influencing flow levels within the nearby San Luis Rey River. Within the western parcel groundwater was encountered at depths ranging from about 18 to 24 feet below the existing grades.

According to the Phase I Environmental Site Assessment for the western parcel (**Appendix C**), two (2) operational water wells were identified on the western parcel and there are 11 water wells which could potentially be located on this parcel, installed between the years 1911 and 1952. All observed onsite water wells would be properly abandoned in accordance with County DEH requirements prior to site development and any wells discovered during site grading activities would be properly abandoned at that time. No wells were identified on the eastern parcel.

The Project would not utilize groundwater during construction or operation of the Project. As provided in the Geotechnical Investigation for the eastern parcel (**Appendix J**), groundwater levels are not expected to impact grading and construction activities or directly impact future development and improvements. Project excavations have the potential to encounter subsurface groundwater or local seeps which can be addressed through ground stabilization techniques and remedial grading in accordance with the Geotechnical Investigation recommendations.

Due to the depth of groundwater and the proposed use and development of the Project Site, the Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge, such that the Project may impede sustainable groundwater management of the basin, and impacts would be **less than significant**.

- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
 - i. Result in substantial erosion or siltation on- or off-site?

The potential for erosion would increase during construction activities as a result of the movement of vehicles, heavy equipment, and general earthwork activities which would accelerate the erosion process. Wind erosion also has the potential to occur on bare soils or where vehicles and equipment cause dust. Therefore, the Project has the potential to result in exposed soils or changes in runoff that could result in erosion or siltation during the construction phase of the Project, and would have a **significant impact (Impact HYDRO-1d)**.

- ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

Pre-Development Conditions

Site drainage on the eastern parcel within the developed portion of the site, the central and east portions, is generally developed to flow away from structures and improvements to storm drains and then off-site. Drainage in the western portion of the eastern parcel generally sheet drains in a southerly directly to a dirt swale which drains into a storm drain in the southwest corner of the site. Excessive scouring or erosion was not in evidence during site observations. No evidence of improper discharge from the site was observed.

On the western parcel, the site slopes southward at a very shallow angle towards the San Luis Rey River. Storm water runoff from Calle Joven, directly adjacent and east of the parcel, is channeled onto the site. No evidence of improper discharge from the site was observed during the existing site observations.

Approximately half of the eastern parcel is surfaced with concrete and asphalt paving. Minor grade slopes are associated with a small elevated area east of the packing plant structures. Graded slopes also present ascending to adjacent roadways along the west and south site margins. All graded slopes are constructed at gradients approaching 2:1 maximum generally approach a maximum of five (5) feet height.

Post-Development Conditions

Development plans for the Project would be provided upon Project Site development and would include minor grade alterations, less than 10 feet, in order to create level building pad surfaces throughout the site. Site drainage over the finished surfaces would flow away from structures and to off-site structures similar to pre-development conditions. Building roof lines would be provided with roof gutters and roof water would be collected and directed away from the buildings with downspouts and structures at a suitable location. The Project Site would utilize vegetated areas where runoff can be impaired.

Project Site development would include a drainage system as part of the Project design and would be designed to convey runoff through a system of storm drain inlets and pipes and site-specific BMPs and would be installed for proper collection and disposal of surface runoff. The drainage system would be designed in accordance with City requirements in order to accommodate the Project's increased flows such that flooding would not occur.

Development of the Project Site would minimally alter the exiting drainage patterns onsite and would increase the amount of impervious surfaces contributing to changes in the amount of surface runoff, representing a **significant impact (Impact HYDRO-2a)**.

- iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Existing drainage on the eastern parcel within the developed portion of the site, the central and east portions, is generally developed to flow away from structures and improvements to storm drains and then off-site. Drainage in the western portion of the eastern parcel generally sheet drains in a southerly directly to a dirt swale which drains into a storm drain in the southwest corner of the site. On the western parcel, the site slopes southward at a very shallow angle towards the San Luis Rey River. Storm water runoff from Calle Joven, directly adjacent and east of the parcel, is channeled onto the site.

Project Site development would include a drainage system as part of the Project design and would be designed to convey runoff through a system of storm drain inlets and pipes and site-specific BMPs and would be installed for proper collection and disposal of surface runoff. The drainage system would be designed in accordance with City requirements in order to accommodate the Project's increased flows such that flooding would not occur.

Development of the Project Site would minimally alter the exiting drainage patterns onsite and would increase the amount of impervious surfaces contributing to changes in the amount of surface runoff. The increase in surface runoff has the potential to exceed the capacity of existing drainage systems, or provide additional sources of polluted runoff, representing a **significant impact (Impact HYDRO-2b)**.

- iv. Impede or redirect flood flows?

Site drainage on the eastern parcel within the developed portion of the site, the central and east portions, is generally developed to flow away from structures and improvements to storm drains and then off-site. Drainage in the western portion of the eastern parcel generally sheet drains in a southerly directly to a dirt swale which drains into a storm drain in the southwest corner of the site. Excessive scouring or erosion was not in evidence during site observations. No evidence of improper discharge from the site was observed.

On the western parcel, the site slopes southward at a very shallow angle towards the San Luis Rey River. Storm water runoff from Calle Joven, directly adjacent and east of the parcel, is channeled onto the site. No evidence of improper discharge from the site was observed during the existing site observations.

Development plans for the Project would be provided upon Project Site development, and it is anticipated that site drainage over the finished surfaces would flow away from structures and to off-site structures similar to pre-development conditions. Development of the Project Site would include a drainage system as part of the Project design and would be designed to convey runoff through a system of storm drain inlets and pipes and site-specific BMPs and would be installed for proper collection and disposal of surface runoff.

Both parcels are located within FEMA Flood Zone "X" and are not located within a designated 100-year flood plain. FEMA Zone X is described as designated as areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than one (1) foot or with drainage areas less than one (1) square mile; and areas protected by levees from 1% annual chance flood.

Therefore, the Project would not substantially alter the existing drainage pattern of the Project Site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces in a manner which would impede or redirect flood flows, and impacts would be **less than significant**.

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

As stated previously, both parcels within the Project Site are located within FEMA Flood Zone “X” and are not located within a designated 100-year flood plain. Tsunamis are great sea waves produced by submarine earthquakes or volcanic eruptions. The Project Site is located approximately 5.5 miles east of the Pacific Ocean. The risk potential for flood hazard to the Project Site caused by tsunamis is very low. Seiches are periodic oscillations in large bodies of water such as lakes, harbors, bays or reservoirs. The Project Site is located approximately 1.4 miles east of Whelan Lake, 1.3 miles east of Windmill Lake, approximately two (2) miles west of Guajome Lake, 5.4 miles east of the Oceanside Harbor and over eight (8) miles from the nearest reservoir. The risk potential for flooding to the Project Site caused by seiches is very low.

The Project would not risk release of pollutants due to Project inundation as it is not located in a flood hazard, tsunami, or seiche zone, and impacts would be **less than significant**.

- e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

The San Diego Basin Plan, most recently amended on May 17, 2016, sets forth water quality objectives for Region 9. Specifically, the Basin Plan is designed to accomplish the following: (1) designate beneficial uses for surface and ground water; (2) set the narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state’s anti-degradation policy; (3) describe mitigation measures to protect the beneficial uses of all waters within the region; and (4) describe surveillance and monitoring activities to evaluate the effectiveness of the Basin Plan. The Basin Plan incorporates by reference all applicable SWRCB and the San Diego Water Board plans and policies.

The Regional MS4 Permit establishes water quality standards and requires the application of pollution prevention, source control and treatment control BMPs to effectively prevent and remove pollutants from runoff. The Regional MS4 Permit requires that BMP design and implementation occur at every phase of development including the planning, construction and operational phases. A SWQMP would be prepared for the Project at the time of preparation of the development plans for the Project Site and would be prepared in compliance with RWQCB NPDES MS4 Permit and addresses onsite treatment of storm water runoff. Onsite storm water quality design would be prepared in accordance with the City of Oceanside’s BMP Design Manual. Prior to obtaining a grading permit, the Project would be required to prepare a SWPPP which would satisfy requirements set forth in the NPDES Construction General Permit. Preparation and compliance with the Project-specific SWQMP and SWPPP would ensure the Project would not conflict or obstruct with implementation of a water quality control plan.

SGMA provides a framework for sustainable management of groundwater supplies by local authorities in high- and medium-priority alluvial basins, as designated by the SWRCB. The Project Site is located within the Lower San Luis Rey Valley Groundwater Basin; however, according to the Department of Water Resources Bulletin 118, only Pala and Pauma Valleys are subject to the requirements of SGMA. The County of San Diego is designated as a non-GSA member. Thus, the Project would not conflict with a sustainable groundwater management plan.

The Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan, and impacts would be **less than significant**.

4.11.5 MITIGATION IMPLEMENTATION AND MONITORING

Violate Water Quality Standard (Impact HYDRO-1a, 1b, and 1c) and Erosion or Siltation (Impact HYDRO-1d)

MM-HYDRO-1a Prior to issuance of a grading permit, the Project would be required to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the NPDES SWRCB's Construction General Permit and City regulations. The SWPPP would describe and depict in detail the various grading and construction-related BMPs necessary to minimize the Project's impacts to erosion, sedimentation and water quality. With the approval of a SWPPP, a Waste Discharge Identification Number from the San Diego Water Board would be obtained. In accordance with the City's Urban Runoff Management and Discharge Control Ordinance, the SWPPP shall be available at the construction site at all times. The City of Oceanside Engineering Department shall approve the SWPPP upon satisfaction of all RWQCB requirements.

BMPs described in the SWPPP shall be site-specific, seasonally appropriate and construction phase appropriate, and implemented at the site-year round. BMPs are not limited to and shall be implemented in the following categories: (1) Project planning; (2) good site management, including waste management; (3) non-storm water management; (4) erosion control; (5) sediment control, including but not limited to dust control and off-site tracking; (6) run-on and runoff control; and (7) active/passive sediment treatment systems, where applicable. Specific sediment and erosion control BMPs described in the SWPPP may include, but are not limited to, placement of straw mulch, soil binders, silt fencing, gravel bags, street sweeping and vacuuming and storm drain inlet protection.

MM-HYDRO-1b Prior to issuance of a grading permit, the Project shall prepare a Storm Water Quality Management Plan (SWQMP) in accordance with all applicable state and local regulations including RWQCB regulations and the City of Oceanside BMP Design Manual. The Project-specific SWQMP shall address construction and operational impacts to water quality and shall identify potential pollutants of concern. The Project shall incorporate all permanent source control BMPs as identified in the SWQMP into the Project design. The City of Oceanside Engineering Department shall approve the SWQMP upon satisfaction of all RWQCB requirements.

MM-HYDRO-1c Low Impact Development (LID) and Site Design BMPs shall be incorporated into the Project design to reduce impacts to water quality. The contractor shall construct the LID BMPs in accordance with the Project SWQMP and the engineer of work shall inspect that all LID BMPs have been constructed in compliance with the approved plans and all applicable specifications and permits.

Increase Runoff (Impact HYDRRO-2a) and Runoff Capacity (Impact HYDRO-2b)

MM-HYDRO-2 Prior to issuance of a grading permit, the Project shall prepare a Project-specific Drainage Study which shall analyze existing and proposed drainage conditions of the Project Site. The Project Drainage Study shall be prepared and onsite drainage patterns shall be designed in compliance with applicable state and local standards. Project compliance with the design and recommendations of the Drainage Study would ensure proper site development of runoff flows.

4.11.6 LEVEL OF SIGNIFICANCE AFTER MITIGATION

The analysis presented in Section 4.11.4 identified the potential for significant impacts related to water quality standards, erosion, increased runoff, and runoff capacity. Implementation of mitigation measure MM-HYDRO-1a requires preparation and implementation of a Project-specific SWPPP which would describe and implement in detail the various grading and construction-related BMPs necessary to minimize the Project's impact to water quality and erosion to the site and the San Luis Rey River and eventually the Pacific Ocean. Implementation of mitigation measure MM-HYDRO-1b requires preparation of a Project-specific SWQMP and compliance with permanent source control BMPs. Such BMPs may include storm drain signage, trash storage protection, pest control practices, sweeping of parking lots and sidewalks in order to prevent polluted runoff from entering the storm drain system. Ongoing compliance with and maintenance of the source control BMPs would prevent storm water pollution, reducing impacts to water quality standards. Implementation of mitigation measure MM-HYDRO-1c would provide LID and Site Design BMPs which would treat storm water runoff using methods such as the green streets approach and swales, which would utilize vegetation and soil to slow and filter storm water runoff and further reduce impacts to water quality and the potential for violation of water quality standards.

Implementation of mitigation measure MM-HYDRO-2 would require preparation of a Project-specific Drainage Study in order to analyze existing and proposed drainage conditions of the site. Project compliance with the Drainage study would ensure Project development drainage patterns would not result in increased runoff, and would ensure capacity of the drainage system.

Mitigation measures MM-HYDRO-1a, MM-HYDRO-1b would reduce impacts to water quality standards and erosion (Impact HYDRO-1a, 1b, 1c and 1d), and mitigation measure MM-HYDRO-2 would reduce impacts to increased runoff (Impact HYDRO-2a) and runoff capacity (Impact HYDRO-2b). Implementation of mitigation measures MM-HYDRO-1a through MM-HYDRO-1c and MM-HYDRO-2 would reduce all impacts to hydrology and water quality to a level below significance.

4.12 LAND USE AND PLANNING

The following document was used in the preparation of this section and is included in its entirety in **Appendix E**, **Appendix P**, and **Appendix Q**:

The Lightfoot Planning Group. November 2021. *Tierra Norte Planned Block Development Overlay District Development Plan*. (**Appendix E**)

LOS Engineering, Inc. February 4, 2022. *Tierra Norte Residential Development Plan Southside of N. River Rd btw Ave Descanso and Calle Montecito, City of Oceanside, Local Transportation Study*. (**Appendix P**)

LOS Engineering, Inc. February 4, 2022. *Tierra Norte Residential Development Plan Southside of N. River Rd btw Ave Descanso and Calle Montecito, City of Oceanside, Vehicles Miles Traveled Analysis*. (**Appendix Q**)

4.12.1 ENVIRONMENTAL SETTING

Site Location and Surrounding Area

The City of Oceanside encompasses approximately 42 square miles, and is bound by the Pacific Ocean to the west, Camp Pendleton to the north, the City of Vista and County of San Diego to the east and the City of Carlsbad to the south. The City is largely developed and predominately has the attributes of a coastal community. The City's primary coastal resources include approximately 3.5 miles of public beaches, a public marina, an approximately 2,000-foot pier, three (3) coastal watersheds and the extension of Lawrence Canyon and the Buena Vista Nature Center.

Development along the coast of the City is organized by a grid pattern of streets and generally consists of single-family homes along the southern portion of the City's coastline, medium- to higher-density residential uses within the central and northern portions, hospitality and other visitor-serving uses in the downtown district and within the harbor, and community-serving commercial uses along the length of Coast Highway.

Within the City, major commercial corridors extend from the coastal zone to inland Oceanside and include Oceanside Boulevard, Mission Avenue, College Boulevard, and Vista Way. Regional shopping areas are located along the SR-78 corridor and industrial development is largely located in industrial districts along Oceanside Boulevard.

The Project Site is located in the northern portion of the in the North Valley Neighborhood. The Project Site consists of two (2) parcels. The eastern parcel is located at 4665 North River Road on Assessor's Parcel Number (APN) 157-060-40 and is approximately 9.7 total acres. This parcel is wide and rectangular in shape and is bound to the north by North River Road, to the east by Calle Montecito, and to the south and west by Calle Joven. The western parcel is located at 4617 North River Road on APN 157-060-17 and comprises of approximately 15.9 acres. This parcel is long and rectangular in shape and is bound to the north by North River Road, to the east by Calle Joven which stubs before the middle of the property boundary.

The property features level topography with elevations ranging from 68 to 72 feet amsl. The eastern parcel features a small office/warehouse facility and has historically served as a packing warehouse for produce shipping and storage operations. This parcel also contains three (3) small sheds, a former fruit

stand, and a caretaker's residence. The western parcel is predominately in agriculture cultivation (approximately 75%) containing 11.82 acres of row crops. This parcel also contains two single-family residences, an old warehouse, a packing shed, small out buildings and an abundant amount of old farm equipment and miscellaneous materials and machinery.

The surrounding North Valley Neighborhood presents a diversity of land uses situated between Camp Pendleton on the north and the San Luis Rey River to the south. The Project Site area is home to a number of single- and multi-family developments ranging from new development to homes nearly 50 years old. The properties located along the north side of North River Road in this area are generally developed residential parcels and include land use designations of Medium Density – C Residential (MDC-R), Medium Density – B Residential (MDB-R), and Medium Density – A Residential (MDA-R). The corresponding zoning categories for these properties are Medium Density Residential C (RM-C), Medium Density Residential B (RM-B), Medium Density Residential A (RM-A), and PD-22 (Planned Development for Habitat for Humanity single-family residential project). The established uses in this area consist of multi-family condominiums and apartments, mobile home communities and a single-family development.

The properties to the east are designated under the Light Industrial (LI) land use category with the corresponding zoning designation of Limited Industrial (IL). The property to the southeast consists of parking and support areas for the Oceanside Auto Auction. A recreational vehicle/self-storage use is also located farther to the east. This light industrial area extends east to the San Luis Rey River boundary.

The area to the south side of North River Road that is currently designated for light industrial uses, including the proposed Project Site, encompasses ten (10) contiguous parcels totaling roughly 112 acres. Approximately 74 acres are dedicated to the auto auction site and 12 acres to the recreational vehicle storage facility. The remaining approximate 26 acres comprise the proposed Project PBD Overlay District.

To the west of the Project Site is a developed single-family residential subdivision zoned Residential Estate – B (RE-B) consisting of 270 residences.

Existing Land Use

The current General Plan land use designation of both parcels is Light Industrial (LI) and zoning designation for both parcels is designated as Limited Industrial (IL) under the City of Oceanside Zoning Ordinance. A General Plan Amendment is proposed to designate the Project Site as Medium Density – C Residential (MDC-R) in order to provide for the appropriate densities and use types that will allow for the envisioned multi-family development of the site. The proposed medium-density residential use will also provide a transition between the light industrial uses located to the south and east, and the existing residential uses located to the north and west. The MDC-R designation will allow for a density range of 15.1 to 20.9 dwelling units per acre (du/acre). A Zone Amendment is required to designate the Project Site as Medium Density Residential C (RM-C) consistent with the proposed MDC-R land use. The RM-C designation will allow for future implementation of a multi-family development.

4.12.2 REGULATORY SETTING

Regional

San Diego Forward: The Regional Plan

The 2015 San Diego Forward: The Regional Plan prepared by the San Diego Association of Governments, combines the region's two most important planning documents – the Regional Comprehensive Plan (RCP) and the Regional Transportation Plan and its Sustainable Communities Strategy (RTP/SCS). The Regional Plan serves as the blueprint for how the San Diego region will grow, how SANDAG will invest in transportation infrastructure that will in return provide more choices, strengthen the economy, promote healthy environment and support thriving communities. SANDAG's Regional Growth Forecast uses the most recent land use planning assumptions from all 18 cities of the region and the County. These planning assumptions are used to develop the supporting transportation network, water agencies use for water planning purposes, and utility providers use for long range planning. The Regional Plan contains both near-term actions and continuing actions that are designed to support the longer-term implementation of projects and programs.

Local

City of Oceanside General Plan – Land Use Element

The Land Use Element of the General Plan and the associated Land Use Maps are guides to land use planning within the City of Oceanside and identify the type and location of future land uses within the City. As a guide to future growth and development, the Land Use Element identifies the general distribution, location, mix, and extent of desired land uses, including residential, commercial, industrial, public facilities and open space uses. The following are goals and policies of the Land Use Element of the General Plan that relate to the proposed Project:

1.0 General Plan Consistency

Objective: To ensure all projects are consistent with the General Plan.

Policy A: Tentative Maps, Development Plans and Conditional Use Permits approved prior to the adoption of this Element and exercised thereafter without modification, revision, amendment, or extension shall be considered consistent with this Element.

1.12 Land Use Compatibility

Objective: To minimize conflicts with adjacent or related land uses.

Policy A: Adequate setbacks, buffering, and/or innovative site design shall be required for land uses that are contiguous to and incompatible with existing land uses

Policy B: The use of land shall not create negative visual impacts to surrounding land uses.

Policy C: The use of land shall not subject people to potential sources of objectionable noise, light, odors, and other emissions nor the exposure of toxic, radioactive, or other dangerous materials

2.3 Residential Development

Objective: To direct and encourage the proper type, location, timing, and design of housing to benefit the community consistent with the enhancement and establishment of neighborhoods and a well-balanced and organized City.

2.31 Residential Designations

Policy A: The City's residential lands shall be designated as shown in Table LU-1.

Table LU-1
Residential Land Use Designations

Designation Title	Potential Range of Dwelling Units per Gross Acre*	
	Base Density**	Maximum Potential Density**
Medium Density A	6.0	9.9
Medium Density B	10.0	15.0
Medium Density C	15.1	20.9
* Explanation of developable and non-developable lands: Density ranges of residential designation do not imply minimum and maximum residential densities that can be uniformly applied to any particular site. Physical characters of a site along with a site's relationship to external factors can modify a site's density. A careful examination of City policy should be made to clarify developable lands and undevelopable lands within a particular site. ** Explanation of residential density ranges: Densities between the base density and maximum potential density within each residential density range represent density potentials that could be obtained on developable portions of a site. Source: City of Oceanside General Plan Land Use Element		

2.32 Potential Range of Residential Densities

Policy A: The base density shall be considered the appropriate density for development within each residential land use designation.

Policy B: Residential projects that possess an excellence of design features shall be granted the ability to achieve densities above the base density. Project characteristics that exceed standards established by City policy and those established by existing or approved developments in the surrounding area will be favorably considered in the review of acceptable density within the range. Such characteristics include, but are not limited to the following:

1. Infrastructure improvements beyond what is necessary to serve the project and its population.
2. Lot standards (i.e. lot area, width, depth, etc.) which exceed the minimum standards established by City policy.
3. Development standards (i.e. parking, setbacks, lot coverage, etc.) which exceed the standards established by City policy.
4. Superior architectural design materials.
5. Superior landscape/hardscape design and materials.
6. Superior recreation facilities or other amenities.
7. Superior private and/or semi-private open space areas.
8. Floor areas that exceed the norm established by existing or approved development in the surrounding area.
9. Consolidation of existing legal lots to provide unified site design.
10. Initiation of residential development in areas where nonconforming commercial or industrial uses are still predominant.
11. Participation in the City's Redevelopment, Housing, or Historical Preservation programs.
12. Innovative design and/or construction methods that further the goals of the General Plan.

The effectiveness of such design features and characteristics in contributing to the overall quality of a project shall be used to establish the density above base density. No one factor shall be considered sufficient to permit a project to achieve the maximum potential density of a residential land use designation.

2.33 Residential Unit Types Consistent with Residential Designations

Policy A: The Residential Land Use designations shall reflect residential unit (or building) types of a residential development, not simply the overall number of dwelling units per acre.

Policy C: Within developments that provide open space areas, the density of the minimum lot area shall not exceed the maximum allowable density within its land use designation (i.e. the minimum lot area shall not be less than that which would otherwise have been permitted of open spaces were not provided).

Policy D: To assure residential land use designations accurately reflect residential unit types, residential unit type shall be allowed in the various residential land designations according to Table LU-1.

Table LU-2
Residential Unit Type/Residential Land Use Designation Consistency Matrix

Residential Development Types								Residential Land Use Designation
Single-Family Detached			Single-Family Attached			Multi-Family Unit Structure		
SU-C	SU-V	SU-M	TU-C	TU-V	MP	MUS	GQ	
	X	X	X	X	X	X		Med. Density A (6-9.9 du/ac)
					X	X		Med. Density B (10-15 du/ac)
						X		Med. Density C (15.1-20.9 du/ac)
SU-C = Single Unit Conventional			TU-C = Two Unit-Conventional			MUS = Multiple Unit Structure		
SU-V = Single Unit Variable			TU-V = Two Unit-Variable			Q = Group Quarters		
SU-M = Single Unit-Manufactured			MP = Multi-Plex					
Source: City of Oceanside General Plan Land Use Element								

2.34 Residential-Unit Types

Policy A: Residential dwelling unit types shall be defined as follows:

Multiple Family Dwellings

Multiple Unit Structures (MUS) – a structure of group of structures containing two or more dwelling units on a single property. Subdivision of the property may exist to permit ownership of air space in the form of a dwelling unit with an undivided share in common elements. The property may also be divided for the purpose of ownership in the form of a stock cooperative.

City of Oceanside General Plan – Circulation Element

The Circulation Element provides goals, objectives, and policies to maintain and improve the City transportation system and enhance travel choices for current and future residents, visitors, and workers. The Circulation Element includes the following objectives related to level of service (LOS).

Objective 3.1 Policies and Implementation Strategies

Level of Service and Design Standards

Objective:

- i. Aim for an acceptable Level of Service (LOS) D or better on all Circulation Element roadways on an average basis and at intersections during the AM and PM peak periods

Roadway Improvements

Objective:

- iii. Construct the roadway network in phases consistent with the needs and growth of the community

Policy 3.20: If the location and traffic generation of a proposed development will result in congestion on major streets or failure to meet the LOS D threshold, or if it creates safety hazards, the proposed development shall be required to make necessary off-site improvements. Such improvements may be eligible for reimbursement from collected impact fees. In some cases, the development may have to wait until financing for required off-site improvements is available. In other cases where development would result in unavoidable impacts, the appropriate findings of overriding consideration will be required to allow temporary undesirable levels of service.

City of Oceanside Zoning Ordinance

The City of Oceanside Zoning Ordinance is the primary implementation tool for the Land Use Element. Together, the Zoning Ordinance and Zoning Map identify specific types of land use, intensity of land use, and development and performance standards applicable to specific areas and parcels of land within the City. Article 10 of the Zoning Ordinance provides development and land use regulations for residential districts.

Oceanside Subarea Habitat Conservation Plan

As set forth by the state and federal Endangered Species Acts and the State of California Natural Community Conservation Planning (NCCP) Act, the Oceanside Subarea Habitat Conservation Plan/Natural Community Conservation Plan (hereafter, Subarea Plan) comprehensively addresses how the City will conserve natural biotic communities and sensitive plant and wildlife species. This plan provides regulatory certainty to landowners within the City and will aid considerably in conserving the region's biodiversity and enhancing the overall quality of life for residents of the southern coastal region of California. The Subarea Plan has not been adopted by City Council, and therefore incidental take permits currently cannot be issued under the Subarea Plan. However, the Subarea Plan provides guidance for project proponents to determine potential impacts to biological resources that may result from implementation of a proposed project and to develop appropriate avoidance, minimization, and mitigation measures to reduce project impacts to below a level of significance.

City of Oceanside Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment

The purpose of the City's *Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment* is to provide general instructions for analyzing the potential transportation impacts of proposed development projects. The City's guidelines document a threshold of 500 project ADT if inconsistent with the General Plan and 1,000 project ADT if consistent with the General Plan as the trigger for requiring a VMT analysis. The Project would provide a maximum of 400 multi-family residential units and is calculated to generate 3,200 ADT and is therefore required to prepare a VMT analysis.

Residential projects use VMT per capita to define a significant transportation impact when a project exceeds a level of 15% below existing VMT (i.e. greater than 85% of the regional mean). The City's guidelines are consistent with the OPR significance criteria of 15% below the regional mean.

4.12.3 THRESHOLDS OF SIGNIFICANCE

Per Appendix G of the CEQA Guidelines, impacts would be considered significant if the Project would:

- a. Physically divide an established community;
- b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

4.12.4 PROJECT IMPACT ANALYSIS

Would the Project:

- a. Physically divide an established community?

The Project Site is located in a developed, urbanized area north of SR-76 and south of North River Road generally between Avenida Descanso and Calle Montecito. The surrounding North Valley Neighborhood includes a diversity of land uses from residential to light industrial. Directly north of the Project Site are residential uses and include land use designations of medium density residential including multi-family condominiums and apartments, mobile home communities, and single-family residences. Parcels to the east and south of the Project Site are designated as LI. To the west of the Project Site is a developed single-family residential subdivision consisting of 270 residences.

Currently the eastern parcel of the Project Site is developed as a packing warehouse with office buildings and a small wood-frame house. The western parcel is primarily used for agriculture cultivation and has two (2) single-family residences in addition to an old warehouse, a shed, and small out buildings.

The Project proposes a PBD Overlay District that would establish land use and development standards for future multi-family residential development proposals under the control of the Planning Commission and City Council. Under the PBD, the Project would require a General Plan Amendment to change the land use designation of both parcels from LI to MDC-R to permit a medium-density residential development. Additionally, the Project would require a Zone Amendment to change both parcels from IL to the corresponding RM-C designation. A maximum of 400 multi-family residential units would be allowed under the proposed Project.

The Project would provide access from the intersection of North River Road and Riverview Way with potential secondary access from Calle Joven. The Project would construct a sidewalk along North River Road along the Project frontage and pedestrian access throughout the Project Site including a connection from the Project Site to the north side of the San Luis Rey River trail. The proposed sidewalk improvements and associated landscaping would assist in the safe movement connection for the existing established community.

The Project would not physically divide an established community, and therefore **no impact** would occur.

- b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Consistent with the CEQA Guidelines Section 15125(d), an EIR shall discuss any inconsistencies between a Project and applicable general plan and regional plans. The following analysis addresses this requirement, as it pertains to land use.

The Project is subject to several local and regional plans intended to avoid environmental effects. Such applicable local plans include the Zoning Ordinance, General Plan, and the Oceanside Subarea Plan of the North County MHCP. The applicable regional plans include San Diego Forward: The Regional Plan and SDAPCD Rules and Regulations. The analysis below provides the consistency determination information for each of these applicable local and regional plans.

Local Plans

City of Oceanside Zoning Ordinance

The Project proposes uses that are inconsistent with the current zoning on the Project Site. However, the Project proposes a Zone Amendment which would change to the zoning designation from IL to RM-C. The Zone Amendment would be processed concurrently with development of the proposed Project and associated discretionary Project approvals. Under the RM-C zoning designation the Project Site would be permitted to develop a future medium density residential district. A PBDP was developed for the Project and establishes the land use and development standards that will regulate future residential development proposals for the Project Site. The PBDP presents site planning and architectural design criteria intended to promote development of a well thought-out, highly livable residential community which is compatible with the surrounding neighborhood.

Under section 1010 Article 10 of the Zoning Ordinance, the purpose of RM-C zone is:

- To provide opportunities for residential uses, including patio homes, duplexes, townhouses, multi-dwelling structures, and cluster housing, which also include landscaped common open space and common-area facilities for residents use. Single-family dwellings existing as of the effective date of this ordinance are allowed to remain, but no new single-unit conventional (SU-C) single-family dwellings, as defined in this Article, shall be permitted unless developed on a pre-existing legal lot. Three types of medium-density districts are established: the Medium Density A (RM-A) District where the base density is 6.0 dwelling units per gross acre and the maximum potential density is 9.9 dwelling units per gross acre; the Medium Density B (RM-B) District, where the base density is 10.0 dwelling units per gross acre and the maximum potential density is 15.0 dwelling units per gross acre; and the Medium Density C (RM-C) District where the base density is 15.1 dwelling units per gross acre and the maximum potential density is 20.9 units per gross acre.

The Project would meet this goal by providing medium density residential housing with a maximum 400 multi-family dwelling units. Future building types for the Project could include small lot attached single-family homes, detached condominiums, townhomes, courtyard clusters, duplex homes and garden apartments along with various other product type configurations. Outdoor areas would include landscaped open spaces and facilities such as patio areas. The proposed Zoning Amendment for the Site would be more compatible with the surrounding residential land uses than the current IL zoning designation.

Section 3024 of the Zoning Ordinance requires all zoning districts to comply with performance standards related to the following: noise, vibration, dust and odors, glare, combustibles and explosives, radioactive materials, hazards and extremely hazardous materials, heat and humidity and electromagnetic interference. Prior to approval of the Zone Amendment, the Project would be required to comply with the above performance standards to the satisfaction of the City.

This EIR analyzes the potential for impacts associated with placing a residential development on the Project Site. As discussed in Section 4.14 *Noise* the Project would result in potentially significant impacts related onsite noise levels from adjacent roadways and exceed building façade noise levels (Impact NOI-1a and Impact NOI-1b). The Project would implement mitigation measures MM-NOI-1a and MM-NOI-1b which would require the construction of a noise barrier and provision of an interior noise assessment to reduce impacts to a level below significance. The Project would have a less than significant impact related to vibration. As discussed in Section 4.4 *Air Quality* the Project would have a less than significant impact related to dust and odors during construction and operation of the Project and would comply with

the SDAPCD Rule 51 and 55 related to nuisance odors and fugitive dust. As provided in Section 4.2 *Aesthetics*, the Project would not contain highly reflective materials and would comply with Article 30 of the Zoning Ordinance related to light pollution and glare regulations. The Project would have a less than significant impact related to glare. The Project would not require the use, handling, storage or transportation of combustibles and explosives or radioactive materials. The Project would not cause heat and humidity nor would the Project cause electromagnetic interference.

The Project would disturb LBP-containing materials through the removal and disposal of materials from existing structures onsite which has the potential to cause a health hazard (Impact HAZ-1). Project construction would require the removal and disposal of onsite buildings that have the potential to disturb ACMs, which has the potential to cause adverse health effects (Impact HAZ-2) and Project construction would require removal of transite pipes which have the potential to have ACMs (Impact HAZ-3). Soils shallower than 15 feet bgs have the potential to contain higher concentrations of petroleum hydrocarbons (Impact HAZ-4). The top three (3) feet of soils throughout the agricultural field portions of the western parcel have the potential to contain pesticides which have the potential to create a hazard to the public or the environment (Impact HAZ-5). Project implementation of mitigation measures MM-HAZ-1 through MM-HAZ-5 would reduce impacts related to hazards and hazardous materials to less than significant. Therefore, the Project would not conflict with the performance standards or any other applicable ordinances and regulations provided by the City's Zoning Ordinance. The Project, under the proposed Zoning Amendment, not conflict with the Zoning Ordinance.

City of Oceanside General Plan

The Project requires a General Plan Amendment to change the land use designation from LI to MDC-R. Corresponding to the proposed Zoning Amendment of RM-C, MDC-R would permit the future development of medium-density residential housing. The Project would introduce a new land use than what is currently provided by the City's General Plan land use as described. However, the Project would amend the General Plan by changing the existing land use designation to the proposed designations, which is processed concurrently with development of the proposed Project and associated discretionary Project approvals.

Land Use Element

Based on the concurrent process of amending the City's General Plan designations, if approved, the Project would be consistent with the General Plan Land Use Element policies. The General Plan Land Use Element provides objectives and policies related to general plan consistency, land use compatibility, medium density residential districts, residential enhancement and natural resource management. **Table 4.12-1** below provides the City's applicable General Plan Land Use Element objectives and policies followed by a land use consistency analysis with regard to each policy. With future approval and adoption of the General Plan Amendment by City Council, the proposed Project would not conflict with the City's General Plan with regard to allowable land uses.

The Project would not conflict with a General Plan Land Use Element policy.

Table 4.12-1
General Plan Land Use Element Consistency Evaluation

Policy Number	Policy	Consistency Analysis	Consistent/ Inconsistent
City of Oceanside General Plan			
<i>Land Use Element</i>			
1.01 General Plan Consistency Objective	To ensure all projects are consistent with the General Plan.	The Project would change the land use designation of the Project Site from LI to MDR-C through a General Plan Amendment. Development of the Project Site under the PBD Overlay District would be consistent with the MDC-R designation of the General Plan.	Consistent
1.12 Land Use Compatibility Objective	To minimize conflicts with adjacent or related land uses.	Land use designations immediately surrounding the Project Site include MDC-R, MDB-R, and MDA-R to the north, RE-B to the west, and LI to the east and southeast. The Project Site is surrounded primarily by various residential land uses including multi-family apartments and condominiums, mobile home community and single-family residences. The proposed medium-density residential use will also provide a transition between the light industrial uses located to the south and east, and the existing residential uses located to the north and west. The Project would be compatible with the surrounding land uses and therefore, would not create any conflicts with adjacent land uses.	Consistent
1.12A	Adequate setbacks, buffering, and/or innovative site design shall be required for land uses that are contiguous to and incompatible with existing land uses.	Outlined in the PBDDP (Appendix E) the Project would provide all required setbacks and site design features including landscaping, open space and parking that would further enhance compatibility between the surrounding land uses. The regulations are intended to allow flexibility for specific development proposals while providing reliable base criteria to ensure appropriate development within the PBD Overlay Area and promote the formation of a well-designed medium density residential neighborhood. Where the PBDDP does not address a particular development standard, the applicable standards of the Zoning Ordinance shall apply. The standards for the RM-C zoning district are applicable as the proposed underlying use is MDC-R.	Consistent
1.12B	The use of land shall not create negative visual impacts to surrounding land uses.	The surrounding area of the Project Site can be characterized as developed with residential and light industrial uses. The Project would provide a use similar to the surrounding existing residential developments and would therefore not create a visual impact to surrounding land uses. As described in the PBDDP (Appendix E), the Project would provide all required landscaping along the frontage and surrounding the parking lot areas within the Project Site. The Project would comply with all City policies related to visual character, building heights, scale, setbacks, landscaping and parking.	Consistent
1.12C	The use of land shall not subject people to potential sources of objectionable noise, light, odors, and other	The Project Site is surrounded by existing residential uses including a single-family residential development to the west, various residential land uses to the north, including multi-family apartments, condominiums and mobile home community, and light industrial uses to the east and south.	Consistent

Policy Number	Policy	Consistency Analysis	Consistent/ Inconsistent
	emissions nor the exposure of toxic, radioactive, or other dangerous materials	As discussed in Section 4.14 <i>Noise</i>, the Project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of City standards during construction or operation of the Project. However, the Project would result in potentially significant impacts related onsite noise levels from adjacent roadways and would exceed building façade noise levels (Impact NOI-1a and Impact NOI-1b). The Project would implement mitigation measures MM-NOI-1a and MM-NOI-1b which would require the construction of a noise barrier and provision of an interior noise assessment to reduce impacts to a level below significance. The Project would provide light fixtures that contain proper shielding and downcast in order to prevent light or glare on to adjacent properties. Light poles would not exceed 25 feet in compliance with the City Municipal Code and all Project lighting would meet the requirements of Chapter 39 of the OMC. The Project would not exceed the SDAPCD's daily significance thresholds for air quality during construction or operation. The Project would comply with SDAPCD Rule 51 in order to reduced potential impacts related to construction odor.	
1.14 Noise Control Objective	To improve the quality of Oceanside's environment by minimizing the negative effects of excessive noise levels.	A Noise Study was prepared for the Project and is provided as Appendix N of this EIR. The Noise Study was conducted to determine the noise impacts to and from the proposed Project. As discussed in Section 4.14 <i>Noise</i> , the Project would not generate noise in excess of City standards during construction or operation of the Project. However, the Project would result in potentially significant impacts related onsite noise levels from adjacent roadways and would exceed building façade noise levels (Impact NOI-1a and Impact NOI-1b). The Project would implement mitigation measures MM-NOI-1a and MM-NOI-1b which would require the construction of a noise barrier and provision of an interior noise assessment to reduce impacts to a level below significance.	Consistent
1.14A	Noise emissions shall not reach levels that pose a danger to the public.	As discussed in Section 4.14 <i>Noise</i> , the Project would not generate noise in excess of City standards during construction or operation of the Project. However, the Project would contribute to additional vehicle trips onto the local and regional roadway network specifically in close proximity to the Project Site. Traffic noise as a result of the Project cannot be controlled at the source. The Project would result in potentially significant impacts related onsite noise levels from adjacent roadways and would exceed building façade noise levels (Impact NOI-1a and Impact NOI-1b). The Project would implement mitigation measures MM-NOI-1a and MM-NOI-1b which would require the construction of a noise barrier and provision of an interior noise assessment to reduce impacts to a level below significance.	Consistent

Policy Number	Policy	Consistency Analysis	Consistent/ Inconsistent
		The Project would not create a direct noise increase of more than 3 dBA CNEL on any roadway segment. Community noise level changes greater than 3 dBA are often identified as audible and considered potentially significant. Therefore, the Project's direct contributions to off-site roadway noise increases would not cause any significant impacts to existing or future noise sensitive land uses.	
1.14B	Noise emissions shall be controlled at the source where possible.	As discussed in Section 4.14 <i>Noise</i>, the Project would not generate noise in excess of City standards during construction or operation of the Project. However, the Project would result in potentially significant impacts related onsite noise levels from adjacent roadways and would exceed building façade noise levels (Impact NOI-1a and Impact NOI-1b). The Project would implement mitigation measures MM-NOI-1a and MM-NOI-1b which would require the construction of a noise barrier and provision of an interior noise assessment to reduce impacts to a level below significance. The Project would not create a direct noise increase of more than 3 dBA CNEL on any roadway segment. Community noise level changes greater than 3 dBA are often identified as audible and considered potentially significant. Therefore, the Project's direct contributions to off-site roadway noise increases would not cause any significant impacts to existing or future noise sensitive land uses.	Consistent
1.14C	Noise emissions shall be intercepted by barriers or dissipated by space where the noise sources cannot be controlled.	The Project would result in potentially significant impacts related onsite noise levels from adjacent roadways and would exceed building façade noise levels (Impact NOI-1a and Impact NOI-1b). The Project would implement mitigation measures MM-NOI-1a and MM-NOI-1b which would require the construction of a noise barrier and provision of an interior noise assessment to reduce impacts to a level below significance.	Consistent
1.14D	Noise emissions shall be reduced from structures by the use of soundproofing where other controls fall or are impractical	In compliance with mitigation measure MM-NOI-1a, the Project would require the construction of a noise barrier which would ensure noise levels are reduced for residences that would be located adjacent to the roadway. In accordance with mitigation measure MM-NOI-1b, the Project would conduct an interior noise assessment to ensure interior noise levels do not exceed 45 dBA CNEL for residential land uses in accordance with City standards.	Consistent
1.14E	Acceptable noise levels shall be demonstrated by the applicant in the review and approval of any projects or public or private activities that require	As discussed in Section 4.14 <i>Noise</i> , the Project would not generate noise in excess of City standards during construction or operation of the Project. However, the Project would result in potentially significant impacts related onsite noise levels from adjacent roadways and would exceed building façade noise levels (Impact NOI-1a and Impact NOI-1b). The Project would implement mitigation measures MM-NOI-1a and MM-NOI-1b which would require the construction of a noise barrier and provision of an	Consistent

Policy Number	Policy	Consistency Analysis	Consistent/ Inconsistent
	a permit or other approval from the City.	interior noise assessment to reduce impacts to a level below significance. A Noise Study was conducted for the Project to determine the noise impacts to and from the proposed Project and would be reviewed and approved by the City during the discretionary approval process. In addition, the building plans and specifications for the noise barrier and the interior noise assessment would be reviewed and approved by the City prior to issuance of a building permit.	
1.14F	Greater than normal open space separation may be required between residential developments and secondary arterials or higher rated roadways, railroad right-of-way, and other noise or nuisance-producing land uses. This may be accomplished by either vertical and/or horizontal open space separation. The separation should be enhanced by decorating walling and extensive landscaping.	The Project would provide all required setbacks and landscaping along North River Road in accordance with the PBDP and City standards. Additionally, in accordance with mitigation measure MM-NOI-1a, the Project would require the construction of a 7-foot noise barrier located at the top of the slope of the northern boundary of the Project Site along North River Road in order to reduce noise levels for the residences located along the adjacent roadway. The noise barrier would be constructed of a non-gapping material consisting of masonry, ½-inch thick glass, earthen berm or any combination of these materials. The noise barrier would not contain any gaps or knot holes and shall incorporate either overlapping boards at least one (1) inch or utilizing a tongue-and-groove design in order to reduce the presence of gaps or knot holes.	Consistent
1.14G	Any proposed changes to the Land Use and Circulation Elements of the General Plan shall require review and consideration of the potential impacts on noise levels.	A Noise Study was conducted for the Project to determine the noise impacts to and from the proposed Project and would be reviewed and approved by the City during the discretionary approval process. As discussed in Section 4.14 <i>Noise</i> , the Project would not generate noise in excess of City standards during construction or operation of the Project. However, the Project would result in potentially significant impacts related onsite noise levels from adjacent roadways and would exceed building façade noise levels (Impact NOI-1a and Impact NOI-1b). The Project would implement mitigation measures MM-NOI-1a and MM-NOI-1b which would require the construction of a noise barrier and provision of an interior noise assessment to reduce impacts to a level below significance.	Consistent
1.17 Public Facilities Management Objective	To provide a consistent and high level quality of public services and facilities to the residents of the	As discussed in Section 4.16 <i>Public Services</i> , the Project would provide adequate access, setbacks, fire hydrants, address numbers, Knox Box and sprinklers in accordance with OFD requirements. Transportation improvements provided as part of the Project would further improve emergency access in the surrounding areas of the	Consistent

Policy Number	Policy	Consistency Analysis	Consistent/ Inconsistent
	City.	Project Site. The Project would contribute all required development impact fees in accordance with the City's current requirements, a portion of which would go towards funding fire and police protection services in the City.	
1.17A	Residential, commercial, and industrial development throughout the City shall be coordinated to ensure that adequate public services and facilities are provided to serve future development.	The Project would contribute all required development impact fees in accordance with the City's current requirements, a portion of which would go towards funding fire and police protection services in the City. Transportation improvements provided as part of the Project would further improve emergency access in the surrounding areas of the Project Site. The Project would provide adequate access, setbacks, fire hydrants, address numbers, Knox Box and sprinklers in accordance with OFD requirements. Although the Project would result in a slight increase in demand for police services, there are not any aspects of the Project that would make it any more demanding on police services compared to similar types of residential development in the area. Adequate access for police personnel to the Project Site would be provided and the increase in demand for police protection services is not expected to be significant.	Consistent
1.17B	Land use and development review applications that are inconsistent with the capability of any public service agencies to provide cost-effective services shall not be approved.	The Project would contribute all required development impact fees in accordance with the City's current requirements, a portion of which would go towards funding fire and police protection services in the City. Transportation improvements provided as part of the Project would further improve emergency access in the surrounding areas of the Project Site. At the time a development is proposed, Project development plans and building plans will be reviewed by OFD to ensure that the Project meets all requirements related to access, fire hydrants, and setbacks and would comply with all conditions set forth for Project approval. Although the Project would result in a slight increase in demand for police services, there are not any aspects of the Project that would make it any more demanding on police services compared to similar types of residential development in the area. Adequate access for police personnel to the Project Site would be provided and the increase in demand for police protection services is not expected to be significant.	Consistent
1.17C	Major extensions of services or utilities to facilitate land use change shall not be approved without a thorough review of	The Project would not require major extensions or services to provide for the Project Site. The Project would contribute all required development impact fees in accordance with the City's current requirements, a portion of which would go towards funding fire and police protection services in the City. Transportation improvements provided as part of the Project would further improve	Consistent

Policy Number	Policy	Consistency Analysis	Consistent/ Inconsistent
	all social, economic, and environmental factors and appropriate mitigation measures implemented, if necessary.	emergency access in the surrounding areas of the Project Site. All future off-site water connections to existing facilities in North River Road, Calle Montecito and Calle Joven and the associated construction activities to install this infrastructure is included in the air quality, GHG, and noise analysis of this EIR (see Section 4.4, Section 4.8 and Section 4.14) and construction related air quality and GHG emissions are less than significant. Similarly, construction related noise impacts are less than significant. These off-site improvements would be located within already disturbed/developed areas and would not result in impacts to sensitive resources. Impacts related to construction of these off-site water improvements would be less than significant. The Project would be required to contribute its share of the costs for potential modifications to the North Valley Sewer Lift Station at the time of Project entitlement. It is anticipated that any improvements or modifications required to the North Valley Sewer Lift Station as a result of the Project's share of increase in flows, would occur as part of the existing sewer lift station which would be located in a developed area that has already been disturbed and would not result in impacts to sensitive resources. No extensions or improvements to the San Luis Rey Wastewater Treatment Plan would be required as a result of the Project.	
1.17D	Compact and in-fill development should be encouraged to concentrate expenditures for public services.	The Project would develop a future multi-family development in an area that is surrounded primarily by various residential land use types and industrial land uses. The Project would contribute all required development impact fees in accordance with the City's current requirements, a portion of which would go towards funding fire and police protection services in the City. Transportation improvements provided as part of the Project would further improve emergency access in the surrounding areas of the Project Site.	Consistent
2.3 Residential Development Objective	To direct and encourage the proper type, location, timing, and design of housing to benefit the community consistent with the enhancement and establishment of neighborhoods and a well-balanced and organized City.	The Project would provide for future development of a maximum of 400 multi-family residential units in an area with existing residential developments to the north and west, including single-family residences, multi-family apartments and condominiums, and mobile home community. The proposed medium-density residential use will also provide a transition between the light industrial uses located to the south and east, and the existing residential uses located to the north and west. The Project would be compatible with the surrounding land uses. The PBDP would establish development standards and community design guidelines that would ensure compatibility with surrounding residential land uses.	Consistent
2.31 A Residential Designations	The City's residential lands shall be designated as shown	As described in Table LU-1, the potential range of dwelling units per gross acre for Medium Density C land use designations is 15.1–20.9. The Project would provide a density of 15.6 du/ ac and would	Consistent

Policy Number	Policy	Consistency Analysis	Consistent/ Inconsistent
	in Table LU-1.	provide a maximum of 400 multi-family residential units consistent with Table LU-1.	
2.32 A Potential Range of Residential Densities	The base density shall be considered the appropriate density for development within each residential land use designation.	As provided in the PBDP for the Project, the maximum density for the Project would be 15.6 du/ ac which is in the lower density range for the MDC-R zone which is 15.1-20.9 du/ ac. Therefore, the Project would provide an appropriate density for the Project Site and would be compatible with the surrounding development.	Consistent
2.33 A Residential Unit Types Consistent with Residential Designations	The Residential Land Use designations shall reflect residential unit (or building) types of a residential development, not simply the overall number of dwelling units per acre.	The Project would provide for future development of a medium density residential development with a maximum of 400 dwelling units. With the approval of the General Plan Amendment as requested as part of the Project, the Project would be consistent with the City's General Plan. This Table (Table 4.12-1) provides the Project's consistency with the policies of the Land Use Element of the General Plan.	Consistent
2.33 C	Within developments that provide open space areas, the density of the minimum lot area shall not exceed the maximum allowable density within its land use designation (i.e. the minimum lot area shall not be less than that which would otherwise have been permitted if open spaces were not provided).	The PBDP provides the site development regulations which will regulate future development proposals within the PBD Overlay District. These standards support flexibility in site design and development patterns within the PBD Overlay in an effort to create a pleasing community aesthetic and facilitate efficient use of the site. As provided in the PBDP, the Project would provide 350 SF of usable open space per dwelling unit. The design of common and private usable open space areas would comply with the standards presented in Section 1050 (Q) (Open Space) of the Zoning Ordinance.	Consistent
2.33 D	To assure residential land use designations accurately reflect residential unit types, residential unit type shall be allowed in the various residential land designations according to Table LU-2.	The Project would include a General Plan Amendment in order to designate the Project Site as MDC-R. In accordance with the MDC-R land use designation the Project would provide the associated zoning designation as RM-C. Table LU-2 provides residential unit types and compatibility with residential land use designations. In accordance with Table LU-2, multi-family unit structures are allowed in the Medium Density C (15.1–20.9 du/ ac) land use designation	Consistent
2.7 Community Facilities	To provide a consistent level of quality and affordable	The Project would contribute all required development impact fees in accordance with the City's current requirements, a portion of which would go towards funding fire, police, schools, parks and	Consistent

Policy Number	Policy	Consistency Analysis	Consistent/ Inconsistent
Management Objective	public services and facilities and to effectively management development to ensure that a consistent service level is continued.	libraries in the City. The Project would be responsible for water, sewer and storm water improvements that would provide adequate capacity for the Project. All future off-site water connections to existing facilities in North River Road, Calle Montecito and Calle Joven and the associated construction activities to install this infrastructure is included in the air quality, GHG, and noise analysis of this EIR (see Section 4.4, Section 4.8 and Section 4.14) and construction related air quality and GHG emissions are less than significant. Similarly, construction related noise impacts are less than significant. These off-site improvements would be located within already disturbed/developed areas and would not result in impacts to sensitive resources. Impacts related to construction of these off-site water improvements would be less than significant. The Project would be required to contribute its share of the costs for potential modifications to the North Valley Sewer Lift Station at the time of Project entitlement. It is anticipated that any improvements or modifications required to the North Valley Sewer Lift Station as a result of the Project's share of increase in flows, would occur as part of the existing sewer lift station which would be located in a developed area that has already been disturbed and would not result in impacts to sensitive resources. No extensions or improvements to the San Luis Rey Wastewater Treatment Plan would be required as a result of the Project.	
2.7A	Capital improvement impact fees shall be collected at the time a building permit is issued and should consist of four components: 1. A fee based on share of citywide capital improvement expansion and replacement needs represented by the proposed development. 2. A fee to cover additional construction and replacement of capital improvements directly serving the proposed	Prior to issuance of the building permit(s) for the Project, the Project Applicant would pay all required development impact fees in accordance with current City requirements.	Consistent

Policy Number	Policy	Consistency Analysis	Consistent/ Inconsistent
	development. 3. Fees must be adequate to cover the full cost of non-citywide facilities serving the development (neighborhood parks, fire, and paramedic facilities), including a reserve for replacement costs. 4. In addition, fees must cover new construction and replacement of citywide facilities.		
2.7122 Pedestrian Objective #1	Provide for safe pedestrian circulation throughout the City, including sidewalks, pedestrian access to the beach, pedestrian malls, and hiking trails	The Project would construct a sidewalk along the Project frontage adjacent to North River Road. Internal streets with sidewalks would be designed to promote pedestrian activity within the development. Enhanced pedestrian circulation would provide access and connections to internal walkways, paseos, and open space systems. The Project would provide additional pedestrian improvements such as connection from the Project Site to the north side of the San Luis Rey River trail.	Consistent
2.7122 Pedestrian Objective #2	Provide access for the handicapped and elderly population to ensure them safety and mobility	All proposed sidewalks and internal streets would be constructed with required Americans with Disabilities Act (ADA) requirements including curb ramps, slope, width, and surface texture	Consistent
3.11 Vegetation and Wildlife Habitats Objective	Recognition and preservation of significant areas with regard to vegetation and wildlife habitats	The Project is within the Oceanside Subarea Plan, a draft plan used as a guidance document for projects within the City. According to the Preserve Planning Map and Habitat Conservation Overlay Zones Figure (Figure 4-1) of the Subarea Plan, the Project Site is not located within the WCPZ, the Coastal Zone or the boundaries of any PAMA. The Project Site is located within the Off-Site Mitigation Zone. Habitat on the eastern parcel consists of developed land, disturbed land and non-native vegetation. Habitat on the western parcel is characterized by developed land, disturbed land, non-native vegetation, and row crops. Therefore, it is unlikely that the Project Site would be used as an Off-Site Mitigation Zone. Impacts to these habitats/vegetation communities are not considered significant and would not require mitigation as guided by the Subarea Plan.	Consistent
3.11A	A biological survey report, including a field survey, shall be required for a proposed project site	A Biological Resources Letter Report for the eastern parcel (Appendix G) and a Biological Resources Letter Report for the western parcel (Appendix H) were prepared for the Project and were used in this EIR analysis (Section 4.5 <i>Biological Resources</i>). The preparation of these technical reports included field surveys and	Consistent

Policy Number	Policy	Consistency Analysis	Consistent/ Inconsistent
	if the site is largely or totally in a natural state or if high interest species of plants or animals have been found on nearby properties.	a literature review to assess potential impacts to sensitive biological resources. All surveys were conducted in accordance with applicable plans, policies and ordinances set forth by the federal and state wildlife agencies, the City and current industry and agency standards.	
3.11C	In areas where vegetation or wildlife habitat modification is inevitable, mitigation and/or compensatory measures such as native plant restoration, land reclamation, habitat replacement, or land interest donation will be considered.	As described in the Biological Resources Letter Report prepared for the eastern parcel (Appendix G) and the Biological Resources Letter Report prepared for the western parcel (Appendix H), habitat on the eastern parcel consists of developed land, disturbed land and non-native vegetation. Habitat on the western parcel is characterized by developed land, disturbed land, non-native vegetation, and row crops. The Project would have a less than significant impact to any sensitive habitat or vegetation community. MBTA-covered bird species have the potential to occur onsite and the Project has the potential to impact MBTA-covered species (Impact BIO-1). The Project would implement mitigation measure MM-BIO-1 which requires educational tools to identify and protect raptor nests and requires construction activities to occur outside the avian breeding season and requirements for pre-construction surveys if construction must occur during the breeding season.	Consistent
3.12A	Construction is prohibited within the floodway and restricted in the floodplain by requiring flood-proofing measures for all structures.	The Project Site is located within FEMA Flood Zone “X” and is not located within a designated 100-year flood plain. The San Luis Rey River is located approximately 800 feet to the south of the eastern parcel and approximately 175 feet to the south of the western parcel. Additionally, the western parcel is relatively level and is about 20 feet above the improved channel of the San Luis Rey River. A grouted rip-rap embankment separates the property from the channel bottom. Construction of the Project would not occur within a floodway or floodplain.	Consistent
3.18A	The City shall cooperate with the San Diego County Air Pollution Control Board, and participate in the Regional Air Quality Control Strategy (RAQS).	The Project would not exceed the SDAPCD’s air quality standards during construction and no mitigation is required. Operational emissions would not exceed SDAPCD screening thresholds during summer or winter scenarios and would not result in a significant impact to air quality. The Project would comply with SDAPCD Rules 20.2, 50, 51, 55, 67.01, and 1200. The Project Site would include a General Plan Amendment to revise the land use designation from LI to MDC-R. The expected construction emissions for a project under the existing zoning and land use would be greater compared to the emissions generated by the Project. The Project would therefore be considered less intense than a project under the existing zoning and land use. Because the RAQS would be based on the existing land use and zoning of the Project Site, and because the Project would be considered less intense than a project under the existing zoning and land use	Consistent

Policy Number	Policy	Consistency Analysis	Consistent/ Inconsistent
		designation, the Project would not create more growth than projected by SANDAG and would not conflict with the SIP and RAQS.	
3.2B	The City shall encourage the acquisition, restoration and/or maintenance of significant cultural resources by private organizations.	As discussed in Section 4.6 <i>Cultural Resources</i>, three (3) isolated prehistoric artifacts and the three (3) historic residences were recorded as a result of the field survey. None of the three (3) historic residences found on the Project Site meet the criteria for eligibility for the California Register of Historic Resources per the California Code of Regulations (CCR) Section 15064.5. Surface observations during the archaeological field survey were sufficient to conclude that the isolates in their disturbed context lack sufficient data potential and integrity to address important research questions, and therefore do not meet the criteria for eligibility for the California Register of Historical Resources per CCR Section 15064.5. However, due to the Project's close proximity to an alluvial terrace associated with the San Luis Rey River, and due to the occurrence of three (3) isolated prehistoric artifacts during the field survey, construction activities, including ground disturbing activities have the potential to cause an adverse change in the significance of an archaeological resource should they be located on the Project Site (Impact CUL-1). Implementation of mitigation measures MM-CUL-1a through MM-CUL-1h would require a qualified archaeologist and Native American monitor to be present during ground disturbing activities and provides the protocol in the event of a discovery. Impacts to cultural resources would be reduced to a level below significance.	Consistent
3.2C	Cultural resources that must remain in-situ to preserve their significance shall be preserved intact and interpretive signage and protection shall be provided by project developers.	As discussed in Section 4.6 <i>Cultural Resources</i>, three (3) isolated prehistoric artifacts and the three (3) historic residences were recorded as a result of the field survey. None of the three (3) historic residences found on the Project Site meet the criteria for eligibility for the California Register of Historic Resources per the California Code of Regulations (CCR) Section 15064.5. Surface observations during the archaeological field survey were sufficient to conclude that the isolates in their disturbed context lack sufficient data potential and integrity to address important research questions, and therefore do not meet the criteria for eligibility for the California Register of Historical Resources per CCR Section 15064.5. Implementation of mitigation measures MM-CUL-1a through MM-CUL-1h would require a qualified archaeologist and Native American monitor to be present during ground disturbing activities and provides the protocol in the event of a discovery. If cultural resources are found, ground-disturbing activities would temporarily halt in order to assess the find. If the resources must remain in-situ, proper protection and signage would be implemented in accordance with the direction of the onsite archaeological monitor and/or Native American monitor.	Consistent

Policy Number	Policy	Consistency Analysis	Consistent/ Inconsistent
3.2D	An archaeological survey report shall be prepared by a SOPA (Society of Professional Archaeologists) certified archaeologist for a project proposed for grading or development if any of the following conditions are met: 1. The site is completely or largely in a natural state; 2. There are recorded sites on nearby properties; 3. The project site is near or overlooks a water body (creek, stream, lake, freshwater lagoon); 4. The project site includes large boulders and/or oak trees; or 5. The project site is located within a half-mile of Mission San Luis Rey.	An Archaeological Survey and Assessment Report was prepared by Heritage Resources and is provided as Appendix I of this EIR, and was prepared for the Project in accordance with City standards. The Archaeological Survey and Assessment Report included archaeological and historical research and field survey for the Project Site. As discussed in Section 4.6 <i>Cultural Resources</i>, three (3) isolated prehistoric artifacts and the three (3) historic residences were recorded as a result of the field survey. None of the three (3) historic residences found on the Project Site meet the criteria for eligibility for the California Register of Historic Resources per the California Code of Regulations (CCR) Section 15064.5. Surface observations during the archaeological field survey were sufficient to conclude that the isolates in their disturbed context lack sufficient data potential and integrity to address important research questions, and therefore do not meet the criteria for eligibility for the California Register of Historical Resources per CCR Section 15064.5. However, due to the Project's close proximity to an alluvial terrace associated with the San Luis Rey River, and due to the occurrence of three (3) isolated prehistoric artifacts during the field survey, construction activities, including ground disturbing activities have the potential to cause an adverse change in the significance of an archaeological resource should they be located on the Project Site (Impact CUL-1). Implementation of mitigation measures MM-CUL-1a through MM-CUL-1h would require a qualified archaeologist and Native American monitor to be present during ground disturbing activities and provides the protocol in the event of a discovery. Impacts to cultural resources would be reduced to a level below significance.	Consistent
3.21A	The City shall encourage the preservation of significant visual open areas.	The City's Local Coastal Program (LCP) Land Use Plan states that the City's important aesthetic resources include views of the Pacific Ocean, San Luis Rey River, Buena Vista Lagoon, Oceanside Harbor and Oceanside Pier. The eastern parcel is located approximately 800 feet north of the San Luis Rey River and the western parcel is located approximately 175 feet north of the San Luis Rey River and is about 20 feet above the improved channel of the San Luis Rey River. Per the policies of the LCP Land Use Plan relating to aesthetic resources of the San Luis Rey River, the Project would not impact the existing unpaved trail system on the north side of the river, the Project would provide improved bicycle and pedestrian facilities that would connect to the river trails, adequate buffers in the form of setbacks would be provided, and the Project would not provide signs with excessive glare to the surrounding properties.	Consistent

Policy Number	Policy	Consistency Analysis	Consistent/ Inconsistent
		The western parcel is visible from the north side of the San Luis Rey River Trail but is not visible from the south side of the San Luis Rey River Trail due to intervening vegetation. The eastern parcel is partially visible from the north side of the San Luis Rey River Trail, since views of the light industrial uses, south of the eastern parcel are more prevalent. The eastern parcel is not visible from the south side of the San Luis Rey River Trail due to intervening vegetation and buildings. In its present condition, the Project Site does not provide an expansive view of a highly valued landscape or scenic vista and it would not interfere with views of an existing scenic vista. The future development associated with the Project would not contrast with surrounding land uses or with the existing visual landscape of the immediate vicinity.	
3.23 Paleontological Resources Objective	Recover, retention and evaluation of paleontological resources.	As discussed in Section 4.8 <i>Geology and Soils</i>, the western parcel is underlain by Artificial Fill (Qaf), topsoil and Quaternary-age alluvial deposits (Qal). Artificial fill does not present potential for the occurrence of paleontological resources due to their recent age and destructive nature of their origin. Similarly, topsoils do not exhibit potential for significant paleontological resources. Unnamed Quaternary river deposits representing the sediments of ancient river courses and have the potential to contain important vertebrate remains. The presence of Paleistocene river terrace deposits and Quaternary river deposits onsite which have the potential to consist of paleontological resources (Impact GEO-3). The Project would implement mitigation measure MM-GEO-3a which requires a qualified professional paleontologist or California Registered Professional Geologist with appropriate paleontological expertise, to prepare and implement a PRIMP.	Consistent
3.23A	Paleontological survey reports shall be prepared by a qualified paleontologist approved by the City for all Projects that are located in the area designated as having a high potential for fossils on the City's natural resource management data base system.	The western parcel is underlain by Artificial Fill (Qaf), topsoil and Quaternary-age alluvial deposits (Qal). Artificial fill does not present potential for the occurrence of paleontological resources due to their recent age and destructive nature of their origin. Similarly, topsoils do not exhibit potential for significant paleontological resources. Unnamed Quaternary river deposits representing the sediments of ancient river courses and have the potential to contain important vertebrate remains. The presence of Paleistocene river terrace deposits and Quaternary river deposits onsite which have the potential to consist of paleontological resources (Impact GEO-3). The Project would implement mitigation measure MM-GEO-3a which requires a qualified professional paleontologist or California Registered Professional Geologist with appropriate paleontological expertise, to prepare and implement a PRIMP.	Consistent

City of Oceanside Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment

Section 4.18 *Transportation* of this EIR provides the complete VMT analysis which identifies Project traffic impacts based on the Vehicle Miles Traveled Analysis prepared by LOS Engineering, Inc. (**Appendix Q**). The City of Oceanside City Council adopted the *Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment* in August 2020. These guidelines documents a threshold of 500 ADT for projects inconsistent with the General Plan and 1,000 ADT for projects consistent with the General Plan as a trigger for requiring a VMT analysis. The Project would provide a maximum of 400 multi-family residential units and is calculated to generate 3,200 ADT and is therefore required to prepare a VMT analysis.

Residential projects utilize VMT per capita to define a significant transportation impact when a project exceeds a level of 15% below existing VMT (i.e. greater than 85% of the regional mean). The City utilizes this guideline consistent with the OPR's *Technical Advisory on Evaluating Transportation Impacts in CEQA*. The OPR and City of Oceanside provide a map-based VMT screening option for residential projects. If a project is located within an area with low VMT, developed from regional travel demand model, then such projects can be used to screen out residential projects from needing to prepare a detailed VMT analysis.

SANDAG provides a map-based VMT model for the San Diego region that includes the City. The Project is located in an area having a VMT per Capita by Census Tract at 92.7% of the regional mean and therefore the Project exceeds the 85% significance threshold and is considered to have a significant impact on transportation VMT. The Project exceeds the VMT threshold by 7.8% (**Impact LU-1**). Therefore, the Project would exceed the thresholds adopted by the City for VMT per capita.

Oceanside Subarea Plan of the North County Multiple Habitat Conservation Plan (MHCP)

The Subarea Plan is the only applicable local, regional or state habitat conservation plan that applies to the Project. While the Subarea Plan has not been formally adopted, the Project would be designed to comply with the measures outlined in the MHCP and Subarea Plan. Although the Project was designed to comply with the measures outlined in the MHCP and the Subarea Plan, the Project has the potential to result in significant impacts to MBTA-covered bird species which have the potential to occur onsite, and therefore a **significant impact (Impact LU-2)** would occur.

The Project would include mitigation measures consistent with the Subarea Plan to address potential direct, significant and unavoidable impacts to sensitive biological resources.

Regional PlansSan Diego Forward: The Regional Plan

The 2015 San Diego Forward: The Regional Plan prepared by SANDAG, includes a set of policy objectives related to habitat and open space preservation, regional economic prosperity, environmental stewardship, mobility choices, partnerships/collaboration and health and complete communities. The Project's consistency with applicable policy objectives is presented in **Table 4.12-3**. As shown in **Table 4.12-3**, the Project would not conflict with the applicable policy objectives of the Regional Plan.

Table 4.12-3
Consistency with SANDAG San Diego Forward – The Regional Plan

Policy Objectives	Consistency
Habitat and Open Space Preservation: Focus growth in areas that are already urbanized, allowing the regional to set aside and restore more open space in our less developed areas. Protect and restore our region's urban canyons, coastlines, beaches, and water resources.	Consistent: The Project would establish a PBD Overlay District to allow for the future development of a maximum of 400 multi-family residential units. The Project Site is located in a developed area surrounded by various residential land uses including single-family residences, multi-family apartments and condominiums, a mobile home community and light industrial uses. Under the proposed General Plan Amendment and Zone Amendment the Project would be consistent with the land use and zoning designations for MDC-R and RM-C designations. Therefore, the Project would provide growth in an already urbanized area. The Project is not located near canyons, coastline, or beaches. The Project Site is located approximately 5.5 miles east of the Pacific Ocean. The eastern parcel is located approximately 800 feet north of the San Luis Rey River and the western parcel is located approximately 175 feet north of the San Luis Rey River and is about 20 feet above the improved channel of the San Luis Rey River.
Environmental Stewardship: Support energy programs that promote sustainability.	Consistent: Project design features have been incorporated into the Project in order to reduce energy usage associated with operation of the Project. The Project would include the following design features: • The Project will install Low Flow water fixtures in all residential units. • All lights within the development will be designed to use LED technology and will be for both indoor and outdoor lighting areas. • The Project will provide separate waste containers to allow for simpler material separations or the Project will pay for a waste collection service that recycles the materials in accordance with AB 341 to achieve a 75% waste diversion. All green waste will be diverted from landfills and recycled as mulch. • The Project will only install natural gas hearth units where applicable. No wood burning hearths would be provided onsite. The Project would comply with the 2019 Title 24 Part 6 Building Efficiency Standards including enhanced insulation and the use of efficient natural gas appliances and HVAC units. The Project would minimize the use of natural gas use and that existing and planned natural gas facilities and supplies would be sufficient to support the Project's natural gas demand. The Project would be consistent with the City's CAP and ECAE of the General Plan as provided in Table 4.7-2 and Table 4.7-3, Section 4.7 Energy.
Healthy and Complete Communities: Create great places for everyone to live,	Consistent: The Project would positively contribute to the City's housing

Policy Objectives	Consistency
work and play.	opportunities and would generate housing for future residents. The Project Site is located in an area surrounded primarily by various residential land use types and industrial uses. Commercial uses are located 0.50 mile to the west of the Project Site. The San Luis Rey River and unpaved trail is located to the south of the Project Site and trail connections would be provided as part of the Project. The Project would allow residents the opportunity to live, work and play within in walking distance of once another.

San Diego Air Pollution Control District Rules and Regulations

The Project is located within the SDAPCD. Impacts related to air quality are analyzed in Section 4.4 *Air Quality*. The SDAPCD is responsible for enforcing standards and regulating stationary sources of pollution. The Project is subject to the rules and regulations set forth by the SDAPCD. Land use assumptions utilized to prepare the RAQS take into account local land use plans. The Project Site would include a General Plan Amendment to revise the land use designation from LI to MDC-R. The expected construction emissions for a project under the existing zoning and land use would be greater compared to the emissions generated by the Project. The Project would therefore be considered less intense than a project under the existing zoning and land use. Because the RAQS would be based on the existing land use and zoning of the Project Site, and because the Project would be considered less intense than a project under the existing zoning and land use designation, the Project would not create more growth than projected by SANDAG and would not conflict with the SIP and RAQS.

Further, the Project would not exceed the SDAPCD's air quality standards during construction and no mitigation is required. Operational emissions would not exceed SDAPCD screening thresholds during summer or winter scenarios and would not result in a significant impact to air quality. The Project would comply with SDAPCD Rules 20.2, 50, 51, 55, 67.01, and 1200.

As provided in Section 4.4 *Air Quality*, construction health risks are assessed as a result of the Project. The Project would disturb LBP-containing materials through the removal and disposal of materials from existing structures onsite which has the potential to cause a health hazard and represents a **significant impact (Impact LU-3a)**. Project construction would require the removal and disposal of onsite buildings that have the potential to disturb ACMs, which has the potential to cause adverse health effects and represents a **significant impact (Impact LU-3b)**. Project construction would require the removal and disposal of irrigation pumps potentially containing ACMs which has the potential to cause adverse health and environmental effects and represent a **significant impact (Impact LU-3c)**. Therefore, the Project has the potential to conflict with SDAPCD rules and regulations for health risks.

4.12.5 MITIGATION IMPLEMENTATION AND MONITORING

Land Use Plan – City of Oceanside VMT Guidelines (Impact LU-1) Vehicle Miles Traveled (Impact TRANSPORT-1)

The Project would implement mitigation measures MM-TRANSPORT-1 and MM-TRANSPORT-2 which are presented in Section 4.18 *Transportation* and would reduce VMT impacts to a level below significance.

MM-TRANSPORT-1

The Project shall implement CAPCOA reduction measure LUT-1: Increase Density, which is applicable to residential projects in an urban or suburban area. The Project shall provide a PBDP to establish land use

and development standards that regulate future residential development proposals on the Project Site, including establishing medium density residential uses in accordance with the MDC-R designation.

MM-TRANSP0-2

The Project shall implement CAPCOA reduction measure SDT-1: Provide Pedestrian Network Improvements, which is applicable to residential projects in an urban and suburban area. The Project shall provide a pedestrian access network to link areas of the Project Site which encourages people to walk instead of drive. The Project shall provide pedestrian access that internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the Project Site. The Project shall minimize barriers to pedestrian access and interconnectivity. Physical barriers such as walls, landscaping, and slopes that impede pedestrian circulation shall be eliminated.

Land Use Plan – Oceanside Subarea Plan (Impact LU-2)

Mitigation measure MM-BIO-1 which is presented in Section 4.5 *Biological Resources*, would reduce this impact to below a level of significance.

Raptor Foraging and Migratory Birds (Impact BIO-1)**MM-BIO-1**

The project applicant shall develop an educational pamphlet (in English and Spanish) for the identification of raptor nests and to guide tree pruning activities in suburban areas during the breeding season. Landscaping companies and tree trimming services that have projects in the City shall be required to use the pamphlet to educate their employees on the recognition of raptor nest trees. Trimming of trees containing raptor or migrating bird nests shall be prohibited during the raptor breeding season (January 15 to August 31). Human disturbance shall be restricted around documented nesting habitat during the breeding season based on the following:

To avoid any direct and indirect impacts to raptors and/or any migratory birds, grubbing and clearing of vegetation that may support active nests and construction activities adjacent to nesting habitat would occur outside of the breeding season (January 15 to August 31). If removal of habitat and/or construction activities is necessary adjacent to nesting habitat during the breeding season, the applicant shall retain a City-approved biologist to conduct a pre-construction survey to determine the presence or absence of non-listed nesting migratory birds on or within 300 feet of the construction area, and federally or state-listed birds and raptors on or within 500 feet of the construction area. The pre-construction survey must be conducted within 10 calendar days prior to the start of construction, the results of which must be submitted to the City for review and approval prior to initiating any construction activities. If nesting birds are detected by the City-approved biologist, the following buffers shall be established:

1. No work within 300 feet of a non-listed nesting migratory bird nest, and
2. No work within 500 feet of a listed bird or raptor nest. However, the City may reduce these buffer widths depending on site-specific conditions

(e.g., the width and type of screening vegetation between the nest and proposed activity) or the existing ambient level of activity (e.g., existing level of human activity within the buffer distance). If construction must take place within the recommended buffer widths above, the project applicant would contact the City to determine the appropriate buffer.

Land Use Plan – SDAPCD Rules and Regulations (Impact LU-3a, Impact LU-3b, and Impact LU-3c)

Mitigation measures MM-HAZ-1, MM-HAZ-2 and MM-HAZ-3, which are presented in Section 4.10.5 *Hazards and Hazardous Materials*, would reduce this impact to below a level of significance.

Sensitive Receptors Health Risks Related to LBP and ACMs (Impact AQ-1, Impact AQ-2 and Impact AQ-3)

- MM-HAZ-1** Prior to any disturbance of painted building materials within existing buildings, the Construction Contractor and/or Project Applicant shall conduct a Pre-Demolition Lead Based Paint (LBP) Survey on all onsite structures. Compliance with the recommendations of the Pre-Demolition LBP Survey will evaluate the Project Site for LBP that will require special handling and disposal in accordance the Occupational Safety and Health Administration (OSHA) and the Code of Federal Regulations (CFR) and the CCR California Occupational Safety and Health Administration (CalOSHA). All recommendations of the Pre-Demolition LBP Survey shall be adhered to during all building structure removal activities.
- MM-HAZ-2** Prior to any disturbances of onsite structures, a comprehensive Asbestos Hazard Emergency Response Act-level (AHERA) Pre-Demolition Asbestos Containing Material (ACM) Survey shall be conducted on all onsite structures by the Construction Contractor and/or Project Applicant. The Pre-Demolition ACM Survey will determine the presence and location of ACMs and proper handling and disposal methods which are to be adhered to during all building structure removal activities.
- MM-HAZ-3** During all onsite grading activities, any suspect transite pipes shall be managed as ACM until not proven to be. Any pipes determined to contain ACM shall be properly disposed of from the Project Site in accordance with recommendations provided in the Phase II Environmental Site Assessment prepared by SECOR International Inc. provided as **Appendix D** of this EIR. Special care shall be taken during handling, removal and disposal of potential transite-containing pipes in order to avoid disaggregating it into a friable condition which could increase health and safety concerns.

4.12.6 LEVEL OF SIGNIFICANCE AFTER MITIGATION

The analysis in Section 4.12.4 identified the potential for significant impacts related to compliance with a land use plan including guidelines for addressing VMT. Implementation of mitigation measures MM-TRANSP0-1 and MM-TRANSP0-2 would require implementation of the CAPCOA VMT reduction measures LUT-1 and SDT-1. Implementation of these two VMT reduction measures would reduce the Project's transportation impact (Impact LU-1) to 83.4% which is below the 85% threshold, and therefore impacts would be reduced to a level below significance.

The analysis in Section 4.12.4 identified the potential for significant impacts related to compliance with a land use plan. Implementation of mitigation measure MM-BIO-1 requires educational tools to identify and protect raptor nests and requires construction activities including clearing and grubbing to occur outside the avian breeding season and requirements for pre-construction surveys if construction must occur during the breeding season. With implementation of mitigation measure MM-BIO-1, Impact BIO-1 related to raptor foraging and migratory birds and Impact LU-2 related to compliance with the Oceanside Subarea Plan would be reduced to below a level of significance. Therefore, impacts related to compliance with the Oceanside Subarea Plan will be reduced to less than significant.

The analysis in Section 4.12.4 identified the potential for significant impacts related to compliance with a land use plan including the rules and regulations under the SDAPCD. Significant impacts related to health risks and exposure of pollutant concentrations to sensitive receptors specifically from LBP and ACMs were identified. Implementation of mitigation measure MM-HAZ-1 requires a Pre-Demolition LBP Survey in order to evaluate the structures for LBP and identify proper handling and disposal methods of such materials. With implementation of mitigation measure MM-HAZ-1, Impact AQ-1 related to the exposure of pollutant concentrations such as LBP to sensitive receptors would be reduced to level below significance.

Implementation of mitigation measure MM-HAZ-2 requires a Pre-Demolition ACM Survey in order to evaluate the existing structures for ACMs and identify proper handling and disposal methods of such materials. With implementation of MM-HAZ-2, Impact AQ-2 related to the exposure of pollutant concentrations such as ACMs to sensitive receptors would be reduced to level below significance.

Implementation of mitigation measure MM-HAZ-3 would require special handling, removal and disposal of transite pipes that have the potential to disrupt ACMs in order to avoid disruption to such materials which could increase health and safety concerns. With implementation of MM-HAZ-3, Impact AQ-3 related to exposure of pollutant concentrations such as ACMs in transite pipes would be reduced to level below significance.

Implementation of mitigation measures MM-HAZ-1 through MM-HAZ-3 would reduce impacts related to air quality (Impact AQ-1, Impact AQ-2 and Impact AQ-3) and would reduce impacts related to compliance with a land use plan, specifically the rules and regulations of the SDAPCD (Impact LU-3a, Impact LU-3b and Impact LU-3c) to less than significant levels.

4.13 MINERAL RESOURCES

The following documents were used in the preparation of this section and are included in its entirety in **Appendix J** and **Appendix K**.

Vinje & Middleton Engineering, Inc. January 18, 2016. *Geotechnical Investigation Proposed Multi-Family Residential Project 4665 North River Road Oceanside, California.* (**Appendix J**)

Christian Wheeler Engineering. December 2, 2015. *Report of Geotechnical Investigation Nagata Property 4617 North River Road Oceanside, California.* (**Appendix K**)

4.13.1 ENVIRONMENTAL SETTING

Mineral resources can be divided into three (3) general categories of which are important to the County. Construction materials such as sand, gravel and crushed rock resources are the most important category of mineral resources economically. Industrial and chemical mineral materials include limestone, dolomite, and marble (except where used as construction aggregate); specialty sands, clays, phosphate, borates and gypsum, feldspar, talc, building stone and dimension stone. Metallic and rare minerals are the third category which includes precious metals (gold, silver and platinum), iron and other ferro-alloy metals, copper, lead, zinc, gemstones and semi-precious materials, and optical-grade calcite.

There are two (2) major areas of mineral deposits within the City located along the northern portion of the City as shown in Figure ERM-5 of the Environmental Resource Management Element of the General Plan. One (1) of these areas, the San Luis Rey River Basin, contains landfill, beach sand (non-construction quality) and construction quality sand suitable for concrete and plaster. The other significant deposits consist of silica sand, primarily used in glass manufacturing.

The second area of mineral deposits in the City is along El Camino Real north of Oceanside Boulevard where silica mining operations occurred for over 60 years; however this area of the City is now the El Corazon Specific Plan area. The Project Site is located within an area of probable construction quality sand as displayed in Figure ERM-5 of the Environmental Resource Management Element.

The California Surface Mining and Reclamation Act (SMARA) of 1975 required the classification of land into Mineral Resource Zones (MRZs), according to the land's known or inferred mineral resource potential. These zones were established based on the presence or absence of significant sand and gravel deposits and crushed rock source areas. The City contains land designated in three categories: MRZ-2, MRZ-3 and MRZ-4. MRZ-2 designates areas where adequate information exists to indicate that significant mineral deposits are present or where it was determined that a high likelihood for their presence exists. MRZ-3 areas are those containing mineral deposits whose significance cannot be evaluated from available data. This classification also includes area where both acceptable and unacceptable quality materials are intermixed, usually in layers. MRZ-4 areas are those for which available information is inadequate for assignment to any other MRZ zone. The Project Site currently holds an MRZ-2 designation, which indicates that adequate information exists to indicate that significant mineral deposits are present or have a high likelihood for their presence.

4.13.2 REGULATORY SETTING

State

Surface Mining and Reclamation Act

Urban preemption of prime mineral deposits and conflicts between mining and other uses throughout California led to passage of the Surface Mining and Reclamation Act of 1975 (SMARA), which establishes policies for the conservation, development, and reclamation of mineral lands and contains specific provisions for the classification of mineral lands by the State Geologist. The SMARA requires all cities and counties to incorporate in their general plans the mapped designations approved by the Division of Mines and Geology. These designations are to include lands categorized as Mineral Resource Zones (MRZs). MRZ classifications are used to communicate information concerning the existence of mineral resources.

Local

City of Oceanside General Plan

The City's Environmental Resource Management Element of the General Plan is designed to conserve natural resources and is founded on the principles of conservation, preservation, planned management and wise utilization of natural resources. An objective of the Environmental Resource Management Element is to regulate mineral extraction activities to minimize hazards and conflicts with other land uses as well as to preserve and enhance the appearance of the area.

The Land Use Element of the General Plan contains the following policies related to Mineral Resources:

3.31 Mineral Resource Areas

Objective: To provide for the conservation and development of mineral deposits of local and regional significance and to allow the environmentally sensitive extraction of said deposits while minimizing land use conflicts.

Policy A: Mining operations shall be restricted to the following areas which contain mineral deposits determined to be of regional significance by the State Mining and Geology Board pursuant to the California Surface Mining and Reclamation Act of 1975 and those found to be essential to the economic well-being of the City (see Figure LU-22).

Policy B: Mineral Resource Areas shall remain in effect until the resource has been depleted or no longer exists in sufficient quantity or quality to be of benefit to the City and/or the region.

Policy C: The City shall not approve, extend, or amend any permit for mining operations that are not located within designated mineral resource areas.

4.13.3 THRESHOLDS OF SIGNIFICANCE

Per Appendix G of the CEQA Guidelines, impacts would be considered significant if the Project would:

- 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;
- 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.

4.13.4 PROJECT IMPACT ANALYSIS

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?

The Project Site is located in a primarily developed area with various types of residential uses including single-family residents to the west, multi-family apartments and condominiums and mobile home estate community to the north and northeast, and light industrial uses to the south and east. According to the Environmental Resource Management Element of the General Plan, Figure ERM-5 Sand Deposits, the Project Site is located within an area of probable construction quality minerals. Additionally, the Project Site is designated as MRZ-2 under the County of San Diego Guidelines for Determining Significance – Mineral Resources (County of San Diego, 2007), indicating that adequate information exists to suggest that significant mineral deposits are present or that it is determined that a high likelihood of their presence exists.

As described in the Geotechnical Investigation performed for the eastern parcel by Vinje & Middleton Engineering, Inc. (**Appendix J**), the eastern parcel is underlain by terrace deposits and alluvium. Terrace deposits exist onsite at shallow depths and consist of sandstone in cemented and dense conditions. Similar to the western parcel, alluvium deposits were found and consist of varying degrees of silty sand that extend more than 50 feet beneath the alluvial portion of the parcel.

A Geotechnical Investigation for the western parcel was performed by Christian Wheeler Engineering (**Appendix K**). The western parcel was found to be underlain by artificial fill, alluvium, and old paralic deposits in the topsoil. Topsoil was found at a range of 1 to 2 feet and consisted of fine-grained, silty sand. Artificial fill was found at a range from 1 to 3.5 feet and consisted of dry to damp, relatively loose, silty sand that also contained debris and trash. Alluvium deposits were encountered below the topsoil and fill layers at depths of 2 to 4 feet and extended to depths greater than 60 feet. Alluvial materials generally consisted of poorly-graded sand with varying degrees of silty sand.

The City's Environmental Resource Management Element of the General Plan describes silica sand, primarily used in glass manufacturing, as the significant mineral deposit that is currently being extracted. As outlined in the Geotechnical Investigations performed for the east and western parcels, silica sand does not underlie the Project Site. Furthermore, the current Project Site does not include an operating mine nor would the Project Site be large enough to support a mine or quarry. Additionally, the Project Site is located in a developed portion of the City and is not zoned for such activities.

Though the Project Site is located in an area designated as MRZ-2, there is no evidence of mineral deposits that are minable, process-able, and marketable under the technologic and economic conditions that exist at present, estimated to exist in the next 50 years, or meets/exceeds the minimum monetary values outlined in the County of San Diego Guidelines for Determining Significance – Mineral Resources (County of San Diego, 2007). The Project would not 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 and therefore a **less than significant impact** would occur.

- 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?

The Project Site is designated as MRZ-2 which indicates that there is adequate information to suggest that significant mineral deposits are present or there is a high likelihood of their presence as depicted in the County of San Diego Guidelines for Determining Significance – Mineral Resources, Figure 2 (County of San Diego, 2007). However, the Project Site would not be considered a typical MRZ-2 area because it

does not include an operating mine nor do the Geotechnical Investigations prepared for the Project Site indicate onsite soils to contain significant mineral deposits.

Furthermore, the Project Site is surrounded by residential and industrial uses. The eastern parcel is developed with office and warehouse facilities, residential structures and contains concrete and asphalt paving. The western parcel operates primarily as agricultural activities with an old warehouse, packing shed, small out buildings and a single-family residence, indicating previous development onsite and in the surrounding area. Therefore, it is anticipated that any mineral resources located onsite or in the surrounding area would have already been lost.

The Project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan and therefore a **less than significant impact** would occur.

4.13.5 MITIGATION IMPLEMENTATION AND MONITORING

No significant impacts to mineral resources have been identified and therefore, no mitigation measures are required.

4.13.6 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Project impacts related to mineral resources from the implementation of the project would be less than significant.

4.14 NOISE

The following document was used in the preparation of this section and is included in its entirety in **Appendix N** and **Appendix P**.

Ldn Consulting, Inc. October 2, 2020. *Noise Study, North River Road Planned Block Development – Overlay District, City of Oceanside, CA. (Appendix N)*

LOS Engineering, Inc. February 4, 2022. *Tierra Norte Residential Development Plan Southside of N. River Rd btw Ave Descanso and Calle Montecito, City of Oceanside, Local Transportation Study. (Appendix P)*

4.14.1 ENVIRONMENTAL SETTING

Noise Characteristics and Descriptors

Sound is mechanical energy transmitted by pressure waves in a compressible medium, such as air. Noise is defined as unwanted sound which interferes with or disrupts normal daily activities. Sound levels are measured in units called decibels (dB). Sounds heard by humans generally consist of multiple frequencies. The A-weighted decibel scale is (dBA) is used to evaluate sounds, which reflects how the human ear responds to different sound levels at different frequencies.

Several descriptors of noise exist to help predict average community reactions to the adverse effects of environmental noise, including traffic-generated noise. To evaluate the long-term characteristics of sound, accounting for the variability in sound levels over time, a mathematical average is taken for a given time interval. This time-averaged sound level over a specific period of time is called a noise equivalent level (L_{eq}). Maximum sound level (L_{max}) is the greatest sound level measured during a designated time interval or event. The minimum sound level (L_{min}) is the minimum sound level and is often called the floor of a measurement period.

The day-night average noise level (L_{dn}) and community noise equivalent level (CNEL) represent 24-hour periods that apply a time-weighted factor designed to emphasize noise events that occur during the non-daytime hours. CNEL penalizes noise that occurs during certain sensitive periods. Noise occurring during the daytime (7:00 AM to 7:00 PM) receives no penalty. Noise during the evening (7:00 PM to 10:00 PM) is penalized by added 5 dB and nighttime (10:00 PM to 7:00 AM) noise is penalized by adding 10 dB. L_{dn} differs from CNEL in that the daytime period is longer (7:00 AM. to 10:00 PM). L_{dn} and CNEL are the predominant criteria used to measure roadway noise affecting residential and sensitive receptors.

A vehicle's noise level is a combination of the noise produced by a vehicle's engine, exhaust, and tires. The cumulative traffic noise levels along a roadway segment are based on three (3) primary factors: the amount of traffic, the travel speed of the traffic, and the vehicle mix ratio or number of medium and heavy trucks. The intensity of traffic noise is increased by higher traffic volumes, greater speeds, and increased number of trucks. Since mobile/traffic noise are calculated on a logarithmic scale, a doubling of the traffic noise or acoustical energy results in a noise level increase of 3 dBA.

Reduction Methods

The most effective noise reduction methods consist of controlling the noise at the source and blocking the noise transmission with barriers. Any or all of these methods may be required to reduce noise levels to an acceptable level. In order to be effective, a noise barrier must have enough mass to prevent significant

noise transmission through it and high enough and long enough to shield the receiver from the noise source. A safe minimum surface weight for a noise barrier is 3.5 pounds/SF (equivalent to $\frac{3}{4}$ -inch plywood), and the barrier must be carefully constructed so that there are no cracks or openings.

Barriers constructed of wood or as a wooden fence must have minimum design considerations as follows: the boards must be $\frac{3}{4}$ -inch thick and free of any gaps or knot holes; the design must also incorporate either overlapping the boards at least one (1) inch or utilizing a tongue-and-groove design for this to be achieved.

Vibration Fundamentals

Vibration is a trembling or oscillatory motion of the ground. Like noise, vibration is transmitted in waves, but in this case through the ground or solid objects. Unlike noise, vibration is typically felt rather than heard. Vibration can be either natural as in the form of earthquakes, volcanic eruptions, or manmade as from explosions, or heavy machinery and equipment. Both natural and manmade vibration may be continuous such as from operating machinery, or infrequent as from an explosion.

It is described in terms of frequency and amplitude and, unlike sound, can be expressed as displacement, velocity or acceleration. Amplitude is characterized in three (3) ways: displacement, velocity, and acceleration. Particle displacement is a measure of the distance that a vibrated particle travels from its original position and for the purposes of soil displacement is typically measured in inches or millimeters. Peak particle velocity (PPV) is the rate of speed at which soil particles move in inches per second (in/sec). Particle acceleration is the rate of change in velocity with respect to time and is measured in gravities. Both PPV and acceleration are used to describe vibration. **Table 4.14-1** shows the human reaction to various levels of PPV.

Vibrations also vary in frequency and this affects perception. Frequency is measured in Hertz (Hz). Typical construction vibrations fall in the 10 to 30 Hz range and usually occurring around 15 Hz. Traffic vibrations exhibit a similar range of frequencies, however, due to their suspension systems, it is less common to measure traffic frequencies above 30 Hz. Common sources of vibration within communities include construction activities and railroads.

Table 4.14-1
Human Reaction to Typical Vibration Levels

Vibration Level Peak Particle Velocity (inches/sec)	Human Reaction	Effect on Buildings
0.006-0.019	Threshold of perception, possibility of intrusion	Vibrations unlikely to cause damage of any type
0.08	Vibrations readily perceptible	Recommended upper level of vibration to which ruins and ancient monuments should be subjected
0.10	Level at which continuous vibration begins to annoy people	Virtually no risk of “architectural” (i.e., not structural) damage to normal dwelling houses with plastered walls and ceilings
0.20	Vibrations annoying to people in buildings	Threshold at which there is a risk to “architectural” damage to normal dwelling houses with plastered walls and ceilings
0.40-0.60	Vibrations considered unpleasant by people subjected to continuous vibrations	Vibrations at a greater level than normally expected from traffic, but would cause

	and unacceptable to some people walking on bridges	“architectural” damage and possibly minor structural damage
Source: Noise Study prepared by Ldn Consulting, Inc. (Appendix N)		

Three (3) main types of groundborne vibration propagation are: surface, compression, and shear waves. Surface waves travel along the ground’s surface and carry most of their energy along an expanding circular wave front, similar to ripples produced by dropping an object into water. Compression waves, or P-waves, are waves that carry their energy along an expanding spherical wave front. The particle motion in these waves is longitudinal. Shear waves, or S-waves, are also body waves that carry energy along an expanding spherical wave front. However, unlike P-waves the particle motion is transverse, or side-to-side and perpendicular to the direction of propagation.

As vibration waves propagate from a source, the energy is spread over an ever-increasing area such that the energy level is reduced with the distance from the energy source. This geometric spreading loss is inversely proportional to the square of the distance. Wave energy is also reduced with distance as a result of material damping in the form of internal friction, soil layering, and special voids. The amount of attenuation provided by material damping varies with soil type and condition as well as the frequency of the wave.

Groundborne vibration generated by construction projects is usually highest during pile driving, rock blasting, soil compacting, jack hammering, and demolition-related activities where sudden releases of subterranean energy or powerful impacts of tools on hard materials occur. Depending on their distances to a sensitive receptor, operation of large bulldozers, graders, loaded dump trucks, or other heavy construction equipment and vehicles on a construction site also have the potential to cause high vibration amplitudes.

Project Site Noise

Noise measurements were taken November 5, 2019 in the morning hours using a Larson-Davis Model LxT Type 1 precision sound level meter by Ldn Consulting, Inc. The sound level meter and microphone were mounted on a tripod, five (5) feet above the ground and equipped with a windscreen during all measurements.

Monitoring Location 1 (ML1) was located on the western parcel adjacent to North River Road. The results of the noise level measurements are presented in **Table 4.14-2** below. The noise measurements were monitored for a period of 15 minutes during normal traffic conditions. The existing noise levels in the Project area are primarily associated with traffic from adjacent North River Road.

Table 4.14-2
Project Site Ambient Noise Levels

Measurement Identification	Primary Noise Source	Time	Noise Levels (dBA)					
			L _{eq}	L _{min}	L _{max}	L10	L50	L90
M1	North River Road	9:15 – 9:45 AM	65.9	47.7	75.3	70.7	61.6	51.9
Source: Noise Study prepared by Ldn Consulting, Inc. (Appendix N)								

Noise-Sensitive Land Uses

Noise-sensitive land uses are those that have the potential to be more impacted by noise from construction or operation of certain development activities. Residential land uses are typically associated with being sensitive to noise as people in residential areas are often home for extended periods of time. Noise sensitive land uses in the vicinity of the Project Site include single-family residences located directly to the west (approximately 20 feet from the Project Site boundary), the mobile home estates and multi-family residences located directly north on the opposite side of North River Road (approximately 122 feet), North River Club Apartments (approximately 833) to the northwest, Shepherd of the Valley Lutheran Church (approximately 833 feet) to the northwest, Nicholas Elementary School located 0.28 mile southwest, Cesar Chavez Middle School located 0.40 mile southeast, Libby Elementary School (0.59 mile), Libby Lake Park (0.43 mile) and Libby Lake Child Development Center (0.45 mile) located northeast and Reynolds Elementary School located 0.90 mile north of the Project Site.

These noise-sensitive land uses would also be considered vibration-sensitive land uses.

4.14.2 REGULATORY SETTING

Federal

Noise Control Act

In 1972, Congress enacted the Noise Control Act which authorized the U.S. EPA to establish a means for effective coordination of federal research and activities in noise control, establish federal noise emission standards for products distributed in commerce, and provide information to the public about the noise reduction characteristics of such products.

Federal Transit Administration

In its Transit Noise and Vibration Impact Assessment Manual, the Federal Transit Administration (FTA) recommends a daytime construction noise level threshold of 80 dBA L_{eq} over an eight-hour period when detailed construction noise assessments are performed to evaluate potential impacts to community residences surrounding a project (FTA 2018). Although the FTA guidance is not a regulation, it can serve as a quantified standard in the absence of such limits at the state and local jurisdictional levels.

State

California Code of Regulations, Title 24

According to Title 24 (Part 2, Volume 1, Chapter 12 – Interior Environment, Section 1206.4), interior noise levels attributed to exterior noise sources are not to exceed 45 dBA CNEL for any habitable room. The “State Noise Insulation Standard”, as it is referred to, requires buildings to meet performance standards through design and/or building materials that would help to reasonably offset any significant noise source in the receptor’s vicinity.

California Department of Transportation

In its Transportation and Construction Vibration Guidance Manual, Caltrans recommends a vibration velocity threshold of 0.2 in/sec PPV for assessing vibration impacts to occupants of residential structures. Although this Caltrans guidance is not a regulation, it can serve as a quantified standard in the absence of such limits at the local jurisdictional level.

Local

Local Property Line Noise Standards

The City of Oceanside does not have a local property line noise standard. Therefore, the City relies on the local property line noise standard of the County of San Diego and the City of San Diego, as described below.

The County of San Diego Noise Ordinance Code states that with the exception of an emergency, it should be unlawful to conduct any construction activity so as to cause, at or beyond the property lines, an average sound level greater than 75 dB between the hours of 7:00 AM and 7:00 PM. Similarly, the City of San Diego Municipal Code Section 59.5.0404(b) states that it is unlawful for any person, including the City of San Diego, to conduct any construction activity so as to cause, at or beyond the property lines of any property zoned residential, an average sound level greater than 75 dB during the 12-hour period of 7:00 AM to 7:00 PM.

City of Oceanside Noise Control Ordinance

The OMC Chapter 38 includes a Noise Control Ordinance which identifies acceptable noise levels within the community. Section 38.12 of the Noise Control Ordinance establishes general sound level limits for various zoning districts and shown in **Table 4.14-5** below in the *Thresholds of Significance* discussion. For medium density residential zones, noise levels are not to exceed 50 dBA from the hours of 7:00 AM to 9:59 PM and 45 dBA from 10:00 PM to 6:59 AM.

Construction activities are subject to Section 38.17 of the Noise Control Ordinance, which specifically prohibits the operation of any pneumatic or air hammer, pile driver, steam shovel, derrick, steam, or electric hoist, parking lot cleaning equipment, or other appliance, the use of which is attended by loud or unusual noise, between the hours of 10:00 PM and 7:00 AM.

Section 38.16 of the Noise Control Ordinance prohibits nuisance noise as recommended in the City's General Plan Noise Element. It is unlawful for any person to make, continue, or cause to be made or continued within the limits of the City any disturbing, excessive, or offensive noise that causes discomfort or annoyance to reasonable persons of normal sensitivity. The Noise Control Ordinance Section 38.15 provides that construction maintenance or other public improvement activities by government agencies or public utilities may be exempt from the noise level limits upon the City manager determination that the authorization furthers the public interest.

The Noise Ordinance is the City's principal tool in implementing the goals and policies of the General Plan's Noise Element.

City of Oceanside General Plan

The General Plan Noise Element contains policies for minimizing unnecessary noises and establishing standards for maximum noise levels in the City. The Noise Element provides the following limitations on construction noise:

1. It should be unlawful for any person within any residential zone of 500 feet there from to operate any pile driver, power shovel, pneumatic, power hoist, or other construction equipment between 8:00 PM and 7:00 AM generating an ambient noise level of 50 dBA at any property line unless an emergency exists.

2. It should be unlawful for any person to operate any construction equipment at a level in excess of 85 dBA at 100 feet from the source.
3. It should be unlawful for any person to engage in construction activities between 6:00 PM and 7:00 AM when such activities exceed the ambient noise level by 5dBA. A special permit may be granted by the Director of Public Works if extenuating circumstances exist.

In addition, the Noise Element addresses nuisance noise and states that it should be unlawful for any person to make or continue any loud, unnecessary noise that causes annoyance to any reasonable person of normal sensitivity.

Further, the General Plan Noise Element outlines goals, objectives, and noise policies as follows:

Goal: To minimize the effects of excessive noise in the City of Oceanside

Objective: To protect the residents and visits to Oceanside from noise pollution. To improve the quality of Oceanside's environment.

Policies:

- Noise levels shall not be so loud as to cause danger to public health in all zones except manufacturing zones where noise levels may be greater.
- Noise shall be controlled at the source where possible.
- Noise shall be intercepted by barriers or dissipated by space where the source cannot be controlled.
- Noise shall be reduced from structures by the use of soundproofing where other controls fail or are impractical.
- Noise levels shall be considered in the approval of any projects or activities, public or private, which require a permit or other approval from the City.
- Noise levels shall be considered in any changes to the Land Use and Circulation Elements of the General Plan.
- Noise levels of City vehicles, construction equipment, and garbage trucks shall be reduced to acceptable levels.

4.14.3 THRESHOLDS OF SIGNIFICANCE

Per Appendix G of the CEQA Guidelines, impacts would be considered significant if the Project would result in:

- a. Generation of substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;
- b. Generation of excessive groundborne vibration or groundborne noise levels;
- 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 of public use airport, would the project expose people residing or working in the project area to excessive noise levels.

Construction Noise and Vibration Thresholds

The City's Noise Element of the General Plan controls construction noise levels and states that it shall be unlawful for any person to operate construction equipment at any construction site, except as outlined in subsections a and b below:

- a. It shall be unlawful for any person within any residential zone or 500 feet therefrom to operate any pile driver, power shovel, pneumatic, power hoist, or other construction equipment between 8:00 PM and 7:00 AM generating an ambient noise level of 50 dBA at any property line, unless an emergency exists.
- b. It shall be unlawful for any person to operate any construction equipment at a level in excess of 85 dBA at 100 feet from the source.
- c. It should be unlawful for any person to engage in construction activities between 6:00 PM and 7:00 AM when such activities exceed the ambient noise level by 5 dBA. A special permit may be granted by the Director of Public Works if extenuating circumstances exist.

Property Line Standards

The City of Oceanside does not have property line standards for construction noise. The City of San Diego and the County of San Diego prohibit construction activities at or beyond the property line to generate an average sound level greater than 75 dBA during the 12-hour period of 7:00 AM and 7:00 PM. This property line standard is used in this noise analysis in absence of a City threshold.

Vibration Thresholds

The City has not yet adopted vibration criteria for significance thresholds. The United States Department of Transportation FTA provides criteria for acceptable levels of groundborne vibration for the threshold of perception, or roughly 65 Vibration Velocity (VdB), various types of special buildings that are sensitive to vibration. For the purposes of identifying potential Project-related vibration impacts for this EIR, the FTA criterion is used. The upper end of the range shown may be considered annoying by some people. Vibration below 65 VdB may also cause secondary audible effects, such as a slight rattling of doors, suspended ceilings/fixtures, windows, and dishes, any of which may result in additional annoyance. **Table 4.14-3** shows the FTA groundborne vibration and noise impact criteria for human annoyance.

**Table 4.14-3
Groundborne Vibration and Noise Impact Criteria (Human Annoyance)**

	Groundborne Vibration Impact Levels (VdB re 1 micro-inch/second)			Groundborne Noise Impact Levels (dB re 20 micro-pascals)		
	Frequent Events ¹	Occasional Events ²	Infrequent Events ³	Frequent Events ¹	Occasional Events ²	Infrequent Events ³
Category 1: Buildings where low ambient vibration is essential for interior operations	65 VdB ⁴	65 VdB ⁴	65 VdB ⁴	N/A ⁴	N/A ⁴	N/A ⁴
Category 2: Residences and buildings where people normally sleep	72 VdB	75 VdB	80 VdB	35 VdB	38 VdB	43 VdB
Category 3: Institutional land uses with primary daytime use	75 VdB	78 VdB	83 VdB	40 VdB	43 VdB	48 VdB
¹ "Frequent Events" are defined as more than 70 vibration events per day. Most rapid transit projects fall into this category. ² "Occasional Events" are defined as between 30 and 70 vibration events of the same source per day. Most commuter truck lines have this many operations ³ "Infrequent Events" are defined as fewer than 30 vibration events of the same kind per day. This category includes most commuter rail branch lines.						

4 This criterion limit is based on levels that are acceptable for most moderately sensitive equipment such as optical microscopes. Vibration-sensitive manufacturing or research will require detailed evaluation to define the acceptable vibration levels. Ensuring lower vibration levels in a building often requires special design of the HVAC systems and stiffened floors.

5 Vibration-sensitive equipment is not sensitive to groundborne noise

VdB = Vibration Velocity

Source: Noise Study prepared by Ldn Consulting, Inc. (Appendix N)

The FTA also applies standards for construction vibration damage as provided in **Table 4.14-4** below. Structural damage is possible for typical residential construction when the PPV exceeds 0.2 in/sec. This criterion is the threshold at which there is a risk of damage to normal dwellings. For the context of this analysis, the noise and vibration impacts associated with the construction and operation of the Project will be conditioned to comply with the thresholds stated in this section. The potential noise and vibration impacts are analyzed in the sections below.

Table 4.14-4
Groundborne Vibration Impact Criteria (Structural Damage)

Building Category	PPV (in/sec)	VdB
I. Reinforced-concrete, steel, or timber (no plaster)	0.50	102
II. Engineered concrete or masonry (no plaster)	0.30	98
III. Non-engineered timber and masonry buildings	0.20	94
IV. Buildings extremely susceptible to vibration damage	0.12	90

Source: Noise Study prepared by Ldn Consulting, Inc. (Appendix N)

Operational Noise Thresholds

Fixed sources and operational noise standards are governed by the City's Noise Ordinance Section 38.12 of the OMC. Except for exempted activities and sounds as provided in this section of the OMC or exempted properties as referenced in Section 38.15, it shall be unlawful for any person to cause or allow the creation of any noise to the extent that the one-hour average sound level, at any point on or beyond the boundaries of the property in the applicable base district zone on which the sound is produced exceeds the applicable limits set forth in **Table 4.14-5** below.

Table 4.14-5
Operational Noise Level Limits

Base District Zone	Applicable Limit (dB)	Time Period
RE (Residential Estate)	50	7:00 AM.to 9:59 PM
	45	10:00 PM to 6:59 AM
RS (Single-Family)	50	7:00 AM.to 9:59 PM
	45	10:00 PM to 6:59 AM
RM (Medium Density)	50	7:00 AM.to 9:59 PM
	45	10:00 PM to 6:59 AM
RH (High Density)	55	7:00 AM.to 9:59 PM
	50	10:00 PM to 6:59 AM
RT (Residential Tourist)	55	7:00 AM.to 9:59 PM
	50	10:00 PM to 6:59 AM
C (Commercial)	65	7:00 AM.to 9:59 PM
	60	10:00 PM to 6:59 AM
I (Industrial)	70	7:00 AM.to 9:59 PM
	65	10:00 PM to 6:59 AM

D (Downtown)	65	7:00 AM.to 9:59 PM
	55	10:00 PM to 6:59 AM
A (Agricultural)	50	7:00 AM.to 9:59 PM
	45	10:00 PM to 6:59 AM
OS (Open Space)	50	7:00 AM.to 9:59 PM
	45	10:00 PM to 6:59 AM
Source: City of Oceanside Municipal Code Section 38.12		

In addition to the sound level limits established above, there are established sound level limits for planned development (PD) based district zones. For any residential land use within a PD zone, the sound level limit is that which would be otherwise applicable in the residential district zone (RE, RS, RM, RH, or RT) corresponding to density of the residential development in that PD zone. Therefore, the Project would be subject to the RM operational noise level limits which are 50 dB for activities between 7:00 AM to 9:59 PM and 45 dB for activities between 10:00 PM and 6:59 AM.

Transportation Related Noise Thresholds

The City's Noise Element requires that all exterior sensitive areas shall limit noise exposure. For noise sensitive residential land uses, the City has adopted a policy which has established a "normally acceptable" exterior noise level goal of 65 dBA CNEL for the outdoor areas and an interior noise level of less than 45 dBA CNEL.

Interior noise levels should be mitigated to a maximum of 45 dBA CNEL in all habitual rooms when exterior of the residence are exposed to levels of 60 dBA CNEL or more. If windows and doors are required to be closed to meet the interior noise standard, then mechanical ventilation shall be provided per City requirements.

For the purposes of this analysis a direct roadway noise impact would be considered significant if the Project increases noise levels for a noise sensitive land use by 3 dBA CNEL and if the Project increases noise levels above an acceptable noise level per the City's General Plan in an area adjacent to the roadway segment.

4.14.4 PROJECT IMPACT ANALYSIS

Would the Project result in:

- a. Generation of substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Construction Noise

Construction noise is short-term in nature and varies from hour to hour and day to day, depending on the equipment in use, the operations performed, and the distance between the source and receptor. Equipment that would be in use during construction for demolition, site preparation, grading, paving, building construction and architectural coatings, which all generate noise, include concrete/industrial saws, rubber tired dozers, tractors, loaders, backhoes, excavators, graders, scrapers, water trucks, pavers, other paving equipment, rollers, cranes, forklifts, generator sets, welders and air compressors.

The U.S. EPA has compiled data regarding the noise generating characteristics of specific types of construction equipment. Noise levels generated by heavy construction equipment can range from 60 dBA

to 100 dBA when measured at 50 feet. However, these noise levels diminish rapidly with distance from the construction site at a rate of approximately 6 dBA per doubling distance.

As stated previously, the nearest sensitive receptors are the single-family residences located directly to the west of the Project Site, with the nearest residence approximately 20 feet from the Project Site Boundary to the edge of residence. Due to physical constraints of the Project Site and procedures for normal site preparation operations, most of the equipment and construction activities would be spread out over the site rather than at the Project Site boundary. The majority of the grading operations are anticipated to occur more than 200 feet from the nearest property lines. Therefore, the worst-case noise condition would occur when the construction equipment is working in close proximity to each other at an average distance of approximately 200 feet from the property lines. A distance of 115 feet to the nearest sensitive receptor is used to be conservative. The construction noise levels during Project construction are provided in **Table 4.14-6**.

Table 4.14-6
Project Construction Noise Levels

Equipment Type	Quantity Used	Source @ 50 feet (dBA)	Cumulative Noise Level @ 50 feet (dBA)
Tractor/Loader/Backhoe	1	72	72.0
Dozer Cat	1	74	74.0
Grader	2	73	76.0
Water Trucks	2	70	73.0
Scraper	2	75	78.0
Cumulative Level			82.2
Distance to Sensitive Use			115
Noise Reduction due to Distance			-7.2
Property Line Noise Level			74.9
Source: Noise Study prepared by Ldn Consulting, Inc. (Appendix N)			

As provided in **Table 4.14-6**, none of the proposed construction equipment would exceed the City's 85 dBA standard for operation of construction equipment at 100 feet from the source. Additionally, the Project would not generate construction noise at or beyond the property lines at an average sound level greater than 75 dBA as provided by the City of San Diego and County of San Diego property line thresholds, which were used in absence of the City's property line standards for construction.

Therefore, the Project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project Site in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies, and construction impacts would be **less than significant**.

Operation Noise

Residential Activities and Nuisance Noise

This section examines the potential stationary noise source levels associated with the development and operation of the future multi-family development. Noise generated from residential uses are generally from sources such as amplified music, barking dogs, garbage trucks, and landscape maintenance equipment that may be disturbing to other residents. Other noise generated specifically from the Project would be from the onsite pool equipment and usage and HVAC systems. Noise impacts are more likely to

occur in the more densely developed areas of the Project Site where residences would be closer together and neighbors would be more likely to hear a neighbor's dog or music.

The Project would include landscaped areas that would require regular maintenance and would include the use of mowers, trimmers, and blowers which would result in intermittent short-term temporary noise increases. Maintenance activities are permitted uses and would be subject to the daytime one-hour L_{eq} noise limits in residential neighborhoods, which would be 50 dBA during the hours of 7:00 AM to 9:59 PM for medium density residential land uses. Maintenance equipment would not be operating at any one location for more than a few minutes and it is not likely that the equipment would be operating all at the same time. Operation of maintenance equipment would generally not exceed the hourly noise level limit at adjacent residential receptors and a less than significant impact is anticipated.

Section 38.16 of the OMC prohibits nuisance noise at any time which causes discomfort or annoyance to reasonable persons of normal sensitivity. Compliance with the noise ordinance would limit exposure to excessive nuisance noise at any time which causes discomfort or annoyance to reasonable persons of normal sensitivity. The Oceanside Police Department (OPD) enforces the nuisance noise provisions of the noise ordinance. Instances of nuisance noise would be addressed on an individual case basis by the police department and would be different from each other in kind, duration, and location. Compliance with the OMC for nuisance noise would ensure noise from future residents would be less than significant.

The Project Site is surrounded primarily by various residential uses including single-family residences, multi-family apartments and condominiums, mobile home community, and light industrial uses. Noise produced by the nearby uses would be similar to that of the proposed Project. Therefore, residential activities associated with Project operation would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies, and impacts would be **less than significant**.

Transportation Noise

Onsite Roadway Noise

The primary source of noise impacts to the Project Site is from vehicular noise from North River Road. The projected roadway noise levels from vehicular traffic as a result of the Project were calculated using the methods in the Highway Noise Model published by the Federal Highway Administration (FHWA). The FHWA Model uses the traffic volume, vehicle mix, speed and roadway parameters used in the analysis including the average daily traffic volumes, speeds and the traffic flow distribution (vehicle mix). The vehicle mix provides the distribution of percentages of automobile, medium and heavy trucks for input into the FHWA Model. **Table 4.14-7** provides the traffic parameters for the Project.

Table 4.14-7
Traffic Parameters

Roadway	Year	Average Daily Traffic (ADT)	Peak Hour Volume	Modeled Speeds (mph)	Vehicle Mix %		
					Auto	Medium Trucks	Heavy Trucks
North River Road	2035	26,300 ¹	2,630	45	96	2	2
1 ADT from the Local Transportation Study, prepared by LOS Engineering (Appendix P) Source: Noise Study prepared by Ldn Consulting, Inc. (Appendix N)							

As provided in the Noise Study (**Appendix N**) based on the exterior noise model for the roadways, the worst-case exterior noise level at the building façades nearest the roadways is 73.4 dBA CNEL along North River Road at a distance of 50 feet from the centerline. The model does not take into account any noise reductions for existing or proposed structures, barriers or topographic features. According to the Noise Element of the General Plan, North River Road is considered a 4-lane major arterial with raised center median and a right-of-way of 100 feet. Minimum site perimeter setback is 20 feet from North River Road as provided in the PBDP. Therefore, the residential rear yards would be set back a minimum of 80 feet from the centerline of North River Road. Based on the increased distance from the roadway, the noise level would be reduced to a worst-case exterior noise level of 71.4 dBA CNEL. Based on these findings, the Project's worst-case onsite noise levels from the adjacent roadways would exceed the City's 65 dBA noise standard resulting in a **significant impact (Impact NOI-1a)**.

Consistent with Title 24 of the CCR and the City's noise guidelines, a project is required to perform an interior assessment on the portions of a project site where building façade noise levels are above 60 dBA CNEL in order to ensure a 45 dBA CNEL interior noise level. The Project would exceed building façade noise levels of 60 dBA CNEL and has the potential to exceed interior noise levels which would result in a **significant impact (Impact NOI-1b)**.

Off-Site Project Related Transportation Noise Levels

The off-site Project-related roadway segment noise levels projected in the Noise Study were calculated using the methods in the Highway Noise Model published by the FHWA. The FHWA Model uses the traffic volume, vehicle mix, speed and roadway geometry to compute the equivalent noise level. A spreadsheet calculation was used which computes equivalent noise levels for each of the time periods used in the calculation of CNEL. Weighting these equivalent noise levels and summing them gives the CNEL for the traffic projections. The noise contours are then established by iterating the equivalent noise level over many distances until the distance to the desired noise contours are found.

Community noise level changes greater than 3 dBA are often identified as audible and considered potentially significant, while changes less than 1 dBA would not be discernible to local residents. For the purposes of this analysis, a direct roadway noise impact would be considered significant if the Project increases noise levels for a noise sensitive land use by 3 dBA CNEL and if the Project increases noise levels above an unacceptable noise level per the City's General Plan in the area adjacent to the roadway segment. The Noise Element of the General Plan has established a normally acceptable exterior noise level goal of 65 dBA CNEL for outdoor areas.

Direct Traffic Noise

In order to determine if direct off-site noise level increases associated with the development of the Project will create noise impacts, the noise levels for the near term conditions were compared with the noise level increase from when the Project is fully built. Utilizing the Project's traffic assessment provided in **Appendix P**, noise contours were developed for the following traffic scenarios:

- **Existing:** Current day noise conditions without construction of the Project
- **Existing + Project:** Current day noise conditions plus the completion of the Project.
- **Existing vs. Existing + Project:** Comparison of the Project-related noise level increases

Table 4.14-8 and **Table 4.14-9** provide the noise levels and reference distances to the 65 dBA CNEL contours for the roadways in the vicinity of the Project Site under the Existing Scenario and Existing + Project Scenarios, respectively.

Table 4.14-8
Existing Noise Levels without Project

Roadway Segment	ADT ¹	Vehicle Speeds (mph) ¹	Noise Level @ 50 Feet (dBA CNEL)	65 dBA CNEL Contour Distance (feet)
Douglas Drive				
North River Road to Rainier Way	35,915	50	75.8	264
Rainier Way to Pala Road	36,579	50	75.9	267
Pala Road to El Camino Real	37,080	50	76.0	270
El Camino Real to Mission Avenue	23,305	40	71.8	142
Mission Avenue to SR-76	20,142	40	71.1	129
North River Road				
Douglas Drive to Avenida Descanso	20,223	45	72.3	153
Avenida Descanso to Riverview Way	18,195	45	71.8	143
Riverview Way to Calle Montecito	19,589	45	72.2	150
Calle Montecito to Redondo Drive	20,485	45	72.4	155
Redondo Drive to College Blvd.	20,383	45	72.3	154
College Blvd. to Vandegrift Blvd.	31,503	45	74.2	206
College Boulevard				
North River Road to Buchanan Park	35,485	40	73.6	187
Buchanan Park to Adams Street	34,426	45	74.6	218
Adams Street to Via Cupeno	34,379	45	74.6	219
Via Cupeno to SR-76	41,981	50	76.5	293
SR-76				
Foussat Road to Douglas Drive	41,500	65	79.2	444
Douglas Drive to Rancho Del Oro	46,500	65	79.7	479
Frazee Road to College Blvd.	41,000	65	79.2	440
College Blvd. to North Santa Fe	46,000	65	79.7	475
¹ From the Local Transportation Study prepared by LOS Engineering, Inc. (Appendix P) Source: Noise Study prepared by Ldn Consulting, Inc. (Appendix N)				

Table 4.14-9
Existing + Project Noise Levels

Roadway Segment	ADT ¹	Vehicle Speeds (mph) ¹	Noise Level @ 50 Feet (dBA CNEL)	65 dBA CNEL Contour Distance (feet)
Douglas Drive				
North River Road to Rainier Way	37,483	50	76.0	272
Rainier Way to Pala Road	38,147	50	76.1	275
Pala Road to El Camino Real	38,648	50	76.2	277
El Camino Real to Mission Avenue	24,233	40	72.0	145
Mission Avenue to SR-76	20,686	40	71.3	131
North River Road				
Douglas Drive to Avenida Descanso	21,823	45	72.6	161
Avenida Descanso to Riverview Way	19,795	45	72.2	151
Riverview Way to Calle Montecito	21,189	45	72.5	158
Calle Montecito to Redondo Drive	22,085	45	72.7	163
Redondo Drive to College Blvd.	21,823	45	72.6	161

Roadway Segment	ADT ¹	Vehicle Speeds (mph) ¹	Noise Level @ 50 Feet (dBA CNEL)	65 dBA CNEL Contour Distance (feet)
College Blvd. to Vandegrift Blvd.	31,823	45	74.3	207
College Boulevard				
North River Road to Buchanan Park	36,605	40	73.7	191
Buchanan Park to Adams Street	35,546	45	74.7	223
Adams Street to Via Cupeno	35,567	45	74.7	223
Via Cupeno to SR-76	42,973	50	76.6	298
SR-76				
Foussat Road to Douglas Drive	42,012	65	79.3	447
Douglas Drive to Rancho Del Oro	46,532	65	79.7	479
Frazee Road to College Blvd.	41,032	65	79.2	440
College Blvd. to North Santa Fe	46,288	65	79.7	477
1 From the Local Transportation Study prepared by LOS Engineering, Inc. (Appendix P) Source: Noise Study prepared by Ldn Consulting, Inc. (Appendix N)				

Table 4.14-10 presents the comparison of the Existing Project Site with and without Project-related noise levels.

Table 4.14-10
Existing Vs. Existing + Project Noise Levels

Roadway Segment	Existing Noise Level @ 50 feet (dBA CNEL)	Existing + Project Noise Level @ 50 feet (dBA CNEL)	Difference (dBA CNEL)
Douglas Drive			
North River Road to Rainier Way	75.8	76.0	0.2
Rainier Way to Pala Road	75.9	76.1	0.2
Pala Road to El Camino Real	76.0	76.2	0.2
El Camino Real to Mission Avenue	71.8	72.0	0.2
Mission Avenue to SR-76	71.1	71.3	0.1
North River Road			
Douglas Drive to Avenida Descanso	72.3	72.6	0.3
Avenida Descanso to Riverview Way	71.8	72.2	0.4
Riverview Way to Calle Montecito	72.2	72.5	0.3
Calle Montecito to Redondo Drive	72.4	72.7	0.3
Redondo Drive to College Blvd.	72.3	72.6	0.3
College Blvd. to Vandegrift Blvd.	74.2	74.3	0.0
College Boulevard			
North River Road to Buchanan Park	73.6	73.7	0.1
Buchanan Park to Adams Street	74.6	74.7	0.1
Adams Street to Via Cupeno	74.6	74.7	0.1
Via Cupeno to SR-76	76.5	76.6	0.1
SR-76			
Foussat Road to Douglas Drive	79.2	79.3	0.1
Douglas Drive to Rancho Del Oro	79.7	79.7	0.0
Frazee Road to College Blvd.	79.2	79.2	0.0
College Blvd. to North Santa Fe	79.7	79.7	0.0
Source: Noise Study prepared by Ldn Consulting, Inc. (Appendix N)			

As provided in **Table 4.14-10**, the overall roadway segment noise levels will increase from 0.0 dBA CNEL and 0.40 dBA CNEL in nearby roadway segments with the development of the Project. These values do not take into account the effect of any noise barriers, structures, or topography that may affect roadway noise levels. The Project would not create a direct noise increase of more than 3 dBA CNEL on any roadway segment. As stated above, community noise level changes greater than 3 dBA are often identified as audible and considered potentially significant. Therefore, the Project's direct contributions to off-site roadway noise increases would not cause any significant impacts to existing or future noise sensitive land uses.

The Project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies, and direct off-site traffic noise during Project operation would **be less than significant**.

Cumulative Traffic Noise Levels

In order to determine if cumulative off-site noise level increases associated with the development of the Project and other planned or permitted projects in the vicinity will create noise impacts, the noise levels for the near-term Project Buildout and other planned and permitted projects were compared with the existing conditions. Utilizing the Project's Local Transportation Study provided in **Appendix P**, noise contours were developed for the following traffic scenarios:

- **Existing:** Current day noise conditions without construction of the Project
- **Existing + Cumulative Projects + Project:** Current day noise conditions plus the completion of the Project and the completion of other permitted, planned projects or approved ambient growth factors
- **Existing vs. Existing + Cumulative + Project:** Comparison of the existing noise levels and the related noise level increases from the combination of the Project and all other planned or permitted projects in the vicinity of the Project Site

The near-term cumulative noise conditions are provided in **Table 4.14-11**. The noise calculations do not take into account the effect of any noise barriers, structures, or topography that may affect roadway noise levels.

Table 4.14-11
Existing + Near Term + Project Noise Levels

Roadway Segment	ADT ¹	Vehicle Speeds (mph) ¹	Noise Level @ 50 Feet (dBA CNEL)	65 dBA CNEL Contour Distance (feet)
Douglas Drive				
North River Road to Rainier Way	37,140	50	76.0	270
Rainier Way to Pala Road	37,862	50	76.1	273
Pala Road to El Camino Real	38,491	50	76.1	276
El Camino Real to Mission Avenue	24,556	40	72.0	147
Mission Avenue to SR-76	21,083	40	71.3	132
North River Road				
Douglas Drive to Avenida Descanso	21,399	45	72.5	159
Avenida Descanso to Riverview Way	19,361	45	72.1	149

Roadway Segment	ADT ¹	Vehicle Speeds (mph) ¹	Noise Level @ 50 Feet (dBA CNEL)	65 dBA CNEL Contour Distance (feet)
Riverview Way to Calle Montecito	20,755	45	72.4	156
Calle Montecito to Redondo Drive	21,651	45	72.6	160
Redondo Drive to College Blvd.	21,549	45	72.6	160
College Blvd. to Vandegrift Blvd.	36,554	45	74.9	227
College Boulevard				
North River Road to Buchanan Park	39,503	40	74.1	201
Buchanan Park to Adams Street	38,458	45	75.1	235
Adams Street to Via Cupeno	38,611	45	75.1	236
Via Cupeno to SR-76	46,099	50	76.9	312
SR-76				
Foussat Road to Douglas Drive	45,100	65	79.6	465
Douglas Drive to Rancho Del Oro	49,347	65	80.0	498
Frazee Road to College Blvd.	43,864	65	79.5	460
College Blvd. to North Santa Fe	49,247	65	80.0	497
¹ From the Local Transportation Study prepared by LOS Engineering, Inc. (Appendix P) Source: Noise Study prepared by Ldn Consulting, Inc. (Appendix N)				

Table 4.14-12 provides the comparison of the existing noise levels and the related noise level increases from the combination of the Project and all other planned or permitted projects within the vicinity of the Project Site.

Table 4.14-12
Existing vs. Near Term + Project Noise Levels

Roadway Segment	Existing Noise Level @ 50 feet (dBA CNEL)	Near Term + Project Noise Level @ 50 feet (dBA CNEL)	Difference (dBA CNEL)
Douglas Drive			
North River Road to Rainier Way	75.8	76.0	0.1
Rainier Way to Pala Road	75.9	76.1	0.1
Pala Road to El Camino Real	76.0	76.1	0.2
El Camino Real to Mission Avenue	71.8	72.0	0.2
Mission Avenue to SR-76	71.1	71.3	0.2
North River Road			
Douglas Drive to Avenida Descanso	72.3	72.6	0.2
Avenida Descanso to Riverview Way	71.8	72.2	0.3
Riverview Way to Calle Montecito	72.2	72.5	0.3
Calle Montecito to Redondo Drive	72.4	72.7	0.2
Redondo Drive to College Blvd.	72.3	72.6	0.2
College Blvd. to Vandegrift Blvd.	74.2	74.3	0.6
College Boulevard			
North River Road to Buchanan Park	73.6	73.7	0.5
Buchanan Park to Adams Street	74.6	74.7	0.5
Adams Street to Via Cupeno	74.6	74.7	0.5
Via Cupeno to SR-76	76.5	76.6	0.4
SR-76			
Foussat Road to Douglas Drive	79.2	79.3	0.4

Roadway Segment	Existing Noise Level @ 50 feet (dBA CNEL)	Near Term + Project Noise Level @ 50 feet (dBA CNEL)	Difference (dBA CNEL)
Douglas Drive to Rancho Del Oro	79.7	79.7	0.3
Frazee Road to College Blvd.	79.2	79.2	0.3
College Blvd. to North Santa Fe	79.7	79.7	0.3
Source: Noise Study prepared by Ldn Consulting, Inc. (Appendix N)			

As provided in **Table 4.14-12** above, the overall cumulative segment noise levels would increase from 0.1 dBA CNEL to 0.6 dBA CNEL on nearby roadway segments with the development of the Project in addition to all cumulative projects. Therefore, the Project's contributions to off-site roadway noise increase would not be considered cumulatively considerable and would not cause a significant impact.

The Project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies and cumulative traffic noise during Project operation would be **less than significant**.

- b. Generation of excessive groundborne vibration or groundborne noise levels?

Construction Groundborne Vibration

Common sources of groundborne vibration are trains, buses on rough roads, and construction activities. Construction activities have the potential to expose people to excessive groundborne vibration or groundborne noise during demolition, site preparation and grading. Vibration impacts from construction activities would typically be created from the operation of heavy duty off-road equipment. Construction activity would result in varying degrees of ground vibration, depending on the equipment used on the Project Site. Operation of construction equipment causes groundborne vibrations that spread through the ground and diminishes in strength with distance.

The nearest vibration-sensitive land uses would be the single-family residences located directly to the west and the mobile home estates and multi-family residences to the north and northwest. These vibration-sensitive land uses would be located 50 feet or more from the construction activities. The anticipated construction equipment would be spread out over the Project Site, working in different areas of the site as needed. For instance, a single dozer may be utilized near the Project Site boundary while the other equipment would be working on the opposite side of the Project Site.

Table 4.14-13 displays the average vibration levels that would be experienced at the nearest vibration-sensitive land uses from the short-term construction activities. Vibration levels were assessed at distances of 25 feet and 50 feet to be conservative.

Table 4.14-13
Vibration Levels from Construction Activities (Residential Vibration-Sensitive Receptors)

Equipment	Approximate Velocity Level at 25 Feet (VdB)	Approximate RMS Velocity at 25 Feet (in/sec)	Approximate Velocity Level at 50 Feet (VdB)	Approximate RMS Velocity at 50 Feet (in/sec)
Small Bulldozer	58	0.003	49.0	0.0011
Jackhammer	79	0.035	70.0	0.0124
Loaded Trucks	86	0.076	77.0	0.0269
Large Bulldozer	87	0.089	78.0	0.0315

FTA Criteria	80	0.20
Significant Impact?	NO	NO
PPV at DistanceD = PPVref x (25/D) ^{1.5} RMS = Root-Mean-Square VdB= Vibration Velocity Source: Noise Study prepared by Ldn Consulting, Inc. (Appendix N)		

The FTA has determined vibration levels that would cause annoyance to a substantial number of people and potential damage to building structures. The FTA criterion for vibration induced structural damage is 0.20 in/sec for the PPV. As displayed in **Table 4.14-13**, Project construction activities would result in PPV levels below the FTA's criteria for vibration induced structural damage to residential buildings near the demolition and construction areas. The FTA criterion for infrequent vibration induced annoyance is 80 VdB for residential uses. Therefore, Project construction activities would generate levels of vibration that would not exceed the FTA criteria for nuisance for nearby residential uses.

Additionally, in accordance with City regulations, construction activities would be limited to the hours of 7:00 AM to 6:00 PM. Compliance with City construction hour regulations would further reduce vibration impacts to nearby sources. As discussed above, during construction none of the proposed construction equipment would exceed the City's 85 dBA standard for operation of construction equipment at 100 feet from the source. Additionally, the Project would not generate construction noise at or beyond the property lines at an average sound level greater than 75 dBA as provided by the City of San Diego and County of San Diego thresholds, which were used in absence of the City's property line standards for construction.

The Project would not generate excessive groundborne vibration or groundborne noise levels during construction, and impacts would be **less than significant**.

Operational Groundborne Vibration and Noise

Noise generated from residential uses are generally from sources such as amplified music, barking dogs, garbage trucks, and landscape maintenance equipment that may be disturbing to other residents. Other noise generated specifically from the Project would be from the onsite pool equipment and usage and HVAC systems. Future onsite HVAC systems would be designed and manufactured to feature rotating and reciprocating components that are well-balanced with isolated vibration within or external to the equipment casings to reduce vibration.

As stated above, common sources of groundborne vibration are trains, buses on rough roads, and the use of heavy-duty equipment during construction activities. The operation of the future multi-family development with a maximum of 400 units is not a use typically associated with excessive groundborne vibrations or noise.

Therefore, the Project would not generate excessive groundborne vibration or groundborne noise during operation, and impacts would be **less than significant**.

- 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, would the project expose people residing or working in the project area to excessive noise levels?

No private airstrips are located within the vicinity of the Project Site. The Project is located approximately 2.93 miles northwest of the Oceanside Municipal Airport and 4.5 miles southeast of the Camp Pendleton Air Terminal. The Project Site is not located within a noise exposure range or any of the safety zones as provided in the Oceanside Municipal Airport ALUCP.

The Project would not expose people residing or working in the Project area to excessive noise levels and impacts would be **less than significant**.

4.14.5 MITIGATION IMPLEMENTATION AND MONITORING

Onsite Transportation Noise Levels (Impact NOI-1a and Impact NOI-1b)

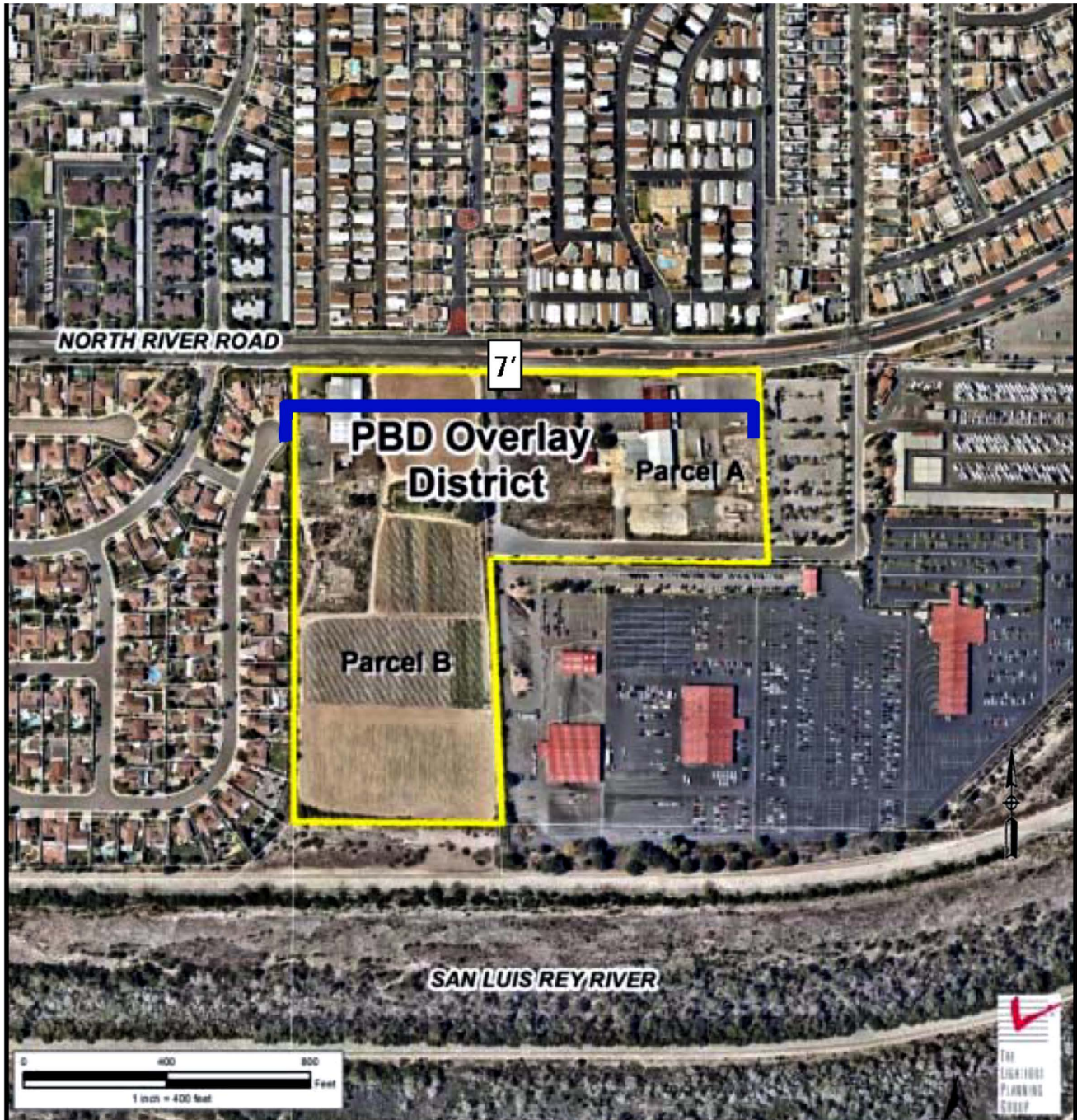
MM-NOI-1a Prior to operation, the Project would construct a 7-foot barrier at the top of the slope of the northern boundary of the Project Site along North River Road in order to reduce noise levels for the residences located adjacent to the roadway. The location and height of the required barrier is shown in **Figure 4.14-1** of this EIR. The noise barrier shall be constructed of a non-gapping material consisting of masonry, ½-inch thick glass, earthen berm or any combination of these materials. The noise barrier shall not contain any gaps or knot holes and shall incorporate either overlapping boards at least one (1) inch or utilizing a tongue-and-groove design in order to reduce the presence of gaps or knot holes.

MM-NOI-1b Prior to issuance of the first building permit and after the architectural floor plans have been provided, a final interior noise assessment shall be obtained for the residential units located along North River Road and shall be approved to the satisfaction of the City of Oceanside Building Department. Consistent with Title 24 of the California Code of Regulations, the Project shall ensure a 45 dBA CNEL interior noise level due to the fact that the building façade noise levels are above 60 dBA CNEL.

4.14.6 LEVEL OF SIGNIFICANCE AFTER MITIGATION

The analysis provided in Section 4.14.4 identified potential for significant impacts related to onsite transportation noise levels. Implementation of mitigation MM-NOI-1a would require the construction of a 7-foot noise barrier at the top of the slope of the northern boundary of the Project Site along North River Road. Construction of the noise barrier would ensure noise levels are reduced for the residences that would be located adjacent to the roadway. With mitigation MM-NOI-1a, Impact NOI-1a related to onsite transportation noise levels would be reduced to below a level of significance with construction of a noise barrier.

Mitigation measure MM-NOI-1b would reduce potential impacts related to interior noise levels as a result of onsite transportation noise levels by providing an interior noise assessment and ensuring interior noise levels do not exceed 45 dBA CNEL for the residential units located along North River Road. Therefore, all impacts to noise would be reduced to less than significant.



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4.15 POPULATION AND HOUSING

The following document was used in the preparation of this section and is included in its entirety in **Appendix E**:

The Lightfoot Planning Group. November 2021. *Tierra Norte Planned Block Development Overlay District Development Plan*.

4.15.1 ENVIRONMENTAL SETTING

City of Oceanside

Population

The City is located in the northwestern most part of San Diego County, which includes a total of 18 cities and unincorporated land and has a total population of 3,338,330 persons (USCB 2019) within the County. The City occupies approximately 42 square miles and has a population of 175,742 (USCB 2019) and comprises approximately 5% of the population of the County.

During the 15-year period from 2000 to 2015, population growth occurred at a slower rate in the City (9.1%) than the County (17.3%). SANDAG contains projections that population growth will increase the greatest in 2020, but will then slowly decrease back to the relatively low population growth that has been typical within the City in the last 20 years. Based on the Series 13 Regional Growth Forecast for the City, provided by SANDAG, the anticipated total population by 2050 is 190,129. This is a 13.6% increase from 2010 to 2050.

Housing

According to the California Department of Finance, the City has 66,078 housing units as of January 2020. A majority of the total housing units are single-family residences which comprises approximately 64% of the total housing units, reflecting the City's family-oriented population and suburban neighborhoods character. Multi-family units make up approximately 31% of the total units, while mobile homes account for the remaining 5% of total housing units.

Surrounding Area

The Project Site is located in the north/northeast portion of the City, north of SR-76, on the south side of North River Road generally between Avenida Descanso and Calle Montecito in the North Valley Neighborhood of the City. The surrounding North Valley neighborhood presents a diversity of land uses and is home to a number of multi-family developments and single-family subdivisions ranging from new developments to developments nearly 50 years old.

The Project Site is located in a primarily developed and urbanized area and is surrounded by various residential uses including single-family residents to the west, multi-family apartments to the northwest, condominiums and mobile home estates to the north and light industrial uses to the east and south. The area south of North River Road, including the Project Site, is designated for light industrial uses and encompasses ten contiguous parcels totaling roughly 112 acres. Approximately 74 acres are dedicated to the auto auction site and 12 acres to the recreational vehicle storage facility. The remaining approximately 26 acres consists of the Project Site.

Project Site

The eastern parcel is currently developed with a small office/warehouse facility on the eastern portion of the property. The facility has historically served as a packing warehouse dating back to the 1960s for produce shipping and storage operations. The offices were added at a later date to support administrative functions. The property remains today as a remnant agricultural support use with a small office and very limited shipping/warehouse operations. The warehouse and shipping activities at this facility were greatly reduced in 2008 due to the ownership opening a larger facility in the Otay Mesa area. Existing structures onsite include a 23,152-square foot (SF) office/warehouse building, three small sheds, a former fruit stand, and a small wood-frame house serving as a caretaker's residence in the central portion of the property.

The western parcel is predominately in agricultural cultivation (approximately 75%) but supports a single-family residence on the eastern portion of the Site, an old warehouse on the northwest portion of the Site, a packing shed, small out buildings and an abundant amount of old farm equipment and miscellaneous materials and machinery. The onsite facility has historically served as storage for agricultural operations.

4.15.2 REGULATORY SETTING

Regional

San Diego Association of Governments Regional Comprehensive Plan

SANDAG's RCP serves as the long-term planning framework for the San Diego region. The primary goals of the RCP are to improve the standard of living, enhance the quality of life, promote social and economic equity, improve the region's sustainability and encourage "smart growth". Issues addressed in the RCP include urban form, transportation, housing, healthy environment, economic prosperity, public facilities and border issues.

Regional Housing Needs Assessment

Each regional government in California receives a Regional Housing Needs Assessment (RHNA) approximately every eight (8) years and consists of the projected housing needs for the entire region over the eight (8) year period. SANDAG is responsible for distributing the total RHNA throughout the region by adopting methodology and RHNA Plan for the projection period pursuant to Government Code Section 65584(d).

City of Oceanside General Plan

Land Use Element

The Land Use Element of the General Plan and associated land use maps identify the type and location of future land uses within the City. The specific land uses in turn affect the remaining General Plan elements. The following objectives and policies guide population and housing within the City:

1.01 General Plan Consistency

Objective: To ensure all projects are consistent with the General Plan

Policy A: Tentative Maps, Development Plans and Conditional Use Permits approved prior to the adoption of this Element and exercised thereafter without modification, revision, amendment, or extension shall be considered consistent with this Element.

1.16 Housing

Objective: To ensure that decent, safe and sanitary housing is available to all current and future residents of the community at a cost that is within reach of the diverse economic segments of Oceanside.

Policy A: The City shall strive to maintain a reasonable balance between rental and ownership housing opportunities, between senior and family housing and encourage a variety of individual choices of tenure, type, and location of housing throughout Oceanside.

Policy B: The City shall strive to produce opportunities for decent and affordable housing in a pleasant environment for all of Oceanside's citizens.

Policy C: The City shall ensure that housing is developed in areas with adequate access to employment opportunities, community facilities, and public services.

Policy D: The City shall encourage development of a variety of housing opportunities, with special emphasis on providing:

1. A broad range of housing types, with varied levels of amenities and number of bedrooms;
2. Sufficient rental stock for all segments of the community, including families with children; and
3. Housing which meets the special needs of the elderly and the handicapped.

Policy E: The City shall protect, encourage, and where feasible, provide housing opportunities for persons of low and moderate income.

Revision Housing 1.16: The City of Oceanside 2000 Housing Element contains more specific policy statements and programs for the implementation of these overall policies.

2.3 Residential Development

Objective: To direct and encourage the proper type, location, timing, and design of housing to benefit the community consistent with the enhancement and establishment of neighborhoods and a well-balanced and organized City.

2.32 Potential Range of Residential Densities

Policy A: The base density shall be considered the appropriate density for development within each residential land use designation.

Policy B: Residential projects that possess an excellence of design features shall be granted the ability to achieve densities above the base density. Project characteristics that exceed standards established by City policy and those established by existing or approved developments in the surrounding area will be favorably considered in the review of

acceptable density within the range. Such characteristics include, but are not limited to the following:

1. Infrastructure improvements beyond what is necessary to serve the Project and its population.
2. Lot standards (i.e. lot area, width, depth, etc.) which exceed the minimum standards established by City policy.
3. Development standards (i.e. parking, setbacks, lot coverage, etc.) which exceed the standards established by City policy.
4. Superior architectural design and materials.
5. Superior landscape/hardscape design and materials
6. Superior recreation facilities or other amenities.
7. Superior private and/or semi-private open space areas.
8. Floor areas that exceed the norm established by existing or approved development in the surrounding area.
9. Consolidation of existing legal lots to provide unified site design.
10. Initiation of residential development in areas where nonconforming commercial or industrial uses are still predominant.
11. Participation in the City's Redevelopment, Housing or Historical Preservation programs.
12. Innovative design and/or construction methods that further the goals of the General Plan.

Policy C: Residential projects with densities below the base shall be considered to be consistent with the land use designation

Housing Element

State law recognizes the vital role local governments play in the supply and affordability of housing. Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the city or county. The Housing Element is one of seven mandated elements of the General Plan. As mandated by state law, the planning period for the current Housing Element extends from April 15, 2021 to April 15, 2029. This element identifies strategies and programs that focus on the following major goals:

- Facilitate the development of a variety of housing types for all income levels to meet the existing and future needs of residents, including the homeless and persons with special needs;
- Address, and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement and development of housing;
- Maintain and enhance the quality of existing residential neighborhoods;
- Promote equal housing opportunities for all persons;
- Encourage new housing growth patterns that conform to local, regional and state policies for sustainable development and energy use.

4.15.3 THRESHOLDS OF SIGNIFICANCE

Per Appendix G of the CEQA Guidelines, impacts would be considered significant if the Project would:

- a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure);
- b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

Induce Population Growth

Regarding criterion a) above, CEQA Guidelines 15126.2(e) directs lead agencies to discuss the ways in which the proposed project could foster economic or population growth or the construction of additional housing, either directly or indirectly (as described in the above threshold), in the surrounding environment. Examples of growth-inducing aspects of a project may include the following:

- Extension of utility lines, construction of roads, or construction or expansion of water/wastewater facilities
- Encouragement of growth in surrounding areas through economic stimulus (e.g., construction of golf courses, shopping centers, industrial facilities and residential areas)
- Revisions to land use policies, such as General Plan amendments, annexations, and rezones
- Removal of an obstacle to growth and development, such as removal of a constraint on a required public service

A project that is determined to be potentially growth inducing may result in subsequent environmental effects as a result of such growth. These indirect secondary effects of growth can result, for example, in significant increased demand on community and public service infrastructure, increased traffic and noise, and degradation of air and water quality. Potential secondary impacts are discussed throughout Chapter 4.0 *Environmental Analysis*.

The CEQA Guidelines specifically state that it must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment. Rather, lead agencies are directed to ensure that their CEQA document fully consider the potential growth effects when conducting their environmental analyses.

The analysis provided below is divided into two sections to discuss the potential for direct growth inducement through amending the City's General Plan and Zoning Ordinance to allow for residential development and indirect growth inducement through the extension of infrastructure.

4.15.4 PROJECT IMPACT ANALYSIS

Would the Project:

- a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

General Plan Amendment and Zone Amendment

The Project would establish a PBD Overlay District to allow for the future development of medium density residential housing with a maximum of 400 dwelling units. Utilizing the City's average occupancy per household of 2.92 persons/unit (SANDAG, 2013), the Project would result in approximately 1,168 people residing on the Project Site. The current General Plan land use designation of

both the east and western parcels is LI. A General Plan Amendment is required to designate the Project Site as MDC-R in order to provide for appropriate densities and use types that will allow for the envisioned multi-family development of the Project Site. The proposed medium density residential use will also provide a transition between the light industrial uses located to the south and east, and the existing residential uses located to the north and west. Both parcels are currently designated as IL under the Zoning Ordinance. A Zone Amendment is required to designate the Project Site as RM-C consistent with the proposed MDC-R land use. The RM-C zoning designation will allow for future implementation of a multi-family development.

The proposed MDC-R and RM-C land use and zoning designations for the PBD Overlay District would allow for the future development of residential communities through a variety of site and building designs. Specific site layouts and residential product designs would ultimately be identified as part of future development plans proposed for the Project Site. The PBDP developed for the Overlay District establishes the land use and development standards that would regulate future residential development proposals for the Project Site. The PBD would allow for a density of 15.1 to 20.9 du/ acre with a potential overall development range between 359 and 497 dwelling units; however, the PBDP has a maximum allowance of 400 dwelling units for the entire overlay district. Future development of the site would be consistent with the lower end density of the MDC-R land use category.

The purpose of the PBD Overlay District is to permit flexibility in land use regulation and site development standards under control of the Planning Commission and City Council where flexibility or coordinated planning for a large site or a site under multiple ownerships would enhance the potential for superior urban design. As provided in Section 1701 of the City's Zoning Ordinance, one of the purposes of a Planned Development District is to encourage the assembly of properties that might otherwise be developed in unrelated increments to the detriment of surrounding neighborhoods. Section 1010 of the Zoning Ordinance states, the purpose of residential districts is to achieve design compatibility with surrounding neighborhoods. Although the Project would promote a residential development on a site with existing land use and zoning designations for light industrial uses, the Project would provide a medium density residential in-fill development surrounded by properties primarily with residential use and would provide a transition between both residential and industrial uses. Alternatively, development of the site to the fullest potential as a light industrial use would not be compatible with the surrounding residential development.

Extension of Infrastructure

The Project would result in an incremental increase in demand of water and wastewater services and facilities. Water and sewer utility services for the Project would connect to existing facilities surrounding the site and would provide both on- and off-site connections. Existing potable water piping in the vicinity of the Project Site would be adequate to serve the Project as provided in the Water Overview Letter (**Appendix S**). The Project would be subject to additional analysis to determine the Project's cost share for any necessary improvements to the off-site trunk sewer in North River Road. The Project, as part of the entitlement process, would be required to contribute its share of the costs for potential modifications to the North Valley Sewer Lift Station. The Project would also connect to existing electrical and gas services and specific tie-in locations would be determined at the time the Project Site is developed. The Project's incremental increase in demand for water, wastewater, electrical and natural gas services, the proposed utility service connections and contributions to the shared costs for potential modifications to the North Valley Sewer Lift Station are not considered to be growth-inducing.

The Project would not construct any new public roadways which have the potential to further induce growth. Internal roadways would be provided throughout the multi-family development to provide access to the residential buildings from parking areas and the surrounding public roadways. The future internal

roadways would be sized to adequately serve the Project and would not act as alternative routes through the surrounding area. Besides North River Road, the roadways surrounding the Project Site such as Calle Joven and Calle Montecito are local streets that are designed to accommodate a low level of traffic generated within the Project.

The Project would not provide any widening improvements along North River Road but would provide sidewalk improvements along the Project frontage. Additionally, the Project would install a traffic signal at North River Road and Riverview Way at the Project frontage. Other traffic improvements would include those listed in **Table 3.5-4** unless subsequent traffic analysis demonstrates that the improvements are not warranted. Prior to submittal of the final site plan, a traffic analysis shall be prepared to identify the timing, trigger, improvement, and fair share contribution for each analyzed roadway segment and intersection.

The Local Transportation Study (LTS) (**Appendix P**) includes the analysis to determine traffic impacts as a result of the Project that would justify any roadway improvements or fair share participation. These roadway improvements are provided within the City's Master Transportation Plan (MTP) Traffic Impact Analysis and are planned for in the City's General Plan and would therefore not be considered growth inducing cause by the Project. Impacts identified in the transportation analysis related to VMT would be reduced to a level below significance after implementation of mitigation measures MM-TRANSP0-1 and MM-TRANSP0-2 which include VMT reduction measures.

Conclusion

Development of the site with 400 multi-family units would result in approximately 1,168 people residing within the Project Site, calculated using the City's average occupancy per household of 2.92 persons/ unit (SANDAG, 2013). Although the Project would be consistent with the surrounding residential uses in the area, the increase in the number of people and development in the area has the potential to adversely affect the physical environment. The associated environmental impacts have been identified and evaluated in Chapters 4.0 through 4.21 of this EIR. As documented in this EIR, the Project's projected population would result in significant impacts to air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, transportation and tribal cultural resources. Mitigation measures MM-BIO-1, MM-CUL1a through MM-CUL1h, MM-CUL-2, MM-GEO1, MM-GEO-3a through MM-GEO-3b, MM-HAZ-1 through MM-HAZ-5, MM-HYDRO-1a through MM-HYDRO-1c, MM-HYDRO-2, MM-NOI-1a and MM-NOI-1b, and MM-TRANSP0-1 and MM-TRANSP0-2 which are provided in this EIR would be implemented in order to reduce these significant impacts to a level below significance.

The Project would have a significant impact (Impact LU-1) related to conflicting with a land use plan, policy, or regulation. Implementation of mitigation measures MM-TRANSP0-1 and MM-TRANSP0-2 would reduce impacts related to compliance with the City's VMT guidelines would be reduced to a level below significance.

Although the increased population as a result of the Project is not within the City's population projections, all physical impacts to the environment due to the increase in population have been evaluated throughout this EIR, as discussed above. No additional environmental impacts would occur as a result of the Project.

Furthermore, there are no components of the Project that would remove obstacles to development in the surrounding area, as the majority of lands surrounding the Project Site are developed with urban uses, are in the process of being developed, or are planned as open space. No impact to population growth would result from any Project-related improvements as these improvements would not induce substantial growth

on the surrounding area. The Project would exceed local and/or regional population projections; however, the Project would not indirectly induce growth by removing impediments to growth. Impacts associated with the Project's increase in population have been evaluated throughout this EIR and mitigation measures have been imposed in order to reduce impacts to less than significant levels. Therefore, Project impacts as a result of population growth would be **less than significant**.

- b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The Project would establish a PBD Overlay District to allow for the future development of medium density residential housing with a maximum of 400 dwelling units on a 25.6-acre site. The eastern parcel is currently developed with a small office/warehouse facility and a small wood-frame house serving as a caretaker's residence. The facility has historically served as a packing warehouse dating back to the 1960s for produce shipping and storage operations. Existing structures onsite include a 23,152-SF office/warehouse building, three small sheds, and a small house. The western parcel is predominately in agricultural cultivation (approximately 75%) but supports two (2) single-family residences, an old warehouse on the northwest portion of the site, a packing shed, small out buildings and an abundant amount of old farm equipment and miscellaneous materials and machinery. The onsite facility has historically served as storage for agricultural operations.

Two (2) residential structures are located on the western parcel while one (1) residence is located on the eastern parcel. Project Site observations have noted that the residential structure on the eastern parcel is vacant, boarded up, and deteriorating from dis-use. This structure was assumed to have been built between 1948 and 1953. Of the residential structures on the western parcel, one (1) was assumed to be constructed between 1947 and 1953 and is vacant and in poor condition. The other residential structure was assumed to be constructed in the 1960s and is currently occupied.

Although a total of three (3) residential structures exist within the Project Site, only one (1) of the structures is occupied by residents while the other two (2) are clearly vacant and in poor condition. Development of the Project will result in the demolition of this occupied residence; however, the Project would construct up to 400 new medium density residential units which offsets the loss of this one (1) unit. Therefore, the Project would not displace a substantial number of existing people or housing, necessitating the construction of replacement housing elsewhere and impact would be **less than a significant**.

4.15.5 MITIGATION IMPLEMENTATION AND MONITORING

No significant impacts to population and housing have been identified and therefore, no mitigation measures are required.

4.15.6 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts related to population and housing from implementation of the Project would be less than significant.

4.16 PUBLIC SERVICES

The following documents were used in the preparation of this section and are included in its entirety in **Appendix O**, **Appendix R**, and **Appendix S**.

Oceanside Unified School District. October 21, 2020. *Request for Information for Environmental Review Document for North River Road Project*. (**Appendix O**)

Dexter Wilson Engineering, Inc. October 6, 2020. *North River Road Planned Block Development Overlay District – Sewer Service Overview*. (**Appendix R**)

Dexter Wilson Engineering, Inc. October 6, 2020. *North River Road Planned Block Development Overlay District – Water Service Overview*. (**Appendix S**)

4.16.1 ENVIRONMENTAL SETTING

Fire Protection

The Project Site is within the boundary of the City and under the jurisdiction of the Oceanside Fire Department (OFD). The OFD serves of 180,000 residents and visitors throughout the City, 24 hours a day, 365 days a year. Fire protection services are provided by approximately 126 personnel with 115 sworn in personnel. The City currently has eight (8) operational fire stations. The following apparatus are in service 24 hours a day throughout the City:

- 7 Fire Engines
- 1 Tiller Truck
- 5 Ambulances
- 3 Type 3 Brush Engines
- 1 Type 6 Brush Engine
- 2 Water Tender
- 1 Command Vehicle (Battalion Chief)
- 1 Command and Interoperability Trailer
- 1 Incident Support Trailer
- 1 Mass Casualty Response Vehicle
- 1 Confined Space Trailer

The Project would be served by Fire Station 5 located at 4841 North River Road, approximately 0.71 miles northeast of the Project Site. The OFD's response times vary within the City, with the current goal being to provide an average maximum initial response time of no more than six minutes (6) and 20 seconds in accordance with the National Fire Protection Association's National Standard (1710) (TriData, 2012). The average response time for OFD was six (6) minutes and 38 seconds in 2015, according to a 2015 Annual Report issued by the Department (Oceanside, 2015). The City benefits from the boundary-drop system in the norther portion of the County where the closest emergency unit responds to a call regardless of political jurisdiction. However, given the close proximity from the Project Site to Fire Station 5, response times in the event of an emergency are anticipated to be short.

OFD received a total of 21,138 calls for service in 2019 including the following types of calls:

- Fire Responses – 381
- Emergency Medical Services Responses – 14,104

- Investigation/Good Intent – 3,819
- Service Calls – 1,995
- False Alarm – 635
- Hazardous Condition – 144
- Other – 60

Discussions regarding wildfire and potential impacts as a result of the Project are addressed in Chapter 4.21 *Wildfire*.

Police Protection

Police protection and law enforcement is provided by the Oceanside Police Department (OPD) which operates out of their station located at 3855 Mission Avenue, approximately 1.58 miles southwest of the Project Site. OPD's current goal is to provide a maximum response time of five (5) minutes for all Priority I and II emergency service calls. The following are the approximate response times for emergency and non-emergency calls in the City:

- 5.47 minutes for Priority I – Emergency
- 8.43 minutes for Priority II – Timing Critical/Felony Just Occurred
- 25.84 minutes for Priority III – Non-Violent/Misdemeanor Just Occurred
- 38.24 minutes for Priority IV – Routine Calls for Service

The OPD has 228 sworn and 84 professional staff members and are prepared and dedicated to handle more than 75,000 calls for service each year. The City's 2019 estimated population is 175,742 and therefore, the City currently has an officer-to-citizen ratio of one (1) to 770.8.

Schools

Students within the City from Kindergarten through 12th grade are served by the Oceanside Unified School District (OUSD), the Vista Unified School District (VUSD), the Bonsall Unified School District (BUSD), the Carlsbad Unified School District (CUSD) and a variety of parochial and secular private schools.

The Project Site is located within the boundaries of the OUSD and is located within the attendance boundaries of Libby Elementary School, Martin Luther King Jr. Middle School and El Camino High School. The Oceanside Unified School District provided a letter in response to information request for the environmental document and is provided as **Appendix O** of this EIR.

Libby Elementary School, serving grades K-5, is located at 423 W. Redondo Drive. In 2019 student enrollment was 598 students and the site capacity is 759 students.

Martin Luther King Jr. Middle School, serving grades 6-8, is located at 1290 Ivey Ranch Road. In 2019 student enrollment was 1,384 students and the site capacity is 1,683 students.

El Camino High School, serving grades 9-12, is located at 500 Rancho Del Oro Road. In 2019 student enrollment was 2,896 students and the site capacity is 2,862 students.

Parks

The City has approximately 642 acres of park land including 56 parks and recreation facilities which consist of five (5) recreation centers, two (2) senior centers, 15 community parks, 17 neighborhood parks, one (1) regional park, five (5) state parks, two (2) aquatic facilities, and two (3) gymnasiums. The City also contains 35 acres of usable beaches under control of the City and the Oceanside Harbor which offers marine boating facilities and services.

The nearest parks in proximity to the Project Site are Libby Lake Park (0.43 mile northeast), Mance Buchanan Park (0.90 mile northeast), Guajome Regional Park (2.03 miles east), Fireside Park (1.89 miles southwest), Heritage Park (0.80 mile to the southwest), Marlado Highlands Park (2.07 miles southwest) and Alamosa Park (1.87 miles southeast). The nearest recreation and community centers are Melba Bishop Recreation Center (1.43 miles northeast), Martin Luther King Skate Park (1.88 miles east) and Vista Sports Park (3.16 miles southeast).

Library

The Project is located approximately 5.08 miles northeast of the Oceanside Public Library, located at 330 North Coast Highway. The Mission Branch of the Oceanside Public Library is located at 3861 Mission Avenue, approximately 1.54 miles southwest of the Project Site. The Library also operates the READS Literacy Center located at 321 N. Nevada Street, approximately 4.95 miles southwest of the Project Site. The Library offers Bookmobile services at Libby Lake Park, John Landes Park, Rancho Del Oro Park, Balderrama Recreation Center, Crown Heights Resource Center and Libby Lake Community Center.

4.16.2 REGULATORY SETTING

State

California Health and Safety Code, Section 13000, Division 12

The California Health and Safety Code Section 13000, Division 12 – Fires and Fire Protection sets forth state fire regulations concerning building standards, fire protection devices such as extinguishers and smoke alarms, fire notification and protection systems, and standards for high-rise buildings and childcare facilities.

California Code of Regulations Title 24, Part 2 and Part 9

The California Code of Regulations, Title 24, Part 2 provides the California Building Code, which contains general construction building standards including fire, life safety, and field inspection provisions. Part 9 is the California Fire Code, which includes fire safety-related building standards.

Local

City of Oceanside General Plan

General Plan Community Facilities Element provides direction for the provision of adequate public facilities necessary to serve the existing and future developed areas of the City in a coordinated and cost effective manner. Within the Community Facilities Element are subsections on Fire Department Facilities, Police Facilities, and Park and Recreation Facilities. These subsections outline specific policies and objectives to ensure acceptable service levels and adequate provision of these facilities. Specific services standards include:

- A five (5) minute response time from fire stations to all developed areas within the City of Oceanside;
- A maximum response time for paramedic units of eight minutes in urban areas and 15 minutes in rural areas, 85% of the time;
- A maximum police response time of five minutes for all Priority I and II emergency service calls.

City of Oceanside Municipal Code Chapters 32A to 32E

The OMC Chapter 32A declares that it is the intent of the people of the City to achieve a steady rate of residential development growth in order that the services provided by the City, school, park, utility and/or service agencies operating in the City can be properly and effectively staged in a manner which will not overextend existing facilities and in order that deficient services may be brought up to required and necessary standards while minimizing the avoidable costs of shortsighted facility expansion. In order to accomplish this, fees collected for drainage, schools, streets, utilities, parks and recreation facilities shall be utilized in a timely manner to ensure that new residents who pay impact fees will benefit directly from those facilities that are built within a reasonable time.

The OMC Chapter 32B provides that as a condition of approval of development projects, impact fees shall be imposed to offset impacts to public facilities. The term “public facilities” includes all governmental facilities specified in the adopted elements of the City’s General Plan, including the Community Facilities Element. This includes fire, police, library, and administrative facilities.

The OMC Chapter 32C requires as a condition of new development that developers of projects in the City contribute funds to insure adequate provision of public facilities and improvements within the City, including: libraries; administrative space/civic center; police records/management; corporation yard; and fire protection to meet new development’s share of costs for facilities needed to meet the level of service standard as identified in the City’s long range capital improvements program.

The OMC Chapter 32D, Park Land Dedication and Payment of Fees, states that the provisions of this municipal code chapter shall apply to all development within the City by which additional residential lots and/or dwelling units are created. Every owner, developer or subdivider who creates such lots and/or units shall dedicate a portion of land, pay a fee, or do both as set forth in Chapter 32D for the purposes of providing open space, park and recreational facilities.

The OMC Chapter 32E, School Facilities Mitigation Chapter, declares sufficient, adequate school facilities should be available to serve new development; City review of proposed legislative actions such as rezones and general plan amendments provides the opportunity to ensure that adequate school facilities are available when needed; and the public health and safety and the general welfare of the community and all its citizens are negatively affected by a lack of facilities sufficient to provide for the education of person(s) in the City.

City of Oceanside Impact Fees for New Development

The City Impact Fees for New Development provides a fee schedule for all associated impact fee categories. The current impact fees (revised 8/27/2020) are as follows:

- Public Facilities (for residential project) is \$2,621 per unit
- Schools (for residential project) in the Oceanside School District is \$4.08 per SF
- Parks (for residential projects only) is \$4,431 per unit

4.16.3 THRESHOLDS OF SIGNIFICANCE

Per Appendix G of the CEQA Guidelines, impacts would be considered significant if the Project:

- a. Would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: (1) Fire Protection; (2) Police Protection; (3) Schools; (4) Parks; and (5) Other Public Facilities.

4.16.4 PROJECT IMPACT ANALYSIS

- a. Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire Protection?

As stated above, the City operates a total of eight (8) fire stations and the nearest fire station is Fire Station 5 located at 4841 North River Road, approximately 0.71 miles northeast of the Project Site. OFD utilizes a dynamic distribution system that chooses units based on which OFD unit is the closest at the time the alarm is received. It is anticipated that Fire Station 5 would respond to the majority of the future emergency calls for the residential development, and when Station 5 is unavailable, units identified for response to the site would come from multiple stations include stations from the City of Carlsbad and the City of Vista.

The Project would provide all required setbacks, fire truck access and turnarounds, fire hydrants, address numbers, and sprinklers in accordance with OFD requirements. Fire extinguishers sizes and locations will be determined by the Fire Marshal during the building permit application. EMS vehicles would utilize an OPTICOM system which is a traffic control system that provides a green light and intersection right-of-way to emergency vehicles. A Knox Box would be provided onsite of the future residential development and the specific location would be provided at the time the development plans are prepared. A Knox Box is a small, wall-mounted safe that holds building keys in order for fire departments, emergency medical services and police to gain access into buildings in emergency situations.

The Project would provide the transportation improvements and contributions listed in **Table 3.5-4**, unless subsequent traffic analysis demonstrates that the improvements are not warranted. Prior to submittal of the final site plan, a traffic analysis shall be prepared to identify the timing, trigger, improvement, and fair share contribution for each analyzed roadway segment and intersection. These improvements and contributions would improve traffic in the vicinity and further improve emergency access in the surrounding areas of the Project Site.

The Project would develop a future multi-family development in an area that is surrounded primarily by various residential land use types and industrial land uses. To the west of the Project Site are single-family residences, to the north are multi-family condominiums, apartments, mobile home communities and single-family residences, to the east are limited industrial uses and to the south includes the San Luis Rey River and industrial uses. The Project would contribute all required development impact fees in

accordance with the City's current requirements, a portion of which would go towards funding fire protection services in the City.

At the time a development is proposed, Project development plans and building plans will be reviewed by OFD to ensure that the Project meets all requirements related to access, fire hydrants, and setbacks and would comply with all conditions set forth for Project approval.

Existing fire protection services are provided to the adjacent residential developments and the need for new or altered fire protection facilities is not expected. The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, and impacts would be **less than significant**.

Police Protection?

Police protection and law enforcement is provided by OPD which operates out of their station located at 3855 Mission Avenue, approximately 1.58 miles southwest of the Project Site. The Project would provide a PBD for future development of multi-family residential units on the Project Site which is surrounded primarily by various residential land use types and industrial land uses. Although the Project would result in a slight increase in demand for police services, there are not any aspects of the Project that would make it any more demanding on police services compared to similar types of residential development in the area. Adequate access for police personnel to the Project Site would be provided and the increase in demand for police protection services is not expected to be significant. Future onsite security measures would be determined based on the residential building type at the time of Project Site development to further increase safety and could include measures such as gated entries, security cameras, security monitors, lit parking lots, and specific security protocols for club house and leasing office.

The Project would contribute to all required impact fees in accordance with the City's current requirements, a portion of which would go towards funding police protection services in the City. No new police facilities or expansion of facilities would be required to serve the Project. The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, and impacts would be **less than significant**.

Schools?

The Project Site is located within the boundaries of the OUSD and is located within the attendance boundaries of Libby Elementary School, Martin Luther King Jr. Middle School and El Camino High School. The OUSD provided a letter in response to information request for the environmental document and is provided as **Appendix O** of this EIR.

Students living within the proposed residential development from grades K-5 would attend Libby Elementary School located at 423 W. Redondo Drive, approximately 0.59 mile northeast of the Project Site. Student enrollment in 2019 was 598 students and enrollment as of October 7, 2020 was 411 (during COVID-19 restrictions) and the site capacity is 759 students. As stated in the letter provided by OUSD, existing capacity is available for this school to adequately meet the needs of current student population as well as future incoming students from the Project.

Students living within the proposed residential development in grades 6-8 would attend Martin Luther King Jr. Middle School located at 1290 Ivey Ranch Road, approximately 2.0 miles south of the Project Site. Student enrollment in 2019 was 1,384 students and enrollment as of October 7, 2020 was 1,327

(during COVID-19 restrictions) and the site capacity is 1,683 students. As stated in the letter provided by OUSD, existing capacity is available for this school to adequately meet the needs of current student population as well as future incoming students from the Project.

Students living within the proposed residential development in grades 9-12 would attend El Camino High School located at 500 Rancho Del Oro Road, approximately 1.86 miles southwest of the Project Site. Student enrollment in 2019 was 2,896 students and enrollment as of October 7, 2020 was 2,828 students (during COVID-19 restrictions) and the site capacity is 2,862 students. As stated in the letter provided by OUSD, existing capacity is available for this school to adequately meet the needs of current student population as well as future incoming students from the Project.

The Project would contribute to all required development impact fees for schools in accordance with the City's current requirements, which go towards funding school facilities in the City. The current impact fee for schools required for a residential project in the OUSD is \$4.08 per SF. The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, and a **less than significant impact** would occur.

Parks?

The Project proposes a PBD Overlay District which would develop the Site for future multi-family development. A maximum of 400 multi-family residential units would be developed onsite resulting in approximately 1,168 people residing within the Project Site. Specific Site layout and residential product designs would ultimately be identified as part of future development plans for the Project Site. Medium density residential building types that are permitted in the PBD Overlay District include small lot attached single-family homes, detached condominiums, townhomes, courtyard clusters, duplex homes and garden apartments, along with various other product type configurations. Each potential building type is described in further detail in Chapter 3.0 *Project Description*.

Regardless of the future specific development type, the proposed multi-family development would provide areas of common open space, community amenity areas, pedestrian amenities for social interaction such as small gathering areas, benches and seating, water features and shaded areas. The Project Community Design and Site Planning guidelines provides for enhanced pedestrian circulation with access and connections to internal walkways, paseos and open space systems, including connections to the San Luis Rey River and unpaved trail located to the south. As provided in the Site Development Regulations Summary in the PBDP (**Appendix E**), the Project would provide 350 SF of usable open space per unit. The design of the common and private usable open space areas will be per the standards presented in Section 1050(Q) of the Zoning Ordinance.

Depending on the residential building type for the proposed medium density residential development, the development could contain an onsite pool facility and associated amenities and structures. For the purpose of this EIR, a pool is included as part of the Project Description.

The nearest parks in proximity to the Project Site are Libby Lake Park (0.43 mile northeast), Mance Buchanan Park (0.90 mile northeast), Guajome Regional Park (2.03 miles east), Fireside Park (1.89 miles southwest), Heritage Park (0.80 mile to the southwest), Marlado Highlands Park (2.07 miles southwest) and Alamosa Park (1.87 miles southeast). The nearest recreation and community centers are Melba Bishop Recreation Center (1.43 miles northeast), Martin Luther King Skate Park (1.88 miles east) and Vista Sports Park (3.16 miles southeast).

These parks provide for a variety of recreational activities and uses such as barbecues, picnic areas, play equipment, horseshoes, basketball courts, volleyball courts, multi-purpose fields, restrooms, and gazebos. Melba Bishop Recreation Center is a 35,000-SF facility and includes a gymnasium, basketball courts, locker rooms and showers, auditorium, meeting room, dance/fitness room, and preschool room. Martin Luther King Skate Park contains 6,000 SF of skating areas with a variety of course styles. Vista Sports Park contains baseball and softball fields, football fields, soccer fields, bleachers, concession stand, picnic areas, play areas and restrooms. Guajome Regional Park contains approximately 4.5 miles of multi-use and non-motorized trails with two (2) day-use areas with playgrounds and picnic areas, along with 33 tent and RV campsites, a caravan pavilion and a cabin for overnight stays.

As stated previously, the Project would provide a variety of open space and recreational amenities within the proposed development. The Project would be required to contribute to all required development impact fees for parks in accordance with the City's current requirements, which go towards funding park and recreational facilities in the City. The current development fee for parks is \$4,431 per unit as outlined in the City Impact Fee Schedule for New Developments. Payment of these fees would offset any increased demand placed on public parks as a result of the Project.

The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, and Project impacts would be **less than significant**.

Other Public Facilities?

The Project would develop a maximum of 400 multi-family residential units onsite resulting in approximately 1,168 people residing within the Project Site. These residents would assume to frequent other public facilities such as local library branches operated by the City. The Oceanside Public Library system consists of two branches located at 330 North Coast Highway and the Mission Branch located at 3861 Mission Avenue. The Oceanside Library also operates the READS Literacy Center located at 321 N. Nevada Street. Bookmobile services are located at Libby Lake Park, John Landes Park, Rancho Del Oro Park, Balderrama Recreation Center, Crown Heights Resource Center and Libby Lake Community Center. The increase in residences as a result of the Project is not expected to significantly impact the Oceanside Public Library's ability to serve existing and future users. Therefore, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, and Project impacts would be **less than significant**.

4.16.5 MITIGATION IMPLEMENTATION AND MONITORING

No significant impacts to public services have been identified and therefore, no mitigation measures are required.

4.16.6 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts related to public services would be less than significant.

4.17 RECREATION

4.17.1 ENVIRONMENTAL SETTING

Regional Setting

Site Location and Surroundings

The Project Site is located in the north/northeast portion of the City, north of SR-76, and south of North River Road, generally between Avenida Descanso and Calle Montecito in the North Valley Neighborhood. Local access to the Project Site is provided by North River Road from College Boulevard to the east and Douglas Drive to the west. The San Luis Rey River is located directly to the south, approximately 800 feet south of the eastern parcel and approximately 175 feet south of the western parcel.

The Project Site is surrounded by residential developments directly to the west and north including single-family, multi-family residences and a mobile home estate community. Areas to the east of the Project Site are designated as light industrial uses. A property to the southeast consists of parking and support areas for the Oceanside Auto Auction. A recreational vehicle/self-storage use is also located farther to the east. The light industrial area extends east to the San Luis Rey River boundary.

County Recreational Facilities

The County park system contains more than 100 locations across approximately 50,000 acres, including 36 local day-use parks, 19 regional parks, nine (9) camping parks, a number of open space preserves, several registered historic sites, fishing lakes, community centers, special use facilities, and preserves located within the unincorporated County. The County has approximately 350 miles of trails that take visitors through multiple climates and habitats. The nearest County Park is Guajome Regional Park located approximately 2.03 miles east of the Project Site.

City Parks

The City parks and recreation facility inventory indicates there is a broad range of passive and active opportunities, well dispersed throughout the City. Currently the City has approximately 642 acres of park land. This includes 269 acres of community parks and centers, 74 acres of neighborhood parks, and two (2) aquatic facilities. Residents can also enjoy 115 acres of school recreation areas. A major recreation resource for the community is the coastline. The City has approximately 35 acres of usable beaches under their control. The City also owns Oceanside Harbor which offers marine boating facilities and services.

Parks and Recreational Facilities near the Project Site

The City of Oceanside Parks and Recreation Master Plan 2019 displays existing parks and recreation facilities within the City. These include community centers, neighborhood parks, community parks, school facilities, special use parks, regional parks and golf courses. Facilities nearest to the Project Site include Louise Fousset Elementary, Cesar Chavez Elementary, Melba Bishop Park and Recreation Center, Mance Buchanan Park, Libby Lake Park, and Ivey Ranch Park. Melba Bishop Park and Recreation Center is the nearest dedicated recreation facility which is located approximately 1.43 miles northeast of the Project Site. The nearest trail to the Project Site is the San Luis Rey River Trail located approximately 0.25 miles south, with the nearest trailhead at 1.0 mile to the northeast at Mance Buchanan Park.

4.17.2 REGULATORY SETTING

State

Landscaping and Lighting Act

The Landscaping and Lighting Act (California Streets and Highways Code, Section 22500 *et seq.*) enables cities, counties, and special districts to acquire land for parks, recreation, and open space. A local government may also use the assessments to pay for improvements and maintenance to these areas. In addition to being provided by local government agencies (i.e., counties and cities), park and recreation facilities may be provided by other public agencies such as a community service district, park and recreation district, etc.

Quimby Act

The 1975 Quimby Act (California Government Code, Section 66477) was enacted to promote the availability of park and open space areas in California. The Quimby Act authorizes cities and counties to pass ordinances requiring the dedication of land, donation of conservation easements or the payment of fees for park and/or recreational facilities and improvements. The Quimby Act outlines a number of items that must be contained in the local ordinance, including standards from which calculations can be made for the amount of land or fee that must be given for recreation purposes. Revenues generated through the Quimby Act can only be used for creating or rehabilitating recreational facilities, not for the operation and maintenance.

Local

City of Oceanside Parks and Recreation Master Plan

Adopted in January 1996, the Parks and Recreation Master Plan provides guidance for the development of future park, recreation, and open space facilities in order to meet the needs of the community. The Parks and Recreation Master Plan identifies existing facilities, provides a needs assessment, proposes implementation strategies, and includes overall goals and policies for the development, renovation, use, acquisition, and maintenance of park facilities. The City Parks and Recreation Master Plan was updated in 2019.

City of Oceanside General Plan

The State of California requires that each city draft and adopt a comprehensive general plan that provides long-term guidance for development within the city's jurisdiction. The General Plan sections that address goals and policies related to parks and recreation include the Land Use Element, Community Facilities Element, Recreational Trails Element and Environmental Resource Management Element. Each of these elements is described in detail below as they relate to parks and recreation.

Land Use Element

The General Plan Land Use Element provides policies, definitions, and zoning designations for land use types within the City. It establishes guiding policies for each type of land use, including open space, recreation, and community facilities. As it relates to parks and recreation, the Land Use Element gives overall direction for encouraging, preserving, and developing adequate open space, park areas, and recreation facilities for community use. The element also establishes the general development impact fee

policy to provide for expanding public facilities to meet the demand of any new development. The General Plan Land Use Element identifies the following objectives and policies relating to recreation:

2.74 Public Recreation Facilities Objective: To enhance the well-being of City residents by providing opportunities for relaxation, rest, activity, and education through a well-balanced system of private and public parks and recreational facilities distributed to serve the entire community.

Policies:

- A. Enrich the quality of life for all citizens of Oceanside while providing constructive and creative leisure opportunities.
- B. Provide recreational experiences and programs that contribute to the total health of the individual while meeting the desires of the community as a whole.
- C. Provide adequate parkland acreage in both location and size to meet the recreation needs of existing and future residents and to preserve natural resources within the City.
- D. Develop park sites to provide diverse recreational facilities to meet the active and passive recreational needs of Oceanside residents.
- E. Provide for the optimum functional and aesthetic integration of all recreational, environmental, cultural, and social elements into Oceanside parks.
- F. Improve and modernize Oceanside parks to overcome both design deficiencies and any deterioration of existing facilities.
- G. Distribute future park sites to equitably serve a greater number of Oceanside residents while reducing annual maintenance and operation costs.
- H. Maintain the presence of parklands and open space as a fundamental element to conserve and enhance the natural environment thereby improving the quality and livability of the City of Oceanside.
- I. Emphasize trail linkage opportunities between community, County, and State open space systems and recreation facilities and throughout those private developments where deemed both suitable and appropriate.
- J. Foster cooperative use of existing land resources and recreational facilities between other public and quasi-public agencies.
- K. Operate and maintain Oceanside park and recreation facilities through programs that are designed for the most effective use and enhancement of the park site at the least cost possible.
- L. Define basic objectives, financing, and alternative/nontraditional means for timely and balanced development of park and recreation facilities in Oceanside.

Community Facilities Element

The General Plan Community Facilities Element guides the development of community facilities. The Community Facilities Element intends to ensure that sufficient and adequate public facilities and services,

including park land, are provided to the City. This element of the General Plan establishes a park land goal of five (5) acres of park space per 1,000 residents within the City. Community Facilities Financing Policy 14.1 states that all new development shall pay its proportionate share of the costs of the public facilities necessitated by that development through payment of impact fees for roads, parks and recreation, storm water management, police service, fire protection and emergency services, City administrative space and City corporation yard, and library services, and payment of connection fees for water and wastewater service. The following objectives and policies relate to parks and recreation:

Parks and Recreation Facilities Objective: To enrich the quality of life for all residents of Oceanside by providing adequate and accessible public park and recreation facilities, by providing constructive leisure opportunities, and by providing recreational experiences and programs that contribute to the total health of the individual while meeting the overall needs and desires of the community.

Policies:

- 1.2 The City of Oceanside shall assist in the coordinated planning, development and maintenance of unique regional amenities within and adjacent to the community. These amenities include: Guajome Regional Park; the Oceanside Public Beach Area; the proposed greenway and bikeway along the San Luis Rey Corridor; and the Buena Vista Lagoon. This regional recreational and open space amenity system shall be planned, developed and implemented in coordination with the existing system of parks throughout the City of Oceanside.
- 1.3 The City of Oceanside shall combine its park designation categories of Neighborhood, Community, and Special Use Parks into a single “Community Park” designation and shall strive to provide five acres of developed “Community Parks” per 1,000 residents within the City.
- 1.4 The City of Oceanside shall undertake a systematic annual park development program and shall strive to correct existing deficiencies in the system by Fiscal Year 1998-99. The average annual rate of development needed to achieve this policy is estimated at six acres of developed parkland per year.
- 1.5 The City of Oceanside shall also undertake a parks acquisition and improvement program to accommodate future growth needs and shall strive to acquire and develop an average annual program of approximately 14.0 acres per year through Fiscal Year 2009-10 to serve new development.
- 1.6 Sites being considered for development as new active “Community” parks should meet all of the following standards:
 - a. The topography and land configuration should be suitable to accommodate the park’s proposed uses. A minimum of 65% of the park land area should be useable for active recreation;
 - b. Sites should have or be able to achieve safe pedestrian and bicycle access;
 - c. Sites should be visible from the street in order to enhance enjoyment of the park by people driving by and to facilitate security surveillance;
 - d. Noise generated by park use should be mitigated to avoid disturbing adjacent residents;
 - e. Lighting should be designed to limit impacts on adjacent residents;

- f. Parks should be buffered from adjacent residences through the use of fences, landscaping, berms, or other treatments, in order to prohibit undesired access to private property; and
- g. “Community Parks” located in residential neighborhoods should have at least one access point on a Collector road. Whenever possible, these facilities should be located adjacent to public schools.

Community Facilities Financing Objective: To provide financing for the orderly and planned construction of adequate public facilities to serve existing and future development in the City of Oceanside.

Policy 14.1 All new development shall pay its proportionate share of the costs of the public facilities necessitated by that development through payment of impact fees for roads, parks and recreation, storm water management, police service, fire protection and emergency services, City administrative space and City corporation yard, and library services, and payment of connection fees for water and wastewater service.

Recreational Trails Element

The General Plan Recreational Trails Element, a sub-element to the Circulation Element, provides policies and guidance for the City’s bicycle, pedestrian, and equestrian trail system. This element defines adequacy standards and goals for maintaining recreational trails, such as hiking trails, multi-use trails, equestrian trails and bicycle trails throughout the City. The following are related objectives and policies within the Recreational Trails Element:

Goal 1: Encourage safe multiple use trails within the City that provide a variety of experiences.

Goal 2: A safe, interconnected network of bicycle facilities within Oceanside

Goal 3: A safe transition from Oceanside to the Camp Pendleton bike trail.

Goal 4: Safe bicycle use within the City for recreational and commuter users.

Goal 8: An interconnected network of pedestrian facilities within the City, linking recreational and other destinations.

Environmental Resource Management Element

The General Plan Environmental Resource Management Element provides guidance for conserving and preserving natural resources and open space as the City develops. As related to recreation, this element encourages the preservation of open space for public health and welfare. The Environmental Resource Management Element identifies the following objective related to recreation:

Recreation and Scenic Areas Objective:

- 1. Plan adequate recreation facilities based on existing recreation standards and criteria established by the appropriate agencies as contained in the other elements of the General Plan.

4.17.3 THRESHOLDS OF SIGNIFICANCE

Per Appendix G of the CEQA Guidelines, impacts would be considered significant if the Project would:

- a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated;
- b. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

4.17.4 PROJECT IMPACT ANALYSIS

- a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

The Project Site is situated on two (2) parcels, generally referred to as an eastern and western parcel. The eastern parcel is currently developed with a small office/warehouse facility, and the western parcel is primarily in agricultural cultivation with small warehouse buildings and a single-family residence. The current General Plan land use designation of both parcels is LI and the zoning designation of both parcels is IL under the Zoning Ordinance.

A General Plan Amendment is required to designate the Project Site as MDC-R in order to provide for appropriate densities and use types that will allow for the envisioned multi-family development of the Project Site. A Zone Amendment is required to designate the Project Site as RM-C consistent with the proposed MDC-R land use. The objective of the Project is to establish a PBD Overlay District to permit flexibility in planning and developing multi-family housing opportunities. The proposed medium-density residential use will also provide a transition between the light industrial uses located to the south and east, and the existing residential uses located to the north and west. A maximum of 400 medium density residential units would be provided as part of the Project.

As required by Section 1050 (Q) (Usable Open Space) of the Zoning Ordinance, the Project would include 350 SF of usable open space per unit. With the maximum development of 400 dwelling units, approximately 140,000 SF of usable open space would be provided within the development of the Project. Additionally, pedestrian amenities would be provided throughout the development such as gathering areas, benches and seating, water features and shaded areas. Internal streets with sidewalks would be designed to promote pedestrian activity within the development. Enhanced pedestrian circulation would provide access and connections to internal walkways, patios, and open space systems, including a connection to the San Luis Rey River trail located south of the Project Site.

Depending on the residential building type for the proposed medium density residential development, the development could contain an onsite pool facility and associated amenities and structures. For the purpose of this EIR, a pool is included as part of the Project Description.

The future medium density residential development under the PBD Overlay District would likely result in an increased use of existing neighborhood and regional parks and recreational facilities. However, the Project would be required to contribute to all required development impact fees related to parks at a cost of \$4,431 per residential unit in accordance with the City's Impact Fee Schedule. Payment of these fees would offset the potential increase in usage and demand placed on existing public recreational facilities as a result of the Project. Impact fees for parks are used for creating, rehabilitating, or expanding recreational facilities to meet the demand of new residents to the City.

The Project would not result in an increased use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility may occur or be accelerated and impacts would be **less than a significant impact**.

- b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

The objective of the Project is to establish a PBD Overlay District to allow for the future planning and development of a medium density residential development in an area surrounded primarily by various residential land use types and light industrial development.

As required in the Zoning Ordinance, 350 SF of usable open space would be provided per dwelling unit. Pedestrian amenities would be provided throughout the development such as gathering areas, benches and seating, water features and shaded areas. Internal streets with sidewalks would be designed to promote pedestrian activity within the development. Enhanced pedestrian circulation would provide access and connections to internal walkways, patios, and open space systems, including a connection to the San Luis Rey River trail located south of the Project Site. Depending on the residential building type for the proposed medium density residential development, the development could contain an onsite pool facility and associated amenities and structures. For the purpose of this EIR, a pool is included as part of the Project Description.

The Project would be required to contribute to all required development impact fees for parks in accordance with the City's current requirements, which go towards funding park and recreational facilities in the City. The city's current development impact fee for parks is \$4,431 per residential unit. The impact fees would be used by the City for rehabilitating, expanding, and/or creating new recreational facilities.

The Project would include open space and recreational amenities as part of the Project footprint, and all impacts associated with development of the Project and associated facilities are included within the environmental analysis of this EIR and are not expected to have adverse impacts beyond those provided in this EIR. The Project would not include recreational facilities or require the expansion of recreational facilities which might have an adverse physical effect on the environment and a **less than a significant impact** would occur.

4.17.5 MITIGATION IMPLEMENTATION AND MONITORING

No significant impacts to recreational facilities have been identified and therefore, no mitigation measures are required.

4.17.6 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts related to recreational facilities from the implementation of the Project would be less than significant.

4.18 TRANSPORTATION

The following document was used in the preparation of this section and is included in its entirety in **Appendix P** and **Appendix Q**:

LOS Engineering, Inc. February 4, 2022. *Tierra Norte Residential Development Plan Southside of N. River Rd btw Ave Descanso and Calle Montecito, City of Oceanside, Local Transportation Study. (Appendix P)*

LOS Engineering, Inc. February 4, 2022. *Tierra Norte Residential Development Plan Southside of N. River Rd btw Ave Descanso and Calle Montecito, City of Oceanside, Vehicle Miles Traveled Analysis. (Appendix Q)*

4.18.1 ENVIRONMENTAL SETTING

The Project Site is located in the north/northeast portion of the City of Oceanside which is located within the northwestern portion of the County. The Project Site is located north of SR-76, on the south side of North River Road generally between Avenida Descanso and Calle Montecito in the North Valley Neighborhood of the City.

Regional access is provided by SR-76 by way of College Boulevard and Douglas Drive to North River Road. Main access for both parcels is provided from North River Road. Calle Joven provides a potential access point to the western parcel and provides access to the eastern parcel from the east and south.

4.18.2 EXISTING CONDITIONS

4.18.2.1 EXISTING TRANSPORTATION SYSTEM

Existing Street System

In the vicinity of the Project the following roadways were analyzed and are further described below. The roadway classifications were obtained from the City's General Plan Circulation Element.

SR-76

SR-76 is classified as an Expressway in the vicinity of the Project and is currently built as a divided roadway with two (2) travel lanes in each direction.

Douglas Drive

Douglas Drive is classified as a four (4) lane Major Arterial from SR-76 to Mission Avenue, a four (4) lane Secondary Collector from Mission Avenue to El Camino Real, and a four (4) lane Major Arterial from El Camino Real to North River Road. Douglas Drive is currently built as a four (4) lane roadway with a raised median and intermittent left turn lanes from SR-76 to Mission Avenue, with a center two way left turn lane (TWLTL) from Mission Avenue to El Camino Real, with a raised median and intermittent left turn lanes from El Camino Real to Pala Road, with painted center median (two sets of double yellow lines) from Pala Road to Rainier Way and with a raised median and intermittent left turn lanes from Rainier Way to North River Road. The posted speed limit is generally 40 miles per hour (mph) from SR-76 to El Camino Real and generally 50 mph north of El Camino Real.

North River Road

North River Road is classified as a four (4) lane Major Arterial from Douglas Drive to College Boulevard and as a five (5) lane Major Arterial from College Boulevard to Vandegrift Boulevard. The majority of North River Road between Douglas Drive and College Boulevard is built as a four (4) lane divided roadway. Some portions do not have a raised center median. From College Boulevard to Vandegrift Boulevard, North River Road is built as a five (5) lane divided roadway (three northbound and two southbound lanes). The posted speed limit is 45 mph with no parking signs posted on both sides of the roadway. Bike lanes are provided on both sides of the roadway.

College Boulevard

College Boulevard is classified as a four (4) lane Major Arterial from North River Road to Adams Street, a six (6) lane Major Arterial from Adams Street to SR-76, and a four (4) lane Major Arterial from SR-76 to Mesa Drive. College Boulevard is currently built as a four (4) lane roadway with a raised median from North River Road to Buchanan Park, a four (4) lane roadway with painted center median (two sets of double yellow lines) from Buchanan Park to Adams Street, a six (6) lane roadway with a raised median from Adams Street to SR-76, a five (5) lane roadway (three southbound lanes and two northbound lanes) with a raised median and intermittent turn lanes from SR-76 to Frazee Road, and a four (4) lane roadway with a raised median from Frazee Road to Mesa Drive. Bike lanes are provided on both sides of the roadway. The posted speed limit is generally 40 mph from North River Road to Buchanan Park, 45 mph between Adams Street and Via Cupeno and 50 mph from SR-76 to Mesa Drive.

Alternative Transportation Modes

The following transportation modes were analyzed based on criteria outlined in the City's *Transportation Impact Analysis Guidelines for Vehicles Miles Traveled (VMT) and Level of Service Assessment*.

1. Pedestrian: Documentation of pedestrian infrastructure available including any opportunities or deficiencies such as path obstructions or missing sidewalk from the project access points extending 0.5 mile walking distance or to the nearest intersection with a classified roadway/connection with a Class I path.
2. Bicycle: Documentation of bicycle infrastructure available including any opportunities or deficiencies such as bike lanes, bike buffers, or bike boxes from the project access points extending in each direction to the nearest intersection with a classified roadway or connection with a Class I path.
3. Transit: Identification of transit stops or routes existing within 0.5 mile walking distance of each pedestrian project access point.

Pedestrian Facilities

North River Road from Douglas Drive to roughly the driveway of the OFD Station #5 has either non-contiguous or contiguous sidewalks on both sides of the street, except along the Project frontage and along the north side of the street from Calle Montecito to the fire station. There were no major sidewalk obstructions observed along this segment.

The Project would construct sidewalks along the Project frontage adjacent to the public streets. With these improvements, the pedestrian infrastructure from the Project access points extending to the nearest intersection with a classified roadway or 0.5 mile walking distance, did not have any deficiencies, path

obstructions, or missing sidewalk segments for the study area on the same street side as the Project. However, there is a missing sidewalk on the north side of North River Road between Calle Montecito and Redondo Drive.

Bicycle Facilities

North River Road from Douglas Drive to roughly the driveway of the OFD Station #5 has an existing Class 2 bike lane as shown in the City of Oceanside Bicycle Master Plan 2017 Update.

Transit Facilities

The transit analysis includes identifying the closest transit routes and stops to the Project. If the stops are within 0.5 mile walking distance of the Project access, the condition of the closest stop amenities are described. North County Transit District (NCTD) lists Bus Route 303 within 0.5 mile walking distance from the Project access. Bus stops near the Project Site are located on North River Road by Avenida Descanso and on North River Road by Calle Montecito.

The closest bus stop west of the Project Site is located on North River Road at Avenida Descanso. The westbound bus stop is located on the north side of North River Road and to the west of Avenida Descanso. The eastbound bus stop is located on the south side of North River Road east of Avenida Descanso. Both bus stops include a bench and are in good condition.

The closest bus stop east of the Project Site is located on North River Road at Calle Montecito. The westbound bus stop is located on the north side of North River Road west of Calle Montecito and the eastbound bus stop is located on the south side of North River Road east of Calle Montecito. Both bus stops include a bench and are in good condition.

A summary of the bus services times are provided in **Table 4.18-1** and include weekday and weekend services.

Table 4.18-1
Bus Service Operations and Frequency

Bus Route	Weekday (Monday-Friday)			Weekends (Saturday and Sunday)	
	Weekday Service Operations (Off-Peak Service Frequency Range)	7 AM-9 AM Peak Hour Service Frequency	4 PM-6 PM Peak Hour Service Frequency	Saturday Service Operations (Service Frequency Range)	Sunday Service Operations (Service Frequency Range)
Route 303	≈ 4:30 AM to ≈ 11:00 PM (≈ 15-30 minutes)	15 minutes	15 minutes	≈ 6:00 AM to ≈ 11:00 PM (≈ 20-30 minutes)	≈ 6:00 AM to ≈ 11:00 PM (≈ 20-30 minutes)
Note: Service times are summaries, thus please refer to Appendix D of the Local Transportation Study for exact service details. Source: Local Transportation Study prepared by LOS Engineering, Inc. (Appendix P)					

4.18.3 REGULATORY SETTING

State

Senate Bill 743

In 2013, SB 743 was signed into law and requires new metrics for analyzing transportation impacts under CEQA to provide an alternative to LOS. Measurements of transportation impacts may include vehicle miles traveled (VMT), vehicle miles traveled per capita, automobile trip generation rates, or automobile trips generated. In most cases, a project's effect on automobile delay will no longer constitute a significant environmental impact. Proposed changes to the CEQA Guidelines, Section 15064.3, were promulgated by the Office of Planning and Research (OPR) in November 2017. Per the updated 2019 CEQA Guidelines, measurements of transportation impacts will include VMT for analyses completed after July 1, 2020.

Local

SANDAG Regional Transportation Plan and Sustainable Communities Strategy

SANDAG's *San Diego Forward: The Regional Plan* (Regional Plan) combines the region's two (2) most important existing planning documents – the RCP and the Regional Transportation Plan and its Sustainable Communities Strategy (RTP/SCS). The RCP, adopted in 2004 laid out key principles for managing the region's growth while preserving natural resources and limiting urban sprawl. The plan covered eight (8) policy areas including urban form, transportation, housing, healthy environment, economic prosperity, public facilities, our borders, and social equity. These policy areas were addressed in the 2050 Regional Transportation Plan and its Sustainable Communities Strategy (2050 RTP/SCS) and are now fully integrated into the Regional Plan.

City of Oceanside Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment

The purpose of the *Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment* prepared by the City is to provide general instructions for analyzing the potential transportation impacts of proposed development projects. The guidelines provide transportation analysis significance criteria, screening criteria and thresholds of significance for environmental clearance for development projects. It also provides appropriate methodologies, procedures, and process for the preparation of a transportation analysis report within the context of CEQA.

City of Oceanside General Plan

Circulation Element – Master Transportation Roadway Plan

The City has adopted a Master Transportation Roadway Plan as part of the General Plan Circulation Element. In conjunction with the other elements of the General Plan, and the Circulation Element, the Master Transportation Roadway Plan chapter focuses on the guidelines to provide a network of roadways throughout the City which form the transportation network. The Circulation Element and the Master Transportation Roadway Plan chapter are designed to effectively promote policies and guidelines that support the various forms of transportation available in the City. Select applicable General Plan goals and their corresponding policies are listed below:

Objective i: Implement a circulation system that provides a high level of mobility, efficiency, access, safety, and environmental consideration that accommodates all modes of travel such as vehicular, truck, transit, bicycle, pedestrian, and rail.

Policy 2.4: The City's circulation system shall promote efficient intra- and inter-city travel with minimum disruption to established and planned residential neighborhoods.

Policy 2.5: The City will strive to incorporate complete streets throughout the Oceanside transportation network which are designed and constructed to serve all users of streets, roads and highways, regardless of their age or ability, or whether they are driving, walking, bicycling, or using transit.

Objective i: Aim for an acceptable Level of Service (LOS) D or better on all Circulation Element roadways on an average daily basis and at intersections during the AM and PM peak periods.

Objective ii: Ensure that all streets within the City achieve the City's mobility goals and design standards as highlighted throughout this chapter.

Policy 3.3: All streets within the City shall be designed in accordance with the adopted City of Oceanside design standards. Typical cross-sections and design criteria for the various street classifications are shown in the City Engineers Design and Processing Manual.

Objective iii: Construct the roadway network in phases consistent with the needs and growth of the community.

Policy 3.12: The City shall require or provide adequate traffic safety measures on all new and existing roadways. These measures may include, but are not limited to, appropriate levels of maintenance, proper street design, traffic control devices (signs, signals, and striping), street lighting, and coordination with the school districts to provide school crossing signs and protection.

Policy 3.18: The City shall:

- Require new developments to dedicate necessary right-of-way when the subdivision or development of property adjacent to Circulation Element streets is proposed.
- Require new developments to provide all necessary grading, installation of curbs, gutters, sidewalks, parkway tree planting, and street lights, unless these improvements are provided through other means.
- Require new developments to provide half-street improvements plus 12 feet beyond the centerline in accordance with City standards.

Land Use Element

The following policies of the Land Use Element regulate transportation:

2.711 Master Street Plan

Objective: To provide a balanced circulation system to serve the growing transportation demands within and through the community.

Policy C: The City shall approve and build streets as per City of Oceanside Engineering Manual Specifications.

Policy E: The City shall:

1. Require development to provide collector and local street improvements according to standards of the City Engineering Department.

3. Require development to provide all necessary grading, installation of curbs, gutters, and parkway tree planting, unless these improvements are provided through other means.
6. The development will install all sidewalks and curbs as required in their permanent location to provide for maximum design development.

2.7121 Bicycle Facilities

Policy A: Development shall provide Class II Bikeways on all secondary, major and prime arterials.

2.7122 Pedestrian

Policy A: The construction of five foot wide sidewalks adjacent to the curb shall be required in all new developments and street improvements.

2.7131 Transit System

Policy A: The City shall coordinate and encourage the existing bus system to serve newly developed areas.

4.18.4 THRESHOLDS OF SIGNIFICANCE

Per Appendix G of the CEQA Guidelines, impacts would be considered significant if the Project:

- a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities;
- b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b);
- c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment);
- d. Result in inadequate emergency access.

In accordance with the above significance criteria, this analysis uses the following standards to evaluate transportation impacts.

Vehicle Miles Traveled

Per CEQA Guidelines Section 15064.3(b) Criteria for Analyzing Transportation Impacts, for land use projects, VMT exceeding an applicable threshold of significance may indicate a significant impact.

The City of Oceanside City Council adopted the *Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment* in August 2020. These guidelines documents a threshold of 500 ADT for projects inconsistent with the General Plan and 1,000 ADT for projects consistent with the General Plan as a trigger for requiring a VMT analysis. The Project would provide a maximum of 400 multi-family residential units and is calculated to generate 3,200 ADT and is therefore required to prepare a VMT analysis. A Local Transportation Study was prepared by LOS Engineering, Inc. and is provided as **Appendix P** of this EIR and a VMT Analysis was prepared by LOS Engineering, Inc. and is provided as **Appendix Q** of this EIR.

Residential projects utilize VMT per capita to define a significant transportation impact when a project exceeds a level of 15 percent below existing VMT (i.e. greater than 85% of the regional mean). The OPR *Technical Advisory on Evaluating Transportation Impacts in CEQA* (December 2018) outlines the significance criteria as follows:

“Recommended threshold for residential projects: A proposed project exceeding a level of 15 percent below existing VMT per capita may indicate a significant transportation impact. Existing VMT per capita may be measured as a regional VMT per capita or as city VMT per capita. Proposed development referencing a threshold based on city VMT per capita (rather than regional VMT per capita) should not cumulatively exceed the number of units specified in the [Sustainable Communities Strategy] SCS for that city, and should be consistent with the SCS.”

The City of Oceanside guidelines are consistent with the OPR significance criteria of 15 percent below the regional mean as shown in **Table 4.18-2**.

Table 4.18-2
City of Oceanside Thresholds

Project Type	Metric	Significance Thresholds
Residential	Resident VMT/Capita	15% below regional average
Source: Vehicle Miles Traveled Analysis prepared by LOS Engineering, Inc. (Appendix Q)		

Multi-Modal Plan Consistency

The multi-modal consistency analysis shall be based on consistency with the Circulation Element, including the Bicycle Master Plan and Pedestrian Master Plan. The Circulation Element goals and policies are aimed at incorporating complete streets throughout the City transportation network that serve all users of streets, roads, and highways, regardless of their age or ability, or whether they are driving, walking, bicycling, or using transit. If the Project does not comply with an aspect of these, then further review would be necessary to determine if a potential physical significant impact would result.

Geometric Design and Emergency Access

To determine impacts related to hazards due to a geometric design feature and emergency access adequacy, a review of compliance with the City’s roadway standards is utilized. City roadway and emergency access requirements are considered to provide for roadway and safety and adequate emergency access. If a feature does not comply with the standards, then further review is necessary to determine if a potential hazard or inadequate emergency access would occur.

4.18.5 PROJECT IMPACT ANALYSIS

Would the Project:

- a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

A Local Transportation Study (**Appendix P**) and Vehicle Miles Traveled Analysis (**Appendix Q**) were prepared by LOS Engineering, Inc. The VMT Analysis is required to satisfy the CEQA Guidelines requirement for utilizing VMT as the measure of effectiveness for determining transportation impacts. The Local Transportation Study (LTS) includes the analysis to determine measureable transportation impacts as a result of the Project that would justify any roadway improvements or fair share participation.

Project Access

Primary access to the Project Site is proposed by constructing a south leg at the intersection of North River Road and Riverview Way. This intersection would be signalized in accordance with the Signal Warrant Condition B “Interruption of Continuous Traffic”, which is satisfied with the addition of Project traffic.

A secondary access is anticipated to connect with Calle Joven which is located along the southern boundary of the eastern parcel. Currently a gated fire access alley is provided along the western portion of Calle Joven that runs in between the two parcels. Project access specifications will be provided as part of the development plans at the time of Project Site development.

Project Roadway Improvements and Contributions

The Project would provide roadway improvements and fair share contributions as part of the Project to alleviate traffic as a result of Project traffic on the surrounding roadways. The Project would provide the roadway improvements/contributions as shown in **Table 3.5-4** unless subsequent traffic analysis demonstrates that the improvements are not warranted. Prior to submittal of the final site plan, a traffic analysis shall be prepared to identify the timing, trigger, improvement, and fair share contribution for each analyzed roadway segment and intersection.

General Plan Circulation Element Consistency

Chapter 3 of the Circulation Element of the General Plan discusses the Master Transportation Roadway Plan which provides the guidelines for providing a network of roadways throughout the City. The Circulation Element and the Master Transportation Roadway Plan are designed to effectively promote policies and guidelines that support the various forms of transportation available in the City. **Table 4.18-3** provides the Project’s consistency with applicable policies and implementation strategies provided in the Circulation Element Master Transportation Roadway Plan. The Project would not conflict with any applicable policies of the Circulation Element and impacts would be **less than significant**.

Table 4.18-3
Project Consistency with Circulation Element Master Transportation Roadway Plan Policies

Policy Number	Policy	Consistency Analysis	Consistent/ Inconsistent
3.1	In order to achieve the level of service goals, the City shall develop and institute a long-range funding program in which new land development shall bear its share of the associated costs and improvement requirements. Where existing deficiencies occur, the City will have to find funding sources to fund the improvements. Reciprocal agreements with neighboring cities must be developed as needed to achieve acceptable levels of service due to development in adjacent	The Project would provide roadway improvements and fair share contributions for traffic improvements as listed in Table 3.5-4 , in accordance with associated traffic effects as a result of the Project, unless subsequent traffic analysis demonstrates that the improvements are not warranted. Prior to submittal of the final site plan, a traffic analysis shall be prepared to identify the timing, trigger, improvement, and fair share contribution for each analyzed roadway segment and intersection.	Consistent

	cities.		
3.3	All streets within the City shall be designed in accordance with the adopted City of Oceanside design standards (shown in Table 3-1, page 24 of the Circulation Element). Typical cross-sections and design criteria for the various street classifications are shown in the City Engineers Design and Processing Manual.	All roadway improvements required as part of the Project would be designed and constructed in accordance with the City's design standards. Typical cross-sections would be provided on Project Grading Plans at the time of Project Site development and would be shown in accordance with the City's Engineers Design and Processing Manual.	Consistent
3.6	The City shall institute street access guidelines consistent with the street classifications. These shall be applied where feasible to all new developments. The following guidelines shall be used to define appropriate access: • The City shall prohibit driveway access to prime arterials. • Driveway access to major arterials shall not be permitted unless there is no other reasonable means of access to the public street system. Where access to major arterials or secondary collectors must be allowed, it shall be limited through the use of medians and/or access controls to maintain street capacity. • Along major arterials, access spacing shall be a standard distance of 1,200 feet or more. Under special circumstances this distance may be reduced to a minimum of 600 feet where access is limited to right-in and right-out only. The above measurements shall be made from the ends of curb returns. • Along secondary collectors, the corresponding access spacing shall be 600 feet for the standard distance and a minimum of 300 feet for special circumstances where access is limited to right-in and right-out only. The above measurements shall be made	Primary access to the Project Site is proposed by constructing a south leg at the intersection of North River Road and Riverview Way. This intersection would be signalized in accordance with the Signal Warrant Condition B "Interruption of Continuous Traffic", which is satisfied with the addition of Project traffic. A secondary access is anticipated to connect with Calle Joven which is located along the southern boundary of the eastern parcel. Currently a gated fire access alley is provided along the western portion of Calle Joven that runs in between the two parcels. Project access specifications will be provided as part of the development plans at the time of Project Site development. All access specifications would be designed and constructed to the satisfaction of the City Engineer.	Consistent

	from the ends of curb returns.		
3.10	The City shall require dedication and improvement of necessary rights-of-way along Master Transportation Roadway Plan streets. This usually will occur in fulfillment of a condition of approval for a tentative map or as a condition of approval for a building permit, whichever occurs first.	As part of the Project, roadway improvements would be constructed prior to issuance of occupancy permits for the Project and would be required as a condition of approval of the General Plan Amendment, Zone Amendment, Development Plan and PBD Overlay District.	Consistent
3.12	The City shall require adequate traffic safety measures on all new and existing roadways. These measures may include, but are not limited to, appropriate levels of maintenance, proper street design, traffic control devices (signs, signals, and striping), street lighting, and coordination with the school districts to provide school crossing signs and protection.	As part of the Project, roadway improvements would include installation of a traffic signal at North River Road and Riverview Way which would be constructed and installed with all required traffic control devices and would provide appropriate levels of maintenance. The Project would contribute its fair share to additional roadway improvements and adaptive traffic signal programs which would provide all required traffic control devices, lighting and striping at the time of construction and implementation.	Consistent
3.17	The City shall require additional right-of-way width and additional improvements of major arterials where required for turning movements or to provide access to adjacent properties whenever access is not feasible from a lower classification street system.	As part of the Project, the Project would contribute its fair share contribution to widening and roadway improvements to surrounding roadways of the Project Site. Such contributions are listed in Table 3.5-4 .	Consistent
3.21	The City shall require that those responsible for street improvements replant, replace, or install new landscaping pursuant to existing City policy along all new roadways or on those that have been redesigned and reconstructed.	Project Site Landscape Plans would be developed at the time of Project Site development and would include landscaping along the Project frontage on North River Road in coordination with the roadway and sidewalk improvements.	Consistent

Multi-Modal Transportation

The overall goal of the Circulation Element of the General Plan is to provide complete streets and multi-modal transportation systems within the City. The General Plan aims to enhance the City's corridors, increasing bicycle and pedestrian routes, and improving existing facilities. Chapter 2.0 of the Local Transportation Study prepared by LOS Engineering, Inc. (**Appendix P**) provides an analysis of alternative transportation modes including pedestrian, bicycle, and transit. The following transportation modes were analyzed based on criteria outlined in the City of Oceanside *Draft Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment*.

Pedestrian

The pedestrian analysis consisted of documenting pedestrian infrastructure available including any opportunities or deficiencies such as path obstructions or missing sidewalk from the Project access points extending to the nearest intersection with a classified roadway or to a connection with a Class I path.

North River Road from Douglas Drive to roughly the driveway of the OFD Station #5 has either non-contiguous or contiguous sidewalks on both sides of the street, except along the Project frontage and along the north side of the street from Calle Montecito to the fire station. There were no major sidewalk obstructions observed along this segment.

The Project would construct sidewalks along the Project frontage adjacent to the public streets. With these improvements, the pedestrian infrastructure from the Project access points, extending to the nearest intersection with a classified roadway or 0.5 mile walking distance, did not have any deficiencies, path obstructions, or missing sidewalk segments for the study area on the same street side as the Project. However, there is a missing sidewalk on the north side of North River Road between Calle Montecito and Redondo Drive.

Additionally, the Project would provide pedestrian improvements with connections from the Project Site to the north side of the San Luis Rey River trail.

Bicycle

The bicycle analysis consist of documenting bicycle infrastructure available including any opportunities or deficiencies such as bike lanes, bike buffers, or bike boxes from the Project access pointes extending in each direction to the nearest intersection with a classified roadway or connection with a Class I path.

North River Road from Douglas Drive to roughly the driveway of the OFD Station #5 has an existing Class 2 bike lane as shown in the City of Oceanside Bicycle Master Plan 2017 Update. No bicycle infrastructure improvements are required as part of the Project.

Transit

The transit analysis includes identifying the closest transit routes and stops to the Project. If the stops are within 0.5 mile walking distance of the Project access, the condition of the closest stop amenities are described. NCTD lists Bus Route 303 within 0.5 mile walking distance from the Project access. Bus stops near the Project Site are located on North River Road by Avenida Descanso and on North River Road by Calle Montecito.

The closest bus stop west of the Project Site is located on North River Road at Avenida Descanso. The westbound bus stop is located on the north side of North River Road and to the west of Avenida Descanso. The eastbound bus stop is located on the south side of North River Road east of Avenida Descanso. Both bus stops include a bench and are in good condition.

The closest bus stop east of the Project Site is located on North River Road at Calle Montecito. The westbound bus stop is located on the north side of North River Road west of Calle Montecito and the eastbound bus stop is located on the south side of North River Road east of Calle Montecito. Both bus stops include a bench and are in good condition. No transit improvements are required as part of the Project. A summary of the bus services times are provided in **Table 4.18-1** and include weekday and weekend services.

The Project Site is located approximately 5.2 miles northeast of the Oceanside Transportation Center which provides access to the COASTER, SPRINTER, Metrolink and Amtrak trains.

The overall goal of the General Plan Circulation Element is to obtain complete streets and multi-modal transportation systems. The Project would not conflict with the City's General Plan Circulation Element or other plans related to multi-modal transportation systems. The Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, bicycle and pedestrian facilities and therefore would have a **less than significant impact**.

- b. Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Per CEQA Guidelines Section 15064.3(b) Criteria for Analyzing Transportation Impacts, for land use projects, VMT exceeding an applicable threshold of significance may indicate a significant transportation impact. The OPR Technical Advisory developed guidance on implementing SB 743 that shifts the transportation impact measure of effectiveness from LOS to VMT. In accordance with OPR Guidelines, lead agencies have the discretion to set or apply their own thresholds of significance.

The City of Oceanside City Council adopted the *Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment* in August 2020. These guidelines documents a threshold of 500 ADT for projects inconsistent with the General Plan and 1,000 ADT for projects consistent with the General Plan as a trigger for requiring a VMT analysis. The Project would provide a maximum of 400 multi-family residential units and is calculated to generate 3,200 ADT and is therefore required to prepare a VMT analysis. A Vehicle Miles Traveled Analysis was prepared by LOS Engineering, Inc. and is provided as **Appendix Q** of this EIR.

Residential projects utilize VMT per capita to define a significant transportation impact when a project exceeds a level of 15% below existing VMT (i.e. greater than 85% of the regional mean). The City utilizes this guideline consistent with the OPR's *Technical Advisory on Evaluating Transportation Impacts in CEQA*.

The OPR and City of Oceanside provide a map-based VMT screening option for residential projects. If a project is located within an area with low VMT, developed from regional travel demand model, then such projects can be used to screen out residential projects from needing to prepare a detailed VMT analysis.

SANDAG provides a map-based VMT model for the San Diego region that includes the City. The Project is located in an area having a VMT per Capita by Census Tract at 92.7% of the regional mean and therefore the Project exceeds the 85% significance threshold and is considered to have a significant impact on transportation VMT. The Project exceeds the VMT threshold by 7.8%. Therefore, the Project would conflict with CEQA Guidelines Section 15064.3 (b) which represents a **significant impact (Impact TRANSP0-1)**.

The Project would implement mitigation measures MM-TRANSP0-1 and MM-TRANSP0-2 as identified in the California Air Pollution Control Association (CAPCOA) *Quantifying Greenhouse Gas Mitigation Measures a Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures* (August 2010). The mitigation measures are identified in Section 4.18.5. As described in Section 4.18.5, implementation of mitigation measures MM-TRANSP0-1 and MM-TRANSP0-2 would reduce this transportation impact (Impact TRANSP0-1) to a level below significance.

- c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The Project Site is located in a developed, urbanized area surrounded primarily by various residential uses including single-family residences, multi-family apartments and condominiums, mobile home community, and light industrial uses. Although the Project would require a General Plan Amendment and a Zone Amendment to revise the land use and zoning designations from light industrial to corresponding medium density residential designations, the Project would be compatible with the surrounding residential land uses. The Project would provide an effective transition between existing light industrial uses located to the east and the residential uses located to the west and north.

The Project would provide a maximum of 400 medium density residential units. A range of multi-family housing types can be provided on the Project Site and specific site layouts and residential product designs will be identified as part of future development plans for the Project Site. The Project would include landscaped areas, public and private open space areas integrated throughout the development and pedestrian amenities. Driveways proposed along North River Road and potential secondary access driveways from Calle Joven would be consistent with the City's Engineers Design and Processing Manual which includes driveway standards to provide safe geometric designs and line of sight for drivers, pedestrians and bicyclists. The Project would construct a sidewalk along North River Road along the Project frontage. At the time a development is proposed, Project development plans and building plans will be reviewed by OFD to ensure that fire truck access roadways in addition to fire lanes, turn-around radius and access meet City standards. The Project would not substantially increase hazards due to a geometric design feature or incompatible use and impacts would be **less than significant**.

d. Result in inadequate emergency access?

Emergency access to the Project Site would be provided by North River Road by constructing a south leg at the intersection of North River Road and Riverview Way. This intersection would be signalized in accordance with the Signal Warrant Condition B "Interruption of Continuous Traffic", which is satisfied with the addition of Project traffic.

A secondary access is anticipated to connect with Calle Joven which is located along the southern boundary of the eastern parcel. Currently a gated fire access alley is provided along the western portion of Calle Joven that runs in between the two parcels. Project access specifications will be provided as part of the development plans at the time of Project Site development.

The Project would provide all required setbacks, fire truck access and turnarounds, fire hydrants, address numbers, and sprinklers in accordance with OFD requirements. Fire extinguishers sizes and locations will be determined by the Fire Marshal during the building permit application. EMS vehicles would utilize an OPTICOM system which is a traffic control system that provides a green light and intersection right-of-way to emergency vehicles. A Knox Box would be provided onsite of the future residential development and the specific location would be provided at the time the development plans are prepared. A Knox Box is a small, wall-mounted safe that holds building keys in order for fire departments, emergency medical services and police to gain access into buildings in emergency situations.

At the time a development is proposed, Project development plans and building plans will be reviewed by OFD to ensure that the Project meets all requirements related to access, fire hydrants, and setbacks and would comply with all conditions set forth for Project approval. The Project would comply with the CFC and the OMC requirements which are intended to ensure adequate emergency access. The Project would meet such requirements and therefore, the Project would not result in inadequate emergency access, and impacts would be **less than significant**.

4.18.5 MITIGATION IMPLEMENTATION AND MONITORING

Vehicle Miles Traveled (Impact TRANSPO-1)**MM-TRANSPO-1**

The Project shall implement CAPCOA reduction measure LUT-1: Increase Density, which is applicable to residential projects in an urban or suburban area. The Project shall provide a PBDP to establish land use and development standards that regulate future residential development proposals on the Project Site, including establishing medium density residential uses in accordance with the MDC-R designation.

MM-TRANSPO-2

The Project shall implement CAPCOA reduction measure SDT-1: Provide Pedestrian Network Improvements, which is applicable to residential projects in an urban and suburban area. The Project shall provide a pedestrian access network to link areas of the Project Site which encourages people to walk instead of drive. The Project shall provide pedestrian access that internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the Project Site. The Project shall minimize barriers to pedestrian access and interconnectivity. Physical barriers such as walls, landscaping, and slopes that impede pedestrian circulation shall be eliminated.

4.18.6 LEVEL OF SIGNIFICANCE AFTER MITIGATION**Vehicle Miles Traveled**

The Project would have a significant transportation VMT impact (Impact TRANSPO-1). Implementation of mitigation measure MM-TRANSPO-1 and MM-TRANSPO-2 would require implementation of the CAPCOA VMT reduction measures LUT-1 and SDT-1. The LUT-1 VMT reduction is calculated based on the number of dwelling units per acre (du/acre). The Project would provide a maximum of 400 units on 25.6 acres, resulting in 15.6 du/acre. The SDT-1 VMT reduction is based on the Project adding a sidewalk along the Project frontage on North River Road and throughout the site to be designed once a site plan is developed. **Table 4.18-4** provides the CAPCOA VMT reduction rates.

Table 4.18-4
CAPCOA VMT Reduction Rates

VMT Mitigation Measure	VMT % Reduction Range	Application	Project VMT % Reduction
MM-TRANSPO-1 (LUT-1: Increase Density)	1.5% - 30.0%	% VMT Reduction = ((15.6 project du/acre – 7.6 du/acre per CAPCOA) / 7.6 du/acre per CAPCOA) x 0.07 constant per CAPCOA	7.4%
MM-TRANSPO-2 (SDT-1: Provide Pedestrian Network Improvements)	0% - 2%	% VMT Reduction for extent of pedestrian accommodations within Project Site and connecting off-site	2%

Source: Vehicle Miles Traveled Analysis prepared by LOS Engineering, Inc. (Appendix Q)

To calculate overall VMT reduction rate the following formula was used:

$$\text{Overall VMT Percent Reduction} = 1 - (1-A) * (1-B) * (1-C) \dots$$

(Where A, B, C are the individual mitigation measures)

Utilizing the formula above, the Project's overall VMT Percent Reduction = $(1-(1-.074)*(1-0.02)) = 0.093 = 9.3\%$. As shown in **Table 4.18-5**, the Project transportation impact (Impact TRANSP0-1) would be reduced to 83.4% which is below the 85% threshold, and therefore would be reduced to a level below significance.

Table 4.18-5
Project VMT Reduction after Mitigation

Project VMT	Mitigation VMT % Reduction	VMT After Mitigation	Is Project VMT below 85% and Mitigated?
92.7%	9.3%	83.4%	Yes
Source: Vehicle Miles Traveled Analysis prepared by LOS Engineering, Inc. (Appendix Q)			

4.19 TRIBAL CULTURAL RESOURCES

The following document was used in the preparation of this section and is included in its entirety in **Appendix A and Appendix I**:

Native American Heritage Commission. December 3, 2018. *SCH# 2018111034 North River Road Planned Block Development Overlay District, San Diego County. (Appendix A)*

Rincon Band of Luiseño Indians. December 26, 2018. *North River Road Planned Block Development Overlay District. (Appendix A)*

San Luis Rey Band of Mission Indians. January 7, 2019. *Tribal Response Regarding the Notice of Preparation of an Environmental Impact Report for the North River Road Planned Block Development Overlay District. (Appendix A)*

Heritage Resources. September 6, 2019. *Archaeological Survey and Assessment for the North River Road Planned Block Development Overlay District Development Plan. (Appendix I)*

4.19.1 ENVIRONMENTAL SETTING

Regional Setting

Two (2) main cultural groups have occupied the County: the Uto-Aztecan-speaking Luiseño in the north and the Kumeyaay, Ipai/Tipai or Diegueño in the south. Traditionally, Luiseño territory encompassed an area from roughly Batiquitos Lagoon on the coast, east to Lake Henshaw, north into Riverside County, and west through San Juan Capistrano to the coast. The region inhabited by various groups of the Kumeyaay was much larger and extended from Batiquitos Lagoon eastward into the Imperial Valley and southward through much of northern Baja California.

The term Luiseño is derived from association with the San Luis Rey Mission, on the San Luis Rey River. The Luiseño people had a moderately high population density and a fairly rigid social structure. It is estimated that the Luiseño had approximately 50 villages of 200 individuals each. The Luiseño were divided into several autonomous lineages or kin groups based on patrilineal descent groups. Each Luiseño lineage was based around an autonomous village that held ownership over a well-defined territory for hunting and gathering. Village territories may have ranged from as small as ten square kilometers near the coast and major drainages such as the San Luis Rey River, to as large as 100 square kilometers elsewhere.

Leadership included hereditary chiefs and council members who had knowledge and authority over specific religious, warfare, and economic issues, and conducted elaborate ceremonies. Ritual and ceremonial specialists maintained ceremonial knowledge in secrecy and passed on the knowledge to only one heir. These leaders and specialists also made use of fenced-in ceremonial structures, typically located in the village center. Economic activities took place on a community and extended household level, and varied significantly between coastal and inland areas. Community-wide efforts included fire management for game drives, and systematic use of fire to facilitate grasslands and increase yields of plants and animals.

Acorns were the most important food source and were gathered in upland areas. Seeds from gasses, manzanita, sage, sunflowers, lemonade berry, chia, and other plants were also used, along with various wild greens and fruits. Deer, antelope, small game, birds, and coastal marine animals were also exploited. Some coastal communities exploited local shellfish in the winter and during times of stress, the interior

Luiŕeño would travel to the coast to obtain shellfish, fish, and even some land mammals. Rigid gender division did not exist, however, women generally collected plant resources and men hunted. Houses were dispersed throughout villages. Lowland village houses were conical structures covered with tule bundles and other structures included sweathouses, ceremonial enclosures, ramadas, and acorn granaries. Domestic implements included wooden utensils, baskets, ceramic cooking, and milling tools. Hunting implements included bow and arrow, nets, snares, and curved throwing sticks. Nets and hooks of bone and shell were used to fish. The Project Site is within the traditional territory of the Luiŕeño people.

Tribal Coordination and Consultation

In response to the NOP, the Native American Heritage Commission (NAHC) provided a letter dated December 3, 2018 which recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of the Project as early as possible in the Project phase in order to avoid inadvertent discoveries of Native American remains and to best protect tribal cultural resources. The NAHC provided recommendations for conducting cultural assessments along with AB 52 and SB 18 requirements.

Consultation

To date the City has received two (2) requests for consultation pursuant to AB 52. Formal requests were made by the Rincon Band of Luiŕeño Indians on December 26, 2018 and the San Luis Rey Band of Mission Indians on January 7, 2019.

The City continues coordination and communication with the tribes listed by the NAHC, specifically the Rincon Band and San Luis Rey Band of Mission Indians which are the two prominent tribes with interest in the Project area. The City concluded consultation with the San Luis Rey Band on June 29, 2022 and the Rincon Band of Luiŕeño Indians on July 1, 2022.

Onsite Tribal Cultural Resources

Three (3) isolated prehistoric artifacts (P-37-038466, P-37-038467 and P-37-038468) were recorded as a result of the archaeological field survey. A more detailed description of the recorded artifacts can be found in **Table 4.6-2** provided in Section 4.6 *Cultural Resources*. Surface observations during the archaeological field survey were sufficient to conclude that the isolates in their disturbed context lack sufficient data potential and integrity to address important research questions, and therefore do not meet the criteria for eligibility as a unique archaeological resource.

A records search of the SCIC revealed that 92 cultural resource studies have been conducted within a one-mile radius of the Project Site. The records search identified approximately 24 cultural resources that were previously recorded within the one-mile search radius. There are no archaeological resources recorded within 0.4 mile to the Project Site.

4.19.2 REGULATORY SETTING

State

California Register of Historical Resources and the California Environmental Quality Act

CEQA requires that all private and public activities not specifically exempt be evaluated against the potential for environmental damage, including effects to historical and tribal cultural resources. Lead agencies have a responsibility to evaluate historical resources against the CRHR criteria prior to making a

finding as to a Project's impacts to historical or tribal cultural resources. Mitigation of adverse impacts is required if the Project would cause substantial adverse change to a resource. Substantial adverse change includes demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired. The CRHR is used in the consideration of historical resources relative to significance for purposes of CEQA. The CRHR includes resources listed in or formally determined eligible for listing in the NRHP and come California State Landmarks and Points of Historical Interest. Properties of local significance that have been designated under a local preservation ordinance or that have been identified in a local historical resources inventory may be eligible for listing in the CRHR, and are presumed to be significant resources for purposes of CEQA unless a preponderance of evidence indicates otherwise.

Senate Bill 18

In 2004, SB 18 was enacted, requiring local governments to consult with California Native American tribes prior to making certain planning decisions. The purpose of the consultation is to protect the identity of traditional tribal cultural places "cultural places" through local land use planning. As required by Government Code Sections 65352.3 and 655762.5, the NAHC maintains a list of tribes with whom local agencies must consult. The intent of SB 18 is to provide all California Native American tribes an opportunity to consult with local governments for the purpose of preserving and protecting their cultural places.

Assembly Bill 52

AB 52 took effect on July 1, 2015 and established a consultation process between California Native American tribes and lead agencies in order to address tribal concerns regarding Project impacts and mitigation to tribal cultural resource. Public Resources Code Section 21074(a) defines tribal cultural resources and states that a Project that has the potential to cause a substantial adverse change to a tribal cultural resource is a Project that may have an adverse effect on the environment. A tribal cultural resource is described as a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native American tribe that is either (1) listed or eligible for listing in the CRHR or a local register of historic resources, or (2) determined by a lead agency to be a tribal cultural resource.

Public Resources Code Section 21074

Section 21074 of the Public Resources Code defines "tribal cultural resources" as any of the following:

1. Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that is either:
 - a. Included or determined to be eligible for inclusion in the California Register of Historical Resources;
 - b. Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

3. A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.
4. A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “nonunique archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

California Public Resources Code Section 5097

California Public Resources Code Section 5097, also referred to as the Native American Historic Resources Protection Act, identifies that the unauthorized disturbance or removal of archaeological or historical resources located on public land as a misdemeanor. It prohibits the knowing destruction of objects of antiquity without a permit on public lands, and it provides for criminal sanctions. The Native American Historic Resource Protection Act establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project and establishes the NAHC to resolve disputes regarding the disposition of such remains.

California Native American Graves Protection and Repatriation Act

The California Native American Graves Protection and Repatriation Act, enacted in 2001, requires all state agencies and museums that receive state funding and that have possession or control over collections of human remains or cultural items, to complete an inventory and summary of these remains and items on or before January 1, 2003. This California Native American Graves Protection Act also provides a process for the identification and repatriation of these items to the appropriate tribes.

California Health and Safety Code

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. California Health and Safety Code Section 7050.5 requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains can occur until the County Coroner has examined the remains. If the coroner determines or has reason to believe that the remains are those of a Native American, the coroner must contact the NAHC within 24 hours. The NAHC will notify the most likely descendent (MLD). With the permission of the landowner, the MLD may inspect the site of discovery. The inspection must be completed within 48 hours of the MLD being granted access to the site. The MLD may recommend means of treating or disposing of, with appropriate dignity, the human remains and items associated with Native Americans.

Local

City of Oceanside Municipal Code

The OMC Section 14A.6 states that a historical area or site may be designated as such by resolution of the City Council if it meets the following criteria:

- a. It exemplifies or reflects special elements of the City’s cultural, social, economic, political, aesthetic, engineering, or architectural history; or
- b. It is identified with persons or events significant in local, state, or national history; or

- c. It embodies distinctive characteristics of a style, type, period, or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship; or
- d. It is representative of the notable work of a builder, designer, or architect; or
- e. It is found by the council to have significant characteristics which should come under the protection of this chapter.

4.19.3 THRESHOLDS OF SIGNIFICANCE

Per Appendix G of the CEQA Guidelines, would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or
- b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

4.19.4 PROJECT IMPACT ANALYSIS

Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

As described in the Archaeological Survey and Assessment Report by Heritage Resources (**Appendix I**) three (3) historic residences (P-37-038464, P-37-038465 and P-37-038469) and three (3) isolated prehistoric artifacts were recorded as a result of the field survey on February 7, 2019. All discoveries were documented on appropriate DPR523 Resource Record Forms and included in the Archaeological Survey Assessment. Following historical research, an onsite field survey, and archaeological and structural resource documentation and assessment, it was concluded that none of the cultural resources found on the Project Site meet the criteria for eligibility for the California Register of Historical Resources.

No cultural resources which qualify as unique historical resources were found on the Project Site. However, because the Project Site is located on an alluvial terrace associated with the San Luis Rey River and because three (3) isolated prehistoric artifacts were discovered during the field survey, construction activities, including ground disturbing activities have the potential to cause an adverse change in the significance of a tribal cultural resource, representing a **significant impact (Impact-TCR-1a)**.

- b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Consultation and coordination has been initiated with the culturally-affiliated tribes to identify any potential tribal cultural resources located onsite or in the Project vicinity.

The Rincon Band of Luiseño Indians (Rincon Band) identified the Project Site to be located within the territory of the Luiseño people and is within the Rincon Band's specific area of historic interest. Embedded in the Luiseño territory are Rincon's history, culture and identity. The Rincon Band has knowledge of one Luiseño Traditional Cultural Place (TCP), *Tamiymay*, located within one half mile of the Project Site.

The San Luis Rey Band of Mission Indians identified the City, along with other cities located in northern San Diego County, as traditional and culturally affiliated territories. The tribe is determined in the preservation and protection of tribal cultural resources within all jurisdictions. The tribe has indicated that there is a multitude of tribal cultural resources and sacred places within the proposed Project area.

Considering this information, there is potential for the discovery of unknown tribal cultural resources during Project ground disturbing and grading activities. The Project has the potential to cause a substantial adverse change in the significance of a tribal cultural resource, representing a **significant impact (Impact-TCR-1b)**. The City continues coordination and communication with the tribes listed by the NAHC, specifically the Rincon Band and San Luis Rey Band of Mission Indians which are the two prominent tribes with interest in the Project area.

4.19.5 MITIGATION IMPLEMENTATION AND MONITORING

Listed or Eligible Tribal Cultural Resource and Resource to a California Native American Tribe (Impact TCR-1a and Impact TCR-1b)

Mitigation measures MM-CUL-1a through MM-CUL-1h which is presented in Section 4.6.5, would reduce this impact to below a level of significance.

MM-CUL-1a Prior to issuance of a Grading Permit, the Applicant/Owner shall enter into a pre-excavation agreement, otherwise known as a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement with the "Traditionally and Culturally Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe". A copy of the agreement shall be included in the Grading Plan Submittals for the Grading Permit. The purpose of this agreement shall be to formalize protocols and procedures between the Applicant/Owner and the "TCA Native American Monitor associated with a TCA Luiseño Tribe" for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and tribal cultural resources, located and/or discovered through a monitoring program in conjunction with the construction of the proposed Project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities. At the discretion of the Luiseño Native American Monitor, artifacts may be made available for 3D scanning/printing, with scanned/printed materials to be curated at a local repository meeting the federal standards of 36CFR79.

MM-CUL-1b Prior to the issuance of a Grading Permit, the Applicant/Owner or Grading Contractor shall provide a written and signed letter to the City of Oceanside Planning Division stating that a Qualified Archaeologist and Luiseño Native

American Monitor have been retained at the Applicant/Owner or Grading Contractor's expense to implement the monitoring program, as described in the pre-excavation agreement.

MM-CUL-1c

The Qualified Archaeologist shall maintain ongoing collaborative consultation with the Luiseño Native American monitor during all ground disturbing activities. The requirement for the monitoring program shall be noted on all applicable construction documents, including Demolition Plans, Grading Plans, etc. The Applicant/Owner or Grading Contractor shall notify the City of Oceanside Planning Division of the start and end of all ground disturbing activities.

MM-CUL-1d

The Qualified Archaeologist and Luiseño Native American Monitor shall attend all applicable pre-construction meetings with the General Contractor and/or associated Subcontractors to present the archaeological monitoring program. The Qualified Archaeologist and Luiseño Native American Monitor shall be present onsite full-time during grubbing, grading and/or other ground altering activities, including the placement of imported fill materials or fill used from other areas of the Project Site, to identify any evidence of potential archaeological or tribal cultural resources. All fill materials shall be absent of any and all tribal cultural resources.

MM-CUL-1e

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

MM-CUL-1f

The Qualified Archaeologist or the Luiseño Native American monitor may halt ground disturbing activities if unknown tribal cultural resources, archaeological artifact deposits or cultural features are discovered. Ground disturbing activities shall be directed away from these deposits to allow a determination of potential importance. Isolates and clearly non-significant deposits will be minimally documented in the field, and before grading proceeds these items shall be secured until they can be repatriated. If items cannot be securely stored on the Project Site, they may be stored in off-site facilities located in San Diego County. If the Qualified Archaeologist and Luiseño Native American monitor determine that the unearthed tribal cultural resource, artifact deposits or cultural features are considered potentially significant TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this Project shall be notified and consulted regarding the respectful and dignified treatment of those resources. The avoidance and protection of the significant tribal cultural resource and/or unique

archaeological resource is the preferable mitigation. If, however, it is determined by the City that avoidance of the resource is infeasible, and it is determined that a data recovery plan is necessary by the City as the Lead Agency under CEQA, TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this Project shall be notified and consulted regarding the drafting and finalization of any such recovery plan. For significant tribal cultural resources, artifact deposits or cultural features that are part of a data recovery plan, an adequate artifact sample to address research avenues previously identified for sites in the area will be collected using professional archaeological collection methods. The data recovery plan shall also incorporate and reflect the tribal values of the TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this Project. If the Qualified Archaeologist collects such resources, the Luiseño Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect the tribal cultural resources that are unearthed during the ground disturbing activities, the Luiseño Native American monitor, may at their discretion, collect said resources and provide them to the appropriate TCA Luiseño Tribe, as determined through the appropriate process, for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Ground disturbing activities shall not resume until the Qualified Archaeologist, in consultation with the Luiseño Native American Monitor, deems the cultural resource or feature has been appropriately documented and/or protected.

MM-CUL-1g

The landowner shall relinquish ownership of all tribal cultural resources unearthed during the cultural resource mitigation monitoring conducted during all ground disturbing activities, and from any previous archaeological studies or excavations on the Project Site to the appropriate TCA Luiseño Tribe, as determined through the appropriate process, for respectful and dignified treatment and disposition, including reburial at a protected location onsite, in accordance with the Tribe's cultural and spiritual traditions. All cultural materials that are associated with burial and/or funerary goods will be repatriated to the Most Likely Descendant (MLD) as determined by the Native American Heritage Commission per California Public Resources Code Section 5097.98. No tribal cultural resources shall be subject to curation.

MM-CUL-1h

Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusions of the archaeological monitoring program (e.g., data recovery plan) shall be submitted by the Qualified Archaeologist, along with the Luiseño Native American monitor's notes and comments, to the City of Oceanside Planning Division for approval.

4.19.6 LEVEL OF SIGNIFICANCE AFTER MITIGATION

The analysis in Section 4.19.4 identified the potential for significant impacts related to a listed or eligible tribal cultural resource and resource to a California Native American Tribe. Implementation of mitigation measure MM-CUL-1a through MM-CUL-1h requires construction monitoring by a Qualified Archaeologist and Native American monitor and specific protocols for pre-construction, construction and post-construction activities, requirements for discovery of cultural resources and reporting of monitoring activities and evaluation of results. With implementation of mitigation measures MM-CUL-1a through

MM-CUL1h, Impact-TCR-1a and Impact-TCR-1b related to listed or eligible tribal cultural resources and resources to a California Native American Tribe would be reduced to below a level of significance. By requiring specific monitoring program protocols during construction, the Project would allow for the proper care of resources in the event of a discovery. Therefore, all impacts to tribal cultural resources would be reduced to less than significant.

4.20 UTILITIES AND SERVICE SYSTEMS

The following documents were used in the preparation of this section and are included in its entirety in **Appendix R** and **Appendix S**:

Dexter Wilson Engineering, Inc. October 6, 2020. *North River Road Planned Block Development Overlay District – Sewer Service Overview. (Appendix R)*

Dexter Wilson Engineering, Inc. October 6, 2020. *North River Road Planned Block Development Overlay District – Water Service Overview. (Appendix S)*

4.20.1 ENVIRONMENTAL SETTING

Water Utilities Department

The City of Oceanside Water Utilities Department is responsible for providing potable water, wastewater and storm water services to the City. This department is also responsible for overseeing waste and recycling services, as well as implementing the City's Zero Waste Plan.

Water Division

The Water Division of the Water Utilities Department is responsible for obtaining the City's water, including purchasing water from the San Diego County Water Authority (SDCWA) and delivering it throughout the City for domestic, commercial, irrigation, and fire protection purposes. The City treats up to 25 million gallons per day of water received from the SDCWA and up to six million gallons per day of local brackish groundwater from the Mission Basin. Imported raw water is treated at the Robert A. Weese Filtration Plant which is capable of treating up to 25 million gallons per day of surface water. The Water Utilities Department maintains and operates this plant on a 24-hour basis and it provides the majority of the City's water. The Plant was built in 1983 and has undergone several upgrades over the years to ensure its efficiency and compliance with all applicable rules and regulations. The Mission Basin Groundwater Purification Facility is a desalting treatment facility that provides 15% of the City's water supply. The facility uses reverse osmosis to treat local brackish groundwater extracted from the Mission Basin. The facility began service in 1992 with a capacity of two million gallons per day and was expanded to its current capacity of 6.4 million gallons per day in 2002.

Water services are currently provided to the Project Site which has historically operated as a packing warehouse facility and office, with agricultural support activities and a single residence on the eastern parcel, and agricultural cultivation, warehouse operations and single-family residences on the western parcel. Existing potable water lines are located in North River Road, Calle Montecito and Calle Joven. Calle Joven extends along the southern and western boundaries of the eastern parcel.

The Project Site is located within the Talone 320 Pressure Zone with the local water piping connected to the 5 million gallon Pilgrim Creek Reservoir. In North River Road is a 14-inch 320 Pressure Zone water main which extends west to Douglas Drive and then south to Mission Avenue where it connects to a 24-inch transmission main. The 14-inch water line in North River Road extends east and continues north in Vandegrift Boulevard increasing in size to 18-inch and 24-inch as it works its way to Pilgrim Creek Reservoir off of Douglas Drive east of Vandegrift Boulevard.

There is an existing 16-inch cast iron pipe in North River Road along the Project frontage. This is a non-potable water line which may at one time have been used for ground water. No connections to this pipeline are intended to be made.

The City is undertaking an expansion of their recycled water distribution system. A new recycled water distribution pipeline is scheduled to be installed in North River Road from the San Luis Rey Wastewater Treatment Plant to locations east of the Project Site. The timeline for construction of this recycled water main is anticipated to take place in late 2020 to the end of 2022. Development of the Project would include connecting to the recycled water distribution main for irrigation services. Specific connection locations to the recycled water mains would be determined on the development plans for the Project at the time of Project Site development.

Wastewater Division

The City of Oceanside's Wastewater Division of the Water Utilities Department collects, treats, and disposes of all of the City's sewage at the San Luis Rey Wastewater Treatment Plant and the La Salina Wastewater Treatment Plants. The San Luis Rey plant serves areas east of I-5 and the La Salina plant treats sewage from areas west of I-5, downtown and along the coast. The City sewer system includes over 450 miles of pipelines, two (2) wastewater treatment plants, 34 sewer lift stations and an industrial waste inspection program. The City's sewage is presently treated at full secondary treatment level according to the U.S. EPA standards. The City has a goal of zero sewer spills. The Wastewater Division also coordinates implementation of the Clean Water (storm water) program, recycling programs and implementation of the Waste Management contract.

The Project Site is located to the east of I-5 and would therefore be served by the San Luis Rey Wastewater Treatment Plant. In North River Road along the Project frontage there is an existing 27-inch gravity sewer which increases to 30-inch diameter as it gravity flows west to the San Luis Rey Wastewater Treatment Plant by way of the North Valley Sewer Lift Station. The North Valley Sewer Lift Station is located at 3930 North River Road, approximately one mile west of the Project Site.

The North River Road trunk sewer extends east in North River Road to Stallion Drive where the Rainbow Municipal Water District (RMWD) flow enters the City's sewer system. The City's Sewer Master Plan (City of Oceanside, 2015) does not describe any near-term or long-term improvements to the North River Road trunk sewer.

Local collector sewers are located in Calle Montecito and Calle Joven. An existing 8-inch sewer main in Calle Joven flows east to Calle Montecito then north to North River Road where it connects to the existing 27-inch gravity trunk sewer.

Storm Water

In its existing condition as a warehouse/office, agricultural operations and residences, Project Site runoff is developed to flow away from structures and improvements to storm drains and then off-site. On the eastern parcel, drainage in the western portion of the site generally sheet drains in a southerly direction directly to a dirt swale which drains into a storm drain in the southwest corner of the Project Site. On the western parcel, the site slopes southward at a very shallow angle towards the San Luis Rey River and site drainage generally drains in this direction.

Drainage and storm water facilities would be designed during preparation of Project Site development plans. Drainage and storm water control facilities would be designed and installed for proper collection

and disposal of surface runoff. Hydromodifications and storm water management would be designed and constructed with consideration of geotechnical recommendations and conditions.

On the eastern parcel, site drainage over finished pad surfaces would flow away from structures onto the adjacent street similar to existing conditions. Hydromodification design and location of associated drainage improvements would be completed with consideration of characteristics of onsite soils. Surface water would not infiltrate into the underlying bearing and subgrade soils, wall backfills or impact graded embankments.

On the western parcel, grading around the proposed structures would be graded so that surface water flows rapidly away from structures without ponding. Rain gutters with downspouts are recommended to discharge runoff away from structures and into controlled drainage devices. Storm water systems that incorporate infiltration would not be implemented due to the potential for hydro-consolidation of onsite soils.

Electricity and Natural Gas

SDG&E is the utility company which provides electric and natural gas services in southern Orange County and the County, including the City and the Project Site. Within its 4,100 square-mile service area are 3.6 million customers, 1.4 million electric meters, and 873,000 natural gas meters. Most of the gas transported from out-of-state, as well as some of what is produced in-state is delivered to regional transmission systems for PG&E and SoCalGas natural gas transmission pipeline systems. SDG&E is a customer of SoCalGas and receives all of its natural gas from the SoCalGas system. Power and gas requirements for upcoming development Projects are handled on a case-by-case basis, where SDG&E consults developers to incorporate energy saving devices into Project design, where feasible. Section 4.7.1 provides additional details of local electricity and natural gas usage and history.

Electrical and natural gas services in the area are provided by SDG&E and currently serve the Project Site. The Project would be expected to connect to the existing service lines along North River Road and specific tie-in locations for electrical and gas services will be determined at the time the Project Site is developed.

Telecommunication Systems

Communication systems for telephone, internet and cable television are serviced by utility providers such as SBC, AT&T, IBM, and other local independent cable companies. Communication systems needs for incoming Projects are serviced by these utility providers on an as-needed basis. Forecasting future service demand is typically performed by computerized statistical modeling based on land use patterns, zoning and other growth indicators. When feasible, developers and telecommunication utility providers work together during the early stages of development projects to establish upcoming service demand.

Existing telecommunication facilities are located in the Project vicinity and are provided to the existing Project Site. At the time of Project Site development, specific tie-in locations to existing communication services will be determined.

Solid Waste Disposal Service

The City implements and oversees solid waste and recycling services to ensure compliance with state regulations and the OMC. Waste Management, Inc. of North County services the entire City and disposes of solid waste at the El Sobrante Landfill located at 10910 Dawson Canyon Road, Corona, CA 92883. As provided in the El Sobrante Landfill 2019 Annual Report (Riverside County Department of Waste Resources, 2020), the landfill has a capacity of 132,130,376 tons remaining at the end of 2019. At the

current rate, this equates to approximately 39 years of site life remaining. Recyclables are collected by Waste Management, Inc. and delivered to the Waste Management Materials Recovery Facility located at 2050 North Glassell Street, Orange, CA 92865. Trash, recyclables, and green waste within the City are normally picked up weekly.

The City adopted and enacted the Zero Waste Strategic Management Plan, which establishes methods to reach the goal of diverting 75% to 90% of solid waste by 2020, and works in conjunction with the goals of the City Council's adoption of Resolution No. 10-R0636-1 (Zero Waste Resolution) and the State of California AB 341. The City currently has achieved a 67% diversion and recycling rate.

4.20.2 REGULATORY SETTING

Federal

Federal Safe Drinking Water Act

The Safe Drinking Water Act grants the EPA the authority to set drinking water standards. There are two (2) categories of standards: (a) the National Primary Drinking Water Regulations; and (b) the National Secondary Drinking Water Regulations. The former are legally enforceable standards that apply to public water systems, and protect water quality by limiting levels of contaminants known to adversely affect public health. The latter are non-mandatory guidelines for certain substances that do not pose a risk to public health.

Clean Water Act

The CWA is the primary federal law for the regulation of water quality. The CWA includes water quality standards, discharge limitations, and required permits as part of the NPDES. The CWA establishes regulatory requirements for potable water supplies, including raw and treated water quality criteria.

State

Senate Bill 221

Signed into law on October 8, 2001, SB 221 established a process whereby sufficient water supply must be identified and available for new development for any residential development of 500 homes or more, or, in the case wherein a water supplier has fewer than 5,000 service connections or the proposed development would increase the number of connections by at least 10%, unless there is proof of adequate water over at least the next 20 years, including long periods of drought. Due to the size of the proposed project, with a maximum of 400 residential units, a water supply assessment and verification report pursuant to SB 221 and SB 610, described below, are not required.

Senate Bill 610

Signed into law October 9, 2001, SB 610 resulted in amendments to the Public Resources Code and the Water Code. Revising provisions established by SB 901, SB 610 requires that the planning agency determine whether a proposed project, subject to CEQA, meets any of the thresholds for requiring preparation of a water supply assessment. Specifically, if the project is a proposed development of more than 500 dwelling units (or equivalent water use for another development type), the planning agency must then request that the urban water supplier prepare a water supply assessment. The assessment would include the identification of existing water entitlements, water rights, or water service contracts relevant to the water supply identified for the proposed project, and the amount of water received pursuant to such

entitlements, rights, or contracts. Due to the size of the proposed Project, with a maximum of 400 residential units, a water supply assessment pursuant to SB 610 is not required.

State Safe Drinking Water Act

The State Safe Drinking Water Act builds on and strengthens the Federal Safe Drinking Act. The State Act authorizes the SWRCB to protect public health by establishing maximum contaminant levels that are at least as stringent as those mandated by the EPA under the Federal Safe Drinking Water Act.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Act establishes the responsibilities and authorities of the SWRCB and the nine (9) RWQCB. In California, all surface waters and groundwater are considered to be “Waters of the State” under this Porter-Cologne Act. Pursuant to the Porter-Cologne Act, a Water Quality Control Plan for the San Diego Basin was prepared.

California Green Building Standards Code

The CALGreen Code is set forth in CCR, Title 24, Part 11. It establishes minimum mandatory standards as well as voluntary standards for the planning and design of sustainable site development, water conservation, and other issues. The CALGreen Code provides waste diversion requirements, plumbing fixture requirements, water efficiency and conservation measures and energy efficiency measures.

Executive Order B-29-15

On April 1, 2015, Governor Jerry Brown signed Executive Order B-29-15 which directs the SWRCB to implement mandatory water reductions in cities and towns across California to reduce water usage by 25% from 2013 levels through demand management and pricing policies and public awareness. For residential customers, this includes less enjoyment of water, shorter showers or brown lawns and costs associated with water saving devices.

California Integrated Waste Management Board

The California Integrated Waste Management Board policies require local governments to prepare a Source Reduction and Recycling Element in its Solid Waste Management Plan calling for integration of solid waste management, including such processes as source reduction, reuse, recycling, and composting before landfill disposal.

California Solid Waste Reuse and Recycling Access Act of 1991

The California Solid Waste Reuse and Recycling Access Act of 1991 (California Public Resource Code, Division 30, Part 3, Chapter 18) provides solid waste diversion requirements through source reduction, recycling and composting activities for cities and counties in California.

Assembly Bill 341

On October 5, 2011 AB 341 was approved by Governor Jerry Brown and declared the policy goal of the state that not less than 75% of solid waste generated would be source-reduced, recycled, or composted by the year 2020. AB 341 required a report to be prepared by January 1, 2014 that provides strategies to achieve the goal and would include other specifications and recommendations.

LocalSan Diego Regional Water Quality Control Board

The San Diego Water Board regulates water quality in the County and portions of Orange and Riverside Counties pursuant to the CWA. The San Diego Water Board sets standards, determines regulatory compliance, issues discharge permits and enforces other actions related to ensuring the water quality of the region. The San Luis Rey Plant, La Salinas Treatment Plant and Mission Basin Groundwater Purification Facility in the City operate in compliance with the NPDES Permit No. CA0107433 adopted by the San Diego Water Board through Order No. R9-2011-0016, as amended by Order Nos. R9-2012-0042 and R9-2012-0060.

City of Oceanside General Plan*Community Facilities Element*

The General Plan's Community Facilities Element provides direction for the provision of adequate public facilities necessary to serve the existing and future developed areas of the City in a coordinated and cost effective manner. The following policies are relevant to the Project:

Water and Sewer Systems

Policy 5.3: Within the San Luis Rey Wastewater Service Area, the City shall construct adequate sewer mains and lift stations as required to meet existing needs and future growth requirements and will increase the capacity of the Oceanside outfall line by constructing a parallel line to serve future needs of the community.

Policy 5.4: New development shall be responsible for on-site wastewater facility improvements required by that development.

Policy 5.10: New development in unserved areas shall be approved only with assurance that required supply, storage facilities, and distribution systems shall be provided prior to occupancy.

Policy 5.11: New development shall be responsible for on-site water facilities improvements required by that development.

Hazardous Waste Management Element

The Hazardous Waste Management Element provides overall policy guidance for safe and effective managing of hazardous waste within the City. Items within this element's scope include hazardous waste facilities and waste reduction and elimination. This element is consistent with the City's General Plan and other elements.

City of Oceanside Climate Action Plan

The City adopted the CAP in May of 2019. The purpose of the CAP is to align the City with state efforts to reduce greenhouse gas emissions while balancing a variety of community interests such as quality of life, economic development and social equity. The CAP contains measures and strategies to reduce greenhouse gas emissions associated with the provision of drinking water, transportation and treatment of wastewater, and disposal of solid waste. Relevant measures and strategies for the Project include:

Measure W1: Implementation of the Water Conservation Master Plan

- Residential clothes washer rebate
- Rotating sprinkler nozzle rebate
- Require plan reviews for water use efficiency for all new business customers
- Model water Efficient Landscape Ordinance
- City will install Automated Meter Infrastructure (AMI) meters and provide a means of viewing daily consumption inside their home/business either through the internet or separate device. The AMI system would, on demand, indicate to the customer and utility where and how their water is used, facilitating water use reduction and prompt leak identification. Also require that larger or irrigation customers install such AMI meters.

Measure W2: Non-Residential Water Use Benchmarking and Disclosure

- Promote use of building water consumption benchmarking using tools such as Portfolio Manager.
- Promote disclosure of building water consumption and water consumption benchmark scores at the time-of-sale of non-residential real estate.

Measure SW1: Implementation of Zero Waste Strategic Resource Plan

- Support and expand home composting programs. Educate all landscapers working in the City about the cost savings and other benefits of using composting facilities.
- Develop and adopt a construction and demolition recycling ordinance.

Urban Water Management Plan

As required by California Water Code Sections 10617 and 10620, the City, as an urban water supplier, must prepare and adopt an Urban Water Management Plan (UWMP) every five (5) years. The City adopted its 2015 UWMP in June 2016. The UWMP describes current water system services, facilities, supplies and demands, and includes an analysis of the City's water supply and demand planning within its service area for variable water years (average, single-dry, and multiple-dry years) over a 20-year horizon. Based on the 2015 UWMP the City's supply and reliability analysis show that with implementation of additional planned supplies and water conservation measures, supplies would meet demand under all water years through 2040.

Zero Waste Strategic Resource Management Plan

In response to the adoption of Resolution No. 10-R0636-1 by the City Council on August 25, 2010, to divert 75% of waste by 2020, the City developed the Zero Waste Strategic Resource Management Plan (Zero Waste Plan). The Zero Waste Plan identifies and recommends strategies for the City to achieve this goal. At the time of the preparation of the Zero Waste Plan, the City had already reached 67% waste diversion. The private companies contracted to provide solid waste and recycling services such as Waste Management, Inc., Agri Service Inc., and Moodys are also working to support the City in achieving this goal.

City of Oceanside Municipal Code

Chapter 13 of the OMC provides the Solid Waste and Recycling Code. The Solid Waste and Recycling Code provides definitions, administration requirements, enforcement and regulations for storage, disposal,

and collection of solid waste and provision of recycling facilities and separation of recyclables within the City.

4.20.3 THRESHOLDS OF SIGNIFICANCE

Per Appendix G of the CEQA Guidelines, impacts would be considered significant if the Project would:

- a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which would cause significant environmental effects;
- b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years;
- c. Result in a determination by the wastewater treatment provider which services or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments;
- d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals;
- e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

4.20.4 PROJECT IMPACT ANALYSIS

Would the Project:

- a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which would cause significant environmental effects?

Water

The Project Site would be served by the City of Oceanside Water Utilities Department. Water services are currently provided to the Project Site which has historically operated as a packing warehouse facility and office, with agricultural support activities and a single residence on the eastern parcel, and agricultural cultivation, warehouse operations and single-family residences on the western parcel.

Existing potable water lines are located in North River Road, Calle Montecito and Calle Joven. Calle Joven extends along the southern and western boundaries of the eastern parcel. The Project Site is located within the Talone 320 Pressure Zone with the local water piping connected to the 5 million gallon Pilgrim Creek Reservoir. In North River Road is a 14-inch 320 Pressure Zone water main which extends west to Douglas Drive and then south to Mission Avenue where it connects to a 24-inch transmission main. The 14-inch water line in North River Road extends east and continues north in Vandegrift Boulevard increasing in size to 18-inch and 24-inch as it works its way to Pilgrim Creek Reservoir off of Douglas Drive east of Vandegrift Boulevard.

There is an existing 16-inch cast iron pipe in North River Road along the Project frontage. This is a non-potable water line which may at one time have been used for ground water. No connections to this pipeline are intended to be made.

Water Demand

A Water Service Overview letter was prepared by Dexter Wilson Engineering, Inc. (**Appendix S**) and outlines the existing water facilities and the ability of existing facilities in the vicinity of the Project to provide adequate water services. The existing land use and zoning designation for the Project Site is LI. Using the water demand factor for industrial land uses from the City's Water Master Plan, the existing demand for water would result in 59,500 gallons per day (gpd) on average. The proposed land use for the Project Site is MDC-R which would have a water demand factor of 3,000 gpd/ acre and would be expected to use 71,400 gpd on average. Based on the change in land use, the Project is estimated to increase the water use for the site by 11,900 gpd. **Table 4.20-1** provides a summary of the changes in water demand as a result of the Project.

Table 4.20-1
Comparison in Water Demand for the Project Site

Land Use	Average Demand	Maximum Day Demand	Peak Hour Demand
Current (Light Industrial)	59,500 gpd	119,000 gpd	178,500 gpd
	41.3 gpm	82.6 gpm	124 gpm
Proposed (Medium Density Residential)	71,400gpd	142,800 gpd	214,200 gpd
	49.6 gpm	99.2 gpm	149 gpm
Difference (Increase in Demand)	11,900 gpd	22,800 gpd	35,700 gpd
	8.3 gpm	16.5 gpm	24.8 gpm
gpd = gallons per day; gpm = gallons per minute Source: Water Service Overview prepared by Dexter Wilson Engineering, Inc. (Appendix S)			

According to the City's Water, Sewer and Recycled Water Design and Construction Manual (August 2017), under the existing LI land use, a planning level fire hydrant flow of 4,000 gallons per minute (gpm) would be required. Under the proposed MDC-R land use, the planning level fire flow reduces to 3,000 gpm resulting in a decrease of fire flow of 1,000 gpm. Based on the elevations of the proposed Project Site ranging from 65 to 70 feet, the maximum static pressure within the site will be 110 pound-force per square inch (psi), which is in conformance with the Water, Sewer and Recycled Water Design and Construction Manual.

Water Improvements

The potential water system improvements for the Project are divided into two basic components: water system piping and water storage.

Water System Piping

The City's Water Master Plan does not identify any Talone 320 Pressure Zone improvements needed for the piping serving the Project Site. As stated above, the Project would result in a decrease of fire flow of 1,000 gpm. Although the maximum day demand of water services for the proposed Project would increase by 16.5 gpm, the overall maximum day demand in addition to the decrease in fire flow would be less than the current overall water demand for the Project Site under its existing use. Therefore, the existing potable water piping infrastructure in the vicinity of the Project Site would be adequate to serve the Project. The Project would connect to the existing water service lines in the vicinity of the site and specific connection locations would be provided on the Project-specific development plans at the time of Project Site development.

All future off-site water connections to existing facilities in North River Road, Calle Montecito and Calle Joven and the associated construction activities to install this infrastructure is included in the air quality,

GHG, and noise analysis of this EIR (see Section 4.4, Section 4.8 and Section 4.14) and construction related air quality and GHG emissions are less than significant. Similarly, construction related noise impacts are less than significant. These off-site improvements would be located within already disturbed/developed areas and would not result in impacts to sensitive resources. Impacts related to construction of these off-site water improvements would be less than significant.

Water System Storage

The City's Water Master Plan discusses water storage in the Talone Pressure Zone and identifies a water storage shortfall of 7.04 million gallons and identifies two (2) four million-gallon tanks to be constructed to eliminate this storage deficit. The Water Master Plan also states that 88% of the new storage capacity is attributed to existing users. Therefore, the Project would be required to contribute its share of the future users' storage capacity based on the additional average water demand of the Project which is 11,900 gpd. It is assumed that Project contribution of its share of storage capacity would go towards planned and future improvements to water storage facilities within the Talone Pressure Zone. Planned and future storage improvements would be located in already disturbed areas and would not result in impacts to sensitive resources. Impacts related to water system storage improvements would be less than significant.

Recycled Water Service

The City is undertaking an expansion of their recycled water distribution system. A new recycled water distribution pipeline is scheduled to be installed in North River Road from the San Luis Rey Wastewater Treatment Plant to locations east of the Project Site. The timeline for construction of this recycled water main is anticipated to take place in late 2020 to the end of 2022. Development of the Project would include connecting to the recycled water distribution main for irrigation services. Specific connection locations to the recycled water mains would be determined on the development plans for the Project at the time of Project Site development.

As stated above, all future off-site water connections to existing facilities in North River Road, including recycled water services and the associated construction activities to install this infrastructure is included in the air quality, GHG, and noise analysis of this EIR (see Section 4.4, Section 4.8 and Section 4.14) and construction related air quality and GHG emissions are less than significant. Similarly, construction related noise impacts are less than significant. These off-site improvements would be located within already disturbed/developed areas and would not result in impacts to sensitive resources. Impacts related to construction of these off-site water connections would be less than significant.

Ground Water Wells

According to the Phase I Environmental Site assessment prepared for the western parcel (**Appendix C**) two (2) operational water wells are located on the site adjacent to the irrigation water above ground storage tanks. According to the Environmental Data Resources (EDR) report there are 11 water wells which could potentially be located on the site installed between the years of 1911 and 1952, however the accuracy of the coordinates listed for each well are unknown. No water wells are located or anticipated to be located on the eastern parcel.

The Project would identify all ground water wells located onsite on the Project development plans and all ground water rights associated with any existing wells or associated with the property would be ascribed to the City's Water Utilities Department in accordance with all specific requirements of the Water Utilities Department.

Further, the Project would comply with all Water Utilities Department conditions and would incorporate all requirements into the Project design. Such conditions would include, but are not limited to the following:

- For developments requiring new water service or increased water service to a property, the landowner must enter into an agreement with the City providing for landowner's assignment of any rights to divert or extract local groundwater supplies for the benefit of the property to receive new or increased water service, or in return for water service from the City, upon such terms as may be provided by the Water Utilities Director.
- The developer will be responsible for developing all water and sewer utilities necessary to develop the property. Any relocation of water and/or sewer utilities is the responsibility of the developer and shall be done by an approved licensed contractor at the developer's expense.
- All water and wastewater construction shall conform to the most recent edition of the *Water, Sewer, and Recycled Water Design and Construction Manual* or as approved by the Water Utilities Director.
- The property owner shall maintain private water and wastewater utilities located on private property.
- Water services and sewer laterals constructed in existing right-of-way locations are to be constructed by an approved and licensed contractor at the developer's expense.
- Buildings requiring a NFPA 13 or NFPA 13R automatic sprinkler system for fire protection shall have a dedicated fire service connection to a public water main with a double check detector backflow assembly. Location of the backflow assembly must be approved by the Fire Department.

Project impacts related to the relocation or construction of new or expanded water facilities would be **less than significant**.

Wastewater Treatment

The City Wastewater Division collects, treats and disposes of all of the City's sewage. The Project would be served by the San Luis Rey Wastewater Treatment Plant. In North River Road along the Project frontage there is an existing 27-inch gravity sewer which increases to 30-inch diameter as it gravity flows west to the San Luis Rey Wastewater Treatment Plant by way of the North Valley Sewer Lift Station. The North Valley Sewer Lift Station is located at 3930 North River Road, approximately one mile west of the Project Site.

The North River Road trunk sewer extends east in North River Road to Stallion Drive where the Rainbow Municipal Water District (RMWD) flow enters the City's sewer system. The City's Sewer Master Plan (City of Oceanside, 2015) does not describe any near-term or long-term improvements to the North River Road trunk sewer. Local collector sewers are located in Calle Montecito and Calle Joven. An existing 8-inch sewer main in Calle Joven flows east to Calle Montecito then north to North River Road where it connects to the existing 27-inch gravity trunk sewer.

Sewer Generation

A Sewer Service Overview letter was prepared by Dexter Wilson Engineering, Inc. (**Appendix R**) and outlines the existing sewer facilities and the ability of existing facilities in the vicinity of the Project to provide adequate sewer services. Based on the existing light industrial land use of the Project Site, using the sewer generation factor provided in the City's Sewer Master Plan, the sewer generation for the existing use of the Project Site is 23,800 gpd on average. The proposed land use for the Project Site as

medium density residential would have a sewage flow factor of 140 gpd per equivalent dwelling unit (EDU). Using this factor the expected sewer flow of the proposed Project would be 56,000 gpd on average. Thus, the Project would result in an increase of sewer generation of the site by 32,200 gpd on average. The additional sewage flow for the Project would result in 83,076 gpd peak or 57.7 gpm peak. This is equivalent to 0.083 mgd.

Table 4.20-2 provides a summary of the changes in wastewater demand as a result of the Project.

Table 4.20-2
Comparison in Wastewater Demand for the Project Site

Land Use	Average Demand	Peak Demand
Current (Light Industrial)	23,800 gpd	-
Proposed (Medium Density Residential)	56,000gpd	-
Difference (Increase in Demand)	32,200 gpd	83,076 gpd
	22.4 gpm	57.7 gpm
gpd = gallons per day; gpm = gallons per minute Source: Water Service Overview prepared by Dexter Wilson Engineering, Inc. (Appendix S)		

Sewer Improvements

The potential sewer system improvements is divided between onsite sewer collection system and potential off-site sewer improvements and is further discussed below.

Onsite Sewer System

Project-specific sewer systems would be determined and designed as part of the Project development plans. One option for the Project for local sewers would be to include an onsite private sewer collection system. The private collector sewers would connect to the existing 8-inch public sewer in Calle Joven pending confirmation of adequate capacity. If the Project is to include onsite private sewer system to connect to the public sewer in Calle Jove, an additional study would determine how many dwelling units could be accommodated by the existing 8-inch public line.

As an alternative, the onsite private sewer collection system could make a new connection to the existing 27-inch or 30-inch trunk sewer in North River Road. This trunk sewer would have the capacity for at least a portion of the Project. All onsite sewer connection improvements are considered within the Project footprint, as described in the Project Description (Section 3.0 of this EIR). These onsite sewer connection improvements do not result in any new Project-footprint related impacts beyond those already disclosed in this document.

Off-Site Sewer Improvements

The City's Sewer Master Plan does not identify any near-term or long-term improvements needed for the North River Road trunk sewer. This means that there is sewer flow capacity available for the Project. As stated above, the Project would result in a sewage generation increase of 83,076 gpd or 0.083 mgd. This is a small increment of flow in a gravity sewer system where the existing 30-inch sewer has a full pipe capacity ranging from 8 mgd to 11 mgd depending on the slope. If the sewer is flowing between half full and full, the incremental flow from the Project would constitute a maximum of 2% of the total flow.

As part of the entitlement process, a sewer analysis will be completed in order to assess the impact of the increase in peak sewer flow added to the North River Road trunk sewer line. The sewer analysis will determine the Project's cost share for any necessary improvements to the trunk sewer line. Any improvements required to the North River Road trunk sewer would be located in a developed area that has already been disturbed and would not result in impacts to sensitive resources. Therefore, impacts related to off-site sewer improvements to the North River Road trunk sewer line would be less than significant.

North Valley Sewer Lift Station

The North Valley Sewer Lift Station receives all the sewer flow from the North River Road trunk sewer and pumps it to the San Luis Rey Wastewater Treatment Plant. Many areas within the City also flow into the North River Road trunk sewer and to the North Valley Sewer Lift Station including the flow from Rainbow MWD.

The City's Sewer Master Plan discusses the City's lift stations and force mains and summarizes the future sewer lift station capacities. For the North Valley Sewer Lift Station, the firm pumping capacity is 8.53 mgd and an existing peak wet weather flow to the lift station of 6.69 mgd. The long-term peak wet weather flow to the North Valley Sewer Lift Station is provided as 7.34 mgd.

The incremental peak wet weather flow from the proposed Project is 0.083 mgd. Thus, when adding this incremental flow to the estimated long-term flows to the North Valley Sewer Lift Station, the total flow is 7.42 mgd which is less than the firm pumping capacity of 8.52 mgd. This suggests that there is sufficient pumping capacity at the North Valley Sewer Lift Station to accommodate the additional sewage flow generated from the Project.

Recent concerns of the North Valley Sewer Lift Station have been expressed regarding the lack of response time during an operational emergency. Primary concerns are due to the fact that the lift station does not have any emergency storage volume. Therefore, the lift station is at greater risk of a sewage spill. The City is reviewing the pumping capacity of the existing pumps as sewage flows increase and new pumps may be required.

Due to the increase in sewage flow generated by the Project compared to the existing onsite operations and compared to the City's Sewer Master Plan projections, the Project would be required to contribute its share of the costs for potential modifications to the North Valley Sewer Lift Station at the time of Project entitlement. It is anticipated that any improvements or modifications required to the North Valley Sewer Lift Station as a result of the Project's share of increase in flows, would occur as part of the existing sewer lift station which would be located in a developed area that has already been disturbed and would not result in impacts to sensitive resources. Therefore, impacts related to off-site sewer improvements to the North Valley Sewer Lift Station would be less than significant.

Wastewater Treatment Plant Capacity

The Project would result in generation of sewage flows that are greater than what was accounted for in the City's Sewer Master Plan. As stated above, the additional peak sewage flow is estimated to be 0.083 mgd. The buy-in cost for wastewater treatment and disposal is expected to be satisfied by the payment of the sewer connection fees on a per dwelling unit basis. Since the San Luis Rey Wastewater Treatment Plant is undergoing expansion to accommodate the flows from the La Salina Wastewater Treatment Plant, which is being shut down, there is not a concern that a small increment of flow generated by the Project can be accommodated by the San Luis Rey Wastewater Treatment Plant, as provided in the Sewer Service Overview Letter.

Therefore, impacts related to the construction or relocation of new or expanded wastewater treatment facilities would be **less than significant**.

Storm Water Drainage

As discussed in Chapter 4.11 *Hydrology and Water Quality*, Project Site development would include a drainage system as part of the Project design and would be designed to convey runoff through a system of storm drain inlets and pipes and site-specific BMPs which would be installed for proper collection and disposal of surface runoff. Project development plans would be provided at the time of Project Site development and would indicate storm water movement throughout the site, its discharge locations and proposed treatment methods in accordance with the City's BMP Design Manual. A Project-specific Drainage Study would be prepared to ensure Project development drainage patterns would not result in increased runoff and would ensure adequate capacity of the drainage system.

The construction related activities to install this infrastructure was included in the air quality, GHG and noise analysis of this EIR (see Section 4.4, Section 4.8, and Section 4.14) and construction related air quality and GHG emissions are less than significant. Similarly, construction related noise impacts are less than significant. The environmental effects of installing these storm water facilities have been evaluated within this EIR and these improvements are included within the Project development footprint. These onsite storm water infrastructure improvements are considered within the Project footprint, as described in the Project Description (Section 3.0 of this EIR). These onsite storm water infrastructure improvements do not result in any new Project footprint-related impacts beyond those already disclosed in this document.

Impacts related to the construction or relocation of new or expanded storm water drainage facilities would be **less than significant**.

Gas, Electric Power, and Telecommunication Facilities

Gas and electricity services would be provided by SDG&E electric and gas transmission and distribution lines and new gas and electric services lines would connect to existing services in the Project vicinity. Existing gas and electrical services are provided in the Project vicinity and are currently provided to the Project Site for existing agricultural and warehouse operations, and office and resident usage. Specific tie-in locations for gas and electrical services will be determined at the time the Project Site is developed. Where feasible, all new service installations and connections would be scheduled and implemented in a manner that would not result in electrical services interruptions to surrounding properties.

As provided in Section 4.7 *Energy*, the Project would consume electricity similarly to that of the existing multi-family residential developments to the north and northwest and would comply with all applicable 2019 Title 24 Part 6 Building Efficiency Standards.

Communication systems for telephone, internet and cable television are serviced by utility providers such as SBC, AT&T, IBM, and other local independent companies. Existing telecommunication facilities are located in the Project vicinity and are provided to the existing Project Site. At the time of Project Site development, specific tie-in locations to existing communication services will be determined.

The construction related activities to install this infrastructure was included in the air quality, GHG and noise analysis of this EIR (see Section 4.4, Section 4.8, and Section 4.14) and construction related air quality and GHG emissions would be less than significant. Similarly, construction related noise impacts are less than significant. The environmental effects of installing these facilities have been evaluated

within this EIR and these improvements are included within the Project development footprint. These onsite gas, electric and telecommunications infrastructure improvements are considered within the Project footprint, as described in the Project Description (Section 3.0 of this EIR). These onsite energy and telecommunications infrastructure improvements do not result in any new Project footprint-related impacts beyond those already disclosed in this document.

Impacts related to the construction or relocation of new or expanded gas, electric power, or telecommunication facilities would be **less than significant**.

- b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

The Project would result in an increase in water demand through proposed Project activities, such as water use for residents, irrigation, recreational pool facility, fire protection systems, and other uses associated with a multi-family development that would create a demand for water.

The City's Water Utilities Department currently serves the Project Site and surrounding area with potable water, and would continue to serve the Project during operation of the proposed multi-family development. The Water Division of the Water Utilities Department is responsible for obtaining the City's water, including purchasing water from the SDCWA and delivering it throughout the City for domestic, commercial, irrigation, and fire protection purposes. The City treats up to 25 million gallons per day of water received from the SDCWA and up to six million gallons per day of local brackish groundwater from the Mission Basin.

A Water Supply Assessment pursuant to SB 610 is not required for the Project as it does not propose the construction of 500 residential units, or development with an equivalent water demand. The Project is for a PBD Overlay District to allow for the future development of a maximum of 400 multi-family units on the 25.6-acre Project site.

A Water Service Overview letter was prepared by Dexter Wilson Engineering, Inc. (**Appendix S**) and outlines the existing water facilities and the ability of existing facilities in the vicinity of the Project to provide adequate water services. The existing demand for water onsite under the light industrial land use would result in 59,500 gpd on average. The proposed land use for the Project Site is MDC-R which would have a water demand factor of 3,000 gpd/ acre and would be expected to use 71,400 gpd on average. Based on the change in land use, the Project is estimated to increase the water use for the site by 11,900 gpd.

As the Project requires a General Plan Amendment, its water demand was not accounted for in the City's 2015 Urban Water Management Plan (UWMP). The 2015 UWMP provides the estimated demand for potable and raw water based on use type from 2020 to 2040 for the City. The projected water use for multi-family and industrial uses is provided in **Table 4.20-3**.

Table 4.20-3
Oceanside UWMP Projected Demand for Potable and Raw Water

Use Type	Projected Water Use (AFY)				
	2020	2025	2030	2035	2040
Multi-Family	4,405	4,246	4,039	3,959	3,886
Industrial	809	850	880	928	975
City of Oceanside Total Water Demand	31,328	31,215	29,913	30,130	30,037
AFY = acre-feet/ year Source: 2015 Urban Water Management Plan					

Using the existing demand of water as provided above (59,500 gpd or 67 AFY) and the projected demand for multi-family development (71,400 gpd or 80 AFY), the Project Site would result in a 0.26% of the total projected water use of the City at Project buildout in year 2040.

The City currently has two (2) direct sources of potable water: a blend of imported and desalinated seawater from SDCWA and local groundwater from the Mission Basin of the Lower San Luis Rey River Valley. The City operates well fields that deliver raw groundwater to the Mission Basin Groundwater Purification Facility. Recycled (non-potable) water supply is produced at the San Luis Rey Wastewater Treatment Plant and delivered to Whelan Lake. Historical water supplies for the City are provided in **Table 4.20-4**.

Table 4.20-4
City of Oceanside Historical and Projected Water Supplies (in AFY)

Water Supply	2015	Projected Water Supply (AFY)				
		2020	2025	2030	2035	2040
Purchased or Imported Water	20,400	24,728	24,215	22,913	23,130	23,037
Groundwater	3,213	3,300	3,700	3,700	3,700	3,700
Recycled Water	104	400	1,700	2,900	3,060	3,500
Other	-	3,300	3,300	3,300	3,300	3,300
Total	23,717	31,828	32,915	32,813	33,190	33,537
NOTES: Includes SDCWA water treated and served to Vista Irrigation District (VID) customers in the Fall/Olive Exchange; Assumes purchased water make up and demands not fulfilled by local supplies. Advanced treated water is indirect potable reuse (IPR) that is injected into the Mission Basin and extracted for potable use. Source: 2015 Urban Water Management Plan						

The UWMP requires every urban water supplier to assess the reliability of its water supply for normal, single-dry and multiple-dry years. The City has historically conserved water during single and multiple-dry years, so the forecast demands for dry years are considered conservative. The City anticipates no reduction of groundwater supplies for any hydrologic scenario. Groundwater is generally a drought-proof supply because the City's projected extraction is well below the normal year safe yield. For all years that the SDCWA projects supply reliability, the City assumes it will be able to purchase sufficient water from SDCWA to meet demands. Should SDCWA project potential supply deficits, the City would implement extraordinary conservation or convert additional customers to recycled water. The SDCWA projects deficits in the third year of a multiple-dry year in 2035 and 2040. In average precipitation years, the City has sufficient water to meet its customers' needs through 2040. This is based on continued commitment to the City's active and passive conservation programs, maintaining current groundwater rights, additional imported water available when needed from SDCWA, and the supply of recycled water.

The 2015 UWMP, Table 7-2, indicates that in an average year, a single-dry year, and in Year 1 and Year 2 of a multiple-dry year scenario, there are available water supplies. In Year 3 of a multiple-dry year scenario supplies could fall short of demand but that the difference could be made up through extraordinary conservation or conversion to recycled water and the demand could ultimately be met (Table 7-6 of the 2015 UWMP).

The City has developed a Water Shortage Contingency Plan as part of the 2015 UWMP and describes the City's plans and policies to address potential water shortages, including catastrophic interruptions and drought management. Two (2) ordinances are established in the Water Shortage Contingency Plan to establish operational procedures for long-term (drought) and short-term (catastrophic) water shortages. The Drought Ordinances establishes four drought stages of actions that can be taken to reduce water demand by up to 40% or more.

Occupants of the Project would be a customer within the City's service area and would likely be required to adhere to any extraordinary conservation measures imposed by the City. The City has developed the Oceanside Water Conservation Master Plan that further ensures water availability to the City during drought years. In addition, the Project would include water conserving landscaping along with efficient irrigation design consistent with the City's water planning efforts.

The Project would result in 0.26% of the City's total projected water use in year 2040. Given the small incremental impact of the Project on the City's total projected water use, it is not expected that the City would have to change either its current supply strategy or the implementation of its Water Shortage Contingency Plan in response to a drought, to meet the Project and existing and planned water demand in the City.

Therefore, it is anticipated that there would be sufficient water supplies available from the City Water Utilities Department to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years and impacts would be **less than significant**.

- c. Result in a determination by the wastewater treatment provider which services or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Operation of the Project as a future multi-family development would result in an increase of wastewater generated from the Project Site compared to the existing agricultural, warehouse/office and single-family residences currently operating onsite.

A Sewer Service Overview was prepared by Dexter Wilson Engineering, Inc. (**Appendix R**) and provides an overview of existing sewer facilities and the ability of the existing facilities to provide adequate sewer service to the Project. The Project is expected to generate 56,000 gpd of wastewater on average. Based on the change in land use from light industrial to multi-family residential, the Project would increase sewer generation onsite by 32,200 gpd on average.

The City's 2015 Sewer Master Plan is utilized to help the City plan, develop, and finance wastewater collection facilities for existing and planned future growth. It acts as a strategic planning guide for upgrading, improving, and expanding the City's wastewater collection system.

The Project would result in generation of sewage flows that are greater than what was accounted for in the City's Sewer Master Plan. As stated previously, the additional peak sewage flow is estimated to be 0.083 mgd. The buy-in cost for wastewater treatment and disposal is expected to be satisfied by the payment of the sewer connection fees on a per dwelling unit basis. Since the San Luis Rey Wastewater Treatment Plant is undergoing expansion to accommodate the flows from the La Salina Wastewater Treatment Plant, which is being shut down, there is not a concern that a small increment of flow generated by the Project can be accommodated by the San Luis Rey Wastewater Treatment Plant, as provided in the Sewer Service Overview Letter.

Therefore, impacts related to adequate capacity to serve the Project's projected demand in addition to existing commitments would be **less than significant**.

- d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Waste Management, Inc. would provide solid waste disposal services to the Project Site as with the rest of the City. Solid waste collected from the City is disposed of at the El Sobrante Landfill located in Corona, California. As provided in the El Sobrante Landfill 2019 Annual Report (Riverside County Department of Waste Resources, 2020), the landfill has a capacity of 132,130,376 tons remaining at the end of 2019. At the current rate, this equates to approximately 39 years of site life remaining.

Construction waste would be generated onsite throughout the construction phase of the Project and would include items such as dredging materials, tree stumps, rubble, dirt, building materials scrap and packaging materials. In accordance with the City's adoption of the CALGreen Building Standards Code, a Waste Management Plan would be submitted to the City prior to the issuance of building permits. This Waste Management Plan would provide detail of how non-hazardous construction waste generated during the course of the Project would be recycled or salvaged for re-use at a minimum rate of 65 %.

CalRecycle provides waste generation rates for different residential types from select city and county planning documents. The waste generation rate provided for multi-family residential uses is an average of 5 lbs/dwelling unit/day. Operational solid waste generation estimates are provided in **Table 4.20-5**.

Table 4.20-5
Project Operational Waste Generation

Use Type	Waste Generation Rate	Number of Dwelling Units	Waste Generation	
			Pounds per day	Pounds per year
Multi-Family Residential	5 lbs/ dwelling unit/ day	400	2,000	730,000

Source: CalRecycle; REC, 2020

The Project is estimated to generate a total of 730,000 pounds of solid waste annually. This estimate however, does not account for landfill diversion that would result from recycling and waste reduction activities. Given the remaining lifespan of the El Sobrante Landfill and the Project's waste generation, the landfill would have sufficient permitted capacity remaining to serve the Project. Additionally, the Project would participate in the City's recycling programs which would further reduce solid waste being sent to the landfill. The Project would provide three (3) separate trash enclosures each properly labeled for solid waste, recyclable waste and organic waste as required by the City.

The City Waste Plan indicates the City's goal for achieving a 75% diversion/ recycling rate by 2020. This plan provides a program for expanded residential composting along with requirements for compost and recycling bins that could help the City move beyond the 75% goal. The Project would comply with these measures in accordance with the Zero Waste Plan.

The Project is not expected to generate solid waste in excess of the capacity of local infrastructure or state or local standards, not is it expected to impair the attainment of solid waste reduction goals, and impacts would be **less than significant**.

- e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

The Project would generate solid waste both from construction and operation. As stated above, the Project would provide three (3) separate trash enclosures each properly labeled for solid waste, recyclable waste and organic waste as required by the City. In accordance with the City's adoption of the CALGreen Building Standards Code, a Waste Management Plan would be submitted to the City prior to the issuance of building permits. This Waste Management Plan would provide detail of how non-hazardous construction waste generated during the course of the Project would be recycled or salvaged for re-use at a minimum rate of 65%.

Compliance with the City's waste requirements would ensure compliance with all federal, state and local management and reduction statutes and regulations for solid waste, and impacts would be **less than significant**.

4.20.5 MITIGATION IMPLEMENTATION AND MONITORING

No impacts to utilities and service systems have been identified and therefore no mitigation measures are required.

4.20.6 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Project impacts related to utilities and service systems would be less than significant.

4.21 WILDFIRE

4.21.1 ENVIRONMENTAL SETTING

The threat of brushfire is endemic to the Southern California coastal area. The County has experienced many major fires in recent history, with some of the most notable and destructive occurring in 2003 (Cedar Fire) and 2007 (Harris and Witch Creek Fires). CAL FIRE, the County, and local fire districts can provide guidance on preparing structures for wildfire including proper landscaping practices, construction standards and techniques, adequate emergency water supply needs and access.

The City is vulnerable to many types of disasters including wildfires. The probability of fire occurring is higher than for any other natural hazard. Responses to brushfires in the City constitutes nearly one third of all fire calls. The City's topography, consisting of a semi-arid climate and wildland urban interface, when fueled by shrub overgrowth, occasional Santa Ana winds, and high temperatures, creates an ever-present threat of wildland fire. Extreme weather conditions such as high temperature, low humidity, and/or winds of extraordinary force may cause an ordinary fire to expand into one of massive proportions. There are three primary factors that contribute to the brushfire threat in this area – vegetation, climate and development patterns. The chaparral, sage and other native vegetation of Southern California is dry and resinous, making it very combustible, especially during the hot summer months. The normal “fire season” is April through November when strong, hot winds of the Santa Ana variety compound the problem and can spread a minor fire into a major conflagration in minutes. The current practice of developing “canyon view” subdivisions introduces the potential for loss of homes and lives into the natural hazard.

Brush fire hazards exist to some degree throughout the City; however, fire hazards are “high” in areas in proximity to residential development. The hazard is rated “extreme” in those areas where the vegetation changes from grass and sage to the denser and more flammable chaparral. An even higher risk occurs where residential development is scattered on large lots, where more of the natural vegetation is preserved, than in the standard single-family development.

The Project Site is not located in an area of “high” or “extreme” fire hazard as depicted in Figure PS-5 in the General Plan Public Safety Element. Areas not depicted in Figure PS-5 as areas of “high” or “extreme” fire hazard risk, such as the Project Site, are assumed to have lower fire hazard risk. The Project Site is not located near residential development that is scattered on large lots and is surrounded primarily by single-family residences, multi-family apartments and condominiums and mobile homes. Industrial uses are also located to the southeast and east.

The Project Site is not located in a State Responsibility Area (SRA) recognized by CAL FIRE (ArcGIS, 2019). Fire protection services to the Project Site are provided by OFD.

4.21.2 REGULATORY SETTING

Federal

International Fire Code

The International Fire Code (IFC) was published by the International Code Council and is a comprehensive fire code that establishes minimum regulations for fire prevention and for protection systems using prescriptive and performance-related provisions. It is a model code and forms the basis for the current California Fire Code (California Code of Regulations, Title 24, Part 9). The IFC is the underlying

nationally recognized code that sets standards and requirements to safeguard against the threat fires may pose to public health, safety, and the environment.

National Fire Protection Association Standards

The National Fire Protection Association (NFPA) Standards are a product of the NFPA, a world-wide organization of fire industry, fire agencies, fire professionals and concerned individuals. These model standards are annually compiled from the standards, recommended practices, manuals, guides, and model laws that are prepared by the individual technical committees of the NFPA. The individual standards can be adopted by jurisdictions or modified and adopted as that jurisdiction's ordinance.

State

California Code of Regulations Title 24, Part 2 and Part 9

The CCR Title 24, Part 2 outlines the CBC which contains general construction building standards including fire, line safety, and field inspection provisions. Part 9 is the California Fire Code, which includes fire safety-related building standards.

California Code of Regulations Title 14

Title 14, Subchapter 2 (SRA Fire Safe Regulations), contains regulations that establish minimum wildfire protection standards in conjunction with building construction and development in a SRA.

California Code of Regulations Title 19

The Title 19, Division 1 (State Fire Marshall) contains regulations that have been developed by the State Fire Marshall for the purpose of establishing additional fire protection for group occupancies, such as places of assembly, schools, high rise buildings, hospitals and organized camps.

Local

San Diego County Operational Area Emergency Operations Plan

The County Emergency Operation Plan is a comprehensive emergency management system that provides for a planned response to disaster situations associated with natural disasters, technological incidents and nuclear defense operations. The plan includes operational concepts relating to various emergency situations, identifies components of the emergency management organization and describes the overall responsibilities for protecting life and property and assuring the overall well-being of the population. The also identifies the sources of outside support that might be provided (through mutual aid and specific statutory authorities) by other jurisdictions, state and federal agencies, and the private sector.

City of Oceanside General Plan

Land Use Element

The General Plan Land Use Element identifies the following objectives and policies related to wildfires:

1.153 Fire Hazards

Policies

- A. The City shall maintain the necessary equipment, personnel and water supply levels required for the current class 4 insurance rating of the entire City.
- B. Places of public assembly shall be designed with adequate, well-marked emergency exits, and have public address systems which would not be rendered inoperable because of fire.

Public Safety Element

The General Plan Public Safety Element identifies and addresses features or characteristics existing in and near the City that represent a potential hazard to the community's citizens, sites and structures, public facilities and infrastructure. The Safety Element establishes policies to minimize the danger to residents, workers and visitors. The following are goals and objectives of the Public Safety Element related to wildfire:

Fire Hazard

Goal: Take action necessary to ensure an acceptable level of public safety for prevention and reduction of loss of life and personnel property of the citizens of Oceanside.

Objectives

1. Maintain the necessary equipment, personnel and water supply levels required for the current class 5 insurance rating of the entire City.
2. Continue an active and effective fire prevention program through public education, code enforcement, and inspection service.

Community Facilities Element

The Community Facilities Element of the General Plan discusses fire department facilities and its objectives to protect the health, safety, and welfare of the City's residents and property through the provision of adequate fire protection and emergency services and to prepare for, respond to, and aid in the recovery from emergencies related to fire and natural disasters such as wildfires. The following policies are provided in the Community Facilities Element:

Fire Department Facilities

Policies:

- 3.3 The City of Oceanside shall cooperate with the cities fire protection agencies in North San Diego County in planning, developing, and maintaining a proposed Regional Training Center and Fire Communication Center.
- 3.4 Automatic and Mutual Aid Agreements with the cities of Carlsbad and Vista shall be maintained, if possible, in order to provide adequate fire station service area coverage and response times to all portions of the City of Oceanside.
- 3.11 Development proposals within designated high fire hazard areas shall include plans for mitigation of potential grass and brush fires. These plans shall address the need for life

and safety automatic fire sprinkler systems, water availability, secondary emergency access routes, construction requirements, and landscaping around structures.

- 3.12 The City shall participate in the California Disaster and Civil Defense Master Mutual Aid Agreement, the San Diego County Mutual Aid Agreement and Operational Plan for Fire Departments, and the Unified San Diego County Emergency Services Agreement. In addition to these mutual aid agreements, the City shall continue to pursue Automatic Aid Agreements with adjacent jurisdictions, when such agreements provide substantially equal benefits to each jurisdiction involved.

4.21.3 THRESHOLDS OF SIGNIFICANCE

Per Appendix G of the CEQA Guidelines, 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;
- 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;
- 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;
- 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.

4.21.4 PROJECT IMPACT ANALYSIS

This section analyzes the Project's potential impacts related to wildfire. Please refer to Section 4.16 *Public Services*, for an analysis related to potential impact related to fire protection services and response times.

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?

The Project Site is not located within a very high fire hazard severity zone within the Oceanside Local Responsibility Area mapped by CAL FIRE, and it is not located within a SRA where CAL FIRE is the primary emergency response agency responsible for fire suppression and prevention.

The PBDP provides the Development Standards for the Project including setbacks, vehicular access, and signage in addition to fire hydrants, address numbers, and sprinklers as required by the OFD for residential developments. Main access to the Project Site will be from North River Road and Calle Joven will provide secondary and emergency access at points along the southern and eastern boundaries of the site. All emergency access points will meet the standards required by the OFD and City Development Standards.

The Project would provide the transportation improvements as listed in **Table 3.5-4** unless subsequent traffic analysis demonstrates that the improvements are not warranted. Prior to submittal of the final site plan, a traffic analysis shall be prepared to identify the timing, trigger, improvement, and fair share contribution for each analyzed roadway segment and intersection. The transportation improvements

would improve traffic in the vicinity and further improve emergency access in the surrounding areas of the Project Site.

The Project Site is bounded by North River Road to the north which is designated as an evacuation route from El Camino Real to College Boulevard according to the Public Safety Element of the General Plan (Figure PS-11). Additional evacuation routes nearest to the Project Site are North River Road to Vandegrift Boulevard and SR-76 throughout the City. Libby Elementary School (0.59 mile northeast) is the nearest refuge center as provided in the Public Safety Element of the General Plan.

With compliance of all Fire Department requirements, the Project would not impair an adopted emergency response plan or emergency evacuation plan, and impacts would be **less than significant**.

- 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?

The Project Site is relatively flat with topography ranging from 68 to 72 feet amsl on both the eastern and western parcels. The Project Site is located in a developed area surrounded primarily by multi-family residential to the north and north east including multi-family condominiums, apartments and mobile home estate community, single-family residential to the west, light industrial uses to the east and southeast. These surrounding areas have relatively similar topography as the Project Site. The San Luis Rey River is located to the south of the Project Site approximately 800 feet south of the eastern parcel and approximately 175 feet south of the western parcel. The Project Site is approximately 20 feet above the improved channel of the San Luis Rey River and a grouted rip-rap embankment separates the property from the channel bottom.

The Project Site is not located in a very high fire hazard severity zone within the Oceanside Local Responsibility Area as mapped by CAL FIRE, nor is the site located within a SRA where CAL FIRE is the primary emergency response agency responsible for fire suppression and prevention. Additionally, the Project Site is not located in an area of “high” or “extreme” fire hazard as depicted in Figure PS-5 in the General Plan Public Safety Element.

There are no aspects of the Project Site or location which would exacerbate wildfire risks due to slope, prevailing winds and other factors and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire, and impacts would be **less than significant**.

- 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?

The Project would establish a PBD Overlay District to allow for future multi-family residential development of the site. The PBDP provides the development regulations for the Project including setbacks, vehicular access, building height and signage. The Project would also provide all required fire hydrants, address numbers, and sprinklers in accordance with OFD regulations. Upon future development of the Project Site, development plans would be reviewed and approved by OFD.

The Project Site is located in a developed area surrounded by various residential uses such as single-family residences, multi-family apartments and condominiums, mobile home community and light industrial uses. Power lines and utilities exist in the vicinity of the Project Site and the Project would connect to the existing facilities. No installation or maintenance of associated infrastructure such as roads, fuel breaks or emergency water sources, power lines or other utilities would be required for the Project

that would exacerbate fire risk or that would result in temporary or ongoing impacts to the environment, and impacts would be **less than significant**.

- 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?

As stated in the Geotechnical Investigations prepared for the Project Site (**Appendix J** and **Appendix K**), the Project Site and surrounding areas are relatively flat and the potential for landslides and slope failure to occur onsite are very low. According to the FEMA FIRM panel 756 of 2375, the Project Site is located within a Zone X, meaning the Project Site has a 0.2% chance of being affected by a flood hazard. The Project Site would not expose people or structures to flooding or landslides. Additionally, the western parcel, which is the nearest portion of the Project Site to the San Luis Rey River, is about 20 feet above the improved channel of the river and a grouted rip-rap embankment separates the property from the channel bottom. The Project Site is developed with existing warehouse, office, agricultural activities and residences and does not anticipate changes to drainage flows onsite.

Therefore, Project would not 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, and impacts would be **less than significant**.

4.21.5 MITIGATION IMPLEMENTATION AND MONITORING

No significant impacts to wildfire have been identified and therefore, no mitigation measures are required.

4.21.6 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts related to wildfire from the implementation of the Project would be less than significant.

5.0 CUMULATIVE IMPACTS

5.1 INTRODUCTION

CEQA requires an EIR to analyze cumulative impacts. The purpose of this section of the EIR is to explain the methodology for the cumulative analyses and present the potential cumulative effects of the Project.

Section 15355 of the CEQA Guidelines defines cumulative impacts as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” Section 15130 of the CEQA Guidelines provides guidance for analyzing significant cumulative impacts in an EIR. The discussion of cumulative impacts “need not provide as great detail as is provided for the effects attributable to the Project alone,” but instead is to “be guided by standards of practicality and reasonableness” (Guidelines Section 15130(b)). The discussion should also focus only on significant effects resulting from the Project’s incremental effects and the effects of other projects. According to Section 15130(a)(1), “an EIR should not discuss impacts which do not result in part from the Project evaluated in the EIR.”

Cumulative impacts can result from the combined effect of past, present, and future projects located in proximity to the Project under review. Therefore, it is important for a cumulative impacts analysis to be viewed over time and in conjunction with other related past, present, and reasonably foreseeable future developments whose impacts might compound or interrelate with those of the Project under review.

5.2 METHODOLOGY

According to CEQA Guidelines Section 15130(b)(1) a cumulative impact analysis may be conducted and presented by either of two (2) methods:

- a. A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or
- b. A summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact. Any such planning document shall be referenced and made available to the public at a location specified by the lead agency.

The cumulative “List Method” has been utilized in this cumulative analysis which consists of an analysis of related projects in the vicinity that are currently proposed or approved. The list of cumulative projects and the cumulative analysis is provided in the following sections.

5.3 CUMULATIVE PROJECTS

Based on the information provided by the City of Oceanside, a list of cumulative projects under consideration for this analysis is presented in **Table 5.3-1** below. **Figure 2.3-1** displays the cumulative project locations.

**Table 5.3-1
Cumulative Projects**

#	Project Name	Location	Description	Status
City of Oceanside Projects				
1	Rio Rockwell	Old Grove Road and Frazee Road	78-unit residential development	Approved – Not Constructed
2	Villas at Mission San Luis Rey	North El Camino Road and Peyri Drive, north of Mission Avenue	Time Extension for an approved project consisting of independent living, assisted living and memory care facility with 259 beds	Under Construction
3	Villa Stora	North of Mission Avenue at Academy Road	Residential development with single- and multi-family units	Under Construction
4	Discount Tire	South of Mission Avenue, east of Douglas Drive	Construction of 7,680 SF retail tire store specializing in the sale and installation of tires and wheels	Approved – Not Constructed
5	Stater Brothers Market Expansion	3770 Mission Avenue	Expansion of an existing Stater Brothers supermarket to increase building size, remodel façade of supermarket, and relocated entrance	Under Construction
6	Ocean Kamp	Mission Avenue and Foussat Road	Mixed-use development with commercial and residential and an event center	Under Review
7	Ocean Pointe	Stage Coach and Vista Bella	Time Extension for a Tentative Map and Development Plan for an approved project for 158 condominium units	Approved – Not Constructed
8	Rancho Vista	South of SR-76, west of Rancho Del Oro Drive	29-unit single-family development for Seniors age 55 and over	Approved – Not Constructed
9	Coastline Baptist Church Addition	East of South El Camino Real, north of Vista Oceana	Addition, remodel and site improvements for accessibility to an existing church	Approved
10	Lighthouse Christian Church Assisted Care Facility	East of College Blvd., north of Mesa Drive	Tentative Parcel Map for an assisted care facility	Approved
11	Samoan Congressional Church Expansion	201 Stallion Drive	Addition of fellowship hall, Parson's residence, and future foyer to existing sanctuary	Under Review
12	North River Farms	East of North River Road and College Boulevard	A mixed-use development with up to 689 residences, 25,000 SF of commercial space, 5,000 SF of restaurant space, 30 acres of agricultural use, and 100-room hotel.	*See note below
*Since preparation of this EIR and associated transportation analyses, a Superior Court ruling (May 2021) determined the referendum overturning the North River Farms project is invalid and that the development may proceed "assuming other pending litigation does not prevent it." Separate on-going litigation efforts are continuing to appeal the May 2021 Superior Court decisions and to challenge approval of the project EIR. The inclusion of traffic and environmental impacts associated with that project in the cumulative analysis represents a worst-case assessment of cumulative impacts.				

5.4 CUMULATIVE IMPACT ANALYSIS

The following section presents a discussion of the effects that the Project may have on each environmental category of concern.

5.4.1 AESTHETICS

Existing development and infrastructure surrounding the Project Site, including the single-family residences to the west, have been present in the area for several decades and define the existing visual landscape. The North Valley Neighborhood is home to a number of multi-family developments and single-family developments ranging from several years old to nearly 50 years old. Due to existing development and intervening topography, cumulative impacts to aesthetics were determined based on the changes in the immediate vicinity of the Project Site. No other development projects are proposed in the immediate vicinity and therefore construction of the Project is the only anticipated change to the existing visual landscape.

The Project would contribute to the change in visual character of the area. These visual changes would be most evident along major roadways such as North River Road, neighborhood streets such as Calle Joven and Calle Montecito, and would be visible from the north side of the San Luis Rey River trail. Visual changes would also be prominent from the existing residential developments to the north and northwest and from the industrial uses to the east and south.

As provided in the Environmental Resource Management Element of the General Plan, the nearest designated visual open space areas are the San Luis Rey River and Mission San Luis Rey. The designated portion of the San Luis Rey River is located over two (2) miles southwest of the Project Site and Mission San Luis Rey is located approximately 0.88 mile southwest of the Project Site. The western parcel is visible from the north side of the San Luis Rey River Trail but is not visible from the south side of the San Luis Rey River Trail due to intervening vegetation. The eastern parcel is partially visible from the north side of the San Luis Rey River Trail, since views of the light industrial uses south of the eastern parcel are more prevalent. The eastern parcel is not visible from the south side of the San Luis Rey River Trail due to intervening vegetation and nearby buildings.

The Project would be constructed in an already urbanized area which is surrounded by various residential land use types to the west and north, industrial uses to the east and southeast, and the San Luis Rey River to the south. The established residential uses include single-family residences, multi-family condominiums and apartments and mobile home community. In its present condition, the Project Site does not provide an expansive view of a highly valued landscape or scenic vista nor would it interfere with views of an existing scenic vista.

The future multi-family residential development would have a maximum building height of 35 feet, as provided in the PBDP, similar to that of the surrounding residential developments. The PBDP prepared for the Project provides the site development regulations for the Project Site which are consistent with the regulations for RM-C zones provided in the Zoning Ordinance including minimum lot area and width, maximum site coverage, fence and wall height, signs, and nonconforming structures. Additional site development regulations including setbacks, building separation distance and building height would be regulated by the PBDP which would approved as part of the proposed Project.

New sources of light and glare would be introduced to the surrounding area by the Project. The cumulative projects are also anticipated to contribute new sources of light and glare as projects are constructed. Each cumulative project would be required to address the effects of light and glare on sensitive receptors and provide mitigation as necessary.

As described in Chapter 4.2 *Aesthetics*, the Project would include indoor lighting within the proposed residential buildings and outdoor lighting around the site boundary as well as internal street lighting. All indoor and outdoor light fixtures provided as part of the Project would exclusively utilize high-efficiency LED technology. Chapter 4 of the PBDP provides Community Design Guidelines for lighting. Onsite lighting would incorporate a scale and aesthetic that best compliments the residential character of the development. Street lighting would be utilized to the minimum extent possible to provide a safe community, but also to enhance neighborhood character. All lighting would be hooded and designed to prevent light spillover. Lighting along roadways would be designed to emphasize pedestrian scale and orientation. The Project would ensure safe pedestrian lighting is incorporated within interior paths and community walkways. All onsite lighting including pole height regulations would be in conformance with Section 3117 of the Zoning Ordinance. All outdoor lighting, shielding and glare reduction measures would comply with the standards in Article 30, Section 3024 of the Zoning Ordinance. Onsite buildings would be designed and constructed with materials that would not contain highly reflective materials. Specific building materials and architectural designs would be provided as part of future development plans for the Project Site.

Development of the Project would not substantially add to the amount of light and glare present in the area. In addition, the Project and each cumulative project would be required to comply with lighting ordinances and regulations for the specific jurisdiction in which the Project is located in. Therefore, cumulative impacts related to aesthetics would be **less than significant**.

5.4.2 AGRICULTURE AND FORESTRY RESOURCES

Cumulative impacts to agriculture and forestry resources would occur if numerous projects within the City were to have significant impacts related to the conversion or loss of farmland, forest land or timberland. No projects listed within **Table 5.3-1** are known to have adverse impacts to agriculture or forestry resources.

A FMMP map was prepared for the Project Site and designates the eastern parcel (4665 North River Road) as Urban Built-Up Land. On the western parcel (4617 North River Road), the northwest corner is designated as Urban Built-Up Land while the remainder of the parcel is designated as Other Land. The Other Land designation is characterized by land not included in any other FMMP mapping category. Common examples of land within this category include low density rural developments, wetland and riparian areas not suitable for livestock grazing, and vacant and nonagricultural land surrounded on all sides by urban development.

The immediate surroundings of the Project Site also consist of Urban Built-Up Land and Other Land. No areas designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance are located within close proximity to the Project Site. The Project would not conflict with existing zoning for agricultural use or a Williamson Act contract as the Project Site is not designated for such uses. The Project Site does not contain lands designated as forest land, timberland or timberland zoned Timberland Production as defined by Public Resources Code and Government Code sections, and therefore, the Project would not result in the loss of forest land or the conversion of forest land to non-forest use.

Although existing agricultural uses exist within the Project Site which would be converted within the PBD Overlay District to future medium density residential uses, the land is not recognized as a designated agricultural use. The Project Site is surrounded primarily by various residential land uses such as single-family residences, multi-family apartments and condominiums, and mobile home community. Land uses to the east and south are designated as light industrial uses.

As the Project Site would not have a significant impact on agriculture and forestry uses, and considering the surrounding area does not include nor are adjacent to farmland or forest resources, and are zoned for urban uses, in conjunction with other cumulative projects, would not result in significant impacts to agriculture and forestry resources. Cumulative impacts to agriculture and forestry resources would be **less than significant**.

5.4.3 AIR QUALITY

Air pollution is largely a cumulative impact, which is measured cumulatively by the air basin. The Project is located within the SDAB and the SDAB is considered the cumulative air quality study area. All of the cumulative projects provided in **Table 5.3-1** are within the SDAB.

The portion of the SDAB where the Project is located is designated as nonattainment for federal and state O_3 , and for state particulate matter (PM_{10} and $PM_{2.5}$). The 2016 RAQS and the SIP have been developed to reduce these emissions. These plans address measures for future attainment of ambient air quality standards. Based on these considerations, project-level thresholds of significance for criteria pollutants are relevant in the determination of whether a project's individual emissions would have a cumulatively significant impact on air quality.

As discussed in Chapter 4.4 *Air Quality*, Project construction emissions would not exceed SDAPCD thresholds for any pollutant and would not result in a considerable net increase of any criteria pollutant for which the Project region is non-attainment. Project operational emissions would not exceed SDAPCD thresholds for any pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard (PM_{10} , $PM_{2.5}$ or O_3).

The Project has the potential to result in construction health risks related to the release of LBP and ACMs. The Project would disturb LBP-containing materials through the removal and disposal of materials from existing structures onsite which has the potential to cause a health hazard. Project construction would require the removal and disposal of onsite buildings that have the potential to disturb ACMs, which has the potential to cause adverse health effects. Project construction would require the removal and disposal of irrigation pumps potentially containing ACMs which has the potential to cause adverse health and environmental effects. However, implementation of mitigation measures MM-HAZ-1 through MM-HAZ-3 would reduce impacts related to exposure of LBP and ACMs to sensitive receptors to level below significance. Impacts related to LBP and ACMs would be site specific and would be analyzed on a project-by-project basis. Cumulative projects that have the potential to disrupt LBP and ACMs as a result of demolition would be required to handle hazardous materials consistent with state and local requirements. Therefore, the Project's cumulative impacts on air quality would be **less than significant**.

For the SDAB, the RAQS serves as the long-term regional air quality planning document for the purpose of assessing cumulative operational emissions of the basin to ensure the SDAB continues to make progress toward the NAAQS and the CAAQS attainment status. Cumulative projects located in the San Diego region would have the potential to result in a cumulative impact to air quality if, in combination, they would conflict with or obstruct implementation of the RAQS. Similarly, individual projects that are inconsistent with the regional planning documents upon which the RAQS is based, would have the potential to result in cumulative operational impacts if they represent development and population increases beyond regional projections.

The expected construction emissions for a project under the existing zoning and land use would be greater compared to emissions generated by the Project. The Project would therefore be considered less intense than a project under the existing zoning and land use. Existing zoning of the Project Site as LI, which has a FAR of 1.0, could result in a project as large as 1,000,000 SF under the existing zoning and General

Plan designation. Based on the medium density residential building types provided in the PBDP, the FAR for the Project under any of the probable medium density residential building types would not exceed 1.0.

Therefore, expected construction emissions for a project under the existing zoning and land use would be greater compared to emissions generated by the Project. The Project would therefore be considered less intense than a project under the existing zoning and land use. Because the RAQS would be based on the existing land use and zoning of the Project Site, and because the Project would be considered less intense than a project under the existing zoning and land use designation, the Project would not create more growth than projected by SANDAG and would not conflict with the SIP and RAQS.

Because the RAQS would be based on the existing land use and zoning of the Project Site, and because the Project would be considered less intense than a project under the existing zoning and land use designation, the Project would not create more growth than projected by SANDAG and would not conflict with the SIP and RAQS. As a result, the Project would not have a cumulatively considerable contribution to regional O₃ concentrations or other criterial pollutant emissions. Cumulative impacts to air quality would be **less than significant**.

5.4.4 BIOLOGICAL RESOURCES

Cumulative biological resources impacts consider the potential regional effects of a project and how a project may affect an ecosystem or one of its members beyond the project limits and on a regional scale. The cumulative biological study area consists of the City within the North County MHCP as it represents the regional area with similar habitats and species as the Project Site.

As discussed in Chapter 4.5 *Biological Resources*, the Project would result in potentially significant impacts related to MBTA-covered bird species which have the potential to occur onsite. The Project would implement mitigation measure MM-BIO-1 which would require educational tools to identify and protect raptor nests and requires construction activities to occur outside of the avian breeding season and provides requirements for pre-construction surveys if construction must occur during the breeding season (February 15 to August 31 or sooner if a qualified biologist demonstrates to the satisfaction of the Wildlife Agencies that all nesting is complete). Implementation of mitigation measure MM-BIO-1 would reduce impacts to a level below significance.

Some of the cumulative projects could result in impacts to biological resources, however, all cumulative projects within the study area and within the City would be subject to conform to existing regulations including the MHCP and Subarea Plan with respect to avoidance, minimization and mitigation of impacts to sensitive biological resources. Therefore, the Project's contribution to cumulative impacts to biological resources would be **less than significant**.

5.4.5 CULTURAL RESOURCES

Historic Resources

Considering the historical uses of the Project Site are limited to local relevance and do not rise to the regional level, the historic resources cumulative study area is limited to the City.

As discussed in Chapter 4.6 *Cultural Resources*, three (3) historic residences (P-37-038464, P-37-038465 and P-37-038469) were recorded as a result of the field survey. However, none of the three (3) historic residences found on the Project Site meet the criteria for eligibility for the California Register of Historic Resources per the California Code of Regulations (CCR) Section 15064.5.

A one-mile radius record search was conducted by the SCIC. Ninety-two (92) cultural resources studies have been conducted within the one-mile radius of the Project Site. Five (5) are located in close proximity to the Project Site but had negative results. These archaeological and cultural studies have resulted in the recordation of 24 cultural resources, none of which were recorded within the Project Site. The Project would not contribute to a cumulative significant historical resources impact. **No cumulative impact** to historical resources would occur as a result of the Project.

Archaeological Resources

Cumulative projects may potentially impact archaeological resources due to ground disturbing activities as a result of project development within the City and in nearby areas. The cumulative study area would consist of the coastal northern portion of the County within the Luiseño and Kumeyaay Native American traditional cultural boundaries.

The record search results indicate that many sensitive archaeological sites are associated with the Mission San Luis Rey and surrounding area of approximately 0.5 mile on the south side of the San Luis Rey River. There are no archaeological resources recorded closer than 0.4 mile to the Project Site.

Three (3) isolated prehistoric artifacts (P-37-038466, P-37-038467 and P-37-038468) were recorded as a result of the archaeological field survey. Surface observations during the archaeological field survey were sufficient to conclude that the isolates in their disturbed context lack sufficient data potential and integrity to address important research questions, and therefore do not meet the criteria for eligibility for the California Register of Historical Resources per CCR Section 15064.5. No cultural resources which qualify as unique archaeological resources were found on the Project Site. However, due to the location of the Project Site on an alluvial terrace associated with the San Luis Rey River and due to the occurrence of three (3) isolated prehistoric artifacts during the field survey, construction activities, including ground disturbing activities have the potential to cause an adverse change in the significance of an archaeological resource should they be located on the Project Site.

The Project would implement mitigation measures MM-CUL-1a through MM-CUL-1h requiring a qualified Archaeologist and Luiseño Native American Monitor to be present during all ground disturbing activities in order to reduce potentially significant impacts to archaeological resources to below a level of significance.

Identification of cultural resources within the area of potential effects (APE) and mitigation of potentially significant adverse impacts would be handled on a project-by-project basis. It is presumed that all reasonably foreseeable cumulative projects would be required to conform to existing regulations with respect to avoidance, minimization, and mitigation of impacts similar to the Project. Therefore, impacts would be assessed and mitigated pursuant to CEQA, and those projects within the City's jurisdiction would be reviewed by the City's project review and approval process. Consistent with CEQA and other applicable laws, monitoring programs would be required for all cumulative projects with potential to impact archaeological resources. The Project's contribution to the cumulative loss of archaeological resources would be **less than significant**.

Human Remains

Cumulative projects located in the region would have the potential to result in impacts associated with human remains due to grading, excavation or other ground-disturbing activities. The Project requires ground disturbing construction activities that have the potential to disturb human remains. The Project would implement mitigation measure MM-CUL-2 for compliance with Section 7050.5 of the California Health and Safety Code and California Public Resources Code Section 5097.98 for requirements in the

event of discovery of human remains including determination for the MLD. Impacts would be reduced to a level below significance with implementation of this mitigation measure. Cumulative projects would also be subject to compliance with the California Health and Safety Code and California Public Resources Codes and cumulative impacts to human remains would be **less than significant**.

5.4.6 ENERGY

Potential cumulative impacts to energy would result if the proposed Project, in combination with past, present, and future projects, would result in the wasteful or inefficient use of energy. This could result from development that would not incorporate sufficient building energy efficiency features, would not achieve building energy efficiency standards, or would result in the unnecessary use of energy during construction and/or operation.

The cumulative projects within the areas serviced by the energy service providers would be applicable to this analysis. All projects listed in **Table 5.3-1** are within the service area of SDG&E and therefore are applicable to this cumulative analysis. Projects that include development of large buildings or other structures that would have the potential to consume energy in an inefficient manner would have the potential to contribute to a cumulative impact.

Construction phases anticipated to occur are demolition, site preparation, grading, paving, building construction and architectural coating. Heavy-duty construction equipment associated with construction activities would rely on diesel fuel to power off-road construction vehicles and equipment as well as construction worker vehicles and delivery and haul trucks. Electricity associated with the conveyance of water would be used during Project construction for dust control and electricity used to power lighting, electronic equipment, or other construction activities necessitating electrical power. The Project would also result in electricity used in the production of construction materials such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass.

The electricity used for such activities would be less than that required during operation of the Project, would be temporary and would have a minimal contribution to the Project's overall energy consumption. Construction of the Project would not typically involve the consumption of natural gas.

As described in Chapter 4.7 *Energy*, the Project would not involve wasteful, inefficient, or unnecessary use of energy and would comply with all applicable 2019 Title 24 Part 6 Building Efficiency Standards. Additionally, Project design features have been incorporated into the Project in order to reduce energy usage associated with operation of the Project.

The Project would use approximately 1,749,050 kWh of electricity per year. Under the current land use designation for the Project Site as LI, an industrial facility of approximately 1,000,000 SF could be developed on the Project Site. A facility of this size, incorporating the same Project design features as the Project, would use approximately 6,470,500 kWh/ year. The Project is located in a developed area and would consume electricity similarly to that of the existing medium density residential land uses located to the north and northwest of the Project Site. Overall, the Project would not result in excessive electricity usage and would not contribute to a cumulative energy use impact.

Cumulative projects would be subject to applicable Title 24 and CALGreen requirements similar to the Project, which includes energy efficiency standards to minimize the wasteful and inefficient use of energy. In consideration of cumulative energy use, the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Thus, the Project would not contribute to a cumulative impact to the wasteful or inefficient use of energy. A **less than significant** cumulative impact would occur.

5.4.7 GEOLOGY AND SOILS

Due to the nature of geology and soils, geologic and soils impacts are limited to a localized area. The cumulative geologic study area would be limited to the Project Site and immediately surrounding properties.

The nearest cumulative project is the Rio Rockwell project located at Old Grove Road and Frazee Road, approximately 0.3 mile south of the epicenter of the Project Site. The Rio Rockwell project would be conditioned to comply with the CBC for provisions relating to preparation of geotechnical reports, structure design and specific provisions for structures in seismic zones. Compliance with project-specific geotechnical reports and CBC regulations would reduce potential impacts related to geology and soils to a level below significance.

The Project would result in potentially significant impacts related to strong seismic ground shaking, seismic-related ground failure, unstable geologic unit or soil and soil erosion. The Project would implement mitigation measures MM-GEO-1 and MM-HYDRO-1a through MM-HYDRO-1c which would reduce impacts to a level below significance. Therefore, cumulative impacts to geology and soils would be **less than significant**.

The Project would result in potentially significant impacts related to paleontological resources as the Project Site contains Paleistocene river terrace deposits and Quaternary river deposits onsite which have the potential to consist of paleontological resources. Project construction has the potential to uncover such resources during grading and excavation activities. The Project would implement mitigation measures MM-GEO-3a and MM-GEO-3b which requires a qualified paleontologist to prepare and implement a PRIMP and provide construction monitoring and impacts would be reduced to less than significant levels.

Cumulative impacts for the Rio Rockwell project would also be subject to CEQA and CEQA Guidelines and would be required to implement similar mitigation in order to reduce potential impacts related to paleontological resources. Project contribution to cumulative paleontological resources would be **less than significant**.

5.4.8 GREENHOUSE GAS EMISSIONS

Due to the global nature of the assessment of GHG and the effects of global climate change, impacts can currently only be analyzed from a cumulative impact context and therefore, this EIR analysis in Chapter 4.9 *Greenhouse Gas Emissions*, includes the assessment of both Project and cumulative impacts. Under CEQA a project would have a significant cumulative impact caused by the combined impact of past, present, and probable future projects if its incremental impact represents a “cumulatively considerable” contribution to such cumulative impacts (CEQA Guidelines Section 15064(h)).

Construction of the Project would result in GHG emissions primarily associated with the use of off-road construction equipment, on-road hauling, vendor trucks and worker vehicle trips. GHG emissions generated during construction of the Project would be short-term in nature and would not represent a long-term source of GHG emissions.

The Project would generate operational GHG emissions from area sources, energy sources, mobile sources and water supply and wastewater treatment, and solid waste. The Project would generate 3,172.26 MT CO₂E annually which includes Project design features and includes the combined operational and construction GHG emissions over a 30-year period.

Projects that generate emissions exceeding 900 MT CO₂E must comply with the following threshold of significance for new development. Projects within the City that are to be implemented by year 2025 are required to meet an efficiency metric threshold of 3.5 MT CO₂E/SP. The Project would have a projected GHG emission rate of 2.72 MT CO₂E/SP (or 3,172.26 MT CO₂E / 1,168 persons). Based on this, the Project would generate fewer emissions than the City's specific localized efficiency metric threshold of 3.5 MT CO₂E/SP. The Project would not generate a significant impact to GHG emissions and thus, would have a **less than significant cumulative impact** to GHG emissions.

The Project, as a less intense use compared to the existing land use designation, would result in GHG emissions that are approximately 50% less than the GHG emissions generated by a project under the existing use of the site as LI.

In accordance with the Land Use Element policies related to bicycle and pedestrian facilities, the Project would provide access to the existing Class 2 bike lane located at North River Road along the Project frontage. As part of the conditions of approval for the Project, the Project would develop and/or promote bicycle usage through a bike share program to help reduce vehicle usage and demand for parking by providing users with on-demand access to bikes for short-term rental, contribute to electric bicycle charging stations, contribute to bicycle infrastructure improvements, and disseminate a bicycle riders guide to make it easier for people to bike and walk to work. The Project would provide pedestrian improvements such as a connection from the Project Site to the north side of the San Luis Rey River trail to encourage residents to walk by providing mapped walking routes and promote walking groups.

As a Project design feature, the Project would exclusively utilize high-efficiency indoor and outdoor LED lighting for all proposed buildings. The Project would also contribute to waste diversion by providing separate waste containers for simplified material separations and would provide green waste collection that would be diverted from landfills and recycled as mulch. The Project would not include the use of any wood burning hearths and would use natural gas hearths only where applicable. Low Flow water fixtures would be installed in all residential units. Tier 4 construction equipment would be utilized which refers to the latest emission milestone by the U.S. EPA and CARB which applies to new engines found in off-road equipment including construction equipment. The Project would not conflict with the policies of the Land Use and ECAE Elements of the General Plan.

Project design features discussed previously are included as part of the Project to address the requirements of the CAP and will be a requirement of Project implementation. Therefore, the Project would be in compliance with the City's CAP and the Project would not generate a significant impact to GHG emissions. The Project would not exceed the City's CAP threshold of 3.5 MT CO₂E/SP for projects that will be implemented prior to year 2025 and therefore would be in compliance with the City's CAP which was prepared in accordance with SB 32 and EO S-3-05. Therefore, the Project would not conflict with an applicable plan adopted for the purpose of reducing GHG emissions at regional and state levels, and plan consistency impacts would have a **less than significant cumulative impact**.

5.4.9 HAZARDS AND HAZARDOUS MATERIALS

Cumulative impacts related to hazards and hazardous materials would result from projects that combine to increase exposure to hazards and hazardous materials. Therefore, the geographic context considered for potential cumulative impacts related to hazards and hazardous materials is localized and limited to the immediate surrounding area. As shown in **Figure 2.3-1** the Rio Rockwell project is the nearest cumulative project and is located at Old Grove Road and Frazee Road, approximately 0.3 mile south of the epicenter of the Project Site.

Construction of the Project would entail routine transport of typical construction materials potentially hazardous to humans, wildlife, and sensitive environments. These materials could include gasoline, diesel fuel, used oil, solvents, cleaners, lead paint debris, concrete, asphalt, lubricants, and other petroleum-based products used for the operation and maintenance of construction equipment and vehicles. Handling of these hazardous materials would be temporary in nature, and limited to quantities and concentrations consistent with construction of a typical infill residential development of this size.

BMPs such as proper and clear labeling of chemicals, storage in approved containers, preparation of an accidental release plan, and compliance with hazardous materials handling protocols would be prepared and implemented to ensure safe storage, handling, transport, use and disposal of all hazardous materials during the construction phase of the Project, in compliance with all applicable laws, ordinances, rules, regulations, and orders. The construction Contractor would ensure hazardous waste generated is properly disposed by a California registered hazardous waste hauler.

Construction of the Project has the potential to cause a significant impacts related to the transport, use and disposal of hazardous materials and release of hazardous materials. The Project would disturb LBP-containing materials through the demolition, removal and disposal of materials from existing structures onsite which has the potential to cause a health hazard (Impact HAZ-1). Project construction would require the demolition, removal and disposal of onsite buildings that have the potential to disturb ACMs, which has the potential to cause adverse health effects (Impact HAZ-2). Project construction would require the removal and disposal of irrigation pumps potentially containing ACMs which has the potential to cause adverse health and environmental effects (Impact HAZ-3). Soils shallower than 15 feet bgs have the potential to contain higher concentrations of petroleum hydrocarbon contaminants (Impact HAZ-4). The top three (3) feet of soils throughout the agricultural field portions of the western parcel have the potential to contain pesticides which have the potential to create a hazard to the public or the environment (Impact HAZ-5).

The Project would implement mitigation measures MM-HAZ-1 through MM-HAZ-5 which would require a Pre-Demolition LBP Survey; a Pre-Demolition ACM Survey; special handling, removal and disposal of transite pipes; excavation, characterization and proper disposal of soils within the areas of the diesel AST; and preparation of grading plans in order to address corrective grading onsite.

Operation of the Project would consist of the development of a maximum of 400 multi-family residential units. Depending on the residential building type, the development could contain a pool facility as part of the development. For the purposes of this EIR, a pool is included as part of the Project Description. No special status hazardous materials are proposed as part of the operation of the proposed future multi-family development. Hazardous materials used onsite would be limited to standard household cleaning supplies, maintenance and landscape care products, other household products, building materials such as paint, concrete, and asphalt, and similar substances. Cleaning and maintenance products associated with the onsite pool would also be used in limited quantities. These materials would be limited to private use of commercially available products. When used and disposed of in accordance with the manufacturer's instructions and applicable laws and regulations, these materials do not present a hazard to the environment.

Cumulative projects would be required to remediate any hazardous conditions that could combine with the less than significant hazards impacts of the Project. For example, the Rio Rockwell project would be subject to federal, state, and local regulations that avoid significant impacts related to hazardous materials. Therefore, the Project in conjunction with cumulative projects provided in **Table 5.3-1**, would result in a **less than significant cumulative impact** related hazards and hazardous materials.

As discussed in Chapter 4.10 *Hazards and Hazardous Materials*, the adopted emergency plans applicable to the Project area consist of the Multi-Jurisdictional Hazard Mitigation Plan for San Diego County, the San Diego County Emergency Operations Plan, and City Emergency Plan. Compliance of all OFD requirements would ensure the Project would not impair an adopted emergency response plan or emergency evacuation plan.

The Project would provide all required setbacks, fire truck access and turnarounds, fire hydrants, address numbers, sprinklers, Knox Box in accordance with the OFD requirements. EMS vehicles would utilize an OPTICOM system which is a traffic control system that provides a green light and intersection right-of-way to emergency vehicles. The Project would provide transportation improvements which would improve traffic in the vicinity and further improve emergency access and evacuation in the surrounding areas of the Project Site.

The Project would not impede the implementation of these plans, nor cumulatively combine with other proposed developments in a manner that would affect implementation of these plans. The Project would have a **less than significant cumulative impact** related to impairing implementation of or physically interfering with an adopted emergency response plan or emergency evacuation plan.

The Project Site is not located in a SRA as recognized by the Board of Forestry and Fire Protection as areas where CAL FIRE is the primary emergency response agency responsible for fire suppression and prevention. Additionally, the Project Site is not located in an area of “high” or “extreme” fire hazard as depicted in Figure PS-5 in the General Plan Public Safety Element. The Project is located within an urbanized and developed area of the City. The Project Site does not contain and is not adjacent to wildlands where there is risk for wildfire. The Project would not combine with any cumulative projects in a manner that would increase potential wildfire exposure. Therefore, cumulative impacts related to wildfires would be **less than significant**.

5.4.10 HYDROLOGY AND WATER QUALITY

As described in Section 4.11 *Hydrology and Water Quality*, the Project Site is located within the Mission Hydrologic Sub-Area 903.11 of the Lower San Luis HA 903.10 of the San Luis Rey HU. The cumulative study area for hydrology and water quality is the San Luis Rey HU/watershed. All of the projects listed in **Table 5.3-1** are located within the San Luis Rey watershed.

The San Luis Rey River and the Pacific Ocean, San Luis Rey River HU, at the San Luis Rey River mouth is listed on the SWRCB 303(d) list of impaired water bodies. This means that storm water runoff from the Project Site has the potential to impact these water bodies. Considering the downstream waters are impaired by the listed pollutants and the Project potential pollutants, the potential cumulative pollutants of concern are sediment, nutrients, heavy metals, organic compounds, trash and debris, oxygen demanding substances, oil and grease, bacteria and viruses, and pesticides.

Pollutant generation associated with construction and operational activities for the Project have the potential to violate a water quality standard or waste discharge requirement or otherwise substantially degrade surface or groundwater quality and a significant impact would occur (Impact HYDRO-1a). During construction, the Project has the potential to violate a water quality standard or waste discharge requirement (Impact HYDRO-1b). The Project would create impervious surfaces that have the potential to violate a water quality standard or waste discharge requirement, and would have a significant impact (Impact HYDRO-1c). The Project has the potential to result in exposed soils or changes in runoff that could result in erosion or siltation during the construction phase of the Project, and would have a significant impact (Impact HYDRO-1d).

Development of the Project Site would minimally alter the exiting drainage patterns onsite and would increase the amount of impervious surfaces contributing to changes in the amount of surface runoff, representing a significant impact (Impact HYDRO-2a). The increase in surface runoff has the potential to exceed the capacity of existing drainage systems, or provide additional sources of polluted runoff, representing a significant impact (Impact HYDRO-2b).

The Project would implement mitigation measures MM-HYDRO-1a through MM-HYDRO-1c and mitigation measure MM-HYDRO-2 to reduce potential impacts to water quality, erosion and surface runoff to a level below significance. Cumulative projects would similarly be required to comply with local, state and federal storm water regulations and would also be required to provide a SWQMP for operations and SWPPP for construction compliance for water quality. Therefore, the Project would result in a **less than significant cumulative impact** to hydrology and water quality.

The Project would not use groundwater during construction or operation of the Project, nor is the Project Site located within a basin that requires a designated groundwater sustainability plan. Thus, the Project would not contribute to any cumulative groundwater impacts and would have **no cumulative impact** related to groundwater.

5.4.11 LAND USE AND PLANNING

Although land use and planning impacts tend to be localized, and specific impacts are tied either directly or indirectly to specific action, the Project may have the potential to work in conjunction with other past, present, or future projects to either cause unintended land use impacts, such as a change in land use or increased growth that may result in more intensive land uses. Therefore, the geographic context for the cumulative land use and planning analysis is the policy area, which in this case is the City. Cumulative projects in the City are presented in **Table 5.3-1** and include a mix of commercial, residential and institutional projects of various sizes.

The Project and related cumulative projects in the immediate vicinity are subject to the goals and policies of General Plan and other planning documents, as applicable. As discussed in Chapter 4.12 *Land Use and Planning*, the Project would not divide an established community and therefore, in combination with other related cumulative projects, would not disrupt or divide the existing community.

Prior to approval, the Project and all related cumulative projects, must be found consistent with the City's General Plan and other applicable City planning documents including the Subarea Plan of the MHCP. The Project would require a General Plan Amendment to change the land use designation from LI to MDC-R and would require a Zone Amendment to change to the zoning designation from IL to RM-C, corresponding with the proposed land use designation.

General Plan – Land Use Element

The Project would introduce a new land use than what is currently provided by the City's General Plan land use as described. However, the Project would amend the General Plan by changing the existing land use designation to the proposed designations, which is processed concurrently with development of the proposed Project and associated discretionary Project approvals. Based on the concurrent process of amending the City's General Plan designations, if approved, the Project would be consistent with the General Plan Land Use Element policies. The General Plan Land Use Element provides objectives and policies related to general plan consistency, land use compatibility, medium density residential districts, residential enhancement and natural resource management. **Table 4.12-1** provides the City's applicable General Plan Land Use Element objectives and policies followed by a land use consistency analysis with regard to each policy. With future approval and adoption of the General Plan Amendment by City

Council, the proposed Project would not conflict with the City's General Plan with regard to allowable land uses.

The Project would not conflict with a General Plan Land Use Element policy. The cumulative projects which require General Plan amendments would also require approval by the City. Consistency with the City's applicable General Plan policies and other planning policies would ensure compliance and orderly development of the Project and other cumulative projects. Cumulative Project impacts related to compliance with a Land Use Element Policy would be **less than significant**.

General Plan – Circulation Element

The Project VMT analysis is presented in Section 4.18 *Transportation*; however, it is also summarized in the Land Use section Chapter 4.12 as it is linked to the Project's consistency with the City's VMT thresholds. A cumulative traffic impact analysis was conducted for the Project as part of the Local Transportation Study prepared by LOS Engineering, Inc. (**Appendix P**).

The Project is located in an area having a VMT per Capita by Census Tract at 92.7% of the regional mean and therefore the Project exceeds the 85% significance threshold and is considered to have a significant impact on transportation VMT. The Project exceeds the VMT threshold by 7.8% (**Impact LU-1**). Therefore, the Project would exceed the thresholds adopted by the City for VMT per capita.

The Project would implement mitigation measures MM-TRANSP0-1 and MM-TRANSP0-2 which are VMT reduction measures. Implementation of these reduction measures would reduce transportation impacts to 83.4% which is below the 85% threshold, and therefore impacts would be reduced to a level below significance. Cumulative impacts to a transportation policy would be **less than significant**.

Multiple Habitat Conservation Plan and Subarea Plan

Although the Project was designed to comply with the measures outlined in the MHCP and the Subarea Plan, the Project has the potential to result in significant impacts to MBTA-covered bird species which have the potential to occur onsite and the Project has the potential to impact MBTA-covered species. The Project would implement mitigation measure MM-BIO-1 which requires educational tools to identify and protect raptor nests and requires construction activities including clearing and grubbing to occur outside the avian breeding season and requirements for pre-construction surveys if construction must occur during the breeding season. Implementation of mitigation measure MM-BIO-1 would reduce impacts to a level below significance. As stated in Section 5.4.4, all cumulative projects within the Project Area and within the City would be subject to conform to existing regulations including the MHCP and Subarea Plan with respect to avoidance, minimization and mitigation of impacts to sensitive biological resources. Therefore, the Project's contribution to cumulative impacts to the Subarea Plan would be **less than significant**.

SDAPCD Rules and Regulations

The Project has the potential to conflict with the SDAPCD Rules and Regulations related to construction health risks. The Project would disturb LBP-containing materials and ACMs within existing buildings and irrigation pumps. Implementation of mitigation measures MM-HAZ-1 through MM-HAZ-3 would reduce impacts to a level below significance. Cumulative projects would also be subject to compliance with local air quality plans and cumulative impacts related to compliance with a local air quality plan would be **less than significant**.

5.4.12 MINERAL RESOURCES

As discussed in Chapter 4.13 *Mineral Resources*, the Project Site is designated as MRZ-2 under the County of San Diego Guidelines for Determining Significance – Mineral Resources, indicating that adequate information exists to suggest that significant mineral deposits are present or that it is determined that a high likelihood of their presence exists. The eastern parcel is underlain by terrace deposits and alluvium. Terrace deposits exist onsite at shallow depths and consist of sandstone in cemented and dense conditions. The western parcel was found to be underlain by artificial fill, alluvium, and old paralac deposits in the topsoil.

The City's Environmental Resource Management Element of the General Plan describes silica sand, primarily used in glass manufacturing, as the significant mineral deposit that is currently being extracted. As outlined in the Geotechnical Investigations performed for the east and western parcels, silica sand does not underlie the Project Site. Furthermore, the current Project Site does not include an operating mine nor would the Project Site be large enough to support a mine or quarry. Additionally, the Project Site is located in a developed portion of the City and is not zoned for such activities. Though the Project Site is located in an area designated as MRZ-2, there is no evidence of mineral deposits that are minable, process-able, and marketable under the technologic and economic conditions that exist at present, estimated to exist in the next 50 years, or meets/exceeds the minimum monetary values.

Therefore, the Project would have a less than significant impact to known mineral resources of value and would not result in the loss of availability of locally-important mineral resources recovery sites. The Project would not contribute to a cumulatively considerable impact on mineral resources. A **less than significant cumulative impact** to mineral resources would occur.

5.4.13 NOISE

Construction Noise

Construction noise is short-term in nature and varies from hour to hour and day to day, depending on the equipment in use, the operations performed, and the distance between the source and receptor. Demolition, site preparation and grading would take place over approximately five (5) months total. Grading activities typically represent one of the highest sources of noise impacts.

The nearest sensitive receptors are the single-family residences located directly to the west of the Project Site, with the nearest residence approximately 20 feet from the Project Site Boundary to the edge of residence. Due to physical constraints of the Project Site and procedures for normal site preparation operations, most of the equipment and construction activities would be spread out over the site rather than at the Project Site boundary. The majority of the grading operations are anticipated to occur more than 200 feet from the nearest property lines.

None of the proposed construction equipment would exceed the City's 85 dBA standard for operation of construction equipment at 100 feet from the source. Additionally, the Project would not generate construction noise at or beyond the property lines at an average sound level greater than 75 dBA as provided by the City of San Diego and County of San Diego property line thresholds, which were used in absence of the City's property line standards for construction. Therefore, the Project would not generate a substantial temporary increase in ambient noise levels in excess of local standards.

The nearest cumulative project, Rio Rockwell, would also result in short-term construction noise. However, the Rio Rockwell project is located approximately 0.3 mile south, south of the San Luis Rey

River at Old Grove Road and Frazee Road. Due to distance, intervening topography and additional noise associated with vehicles traveling along North River Road, it is not likely that construction noise from the proposed 78-unit residential development and the proposed future multi-family development would be heard cumulatively. Therefore, the Project would result in an increase in property line noise levels during construction but would result in a **less than significant cumulative impact** to construction noise.

Operational Noise

As operational stationary noise is measured at the property line of receiving locations and is based on onsite noise generation only, operational stationary noise impacts would not be cumulative in nature. As detailed in Section 4.14 *Noise*, noise generated from residential uses are generally from sources such as amplified music, barking dogs, garbage trucks, and landscape maintenance equipment that may be disturbing to other residents. Other noise generated specifically from the Project would be from the onsite pool equipment and usage and HVAC systems. Noise impacts are more likely to occur in the more densely developed areas of the Project Site where residences would be closer together and neighbors would be more likely to hear a neighbor's dog or music.

Maintenance activities are permitted uses and would be subject to the daytime one-hour L_{eq} noise limits in residential neighborhoods, which would be 50 dBA during the hours of 7:00 AM to 9:59 PM for medium density residential land uses. Maintenance equipment would not be operating at any one location for more than a few minutes and it is not likely that the equipment would be operating all at the same time. Operation of maintenance equipment would generally not exceed the hourly noise level limit at adjacent residential receptors and a less than significant impact is anticipated.

The Project Site is surrounded primarily by various residential uses including single-family residences, multi-family apartments and condominiums, mobile home community, and light industrial uses. Noise produced by the nearby uses would be similar to that of the proposed Project. Therefore, residential activities associated with Project operation would not generate a substantial permanent increase in ambient noise levels in the vicinity of the Project in excess of local standards.

The primary source of noise impacts to the Project Site is from vehicular noise from North River Road. Based on the increased distance from the roadway due to setbacks and distance from North River Road, the noise level would be reduced to a worst-case exterior noise level of 71.4 dBA CNEL. Based on these findings, the Project's worst-case onsite noise levels from the adjacent roadways would exceed the City's 65 dBA noise standard, resulting in a significant impact (Impact NOI-1a). The Project would exceed building façade noise levels of 60 dBA CNEL and has the potential to exceed interior noise levels (Impact NOI-1b).

The Project would implement mitigation measures MM-NOI-1a and MM-NOI-1b which would require construction of a 7-foot noise barrier at the top of the slope of the northern boundary of the Project Site along North River Road in order to reduce noise levels for residences located adjacent to the roadway. Additionally, the Project would conduct a final interior noise assessment to ensure a 45 dBA CNEL interior noise level. Noise impacts would be reduced to a level below significance. Therefore, the operational noise associated with the Project would not be cumulatively considerable and would have a **less than significant cumulative impact**.

5.4.14 POPULATION AND HOUSING

The geographic context for the analysis of cumulative impacts associated with population and housing consists of the City. Population and housing within the City is guided by the General Plan and RHNA. Cumulative projects in the City are presented in **Table 5.3-1** and include a mix of commercial, residential and institutional projects of various sizes.

As discussed in Chapter 4.15 *Population and Housing*, the Project would establish a PBD Overlay District to allow for the future development of medium density residential housing and would require a General Plan Amendment and Zone Amendment to revise the land use and zoning designations from LI and IL to MDC-R and RM-C respectively. Although the Project would promote a residential development on a site with existing land use and zoning designations for light industrial uses, the Project would provide for medium density residential in-fill development surrounded by properties primarily with residential use and would provide a transition between both residential and industrial uses. Alternatively, development of the site to the fullest potential as a light industrial use would not be compatible with the surrounding residential development.

The Project would result in an incremental increase in demand of water and wastewater services and facilities. The Project's incremental increase in demand for water, wastewater, electrical and natural gas services, the proposed utility service connections and contributions to the shared costs for potential modifications to the North Valley Sewer Lift Station are not considered to be growth-inducing.

The Project would not construct any new public roadways which have the potential to further induce growth. Internal roadways would be provided throughout the multi-family development to provide access to the residential buildings from parking areas and the surrounding public roadways. The future internal roadways would be sized to adequately serve the Project and would not act as alternative routes through the surrounding area. Besides North River Road, the roadways surrounding the Project Site such as Calle Joven and Calle Montecito are local streets that are designed to accommodate a low level of traffic generated within the Project.

The Project would not provide any widening improvements along North River Road but would provide sidewalk improvements along the Project frontage. Additionally, the Project would install a traffic signal at North River Road and Riverview Way at the Project frontage. The Project would contribute its fair share to other traffic improvements and contribute towards design and implementation of adaptive traffic signals in the surrounding area. Such improvements are provided as part of the Project description (**Table 3.5-4**) and are further discussed in Section 4.18 *Transportation*. These mitigation measures are provided within the City's MTP Traffic Impact Analysis and are planned for in the City's General Plan and would therefore not be considered growth inducing cause by the Project.

Development of the site with 400 multi-family units would result in approximately 1,168 people residing within the Project Site. Although the Project would be consistent with the surrounding residential uses in the area, the increase in the number of people and development in the area has the potential to adversely affect the physical environment. The associated environmental impacts have been identified and evaluated in Chapters 4.0 through 4.21 of this EIR. As documented in this EIR, the Project's projected population would result in significant impacts to air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, transportation and tribal cultural resources. Mitigation measures MM-BIO-1, MM-CUL1a through MM-CUL1h, MM-CUL-2, MM-GEO1, MM-GEO-3a through MM-GEO-3b, MM-HAZ-1 through MM-HAZ-5, MM-HYDRO-1a through MM-HYDRO-1c, MM-HYDRO-2, MM-NOI-1a and MM-NOI-1b, and MM-TRANSP0-1 and MM-TRANSP0-2 which are provided in this EIR would be implemented in order to reduce these significant impacts to a level below significance.

There are no components of the Project that would remove obstacles to development in the surrounding area, as the majority of lands surrounding the Project Site are developed with urban uses, are in the process of being developed, or are planned as open space. No impact to population growth would result from any Project-related improvements as these improvements would not induce substantial growth on the surrounding area.

Although a total of three (3) residential structures exist within the Project Site, only one (1) of the structures is occupied by residents while the other two (2) are clearly vacant and in poor condition. Development of the Project would result in the demolition of this occupied residence; however, the Project would construct up to 400 new medium density residential units which offsets the loss of this one (1) unit. Therefore, the Project would not displace a substantial number of existing people or housing, necessitating the construction of replacement housing elsewhere. The Project would not induce substantial unplanned growth in the City and would have a **less than significant cumulative impact**.

5.4.15 PUBLIC SERVICES

The geographic context for the analysis of cumulative impacts associated with public services consists of the City, since fire protection, police protection, recreation and other public services are provided directly by the City, and school services are provided by Oceanside Unified School District within the City. Cumulative projects in the City are presented in **Table 5.3-1** and include a mix of commercial, residential and institutional projects of various sizes.

The Project would establish a PBD Overlay District to allow for the future development of medium density residential housing and would require a General Plan Amendment and Zone Amendment to revise the land use and zoning designations from LI and IL to MDC-R and RM-C respectively. Although the Project would promote a residential development on a site with existing land use and zoning designations for light industrial uses, the Project would provide for medium density residential in-fill development surrounded by properties primarily with residential use and would provide a transition between both residential and industrial uses.

As discussed in Chapter 4.16 *Public Services*, the Project would contribute all required development impact fees in accordance with the City's current requirements, a portion of which would go towards funding future public service improvements via the City's capital improvement program. This program is intended to address the incremental increase in demand for public services such as police, fire, recreation, and libraries generated by new development. While the Project would contribute to the cumulative demand for public services, the Project would provide development impact fees intended to offset this demand and would not lead to significant physical environmental effects.

Other cumulative projects would result in an increase in demand on police and fire services and the cumulative projects that include a residential component (Rio Rockwell, Villas at Mission San Luis Rey, Villa Stora, Ocean Kamp, Ocean Pointe, and Rancho Vista) would result in an increase in demand for school services and park and recreation services. The cumulative projects would be subject to the same development fees which would offset the increase in demand for these services, therefore, the Project would not result in a cumulatively considerable impact to public services and impacts would be **less than significant**.

5.4.16 RECREATION

The geographic context for the analysis of cumulative impacts associated with recreation consists of the City because recreational facilities are provided by the City. Cumulative projects in the City are presented in **Table 5.3-1** and include a mix of commercial, residential and institutional projects of various sizes.

As required by Section 1050 (Q) (Usable Open Space) of the Zoning Ordinance, the Project would include 350 SF of usable open space per unit. With the maximum development of 400 dwelling units, approximately 140,000 SF of usable open space would be provided within the development of the Project. Additionally, pedestrian amenities would be provided throughout the development such as gathering

areas, benches and seating, water features and shaded areas. Internal streets with sidewalks would be designed to promote pedestrian activity within the development. Enhanced pedestrian circulation would provide access and connections to internal walkways, patios, and open space systems, including a connection to the San Luis Rey River trail located south of the Project Site.

Depending on the residential building type for the proposed medium density residential development, the development could contain an onsite pool facility and associated amenities and structures. For the purpose of this EIR, a pool is included as part of the Project Description.

The future medium density residential development under the PBD Overlay District would likely result in an increased use of existing neighborhood and regional parks and recreational facilities. However, the Project would be required to contribute to all required development impact fees related to parks at a cost of \$4,431 per residential unit in accordance with the City's Impact Fee Schedule. Payment of these fees would offset the potential increase in usage and demand placed on existing public recreational facilities as a result of the Project. Impact fees for parks are used for creating, rehabilitating, or expanding recreational facilities to meet the demand of new residents to the City.

The Project would include open space and recreational amenities as part of the Project footprint, and all impacts associated with development of the Project and associated facilities are included within the environmental analysis of this EIR and are not expected to have adverse impacts beyond those provided in this EIR. The Project would not include recreational facilities or require the expansion of recreational facilities which might have an adverse physical effect on the environment.

Other cumulative projects that include a residential component (Rio Rockwell, Villas at Mission San Luis Rey, Villa Storaia, Ocean Kamp, Ocean Pointe, and Rancho Vista) would result in an increase in demand for recreation services. The cumulative projects would be subject to the same development fees and subject to environmental review and therefore, impacts would not be cumulatively considerable. The Project's cumulative impact to recreation would be **less than significant**.

5.4.17 TRANSPORTATION

A Local Transportation Study (**Appendix P**) and Vehicle Miles Traveled Analysis (**Appendix Q**) were prepared by LOS Engineering, Inc. The VMT Analysis is required to satisfy the CEQA Guidelines requirement for utilizing VMT as the measure of effectiveness for determining transportation impacts. The Local Transportation Study (LTS) includes the analysis to determine traffic effects as a result of the Project that would justify any roadway improvements or fair share participation.

The Project would provide roadway improvements and fair share contributions as part of the Project to alleviate traffic on the surrounding roadways. **Table 3.5-4** provides a list of the project improvements and contributions.

Table 4.18-3 provides the Project's consistency with applicable policies and implementation strategies provided in the Circulation Element Master Transportation Roadway Plan. The Project would not conflict with a Circulation Element policy and impacts would be less than significant. Cumulative projects would provide roadway improvements and contributions as required on a project-by-project basis and would be required to analyze the project's consistency with the City's Circulation Element. The Project would not contribute to a cumulative transportation impact related to plan or policy inconsistency and cumulative impacts would be **less than significant**.

Multi-Modal Transportation

Chapter 2.0 of the Local Transportation Study (**Appendix P**) provides an analysis of alternative transportation modes including pedestrian, bicycle, and transit and evaluates their opportunities and deficiencies.

The Project would construct sidewalks along the Project frontage adjacent to the public streets. With these improvements, the pedestrian infrastructure from the Project access points extending to the nearest intersection with a classified roadway or 0.5 mile walking distance, did not have any deficiencies, path obstructions, or missing sidewalk segments for the study area on the same street side as the Project. However, there is a missing sidewalk on the north side of North River Road between Calle Montecito and Redondo Drive. Additionally, the Project would provide pedestrian improvements with connections from the Project Site to the north side of the San Luis Rey River trail.

North River Road from Douglas Drive to roughly the driveway of the OFD Station #5 has an existing Class 2 bike lane as shown in the City of Oceanside Bicycle Master Plan 2017 Update. No bicycle infrastructure improvements are required as part of the Project.

The closest bus stop west of the Project Site is located on North River Road at Avenida Descanso. The closest bus stop east of the Project Site is located on North River Road at Calle Montecito. Both bus stops include a bench and are in good condition. No transit improvements are required as part of the Project.

Cumulative projects would be subject to the analysis of multi-modal transportation and an evaluation of their opportunities and deficiencies. Cumulative projects would provide improvements so such multi-modal facilities as required on a project-by-project basis. The Project would not conflict with the City's General Plan Circulation Element or other plans related to multi-modal transportation systems. The Project would not conflict with a program, plan, ordinance or policy addressing the circulation system including transit, bicycle and pedestrian facilities. The Project would not contribute to a cumulative transportation impact related to plan or policy inconsistency and cumulative impacts would be **less than significant**.

Vehicle Miles Traveled Analysis

A Vehicle Miles Traveled Analysis is provided as **Appendix Q** of this EIR. The Project would provide a maximum of 400 multi-family residential units and is calculated to generate 3,200 ADT and is therefore required to prepare a VMT analysis.

The Project is located in an area having a VMT per Capita by Census Tract at 92.7% of the regional mean and therefore the Project exceeds the 85% significance threshold by 7.8% and is considered to have a significant impact on transportation VMT (Impact TRANSP-1). The Project would implement mitigation measures MM-TRANSP-1 and MM-TRANSP-2 which would implement VMT reduction measures consistent with the CAPCOA measures LUT-1 and SDT-1. Section 4.18.6 provides the analysis for calculating the Project's overall VMT percent reduction. With implementation of mitigation measures MM-TRANSP-1 and MM-TRANSP-2, the Project would have a reduced VMT rate of 83.4% which is below the 85% threshold. Therefore, the Project would have a **less than significant** cumulative impact related to VMT.

5.4.18 TRIBAL CULTURAL RESOURCES

A cumulative impact, in terms of tribal cultural resources, refers to the mounting aggregate effect upon tribal cultural resources due to modern or recent historic land use, such as residential development, and natural processes, such as erosion, that result from acts of humankind. The issue that must be explored in

a cumulative impact analysis is the aggregate loss of tribal cultural resources, including impacts to Traditional Cultural Places.

Historic Resources

As described in the Archaeological Survey and Assessment Report (**Appendix I**) and Chapter 4.19 *Tribal Cultural Resources*, three (3) historic residences (P-37-038464, P-37-038465 and P-37-038469) and three (3) isolated prehistoric artifacts were recorded as a result of the field survey. All discoveries were documented on appropriate DPR523 Resource Record Forms and included in the Archaeological Survey Assessment. Following historical research, an onsite field survey, and archaeological and structural resource documentation and assessment, it was concluded that none of the cultural resources found on the Project Site meet the criteria for eligibility for the California Register of Historical Resources.

No cultural resources which qualify as unique historical resources were found on the Project Site. However, because the Project Site is located on an alluvial terrace associated with the San Luis Rey River and because three (3) isolated prehistoric artifacts were discovered during the field survey, construction activities, including ground disturbing activities have the potential to cause an adverse change in the significance of a tribal cultural resource.

The Project would implement mitigation measures related to cultural resources as identified in Chapter 4.6 *Cultural Resources* of this document. Mitigation measures MM-CUL-1a through MM-CUL-1h would require a Native American monitor to be present during initial ground disturbance within the Project area and would require specific protocols in the event of a discovery. Implementation of mitigation measures MM-CUL-1a through MM-CUL-1h would reduce impacts to below a level of significance. Cumulative projects would be subject to similar requirements and therefore the Project would have a **less than significant cumulative impact** to historic tribal resources.

Tribal Cultural Resources

Consultation and coordination indicated the Project Site to be located within the territory of the Luiseño people and is within the Rincon Band of Luiseño Indians (Rincon Band) specific area of historic interest. Embedded in the Luiseño territory are Rincon's history, culture and identity. The Rincon Band has knowledge of one Luiseño Traditional Cultural Place (TCP), *Tamiymay*, located within one half mile of the Project Site.

The San Luis Rey Band of Mission Indians identified the City, along with other cities located in northern San Diego County, as traditional and culturally affiliated territories. The tribe is determined in the preservation and protection of tribal cultural resources within all jurisdictions. The tribe has indicated that there is a multitude of tribal cultural resources and sacred places within the proposed Project area.

Considering this information, there is potential for the discovery of unknown tribal cultural resources during Project ground disturbing and grading activities. The Project has the potential to cause a substantial adverse change in the significance of a tribal cultural resource. The Project would implement mitigation measures MM-CUL-1a through MM-CUL-1h in order to reduce potential impacts to tribal cultural resources to a level below significance.

Cumulative projects would be subject to similar consultation and coordination efforts through the requirements of AB 52 with the project's culturally-affiliated tribes and would be required to implement mitigation measures, as needed to avoid impacts to tribal cultural resources. Therefore the Project would have a **less than significant cumulative impact** to tribal cultural resources.

(Additional information to be provided upon tribal consultation)

5.4.19 UTILITIES AND SERVICE SYSTEMS

The geographic context for the analysis of cumulative impacts associated with utilities and service systems consists of the City, because the City would provide utilities to the Project. Cumulative projects in the City are presented in **Table 5.3-1** and include a mix of commercial, residential and institutional projects of various sizes. The Project, along with all other cumulative projects within the City, would be subject to the City's current water and wastewater system capacity buy-in fees.

Water

The cumulative projects proposed in the City would result in an increase in water service demand. The Project Site would be served by the City of Oceanside Water Utilities Department. Water services are currently provided to the Project Site which has historically operated as a packing warehouse facility and office, with agricultural support activities and a single residence on the eastern parcel, and agricultural cultivation, warehouse operations and single-family residences on the western parcel. The proposed land use for the Project Site is MDC-R which would have a water demand factor of 3,000 gpd/ acre and would be expected to use 71,400 gpd on average. Based on the change in land use, the Project is estimated to increase the water use for the site by 11,900 gpd.

Under the existing LI land use, a planning level fire hydrant flow of 4,000 gpm would be required and under the proposed MDC-R land use, the planning level fire flow reduces to 3,000 gpm resulting in a decrease of fire flow of 1,000 gpm. The Project would result in a decrease of fire flow of 1,000 gpm. Although the maximum day demand of water services for the proposed Project would increase by 16.5 gpm, the overall maximum day demand in addition to the decrease in fire flow would be less than the current overall water demand for the Project Site under its existing use. Therefore, the existing potable water piping infrastructure in the vicinity of the Project Site would be adequate to serve the Project. The Project would connect to the existing water service lines in the vicinity of the site and specific connection locations would be provided on the Project-specific development plans at the time of Project Site development.

All future off-site water connections to existing facilities in North River Road, Calle Montecito and Calle Joven and the associated construction activities to install this infrastructure is included in the air quality, GHG, and noise analysis of this EIR (see Section 4.4, Section 4.8 and Section 4.14) and construction related air quality and GHG emissions are less than significant. Similarly, construction related noise impacts are less than significant. These off-site improvements would be located within already disturbed/developed areas and would not result in impacts to sensitive resources. Impacts related to construction of these off-site water improvements would be less than significant.

The Project would be required to contribute its share of the future users' storage capacity based on the additional average water demand of the Project which is 11,900 gpd. It is assumed that Project contribution of its share of storage capacity would go towards planned and future improvements to water storage facilities within the Talone Pressure Zone. Planned and future storage improvements would be located in already disturbed areas and would not result in impacts to sensitive resources. Impacts related to water system storage improvements would be less than significant.

Development of the Project would include connecting to the recycled water distribution main for irrigation services. Specific connection locations to the recycled water mains would be determined on the development plans for the Project at the time of Project Site development. All future off-site water connections to existing facilities in North River Road, including recycled water services and the

associated construction activities to install this infrastructure is included in the air quality, GHG, and noise analysis of this EIR (see Section 4.4, Section 4.8 and Section 4.14) and construction related air quality and GHG emissions are less than significant. Similarly, construction related noise impacts are less than significant. These off-site improvements would be located within already disturbed/developed areas and would not result in impacts to sensitive resources.

The Project would identify all ground water wells located onsite on the Project development plans and all ground water rights associated with any existing wells or associated with the property would be ascribed to the City's Water Utilities Department in accordance with all specific requirements of the Water Utilities Department.

Cumulative projects would result in the increase in demand for water services and would be subject to analysis of existing services to determine adequate services and facilities. Cumulative projects would be subject to water infrastructure improvements and/or would be required to pay fees in order to offset the increase in demand for such services which would go towards future improvements to water facilities and infrastructure. Further, the Project and future projects would comply with all Water Utilities Department conditions and would incorporate all requirements into the Project design. Cumulative Project impacts related to the relocation or construction of new or expanded water facilities would be **less than significant**.

Wastewater

The cumulative projects proposed in the City would result in an increase in sewer service demand. The City Wastewater Division collects, treats and disposes of all of the City's sewage. The Project would be served by the San Luis Rey Wastewater Treatment Plant.

The expected sewer flow of the proposed Project would be 56,000 gpd on average. Thus, the Project would result in an increase of sewer generation of the site by 32,200 gpd on average. The additional sewage flow for the Project would result in 83,076 gpd peak or 57.7 gpm peak. This is equivalent to 0.083 mgd.

Project-specific sewer systems would be determined and designed as part of the Project development plans. If the Project is to include onsite private sewer system to connect to the public sewer in Calle Jove, an additional study would determine how many dwelling units could be accommodated by the existing 8-inch public line.

As an alternative, the onsite private sewer collection system could make a new connection to the existing 27-inch or 30-inch trunk sewer in North River Road. This trunk sewer would have the capacity for at least a portion of the Project. All onsite sewer connection improvements are considered within the Project footprint, as described in the Project Description (Section 3.0 of this EIR). These onsite sewer connection improvements do not result in any new Project-footprint related impacts beyond those already disclosed in this document.

The Project would result in a sewage generation of 0.083 mgd. This is a small increment of flow in a gravity sewer system where the existing 30-inch sewer has a full pipe capacity ranging from 8 mgd to 11 mgd depending on the slope. If the sewer is flowing between half full and full, the incremental flow from the Project would constitute a maximum of 2% of the total flow.

As part of the entitlement process, a sewer analysis will be completed in order to assess the impact of the increase in peak sewer flow added to the North River Road trunk sewer line. The sewer analysis will determine the Project's cost share for any necessary improvements to the trunk sewer line. Any

improvements required to the North River Road trunk sewer would be located in a developed area that has already been disturbed and would not result in impacts to sensitive resources. Therefore, impacts related to off-site sewer improvements to the North River Road trunk sewer line would be less than significant.

The North Valley Sewer Lift Station has a firm pumping capacity is 8.53 mgd and an existing peak wet weather flow to the lift station of 6.69 mgd. The long-term peak wet weather flow to the North Valley Sewer Lift Station is provided as 7.34 mgd. The incremental peak wet weather flow from the proposed Project is 0.083 mgd. Thus, when adding this incremental flow to the estimated long-term flows to the North Valley Sewer Lift Station, the total flow is 7.42 mgd which is less than the firm pumping capacity of 8.52 mgd. This suggests that there is sufficient pumping capacity at the North Valley Sewer Lift Station to accommodate the additional sewage flow generated from the Project.

Due to the increase in sewage flow generated by the Project compared to the existing onsite operations and compared to the City's Sewer Master Plan projections, the Project would be required to contribute its share of the costs for potential modifications to the North Valley Sewer Lift Station at the time of Project entitlement. It is anticipated that any improvements or modifications required to the North Valley Sewer Lift Station as a result of the Project's share of increase in flows, would occur as part of the existing sewer lift station which would be located in a developed area that has already been disturbed and would not result in impacts to sensitive resources.

The buy-in cost for wastewater treatment and disposal is expected to be satisfied by the payment of the sewer connection fees on a per dwelling unit basis. Since the San Luis Rey Wastewater Treatment Plant is undergoing expansion to accommodate the flows from the La Salina Wastewater Treatment Plant, which is being shut down, there is not a concern that a small increment of flow generated by the Project can be accommodated by the San Luis Rey Wastewater Treatment Plant, as provided in the Sewer Service Overview Letter.

Cumulative projects would result in the increase in demand for wastewater services and would be subject to analysis of existing services to determine adequate services and facilities. Cumulative projects would be subject to wastewater infrastructure improvements and/or would be required to pay fees in order to offset the increase in demand for such services which would go towards future improvements to wastewater facilities and infrastructure. Further, the Project and future projects would comply with all Water Utilities Department conditions and would incorporate all requirements into the Project design. As such, the Project contribution to wastewater impacts would be **less than significant**.

Water Demand

A Water Service Overview letter was prepared by Dexter Wilson Engineering, Inc. (**Appendix S**) and outlines the existing water facilities and the ability of existing facilities in the vicinity of the Project to provide adequate water services. Citywide water supply planning is completed through the 2015 UWMP. As the Project requires a General Plan Amendment, its water demand was not accounted for in the City's 2015 UWMP.

Using the existing demand of water as provided above (59,500 gpd or 67 AFY) and the projected demand for multi-family development (71,400 gpd or 80 AFY), the Project Site would result in a 0.26% of the total projected water use of the City at Project buildout in year 2040.

Occupants of the Project would be a customer within the City's service area and would likely be required to adhere to any extraordinary conservation measures imposed by the City. The City has developed the Oceanside Water Conservation Master Plan that further ensures water availability to the City during

drought years. In addition, the Project would include water conserving landscaping along with efficient irrigation design consistent with the City's water planning efforts.

Given the small incremental impact of the Project on the City's total projected water use (0.26% of the City's total projected water use in year 2040), it is not expected that the City would have to change either its current supply strategy or the implementation of its Water Shortage Contingency Plan in response to a drought, to meet the Project and existing and planned water demand in the City.

Cumulative projects would be subject to water demand analyses and would be required to adhere to City water conservation measures including requirements for water conserving landscaping and efficient irrigation systems. Therefore, it is anticipated that there would be sufficient water supplies available from the City Water Utilities Department to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years. Cumulative impacts related to water demand would have a **less than significant impact**.

Solid Waste

The geographic context for the analysis of cumulative impacts associated with solid waste consists of Southern California as the El Sobrante Landfill provides solid waste to disposal specifically to Riverside and San Diego Counties. As provided in the El Sobrante Landfill 2019 Annual Report (Riverside County Department of Waste Resources, 2020), the landfill has a capacity of 132,130,376 tons remaining at the end of 2019. At the current rate, this equates to approximately 39 years of site life remaining.

The Project is estimated to generate a total of 730,000 pounds of solid waste annually. This estimate however, does not account for landfill diversion that would result from recycling and waste reduction activities. Given the remaining lifespan of the El Sobrante Landfill and the Project's waste generation, the landfill would have sufficient permitted capacity remaining to serve the Project. Additionally, the Project would participate in the City's recycling programs which would further reduce solid waste being sent to the landfill. The Project would provide three (3) separate trash enclosures each properly labeled for solid waste, recyclable waste and organic waste as required by the City. The Project would comply with the City's diversion and recycling measures in accordance with the Zero Waste Plan.

Considering the Project's minimal contribution towards cumulative solid waste demands and the City-wide implementation of the waste reduction plan, the Project would not contribute to significant amounts of solid waste, which would result in the exceedance of landfill capacity. Cumulative projects would be subject to analysis of project-specific waste generate and potential impacts to the El Sobrante Landfill. Cumulative projects would also be subject to local recycling programs and waste reduction requirements. Therefore, cumulative Project impacts to solid waste would be **less than significant**.

5.4.20 WILDFIRE

The geographic context for the analysis of cumulative impacts associated with wildfires consists of the City, because the OFD would provide initial response to wildfires, emergency response and evacuations. The projects listed within **Table 5.3-1** under the City would be included within this cumulative analysis.

Chapter 4.21 *Wildfire* provides analysis of the Project's compliance with adopted emergency response plan and evacuation plan. With compliance of all OFD requirements, the Project would not impair an adopted emergency response plan or emergency evacuation plan. The Project would provide transportation improvements along the surrounding roadways which would improve traffic in the vicinity and further improve emergency access in the surrounding areas of the Project Site. Cumulative impacts to emergency response and evacuation plans would be **less than significant**.

The Project Site is located in a developed area surrounded primarily by multi-family residential to the north and north east including multi-family condominiums, apartments and mobile home estate community, single-family residential to the west, light industrial uses to the east and southeast. These surrounding areas have relatively similar topography as the Project Site.

The Project Site is not located in a very high fire hazard severity zone within the Oceanside Local Responsibility Area as mapped by CAL FIRE, nor is the site located within a SRA where CAL FIRE is the primary emergency response agency responsible for fire suppression and prevention. The entire City is located within a Local Responsibility Area and is not located within a SRA; therefore wildfire protection would primarily be provided by OFD for cumulative projects.

The Project would provide all required setbacks, vehicular access, and signage in addition to fire hydrants, address numbers, and sprinklers as required by the OFD for residential developments. Main access to the Project Site will be from North River Road and Calle Joven will provide secondary and emergency access at points along the southern and eastern boundaries of the site. All emergency access points will meet the standards required by the OFD and City Development Standards. The Project and all other cumulative projects located within the City would be subject to the City's development fees intended to offset the increase in demand for fire services.

There are no aspects of the Project Site or location which would exacerbate wildfire risks due to slope, prevailing winds and other factors and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. The Project would comply with the CFC and the OMC and cumulative projects would also be subject to such regulations. Cumulatively, the Project in conjunction with cumulative projects would not contribute to an exacerbation of wildfire risks or exposure of significant risks as a result of wildfires. The Project's cumulative impact to wildfire would be **less than significant**.

6.0 OTHER CEQA CONSIDERATIONS

6.1 INTRODUCTION

This chapter includes the following other considerations that are required in an EIR such as:

- Growth-Inducing Impacts (Section 6.2)
- Significant and Irreversible Environmental Changes (Section 6.3)
- Significant and Unavoidable Environmental Impacts (Section 6.4)

6.2 GROWTH-INDUCING IMPACTS

Per Section 15126.2(d) of the CEQA Guidelines it is mandated that growth-inducing impacts related to the Project be discussed. The CEQA Guidelines states the growth-inducing analysis is intended to address the potential for the Project to “foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.” Further, CEQA Appendix G Checklist discussion under Population and Housing also mandates that a CEQA document speak to the proposed project’s likelihood to induce substantial population growth in an area, either directly (e.g., by proposing new homes or businesses) or indirectly (e.g., through extension of roads or other infrastructure).

A project may be distinguished as either facilitating planned growth or inducing unplanned growth. Facilitating growth is related to the establishment of direct employment, population, or housing growth that would occur within a project site. Inducing growth is related to lowering or removing barriers to growth or by creating an amenity or facility that attracts new population/economic activity. For purposes of this EIR analysis, a significant growth inducing impact would occur if the proposed project, and associated infrastructure improvements, directly or indirectly removes obstacles to growth such that the induced growth would significantly burden existing community services, the environment or cause a demand for General Plan Amendments. This section discusses growth inducing factors related to the proposed project and as defined under CEQA Guidelines Section 15126.2(e). A project is defined as growth inducing when it directly or indirectly:

1. Fosters population growth;
2. Fosters economic growth;
3. Includes the construction of additional housing in the surrounding environment;
4. Removes obstacles to population growth;
5. Taxes existing community service facilities, requiring construction of new facilities that could cause significant environmental effects; or
6. Encourages or facilitates other activities that could significantly affect the environment, either individually or cumulatively.

Population Growth

The City occupies approximately 42 square miles, has a population of 175,742 people (USCB 2019) and comprises approximately 5% of the population of the County. According to the California Department of Finance, the City has 66,078 housing units as of January 2020. A majority of the total housing units are single-family residences which comprises approximately 64% of the total housing units, reflecting the City’s family-oriented population and suburban neighborhood character. Multi-family units make up approximately 31% of the total units, while mobile homes account for the remaining 5% of total housing units.

The Project Site is located in a primarily developed area and is surrounded by various residential uses including single-family residents to the west, multi-family apartments to the northwest, condominiums and mobile home estates to the north and light industrial uses to the east and south. The area south of North River Road, including the Project Site, is designated for light industrial uses and encompasses ten (10) contiguous parcels totaling roughly 112 acres. Approximately 74 acres are dedicated to the auto auction site and 12 acres to the recreational vehicle storage facility. The remaining approximately 26 acres consists of the Project Site.

The Project would provide a PBD Overlay District to allow for the future development of medium density residential housing with a maximum of 400 dwelling units. A General Plan Amendment and Zone Amendment would be required in order to designate the Project Site as MDC-R and RM-C corresponding to the land use and zoning designations for medium density residential development. The proposed medium density residential use would also provide a transition between the light industrial uses located to the south and east, and the existing residential uses located to the north and west.

According to Section 1010 of the Zoning Ordinance, the purpose of residential districts is to achieve design compatibility with surrounding neighborhoods. Though the existing land use and zoning designations for the site are for light industrial uses, the Project would provide an in-fill development for medium density residential uses in an area surrounded primarily by residential uses. Alternatively, development of the site to the fullest potential as a light industrial use would not be compatible with the surrounding residential development.

Utilizing the City's average occupancy per household of 2.92 persons/unit (SANDAG, 2013), the Project would result in approximately 1,168 people residing on the Project Site with a maximum of 400 multi-family units, directly fostering population growth. As the site is currently designated for light industrial uses, the Project would introduce population and development beyond what is currently planned for and development of the site would introduce unplanned population growth. Although the Project would be consistent with the surrounding residential uses in the area, the increase in the number of people and development in the area has the potential to adversely affect the physical environment.

The associated environmental impacts have been identified and evaluated in Chapters 4.0 through 4.21 of this EIR. As documented in this EIR, the Project's projected population would result in significant impacts to air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, transportation and tribal cultural resources. Mitigation measures MM-BIO-1, MM-CUL1a through MM-CUL1h, MM-CUL-2, MM-GEO1, MM-GEO-3a through MM-GEO-3b, MM-HAZ-1 through MM-HAZ-5, MM-HYDRO-1a through MM-HYDRO-1c, MM-HYDRO-2, MM-NOI-1a and MM-NOI-1b, and MM-TRANSP0-1 and MM-TRANSP0-2 which are provided in this EIR would be implemented in order to reduce these significant impacts to a level below significance.

The Project would have a significant impact (Impact LU-1) related to conflicting with a land use plan, policy, or regulation. Implementation of mitigation measures MM-TRANSP0-1 and MM-TRANSP0-2 would reduce impacts related to compliance with the City's VMT guidelines would be reduced to a level below significance.

The Local Transportation Study (LTS) (**Appendix P**) includes the analysis to determine traffic impacts as a result of the Project that would justify any roadway improvements or fair share participation (**Table 3.5-4**). The Project would provide roadway improvements and fair share contributions as part of the Project to alleviate traffic impacts as a result of Project traffic on the surrounding roadways. These roadway improvements are provided within the City's Master Transportation Plan (MTP) Traffic Impact Analysis

and are planned for in the City's General Plan and would therefore not be considered growth inducing cause by the Project. Impacts identified in the transportation analysis related to VMT would be reduced to a level below significance after implementation of mitigation measures MM-TRANSP0-1 and MM-TRANSP0-2 which include VMT reduction measures.

Although the increased population as a result of the Project is not within the City's population projections, all physical impacts to the environment due to the increase in population have been evaluated throughout this EIR, as discussed above. No additional environmental impacts associated with population growth would occur as a result of the Project.

Public Services and Infrastructure

The Project would result in an incremental increase in demand of water and wastewater services and facilities and solid waste services, however, these anticipated increases would not significantly burden existing community service facilities or require construction of new facilities that would cause significant environmental effects (see Section 4.20 *Utilities and Service Systems*). Water and sewer utility services for the Project would connect to existing facilities surrounding the site and would provide both on- and off-site connections. Existing potable water piping in the vicinity of the Project Site would be adequate to serve the Project as provided in the Water Overview Letter (**Appendix S**). The Project would be subject to additional analysis to determine the Project's cost share for any necessary improvements to the off-site trunk sewer in North River Road at the time of Project Site development. The Project, as part of the entitlement process, would be required to contribute its share of the costs for potential modifications to the North Valley Sewer Lift Station. The Project would also connect to existing electrical and gas services and specific tie-in locations would be determined at the time the Project Site is developed. The Project's incremental increase in demand for water, wastewater, electrical and natural gas services, the proposed utility service connections and contributions to the shared costs for potential modifications to the North Valley Sewer Lift Station are not considered to be growth-inducing. Water and wastewater facilities and connections associated with the Project would be sized to serve future uses onsite and would not indirectly induce growth in the surrounding area.

The Project would not construct any new public roadways which have the potential to further induce growth. Internal roadways would be provided throughout the multi-family development to provide access to the residential buildings from parking areas and the surrounding public roadways. The future internal roadways would be sized to adequately serve the Project and would not act as alternative routes through the surrounding area. Besides North River Road, the roadways surrounding the Project Site such as Calle Joven and Calle Montecito are local streets that are designed to accommodate a low level of traffic generated within the Project.

The Project would not provide any widening improvements along North River Road but would provide sidewalk improvements along the Project frontage. Additionally, the Project would install a traffic signal at North River Road and Riverview Way at the Project frontage. The Project would provide other traffic improvements as listed in **Table 3.5-4** unless subsequent traffic analysis demonstrates that the improvements are not warranted. Prior to submittal of the final site plan, a traffic analysis shall be prepared to identify the timing, trigger, improvement, and fair share contribution for each analyzed roadway segment and intersection.

The Local Transportation Study (LTS) (**Appendix P**) includes the analysis to determine traffic effects as a result of the Project that would justify any roadway improvements or fair share participation. These roadway improvements are provided within the City's MTP Traffic Impact Analysis and are planned for in the City's General Plan and would therefore not be considered growth inducing caused by the Project.

Impacts identified in the transportation analysis related to VMT would be reduced to a level below significance after mitigation.

The Project would result in an incremental increase in demand for fire protection and emergency medical services, police protection, schools, parks, and libraries, as discussed in Section 4.16 *Public Services*, and such increases in demand would not significantly burden existing community services facilities or require construction of new facilities that would cause significant environmental effects. The Project would contribute all required development impact fees in accordance with the City's current requirements, which would be allocated to offset for any increase in demand for such public services in the City. The Project Site is located in a developed area surrounded primarily by various residential land uses and light industrial uses where public services are currently provided.

There are no components of the Project that would remove obstacles to development in the surrounding area, as the majority of lands surrounding the Project Site are developed with urban uses, are in the process of being developed, or are planned as open space. No impact to population growth would result from any Project-related improvements as these improvements would not induce substantial growth on the surrounding area. The Project would exceed local and/or regional population projections; however, the Project would not indirectly induce growth by removing impediments to growth. Impacts associated with the Project's increase in population and growth inducing elements have been evaluated throughout this EIR and mitigation measures have been imposed in order to reduce impacts to less than significant levels. Therefore, Project growth-inducing impacts would be **less than significant**.

6.3 SIGNIFICANT AND IRREVERSIBLE ENVIRONMENTAL CHANGES

CEQA Guidelines Section 15126.2(d) requires that an EIR identify any significant and irreversible environmental changes associated with project implementation. In accordance with Section 15126.2(d):

Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

Non-renewable resources generally associated with the Project include agriculture/land, biological resources, archaeological and paleontological resources, mineral resources, water, and energy resources.

Implementation of the Project would result in irreversible environmental changes. The Project would physically alter 25.6 acres of land to create a medium density residential development. The relatively small commitment of land to residential use would be considered less than significant when compared to residential development in a local and regional context. The Project Site currently operates as a warehouse and office with shipping and agricultural operations and one (1) occupied residence and therefore has previously undergone irreversible changes to the site. Alteration of the human environment is a known consequence of the development process. The Project, which represents a commitment of land to residential use, intensifies land use at the Project Site compared to existing development onsite. However, the Project Site under its existing use has the potential to develop the site with maximum allowable light industrial uses that would be more intense than the Project.

The Project would require a General Plan Amendment and Zone Amendment in order to designate the site from light industrial uses to medium density residential use. With the approval of the General Plan

Amendment and Zone Amendment, the Project would provide a medium density residential in-fill development surrounded by properties primarily with residential use and would provide a transition between both residential and industrial uses. With future approval and adoption of the General Plan Amendment by City Council, the proposed Project would not conflict with the City's General Plan with regard to allowable land uses.

Future development of the Project Site would result in direct impacts to a total 25.6 acres of vegetation communities and land covers. The Project would impact a total of 6.94 acres of developed land, 6.09 acres of disturbed land, 0.59 acre of non-native vegetation and 11.8 acres of row crops throughout both parcels. Impacts to these habitats/vegetation communities would not be significant and would not require mitigation. MBTA-covered bird species have the potential to occur onsite and the Project has the potential to impact MBTA-covered species. Implementation of mitigation measure MM-BIO-1 would reduce impacts to a level below significance.

The Project would involve grading and excavation activities which could result in significant impacts to cultural and paleontological resources by possible unearthing archaeological, tribal cultural and paleontological resources and human remains. Implementation of mitigation measures MM-CUL-1a through MM-CUL-1h would reduce impacts related to archaeological resources and tribal cultural resources to a level below significance, implementation of mitigation measure MM-CUL-2 would reduce impacts related to human remains, and implementation of mitigation measures MM-GEO-3a and MM-GEO-3b would reduce impacts to paleontological resources to a level below significance.

An increase in use and demand for public services and utilities by the Project represents a long-term commitment of these resources. However, payment of all required development impact fees and requirement of off-site improvements and connections would ensure that such commitment would not cause a significant adverse impact by the Project.

The use of various new raw materials such as lumber, sand, steel, and gravel for construction are resources that are continuously being depleted worldwide. However, the Project does not involve continuous use of these resources as they would only be used during Project construction.

Energy consumed during construction and operations of the Project would be considered a permanent investment. The Project would be a relatively minor consumer of these supplies when compared to a regional context and the Project would implement Project design features that would reduce energy usage associated with operation of the Project. Use of these resources would represent an incremental effect on the regional consumption of these commodities. As such, the Project would result in the long-term use of energy resources, and other nonrenewable resources such as fossil fuels.

6.4 SIGNIFICANT AND UNAVOIDABLE IMPACTS

CEQA Guidelines Section 15126.2(a) and (b) requires an EIR to identify and focus on the significant environmental effects of the proposed project, including significant environmental effects due to wasteful, inefficient, or unnecessary use of energy or wasteful use of energy resources. Section 15126.2(c) of the CEQA Guidelines requires the discussion of significant environmental effects which cannot be avoided if the proposed project is implemented. This includes impacts which can be mitigated but not reduced to a level of insignificance.

Chapter 4.0 *Environmental Analysis*, of this EIR describes the potential environmental impacts of the Project and recommends mitigation measures to reduce potentially significant impacts. As discussed in this EIR, implementation of the Project would result in potentially significant impacts to air quality, biological resources, cultural resources, geology and soils, hazardous materials, hydrology, land use and

planning, noise, transportation, and tribal cultural resources. This EIR identifies potential impacts of each of these environmental issue areas as well as mitigation measures designed to reduce such impacts. Each impact identified would be mitigated to below a level of significance with the required mitigation measures.

The Project would not result in any significant and unavoidable impacts.

7.0 ALTERNATIVES TO THE PROPOSED PROJECT

7.1 OVERVIEW

CEQA Guidelines Section 15126.6 requires the discussion of alternatives to the project to be analyzed. The discussion of alternatives shall include a No Project Alternative as well as a "...range of reasonable alternatives to the proposed project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project..." The discussion of alternatives need not be exhaustive and is subject to the "rule of reason". The key issue is whether the selection of alternatives fosters informed decision-making and informed public participation.

As discussed in Chapter 4.0 *Environmental Analysis*, the Project would result in potentially significant environmental impacts related to air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, transportation and tribal cultural resources. Mitigation measures have been identified that would reduce all impacts to below a level of significance.

In developing the alternatives to be addressed in this section, consideration was given to those alternatives with the ability to meet the basic objectives of the Project and eliminate or substantially reduce significant environmental impacts. As identified in Section 3.3 *Project Objectives*, the objectives of the Project are as follows:

1. Establish a Planned Block Development Overlay District to permit flexibility in land-use regulation and site development standards under control of the City of Oceanside Planning Commission and City Council where flexibility or coordinated planning for a large site or a site under multiple ownerships will enhance the potential for superior urban design.
2. Provide realistic future housing opportunities for the community located on an infill development site.
3. Establish land use and development standards that will regulate future residential development proposals for the subject property.
4. Promote site planning and architectural design that is intended to promote development in a deliberate, highly livable residential community which is compatible with the surrounding neighborhood.

7.2 REQUIREMENTS FOR ALTERNATIVES ANALYSIS

Under CEQA, the discussion of alternatives to a proposed action takes on particular significance if the EIR concludes there are significant adverse environmental impacts that are not avoided or reduced below a level of significance. As stated in CEQA Section 21002:

"[It] is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or mitigation measures available which would substantially lessen the significant environmental effects of such projects... The legislature further finds and declares that in the event specific economic, social, or other conditions make infeasible such project alternatives or mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

As required under CEQA Guidelines Section 15126.6(e)(2), the EIR must identify the environmentally superior alternative. Pursuant to the CEQA Guidelines, if the No Project Alternative is determined to be the most environmentally superior project, then another alternative among the alternatives evaluated must be identified as the environmentally superior alternative. Section 7.6 provides a discussion of the Environmentally Superior Alternative.

7.3 SELECTION OF ALTERNATIVES

Pursuant to the CEQA Guidelines stated above, a range of alternatives to the Project are considered and evaluated in this EIR. These alternatives were developed in the course of Project planning, environmental review, public scoping meetings, and public hearings. The discussion of alternatives in the subsequent sections provides the following:

1. A description of the alternatives considered;
2. An analysis of how each alternative fulfills the objectives of the Project;
3. Per CEQA Guidelines Section 15126.6(d), this section provides a comparative analysis of the Project and the alternatives under consideration. Per CEQA Guidelines Section 15126.6(c), the alternatives are chosen by considering whether they can meet the basic Project objectives, their feasibility, and their ability to avoid the Project's significant environmental effects.

Factors that may be taken into account when addressing the feasibility of alternatives include site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to alternative sites.

A range of alternatives have been considered in an effort to meet a majority of the basic Project objectives. The alternatives identified in this section are intended to further reduce or avoid significant environmental effects of the Project. Alternatives that are considered and evaluated further in this EIR include:

- Alternative 1 – No Project Alternative
- Alternative 2 – Reduced Intensity Alternative
- Alternative 3 – Reduced Project Footprint Alternative

Alternatives Considered but Rejected

Factors that may be used to eliminate alternatives from detailed consideration in an EIR include failure to meet a majority of the basic Project objectives, infeasibility, and inability to avoid significant environmental impacts. Alternatives that were identified but not considered include the following:

- Existing Zoning – Industrial Development Alternative
- Alternative Site Location

Existing Zoning – Industrial Development Alternative

The Existing Zoning – Industrial Development Alternative would develop the site in conformance with the existing land use and zoning designations as light industrial. Although the site exists as a warehouse with shipping and office uses, and single-family residences, the majority of the western parcel operates as agricultural operations. Under this alternative, the 25.6-acre Project Site would operate entirely as light

industrial uses. The industrial development under this alternative would be consistent with the light industrial uses to the south, southeast and east. The property to the southeast consists of parking and support areas for the Oceanside Auto Auction. A recreational vehicle/self-storage use is also located farther to the east. This light industrial area extends east to the San Luis Rey River boundary. The area to the south side of North River Road that is currently designated for light industrial uses, including the Project Site, encompasses ten (10) contiguous parcels totaling roughly 112 acres. Approximately 74 acres are dedicated to the auto auction site and 12 acres to the recreational vehicle storage facility. The remaining approximate 26 acres comprises the proposed Project Site.

Compared to the Project, which would provide for future development of a maximum of 400 multi-family residential units, the Industrial Development Alternative would encompass a larger building footprint and building massing and would include parking areas for employees and delivery trucks. Under the existing zoning of the Project Site, this alternative estimates the maximum construction of an industrial building totaling 1,000,000 SF.

Similar to existing operations, this alternative would provide various warehousing, shipping and industrial office uses and would provide areas for loading docks and associated parking for trucks and employees. For the purposes of this EIR alternative analysis, it is assumed that the Industrial Development Alternative would develop the entire 25.6-acre site, both the eastern and western parcels. It is also assumed that this alternative would develop new industrial buildings and therefore demolition of existing onsite structures would still take place. Under the Industrial Development Alternative a General Plan Amendment and Zone Amendment would not be required, as the Project Site has land use and zoning designations as IL and LI respectively.

With the provision of a higher intensity industrial development of the site, this alternative would be expected to have similar impacts related to agriculture and forestry resources, biological resources, cultural resources, geology and soils, hydrology and water quality, land use and planning, mineral resources, public services, tribal cultural resources and wildfire. However, a higher intensity industrial use would not result in an increase in demand in school services or recreation facilities.

Due to the nature of the industrial development, it is expected that this alternative would generate a larger ADT compared to the Project. Based on the SANDAG (*Not So*) *Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region*, the Project would generate between 2,304 and 5,120 ADT depending on the specific industrial uses. Based on the SANDAG guide, trip rates range from 200 ADT/acre to 90 ADT/acre for industrial developments. This represents a 28 to 60% increase in ADT compared to the Project. As a result of additional ADT, traffic effects under this alternative for the Project would also be anticipated to increase compared to the Project.

An increase in ADT equates to an increase in air quality emissions, GHG emissions and vehicular-related noise. Additionally, an industrial operation is likely to have more truck traffic compared to the Project, which proposes residential uses. A larger building would also have an increase in demand for energy resources. The Industrial Development Alternative would also increase impacts to aesthetics due to larger building size and massing. Additionally, this alternative has the potential to include industrial uses which have the potential to utilize, store, and/or transport hazardous materials resulting in greater impacts to hazards and hazardous materials.

The Industrial Development Alternative was eliminated from further analysis as it would not meet the Project objectives which are to provide realistic future housing opportunities for the community located in a transit corridor and establish land use and development standards that will regulate future residential development proposals for the subject property. Further, this alternative would have greater environmental impacts compared to the Project.

Alternative Site Location

Based on review of aerial maps, the City of Oceanside General Plan Land Use Map, and map of approved and pending development projects within the City, no other available, undeveloped properties of similar size that are located in close proximity to mass transit service and provide in-fill development could be developed as proposed by this Project. Due to the scattered and relatively sparse availability of undeveloped lands in the Project Site vicinity, alternative sites with applicable land use and zoning for medium density residential are too large for a development of this size, would not allow for an in-fill development or are already planned for open space preservation.

Additionally, given that the Project Site has been previously developed and disturbed and operates as light industrial and agricultural uses, it is highly unlikely that development on a different property would result in fewer environmental impacts than what would result with implementation of the Project on the proposed Project Site. For example, the Project would not impact any sensitive habitats as onsite vegetation consists of disturbed land, developed land, non-native vegetation and row crops which impacts are not considered significant. It is anticipated that undeveloped, vacant parcels within the City of appropriate size would result in greater impacts to sensitive biological resources. Similarly, impacts related to cultural, paleontological and tribal cultural resources would have higher potential to be unearthed compared to the Project Site which has been previously disturbed and developed.

Objective #2 for the Project provides for future housing within a transit corridor. Vacant parcels within the City tend to be located further from mass transit facilities, including bus service, and are less likely to provide adequate pedestrian and bicycle facilities. Therefore, operational impacts associated with traffic, air quality, GHG would be greater under an Alternative Site Location. Therefore, development of the Project Site as proposed would result in fewer environmental impacts in the Project vicinity compared to development of other vacant properties within the City. For these reasons, an Alternative Site Location is not considered and is not discussed further.

7.4 ALTERNATIVES CONSIDERED

This section addresses the alternatives considered including the No Project Alternative, Reduced Intensity Alternative, and Reduced Project Footprint Alternative. Each environmental issue area included in the impact analysis of this EIR has been given consideration in the alternatives analysis as discussed below.

7.4.1 ALTERNATIVE 1: NO PROJECT ALTERNATIVE

The No Project Alternative assumes that the Project Site would not be developed as multi-family residential and that the Project Site would remain as warehouse/office and shipping operations, single-family residences, and in agricultural cultivation in its present condition. The purpose of the No Project Alternative analysis is to allow a lead agency to compare the impacts of approving the proposed Project with the impacts of not approving the Project. Analysis of the No Project Alternative and the impacts associated with this alternative are provided below.

Environmental Analysis

Aesthetics

As discussed in Chapter 4.2 *Aesthetics*, the Project Site area is developed and surrounding land uses consist primarily of various residential land uses including single-family residences, multi-family apartments and condominiums, and mobile home community with light industrial uses to the south and

east. Directly south of the western parcel is the San Luis Rey River. The Project Site is visible from the adjacent residential developments, industrial developments, as well as from the adjacent roadways. From these areas, the eastern parcel appears as an industrial use with older structures that have been well-kept. The vacant residence and warehouse facility are visible from the Project frontage along North River Road as well as other shipping and truck storage areas. The western parcel appears as heavily influenced by the existing farmland and row crops and a warehouse that is abandoned and run-down which is visible from the Project frontage at North River Road. Long-distance views are generally constrained by intervening development and urban landscaping.

The nearest designated visual open space areas are the San Luis Rey River and Mission San Luis Rey. The designated portion of the San Luis Rey River is located over two (2) miles southwest of the Project Site and Mission San Luis Rey is located approximately 0.88 mile southwest of the Project Site. The eastern parcel is located approximately 800 feet north of the San Luis Rey River and the western parcel is located approximately 175 feet north of the San Luis Rey River and is about 20 feet above the improved channel of the San Luis Rey River. The western parcel is visible from the north side of the San Luis Rey River Trail but is not visible from the south side of the San Luis Rey River Trail due to intervening vegetation. The eastern parcel is partially visible from the north side of the San Luis Rey River Trail, since views of the light industrial uses, south of the eastern parcel are more prevalent. The eastern parcel is not visible from the south side of the San Luis Rey River Trail due to intervening vegetation and the existing industrial buildings. Due to the distance of these designated visual open space areas from the Project Site, and due to intervening topography, the Project would not impact views of these visual open space areas as a result.

The portion of SR-76 designated as an eligible scenic highway is located approximately 0.80 mile south of the Project Site. Due to the Project Site distance and intervening topography from SR-76, non-native tree species and historic residences located onsite would not be visible from this portion of the eligible state scenic highway.

Under the No Project Alternative there would be no removal of existing vegetation or structures onsite, no grading or earthwork would be performed, and there would be no development of multi-family residential structures. Maintaining the Project Site in its existing condition under this alternative would result in no change to the views of scenic vistas or scenic resources and no impact to these resources. No change to the visual character or visual quality would take place and the Project Site would remain as remnant warehouse facilities, agricultural operations and residences. No impact to the visual character or quality would take place, however; under this alternative no new structures would be developed and no demolition of existing buildings would take place. The site would remain compatible with the industrial developments to the south and east but would not be compatible with the character of the existing residential development to the north and west. Additionally, the Project Site would not provide an effective transition between the existing light industrial and residential developments in the surrounding area.

The No Project Alternative would result in no additional light and glare impacts and all onsite lighting and glare from existing development would remain. Overall, no impact to aesthetics would occur under the No Project Alternative and impacts would be less than that of the Project.

Agriculture and Forestry Resources

As shown in the FMMP prepared for the Project Site the eastern parcel (4665 North River Road) is designated as Urban Built-Up Land. On the western parcel (4617 North River Road), the northwest corner is designated as Urban Built-Up Land while the remainder of the parcel is designated as Other Land. The Other Land designation is characterized by land not included in any other FMMP mapping category.

Common examples of land within this category include low density rural developments, wetland and riparian areas not suitable for livestock grazing, and vacant and nonagricultural land surrounded on all sides by urban development. The immediate surroundings of the Project Site also consist of Urban Built-Up Land and Other Land. No areas designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance are located within close proximity to the Project Site.

The General Plan land use designation for the Project Site is LI under the General Plan and the zoning designation for the Project Site is IL under the Zoning Ordinance and therefore the Project Site is not designated for uses related to a Williamson Act Contract.

The Project Site does not contain lands designated as forest land, timberland or timberland zoned Timberland Production as defined by Public Resources Code and Government Code sections. Under the No Project Alternative, a loss of forest land or conversion of forestland to non-forest use would not occur.

Under the No Project Alternative the Project Site designation as Urban Built-Up Land and Other Land would remain and no impacts to agriculture or forest land, or timberland would occur. All agricultural operations would remain onsite under this alternative. No impacts to agriculture and forestry resources would occur and impacts would be less than that of the Project.

Air Quality

Short-term construction air quality emissions associated with demolition, site preparation, grading, and building construction activities as well as long-term operational emissions associated with a multi-family development would be avoided under the No Project Alternative. Air quality emissions associated with existing warehouse, shipping, office, agricultural and residential use of the site would remain. Additionally, the Project Site would remain under a light industrial zoning and land use designation and therefore is anticipated in the General Plan and SANDAG's growth projections and would not conflict with the SIP or RAAQS.

No construction emissions would take place under the No Project Alternative and operational emissions would remain constant under the existing use of the site for warehouse, shipping, office, agriculture and residential uses. No demolition or disturbance to onsite structures which have the potential to contain LBP and ACMs would occur and no mitigation would be required under this alternative. Therefore, a less than significant impact to air quality would occur under this alternative. Thus, the No Project Alternative would have reduced impacts to air quality and would be less than that of the Project.

Biological Resources

MBTA-covered bird species have the potential to occur onsite and the Project has the potential to impact MBTA-covered species. Implementation of mitigation measure MM-BIO-1 would reduce Project impacts to a level below significance.

The No Project Alternative would avoid grading and construction of the Project Site and therefore, impacts to MBTA-covered species would be avoided. No mitigation would be required under the No Project Alternative. Therefore, no impacts to biological resources would occur under the No Project Alternative, and impacts would be reduced compared to the Project.

Cultural Resources

As a result of the Project Site field survey, three (3) isolated prehistoric artifacts (P-37-038466, P-37-038467 and P-37-038468) and the three (3) historic residences (P-37-038464, P-37-038465 and P-37-

038469) were recorded. However, due to the location of the Project Site on an alluvial terrace associated with the San Luis Rey River and due to the occurrence of three (3) isolated prehistoric artifacts during the field survey, construction activities, including ground disturbing activities have the potential to cause an adverse change in the significance of an archaeological resource should they be located on the Project Site. The Project would implement mitigation measures requiring the presence of an archaeological and Native American monitor during ground disturbing activities. The Project would result in potentially significant impacts to human remains to the ground disturbing activities as a result Project construction. The Project requires mitigation to reduce potential impacts to human remains.

In absence of grading and ground disturbing activities under the No Project Alternative there would be no potential for the discovery of cultural resources or human remains. All recorded historic residents and prehistoric artifacts would remain onsite and in place. Any unknown buried cultural, archaeological or tribal resources, including human remains would remain buried and preserved in place. Therefore, impacts to cultural resources would be avoided under the No Project Alternative and would be less than that of the Project.

Energy

Short-term use associated with construction activities and long-term energy use associated with operation of a medium density residential development would be avoided under the No Project Alternative. The Project Site would remain as warehouse office, agricultural and residential uses under the No Project Alternative and energy usage associated with existing activities would remain constant.

As discussed in Chapter 4.7 *Energy*, impacts to energy usage would be less than significant. The No Project Alternative would avoid all construction and additional operational energy consumption associated with a multi-family development. Therefore, no change in energy consumption under this alternative would occur and impacts to energy would be less than significant and would have less of an impact compared to the Project.

Geology and Soils

The Project would result in potentially significant impacts related to seismic ground shaking, seismic-related ground failure, unstable geologic unit or soil and soil erosion. The Project would also result in potentially significant impacts related to paleontological resources. Impacts to geology and soils would be mitigated to a level below significance.

The No Project Alternative would not include construction or any ground-disturbing activities and all existing warehouse, office, sheds, and residential structures and agricultural operations would remain onsite. Therefore, the No Project Alternative would not expose people or structures to seismic ground shaking or ground failure, unstable geologic unit or soil, and would not include grading or excavation that could result in erosion. The No Project Alternative would not result in discoveries for buried paleontological resources. Therefore, no impacts related to geology and soils would occur and impacts would be less than that of the Project.

Greenhouse Gas Emissions

Construction of the Project would result in GHG emissions primarily associated with the use of off-road construction equipment, on-road hauling and vendor trucks and worker vehicle trips. The Project would generate construction-related GHG emissions at a yearly average of 48.41 MT CO₂E.

The Project would generate 3,172.26 MT CO₂E annually including construction and operational activities. The Project would result in a GHG emission rate of 2.72 MT CO₂E/SP which is less than the City's specific localized efficiency metric threshold of 3.5 MT CO₂E/SP as identified in the City's CAP. Project compliance with the City's CAP and implementation of Project design features would further ensure compliance with state GHG reduction goals and policies as the CAP was developed to align with state efforts to reduce GHG emissions. The Project would have a less than significant impact related to GHG emissions.

The No Project Alternative would not include construction GHG emissions. Additionally, the Project Site in its existing condition does not include the Project design features that aim to address requirements of the CAP. Under this alternative, the Project would continue to generate GHG emissions associated with existing operations of the warehouse, shipping, office, agriculture and residential uses of the site.

The existing land use under the No Project Alternative would be consistent with all applicable plans, policies and regulations adopted for the purpose of reducing GHG emissions at regional and state levels, and plan consistency impacts would be less than significant. The No Project Alternative would result in no additional development, and therefore, would not result in conflicts with applicable plans, policies and regulations related to GHG emissions and a less than significant impact would occur. Impacts related to GHG emissions under the No Project Alternative would be reduced and would be less than that of the Project.

Hazards and Hazardous Materials

Construction of the Project would entail routine transport of typical construction materials potentially hazardous to humans, wildlife, and sensitive environments. These materials could include gasoline, diesel fuel, used oil, solvents, cleaners, lead paint debris, concrete, asphalt, lubricants, and other petroleum-based products used for the operation and maintenance of construction equipment and vehicles. Compliance with all applicable regulations for handling of hazardous materials would ensure the Project would not create a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials.

The Project would also result in impacts related to removal and disturbance of onsite structures which have the potential to contain LBP and ACMs. The removal and disposal of irrigation pumps also have the potential to disrupt ACMs. Soils shallower than 15 feet bgs have the potential to contain higher concentrations of petroleum hydrocarbon contaminants and the top three (3) feet of soils throughout the agricultural field portions of the western parcel have the potential to contain pesticides which have the potential to create a hazard to the public or the environment. The Project would implement mitigation measures MM-HAZ-1 through MM-HAZ-5 which would reduce impacts to a level below significance.

The Project is not listed as a hazardous materials site compiled pursuant to Government Code Section 65962.5. The Project is not located within the Oceanside Municipal ALUCP nor would the Project interfere with an adopted emergency response or evacuation plan. The Project would not expose people or structures to risk of wildfires.

Under the No Project Alternative, the Project Site would remain in its existing condition operating with a warehouse, office, shipping and agricultural operations and residences. No demolition of existing structures would take place under this alternative and therefore, no impacts related to LBP, ACMs, or soils would occur. The use of existing ASTs would continue under the No Project Alternative. The transportation of potentially hazardous construction materials would not take place as no construction activities would occur. Under this alternative no additional risks associated with the routine transport, use, or disposal of hazardous materials would occur. The No Project Alternative would not increase risks for

people or structures to wildfire hazards as all residences and structures would remain. Therefore, impacts related to hazards and hazardous materials would be less than significant and would be less than that of the Project.

Hydrology and Water Quality

During construction and operation of the Project, the Project has the potential to violate a water quality standard or waste discharge requirement and has the potential to result in exposed soils or changes in runoff that could result in erosion or siltation. Implementation of Project mitigation measures would reduce impacts to hydrology and water quality to a level below significance.

Under the No Project Alternative, construction of a multi-family residential development would not occur and the Project Site would remain in its existing conditions. No new impervious areas would be constructed under this alternative and therefore would not result in a violation of a water quality standard or waste discharge requirement or result in exposed soils or changes in runoff that could result in erosion or siltation. Storm water and drainage patterns would remain in their existing conditions. Leaving the Project Site in its existing condition would prevent new sources of pollutants. Therefore, impacts to hydrology and water quality under the No Project Alternative would not occur and impacts would be less than that of the Project.

Land Use and Planning

The Project does not include any features that would have the potential to physically divide an established community. The Project has the potential to conflict with a land use plan, policy or regulation including the City's VMT threshold, a local habitat conservation plan and local air quality plan but would be mitigated to a level below significance..

Under the No Project Alternative a General Plan Amendment and Zone Amendment would not take place, impacts to VMT, air quality and biological resources would be avoided, and impacts related to consistency with the City's VMT threshold, MHCP Oceanside Subarea Plan and local air quality plans would also be avoided.

Therefore, no impact to a local land use plan, policy, or regulation would occur under the No Project Alternative and impacts related to land use and planning would be less than that of the Project.

Mineral Resources

The Project Site is located in a developed portion of the City and is not zoned for mining activities. Though the Project Site is located in an area designated as MRZ-2, there is no evidence of mineral deposits that are minable, process-able, and marketable under the technologic and economic conditions that exist at present, estimated to exist in the next 50 years, or meets/exceeds the minimum monetary values. The Project would result in less than significant impacts to known mineral resources.

The Project Site in its existing condition under the No Project Alternative would remain in the MRZ-2 zone and would not result in construction activities that have the potential to disrupt mineral resources. No impact to mineral resources would occur and impacts would be less than that of the Project.

Noise

Noise associated with construction of the Project would be short-term and would vary hour-to-hour and day-to-day, depending on the equipment in use, the operations performed, and the distance between the

source and receptor. None of the proposed construction equipment would exceed the City's 85 dBA standard for operation of construction equipment at 100 feet from the source. Additionally, the Project would not generate construction noise at or beyond the property lines at an average sound level greater than 75 dBA as provided by the City of San Diego and County of San Diego property line thresholds, which were used in absence of the City's property line standards for construction. The Project would not generate a substantial temporary increase in ambient noise levels in excess of local standards.

Residential activities associated with Project operation would not generate a substantial permanent increase in ambient noise levels in the vicinity of the Project in excess of local standards. However, the Project's worst-case onsite noise levels from the adjacent roadways would exceed the City's 65 dBA noise standard and building façade noise levels would exceed interior noise levels. The Project would require mitigation measures in order to reduce impacts to a level below significance. Vibration impacts related to construction and operation of the Project were determined to be less than significant.

Under the No Project Alternative, construction noise would not occur. The Project Site would operate in its existing condition with existing noise generation and traffic would continue to operate at existing levels. Therefore, impacts related to onsite noise from adjacent roadways and interior noise levels would be reduced as a result of the No Project Alternative. Noise from adjacent roadways would be prevalent onsite, but would not include the additional traffic generated by the Project. Therefore, impacts related to noise and vibration would be less than significant and would be less than that of the Project.

Population and Housing

The Project would result in the development of 400 multi-family residences resulting in approximately 1,168 people residing within the Project Site and would result in an incremental increase in demand of water and wastewater services and facilities. The Project would not construct any new public roadways which have the potential to further induce growth. Internal roadways would be provided throughout the multi-family development to provide access to the residential buildings from parking areas and the surrounding public roadways. The future internal roadways would be sized to adequately serve the Project and would not act as alternative routes through the surrounding area.

The Project would not provide any widening improvements along North River Road but would provide sidewalk improvements along the Project frontage. Additionally, the Project would install a traffic signal at North River Road and Riverview Way at the Project frontage. The Project would contribute its fair share to other traffic improvements and contribute towards design and implementation of adaptive traffic signals in the surrounding area. Such improvements are provided as part of the Project Description (**Table 3.5-4**) and are further discussed in Section 4.18 *Transportation*. These roadway improvements are provided within the City's MTP Traffic Impact Analysis and are planned for in the City's General Plan and would therefore not be considered growth inducing cause by the Project.

Although the Project would be consistent with the surrounding residential uses in the area, the Project would introduce population and development beyond what is planned for the Project Site and the development of the site may encourage intensification of uses in the surrounding areas. Therefore, the Project has the potential for growth inducing effects, which may result in subsequent adverse environmental effects as a result of such growth.

The associated environmental impacts have been identified and evaluated in Chapters 4.0 through 4.21 of this EIR. As documented in this EIR, the Project's projected population would result in significant impacts to air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, transportation and tribal cultural resources. Mitigation measures MM-BIO-1, MM-CUL1a through MM-CUL1h, MM-CUL-2, MM-GEO1,

MM-GEO-3a through MM-GEO-3b, MM-HAZ-1 through MM-HAZ-5, MM-HYDRO-1a through MM-HYDRO-1c, MM-HYDRO-2, MM-NOI-1a and MM-NOI-1b, and MM-TRANSP0-1 and MM-TRANSP0-2 which are provided in this EIR would be implemented in order to reduce these significant impacts to a level below significance.

Development of the Project would result in the demolition of this occupied residence; however, the Project would construct up to 400 new medium density residential units which offsets the loss of this one (1) unit. Therefore, the Project would not displace a substantial number of existing people or housing, necessitating the construction of replacement housing elsewhere.

Under the No Project Alternative, the existing residences onsite would remain and therefore would not displace a substantial number or people of housing. Under this alternative the Project Site would remain as an industrial land use and would not include construction of additional housing, improvements to existing utilities, roadways or other transportation improvements which have the potential to induce growth. The No Project Alternative would not induce substantial unplanned population growth either directly or indirectly. Therefore, impacts to population and housing would be avoided and impacts would be reduced compared to the Project.

Public Services

The Project would not require any new or physically altered fire or emergency medical facilities, police facilities, schools, parks or other public facilities and project impacts to public services and impacts would be less than significant. The Project would contribute all required development impact fees in accordance with the City's current requirements, a portion of which would go towards funding future public service improvements via the City's capital improvement program.

Under the No Project Alternative, demand for public services would remain under existing conditions and would be less than the demand for public services under the Project. No impacts to public services would occur under the No Project Alternative, and impacts would be less than that of the Project.

Recreation

The Project would include 350 SF of usable open space per unit; pedestrian amenities would be provided throughout the development such as gathering areas, benches and seating, water features and shaded areas. Enhanced pedestrian circulation would provide access and connections to internal walkways, patios, and open space systems, including a connection to the San Luis Rey River trail located south of the Project Site. Depending on the residential building type for the proposed medium density residential development, the development could contain an onsite pool facility and associated amenities and structures.

The Project would be required to contribute to all required development impact fees related to parks at a cost of \$4,431 per residential unit in accordance with the City's Impact Fee Schedule. Payment of these fees would offset the potential increase in usage and demand placed on existing public recreational facilities as a result of the Project. The Project would have a less than significant impact on recreation.

Under the No Project Alternative, no impacts to recreational facilities would occur. However, no enhanced onsite pedestrian features, sidewalk improvements or trail connections to the San Luis Rey River trail would be realized under the No Project Alternative. No development fees for park and recreation funding would be required as no new development would occur. Therefore, no impacts to recreation would occur under the No Project Alternative would be less than that of the Project.

Transportation

The Project would provide roadway improvements and fair share contributions as part of the Project to alleviate traffic on the surrounding roadways. The Project would provide the improvements/contributions as listed in **Table 3.5-4**.

Table 4.18- provides the Project's consistency with applicable policies and implementation strategies provided in the Circulation Element Master Transportation Roadway Plan. The Project would not conflict with a Circulation Element policy and impacts would be less than significant.

The Project would construct sidewalks along the Project frontage adjacent to the public streets. No bicycle infrastructure improvements are required as part of the Project. No transit improvements are required as part of the Project. The Project would not conflict with the City's General Plan Circulation Element or other plans related to multi-modal transportation systems including pedestrian, bicycle, and transit facilities and impacts would be less than significant.

The Project exceeds the 85% significance threshold by 7.8% and is considered to have a significant impact on transportation VMT (Impact TRANSP0-1). The Project would implement mitigation measures MM-TRANSP0-1 and MM-TRANSP0-2 which would implement VMT reduction measures in accordance with the CAPCOA guidelines. Implementation of the VMT reduction measures would reduce the Project's overall VMT rate to 83.4% after mitigation and therefore impacts would be reduced to a level below significance.

Under the No Project Alternative, traffic conditions would remain in existing conditions including several intersections and street segments that already operate at LOS D or worse in existing conditions. No traffic improvements including traffic signals and contribution to transportation improvements in the vicinity of the Project Site would take place under this alternative. Such improvements along North River Road and Riverview Way, SR-76 and College Boulevard, Douglas Drive from Pala Road to El Camino Real and Douglas Drive from El Camino Real to Mission Avenue would result in reduced traffic impacts on the roadways surrounding the Project Site. No sidewalk improvements or connections to the San Luis Rey River trail would be constructed under this alternative, benefiting pedestrians in the area. Existing traffic conditions in the vicinity of the Project Site would remain and therefore, no impact to transportation including VMT would occur under this alternative. No impact would occur, and overall impacts under the No Project Alternative would be less than that of the Project.

Tribal Cultural Resources

Three (3) historic residences (P-37-038464, P-37-038465 and P-37-038469) and three (3) isolated prehistoric artifacts were recorded as a result of the field survey. All discoveries were documented on appropriate DPR523 Resource Record Forms and included in the Archaeological Survey Assessment. Following historical research, an onsite field survey, and archaeological and structural resource documentation and assessment, it was concluded that none of the cultural resources found on the Project Site meet the criteria for eligibility for the California Register of Historical Resources.

No cultural resources which qualify as unique historical resources were found on the Project Site. However, because the Project Site is located on an alluvial terrace associated with the San Luis Rey River and because three (3) isolated prehistoric artifacts were discovered during the field survey, construction activities, including ground disturbing activities have the potential to cause an adverse change in the significance of a tribal cultural resource. Project implementation of mitigation measures MM-CUL-1a through MM-CUL-1h would reduce impacts to tribal cultural resources to below a level of significance.

Under the No Project Alternative there would be no potential for the discovery of buried tribal cultural resources as no grading or ground disturbing activities would occur. Therefore, impacts related to tribal cultural resources would be avoided and would be less than that of the Project.

Utilities and Service Systems

The Project Site is located in a developed area surrounded by existing residential and industrial developments. The Project would connect to the existing water and wastewater service lines in the vicinity of the site and specific connection locations would be provided on the Project-specific development plans at the time of Project Site development. All future off-site water and wastewater connections to existing facilities in North River Road, Calle Montecito and Calle Joven and the associated construction activities to install this infrastructure is included in the air quality, GHG, and noise analysis of this EIR (see Section 4.4, Section 4.8 and Section 4.14) and construction related air quality and GHG emissions are less than significant. Similarly, construction related noise impacts are less than significant. These off-site improvements would be located within already disturbed/developed areas and would not result in impacts to sensitive resources. Impacts related to construction of these off-site water improvements would be less than significant.

It is anticipated that any improvements or modifications required to the North Valley Sewer Lift Station as a result of the Project's share of increase in flows, would occur as part of the existing sewer lift station which would be located in a developed area that has already been disturbed and would not result in impacts to sensitive resources. The buy-in cost for wastewater treatment and disposal at the San Luis Rey Wastewater Treatment Plan is expected to be satisfied by the payment of the sewer connection fees on a per dwelling unit basis.

It is anticipated that there would be sufficient water supplies available from the City Water Utilities Department to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years. Given the remaining lifespan of the El Sobrante Landfill and the Project's waste generation, the landfill would have sufficient permitted capacity remaining to serve the Project. Additionally, the Project would participate in the City's recycling programs which would further reduce solid waste being sent to the landfill.

Under the No Project Alternative, utility demand would remain the same and no new on- or off-site water or wastewater improvements would be required as no additional development would occur. The demand related to water supplies and landfill capacity would remain consistent with the current uses and demand of the Project Site. Therefore, there would be no impacts related to utilities and service systems under the No Project Alternative and impacts would be less than that of the Project.

Wildfire

The Project is located in a developed area and is not located in a very high fire hazard severity zone within the Oceanside Local Responsibility Area as mapped by CAL FIRE, and the Project Site is not located within a SRA where CAL FIRE is the primary emergency response agency responsible for fire suppression and prevention. With compliance of all OFD requirements, the Project would not impair an adopted emergency response plan or emergency evacuation plan. The Project would provide transportation improvements along the surrounding roadways which would improve traffic in the vicinity and further improve emergency access in the surrounding areas of the Project Site. There are no aspects of the Project Site or location which would exacerbate wildfire risks due to slope, prevailing winds and other factors and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. No installation or maintenance of associated infrastructure such as roads, fuel breaks or emergency water sources, power lines or other utilities would be required for the

Project that would exacerbate fire risk or that would result in temporary or ongoing impacts to the environment. The Project would have a less than significant impact related to wildfire.

Under the No Project Alternative, the Project Site would remain under its existing use with a warehouse, office, shipping and agricultural operations, and residential use and would not increase wildfire risks. However, Project transportation improvements would not be provided under this alternative. The roadway improvements provided for the Project would improve traffic flow and emergency access and response in the surrounding areas. No impacts related to wildfire would occur under the No Project Alternative and impacts would be less than that of the Project.

Conclusion

Under the No Project Alternative, the Project Site would remain in its current conditions including the developed warehouse, office, shipping and agricultural operations, and residential use and would not include development of 400 multi-family residential units.

Potentially significant impacts associated with air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, transportation, and tribal cultural resources identified for the Project would not occur under this alternative.

Under the No Project Alternative, the Project Site would remain and would maintain its current condition and no significant environmental impacts would occur. However, the No Project Alternative does not meet any of the Project objectives. Additionally, benefits of the Project such as transportation improvements and contributions; enhanced pedestrian improvements and connections; Project design features which aim to address requirements of the CAP; and improved traffic along North River Road and Riverview Way, SR-76 and College Boulevard, Douglas Drive from Pala Road to El Camino Real and Douglas Drive from El Camino Real to Mission Avenue would not be realized under the No Project Alternative.

7.4.2 ALTERNATIVE 2: REDUCED INTENSITY ALTERNATIVE

Under the Reduced Intensity Alternative, the 25.6-acre Project Site would be developed with a less intensive residential use such as single-family homes which would be consistent with the land uses to the west of the Project Site. This alternative would require a General Plan Amendment and Zone Amendment in order to revise the existing land use and zoning designations from light industrial uses to residential estate (RE-B) similar to the development located directly to the west. The single-family development to the west contains 270 residences and has a density of approximately 3.0 du/ acre.

For the purposes of this analysis the single-family development would provide a density of 3.0 du/ acre in accordance with the RE-B zone which provides a base density of 1.0 du/ acre and a maximum potential density of 3.5 du/ acre. Therefore, the Project under this alternative would provide approximately 76 single-family residences. The environmental impacts associated with the Reduced Intensity Alternative are further discussed below.

Environmental Analysis

Aesthetics

The Reduced Intensity Alternative would provide a less intensive residential use in the form of 76 single-family residences ranging from one (1) to two (2) story residences compared to the Project which

proposes 400 medium density residential units with up to three (3) stories. Both the RM-C and RE-B uses have a maximum building height of 36 feet under the City's Zoning Ordinance. The reduction in size of the residential development would reduce the amount of change in the visual character of the site and overall would be less intense.

The amount of grading and site disturbance would be the same as the Project and similar requirements for landscaping would be provided. The development under this alternative would conform to the developed characteristics of the surrounding area which includes primarily residential development to the north and west and would be consistent with the character and quality of the surrounding environment. Fewer lighting fixtures would be required around the development as smaller buildings and fewer dwelling units would be provided. Additionally, parking areas would be provided by neighborhood streets and driveways and no parking lots or parking structures would be necessary. Overall, impacts to scenic resources, visual character and lighting would be less than significant and would be reduced compared to the Project.

Agriculture and Forestry Resources

A FMMP map was prepared for the Project Site and designates the eastern parcel as Urban Built-Up Land. On the western, the northwest corner is designated as Urban Built-Up Land while the remainder of the parcel is designated as Other Land. The immediate surroundings of the Project Site also consist of Urban Built-Up Land and Other Land. No areas designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance are located within close proximity to the Project Site. The Project would not conflict with existing zoning for agricultural use or a Williamson Act contract as the Project Site is not designated for such uses. The Project Site does not contain lands designated as forest land or timberland and the Project would have a less than significant impact on agriculture and forestry resources.

The Project under this alternative would disturb 11.8 acres of row crops similarly to the Project; however, the land is not recognized as a designated agricultural use. A less than significant impact to agriculture and forestry resources under the Reduced Intensity Alternative would occur and impacts would remain the same as the Project.

Air Quality

The Reduced Intensity Alternative would result in short-term air quality impacts during demolition, site preparation, grading and other construction activities and long-term air quality impacts during operation of the 76 single-family residences would occur under this alternative. However, construction air quality emissions under this alternative would be expected to be similar to the construction emissions of the Project.

The Reduced Intensity Alternative would generate approximately 12 trips per dwelling unit for a total of 912 ADT. Compared to the Project, which would generate 3,200 ADT (according to the SANDAG *(Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region*); this represents a 72% reduction in ADT. Fewer vehicle trips would result in reduced air quality emissions compared the Project.

Under the Reduced Intensity Alternative, the Project would still require a General Plan Amendment and Zone Amendment but would provide a less intensive use compared to the Project, and therefore would not conflict with implementation of local and regional air quality plans, and would not contribute to air quality violations. Development under this alternative would still require demolition and disturbance of existing buildings onsite which has the potential to disturb LBP and ACMs and would require implementation of mitigation measures MM-HAZ-1 and MM-HAZ-3. The Reduced Intensity Alternative

would have reduced operational emissions compared to the Project and would result in less than significant impacts to air quality after mitigation. Impacts would be less than that of the Project.

Biological Resources

The Project would result in potentially significant impacts related to MBTA-covered bird species which have the potential to occur onsite. The Project would implement mitigation measure MM-BIO-1 which would reduce impacts to a level below significance.

Under the Reduced Intensity Alternative, the Project would require the same amount of grading including clearing, other site disturbing activities which have the potential to impact MBTA-covered bird species. The Project under this alternative would also require implementation of mitigation measure MM-BIO-1 and impacts would be reduced to a level below significance. Under the Reduced Intensity Alternative, impacts to biological resources would be less than significant after mitigation, similar to that of the Project.

Cultural Resources

The Reduced Intensity Alternative would require the same amount of grading and ground disturbing activities, resulting in the potential for buried cultural resources, including human remains, to be unearthed during Project construction. Impacts would be potentially significant and would require implementation of mitigation measures MM-CUL-1a through MM-CUL-1h and MM-CUL-2 in order to reduce impacts to a level below significance. Therefore, impacts related to cultural resources under the Reduced Intensity Alternative would be less than significant after mitigation and impacts would be similar to that of the Project.

Energy

The Reduced Intensity Alternative would result in similar short-term construction energy usage as the development would occur over approximately the same land area as the Project. Long-term energy usage would be reduced as fewer residences would be occupying the site thereby reducing the amount of electricity and gas usage. Under this alternative, 76 single-family residences would be constructed compared to 400 multi-family residences that would be constructed as part of the Project. Development of the Reduced Intensity Alternative would not conflict with or obstruct a state or local plan or policy for renewable energy or energy efficiency as a less intensive use would be provided compared to the Project. It is anticipated that the single-family development under this alternative would also implement similar Project design features in order to reduce energy usage associated with operation of the Project. Therefore, the Reduced Intensity Alternative would have a less than significant impact to energy and would be less than that of the Project.

Geology and Soils

Although the Reduced Intensity Alternative would reduce the intensity of the type of residential development compared to the Project, potential impacts related to geology and soils would remain. Site development and disturbance would occur over the same land area as the Project. Compliance with the Project-specific Geotechnical Investigation, storm water requirements and BMPs, the CBC and City regulations would be required to ensure that the Reduced Intensity Alternative would not expose people or structures to seismic hazards, unstable soils or soil erosion. The requirements set forth in mitigation measures MM-GEO-1 and MM-HYDRO-1a through MM-HYDRO-1c would ensure impacts to geology and soils are reduced to a level below significance.

Potentially significant impacts to paleontological resources as a result of grading and ground disturbing activities would occur under this alternative. Implementation of mitigation measures MM-GEO-3a and MM-GEO-3b which requires a qualified paleontologist to prepare and implement a PRIMP and provide construction monitoring would be required in order to reduce impacts to less than significant levels. Impacts to geology and soils under this alternative would be less than significant with mitigation, similar to the Project.

Greenhouse Gas Emissions

Short-term GHG emissions during construction of the Reduced Intensity Alternative would be similar to that of the Project as site development would occur over the same land area as the Project. As discussed previously, vehicle trips to the Project Site would be reduced under this alternative by approximately 72% which would reduce operational GHG emissions under the Reduced Intensity Alternative. Development under this alternative would provide 76 single-family residences compared to 400 multi-family residences under the Project and therefore, GHG emissions associated with single-family operations would be reduced compared to the Project.

The Project would still require a General Plan Amendment and Zone Amendment but would provide a less intensive use compared to the Project, and therefore would not conflict with local and regional policies and plans related to the reduction of GHG emissions. Additionally, the single-family development would provide similar Project design features as the Project, further reducing GHG emissions and ensuring compliance with state GHG reduction goals and policies. Impacts related to GHG emissions under the Reduced Intensity Alternative would be less than significant and would be less than the Project.

Hazards and Hazardous Materials

Under the Reduced Intensity Alternative construction activities would still involve the transportation of potentially hazardous materials such as gasoline, diesel fuel, oil, and lubricants and would require compliance with BMPs, all applicable laws, ordinances, regulations and orders. The development of single-family residences under this alternative would still require demolition of existing onsite structures which has the potential to disturb LBP and ACMs. Soils shallower than 15 feet bgs have the potential to contain higher concentrations of petroleum hydrocarbon contaminants and the top three (3) feet of soils throughout the agricultural field portions of the western parcel have the potential to contain pesticides which have the potential to create a hazard to the public or the environment. Implementation of mitigation measures MM-HAZ-1 through MM-HAZ-5 would be required under the Reduced Intensity Alternative in order to reduce impacts related to LBP, ACMs, pesticides and contamination from ASTs.

Operation of the single-family development under this alternative would not include any special hazardous materials and would be limited to standard household cleaning supplies, maintenance and landscape care products, other household products, building materials such as paint, concrete, and asphalt, and similar substances. Cleaning and maintenance products associated with potential onsite pool would also be used in limited quantities. When used and disposed of in accordance with the manufacturer's instructions and applicable laws and regulations, these materials do not present a hazard to the environment.

The Reduced Intensity Alternative would not interfere with an adopted emergency response or evacuation plan. Development under the Reduced Intensity Alternative would continue to provide all required setbacks, fire truck access and turnarounds, fire hydrants, address numbers, sprinklers, Knox Box in accordance with the OFD requirements. Overall, the Reduced Intensity Alternative would have a less than

significant impact to hazards and hazardous materials after mitigation and impacts would be similar to that of the Project.

Hydrology and Water Quality

Under the Reduced Intensity Alternative, construction would still require earth-moving activities, exposing soils which could cause pollutant discharge and potentially degrade water quality. Grading and ground disturbing activities would occur over the same land area as the Project and the Reduced Intensity Alternative would still require construction BMPs and preparation of a SWPPP in order to reduce pollutant discharge during construction operations. Construction has the potential to result in exposed soils or changes in runoff that could result in erosion or siltation.

The Reduced Intensity Alternative would result in a similar amount of impervious areas which would contribute to changes in the amount of surface runoff which has the potential to increase or exceed the capacity of existing drainage systems or provide additional sources of polluted runoff. The Reduced Intensity Alternative would be required to implement pervious areas including landscaping throughout the development. The development of single-family residences by nature would include more landscaping than a multi-family development in the form of front yards, backyards and street landscaping, reducing impacts to surface runoff.

Implementation of mitigation measures MM-HYDRO-1a through MM-HYDRO-1c and MM-HYDRO-2 would be required in order to reduce potential impacts to water quality, erosion and surface runoff to a level below significance. Overall, impacts to hydrology and water quality would be less than significant after mitigation and would be similar to the Project.

Land Use and Planning

The Reduced Intensity Alternative would not divide an established community and adequate access for vehicles and pedestrians would be provided. The Reduced Intensity Alternative would introduce a new land use than what is currently provided by the City's General Plan land use as described but would provide a residential land use that is consistent with the residential development located directly west of the Project Site. With future approval and adoption of the General Plan Amendment by City Council, the Reduced Intensity Alternative would not conflict with the City's General Plan with regard to allowable land uses and the Project would not conflict with a General Plan Land Use Element policy.

The Reduced Intensity Alternative would generate approximately 12 trips per dwelling unit for residential estate uses and would therefore generate approximately 912 ADT, compared to the Project which would generate 3,200 ADT (according to the SANDAG *(Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region*). The Project would generate approximately 3.5 times more ADTs compared to the development under this alternative.

It is anticipated that the development under this alternative would require roadway improvements and contributions in accordance with the City's MTP in order to alleviate traffic along the surrounding roadways. The Project under this alternative would still require a VMT analysis and would remain in an area that exceeds the VMT per capita threshold of 85% and therefore would conflict with the City's threshold and would result in a significant impact. Under this alternative the Project would still provide VMT reduction measures in order to reduce impacts to a level below significance.

Although the Reduced Intensity Alternative would be designed to comply with the measures outlined in the MHCP and the Subarea Plan, this alternative has the potential to result in significant impacts to MBTA-covered bird species. Implementation of mitigation measure MM-BIO-1 would be required and

impacts would be reduced to a level below significance. Impacts to air quality under this alternative would be less than significant; however, impacts related to health risks would have the potential to conflict with local air quality plans. Implementation of mitigation measures MM-HAZ-1 through MM-HAZ-3 would be required and impacts would be reduced to a level below significance. Under the Reduced Intensity Alternative, impacts related to land use and planning would be less than significant after mitigation as it relates to compliance with local habitat and air quality plans and the City's VMT threshold and would be similar to that of the Project.

Mineral Resources

The Project Site is designated as MRZ-2 indicating that adequate information exists to suggest that significant mineral deposits are present or that it is determined that a high likelihood of their presence exists. Though the Project Site is located in an area designated as MRZ-2, there is no evidence of mineral deposits that are minable, process-able, and marketable under the technologic and economic conditions that exist at present, estimated to exist in the next 50 years, or meets/exceeds the minimum monetary values.

Under the Reduced Intensity Alternative mineral resources impacts would be less than significant and would be the same as the Project under this alternative.

Noise

The Reduced Intensity Alternative would provide 76 single-family residences compared to the Project which would provide 400 multi-family residential units. Short-term construction noise would be similar to that of the Project as the same land area would be developed under this alternative. Development under this alternative would continue to comply with City and local ordinances related to hours of construction and construction noise level requirements.

Operation of the single-family development under this alternative would result in noise generated from sources such as amplified music, barking dogs, garbage trucks, HVAC systems and landscape maintenance equipment that may be disturbing to other residents. Other noise generated specifically from the Project Site under this alternative could be generated from pools located on individual single-family residential lots. This has the potential to result in increased noise impacts compared to the Project which would contain only one pool facility.

The Project Site is surrounded primarily by various residential uses including single-family residences, multi-family apartments and condominiums, mobile home community, and light industrial uses. Noise produced by the nearby uses would be similar to that of the proposed Project. Therefore, activities associated with operation of single-family residences would not generate a substantial permanent increase in ambient noise levels in the vicinity of the Project in excess of local standards.

The primary source of noise on to the Project Site is from vehicular noise from North River Road. Development under this alternative would still create a sensitive noise receptor (residential use) which could be impacted by noise from North River Road. Similar to the Project, development under this alternative has the potential to exceed City noise standards related to interior noise and implementation of mitigation measures MM-NOI-1a and MM-NOI-1b would be required in order to reduce impacts to a level below significance.

Since this development under the Reduced Intensity Alternative would result in a reduction in vehicular trips compared to the proposed Project (approximately 72%) this alternative would contribute less traffic, and resulting traffic noise, to area roadways. Under this alternative, noise from adjacent roadways would

be reduced compared to the Project. Noise impacts would be less than significant after mitigation and would be slightly reduced compared to the Project.

Population and Housing

The Reduced Intensity Alternative would develop 76 single-family residences resulting in approximately 73 people residing within the Project Site. This alternative would not induce population growth to the extent of the Project as a less intensive development is proposed. A General Plan Amendment and Zone Amendment would be required under the Reduced Intensity Alternative in order to revise the land use and zoning designations from light industrial to residential estate use. Development under this alternative would provide single-family residential, in-fill development compatible with the surrounding residential uses.

Although the Project would be consistent with the surrounding residential uses in the area, the increase in the number of people and development in the area has the potential to adversely affect the physical environment. The associated environmental impacts have been identified and evaluated in this Reduced Intensity Alternative analysis which would result in significant impacts to biological resources, cultural resources, geology and soils, hazards and hazardous materials, land use, noise, transportation, and tribal cultural resources. Mitigation measures similar to those identified for the Project would be applicable to this alternative and would reduce all potentially significant impacts under this alternative to a level below significance.

There are no components of the Reduced Project Intensity Alternative that would remove obstacles to development in the surrounding area, as the majority of lands surrounding the Project Site are developed with urban uses, are in the process of being developed, or are planned as open space. No impact to population growth would result from any improvements under the Reduced Intensity Alternative as these improvements would not induce substantial growth on the surrounding area. The Project would exceed local and/or regional population projections; however, the Project would not indirectly induce growth by removing impediments to growth.

Although a total of three (3) residential structures exist within the Project Site, only one (1) of the structures is occupied by residents while the other two (2) are clearly vacant and in poor condition. Development under this alternative would result in the demolition of this occupied residence; however, this alternative would construct 76 new single-family residential which offsets the loss of this one (1) unit. Impacts related to population and housing under the Reduced Intensity Alternative would be less than significant and would be reduced compared to the Project.

Public Services

Although the Reduced Intensity Alternative would promote a residential development on a site with existing land use and zoning designations for light industrial uses, this alternative would provide for a single-family in-fill development compatible with the surrounding residential uses. Development under this alternative would not require new or physically altered fire or emergency medical facilities, police facilities, schools, parks or other public facilities.

Under this alternative, demand for public services would be reduced compared to the Project as fewer people would be residing in the Project area requiring less demand for such services. The Project would contribute all required development impact fees in accordance with the City's current requirements, a portion of which would go towards funding future public service improvements via the City's capital improvement program. This program is intended to address the incremental increase in demand for public services such as police, fire, recreation, and libraries generated by new development. Therefore, impacts

to public services would be less than significant and would be reduced under the Reduced Intensity Alternative compared to the Project.

Recreation

The Reduced Intensity Alternative would provide 76 single-family residences which would likely result in an increased use of existing neighborhood and regional parks and recreational facilities. However, the Reduced Intensity Alternative would be required to contribute to all required development impact fees related to parks at a cost of \$4,431 per residential unit in accordance with the City's Impact Fee Schedule. Payment of these fees would offset the potential increase in usage and demand placed on existing public recreational facilities as a result of development under the Reduced Intensity Alternative. Additionally, this alternative would provide all required open space and setbacks for front and rear yards. Impacts related to the provision of open space any other proposed recreational facilities under this alternative would be provided in this alternative analysis and are not expected to have adverse impacts beyond those provided in this EIR. For the purposes, of this alternative analysis, it is assumed that pedestrian connections to the San Luis Rey River trail would be provided.

Under this alternative, single-family residential development would result in fewer residences which would result in reduced impacts to recreational facilities in the area. Therefore, impacts related to recreation under the Reduced Intensity Alternative would be less than significant and would be reduced compared to the Project.

Transportation

The Reduced Intensity Alternative would generate approximately 12 trips per dwelling unit for residential estate uses and would therefore generate approximately 912 ADT, compared to the Project which would generate 3,200 ADT (according to the SANDAG *(Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region*). The Project would generate approximately 3.5 times more ADTs compared to the development under this alternative.

It is anticipated that the development under this alternative would require roadway improvements and contributions in accordance with the City's MTP in order to alleviate traffic along the surrounding roadways. Similar sidewalk improvements would be anticipated under the Reduced Intensity Alternative and it is assumed that similar compliance with all program, plan, ordinance or policies addressing the circulation system including transit, bicycle and pedestrian facilities would occur under this alternative.

In accordance with the City's Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment, projects inconsistent with the General Plan that generate 500 project ADTs would require a VMT analysis. Therefore, the Reduced Intensity Alternative would require a VMT analysis and would have a significant impact to VMT, similar to that of the Project. Under this alternative, it is assumed that similar VMT reduction measures similar to mitigation measures MM-TRANSP0-1 and MM-TRANSP0-2 would be implemented in order to reduce VMT impacts to a level below significance g. Impacts related to transportation VMT under the Reduced Intensity Alternative would be less than significant after mitigation and would be similar to that of the Project; however, vehicle trips under this alternative would be reduced.

Tribal Cultural Resources

The Reduced Intensity Alternative would require the same amount of grading and ground disturbing activities, resulting in the potential for unknown tribal cultural resources to be unearthed during construction. Impacts would be potentially significant and would require implementation of mitigation

measures MM-CUL-1a through MM-CUL-1h in order to reduce impacts to a level below significance. Therefore, impacts related to tribal cultural resources under the Reduced Intensity Alternative would be less than significant after mitigation and impacts would be similar to that of the Project.

Utilities and Service Systems

The Reduced Intensity Alternative would result in the addition of single-family residences which would require water, wastewater, and solid waste services. Development under this alternative would connect to the existing water service lines in the vicinity of the site and would be required to contribute its share of the future users' storage capacity based on the additional average water demand. Development under this alternative would include connection to the recycled water distribution main for irrigation services. All future onsite and off-site water connections to existing facilities in North River Road and the associated construction activities to install this infrastructure is included in the environmental impacts discussed in this alternatives analysis and would result in less than significant impacts. Development under this alternative would comply with all Water Utilities Department conditions and would incorporate all requirements into the onsite design. Impacts related to the relocation or construction of new or expanded water facilities would be less than significant.

It is anticipated that sewer services would connect to existing lines located in North River Road and Calle Joven. Onsite sewer connection improvements do not result in any new footprint-related impacts beyond those already disclosed in this document and alternatives analysis. Any improvements required to the North River Road trunk sewer would be located in a developed area that has already been disturbed and would not result in impacts to sensitive resources. The Reduced Intensity Alternative would generate less wastewater compared to the Project, and it is anticipated that the North Valley Sewer Lift Station could accommodate the addition sewage flow. Development under this alternative would be required to contribute its share of the costs for potential modifications to the North Valley Sewer Lift Station at the time of entitlement. Additionally, development under this alternative would contribute to the buy-in cost for wastewater treatment and disposal at the San Luis Rey Wastewater Treatment Plan which is expected to be satisfied by the payment of the sewer connection fees on a per dwelling unit basis. Therefore, water and wastewater facilities would also have available capacity to support development under this alternative and this alternative would contribute to all required fair share contributions to future improvements.

Development under the Reduced Intensity Alternative would result in less water demand and sufficient water supplies would be available to serve the development under this alternative and reasonably foreseeable future development during normal, dry, and multiple dry years. Additionally, less waste would be generated from this alternative as the development would be a less intensive use. The El Sobrante Landfill would continue to have sufficient permitted capacity to serve the development under this alternative.

Impacts related to utilities and service systems under the Reduced Intensity Alternative would be less than significant and would be reduced compared to the Project.

Wildfire

The Project Site is located in a developed area surrounded primarily by multi-family residential to the north and north east including multi-family condominiums, apartments and mobile home estate community, single-family residential to the west, light industrial uses to the east and southeast. The Project Site is not located in a very high fire hazard severity zone within the Oceanside Local Responsibility Area as mapped by CAL FIRE, nor is the site located within a SRA where CAL FIRE is the primary emergency response agency responsible for fire suppression and prevention. Development under this alternative would provide all required setbacks, vehicular access, and signage in addition to fire

hydrants, address numbers, and sprinklers as required by the OFD for residential developments. Development of the single-family residences under this alternative would not impair an adopted emergency or evacuation plan, expose occupants to wildfire or require installation of infrastructure that would exacerbate fire risk. The Reduced Intensity Alternative would have a less than significant impact related to wildfire and a similar level of impacts as the Project.

Conclusion

The Reduced Intensity Alternative would reduce Project impacts related to aesthetics, air quality, energy, GHG emissions, noise, population and housing, public services, recreation, and utilities and service systems. Impacts related to transportation would be similar to that of the Project; however the Project under this alternative would result in reduced vehicle trips. The Reduced Intensity Alternative would still be required to implement the mitigation measures identified for the Project in order to reduce potentially significant impacts to a level below significant. However, it is anticipated that under this alternative, roadway improvements and contributions in accordance with the reduced number of trips would be provided. All other impacts would be the same under the Reduced Intensity Alternative and the Project. Project objectives under this alternative would only be met to an extent.

7.4.3 ALTERNATIVE 3: REDUCED PROJECT FOOTPRINT ALTERNATIVE

The Reduced Project Footprint Alternative would construct a reduced sized multi-family development on the Project Site. For the purposes of this analysis, it is assumed that the entire 9.7-acre eastern parcel would be developed and only the northern and northwestern four (4) acres of the western parcel would be developed. This would avoid the land consisting of agricultural operations which totals approximately 11.8 acres of row crops. Development would be reduced by approximately 50% under this alternative and therefore, for the purposes of this alternatives analysis, a total of 200 multi-family units would be developed. It is also assumed that only one (1) of the existing single-family residences located on the western parcel would remain and would not be demolished as part of Project construction. Under this alternative, it is assumed that a General Plan Amendment and Zone Amendment would be required for both parcels in order to designate the site for medium density residential uses.

Under the Reduced Project Footprint Alternative the area of disturbance by grading and earthwork would be reduced, further reducing impacts to unknown cultural, tribal cultural and paleontological resources. The impacts associated with the Reduced Project Footprint Alternative are further discussed below.

Environmental Analysis

Aesthetics

The Reduced Project Footprint Alternative would fully develop the eastern parcel and only partially develop the western parcel, leaving the areas designated as row crops in its current state. Therefore, development of the site would be reduced by approximately 50%. Under this alternative a less intensive medium density residential development would be provided, reducing the number and size of buildings to be constructed onsite and further reducing the amount of change in the visual character of the site. Less grading and site disturbance would take place leaving the agricultural areas of the site intact. The Project Site under this alternative would still conform to the developed characteristics of the surrounding area as it would provide a multi-family development that is compatible with the various residential uses to the north and west and would be consistent with the character and quality of the surrounding environment. This alternative would result in fewer lighting fixtures to be located around the Project Site and less light and glare would be generated onsite. Impacts to scenic resources, visual character, and lighting would be

less than significant under the Reduced Project Footprint Alternative and would be reduced compared to the Project.

Agriculture and Forestry Resources

A FMMP map was prepared for the Project Site and designates the eastern parcel (4665 North River Road) as Urban Built-Up Land. On the western parcel (4617 North River Road), the northwest corner is designated as Urban Built-Up Land while the remainder of the parcel is designated as Other Land. The immediate surroundings of the Project Site also consist of Urban Built-Up Land and Other Land. No areas designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance are located within close proximity to the Project Site. Although existing agricultural uses exist within the Project Site which would be converted within the PBD Overlay District to future medium density residential uses, the land is not recognized as a designated agricultural use. The Project Site is surrounded primarily by various residential land uses such as single-family residences, multi-family apartments and condominiums, and mobile home community. The Project would have a less than significant impact to agriculture and forestry resources.

Under the Reduced Project Footprint Alternative, the onsite areas designated as row crops would not be developed. Only the eastern parcel and the northern and northwestern four (4) acres of the western parcel would be developed. Therefore, under this alternative no conversion of agricultural uses would take place and no impact to agricultural and forestry resources would occur. Impacts would be reduced compared to the Project.

Air Quality

The Reduced Project Footprint Alternative would result in short-term air quality impacts during demolition, site preparation, grading and other building construction activities. However, a reduced Project footprint and development area would reduce the amount of grading and demolition, reducing the amount of short-term air quality impacts. Development under this alternative would still require demolition and disturbance of existing buildings onsite which has the potential to disturb LBP and ACMs and would require implementation of mitigation measures MM-HAZ-1 and MM-HAZ-3.

Long-term air quality emissions would result during the operation of the multi-family development on a reduced-sized Project Site. Development under the Reduced Project Footprint Alternative would generate approximately 12 trips per dwelling unit for a total of 2,400 ADT. Compared to the Project, which would generate 3,200 ADT (according to the SANDAG *(Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region*); this represents a 25% reduction in ADT. Fewer vehicle trips would result in reduced air quality emissions compared the Project, reducing long-term emissions generated by the Project Site.

Under the Reduced Project Footprint Alternative, the Project would still require a General Plan Amendment and Zone Amendment in order to revise the land use and zoning designation of the site from light industrial to medium density residential. However, under this alternative a less intensive use would be provided compared to the Project and therefore, would have a reduced impact related to conflicting with implementation of local and regional air quality plans. The Reduced Project Footprint Alternative would not contribute to air quality violations and would not expose sensitive receptors to emissions or objectionable odors. Therefore, the Reduced Project Footprint Alternative would have fewer construction and operational emissions and would have a less than significant impact to air quality after mitigation, which is less than that of the Project.

Biological Resource

Under the Reduced Project Footprint Alternative the Project would result in impacts to developed land, disturbed land and non-native vegetation, which are not considered significant and would not require mitigation. The 11.8 acres of row crops located on the western parcel would not be disturbed under this alternative. The Project under this alternative would require clearing and grading and would result in potentially significant impacts to MBTA-covered bird species which have the potential to occur onsite. Implementation of mitigation measure MM-BIO-1 would be required under this alternative to reduce potential impacts related to MBTA-covered species to less than significant levels. Under the Reduced Project Footprint Alternative, impacts to biological resources would be less than significant after mitigation and would be slightly reduced compared to the Project.

Cultural Resource

A reduced Project footprint would reduce the area of disturbance by grading and earthwork under this alternative, further reducing impacts to unknown cultural resources, including human remains. Three (3) historic residences (P-37-038464, P-37-038465 and P-37-038469) and three (3) isolated prehistoric artifacts (P-37-038466, P-37-038467 and P-37-038468) were recorded as a result of the field survey. Due to the location of the Project Site on an alluvial terrace associated with the San Luis Rey River and due to the occurrence of three (3) isolated prehistoric artifacts during the field survey, construction activities, including ground disturbing activities have the potential to cause an adverse change in the significance of an archaeological resource should they be located on the Project Site.

Implementation of mitigation measures MM-CUL-1a through MM-CUL-1h and MM-CUL-2 would still be required under this alternative and would further reduce potential impacts related to cultural resources and human remains. Impacts related to cultural resources under the Reduced Project Footprint Alternative would be less than significant with mitigation and impacts would be slightly reduced compared to the Project.

Energy

The Reduced Project Footprint Alternative would result in less short-term construction energy usage as less grading would take place within the Project footprint. Long-term energy usage would be reduced as vehicle trips to the Project Site would be less than that of the fully developed site and fewer residential units would require less energy demand. Under this alternative the Project would not conflict with or obstruct a state or local plan or policy for renewable energy or energy efficiency. Further, it is assumed that under this alternative similar Project design features would be implemented. Therefore, the Reduced Project Footprint Alternative would have a less than significant impact to energy, which is less than that of the Project.

Geology and Soils

Although the Reduced Project Footprint Alternative would reduce the intensity of development compared to the Project, potential impacts related to geology and soils would remain. Development under this alternative would result in potentially significant impacts related to strong seismic ground shaking, seismic-related ground failure, unstable geologic unit or soil and soil erosion. Implementation of mitigation measures MM-GEO-1 and MM-HYDRO-1a through MM-HYDRO-1c would be required to ensure impacts are reduced to a level below significance. Therefore, the Reduced Project Footprint Alternative would not expose people or structures to seismic hazards, unstable geologic unit or soil and soil erosion.

Potentially significant impacts to paleontological resources as a result of Project grading and ground disturbing activities would occur under this alternative. However, less site disturbance would take place, reducing the potential for disturbance to such resources. Implementation of mitigation measure MM-GEO-3a and MM-GEO-3b which requires a qualified paleontologist to be present during ground-disturbing activities and compliance with a PRIMP would be required under the Reduced Project Footprint Alternative. Impacts to geology and soils under this alternative would be less than significant with mitigation, and would be slightly reduced compared the Project.

Greenhouse Gas Emissions

GHG emissions during Project construction would be reduced under the Reduced Project Footprint Alternative as less grading would take place resulting in fewer off-road construction equipment, haul trucks, vendor trucks and worker vehicle trips. Operational GHG emissions would be reduced as a result of fewer vehicle trips to and from the Project Site. A reduction in the size of the multi-family development would reduce the number of residences onsite using electricity and gas, further reducing GHG emissions long-term.

The Reduced Project Footprint Alternative would remain in compliance with local and regional policies and plans related to the reduction of GHG emissions. It is assumed that under this alternative similar Project design features would be implemented which aim to address requirements of the CAP. Therefore, impacts related to GHG emissions under the Reduced Project Footprint Alternative would be less than significant and would be reduced compared to the Project.

Hazards and Hazardous Materials

Under the Reduced Project Footprint Alternative construction activities would still involve the transportation of potentially hazardous materials. However, with less grading and a smaller development footprint, fewer hazardous materials such as gasoline, diesel fuel, oil, lubricants would be required compared to the Project. Compliance with proper BMPs and all applicable laws, ordinances, rules and regulations would ensure significant impacts related to hazardous materials would be less than significant.

Construction activities under this alternative has the potential to cause a significant impacts related to the transport, use and disposal of hazardous materials and release of hazardous materials as a result of disturbance to LBP, ACMs and contamination from ASTs. However, it is assumed that the occupied single-family residence on the western parcel would remain under this alternative. Therefore, impacts related to disturbance of LBP and ACMs would be slightly reduced. Under this alternative, areas designated as row crops on the western parcel would not be disturbed or developed on reducing impacts related to pesticides. Therefore, implementation of mitigation measures MM-HAZ-1 through MM-HAZ-4 would be required and mitigation measure MM-HAZ-5 would not be required under this alternative. Impacts would be reduced to level below significance.

Operation of the reduced-size multi-family development would not require the use of special status hazardous materials. Hazardous materials used onsite would be limited to standard household cleaning supplies, maintenance and landscape care products, other household products, building materials such as paint, concrete, and asphalt, and similar substances. Cleaning and maintenance products associated with the onsite pool would also be used in limited quantities. When used and disposed of in accordance with the manufacturer's instructions and applicable laws and regulations, these materials do not present a hazard to the environment.

The Project under the Reduced Footprint Alternative would not interfere with an adopted emergency response or evacuation plan. The development would continue to incorporate all required setbacks, fire

truck access and turnarounds, fire hydrants, address numbers, sprinklers, Knox Box in accordance with the OFD requirements. Fewer vehicle trips on the surrounding roadways as a result of the Project under this alternative would reduce impacts related to emergency access to the site. Under the Reduced Project Footprint Alternative, the Project would have a less than significant impact related to hazards and hazardous materials after mitigation and impacts would be reduced compared to the Project.

Hydrology and Water Quality

Under the Reduced Project Footprint Alternative, Project construction would still require earth-moving activities, exposing soils which would cause pollutant discharge and potentially degrade water quality. However, less grading would occur and earth-moving activities and exposed soils would occur over a smaller area compared to the Project. The Project would still require construction BMPs and preparation of a SWPPP in order to reduce pollutant discharge during construction operations. Construction has the potential to result in exposed soils or changes in runoff that could result in erosion or siltation.

The Reduced Project Footprint Alternative would result in the reduction of impervious areas but would still contribute to changes in the amount of surface runoff which has the potential to increase or exceed the capacity of existing drainage systems or provide additional sources of polluted runoff. Development under this alternative would be required to implement pervious areas including landscaping throughout the development. Implementation of mitigation measures MM-HYDRO-1a through MM-HYDRO-1c and MM-HYDRO-2 would be required in order to reduce potential impacts to water quality, erosion and surface runoff to a level below significance. Impacts to hydrology and water quality would be less than significant after mitigation and would be slightly reduced compared to the Project.

Land Use and Planning

The Reduced Project Footprint Alternative would not physically divide an established community and adequate access for vehicles and pedestrians would still be provided. A General Plan Amendment and Zone Amendment would still be required under this alternative in order to designate the site for medium density residential from light industrial uses. The Reduced Project Alternative would introduce a new land use than what is currently provided by the City's General Plan land use but would provide residential development in a developed area surrounded by other residential uses to the north and west. Under this alternative a less intensive multi-family residential development would be provided and therefore the change in uses would not be as intensive as the Project. With future approval and adoption of the General Plan Amendment by City Council, the Reduced Project Footprint Alternative would not conflict with the City's General Plan with regard to allowable land uses and would not conflict with a General Plan Land Use Element policy.

The Reduced Project Footprint Alternative would develop a reduced-size multi-family development, approximately half the size of the Project. Therefore, traffic generated from the Project Site under this alternative would be approximately 2,400 ADT compared to the Project which would generate 3,200 ADT. It is anticipated that the development under this alternative would result in traffic to the surrounding roadways and would implement the appropriate roadway improvements and contributions as present in the City's MTP. The Project under this alternative would still require a VMT analysis and would remain in an area that exceeds the VMT per capita threshold of 85% and therefore would conflict with the City's threshold and would result in a significant impact. Under this alternative the Project would still provide VMT reduction measures in order to reduce impacts to a level below significance.

Impacts related to compliance with the MHCP Oceanside Subarea Plan would be reduced by implementation of mitigation measure MM-BIO-1. Impacts related to compliance with local air quality plans specifically related to health risks would be reduced with implementation of mitigation measure

MM-HAZ-1 through MM-HAZ-3. Under the Reduced Project Footprint Alternative impacts related to local habitat and air quality plans and the City's VMT threshold would have a less than significant impact after mitigation and impacts would be slightly reduced compared to the Project.

Mineral Resources

The Project Site is designated as MRZ-2 indicating that adequate information exists to suggest that significant mineral deposits are present or that it is determined that a high likelihood of their presence exists. Though the Project Site is located in an area designated as MRZ-2, there is no evidence of mineral deposits that are minable, process-able, and marketable under the technologic and economic conditions that exist at present, estimated to exist in the next 50 years, or meets/exceeds the minimum monetary values.

The Reduced Project Footprint Alternative would have a less than significant impact to mineral resources and impacts would be the same as the Project.

Noise

This alternative would construct the multi-family development on a reduced Project footprint, reducing the size of the development. Development under the Reduced Project Footprint Alternative would result in short-term construction noise during demolition, site preparation, and grading which would include heavy duty off-road equipment. With a reduced grading footprint, site preparation would occur over a shorter amount of time and over a smaller area thereby reducing the amount of noise produced during construction operations. The Reduced Project Footprint Alternative would continue to comply with City ordinances related to hours of construction and construction noise level requirements.

Operation of the reduced-size development under this alternative would result in noise generated from the multi-family development including noise generated from sources such as amplified music, barking dogs, garbage trucks, and landscape maintenance equipment that may be disturbing to other residents. Other noise generated specifically from the Project would be from the onsite pool equipment and usage and HVAC systems. The Project Site is surrounded primarily by various residential uses including single-family residences, multi-family apartments and condominiums, mobile home community, and light industrial uses. Noise produced by the nearby uses would be similar to that of the proposed Project. Therefore, activities associated with operation of a reduced-sized multi-family development would not generate a substantial permanent increase in ambient noise levels in the vicinity of the Project in excess of local standards.

The primary source of noise impacts to the Project Site is from vehicular noise from North River Road. With development of a less intensive medium density residential development fewer vehicles would be generated by the development resulting in less traffic and transportation noise as a result. Development under this alternative would still create a sensitive noise receptor (residential use) which could be impacted by noise from North River Road. Similar to the Project, development under this alternative has the potential to exceed City noise standards related to interior noise and implementation of mitigation measures MM-NOI-1a and MM-NOI-1b would be required in order to reduce impacts to a level below significance. Noise impacts under the Reduced Project Footprint Alternative would be less than significant after mitigation and would be slightly reduced compared to the Project.

Population and Housing

The Reduced Project Footprint Alternative would develop a reduced-size multi-family development on approximately half the size of the Project. Therefore, development of the site would be reduced by approximately 50% and population growth would further be reduced. A General Plan Amendment and

Zone Amendment would be required under the Reduced Project Footprint Alternative in order to revise the land use and zoning designations from light industrial to medium density residential. Although the Project would promote a residential development on a site with existing land use and zoning designations for light industrial uses, development under this alternative would provide multi-family residential, in-fill development compatible with the surrounding residential uses and would provide a transition between both residential and industrial uses. Alternatively, development of the site to the fullest potential as a light industrial use would not be compatible with the surrounding residential development.

Although the Project would be consistent with the surrounding residential uses in the area, the increase in the number of people and development in the area has the potential to adversely affect the physical environment. The associated environmental impacts have been identified and evaluated in this Reduced Project Footprint Alternative analysis which would result in significant impacts to biological resources, cultural resources, geology and soils, hazards and hazardous materials, land use, noise, transportation, and tribal cultural resources. Mitigation measures have been identified in order to reduce all potentially significant impacts under this alternative to a level below significance.

Development under this alternative would result in an incremental increase in demand for water and wastewater services and facilities and services would connect to existing facilities surrounding the site and would provide both on- and off-site connections. The environmental impacts associated with the increase in water and wastewater facilities and connections to existing facilities is analyzed in this alternatives analysis where impacts would be reduced to less than significant levels with mitigation.

The Reduced Project Footprint Alternative would not construct any new public roadways which have the potential to further induce growth. Internal roadways would be provided throughout the multi-family development to provide access to the residential buildings from parking areas and the surrounding public roadways. This alternative would contribute its fair share to other traffic improvements in relation to associated traffic effects under this alternative. These roadway improvements and contributions are provided within the City's MTP Traffic Impact Analysis and are planned for in the City's General Plan and would therefore not be considered growth inducing cause by the Project.

Development under the Reduced Project Footprint Alternative would require demolition of two (2) existing onsite structures which are clearly vacant and in poor condition; however, the single-family residence on the western parcel would remain under this alternative. Impacts related to the removal of onsite residential structures would not result in a significant impact and the reduced-size development under this alternative would offset the loss of these residential structures. This alternative would not displace a substantial number of existing people or housing, necessitating the construction of replacement housing elsewhere. Impacts to population and housing would be less than significant and would be reduced compared to the Project.

Public Services

Under the Reduced Project Footprint Alternative development of a reduced-size multi-family development would result in a lower demand for public services compared to the Project and would not require any new or physically altered fire or emergency medical facilities, police facilities, schools, parks or other public facilities. Public services are already provided to the Project Site and the surrounding area and this alternative would provide for medium density residential in-fill development.

The Reduced Project Footprint Alternative would contribute all required development impact fees in accordance with the City's current requirements, a portion of which would go towards funding future public service improvements via the City's capital improvement program. This program is intended to address the incremental increase in demand for public services such as police, fire, recreation, and

libraries generated by new development. Impacts to public services would be less than significant and would be reduced compared to the Project.

Recreation

The Reduced Project Footprint Alternative would provide a reduced-sized multi-family development approximately half the size of the Project, which would likely result in an increased use of existing neighborhood and regional parks and recreational facilities. However, the Project would be required to contribute to all required development impact fees related to parks at a cost of \$4,431 per residential unit in accordance with the City's Impact Fee Schedule. Payment of these fees would offset the potential increase in usage and demand placed on existing public recreational facilities as a result of the Project. Additionally, the Project would provide open space in the amount of 350 SF of usable open space per unit and pedestrian amenities throughout the development. Impacts related to the provision of open space any other proposed recreational facilities under this alternative would be provided in this alternative analysis and are not expected to have adverse impacts beyond those provided in this EIR.

Under this alternative, the reduced-size multi-family residential development would result in fewer residences which would result in reduced impacts to recreational facilities in the area. Therefore, impacts related to recreation would be less than significant and would be reduced compared to the Project.

Transportation

The Reduced Project Footprint Alternative would develop a reduced-size multi-family development, approximately half the size of the Project. Therefore, traffic generated from the Project Site under this alternative would be approximately 2,400 ADT compared to the Project which would generate 3,200 ADT. It is anticipated that the development under this alternative would result in traffic to the surrounding roadways and would implement the appropriate roadway improvements as present in the City's MTP.

The Project would provide sidewalk improvements along the Project frontage on North River Road. Similar to the Project, the reduced-size multi-family development would not conflict with the City's General Plan Circulation Element or other plans related to multi-modal transportation systems.

In accordance with the City's Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment, projects inconsistent with the General Plan that generate 500 project ADTs would require a VMT analysis. Therefore, the Project under this alternative would require a VMT analysis. The Project Site is located in an area having a VMT per Capita by Census Tract at 92.7% of the regional mean and therefore the Project exceeds the 85% significance threshold and is considered to have a significant impact on transportation VMT. Under this alternative, the Project would implement VMT reduction measures in accordance with mitigation measures MM-TRANSP0-1 and MM-TRANSP0-2, similar to those implemented under the Project. Implementation of VMT reduction measures would reduce impacts to VMT to a level below significance. Impacts to transportation under the Reduced Project Footprint Alternative would be similar to that of the Project; however, the number of vehicle trips under this this alternative would be reduced.

Tribal Cultural Resources

A reduced Project footprint would reduce the area of disturbance by grading and earthwork under this alternative, further reducing impacts to unknown tribal cultural resources. However, because the Project Site is located on an alluvial terrace associated with the San Luis Rey River and because three (3) isolated prehistoric artifacts were discovered during the field survey, construction activities, including ground

disturbing activities have the potential to cause an adverse change in the significance of a tribal cultural resource. Implementation of mitigation measures MM-CUL-1a through MM-CUL-1h would reduce impacts to below a level of significance. Under the Reduced Project Footprint Alternative impacts to tribal cultural resources would be less than significant after mitigation and would be slightly reduced compared to the Project.

Utilities and Service Systems

The Reduced Project Footprint Alternative would result in the development of a reduced-sized multi-family residential development which would require water, wastewater, and solid waste services. However, demand for water, wastewater and solid waste would be reduced compared to the Project since approximately half the number of units would be built. Development under this alternative would connect to the existing water service lines in the vicinity of the site and would be required to contribute its share of the future users' storage capacity based on the additional average water demand. Development under this alternative would include connection to the recycled water distribution main for irrigation services. All future onsite and off-site water connections to existing facilities in North River Road and the associated construction activities to install this infrastructure is included in the environmental impacts discussed in this alternatives analysis and would result in less than significant impacts. This alternative would comply with all Water Utilities Department conditions and would incorporate all requirements into the Project design. Impacts related to the relocation or construction of new or expanded water facilities would be less than significant under this alternative.

It is anticipated that sewer services would connect to existing lines located in North River Road and Calle Joven. Onsite sewer connection improvements do not result in any new Project-footprint related impacts beyond those already disclosed in this document and alternatives analysis. Any improvements required to the North River Road trunk sewer would be located in a developed area that has already been disturbed and would not result in impacts to sensitive resources. Due to the fact that the reduced-sized multi-family development would generate less wastewater compared to the Project, it is anticipated that the North Valley Sewer Lift Station could accommodate the addition sewage flow. The Project would be required to contribute its share of the costs for potential modifications to the North Valley Sewer Lift Station at the time of Project entitlement. Additionally, the Project would contribute to the buy-in cost for wastewater treatment and disposal at the San Luis Rey Wastewater Treatment Plan which is expected to be satisfied by the payment of the sewer connection fees on a per dwelling unit basis. Therefore, water and wastewater facilities would also have available capacity under this alternative and the Project would contribute to all required fair share contributions to future improvements.

Development under the Reduced Project Footprint Alternative would result in less water demand and sufficient water supplies would be available to serve the development under this alternative and reasonably foreseeable future development during normal, dry, and multiple dry years. Additionally, less waste would be generated from the Project Site as the development would be a less intensive use and the El Sobrante Landfill would continue to have sufficient permitted capacity to serve the Project under this alternative.

Impacts related to utilities and service systems under the Reduced Project Footprint Alternative would be less than significant and would be reduced compared to the Project.

Wildfire

The Project Site is located in a developed area surrounded primarily by multi-family residential to the north and north east including multi-family condominiums, apartments and mobile home estate community, single-family residential to the west, light industrial uses to the east and southeast. The

Project Site is not located in a very high fire hazard severity zone within the Oceanside Local Responsibility Area as mapped by CAL FIRE, nor is the site located within a SRA where CAL FIRE is the primary emergency response agency responsible for fire suppression and prevention. Development of the Project under this alternative would provide all required setbacks, vehicular access, and signage in addition to fire hydrants, address numbers, and sprinklers as required by the OFD for residential developments. The Reduced Project Footprint Alternative would not impair an adopted emergency or evacuation plan, expose occupants to wildfire or require installation of infrastructure that would exacerbate fire risk. This alternative would have a less than significant impact related to wildfire under the Reduced Project Footprint Alternative, similar to that of the Project.

Conclusion

The Reduced Project Footprint Alternative would result in reductions to impacts related to aesthetics, agriculture and forestry resources, biological resources, cultural resources, energy, geology and soils, GHG emissions, hazards and hazardous materials, hydrology and water quality, land use, noise, population and housing, public services, recreation, and tribal cultural resources. Impacts related to mineral resources, transportation, and wildfire would be similar to the Project. All mitigation measures identified for the Project would be applicable to this alternative except for mitigation measure MM-HAZ-5 related to pesticides as no disturbance to the agricultural lands would occur under this alternative. Appropriate transportation roadway improvements in accordance with the reduced traffic under this alternative would be implemented as provided in the City's MTP. Project objectives under this alternative would only be met to an extent.

7.5 SUMMARY OF ALTERNATIVE IMPACTS

Table 7.5-1 below provides a summary of the effects of each alternative for each of the environmental impact areas addressed above.

**Table 7.5-1
Comparison of Project and Alternatives Impacts**

Environmental Issue Area	Project Impact	Alternative 1: No Project Alternative	Alternative 2: Reduced Intensity Alternative	Alternative 3: Reduced Project Footprint Alternative
Aesthetics	Less Than Significant	No Impact (Less Impact Than Project)	Less Than Significant (Less Impact Than Project)	Less Than Significant (Less Impact Than Project)
Agriculture and Forestry Resources	Less Than Significant	No Impact (Less Impact Than Project)	Less Than Significant (Similar Impact as Project)	Less Than Significant (Less Impact Than Project)
Air Quality	Less Than Significant After Mitigation	Less Than Significant (Less Impact Than Project)	Less Than Significant After Mitigation (Less Impact Than Project)	Less Than Significant (Less Impact Than Project)
Biological Resources	Less Than Significant After Mitigation	No Impact (Less Impact Than Project)	Less Than Significant After Mitigation (Similar Impact as Project)	Less Than Significant After Mitigation (Less Impact Than Project)
Cultural Resources	Less Than Significant After Mitigation	No Impact (Less Impact Than Project)	Less Than Significant After Mitigation (Similar Impact as Project)	Less Than Significant After Mitigation (Less Impact Than Project)
Energy	Less Than Significant	Less Than Significant Impact (Less Impact Than Project – would not include Project design features to address CAP)	Less Than Significant (Less Impact Than Project)	Less Than Significant (Less Impact Than Project)
Geology and Soils	Less Than Significant After Mitigation	No Impact (Less Impact Than Project)	Less Than Significant After Mitigation (Similar Impact as Project)	Less Than Significant After Mitigation (Less Impact Than Project)
Greenhouse Gas Emissions	Less Than Significant	Less Than Significant Impact (Less Impact Than Project – would not include Project design features to address CAP)	Less Than Significant (Less Impact Than Project)	Less Than Significant (Less Impact Than Project)

Environmental Issue Area	Project Impact	Alternative 1: No Project Alternative	Alternative 2: Reduced Intensity Alternative	Alternative 3: Reduced Project Footprint Alternative
Hazards and Hazardous Materials	Less Than Significant After Mitigation	Less Than Significant Impact (Less Impact Than Project)	Less Than Significant After Mitigation (Similar Impact as Project)	Less Than Significant After Mitigation (Less Impact Than Project)
Hydrology and Water Quality	Less Than Significant After Mitigation	No Impact (Less Impact Than Project)	Less Than Significant After Mitigation (Similar Impact as Project)	Less Than Significant After Mitigation (Less Impact Than Project)
Land Use and Planning	Less Than Significant After Mitigation	No Impact (Less Impact Than Project)	Less Than Significant After Mitigation (Similar Impact as Project)	Less Than Significant After Mitigation (Less Impact Than Project)
Mineral Resources	Less Than Significant	No Impact (Less Impact Than Project)	Less Than Significant (Similar Impact as Project)	Less Than Significant (Similar Impact as Project)
Noise	Less Than Significant After Mitigation	Less Than Significant Impact (Less Impact Than Project)	Less Than Significant After Mitigation (Less Impact Than Project)	Less Than Significant After Mitigation (Less Impact Than Project)
Population and Housing	Less Than Significant	No Impact (Less Impact Than Project)	Less Than Significant (Less Impact Than Project)	Less Than Significant (Less Impact Than Project)
Public Services	Less Than Significant	No Impact (Less Impact Than Project)	Less Than Significant (Less Impact Than Project)	Less Than Significant (Less Impact Than Project)
Recreation	Less Than Significant	No Impact (Less Impact Than Project – would not include pedestrian, sidewalk improvements or trail connections)	Less Than Significant (Less Impact Than Project)	Less Than Significant (Less Impact Than Project)
Transportation	Less Than Significant After Mitigation	No Impact (Less Impact Than Project – would not include transportation improvements to surrounding roadways)	Less Than Significant After Mitigation (Similar Impact as Project)	Less Than Significant After Mitigation (Similar Impact as Project)

Environmental Issue Area	Project Impact	Alternative 1: No Project Alternative	Alternative 2: Reduced Intensity Alternative	Alternative 3: Reduced Project Footprint Alternative
Tribal Cultural Resources	Less Than Significant After Mitigation	No Impact (Less Impact Than Project)	Less Than Significant After Mitigation (Similar Impact as Project)	Less Than Significant After Mitigation (Less Impact Than Project)
Utilities and Service Systems	Less Than Significant	No Impact (Less Impact Than Project)	Less Than Significant (Less Impact Than Project)	Less Than Significant (Less Impact Than Project)
Wildfire	Less Than Significant	No Impact (Less Impact Than Project)	Less Than Significant (Similar Impact as Project)	Less Than Significant (Similar Impact as Project)
Meets the Project Objectives?	Yes	No	Partially	Partially

7.6 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The Environmentally Superior Alternative is generally defined as the alternative which would result in the least adverse environmental impacts on the Project Site and the surrounding area. The No Project Alternative would be the Environmentally Superior Alternative as it would avoid impacts associated with all environmental issue areas. However, under the No Project Alternative the existing warehouse, office, shipping and agricultural operations and residential uses would still be provided onsite and therefore would continue to contribute to air quality, GHG emissions, and noise and would continue to utilize energy resources. The Project Site would also continue to utilize potentially hazardous substances and onsite ASTs.

The No Project Alternative would not meet any of the Project objectives. In accordance with CEQA Guidelines Section 15126.6(e)(2), if the Environmentally Superior Alternative is the No Project Alternative, the EIR shall also identify an Environmentally Superior Alternative among the other alternatives.

The Reduced Intensity Alternative would then be the Environmentally Superior Alternative due to its ability to reduce the number of vehicle trips as a result of Project traffic. The Reduced Intensity Alternative would still be required to implement mitigation measures related to biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, transportation, and tribal cultural resources and impacts would be reduced to a level below significance. Mitigation measures would still be required as disturbance to the Project Site would be similar under this alternative and the Project. All other impacts would be less than significant similar to that of the Project.

The Reduced Intensity Alternative would not entirely meet the Project objectives to the fullest extent. This alternative would only partially meet the objective of establishing a PBD Overlay District to permit flexibility in land use regulation. Under this alternative, the objective of providing future housing opportunities in a transit corridor would be met. Development under the Reduced Intensity Alternative would not meet the development standards provided in the PBDP which establishes a density range from 15.1-20.9 du/acre further allowing flexibility for development. A residential development under this

alternative would provide for less flexibility in land use and development opportunities. Implementation of the Project under a reduced intensity development would not achieve the Project objectives to the same degree as the Project due to the reduced flexibility in residential development.

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10.0 MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

**MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
FOR TIERRA NORTE PLANNED BLOCK DEVELOPMENT
(GPA13-00001, ZA13-00001, D17-00007)
(GPA13-00004, ZA13-00008, D17-00006)**

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance
Air Quality					
Refer to mitigation measures for Hazards and Hazardous materials MM-HAZ-1 through MM-HAZ-3, below.					
Biological Resources					
MM-BIO-1	The project applicant shall develop an educational pamphlet (in English and Spanish) for the identification of raptor nests and to guide tree pruning activities in suburban areas during the breeding season. Landscaping companies and tree trimming services that have projects in the City shall be required to use the pamphlet to educate their employees on the recognition of raptor nest trees. Trimming of trees containing raptor or migrating bird nests shall be prohibited during the raptor breeding season (January 15 to August 31). Human disturbance shall be restricted around documented nesting habitat during the breeding season based on the following: To avoid any direct and indirect impacts to raptors and/or any migratory birds, grubbing and clearing of vegetation that may support active nests and construction activities adjacent to nesting habitat would occur outside of the breeding season (January 15 to August 31). If removal of habitat and/or construction activities is necessary adjacent to nesting habitat during the breeding season, the applicant shall retain a City-approved biologist to conduct a preconstruction survey to determine the presence or absence of non-listed nesting migratory birds on or within 300 feet of the construction area, and federally or state-listed birds and raptors on or within 500 feet of the construction area. The pre-construction survey must be conducted within 10 calendar days prior to the start of construction, the results of which must be submitted to the City for review and approval prior to initiating any construction activities. If nesting birds are detected by the City-approved biologist, the following buffers shall be established:	Prior to Construction	Review of Educational Pamphlet	City of Oceanside Planning Department	

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance
	1. No work within 300 feet of a non-listed nesting migratory bird nest, and 2. No work within 500 feet of a listed bird or raptor nest. However, the City may reduce these buffer widths depending on site-specific conditions (e.g., the width and type of screening vegetation between the nest and proposed activity) or the existing ambient level of activity (e.g., existing level of human activity within the buffer distance). If construction must take place within the recommended buffer widths above, the project applicant would contact the City to determine the appropriate buffer.				
Cultural Resources					
MM-CUL-1a	Prior to issuance of a Grading Permit, the Applicant/Owner shall enter into a pre-excavation agreement, otherwise known as a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement with the “Traditionally and Culturally Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe”. A copy of the agreement shall be included in the Grading Plan Submittals for the Grading Permit. The purpose of this agreement shall be to formalize protocols and procedures between the Applicant/Owner and the “TCA Native American Monitor associated with a TCA Luiseño Tribe” for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and tribal cultural resources, located and/or discovered through a monitoring program in conjunction with the construction of the proposed Project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities. At the discretion of the Luiseño Native American Monitor, artifacts may be made available for 3D scanning/printing, with scanned/printed materials to be curated at a local repository meeting the federal standards of 36CFR79.	Prior to Issuance of Grading Permit	Review and Approval of Pre-Excavation Agreement	City of Oceanside Planning Department	
MM-CUL-1b	Prior to the issuance of a Grading Permit, the Applicant/Owner or Grading Contractor shall provide a written and signed letter to the City of Oceanside Planning Division stating that a Qualified Archaeologist and Luiseño Native American Monitor have been retained at the Applicant/Owner or Grading Contractor’s expense to implement the monitoring program, as described in the	Prior to Issuance of Grading Permit	Review and Approval of Letter of Retainment for Archaeologist and Luiseño Native	City of Oceanside Planning Department	

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance
	pre-excavation agreement.		American Monitor		
MM-CUL-1c	The Qualified Archaeologist shall maintain ongoing collaborative consultation with the Luiseño Native American monitor during all ground disturbing activities. The requirement for the monitoring program shall be noted on all applicable construction documents, including Demolition Plans, Grading Plans, etc. The Applicant/Owner or Grading Contractor shall notify the City of Oceanside Planning Division of the start and end of all ground disturbing activities.	During Construction	Documentation of Consultation and Monitoring Activities	City of Oceanside Planning Department	
MM-CUL-1d	The Qualified Archaeologist and Luiseño Native American Monitor shall attend all applicable pre-construction meetings with the General Contractor and/or associated Subcontractors to present the archaeological monitoring program. The Qualified Archaeologist and Luiseño Native American Monitor shall be present onsite full-time during grubbing, grading and/or other ground altering activities, including the placement of imported fill materials or fill used from other areas of the Project Site, to identify any evidence of potential archaeological or tribal cultural resources. All fill materials shall be absent of any and all tribal cultural resources.	Prior to Construction	Attendance at Pre-Construction Meetings	City of Oceanside Planning Department	
MM-CUL-1e	In order for potentially significant archaeological artifact deposits and/or cultural resources to be readily detected during mitigation monitoring, a written "Controlled Grade Procedure" shall be prepared by a Qualified Archaeologist, in consultation with the Luiseño Native American monitor, other TCA Luiseño Tribes that have participated in the state-prescribed process for this Project, and the Applicant/Owner, subject to the approval of City representatives. The Controlled Grade Procedure shall establish requirements for any ground disturbing work with machinery occurring in and around areas the Qualified Archaeologist and Luiseño Native American monitor determine to be sensitive through the cultural resource mitigation monitoring process. The Controlled Grade Procedure shall include, but not be limited to, appropriate operating pace, increments of removal, weight and other characteristics of the earth disturbing equipment. A copy of the Controlled Grade Procedure shall be included in the Grading Plan Submittals for the Grading Permit.	Prior to Grading Permit Issuance	Review and Approval of Controlled Grade Procedure	City of Oceanside Planning Department	
MM-CUL-	The Qualified Archaeologist or the Luiseño Native American monitor may halt	During	Preparation and	City of	

	Mitigation Measure	Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance
1f	ground disturbing activities if unknown tribal cultural resources, archaeological artifact deposits or cultural features are discovered. Ground disturbing activities shall be directed away from these deposits to allow a determination of potential importance. Isolates and clearly non-significant deposits will be minimally documented in the field, and before grading proceeds these items shall be secured until they can be repatriated. If items cannot be securely stored on the Project Site, they may be stored in off-site facilities located in San Diego County. If the Qualified Archaeologist and Luiseño Native American monitor determine that the unearthed tribal cultural resource, artifact deposits or cultural features are considered potentially significant TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this Project shall be notified and consulted regarding the respectful and dignified treatment of those resources. The avoidance and protection of the significant tribal cultural resource and/or unique archaeological resource is the preferable mitigation. If, however, it is determined by the City that avoidance of the resource is infeasible, and it is determined that a data recovery plan is necessary by the City as the Lead Agency under CEQA, TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this Project shall be notified and consulted regarding the drafting and finalization of any such recovery plan. For significant tribal cultural resources, artifact deposits or cultural features that are part of a data recovery plan, an adequate artifact sample to address research avenues previously identified for sites in the area will be collected using professional archaeological collection methods. The data recovery plan shall also incorporate and reflect the tribal values of the TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this Project. If the Qualified Archaeologist collects such resources, the Luiseño Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect the tribal cultural resources that are unearthed during the ground disturbing activities, the Luiseño Native American monitor, may at their discretion, collect said resources and provide them to the appropriate TCA Luiseño Tribe, as determined through the appropriate process, for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual	Construction	Review of Construction Monitoring Reports	Oceanside Planning Department	

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance
	traditions. Ground disturbing activities shall not resume until the Qualified Archaeologist, in consultation with the Luiseño Native American Monitor, deems the cultural resource or feature has been appropriately documented and/or protected.				
MM-CUL-1g	The landowner shall relinquish ownership of all tribal cultural resources unearthed during the cultural resource mitigation monitoring conducted during all ground disturbing activities, and from any previous archaeological studies or excavations on the Project Site to the appropriate TCA Luiseño Tribe, as determined through the appropriate process, for respectful and dignified treatment and disposition, including reburial at a protected location onsite, in accordance with the Tribe's cultural and spiritual traditions. All cultural materials that are associated with burial and/or funerary goods will be repatriated to the Most Likely Descendant (MLD) as determined by the Native American Heritage Commission per California Public Resources Code Section 5097.98. No tribal cultural resources shall be subject to curation.	During Construction	Review of Construction Monitoring Reports and Documentation of Findings if Applicable	City of Oceanside Planning Department	
MM-CUL-1h	Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusions of the archaeological monitoring program (e.g., data recovery plan) shall be submitted by the Qualified Archaeologist, along with the Luiseño Native American monitor's notes and comments, to the City of Oceanside Planning Division for approval.	Prior to Release of Grading Bond	Preparation, Review, and Approval of Final Construction Monitoring Reports and Findings	City of Oceanside Planning Department	
MM-CUL-2	As specified by California Health and Safety Code Section 7050.5, if human remains are found on the Project Site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Office of the Medical Examiner by telephone. No further excavation or disturbance of the Project Site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Medical Examiner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed	During Construction	Notification of San Diego County Office of the Medical Examiner, Documentation in Construction Monitoring Report	City of Oceanside Planning Department	

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance
	by law. If suspected Native American remains are discovered, the remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur onsite in the presence of a Luiseño Native American monitor. By law, the Medical Examiner will determine within two (2) working days of being notified if the remains are subject to his or her authority. If the Medical Examiner identifies the remains to be of Native American ancestry, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC shall make a determination as to the MLD.				
Geology and Soils					
MM-GEO-1	Prior to construction and during construction of the Project, the construction Contractor shall ensure that Project construction complies with all conclusions and recommendations identified on pages 16 through 36 of the Geotechnical Investigation for the eastern parcel prepared by Vinje & Middleton Engineering, Inc. (2016) and the conclusions and recommendations identified on pages 9 through 13 of the Report of Geotechnical Investigation for the western parcel prepared by Christian Wheeler Engineering (2015). The construction Contractor shall follow the specific guidelines within the Geotechnical Investigations for site preparation, earthwork, foundations, pavement design, liquefaction mitigation, corrosivity, on-grade slabs, and retaining walls.	Prior to Construction and During Construction	Review and Approval of Geotechnical Investigation Reports	City of Oceanside Planning Department, City of Oceanside Engineering Department, City of Oceanside Building Department	
Refer to mitigation measures MM-HYDRO-1a, MM-HYDRO-1b, and MM-HYDRO-1c, below.					
MM-GEO-3a	Prior to the issuance of a grading permit, the applicant shall submit a letter to the City from a qualified professional paleontologist or a California Registered Professional Geologist with appropriate paleontological expertise, as defined by the Society of Vertebrate Paleontology's guidelines, indicating that they have been retained by the applicant to prepare and implement a Paleontological Resources Impact Mitigation Program (PRIMP). The qualified paleontologist shall be available "on-call" to the City and the applicant throughout the duration of ground-disturbing activities. The PRIMP shall include preconstruction coordination; construction monitoring; emergency discovery procedures; sampling and data recovery, if needed; preparation, identification	Prior to Issuance of Grading Permit	Review and Approval of Letter of Retainment for a Paleontologist or Geologist with Appropriate Paleontological expertise	City of Oceanside Planning Department	

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance
	and analysis of the significance of fossil specimens salvaged, if any; museum storage of any specimens and data recovered; and reporting. Earth-moving construction activities shall be monitored wherever these activities will disturb previously undisturbed sediment. Monitoring will not need to be conducted in areas where sediments have been previously disturbed or in areas where exposed sediments will be buried but not otherwise disturbed. In such cases, spot-checking of the excavation site is sufficient. This mitigation measure shall apply to all excavation activities within the areas containing Paleistocene river terrace deposits and Quaternary river deposits.				
MM-GEO-3b	Prior to the issuance of a grading permit, the City shall confirm the following measure is identified on the grading plan and will be implemented: Grading activities are subject to a Paleontological Resource Impact Mitigation Program (PRIMP). If potential fossils are discovered by construction crews or during monitoring by a qualified paleontologist, all earthwork or other types of ground disturbance within 50 feet of the discovery shall stop immediately until the qualified professional paleontologist can assess the nature and importance of the discovery. If a fossil of scientific value or uniqueness is identified by the paleontologist, the paleontologist shall record the find and allow work to continue or recommend salvage and recovery of the fossil. If treatment and salvage is required, recommendations shall be consistent with Society of Vertebrate Paleontology guidelines and currently accepted scientific practice and shall be subject to review and approval by the City. Work in the affected area may resume once the fossil has been assessed and/or salvaged and the City, in consultation with the professional paleontologist, has provided written approval to resume work.	Prior to Issuance of Grading Permit	Review and Approval of Grading Plan	City of Oceanside Planning Department, City of Oceanside Engineering Department	
Hazards and Hazardous Materials					
MM-HAZ-1	Prior to any disturbance of painted building materials within existing buildings, the Construction Contractor and/or Project Applicant shall conduct a Pre-Demolition Lead Based Pant (LBP) Survey on all onsite structures. Compliance with the recommendations of the Pre-Demolition LBP Survey will evaluate the Project Site for LBP that will require special handling and disposal in	Prior to Demolition	Conduct and Compliance with Pre-Demolition LBP	City of Oceanside Planning Department, City of Oceanside	

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance
	accordance the Occupational Safety and Health Administration (OSHA) and the Code of Federal Regulations (CFR) and the CCR California Occupational Safety and Health Administration (CalOSHA). All recommendations of the Pre-Demolition LBP Survey shall be adhered to during all building structure removal activities.			Building Department	
MM-HAZ-2	Prior to any disturbances of onsite structures, a comprehensive Asbestos Hazard Emergency Response Act-level (AHERA) Pre-Demolition Asbestos Containing Material (ACM) Survey shall be conducted on all onsite structures by the Construction Contractor and/or Project Applicant. The Pre-Demolition ACM Survey will determine the presence and location of ACMs and proper handling and disposal methods which are to be adhered to during all building structure removal activities.	Prior to Demolition	Conduct and Compliance with AHERA Pre-Demolition ACM Survey	City of Oceanside Planning Department, City of Oceanside Building Department	
MM-HAZ-3	During all onsite grading activities, any suspect transite pipes shall be managed as ACM until not proven to be. Any pipes determined to contain ACM shall be properly disposed of from the Project Site in accordance with recommendations provided in the Phase II Environmental Site Assessment prepared by SECOR International Inc. provided as Appendix D of this EIR. Special care shall be taken during handling, removal and disposal of potential transite-containing pipes in order to avoid disaggregating it into a friable condition which could increase health and safety concerns.	During Construction	Compliance with Phase II Environmental Site Assessment Prepared by SECOR International Inc. Regarding Transite Pipes	City of Oceanside Planning Department	
MM-HAZ-4	During construction activities occurring around the area of the diesel aboveground storage tank (AST), soils located shallower than 15 feet below ground surface (bgs) shall be excavated, characterized, and properly disposed, if determined necessary, in compliance with the recommendations set forth in the Phase II Environmental Site Assessment prepared by SECOR International Inc. provided as Appendix D of this EIR.	During Construction	Compliance with Phase II Environmental Site Assessment Prepared by SECOR International Inc. Regarding Onsite Diesel AST	City of Oceanside Planning Department	
MM-HAZ-5	Prior to issuance of a grading permit, the Project shall provide a Grading Plan that addresses the corrective grading of the site and directs the grading	Prior to Issuance of	Review and Approval of	City of Oceanside	

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance
	Contractor on appropriate means to complete corrective grading activities. The Grading Plan shall incorporate recommendations set forth in the Geotechnical Investigation prepared by Christian Wheeler Engineering dated December 2, 2015, which is provided as Appendix K of this EIR, to compact onsite soils to an average depth of 8 to 10 feet during grading.	Grading Permit	Grading Plan	Planning Department, City of Oceanside Engineering Department	
Hydrology and Water Quality					
MM-HYDRO-1a	Prior to issuance of a grading permit, the Project would be required to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the NPDES SWRCB's Construction General Permit and City regulations. The SWPPP would describe and depict in detail the various grading and construction-related BMPs necessary to minimize the Project's impacts to erosion, sedimentation and water quality. With the approval of a SWPPP, a Waste Discharge Identification Number from the San Diego Water Board would be obtained. In accordance with the City's Urban Runoff Management and Discharge Control Ordinance, the SWPPP shall be available at the construction site at all times. The City of Oceanside Engineering Department shall approve the SWPPP upon satisfaction of all RWQCB requirements. BMPs described in the SWPPP shall be site-specific, seasonally appropriate and construction phase appropriate, and implemented at the site-year round. BMPs are not limited to and shall be implemented in the following categories: (1) Project planning; (2) good site management, including waste management; (3) non-storm water management; (4) erosion control; (5) sediment control, including but not limited to dust control and off-site tracking; (6) run-on and runoff control; and (7) active/passive sediment treatment systems, where applicable. Specific sediment and erosion control BMPs described in the SWPPP may include, but are not limited to, placement of straw mulch, soil binders, silt fencing, gravel bags, street sweeping and vacuuming and storm drain inlet protection.	Prior to Issuance of Grading Permit	Review and Approval of SWPPP	City of Oceanside Engineering Department	
MM-HYDRO-1b	Prior to issuance of a grading permit, the Project shall prepare a Storm Water Quality Management Plan (SWQMP) in accordance with all applicable state	Prior to Issuance of	Review and Approval of	City of Oceanside	

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance
	and local regulations including RWQCB regulations and the City of Oceanside BMP Design Manual. The Project-specific SWQMP shall address construction and operational impacts to water quality and shall identify potential pollutants of concern. The Project shall incorporate all permanent source control BMPs as identified in the SWQMP into the Project design. The City of Oceanside Engineering Department shall approve the SWQMP upon satisfaction of all RWQCB requirements.	Grading Permit	Project SWQMP	Engineering Department	
MM-HYDRO-1c	Low Impact Development (LID) and Site Design BMPs shall be incorporated into the Project design to reduce impacts to water quality. The contractor shall construct the LID BMPs in accordance with the Project SWQMP and the engineer of work shall inspect that all LID BMPs have been constructed in compliance with the approved plans and all applicable specifications and permits.	Prior to Issuance of Grading Permit and During Construction	Implementation and Inspection of LIDs	City of Oceanside Engineering Department	
MM-HYDRO-2	Prior to issuance of a grading permit, the Project shall prepare a Project-specific Drainage Study which shall analyze existing and proposed drainage conditions of the Project Site. The Project Drainage Study shall be prepared and onsite drainage patterns shall be designed in compliance with applicable state and local standards. Project compliance with the design and recommendations of the Drainage Study would ensure proper site development of runoff flows.	Prior to Issuance of Grading Permit	Review and Approval of Project Drainage Study	City of Oceanside Engineering Department	
Noise					
MM-NOI-1a	Prior to operation, the Project would construct a 7-foot barrier at the top of the slope of the northern boundary of the Project Site along North River Road in order to reduce noise levels for the residences located adjacent to the roadway. The location and height of the required barrier is shown in Figure 4.14-1 of this EIR. The noise barrier shall be constructed of a non-gapping material consisting of masonry, ½-inch thick glass, earthen berm or any combination of these materials. The noise barrier shall not contain any gaps or knot holes and shall incorporate either overlapping boards at least one (1) inch or utilizing a tongue and- groove design in order to reduce the presence of gaps or knot holes.	Prior to Operation	Construction of Noise Wall	City of Oceanside Planning Department, City of Oceanside Building Inspection Department	
MM-NOI-1b	Prior to issuance of the first building permit and after the architectural floor plans have been provided, a final interior noise assessment shall be obtained for the residential units located along North River Road and shall be approved to the satisfaction of the City of Oceanside Building Department. Consistent with	Prior to Issuance of First Building	Obtain Final Interior Noise Assessment	City of Oceanside Planning Department,	

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance
	Title 24 of the California Code of Regulations, the Project shall ensure a 45 dBA CNEL interior noise level due to the fact that the building façade noise levels are above 60 dBA CNEL.	Permit		City of Oceanside Building Department	
Transportation					
MM-TRANSP-1	The Project shall implement CAPCOA reduction measure LUT-1: Increase Density, which is applicable to residential projects in an urban or suburban area. The Project shall provide a PBDP to establish land use and development standards that regulate future residential development proposals on the Project Site, including establishing medium density residential uses in accordance with the MDC-R designation.	Prior to Approval of Discretionary Action	Approval of PBDP	City of Oceanside Planning Department	
MM-TRANSP-2	The Project shall implement CAPCOA reduction measure SDT-1: Provide Pedestrian Network Improvements, which is applicable to residential projects in an urban and suburban area. The Project shall provide a pedestrian access network to link areas of the Project Site which encourages people to walk instead of drive. The Project shall provide pedestrian access that internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the Project Site. The Project shall minimize barriers to pedestrian access and interconnectivity. Physical barriers such as walls, landscaping, and slopes that impede pedestrian circulation shall be eliminated.	Prior to Occupancy	Construction of Pedestrian Access Improvements	City of Oceanside Planning Department, City of Oceanside Building Department	
Tribal Cultural Resources					
Refer to mitigation measures MM-CUL-1a through MM-CUL-1h, above.					

11.0 FINDINGS OF FACT

I. Introduction

The City of Oceanside (City) City Council hereby certifies that the City Council has reviewed and considered the information contained in the Final Environmental Impact Report (FEIR), identified below, for the Tierra Norte Planned Block Development Project (Project). The City Council further certifies that the FEIR has been completed in compliance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., the State CEQA Guidelines, California Code of Regulations, Title 14, Section 15000 et seq. (CEQA Guidelines), and the City requirements, and that the FEIR reflects the independent judgement of the City Council (Public Resources Code Section 21082.1(c)(3)). In certifying the FEIR as adequate under CEQA, the City Council hereby adopts these CEQA Findings.

These findings address the environmental effects associated with the Project, which is located in the north/northeast portion of the City located north of SR-76, south of North River Road generally between Avenida Descanso and Calle Montecito in the North Valley Neighborhood of the City. The Project Site consists of two (2) parcels. The eastern parcel is located at 4665 North River Road on Assessor's Parcel Number (APN) 157-060-40 and is approximately 9.7 total acres. The western parcel is located at 4617 North River Road on APN 157-060-17 and is comprised of approximately 15.9 acres. These findings are made pursuant to CEQA, specifically Public Resources Code Sections 21081, 21081.5 and 21081.6; and the State CEQA Guidelines, specifically Sections 15091 and 15093. The potentially significant effects of the Project were identified in the Draft Environmental Impact Report (DEIR), dated February 2022 and FEIR dated June 2022 (collectively, FEIR).

Public Resources Code Section 21081 and State CEQA Guidelines Section 15091 require that the lead agency, in this case the City, prepare written findings for identified significant impacts, accompanied by a brief explanation of the rationale for each finding. Specifically, CEQA Guidelines Section 15091 states, in part, that:

- a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - 1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the final EIR.
 - 2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - 3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

If significant impacts cannot be mitigated to less than significant levels, the decision-making agency is required to balance, as applicable, the benefits of the proposed project against its significant unavoidable environmental impacts when determining whether to approve the project (Public Resources Code Section

21081, CEQA Guidelines Section 15093). If the benefits of a proposed project outweigh the significant unavoidable adverse environmental impacts, the adverse effects may be considered “acceptable”.

The FEIR for the Project identified potentially significant effects that could result from Project implementation. However, the City Council finds that the inclusion of certain specified mitigation measures as part of the Project approval will reduce all of the effects to less than significant levels. No impacts will remain significant and unavoidable and therefore, the Project does not require a “Statement of Overriding Considerations” (CEQA Guidelines Section 15043).

Therefore, in accordance with CEQA, Public Resources Code Section 21081, and the CEQA Guidelines, Sections 15091 and 15092, the City Council certifies that FEIR for the Tierra Norte Planned Block Development Project, adopts these findings, and the Mitigation Monitoring Reporting Plan (MMRP), and approves the Tierra Norte Planned Block Development Project. In adopting the MMRP for the Project, the City Council finds that the MMRP meets the requirements of Public Resources Code Section 21081.6(a) by providing for the implementation and monitoring of measures intended to mitigate all potentially significant effects for the Project.

The City Council further, based on the separate findings, adopts the following related Project approvals to facilitate the implementation and development of the Tierra Norte Project: a) General Plan Amendment; b) Zoning Amendment; and c) Development Plan.

A. Project Description

Project Location

The 25.6-acre Project Site is located in the north/northeast portion of the City which is located within the northwestern portion of the County. The City is bound by the Pacific Ocean to the west, Camp Pendleton to the north, the City of Vista and unincorporated areas of the County to the east, and the City of Carlsbad to the south. Major features of the area include the beaches, Buena Vista Lagoon, the San Luis Rey River, and the open areas of Camp Pendleton. Regional access to the Project Site is provided from State Route 76 (SR-76) and College Boulevard to North River Road. The Project Site is located north of SR-76, on the south side of North River Road generally between Avenida Descanso and Calle Montecito in the North Valley Neighborhood of the City.

The Project Site consists of two (2) parcels. The eastern parcel is located at 4665 North River Road on Assessor’s Parcel Number (APN) 157-060-40 and is approximately 9.7 total acres. This parcel is wide and rectangular in shape and is bound to the north by North River Road, to the east by Calle Montecito, and to the south by Calle Joven and to the west by a paved emergency access road within an easement running along the west property boundary.

The western parcel is located at 4617 North River Road on APN 157-060-17 and is comprised of approximately 15.9 acres. This parcel is long and rectangular in shape and is bound to the north by North River Road, to the east by Calle Joven which stubs before the middle of the property boundary, to the south by the San Luis Rey River, and to the west by single-family residential development. Main access for both parcels is provided from North River Road. Calle Joven provides a potential access point to the western parcel and provides access to the eastern parcel from the east and south.

The current General Plan land use designation of both the east and western parcels is Light Industrial (LI). A General Plan Amendment is required to designate the Project Site as Medium Density – C Residential (MDC-R) in order to provide for appropriate densities and use types that will allow for the envisioned multi-family development of the Project Site. Both parcels are currently designated as Limited Industrial

(IL) under the Zoning Ordinance. A Zone Amendment is required to designate the Project Site as Medium Density Residential (RM-C) consistent with the proposed MDC-R land use. The RM-C zoning designation will allow for future implementation of a multi-family development.

A PBDP for the Overlay District has been prepared for the Project (**Appendix E** of FEIR) and is intended to permit flexibility in land-use regulations and site development standards under control of the Planning Commission and City Council where flexibility or coordinated planning for a large site or a site under multiple ownerships will enhance the potential for superior urban design. The PBDP establishes the land use and development standards that will regulate future residential development proposals for the Project Site.

Summary of Project Description

The Tierra Norte PBD Project proposes a General Plan Amendment, Zone Amendment and Development Plan to establish a PBD Overlay District for the total of 25.6-acre land area located at 4665 and 4617 North River Road.

The proposed PBD would consist of a medium density residential development on the designated Project Site in the future. The proposed MDC-R designation would allow a density of 15.1 to 20.9 du/ acre with a potential overall development range between 359 and 497 dwelling units. The proposed PBDP would have a maximum allowance of 400 dwelling units for the entire overlay district in order to provide development that is consistent with the lower end density of the MDC-R land use category (which results in 15.6 du/ acre). **Table 3.5-1** of the FEIR displays a summary of the land use characteristics of the PBD Overlay District.

The proposed MDC-R and RM-C land use and zoning designations for the PBD Overlay District will allow for the future development of residential communities that may be achieved through a variety of Site and building designs. Specific site layouts and residential product designs would ultimately be identified as part of future development plans proposed for the properties. Medium density residential building types that are permitted in the PBD Overlay include small lot attached single-family homes, detached condominiums, townhomes, courtyard clusters, duplex homes and garden apartments along with various other product type configurations.

The PBDP provides the Development Standards for the Project and are included in **Table 3.5-2** of the FIER. These standards address development criteria including site design, open space, and parking. The regulations are intended to allow flexibility for specific development proposals while providing reliable base criteria to ensure appropriate development within the PBD Overlay Area and promote the formation of a well-designed medium density residential neighborhood.

Primary access to the Project Site is proposed by constructing a south leg at the intersection of North River Road and Riverview Way. This intersection would be signalized. A secondary access is anticipated to connect with Calle Joven which is located along the southern boundary of the eastern parcel. Project landscaping would be designed and implemented in compliance with the City of Oceanside Zoning Ordinance Section 1050 for minimum landscaping requirements and Section 3019 for Landscaping, Irrigation and Hydroseeding requirements.

General Plan Amendment

The current General Plan land use designation of both the east and western parcels is LI. A General Plan Amendment is required to designate the Project Site as MDC-R in order to provide for appropriate densities and use types that will allow for the envisioned multi-family development of the Project Site.

The proposed medium-density residential use will also provide a transition between the light industrial uses located to the south and east, and the existing residential uses located to the north and west. The MDC-R designation will allow for a density range of 15.1 to 20.9 dwelling units per acre (du/ acre) with a potential overall development range between 359 and 497 dwelling units. However, the parcels will constitute the PBD Overlay District where the designated Planned Block Development Plan (PBDP) will regulate specific project designs and institutes a dwelling unit cap. The PBDP prepared for the Project is located in **Appendix E** of the FEIR. A maximum allowance of only 400 dwelling units is permitted with a corresponding maximum overall density of 15.6 du/ acre, which is consistent with the lower end of the MDC-R density range.

Zone Amendment

Both parcels are currently designated as IL under the Zoning Ordinance. A Zone Amendment is required to designate the Project Site as RM-C consistent with the proposed MDC-R land use. The RM-C zoning designation will allow for future implementation of a multi-family development. The RM-C zoning designation is for Medium-Density Residential District (15.1 to 20.9 du/ acre) with a potential overall development range between 359 and 497 dwelling units. However, the parcels constitute the PBD Overlay District where the designated PBDP will regulate specific project designs and institutes a dwelling unit cap. A maximum allowance of only 400 dwelling units is permitted with a corresponding maximum overall density of 15.6 du/ acre, which is consistent with the lower end of the MDC-R density range.

Development Plan / Planned Block Development Overlay District

A PBDP for the Overlay District has been prepared for the Project (**Appendix E** of FEIR) and is intended to permit flexibility in land-use regulations and site development standards under control of the Planning Commission and City Council where flexibility or coordinated planning for a large site or a site under multiple ownerships will enhance the potential for superior urban design.

The PBDP establishes the land use and development standards that will regulate future residential development proposals for the Project Site. The PBDP presents site planning and architectural design criteria intended to promote development of a well thought-out, highly livable residential community which is compatible with the surrounding neighborhood. While a comprehensive project may be proposed for the entire Overlay District, it is recognized that each parcel exists under separate ownership and that multiple development plans may also be considered. The PBDP will regulate specific project designs and institutes a dwelling unit cap. A maximum allowance of 400 dwelling units is permitted with a corresponding maximum overall density of 15.6 du/ acre, which is consistent with the lower end of the MDC-R density range.

Potential Medium Density Building Types

The proposed MDC-R and RM-C land use and zoning designations for the PBD Overlay District will allow for the future development of residential communities that may be achieved through a variety of Site and building designs. Specific site layouts and residential product designs would ultimately be identified as part of future development plans proposed for the properties.

Medium density residential building types that are permitted in the PBD Overlay include small lot attached single-family homes, detached condominiums, townhomes, courtyard clusters, duplex homes and garden apartments along with various other product type configurations.

Utilities

Sewer

Sewer improvements for the Project would include onsite sewer collection system and potential off-site sewer improvements. An onsite private sewer collection system would connect to the existing 8-inch public sewer in Calle Joven pending confirmation of adequate capacity. Additional studies would determine how many dwelling units could be accommodated by the existing 8-inch public sewer in Calle Joven and Calle Montecito. As an alternative, the onsite private sewer collection system would connect to the existing 27-inch or 30-inch trunk sewer in North River Road. This trunk sewer line will have the capacity for a portion of the proposed PBD Project as discussed in the Sewer Service Overview provided as **Appendix R** of the FEIR. The 2015 Sewer Master Plan for the City does not identify any near-term or long-term improvements needed for the North River Road trunk sewer.

The Project would be subject to additional analysis to determine the Project's cost share for any necessary improvements to the off-site trunk sewer in North River Road. The Project, as part of the entitlement process, will be expected to contribute its share of the costs for potential modifications to the North Valley Sewer Lift Station.

Water

Water system improvements would be divided into two components consisting of water system piping and water storage. Based on the analysis provided in the Water Service Overview (**Appendix S** of the FIER), existing potable water piping in the vicinity of the Project would be adequate to serve the Project. The Project would connect to existing potable water lines in North River Road, Calle Montecito and Calle Joven. Specific water line connections would be determined during preparation of Project Site development plans.

The Project would be required to contribute its share of the future users' storage capacity based on the additional average water demand of 11,900 gallons per day (gpd). Development of the Project would include connections to the future recycled water distribution main in North River Road for irrigation services for the Project.

All onsite wells located on the Project Site would be identified on the development plans and would be properly abandoned prior to development of the Project Site. As a condition of providing water service, the City requires any ground water rights associated with an existing well or associated with a property to be ascribed to the Water Utilities Department.

Drainage and Storm Water Facilities

Drainage and storm water facilities would be designed during preparation of Project Site development plans. Drainage and storm water control facilities would be designed to convey runoff through a system of storm drain inlets and pipes and site-specific BMPs and would be installed for proper collection and disposal of surface runoff. The drainage system would be designed in accordance with City requirements in order to accommodate the Project's increased flows such that flooding would not occur. Hydromodifications and storm water management would be designed and constructed with consideration of geotechnical recommendations and conditions.

On the western parcel, grading around the proposed structures would be graded so that surface water flows rapidly away from structures without ponding. Rain gutters with downspouts are recommended to discharge runoff away from structures and into controlled drainage devices. Storm water systems that

incorporate infiltration would not be implemented due to the potential for hydro-consolidation of onsite soils.

On the eastern parcel, Site drainage over finished pad surfaces would flow away from structures onto the adjacent street similar to existing conditions. Hydromodification design and location of associated drainage improvements would be completed with consideration of characteristics of onsite soils. Surface water would not infiltrate into the underlying bearing and subgrade soils, wall backfills or impact graded embankments.

Electricity, Natural Gas and Telecommunications

Electrical and natural gas services in the area are provided by SDG&E and currently serve the Project Site. The Project would be expected to connect to the existing service lines along North River Road and specific tie-in locations for electrical and gas services will be determined at the time the Project Site is developed. The Project does not propose the use of any wood burning hearths.

Communication systems for telephone, internet and cable television are serviced by utility providers such as SBC, AT&T, IBM, and other local independent companies. Existing telecommunication facilities are located in the Project vicinity and are provided to the existing Project Site. At the time of Project Site development, specific tie-in locations to existing communication services will be determined.

Development Regulations

The PBDP provides the Development Standards for the Project and are included in **Table 3.5-2** of the FIER. These standards address development criteria including site design, open space, and parking. The regulations are intended to allow flexibility for specific development proposals while providing reliable base criteria to ensure appropriate development within the PBD Overlay Area and promote the formation of a well-designed medium density residential neighborhood.

Where the PBDP does not address a particular development standard, the applicable standards of the Zoning Ordinance shall apply. The standards for the RM-C zoning district are applicable as the proposed underlying use is MDC-R. As stated in the PBDP, if there is a discrepancy between the provisions of the Zoning Ordinance and the PBDP, the regulations set forth in the PBDP shall prevail.

Parking

Off-street parking would be incorporated with any future residential project in a manner which best serves the proposed development and use of the Site. Off-street parking outside the PBD Overlay District is not permitted to meet the parking requirements established by the PBDP. Parking associated with future multi-family residential development as part of the Project would be provided per the standards in **Table 3.5-3** of the FEIR.

Access

Primary access to the Project Site is proposed by constructing a south leg at the intersection of North River Road and Riverview Way. This intersection would be signalized. A secondary access is anticipated to connect with Calle Joven which is located along the southern boundary of the eastern parcel. Currently a gated fire access alley is provided along the western portion of Calle Joven that runs in between the two parcels. Project access specifications will be provided as part of the development plans at the time of Project Site development.

Lighting

Indoor and outdoor light fixtures would be provided as part of the Project and would exclusively utilize high-efficiency Light-Emitting Diode (LED) technology for all Project lighting. All proposed onsite lighting including pole heights, shielding and glare reduction measures would be in compliance with the Zoning Ordinance Article 30, Section 3024.

Chapter 4 of the PBDP provides Community Design Guidelines for lighting. Site lighting would incorporate a scale and aesthetic that best compliments the residential character of the development. Street lighting would be utilized to the minimum extent possible to provide a safe community, but also to enhance neighborhood character. All lighting would be hooded and designed to prevent light spillover. Lighting along roadways would be designed to emphasize pedestrian scale and orientation. The Project would ensure safe pedestrian lighting is incorporated with interior paths and community walkways.

Landscaping

Project landscaping would be designed and implemented in compliance with the City of Oceanside Zoning Ordinance Section 1050 for minimum landscaping requirements and Section 3019 for Landscaping, Irrigation and Hydroseeding requirements. The Project would implement efficient irrigation systems with respect to water conservation. Irrigation heads would be chosen to provide maximum coverage of the landscaped areas.

The Community Design Guidelines provided in Chapter 4 of the PBDP contain landscaping design guidelines and design requirements for the proposed Project. Per the Community Design Guidelines, landscape areas would be incorporated to enhance the appearance of structures, define site functions of outdoor spaces, and screen undesirable views of parking areas and utilities. The Project would integrate appropriate landscaping that includes a variety of trees, shrubs, and other plantings. Landscaping would be designed to be compatible with building design and the use of trellises, arbors, cascading landscaping, vines and perimeter garden walls will be incorporated where suitable.

Project landscaping would provide native and drought tolerant species and would not include exotic plant species that may be invasive to native habitats. The Project would comply with Chapter 37 Article VII of the OMC for water efficient landscape regulations. Invasive exotic plant species not to be used include those listed on the California Invasive Plant Council's Invasive Plant Inventory.

Recreation

Public and private open space areas would be integrated into the proposed multi-family development. As provided in **Table 3.5-2** of the FEIR, the Project would provide 350 SF of usable open space per unit. Open space areas will be designed per the standards presented in Section 1050(Q) of the Zoning Ordinance. Pedestrian amenities throughout the development would be provided for social interaction such as small gathering areas, benches and seating, water features and shaded areas.

The Project would construct a sidewalk along the Project frontage adjacent to North River Road. Internal streets with sidewalks would be designed to promote pedestrian activity within the development. Enhanced pedestrian circulation would provide access and connections to internal walkways, paseos, and open space systems. The Project would provide additional pedestrian improvements such as connection from the Project Site to the north side of the San Luis Rey River trail.

Depending on the residential building type for the proposed medium density residential development, the development could contain an onsite pool facility and associated amenities and structures.

Off-Site Improvements

As part of proposed off-site improvements, the Project would connect to existing water infrastructure in the vicinity of the Project Site in order to serve the Project. Off-site water improvements would include connections to existing potable water lines in North River Road, Calle Montecito and Calle Joven. Specific water line connections would be determined during preparation and approval of Project Site development plans.

Off-site sewer improvements would include connections to the existing 8-inch public sewer in Calle Joven and Calle Montecito. Alternatively the Project would connect to the existing 27-inch or 30-inch trunk sewer in North River Road upon determination of adequate capacity. Specific sewer connections would be determined during preparation and approval of Project Site development plans. No near-term or long-term improvements to the truck sewer in North River Road are anticipated based conclusions identified in the 2015 Sewer Master Plan.

Project Conservation Design Features

Project design features have been incorporated into the Project in order to reduce air quality and greenhouse gas emissions and energy usage associated with operation of the Project. The Greenhouse Gas Assessment provided as **Appendix L** of the FEIR defines specifically which Project design features were included within the emissions calculations software. It should be expected that when a design feature is included within emissions modeling that those particular features would be required for the Project such that the City can recommend approval. The Project would include the following design features:

- The Project will install Low Flow water fixtures in all residential units.
- All lights within the development will be designed to use LED technology and will be for both indoor and outdoor lighting areas.
- The Project will provide separate waste containers to allow for simpler material separations or the Project will pay for a waste collection service that recycles the materials in accordance with AB 341 to achieve a 75% waste diversion. All green waste will be diverted from landfills and recycled as mulch.
- The Project will only install natural gas hearth units where applicable. No wood burning hearths would be provided onsite.
- The Project will utilize Tier 4 construction equipment or equivalent. Tier 4 refers to the latest emission milestone by the United States Environmental Protection Agency (U.S. EPA) and California Air Resources Board (CARB) which applies to new engines found in off-road equipment including construction equipment.

B. Project Objectives

CEQA Guidelines (Section 15124 (b)) require that the project description shall contain a statement of the objectives sought by the project and should include the underlying purpose of the project. The primary objectives of the proposed Project are as follows:

1. Establish a Planned Block Development Overlay District to permit flexibility in land-use regulation and site development standards under control of the City of Oceanside Planning Commission and City Council where flexibility or coordinated planning for a large site or a site under multiple ownerships will enhance the potential for superior urban design.

2. Provide realistic future housing opportunities for the community located on an infill development site.
3. Establish land use and development standards that will regulate future residential development proposals for the subject property.
4. Promote site planning and architectural design that is intended to promote development in a deliberate, highly livable residential community which is compatible with the surrounding neighborhood.

C. Notice of Preparation

Preliminary environmental review of the Tierra Norte Project was conducted by the City's Development Services Department via the Notice of Preparation (NOP) process. The NOP and comments received in response to the NOP are included as **Appendix A** of the FIER. The FEIR evaluates all subject areas listed in Appendix G of the CEQA Guidelines however, based on preliminary evaluation of the probable effects of the Project and a thorough review of the comments on the NOP, the EIR analyzes effects having potentially significant impacts related to the following:

1. Air Quality
2. Biological Resources
3. Cultural Resources
4. Geology and Soils
5. Hazards and Hazardous Materials
6. Hydrology and Water Quality
7. Land Use and Planning
8. Noise
9. Transportation
10. Tribal Cultural Resources

On November 15, 2018 the City posted a Notice of Preparation (NOP) with the San Diego County (County) Clerk in accordance with Section 15082 of the CEQA Guidelines. The NOP was mailed to public agencies, organizations, and other interested individuals to solicit their comments on the scope and content of the environmental analysis. The NOP provided a general location and description of the proposed actions, a description of the Project area, and a preliminary list of environmental issues to be addressed in detail.

A public scoping meeting was held on December 4, 2018 from 6:00 pm to 8:00 pm at the QLN Conference Center located at 1938 Avenida Del Oro, Oceanside, CA to obtain information regarding the content and scope of the Draft EIR. City staff and members of the local community attended the scoping meeting and/or submitted written comment during the public comment period. Scoping meeting attendees were provided an opportunity to voice comments or concerns regarding the potential effects of the Project. The NOP and comments received during the NOP comment period are included as **Appendix A** of the FEIR and were considered as part of the preparation of the EIR. Comments received covered numerous topics including Aesthetics, Agriculture, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Hazardous Materials, Hydrology, Land Use and Planning, Noise, Population and Housing, Public Services, Transportation and Traffic, Tribal Cultural Resources and Utilities and Service Systems.

Refer to FEIR Chapter 4.0 *Environmental Analysis*, for a full account and analysis of the subject matters listed above. During the scoping process, it was determined that there would be no impact or less than

significant impact to: Aesthetics, Agriculture and Forestry Resources, Energy, Greenhouse Gas Emissions, Mineral Resources, Population and Housing, Public Services, Recreation, Utilities and Service Systems, and Wildfire. Although the environmental issue areas above were determined to have a less than significant impact or no impact, an analysis of each of these issue areas was provided for informational purposes. These topics are described in Chapter 4.0 *Environmental Analysis*, of the FEIR and supported by analysis contained in the Project technical reports.

D. Environmental Impact Report

Under the CEQA Guidelines Section 15105, the City was required to provide a 45-day public review period of the DEIR. The DEIR and related technical appendices for the Project were available for public review from February 23, 2022 to April 8, 2022 at the following locations:

Oceanside Public Library
300 N Coast Highway
Oceanside, CA 92054

Oceanside Public Library Mission Branch
3861 Mission Avenue
Oceanside, CA 92058

City of Oceanside website: <https://www.ci.oceanside.ca.us/gov/dev/planning/ceqa/default.asp>

Interested agencies and members of the public may submit written comments on the adequacy of the Draft EIR to the City's Development Services Department at 300 North Coast Highway, Oceanside, California 92054, addressed to Sergio Madera, City Planner, or emailed to SMadera@oceansideca.org.

The FEIR was completed in June 2022. The FEIR includes all comments and response to comments received on the DEIR, and other information and clarifications in the EIR and applicable appendices. In July 2022, City staff made the FEIR available for public review by posting it on the City's website. Following release of the FEIR, on July 11, 2022, the Planning Commission held a public hearing on the Project, associated entitlement applications, and the FEIR and made a recommendation on the Project, associated entitlement applications and the FEIR to the City Council. The City Council's review of the Project, associated entitlement applications and the FEIR is anticipated in August of 2022.

II. Environmental Impacts Found not to be Significant or Less Than Significant

State CEQA Guidelines Section 15091 does not require specific findings to address environmental effects that an EIR evaluates and identifies as "no impact" or a "less than significant" impact. The City finds that, based upon substantial evidence in the record, the following impacts associated with the Project would either have no impact or a less than significant impact without the implementation of mitigation measures in the following resource areas, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a).

<i>Environmental Resource Category</i>	<i>No Impact or Less than Significant Environmental Impact</i>
Aesthetics (FEIR Section 4.2 and 5.4.1)	• Less than significant impact on scenic vista. • Less than significant impact to substantially damaging scenic resources, including trees, rock outcroppings, and historic buildings within a state scenic highway.

<i>Environmental Resource Category</i>	<i>No Impact or Less than Significant Environmental Impact</i>
	• Less than significant impact related to substantially degrading existing visual character or quality of public views of the site and its surroundings. • Less than significant impact related to creation of new sources of light or glare, which would adversely affect day or nighttime views in the area. • No cumulatively considerable impact to aesthetics.
Agriculture and Forestry Resources (FEIR Section 4.3 and 5.4.2)	• Less than significant impact related to the conversion of 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. • Less than significant impact related to conflict with existing zoning for agricultural use, or a Williamson Act Contract. • No impact related to 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 related to the loss of forest land or conversion of forest land to non-forest use. • Less than significant impact related to 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 cumulatively considerable impact to agriculture and forestry resources.
Air Quality (FEIR Section 4.4 and 5.4.3)	• Less than significant impact related to conflict with or obstruction of implementation of the applicable air quality plan. • Less than significant impact related to resulting in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

<i>Environmental Resource Category</i>	<i>No Impact or Less than Significant Environmental Impact</i>
	• Less than significant impact related to resulting in other emissions (such as those leading to odors) affecting a substantial number of people. • No cumulatively considerable impact to air quality.
Biological Resources (FEIR Section 4.5 and 5.4.4)	• Less than significant impact related to having 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 and U.S. Fish and Wildlife Service. • Less than significant impact related to having 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. • Less than significant impact related to interfering substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. • Less than significant impact related to conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. • Less than significant impact related to conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. • No cumulatively considerable impact to biological resources.
Cultural Resources (FEIR Section 4.6 and 5.4.5)	• Less than significant impact related to causing a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5. • No cumulatively considerable impact to cultural resources.
Energy (FEIR Section 4.7 and 5.4.6)	• Less than significant impact related to resulting in potentially significant environmental impact due to wasteful, inefficient, unnecessary consumption of energy resources, during Project construction or operation.

<i>Environmental Resource Category</i>	<i>No Impact or Less than Significant Environmental Impact</i>
	• Less than significant impact related conflict with or obstruct a state or local plan for renewable energy or energy efficiency. • No cumulatively considerable impact related to energy.
Geology and Soils (FEIR Section 4.8 and 5.4.7)	• Less than significant impact related to directly or indirectly causing 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; and landslides. • Less than significant impact related to being located on expansive soil, as defined in Table 18-I-B of the Uniform Building code. • Less than significant impact related to having 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. • No cumulatively considerable impact to geology and soils.
Greenhouse Gas Emissions (FEIR Section 4.9 and 5.4.8)	• Less than significant impact related to generating greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. • Less than significant impact related to conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. • No cumulatively considerable impact to greenhouse gas emissions.
Hazards and Hazardous Materials (FEIR Section 4.10 and 5.4.9)	• Less than significant impact related to emitting hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. • Less than significant impact related to being located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.

<i>Environmental Resource Category</i>	<i>No Impact or Less than Significant Environmental Impact</i>
	• Less than significant impact 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, resulting in a safety hazard or excessive noise for people residing or working in the Project area. • Less than significant impact related to impairing implementation of or physically interfering with an adopted emergency response plan or emergency evacuation plan. • Less than significant impact related to exposing people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. • No cumulatively considerable impact to hazards and hazardous materials.
Hydrology and Water Quality (FEIR Section 4.11 and 5.4.10)	• Less than significant impact related to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin. • Less than significant impact related to substantially altering the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: Impede or redirect flood flows. • Less than significant impact related to risk of release of pollutants due to project inundation in flood hazard, tsunami or seiche zones. • Less than significant impact related to conflicting with or obstructing implementation of a water quality control plan or sustainable groundwater management plan. • No cumulatively considerable impact to hydrology and water quality.
Land Use and Planning (FEIR Section 4.12 and 5.4.11)	• No impact related to physically dividing an established community. • No cumulatively considerable impact to land use and planning.

<i>Environmental Resource Category</i>	<i>No Impact or Less than Significant Environmental Impact</i>
Mineral Resources (FEIR Section 4.13 and 5.4.12)	• Less than significant impact related to resulting in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. • Less than significant impact related to resulting 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 cumulatively considerable impact to mineral resources.
Noise (FEIR Section 4.14 and 5.4.13)	• Less than significant impact related to generation of excessive groundborne vibration or groundborne noise levels. • Less than significant impact related to 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, exposing people residing or working in the project area to excessive noise levels. • No cumulatively considerable impact to noise.
Population and Housing (FEIR Section 4.15 and 5.4.14)	• Less than significant impact related to inducing substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure). • Less than significant impact related to displacing substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. • No cumulatively considerable impact to population and housing.
Public Services (FEIR Section 4.16 and 5.4.15)	• Less than significant impact related to resulting in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services: (1) Fire Protection and (2) Police Protection; no impact related to (3) Schools, (4) Parks, and (5) other public facilities.

<i>Environmental Resource Category</i>	<i>No Impact or Less than Significant Environmental Impact</i>
	• No cumulatively considerable impact to public services.
Recreation (FEIR Section 4.17 and 5.4.16)	• Less than significant impact related to the increase of the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. • Less than significant impact related to the Project including recreational facilities or requiring the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. • No cumulatively considerable impact to recreation.
Transportation (FEIR Section 4.18 and 5.4.17)	• Less than significant impact related to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. • Less than significant impact related to substantially increasing hazards due to a geometric design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment). • Less than significant impact related to resulting in inadequate emergency access. • No cumulatively considerable impact to transportation.
Tribal Cultural Resources (FEIR Section 4.19 and 5.4.18)	• No cumulatively considerable impact to tribal cultural resources.
Utilities and Service Systems (FEIR Section 4.20 and 5.4.19)	• Less than significant impact related to requiring or resulting in the relocation or construction of new or expanded water, or wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. • Less than significant impact related to having sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years. • Less than significant impact related to resulting in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected

<i>Environmental Resource Category</i>	<i>No Impact or Less than Significant Environmental Impact</i>
	demand in addition to the provider's existing commitments. • Less than significant impact related to generating solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impairing the attainment of solid waste reduction goals. • Less than significant impact related to compliance with federal, state, and local management and reduction statutes and regulations related to solid waste. • No cumulatively considerable impact to utilities and service systems.
Wildfire (FEIR Section 4.21 and 5.4.20)	• Less than significant impact related to substantially impairing an adopted emergency response plan or emergency evacuation plan. • Less than significant impact 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. • Less than significant impact related to requiring 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. • Less than significant impact related to exposing 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 cumulatively considerable impact to wildfire.

III. Potentially Significant Impacts That will be Mitigated Below a Level of Significance

Pursuant to Section 21081(a) of the Public Resources Code and Section 15091(a)(1) of the CEQA Guidelines, the City Council finds that, for each of the following potentially significant effects identified in the FEIR, changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the identified potentially significant effects on the environment to less than significant levels. The significant effects and mitigation measures are stated in their entirety in the FEIR. Analysis of the individual findings is set forth below and the record of proceedings includes the substantial evidence supporting the findings.

A. Air Quality

1. Sensitive Receptors and Health Risks Related to Lead Based Paint and Asbestos Containing Materials (Impact AQ-1, Impact AQ-2 and Impact AQ-3)

Threshold of Significance: *Would the project expose sensitive receptors to substantial pollutant concentrations?*

Description of Significant Effect: A complete analysis of Lead Based Paint (LBP) and Asbestos Containing Materials (ACMs) is provided in Section 4.10 *Hazards and Hazardous Materials* of the FEIR. Before 1978, lead was a common ingredient in paint because it added strength, shine and extended the life of the paint. Given the pre-1978 construction of onsite structures, it is likely that existing structures would contain LBP. Lead poisoning can result from children having access to, and ingestion of LBP-covered surfaces. Inhalation of dust produced by normal oxidation, or scraping, sand-blasting of the paint, which may contain significant amounts of lead, is a health hazard. The Project would disturb LBP-containing materials through the removal and disposal of materials from existing structures onsite which has the potential to cause a health hazard and represents a **significant impact (Impact AQ-1)**.

Asbestos is a common term for a group of naturally occurring mineral fibers. Due to its durability and insulating quality, it was used in a wide variety of building products. Adverse health effects have been associated with the inhalation of airborne asbestos fibers. The asbestos materials that are tightly bound in building materials do not represent an exposure hazard unless disturbed in such a way that releases airborne fibers i.e., (cutting, drilling, or sanding). In 1978 the U.S. EPA had effectively banned the use of ACMs in building materials. Given the pre-1978 construction of onsite structures, ACMs would have likely been used in onsite structures. Project construction would require the removal and disposal of onsite buildings that have the potential to disturb ACMs, which has the potential to cause adverse health effects and represents a **significant impact (Impact AQ-2)**.

Irrigation pumps and piping were located onsite according to the Phase II Environmental Assessment (**Appendix D** of the FEIR). Portions of the pipe, if not replaced by PVC in the 1970s, could have been constructed of transite, a material composed of asbestos and cement. Project construction would require the removal and disposal of irrigation pumps potentially containing ACMs which has the potential to cause adverse health and environmental effects and represent a **significant impact (Impact AQ-3)**.

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

Mitigation Measures:

Mitigation measures MM-HAZ-1, MM-HAZ-2 and MM-HAZ-3, which are presented in Section 4.10.5 of the FEIR, would reduce this impact to below a level of significance.

- MM-HAZ-1** Prior to any disturbance of painted building materials within existing buildings, the Construction Contractor and/or Project Applicant shall conduct a Pre-Demolition Lead Based Paint (LBP) Survey on all onsite structures. Compliance with the recommendations of the Pre-Demolition LBP Survey will evaluate the Project Site for LBP that will require special handling and disposal in accordance the Occupational Safety and Health Administration (OSHA) and the Code of Federal Regulations (CFR) and the CCR California Occupational Safety and Health Administration (CalOSHA). All recommendations of the Pre-Demolition LBP Survey shall be adhered to during all building structure removal activities.
- MM-HAZ-2** Prior to any disturbances of onsite structures, a comprehensive Asbestos Hazard Emergency Response Act-level (AHERA) Pre-Demolition Asbestos Containing Material (ACM) Survey shall be conducted on all onsite structures by the Construction Contractor and/or Project Applicant. The Pre-Demolition ACM Survey will determine the presence and location of ACMs and proper handling and disposal methods which are to be adhered to during all building structure removal activities.
- MM-HAZ-3** During all onsite grading activities, any suspect transite pipes shall be managed as ACM until not proven to be. Any pipes determined to contain ACM shall be properly disposed of from the Project Site in accordance with recommendations provided in the Phase II Environmental Site Assessment prepared by SECOR International Inc. provided as **Appendix D** of this EIR. Special care shall be taken during handling, removal and disposal of potential transite-containing pipes in order to avoid disaggregating it into a friable condition which could increase health and safety concerns.

Rationale: Implementation of mitigation measure MM-HAZ-1 requires a Pre-Demolition LBP Survey in order to evaluate the structures for LBP and identify proper handling and disposal methods of such materials. With implementation of mitigation measure MM-HAZ-1, Impact AQ-1 related to the exposure of pollutant concentrations such as LBP to sensitive receptors would be reduced to level below significance.

Implementation of mitigation measure MM-HAZ-2 requires a Pre-Demolition ACM Survey in order to evaluate the existing structures for ACMs and identify proper handling and disposal methods of such materials. With implementation of MM-HAZ-2, Impact AQ-2 related to the exposure of pollutant concentrations such as ACMs to sensitive receptors would be reduced to level below significance.

Implementation of mitigation measure MM-HAZ-3 would require special handling, removal and disposal of transite pipes that have the potential to disrupt ACMs in order to avoid disruption to such materials which could increase health and safety concerns. With implementation of MM-HAZ-3, Impact AQ-3 related to exposure of pollutant concentrations such as ACMs in transite pipes would be reduced to level below significance. Therefore, impacts related to air quality would be reduced to less than significant.

B. Biological Resources

1. Raptor Foraging and Migratory Birds (Impact BIO-1)

Threshold of Significance: *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?*

Description of Significant Effect: California Fish and Game Code (CFGF) Section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except otherwise provided by the CFGF or any regulation made pursuant to the code. The federal Migratory Bird Treaty Act (MBTA) prohibits the killing or transport of native migratory birds, or any part, nest, or egg or any such bird unless allowed by another regulation (such as for “game” birds). Therefore, all native, non-game birds onsite, and the nests and eggs of all native non-game birds, are protected during the nesting season even if these birds are not special-status or otherwise protected. MBTA-covered bird species have the potential to occur onsite and the Project has the potential to impact MBTA-covered species, and therefore a **significant impact (Impact BIO-1)** would occur.

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

Mitigation Measures:

MM-BIO-1 The project applicant shall develop an educational pamphlet (in English and Spanish) for the identification of raptor nests and to guide tree pruning activities in suburban areas during the breeding season. Landscaping companies and tree trimming services that have projects in the City shall be required to use the pamphlet to educate their employees on the recognition of raptor nest trees. Trimming of trees containing raptor or migrating bird nests shall be prohibited during the raptor breeding season (January 15 to August 31). Human disturbance shall be restricted around documented nesting habitat during the breeding season based on the following:

To avoid any direct and indirect impacts to raptors and/or any migratory birds, grubbing and clearing of vegetation that may support active nests and construction activities adjacent to nesting habitat would occur outside of the breeding season (January 15 to August 31). If removal of habitat and/or construction activities is necessary adjacent to nesting habitat during the breeding season, the applicant shall retain a City-approved biologist to conduct a pre-construction survey to determine the presence or absence of non-listed nesting migratory birds on or within 300 feet of the construction area, and federally or state-listed birds and raptors on or within 500 feet of the construction area. The pre-construction survey must be conducted within 10 calendar days prior to the start of construction, the results of which must be submitted to the City for review and approval prior to initiating any construction activities. If nesting birds are detected by the City-approved biologist, the following buffers shall be established:

1. No work within 300 feet of a non-listed nesting migratory bird nest, and
2. No work within 500 feet of a listed bird or raptor nest. However, the City may reduce these buffer widths depending on site-specific conditions (e.g., the width and type of screening vegetation between the nest and proposed activity) or the existing ambient level of activity (e.g., existing level of human activity within the buffer distance). If construction must take place within the recommended buffer widths above, the project applicant would contact the City to determine the appropriate buffer.

Rationale: Implementation of mitigation measure MM-BIO-1 requires educational tools to identify and protect raptor nests and requires construction activities including clearing and grubbing to occur outside the avian breeding season and requirements for pre-construction surveys if construction must occur during the breeding season. With implantation of mitigation measure MM-BIO-1, Impact BIO-1 related to raptor foraging and migratory birds would be reduced to below a level of significance. Therefore, all impacts to biological resources will be reduced to less than significant.

C. Cultural Resources

1. Archaeological Resources (Impact CUL-1)

Threshold of Significance: *Would the project cause substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?*

Description of Significant Effect: No cultural resources which qualify as unique archaeological resources were found on the Project Site. However, due to the location of the Project Site on an alluvial terrace associated with the San Luis Rey River and due to the occurrence of three (3) isolated prehistoric artifacts during the field survey, construction activities, including ground disturbing activities have the potential to cause an adverse change in the significance of an archaeological resource should they be located on the Project Site. This represents a **significant impact (Impact CUL-1)**.

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

Mitigation Measures:

MM-CUL-1a Prior to issuance of a Grading Permit, the Applicant/Owner shall enter into a pre-excavation agreement, otherwise known as a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement with the “Traditionally and Culturally Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe”. A copy of the agreement shall be included in the Grading Plan Submittals for the Grading Permit. The purpose of this agreement shall be to formalize protocols and procedures between the Applicant/Owner and the “TCA Native American Monitor associated with a TCA Luiseño Tribe” for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and tribal cultural resources, located and/or discovered through a monitoring program in conjunction with the construction of the proposed Project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities. At the discretion of the Luiseño Native American Monitor, artifacts may be made available for 3D scanning/printing, with scanned/printed materials to be curated at a local repository meeting the federal standards of 36CFR79.

MM-CUL-1b Prior to the issuance of a Grading Permit, the Applicant/Owner or Grading Contractor shall provide a written and signed letter to the City of Oceanside Planning Division stating that a Qualified Archaeologist and Luiseño Native American Monitor have been retained at the Applicant/Owner or Grading Contractor’s expense to implement the monitoring program, as described in the pre-excavation agreement.

MM-CUL-1c The Qualified Archaeologist shall maintain ongoing collaborative consultation with the Luiseño Native American monitor during all ground disturbing activities. The requirement for the monitoring program shall be noted on all applicable construction documents, including Demolition Plans, Grading Plans, etc. The Applicant/Owner or Grading Contractor shall notify the City of Oceanside Planning Division of the start and end of all ground disturbing activities.

MM-CUL-1d The Qualified Archaeologist and Luiseño Native American Monitor shall attend all applicable pre-construction meetings with the General Contractor and/or associated

Subcontractors to present the archaeological monitoring program. The Qualified Archaeologist and Luiseño Native American Monitor shall be present onsite full-time during grubbing, grading and/or other ground altering activities, including the placement of imported fill materials or fill used from other areas of the Project Site, to identify any evidence of potential archaeological or tribal cultural resources. All fill materials shall be absent of any and all tribal cultural resources.

MM-CUL-1e In order for potentially significant archaeological artifact deposits and/or cultural resources to be readily detected during mitigation monitoring, a written “Controlled Grade Procedure” shall be prepared by a Qualified Archaeologist, in consultation with the Luiseño Native American monitor, other TCA Luiseño Tribes that have participated in the state-prescribed process for this Project, and the Applicant/Owner, subject to the approval of City representatives. The Controlled Grade Procedure shall establish requirements for any ground disturbing work with machinery occurring in and around areas the Qualified Archaeologist and Luiseño Native American monitor determine to be sensitive through the cultural resource mitigation monitoring process. The Controlled Grade Procedure shall include, but not be limited to, appropriate operating pace, increments of removal, weight and other characteristics of the earth disturbing equipment. A copy of the Controlled Grade Procedure shall be included in the Grading Plan Submittals for the Grading Permit.

MM-CUL-1f The Qualified Archaeologist or the Luiseño Native American monitor may halt ground disturbing activities if unknown tribal cultural resources, archaeological artifact deposits or cultural features are discovered. Ground disturbing activities shall be directed away from these deposits to allow a determination of potential importance. Isolates and clearly non-significant deposits will be minimally documented in the field, and before grading proceeds these items shall be secured until they can be repatriated. If items cannot be securely stored on the Project Site, they may be stored in off-site facilities located in San Diego County. If the Qualified Archaeologist and Luiseño Native American monitor determine that the unearthed tribal cultural resource, artifact deposits or cultural features are considered potentially significant TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this Project shall be notified and consulted regarding the respectful and dignified treatment of those resources. The avoidance and protection of the significant tribal cultural resource and/or unique archaeological resource is the preferable mitigation. If, however, it is determined by the City that avoidance of the resource is infeasible, and it is determined that a data recovery plan is necessary by the City as the Lead Agency under CEQA, TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this Project shall be notified and consulted regarding the drafting and finalization of any such recovery plan. For significant tribal cultural resources, artifact deposits or cultural features that are part of a data recovery plan, an adequate artifact sample to address research avenues previously identified for sites in the area will be collected using professional archaeological collection methods. The data recovery plan shall also incorporate and reflect the tribal values of the TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this Project. If the Qualified Archaeologist collects such resources, the Luiseño Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect the tribal cultural resources that are unearthed during the ground disturbing activities, the Luiseño Native American monitor, may at their discretion, collect said resources and provide them to the appropriate TCA Luiseño Tribe, as determined through the appropriate process, for respectful and dignified treatment in accordance with the Tribe’s cultural and spiritual

traditions. Ground disturbing activities shall not resume until the Qualified Archaeologist, in consultation with the Luiseño Native American Monitor, deems the cultural resource or feature has been appropriately documented and/or protected.

MM-CUL-1g The landowner shall relinquish ownership of all tribal cultural resources unearthed during the cultural resource mitigation monitoring conducted during all ground disturbing activities, and from any previous archaeological studies or excavations on the Project Site to the appropriate TCA Luiseño Tribe, as determined through the appropriate process, for respectful and dignified treatment and disposition, including reburial at a protected location onsite, in accordance with the Tribe's cultural and spiritual traditions. All cultural materials that are associated with burial and/or funerary goods will be repatriated to the Most Likely Descendant (MLD) as determined by the Native American Heritage Commission per California Public Resources Code Section 5097.98. No tribal cultural resources shall be subject to curation.

MM-CUL-1h Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusions of the archaeological monitoring program (e.g., data recovery plan) shall be submitted by the Qualified Archaeologist, along with the Luiseño Native American monitor's notes and comments, to the City of Oceanside Planning Division for approval.

Rationale: Implementation of mitigation measure MM-CUL-1a through MM-CUL-1h requires construction monitoring by a Qualified Archaeologist and Native American monitor and specific protocols for pre-construction, construction and post-construction activities, requirements for discovery of cultural resources and reporting of monitoring activities and evaluation of results. With implementation of mitigation measure MM-CUL-1a through MM-CUL-1h, Impact CUL-1 related to archaeological resources would be reduced to below a level of significance by requiring specific monitoring program protocols during construction which would allow for proper care of resources in the event of a discovery.

2. Human Remains (Impact CUL-2)

Threshold of Significance: *Would the project disturb any human remains, including those interred outside of formal cemeteries?*

Description of Significant Effect: Due to the fact that the Project involves ground disturbance, construction activities have the potential to disturb human remains, including those located outside of formal cemeteries, and therefore a **significant impact** would occur (**Impact CUL-2**).

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

Mitigation Measures:

MM-CUL-2 As specified by California Health and Safety Code Section 7050.5, if human remains are found on the Project Site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Office of the Medical Examiner by telephone. No further excavation or disturbance of the Project Site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Medical Examiner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and

consultation and treatment could occur as prescribed by law. If suspected Native American remains are discovered, the remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur onsite in the presence of a Luiseño Native American monitor. By law, the Medical Examiner will determine within two (2) working days of being notified if the remains are subject to his or her authority. If the Medical Examiner identifies the remains to be of Native American ancestry, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC shall make a determination as to the MLD.

Rationale: Mitigation measure MM-CUL-2 would reduce potential impacts related to the discovery of human remains by implementing specific protocol and methods for evaluation in the event that remains are discovered during construction, reducing potential for further disturbance. Therefore, impacts to all cultural resources will be reduced to below a level of significance.

D. Geology and Soils

1. Seismic Ground Shaking (Impact GEO-1a)

Threshold of Significance: *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?*

Description of Significant Effect: The active faults within the region of the Project Site are periodically active and capable of generating moderate to locally high levels of ground shaking at the Project Site. The Project Site is likely to be subjected to strong ground motion from seismic activity similar to that of the rest of the County and Southern California, due to seismic activity of the region as a whole and a **significant impact (Impact GEO-1a)** will occur.

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

Mitigation Measures:

MM-GEO-1 Prior to construction and during construction of the Project, the construction Contractor shall ensure that Project construction complies with all conclusions and recommendations identified on pages 16 through 36 of the Geotechnical Investigation for the eastern parcel prepared by Vinje & Middleton Engineering, Inc. (2016) and the conclusions and recommendations identified on pages 9 through 13 of the Report of Geotechnical Investigation for the western parcel prepared by Christian Wheeler Engineering (2015). The construction Contractor shall follow the specific guidelines within the Geotechnical Investigations for site preparation, earthwork, foundations, pavement design, liquefaction mitigation, corrosivity, on-grade slabs, and retaining walls.

Rationale: Implementation of mitigation measure MM-GEO-1 requires implementation of all recommendations identified in the Geotechnical Investigation (Vinje & Middleton Engineering, 2016). The recommendations detailed in the Geotechnical Investigation include specific recommendations for Site preparation and grading, earthwork, fill material and placement, temporary Site excavations, yielding subgrade conditions, and shrinkage and bulking. Proper compliance with each of the detailed recommendations set forth in the Geotechnical Investigation will minimize geotechnical hazards related to seismic ground shaking and expansive soils. With mitigation measure MM-GEO-1, Impact GEO-1a related to seismic ground shaking will be less than significant.

2. Seismic-Related Ground Failure (Impact GEO-1b)

Threshold of Significance: *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?*

Description of Significant Effect: Collapse of the upper dry, loose alluvial soils during a major seismic event along a nearby active fault is considered the most significant geotechnical concern on the eastern parcel, specifically in areas of the property underlain by young alluvial deposits, and a **significant impact (Impact GEO-1b)** will occur.

Based on site observations, the results of the liquefaction analyses indicate that much of the saturated sandy and silty portions of the alluvium within the upper approximately 50 feet possesses factors of safety against soil liquefaction of less than 1.3 and are therefore considered liquefiable. Without any deep ground modification procedures, the western parcel may be assumed to be subject to approximately 5.5 inches of liquefaction-induced, differential settlement. This represents a **significant impact (Impact GEO-1c)**.

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

Mitigation Measures: See mitigation measure MM-GEO-1 above.

Rationale: Implementation of mitigation measure MM-GEO-1 requires implementation of all recommendations identified in the Geotechnical Investigation (Vinje & Middleton Engineering, 2016). The recommendations detailed in the Geotechnical Investigation include specific recommendations for Site preparation and grading, earthwork, fill material and placement, temporary Site excavations, yielding subgrade conditions, and shrinkage and bulking. Proper compliance with each of the detailed recommendations set forth in the Geotechnical Investigation will minimize geotechnical hazards related to seismic ground shaking and expansive soils. With mitigation measure MM-GEO-1, Impact GEO-1b and GEO-1c related to seismic-related ground failure, including liquefaction will be less than significant.

3. Soil Erosion (Impact GEO-2)

Threshold of Significance: *Would the project result in substantial soil erosion or the loss of topsoil?*

Description of Significant Effect: The potential for soil erosion would increase during construction activities, including grading and demolition, as a result of vehicles and heavy equipment exposing soil surfaces to wind or water and a **significant impact (Impact GEO-2)** would occur. However, prior to obtaining a grading permit the Project would be required to prepare a Storm Water Pollution Prevention Plan (SWPPP), which would describe and depict in detail the various grading and construction-related BMPs to be implemented onsite during construction. The SWPPP would be prepared in conformance with City regulations and the NPDES SWRCB Construction General Permit. Sediment and erosion control BMPs described in the SWPPP may include, but are not limited to, straw mulch, soil binders, silt fencing, gravel bags, street sweeping and vacuuming and storm drain inlet protection.

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

Mitigation Measure:

Mitigation measures MM-HYDRO-1a, MM-HYDRO-1b and MM-HYDRO-1c, which are presenting in Section 4.11.5, would reduce this impact to below a level of significance.

MM-HYDRO-1a Prior to issuance of a grading permit, the Project would be required to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the NPDES SWRCB's Construction General Permit and City regulations. The SWPPP would describe and depict in detail the various grading and construction-related BMPs necessary to minimize the Project's impacts to erosion, sedimentation and water quality. With the approval of a SWPPP, a Waste Discharge Identification Number from the San Diego Water Board would be obtained. In accordance with the City's Urban Runoff Management and Discharge Control Ordinance, the SWPPP shall be available at the construction site at all times.

BMPs described in the SWPPP shall be site-specific, seasonally appropriate and construction phase appropriate, and implemented at the site-year round. BMPs are not limited to and shall be implemented in the following categories: (1) Project planning; (2) good site management, including waste management; (3) non-storm water management; (4) erosion control; (5) sediment control, including but not limited to dust control and off-site tracking; (6) run-on and runoff control; and (7) active/passive sediment treatment systems, where applicable. Specific sediment and erosion control BMPs described in the SWPPP may include, but are not limited to, placement of straw mulch, soil binders, silt fencing, gravel bags, street sweeping and vacuuming and storm drain inlet protection.

MM-HYDRO-1b Prior to issuance of a grading permit, the Project shall prepare a Storm Water Quality Management Plan (SWQMP) in accordance with all applicable state and local regulations including RWQCB regulations and the City of Oceanside BMP Design Manual. The Project-specific SWQMP shall address construction and operational impacts to water quality and shall identify potential pollutants of concern. The Project shall incorporate all permanent source control BMPs as identified in the SWQMP into the Project design.

MM-HYDRO-1c Low Impact Development (LID) and Site Design BMPs shall be incorporated into the Project design to reduce impacts to water quality. The contractor shall construct the LID BMPs in accordance with the Project SWQMP and the engineer of work shall inspect that all LID BMPs have been constructed in compliance with the approved plans and all applicable specifications and permits.

Rationale: Implementation of mitigation measure MM-HYDRO-1a requires preparation and implementation of a Project-specific SWPPP which would describe and implement in detail the various grading and construction-related BMPs necessary to minimize the Project's impact to water quality and erosion to the site and the San Luis Rey River and eventually the Pacific Ocean. Implementation of mitigation measure MM-HYDRO-1b requires preparation of a Project-specific SWQMP and compliance with permanent source control BMPs. Such BMPs may include storm drain signage, trash storage protection, pest control practices, sweeping of parking lots and sidewalks in order to prevent polluted runoff from entering the storm drain system. Ongoing compliance with and maintenance of the source control BMPs would prevent storm water pollution, reducing impacts to water quality standards.

Implementation of mitigation measure MM-HYDRO-1c would provide LID and Site Design BMPs which would treat storm water runoff using methods such as the green streets approach and swales, which would utilize vegetation and soil to slow and filter storm water runoff and further reduce impacts to water quality and the potential for violation of water quality standards and erosion. Mitigation measures MM-HYDRO-1a, MM-HYDRO-1b and MM-HYDRO-1c would reduce Impact GEO-2 related to soil erosion to below a level of significance.

4. Unstable Geologic Unit or Soil (Impact GEO-1d and Impact GEO-1e)

Threshold of Significance: *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

Description of Significant Effect: The eastern parcel would have a potentially significant impact related to liquefaction. Impacts related to settlements and subsidence and collapsible soils represent a **significant impact (Impact GEO-1d)**.

Based on the areal extent of materials around the area of the Project Site that are anticipated to be liquefiable and the location of the property in proximity to the San Luis Rey River valley, lateral earth displacements could be expected in the event of major, proximal seismic event that triggers soil liquefaction. Impacts related to liquefaction and lateral spreading represents a **significant impact (Impact GEO-1e)**.

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

Mitigation Measures: See mitigation measure MM-GEO-1 above.

Rationale: Implementation of mitigation measure MM-GEO-1 requires implementation of all recommendations identified in the Geotechnical Investigation (Vinje & Middleton Engineering, 2016). The recommendations detailed in the Geotechnical Investigation include specific recommendations for Site preparation and grading, earthwork, fill material and placement, temporary Site excavations, yielding subgrade conditions, and shrinkage and bulking. Proper compliance with each of the detailed recommendations set forth in the Geotechnical Investigation will minimize geotechnical hazards related to seismic ground shaking and expansive soils. With mitigation measure MM-GEO-1, Impact GEO-1d and Impact GEO-1e related to on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse will be less than significant.

5. Paleontological Resources (Impact GEO-3)

Threshold of Significance: *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

Description of Significant Effect: The eastern parcel is underlain by Pleistocene age Terrace Deposits and Alluvium Deposits. Younger alluvium deposits associated with the nearby San Luis Rey River occur in the central and western areas of the property, outside the Terrace Deposits. Alluvium onsite is silty fine to medium grained sandy deposits. Paleistocene river terrace deposits consist of skills, teeth, and/or bones of amphibians, reptiles, birds and mammals. The western parcel is underlain by Artificial Fill (Qaf), topsoil and Quaternary-age alluvial deposits (Qal). Artificial fill does not present potential for the occurrence of paleontological resources due to their recent age and destructive nature of their origin. Similarly, topsoils do not exhibit potential for significant paleontological resources.

Unnamed Quaternary river deposits representing the sediments of ancient river courses and have the potential to contain important vertebrate remains. The presence of Paleistocene river terrace deposits and Quaternary river deposits onsite which have the potential to consist of paleontological resources represents a **significant impact (Impact GEO-3)**.

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

Mitigation Measures:

MM-GEO-3a Prior to the issuance of a grading permit, the applicant shall submit a letter to the City from a qualified professional paleontologist or a California Registered Professional Geologist with appropriate paleontological expertise, as defined by the Society of Vertebrate Paleontology's guidelines, indicating that they have been retained by the applicant to prepare and implement a Paleontological Resources Impact Mitigation Program (PRIMP). The qualified paleontologist shall be available "on-call" to the City and the applicant throughout the duration of ground-disturbing activities. The PRIMP shall include preconstruction coordination; construction monitoring; emergency discovery procedures; sampling and data recovery, if needed; preparation, identification and analysis of the significance of fossil specimens salvaged, if any; museum storage of any specimens and data recovered; and reporting. Earth-moving construction activities shall be monitored wherever these activities will disturb previously undisturbed sediment. Monitoring will not need to be conducted in areas where sediments have been previously disturbed or in areas where exposed sediments will be buried but not otherwise disturbed. In such cases, spot-checking of the excavation site is sufficient. This mitigation measure shall apply to all excavation activities within the areas containing Paleistocene river terrace deposits and Quaternary river deposits.

MM-GEO-3b Prior to the issuance of a grading permit, the City shall confirm the following measure is identified on the grading plan and will be implemented:

Grading activities are subject to a Paleontological Resource Impact Mitigation Program (PRIMP). If potential fossils are discovered by construction crews or during monitoring by a qualified paleontologist, all earthwork or other types of ground disturbance within 50 feet of the discovery shall stop immediately until the qualified professional paleontologist can assess the nature and importance of the discovery. If a fossil of scientific value or uniqueness is identified by the paleontologist, the paleontologist shall record the find and allow work to continue or recommend salvage and recovery of the fossil. If treatment and salvage is required, recommendations shall be consistent with Society of Vertebrate Paleontology guidelines and currently accepted scientific practice and shall be subject to review and approval by the City. Work in the affected area may resume once the fossil has been assessed and/or salvaged and the City, in consultation with the professional paleontologist, has provided written approval to resume work.

Rationale: Implementation of mitigation measures MM-GEO-3a and MM-GEO-3b require a qualified professional paleontologist to be retained to prepare and implement a PRIMP, and provide construction monitoring during ground-disturbing activities in order to assess and provide recommendations in the event that paleontological resources are discovered. MM-GEO-3b requires specific notes to be identified on the grading plan to ensure the PRIMP is properly implemented. With implementation of mitigation measures MM-GEO-3a and MM-GEO-3b, Impact GEO-3 related to paleontological resources will be reduced to less than significant considering any fossils discovered would be properly excavated and the

associated paleontological research information would be preserved to the extent feasible. Therefore, all geology and soils impacts will be reduced to below a level of significance.

E. Hazards and Hazardous Materials

1. Transport, Use, Disposal of Hazardous Materials (Impact HAZ-1, Impact HAZ-2, Impact HAZ-3, Impact HAZ-4, and Impact HAZ-5)

Threshold of Significance: *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Description of Significant Effect: The Project would disturb LBP-containing materials through the demolition, removal and disposal of materials from existing structures onsite which has the potential to cause a health hazard and represents a **significant impact (Impact HAZ-1)**.

Project construction would require the demolition, removal and disposal of onsite buildings that have the potential to disturb ACMs, which has the potential to cause adverse health effects and represents a **significant impact (Impact HAZ-2)**.

Project construction would require the removal and disposal of irrigation pumps potentially containing ACMs which has the potential to cause adverse health and environmental effects and represent a **significant impact (Impact HAZ-3)**.

Soils at 15 feet bgs in the vicinity of the Aboveground Storage Tank (AST) contained contaminants such as gasoline, diesel and motor oil range petroleum hydrocarbons at concentrations below Soil Screening Levels. However, soils shallower than 15 feet bgs have the potential to contain higher concentrations of these contaminants, representing a **significant impact (Impact HAZ-4)**.

The top three (3) feet of soils throughout the agricultural field portions of the western parcel have the potential to contain pesticides which have the potential to create a hazard to the public or the environment, representing a **significant impact (Impact HAZ-5)**.

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

Mitigation Measures:

MM-HAZ-1 Prior to any disturbance of painted building materials within existing buildings, the Construction Contractor and/or Project Applicant shall conduct a Pre-Demolition Lead Based Paint (LBP) Survey on all onsite structures. Compliance with the recommendations of the Pre-Demolition LBP Survey will evaluate the Project Site for LBP that will require special handling and disposal in accordance the Occupational Safety and Health Administration (OSHA) and the Code of Federal Regulations (CFR) and the CCR California Occupational Safety and Health Administration (CalOSHA). All recommendations of the Pre-Demolition LBP Survey shall be adhered to during all building structure removal activities.

MM-HAZ-2 Prior to any disturbances of onsite structures, a comprehensive Asbestos Hazard Emergency Response Act-level (AHERA) Pre-Demolition Asbestos Containing Material (ACM) Survey shall be conducted on all onsite structures by the Construction Contractor and/or Project Applicant. The Pre-Demolition ACM Survey will determine the presence

and location of ACMs and proper handling and disposal methods which are to be adhered to during all building structure removal activities.

- MM-HAZ-3** During all onsite grading activities, any suspect transite pipes shall be managed as ACM until not proven to be. Any pipes determined to contain ACM shall be properly disposed of from the Project Site in accordance with recommendations provided in the Phase II Environmental Site Assessment prepared by SECOR International Inc. provided as **Appendix D** of this EIR. Special care shall be taken during handling, removal and disposal of potential transite-containing pipes in order to avoid disaggregating it into a friable condition which could increase health and safety concerns.
- MM-HAZ-4** During construction activities occurring around the area of the diesel aboveground storage tank (AST), soils located shallower than 15 feet below ground surface (bgs) shall be excavated, characterized, and properly disposed, if determined necessary, in compliance with the recommendations set forth in the Phase II Environmental Site Assessment prepared by SECOR International Inc. provided as **Appendix D** of this EIR.
- MM- HAZ-5** Prior to issuance of a grading permit, the Project shall provide a Grading Plan that addresses the corrective grading of the site and directs the grading Contractor on appropriate means to complete corrective grading activities. The Grading Plan shall incorporate recommendations set forth in the Geotechnical Investigation prepared by Christian Wheeler Engineering dated December 2, 2015, which is provided as **Appendix K** of this EIR, to compact onsite soils to an average depth of 8 to 10 feet during grading.

Rationale: Implementation of mitigation measure MM-HAZ-1 requires a Pre-Demolition LBP Survey in order to evaluate the structures for LBP and identify proper handling and disposal methods of such materials. With implementation of mitigation measure MM-HAZ-1, Impact HAZ-1 related to the transportation, use and disposal and release of hazardous materials such as LBP would be reduced to level below significance.

Implementation of mitigation measure MM-HAZ-2 requires a Pre-Demolition ACM Survey in order to evaluate the existing structures for ACMs and identify proper handling and disposal methods of such materials. With implementation of MM-HAZ-2, Impact HAZ-2 related to the transportation, use and disposal and release of hazardous materials such as ACMs would be reduced to level below significance.

Implementation of mitigation measure MM-HAZ-3 would require special handling, removal and disposal of transite pipes that have the potential to disrupt ACMs in order to avoid disruption to such materials which could increase health and safety concerns. With implementation of MM-HAZ-3, Impact HAZ-3 related to transportation, use and disposal and release of hazardous materials such as ACMs in transite pipes would be reduced to level below significance.

Implementation of mitigation measure MM-HAZ-4 would require soils within the area of the diesel AST to be excavated, characterized, and properly disposed, if determined necessary, in compliance with the recommendations of the Phase II Environmental Site Assessment in order to avoid further contamination of onsite soils from the previous use of the diesel AST. With implementation of MM-HAZ-4, Impact HAZ-4 related to transportation, use and disposal and release of hazardous materials such as gasoline, diesel and motor oil range petroleum hydrocarbons would be reduced to level below significance.

Implementation of mitigation measure MM-HA-5 would require preparation of grading plans in order to address corrective grading onsite. Grading activities would be directed by the recommendations of the Geotechnical Investigation related to compaction of soils. It is anticipated that incidental mixing inherent

in the grading will generate average concentrations after grading below residential PRGs and hazards waste levels and therefore would adequately address the residual pesticides. With implementation of MM-HAZ-5, Impact HAZ-5 related to pesticides in onsite soils would be reduced to level below significance.

Therefore, impacts related to hazards and hazardous materials would be reduced to less than significant.

2. Release of Hazardous Materials (Impact HAZ-1, Impact HAZ-2, Impact HAZ-3)

Threshold of Significance: *Would the project create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Description of Significant Effect: The Project would disturb LBP-containing materials through the removal and disposal of materials from existing structures onsite which has the potential to cause a health hazard and represents a **significant impact (Impact HAZ-1)**. Project construction would require the removal and disposal of onsite buildings that have the potential to disturb ACMs, which has the potential to cause adverse health effects and represents a **significant impact (Impact HAZ-2)**. Project construction would require removal of transite pipes which have the potential to have ACMs resulting in a **significant impact (Impact HAZ-3)**.

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

Mitigation Measures: See mitigation measures MM-HAZ-1, MM-HAZ-2, and MM-HAZ-3 above.

Rationale: Implementation of mitigation measure MM-HAZ-1 requires a Pre-Demolition LBP Survey in order to evaluate the structures for LBP and identify proper handling and disposal methods of such materials. With implementation of mitigation measure MM-HAZ-1, Impact HAZ-1 related to the transportation, use and disposal and release of hazardous materials such as LBP would be reduced to level below significance.

Implementation of mitigation measure MM-HAZ-2 requires a Pre-Demolition ACM Survey in order to evaluate the existing structures for ACMs and identify proper handling and disposal methods of such materials. With implementation of MM-HAZ-2, Impact HAZ-2 related to the transportation, use and disposal and release of hazardous materials such as ACMs would be reduced to level below significance.

Implementation of mitigation measure MM-HAZ-3 would require special handling, removal and disposal of transite pipes that have the potential to disrupt ACMs in order to avoid disruption to such materials which could increase health and safety concerns. With implementation of MM-HAZ-3, Impact HAZ-3 related to transportation, use and disposal and release of hazardous materials such as ACMs in transite pipes would be reduced to level below significance.

F. Hydrology and Water Quality

1. Violate Water Quality Standard (Impact HYDRO-1a, Impact HYDRO-1b, Impact HYDRO-1c)

Threshold of Significance: *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?*

Description of Significant Effect: Total Maximum Daily Loads (TMDLs) are developed to establish the maximum amount of a pollutant allowed in a waterbody while still meeting water quality standards. Considering the downstream waters are impaired, the potential pollutants of concern that may be generated by the Project as a result of development are sediment, nutrients, heavy metals, trash and debris, oxygen demanding substances, oil and grease, bacteria and viruses and pesticides.

Pollutant generation associated with construction and operational activities for the Project have the potential to violate a water quality standard or waste discharge requirement or otherwise substantially degrade surface or groundwater quality and a **significant impact** would occur (**Impact HYDRO-1a**).

The potential for erosion would increase during construction activities as a result of the movement of vehicles, heavy equipment, and general earthwork activities which would accelerate the erosion process. Wind erosion also has the potential to occur on bare soils or where vehicles and equipment cause dust. Fuels, oils, lubricants, other hazardous substances and waste used and generated during construction then have the potential to be released and impact water quality.

Pollutants released during grading and construction can degrade water quality if they are washed into surface waters, ultimately flowing to the San Luis Rey River and/or Pacific Ocean. Sediment is the most common pollutant associated with construction sites because of the associated earth-moving activities and areas of exposed soil. During construction, the Project has the potential to violate a water quality standard or waste discharge requirement, and would result in a **significant impact (Impact HYDRO-1b)**.

Post-construction, the Project would introduce impervious surfaces and new sources of pollutants from urban runoff. Impervious site features consist of the multi-family residential buildings, internal roads, parking areas, internal sidewalks and off-site sidewalk improvements, pedestrian walkways, and paseos. Pervious features within the future multi-family development would include landscaping and public and private usable open space areas.

Project-specific development plans would indicate the layout of landscaping and open space areas and impervious areas along with the total amount of impervious and pervious areas. Project Site development plans would also indicate storm water movement throughout the site, its discharge locations and proposed treatment methods in accordance with the City's BMP Design Manual. The Project would create impervious surfaces that have the potential to violate a water quality standard or waste discharge requirement, and would have a **significant impact (Impact HYDRO-1c)**.

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

Mitigation Measures:

MM-HYDRO-1a

Prior to issuance of a grading permit, the Project would be required to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the NPDES SWRCB's Construction General Permit and City regulations. The SWPPP would describe and depict in detail the various grading and construction-related BMPs necessary to minimize the Project's impacts to erosion, sedimentation and water quality. With the approval of a SWPPP, a Waste Discharge Identification Number from the San Diego Water Board would be obtained. In accordance with the City's Urban Runoff Management and Discharge Control Ordinance, the SWPPP shall be available at the construction site at all times. The City of Oceanside Engineering Department shall approve the SWPPP upon satisfaction of all RWQCB requirements.

BMPs described in the SWPPP shall be site-specific, seasonally appropriate and construction phase appropriate, and implemented at the site-year round. BMPs are not limited to and shall be implemented in the following categories: (1) Project planning; (2) good site management, including waste management; (3) non-storm water management; (4) erosion control; (5) sediment control, including but not limited to dust control and off-site tracking; (6) run-on and runoff control; and (7) active/passive sediment treatment systems, where applicable. Specific sediment and erosion control BMPs described in the SWPPP may include, but are not limited to, placement of straw mulch, soil binders, silt fencing, gravel bags, street sweeping and vacuuming and storm drain inlet protection.

MM-HYDRO-1b Prior to issuance of a grading permit, the Project shall prepare a Storm Water Quality Management Plan (SWQMP) in accordance with all applicable state and local regulations including RWQCB regulations and the City of Oceanside BMP Design Manual. The Project-specific SWQMP shall address construction and operational impacts to water quality and shall identify potential pollutants of concern. The Project shall incorporate all permanent source control BMPs as identified in the SWQMP into the Project design. The City of Oceanside Engineering Department shall approve the SWQMP upon satisfaction of all RWQCB requirements.

MM-HYDRO-1c Low Impact Development (LID) and Site Design BMPs shall be incorporated into the Project design to reduce impacts to water quality. The contractor shall construct the LID BMPs in accordance with the Project SWQMP and the engineer of work shall inspect that all LID BMPs have been constructed in compliance with the approved plans and all applicable specifications and permits.

Rationale: Implementation of mitigation measure MM-HYDRO-1a requires preparation and implementation of a Project-specific SWPPP which would describe and implement in detail the various grading and construction-related BMPs necessary to minimize the Project's impact to water quality and erosion to the site and the San Luis Rey River and eventually the Pacific Ocean.

Implementation of mitigation measure MM-HYDRO-1b requires preparation of a Project-specific SWQMP and compliance with permanent source control BMPs. Such BMPs may include storm drain signage, trash storage protection, pest control practices, sweeping of parking lots and sidewalks in order to prevent polluted runoff from entering the storm drain system. Ongoing compliance with and maintenance of the source control BMPs would prevent storm water pollution, reducing impacts to water quality standards.

Implementation of mitigation measure MM-HYDRO-1c would provide LID and Site Design BMPs which would treat storm water runoff using methods such as the green streets approach and swales, which would utilize vegetation and soil to slow and filter storm water runoff and further reduce impacts to water quality and the potential for violation of water quality standards.

Mitigation measures MM-HYDRO-1a, MM-HYDRO-1b and MM-HYDRO-1c would reduce impacts to water quality standards (Impact HYDRO-1a, 1b and 1c) to below a level of significance.

2. Erosion or Siltation (Impact HYDRO-1d)

Threshold of Significance: *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?*

Description of Significant Effect: The potential for erosion would increase during construction activities as a result of the movement of vehicles, heavy equipment, and general earthwork activities which would accelerate the erosion process. Wind erosion also has the potential to occur on bare soils or where vehicles and equipment cause dust. Therefore, the Project has the potential to result in exposed soils or changes in runoff that could result in erosion or siltation during the construction phase of the Project, and would have a **significant impact (Impact HYDRO-1d)**.

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

Mitigation Measures: See mitigation measures MM-HYDRO-1a, MM-HYDRO-1b and MM-HYDRO-1c.

Rationale: Mitigation measures MM-HYDRO-1a, MM-HYDRO-1b and MM-HYDRO-1c would reduce impacts to erosion (Impact HYDRO-1d) to below a level of significance.

3. Increase Runoff (Impact HYDRO-2a)

Threshold of Significance: *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*

Description of Significant Effect: Development plans for the Project would be provided upon Project Site development and would include minor grade alterations, less than 10 feet, in order to create level building pad surfaces throughout the site. Site drainage over the finished surfaces would flow away from structures and to off-site structures similar to pre-development conditions. Building roof lines would be provided with roof gutters and roof water would be collected and directed away from the buildings with downspouts and structures at a suitable location. The Project Site would utilize vegetated areas where runoff can be impaired. Development of the Project Site would minimally alter the exiting drainage patterns onsite and would increase the amount of impervious surfaces contributing to changes in the amount of surface runoff, representing a **significant impact (Impact HYDRO-2a)**.

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

Mitigation Measure:

MM-HYDRO-2 Prior to issuance of a grading permit, the Project shall prepare a Project-specific Drainage Study which shall analyze existing and proposed drainage conditions of the Project Site. The Project Drainage Study shall be prepared and onsite drainage patterns shall be designed in compliance with applicable state and local standards. Project compliance with the design and recommendations of the Drainage Study would ensure proper site development of runoff flows.

Rationale: Mitigation measure MM-HYDRO-2 would reduce impacts to erosion (Impact HYDRO-2a) to below a level of significance.

4. Runoff Capacity (Impact HYDRO-2b)

Threshold of Significance: *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

Description of Significant Effect: Development of the Project Site would minimally alter the exiting drainage patterns onsite and would increase the amount of impervious surfaces contributing to changes in the amount of surface runoff. The increase in surface runoff has the potential to exceed the capacity of existing drainage systems, or provide additional sources of polluted runoff, representing a **significant impact (Impact HYDRO-2b)**.

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

Mitigation Measures: See mitigation measures MM-HYDRO-2.

Rationale: Mitigation measure MM-HYDRO-2 would reduce impacts to runoff capacity (Impact HYDRO-2b) to below a level of significance. Therefore, impacts to hydrology and water quality will be reduced to below a level of significance.

G. Land Use and Planning

1. Land Use Plan – City of Oceanside VMT Guidelines (Impact LU-1), Oceanside Subarea Plan (LU-2), SDAPCD Rules and Regulations (Impact LU-3a, Impact LU-3b, and Impact LU-3c)

Threshold of Significance: *Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

Description of Significant Effect: Section 4.18 *Transportation* of the FEIR provides the complete VMT analysis which identifies Project traffic impacts based on the Vehicle Miles Traveled Analysis prepared by LOS Engineering, Inc. (**Appendix Q** of the FEIR). SANDAG provides a map-based VMT model for the San Diego region that includes the City. The Project is located in an area having a VMT per Capita by Census Tract at 92.7% of the regional mean and therefore the Project exceeds the 85% significance threshold and is considered to have a significant impact on transportation VMT. The Project exceeds the VMT threshold by 7.8% (**Impact LU-1**). Therefore, the Project would exceed the thresholds adopted by the City for VMT per capita.

The Subarea Plan is the only applicable local, regional or state habitat conservation plan that applies to the Project. While the Subarea Plan has not been formally adopted, the Project would be designed to comply with the measures outlined in the MHCP and Subarea Plan. Although the Project was designed to comply with the measures outlined in the MHCP and the Subarea Plan, the Project has the potential to result in significant impacts to MBTA-covered bird species which have the potential to occur onsite, and therefore a **significant impact (Impact LU-2)** would occur. The Project would include mitigation measures consistent with the Subarea Plan to address potential significant impacts to sensitive biological resources.

As provided in FEIR Section 4.4 *Air Quality*, construction health risks are assessed as a result of the Project. The Project would disturb LBP-containing materials through the removal and disposal of materials from existing structures onsite which has the potential to cause a health hazard and represents a **significant impact (Impact LU-3a)**. Project construction would require the removal and disposal of onsite buildings that have the potential to disturb ACMs, which has the potential to cause adverse health effects and represents a **significant impact (Impact LU-3b)**. Project construction would require the removal and disposal of irrigation pumps potentially containing ACMs which has the potential to cause adverse health and environmental effects and represent a **significant impact (Impact LU-3c)**. Therefore, the Project has the potential to conflict with SDAPCD rules and regulations for health risks.

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

Mitigation Measures:

Land Use Plan – City of Oceanside VMT Guidelines (Impact LU-1) Vehicle Miles Traveled (Impact TRANSP0-1)

The Project would implement mitigation measures MM-TRANSP0-1 and MM-TRANSP0-2 which are presented in Section 4.18 Transportation and would reduce VMT impacts to a level below significance.

MM-TRANSP0-1 The Project shall implement CAPCOA reduction measure LUT-1: Increase Density which is applicable to residential projects in an urban or suburban area. The Project shall provide a PBDP to establish land use and development standards that regulate future residential development proposals on the Project Site, including establishing medium density residential uses in accordance with the MDC-R designation.

MM-TRANSP0-2 The Project shall implement CAPCOA reduction measure SDT-1: Provide Pedestrian Network Improvements, which is applicable to residential projects in an urban and suburban area. The Project shall provide a pedestrian access network to link areas of the Project Site which encourages people to walk instead of drive. The Project shall provide pedestrian access that internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the Project Site. The Project shall minimize barriers to pedestrian access and interconnectivity. Physical barriers such as walls, landscaping, and slopes that impede pedestrian circulation shall be eliminated.

Land Use Plan – Oceanside Subarea Plan (Impact LU-2)

Mitigation measure MM-BIO-1 which is presented in FEIR Section 4.5 *Biological Resources*, would reduce this impact to below a level of significance.

MM-BIO-1 The project applicant shall develop an educational pamphlet (in English and Spanish) for the identification of raptor nests and to guide tree pruning activities in suburban areas during the breeding season. Landscaping companies and tree trimming services that have projects in the City shall be required to use the pamphlet to educate their employees on the recognition of raptor nest trees. Trimming of trees containing raptor or migrating bird nests shall be prohibited during the raptor breeding season (January 15 to August 31). Human disturbance shall be restricted around documented nesting habitat during the breeding season based on the following:

To avoid any direct and indirect impacts to raptors and/or any migratory birds, grubbing and clearing of vegetation that may support active nests and construction activities adjacent to nesting habitat would occur outside of the breeding season (January 15 to August 31). If removal of habitat and/or construction activities is necessary adjacent to nesting habitat during the breeding season, the applicant shall retain a City-approved biologist to conduct a pre-construction survey to determine the presence or absence of non-listed nesting migratory birds on or within 300 feet of the construction area, and federally or state-listed birds and raptors on or within 500 feet of the construction area. The pre-construction survey must be conducted within 10 calendar days prior to the start of construction, the results of which must be submitted to the City for review and approval prior to initiating any construction activities. If nesting birds are detected by the City-approved biologist, the following buffers shall be established:

1. No work within 300 feet of a non-listed nesting migratory bird nest, and
2. No work within 500 feet of a listed bird or raptor nest. However, the City may reduce these buffer widths depending on site-specific conditions (e.g., the width and type of screening vegetation between the nest and proposed activity) or the existing ambient level of activity (e.g., existing level of human activity within the buffer distance). If construction must take place within the recommended buffer widths above, the project applicant would contact the City to determine the appropriate buffer.

Land Use Plan – SDAPCD Rules and Regulations (Impact LU-3a, Impact LU-3b, and Impact LU-3c)

Mitigation measures MM-HAZ-1, MM-HAZ-2 and MM-HAZ-3, which are presented in FEIR Section 4.10.5 *Hazards and Hazardous Materials*, would reduce this impact to below a level of significance.

MM-HAZ-1 Prior to any disturbance of painted building materials within existing buildings, the Construction Contractor and/or Project Applicant shall conduct a Pre-Demolition Lead Based Paint (LBP) Survey on all onsite structures. Compliance with the recommendations of the Pre-Demolition LBP Survey will evaluate the Project Site for LBP that will require special handling and disposal in accordance the Occupational Safety and Health Administration (OSHA) and the Code of Federal Regulations (CFR) and the CCR California Occupational Safety and Health Administration (CalOSHA). All recommendations of the Pre-Demolition LBP Survey shall be adhered to during all building structure removal activities.

MM-HAZ-2 Prior to any disturbances of onsite structures, a comprehensive Asbestos Hazard Emergency Response Act-level (AHERA) Pre-Demolition Asbestos Containing Material (ACM) Survey shall be conducted on all onsite structures by the Construction Contractor and/or Project Applicant. The Pre-Demolition ACM Survey will determine the presence and location of ACMs and proper handling and disposal methods which are to be adhered to during all building structure removal activities.

MM-HAZ-3 During all onsite grading activities, any suspect transite pipes shall be managed as ACM until not proven to be. Any pipes determined to contain ACM shall be properly disposed of from the Project Site in accordance with recommendations provided in the Phase II Environmental Site Assessment prepared by SECOR International Inc. provided as **Appendix D** of this EIR. Special care shall be taken during handling, removal and disposal of potential transite-containing pipes in order to avoid disaggregating it into a friable condition which could increase health and safety concerns.

Rationale: The analysis in FIER Section 4.12.4 identified the potential for significant impacts related to compliance with a land use plan including guidelines for addressing VMT. Implementation of mitigation measures MM-TRANSP0-1 and MM-TRANSP0-2 would require implementation of the CAPCOA VMT reduction measures LUT-1 and SDT-1. Implementation of these two VMT reduction measures would reduce the Project's transportation impact (Impact LU-1) to 83.4% which is below the 85% threshold, and therefore impacts would be reduced to a level below significance.

The analysis in FEIR Section 4.12.4 identified the potential for significant impacts related to compliance with a land use plan. Implementation of mitigation measure MM-BIO-1 requires educational tools to identify and protect raptor nests and requires construction activities including clearing and grubbing to occur outside the avian breeding season and requirements for pre-construction surveys if construction must occur during the breeding season. With implementation of mitigation measure MM-BIO-1, Impact BIO-1 related to raptor foraging and migratory birds and Impact LU-2 related to compliance with the Oceanside Subarea Plan would be reduced to below a level of significance. Therefore, impacts related to compliance with the Oceanside Subarea Plan will be reduced to less than significant.

The analysis in FEIR Section 4.12.4 identified the potential for significant impacts related to compliance with a land use plan including the rules and regulations under the SDAPCD. Significant impacts related to health risks and exposure of pollutant concentrations to sensitive receptors specifically from LBP and ACMs were identified. Implementation of mitigation measure MM-HAZ-1 requires a Pre-Demolition LBP Survey in order to evaluate the structures for LBP and identify proper handling and disposal methods of such materials. With implementation of mitigation measure MM-HAZ-1, Impact AQ-1 related to the exposure of pollutant concentrations such as LBP to sensitive receptors would be reduced to level below significance.

Implementation of mitigation measure MM-HAZ-2 requires a Pre-Demolition ACM Survey in order to evaluate the existing structures for ACMs and identify proper handling and disposal methods of such materials. With implementation of MM-HAZ-2, Impact AQ-2 related to the exposure of pollutant concentrations such as ACMs to sensitive receptors would be reduced to level below significance.

Implementation of mitigation measure MM-HAZ-3 would require special handling, removal and disposal of transite pipes that have the potential to disrupt ACMs in order to avoid disruption to such materials which could increase health and safety concerns. With implementation of MM-HAZ-3, Impact AQ-3 related to exposure of pollutant concentrations such as ACMs in transite pipes would be reduced to level below significance.

Implementation of mitigation measures MM-HAZ-1 through MM-HAZ-3 would reduce impacts related to air quality (Impact AQ-1, Impact AQ-2 and Impact AQ-3) and would reduce impacts related to compliance with a land use plan, specifically the rules and regulations of the SDAPCD (Impact LU-3a, Impact LU-3b and Impact LU-3c) to less than significant levels.

H. Noise

1. Onsite Transportation Noise Levels (Impact NOI-1a and Impact NOI-1b)

Threshold of Significance: *Would the project a generation of substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Description of Significant Effect: As provided in the Noise Study (**Appendix N** of FEIR) based on the exterior noise model for the roadways, the worst-case exterior noise level at the building façades nearest the roadways is 73.4 dBA CNEL along North River Road at a distance of 50 feet from the centerline. The model does not take into account any noise reductions for existing or proposed structures, barriers or topographic features. According to the Noise Element of the General Plan, North River Road is considered a 4-lane major arterial with raised center median and a right-of-way of 100 feet. Minimum site perimeter setback is 20 feet from North River Road as provided in the PBDP. Therefore, the residential rear yards would be set back a minimum of 80 feet from the centerline of North River Road. Based on the increased distance from the roadway, the noise level would be reduced to a worst-case exterior noise level of 71.4 dBA CNEL. Based on these findings, the Project's worst-case onsite noise levels from the adjacent roadways would exceed the City's 65 dBA noise standard resulting in a **significant impact (Impact NOI-1a)**.

Consistent with Title 24 of the CCR and the City's noise guidelines, a project is required to perform an interior assessment on the portions of a project site where building façade noise levels are above 60 dBA CNEL in order to ensure a 45 dBA CNEL interior noise level. The Project would exceed building façade noise levels of 60 dBA CNEL and has the potential to exceed interior noise levels which would result in a **significant impact (Impact NOI-1b)**.

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

Mitigation Measures:

MM-NOI-1a Prior to operation, the Project would construct a 7-foot barrier at the top of the slope of the northern boundary of the Project Site along North River Road in order to reduce noise levels for the residences located adjacent to the roadway. The location and height of the required barrier is shown in **Figure 4.14-1** of this EIR. The noise barrier shall be constructed of a non-gapping material consisting of masonry, ½-inch thick glass, earthen berm or any combination of these materials. The noise barrier shall not contain any gaps or knot holes and shall incorporate either overlapping boards at least one (1) inch or utilizing a tongue-and-groove design in order to reduce the presence of gaps or knot holes.

MM-NOI-1b Prior to issuance of the first building permit and after the architectural floor plans have been provided, a final interior noise assessment shall be obtained for the residential units located along North River Road and shall be approved to the satisfaction of the City of Oceanside Building Department. Consistent with Title 24 of the California Code of Regulations, the Project shall ensure a 45 dBA CNEL interior noise level due to the fact that the building façade noise levels are above 60 dBA CNEL.

Rationale: The analysis provided in FEIR Section 4.14.4 identified potential for significant impacts related to onsite transportation noise levels. Implementation of mitigation MM-NOI-1a would require the construction of a 7-foot noise barrier at the top of the slope of the northern boundary of the Project Site along North River Road. Construction of the noise barrier would ensure noise levels are reduced for the residences that would be located adjacent to the roadway. With mitigation MM-NOI-1a, Impact NOI-1a related to onsite transportation noise levels would be reduced to below a level of significance with construction of a noise barrier.

Mitigation measure MM-NOI-1b would reduce potential impacts related to interior noise levels as a result of onsite transportation noise levels by providing an interior noise assessment and ensuring interior noise levels do not exceed 45 dBA CNEL for the residential units located along North River Road. Therefore, all impacts to noise would be reduced to less than significant.

I. Transportation

1. Vehicle Miles Traveled (Impact TRANSPO-1)

Threshold of Significance: *Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?*

Description of Significant Effect: A Vehicle Miles Traveled Analysis was prepared by LOS Engineering, Inc. and is provided as **Appendix Q** of the FEIR. Residential projects utilize VMT per capita to define a significant transportation impact when a project exceeds a level of 15% below existing VMT (i.e. greater than 85% of the regional mean). The City utilizes this guideline consistent with the Office of Planning and Research's (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA.

The OPR and City of Oceanside provide a map-based VMT screening option for residential projects. If a project is located within an area with low VMT, developed from regional travel demand model, then such projects can be used to screen out residential projects from needing to prepare a detailed VMT analysis.

SANDAG provides a map-based VMT model for the San Diego region that includes the City. The Project is located in an area having a VMT per Capita by Census Tract at 92.7% of the regional mean and therefore the Project exceeds the 85% significance threshold and is considered to have a significant impact on transportation VMT. The Project exceeds the VMT threshold by 7.8%. Therefore, the Project would conflict with CEQA Guidelines Section 15064.3 (b) which represents a **significant impact (Impact TRANSPO-1)**.

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

Mitigation Measures:

MM-TRANSPO-1 The Project shall implement CAPCOA reduction measure LUT-1: Increase Density, which is applicable to residential projects in an urban or suburban area. The Project shall provide a PBDP to establish land use and development standards that regulate future residential development proposals on the Project Site, including establishing medium density residential uses in accordance with the MDC-R designation.

MM-TRANSPO-2 The Project shall implement CAPCOA reduction measure SDT-1: Provide Pedestrian Network Improvements, which is applicable to residential projects in an urban and suburban area. The Project shall provide a pedestrian access network to link areas of the Project Site which encourages people to walk instead of drive. The Project shall provide pedestrian access that internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the Project Site. The Project shall minimize barriers to pedestrian access and interconnectivity. Physical barriers such as walls, landscaping, and slopes that impede pedestrian circulation shall be eliminated.

Rationale: Implementation of mitigation measure MM-TRANSPO-1 and MM-TRANSPO-2 would require implementation of the CAPCOA VMT reduction measures LUT-1 and SDT-1. The LUT-1 VMT reduction is calculated based on the number of dwelling units per acre (du/acre). The Project would provide a maximum of 400 units on 25.6 acres, resulting in 15.6 du/acre. The SDT-1 VMT reduction is

based on the Project adding a sidewalk along the Project frontage on North River Road and throughout the site to be designed once a site plan is developed. **Table 4.18-45** provides the CAPCOA VMT reduction rates.

Utilizing the formula above, the Project's overall VMT Percent Reduction = $(1 - (1 - 0.074) * (1 - 0.02)) = 0.093 = 9.3\%$. As shown in **Table 4.18-56**, the Project transportation impact (Impact TRANSP0-1) would be reduced to 83.4% which is below the 85% threshold, and therefore would be reduced to a level below significance.

J. Tribal Cultural Resources

1. Listed or Eligible Tribal Cultural Resource (Impact TCR-1a)

Threshold of Significance: *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a California Native American tribe, and that is Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*

Description of Significant Effect: No cultural resources which qualify as unique historical resources were found on the Project Site. However, because the Project Site is located on an alluvial terrace associated with the San Luis Rey River and because three (3) isolated prehistoric artifacts were discovered during the field survey, construction activities, including ground disturbing activities have the potential to cause an adverse change in the significance of a tribal cultural resource, representing a **significant impact (Impact-TCR-1a)**.

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

Mitigation Measures: Mitigation measures MM-CUL-1a through MM-CUL-1h which is presented in FEIR Section 4.6.5, would reduce this impact to below a level of significance.

MM-CUL-1a Prior to issuance of a Grading Permit, the Applicant/Owner shall enter into a pre-excavation agreement, otherwise known as a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement with the "Traditionally and Culturally Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe". A copy of the agreement shall be included in the Grading Plan Submittals for the Grading Permit. The purpose of this agreement shall be to formalize protocols and procedures between the Applicant/Owner and the "TCA Native American Monitor associated with a TCA Luiseño Tribe" for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and tribal cultural resources, located and/or discovered through a monitoring program in conjunction with the construction of the proposed Project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities. At the discretion of the Luiseño Native American Monitor, artifacts may be made available for 3D scanning/printing, with scanned/printed materials to be curated at a local repository meeting the federal standards of 36CFR79.

- MM-CUL-1b** Prior to the issuance of a Grading Permit, the Applicant/Owner or Grading Contractor shall provide a written and signed letter to the City of Oceanside Planning Division stating that a Qualified Archaeologist and Luiseño Native American Monitor have been retained at the Applicant/Owner or Grading Contractor's expense to implement the monitoring program, as described in the pre-excavation agreement.
- MM-CUL-1c** The Qualified Archaeologist shall maintain ongoing collaborative consultation with the Luiseño Native American monitor during all ground disturbing activities. The requirement for the monitoring program shall be noted on all applicable construction documents, including Demolition Plans, Grading Plans, etc. The Applicant/Owner or Grading Contractor shall notify the City of Oceanside Planning Division of the start and end of all ground disturbing activities.
- MM-CUL-1d** The Qualified Archaeologist and Luiseño Native American Monitor shall attend all applicable pre-construction meetings with the General Contractor and/or associated Subcontractors to present the archaeological monitoring program. The Qualified Archaeologist and Luiseño Native American Monitor shall be present onsite full-time during grubbing, grading and/or other ground altering activities, including the placement of imported fill materials or fill used from other areas of the Project Site, to identify any evidence of potential archaeological or tribal cultural resources. All fill materials shall be absent of any and all tribal cultural resources.
- MM-CUL-1e** In order for potentially significant archaeological artifact deposits and/or cultural resources to be readily detected during mitigation monitoring, a written "Controlled Grade Procedure" shall be prepared by a Qualified Archaeologist, in consultation with the Luiseño Native American monitor, other TCA Luiseño Tribes that have participated in the state-prescribed process for this Project, and the Applicant/Owner, subject to the approval of City representatives. The Controlled Grade Procedure shall establish requirements for any ground disturbing work with machinery occurring in and around areas the Qualified Archaeologist and Luiseño Native American monitor determine to be sensitive through the cultural resource mitigation monitoring process. The Controlled Grade Procedure shall include, but not be limited to, appropriate operating pace, increments of removal, weight and other characteristics of the earth disturbing equipment. A copy of the Controlled Grade Procedure shall be included in the Grading Plan Submittals for the Grading Permit.
- MM-CUL-1f** The Qualified Archaeologist or the Luiseño Native American monitor may halt ground disturbing activities if unknown tribal cultural resources, archaeological artifact deposits or cultural features are discovered. Ground disturbing activities shall be directed away from these deposits to allow a determination of potential importance. Isolates and clearly non-significant deposits will be minimally documented in the field, and before grading proceeds these items shall be secured until they can be repatriated. If items cannot be securely stored on the Project Site, they may be stored in off-site facilities located in San Diego County. If the Qualified Archaeologist and Luiseño Native American monitor determine that the unearthed tribal cultural resource, artifact deposits or cultural features are considered potentially significant TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this Project shall be notified and consulted regarding the respectful and dignified treatment of those resources. The avoidance and protection of the significant tribal cultural resource and/or unique archaeological resource is the preferable mitigation. If, however, it is determined by the City that avoidance of the

resource is infeasible, and it is determined that a data recovery plan is necessary by the City as the Lead Agency under CEQA, TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this Project shall be notified and consulted regarding the drafting and finalization of any such recovery plan. For significant tribal cultural resources, artifact deposits or cultural features that are part of a data recovery plan, an adequate artifact sample to address research avenues previously identified for sites in the area will be collected using professional archaeological collection methods. The data recovery plan shall also incorporate and reflect the tribal values of the TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this Project. If the Qualified Archaeologist collects such resources, the Luiseño Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect the tribal cultural resources that are unearthed during the ground disturbing activities, the Luiseño Native American monitor, may at their discretion, collect said resources and provide them to the appropriate TCA Luiseño Tribe, as determined through the appropriate process, for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Ground disturbing activities shall not resume until the Qualified Archaeologist, in consultation with the Luiseño Native American Monitor, deems the cultural resource or feature has been appropriately documented and/or protected.

MM-CUL-1g The landowner shall relinquish ownership of all tribal cultural resources unearthed during the cultural resource mitigation monitoring conducted during all ground disturbing activities, and from any previous archaeological studies or excavations on the Project Site to the appropriate TCA Luiseño Tribe, as determined through the appropriate process, for respectful and dignified treatment and disposition, including reburial at a protected location onsite, in accordance with the Tribe's cultural and spiritual traditions. All cultural materials that are associated with burial and/or funerary goods will be repatriated to the Most Likely Descendant (MLD) as determined by the Native American Heritage Commission per California Public Resources Code Section 5097.98. No tribal cultural resources shall be subject to curation.

MM-CUL-1h Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusions of the archaeological monitoring program (e.g., data recovery plan) shall be submitted by the Qualified Archaeologist, along with the Luiseño Native American monitor's notes and comments, to the City of Oceanside Planning Division for approval.

Rationale: Implementation of mitigation measures MM-CUL-1a through MM-CUL-1h requires construction monitoring by a Qualified Archaeologist and Native American monitor and specific protocols for pre-construction, construction and post-construction activities, requirements for discovery of cultural resources and reporting of monitoring activities and evaluation of results. With implementation of mitigation measures MM-CUL-1a through MM-CUL-1h, Impact TCR-1a related to resources to a California Native American Tribe would be reduced to below a level of significance by requiring specific monitoring program protocols during construction which would allow for proper care of resources in the event of a discovery.

2. Resource to a California Native American Tribe (Impact TCR-1b)

Threshold of Significance: *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape,*

sacred place or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? (In applying the criteria set forth in subdivision(c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe)?

Description of Significant Effect: The San Luis Rey Band of Mission Indians identified the City, along with other cities located in northern San Diego County, as traditional and culturally affiliated territories. The tribe is determined in the preservation and protection of tribal cultural resources within all jurisdictions. The tribe has indicated that there is a multitude of tribal cultural resources and sacred places within the proposed Project area. Considering this information, there is potential for the discovery of unknown tribal cultural resources during Project ground disturbing and grading activities. The Project has the potential to cause a substantial adverse change in the significance of a tribal cultural resource, representing a **significant impact (Impact-TCR-1b)**.

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

Mitigation Measures: Mitigation measure MM-CUL-1a through MM-CUL-1h above will reduce this impact to below a level of significance.

Rationale: Implementation of mitigation measures MM-CUL-1a through MM-CUL-1h requires construction monitoring by a Qualified Archaeologist and Native American monitor and specific protocols for pre-construction, construction and post-construction activities, requirements for discovery of cultural resources and reporting of monitoring activities and evaluation of results. With implementation of mitigation measures MM-CUL-1a through MM-CUL-1h, Impact TCR-1b related to resources to a California Native American Tribe would be reduced to below a level of significance by requiring specific monitoring program protocols during construction which would allow for proper care of resources in the event of a discovery. Therefore, all impacts to tribal cultural resources will be reduced to less than significant.

IV. Potentially Significant Impacts That Cannot be Mitigated Below a Level of Significance (CEQA Guidelines Section 15091(A)(3))

The Project will not result in any significant unavoidable impacts that will not be reduced below a level of significance through mitigation measures. As provided in the FEIR Section 4.0 *Environmental Analysis* and Section 5.0 *Cumulative Analysis*, and Section III above, all potentially significant impacts will be mitigated to a level below significance. Therefore, a Statement of Overriding Considerations is not required for the Project.

V. Findings Regarding Alternatives

Section 15126.6(a) of the CEQA Guidelines requires the discussion of “a reasonable range of alternatives to a project, or the location of a project, which will feasibly attain most of the basic objectives of the project but will avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.”

Three (3) alternatives, including the No Project Alternative, were analyzed in the FEIR Section 7.0 *Alternatives*:

- Alternative 1 – No Project Alternative

- Alternative 2 – Reduced Intensity Alternative
- Alternative 3 – Reduced Project Footprint Alternative

These alternatives were evaluated for their ability to avoid or substantially lessen the impacts of the Project as identified in the FEIR, as well as consideration of their ability to meet the basic objectives of the Project which are as follows:

1. Establish a Planned Block Development Overlay District to permit flexibility in land-use regulation and site development standards under control of the City of Oceanside Planning Commission and City Council where flexibility or coordinated planning for a large site or a site under multiple ownerships will enhance the potential for superior urban design.
2. Provide realistic future housing opportunities for the community located on an infill development site.
3. Establish land use and development standards that will regulate future residential development proposals for the subject property.
4. Promote site planning and architectural design that is intended to promote development in a deliberate, highly livable residential community which is compatible with the surrounding neighborhood.

In accordance with CEQA Guidelines Section 15126.6(e)(2), and in light of the analysis presented in the FEIR Section 7.0 *Alternatives*, the Environmentally Superior Alternative is the Reduced Intensity Alternative due to its ability to reduce the number of vehicle trips as a result of Project traffic. The Reduced Intensity Alternative would still be required to implement mitigation measures related to biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, transportation, and tribal cultural resources and impacts would be reduced to a level below significance. Mitigation measures would still be required as disturbance to the Project Site would be similar under this alternative and the Project. All other impacts would be less than significant similar to that of the Project. Implementation of the Project under a reduced intensity development would not achieve the Project objectives to the same degree as the Project due to the reduced flexibility in residential development.

A. Alternatives Considered but Rejected

Factors that may be used to eliminate alternatives from detailed consideration in an FEIR include failure to meet a majority of the basic Project objectives, infeasibility, and inability to avoid significant environmental impacts. Alternatives that were identified but not considered include the following:

- Existing Zoning – Industrial Development Alternative
- Alternative Site Location

Existing Zoning – Industrial Development Alternative

The Existing Zoning – Industrial Development Alternative would develop the site in conformance with the existing land use and zoning designations as light industrial. Although the site exists as a warehouse with shipping and office uses, and single-family residences, the majority of the western parcel operates as agricultural operations. Under this alternative, the 25.6-acre Project Site would operate entirely as light industrial uses. The industrial development under this alternative would be consistent with the light

industrial uses to the south, southeast and east. The property to the southeast consists of parking and support areas for the Oceanside Auto Auction. A recreational vehicle/self-storage use is also located farther to the east. This light industrial area extends east to the San Luis Rey River boundary. The area to the south side of North River Road that is currently designated for light industrial uses, including the Project Site, encompasses ten (10) contiguous parcels totaling roughly 112 acres. Approximately 74 acres are dedicated to the auto auction site and 12 acres to the recreational vehicle storage facility. The remaining approximate 26 acres comprises the proposed Project Site.

Compared to the Project, which would provide for future development of a maximum of 400 multi-family residential units, the Industrial Development Alternative would encompass a larger building footprint and building massing and would include parking areas for employees and delivery trucks. Under the existing zoning of the Project Site, this alternative estimates the maximum construction of an industrial building totaling 1,000,000 SF.

Similar to existing operations, this alternative would provide various warehousing, shipping and industrial office uses and would provide areas for loading docks and associated parking for trucks and employees. For the purposes of this EIR alternative analysis, it is assumed that the Industrial Development Alternative would develop the entire 25.6-acre site, both the eastern and western parcels. It is also assumed that this alternative would develop new industrial buildings and therefore demolition of existing onsite structures would still take place. Under the Industrial Development Alternative a General Plan Amendment and Zone Amendment would not be required, as the Project Site has land use and zoning designations as IL and LI respectively.

With the provision of a higher intensity industrial development of the site, this alternative would be expected to have similar impacts related to agriculture and forestry resources, biological resources, cultural resources, geology and soils, hydrology and water quality, land use and planning, mineral resources, public services, tribal cultural resources and wildfire. However, a higher intensity industrial use would not result in an increase in demand in school services or recreation facilities.

Due to the nature of the industrial development, it is expected that this alternative would generate a larger ADT compared to the Project. Based on the SANDAG (*Not So*) *Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region*, the Project would generate between 2,304 and 5,120 ADT depending on the specific industrial uses. Based on the SANDAG guide, trip rates range from 200 ADT/acre to 90 ADT/acre for industrial developments. This represents a 28 to 60% increase in ADT compared to the Project. As a result of additional ADT, traffic effects under this alternative for the Project would also be anticipated to increase compared to the Project.

An increase in ADT equates to an increase in air quality emissions, GHG emissions and vehicular-related noise. Additionally, an industrial operation is likely to have more truck traffic compared to the Project, which proposes residential uses. A larger building would also have an increase in demand for energy resources. The Industrial Development Alternative would also increase impacts to aesthetics due to larger building size and massing. Additionally, this alternative has the potential to include industrial uses which have the potential to utilize, store, and/or transport hazardous materials resulting in greater impacts to hazards and hazardous materials.

The Industrial Development Alternative was eliminated from further analysis as it would not meet the Project objectives which are to provide realistic future housing opportunities for the community located in a transit corridor and establish land use and development standards that will regulate future residential development proposals for the subject property. Further, this alternative would have greater environmental impacts compared to the Project.

Alternative Site Location

Based on review of aerial maps, the City of Oceanside General Plan Land Use Map, and map of approved and pending development projects within the City, no other available, undeveloped properties of similar size that are located in close proximity to mass transit service and provide in-fill development could be developed as proposed by this Project. Due to the scattered and relatively sparse availability of undeveloped lands in the Project Site vicinity, alternative sites with applicable land use and zoning for medium density residential are too large for a development of this size, would not allow for an in-fill development or are already planned for open space preservation.

Additionally, given that the Project Site has been previously developed and disturbed and operates as light industrial and agricultural uses, it is highly unlikely that development on a different property would result in fewer environmental impacts than what would result with implementation of the Project on the proposed Project Site. For example, the Project would not impact any sensitive habitats as onsite vegetation consists of disturbed land, developed land, non-native vegetation and row crops which impacts are not considered significant. It is anticipated that undeveloped, vacant parcels within the City of appropriate size would result in greater impacts to sensitive biological resources. Similarly, impacts related to cultural, paleontological and tribal cultural resources would have higher potential to be unearthed compared to the Project Site which has been previously disturbed and developed.

Objective #2 for the Project provides for future housing within a transit corridor. Vacant parcels within the City tend to be located further from mass transit facilities, including bus service, and are less likely to provide adequate pedestrian and bicycle facilities. Therefore, operational impacts associated with traffic, air quality, GHG would be greater under an Alternative Site Location. Therefore, development of the Project Site as proposed would result in fewer environmental impacts in the Project vicinity compared to development of other vacant properties within the City. For these reasons, an Alternative Site Location is not considered and is not discussed further.

B. Alternative 1 – No Project Alternative

1. Description of Alternative

The No Project Alternative assumes that the Project Site would not be developed as multi-family residential and that the Project Site would remain as warehouse/office and shipping operations, single-family residences, and in agricultural cultivation in its present condition. The purpose of the No Project Alternative analysis is to allow a lead agency to compare the impacts of approving the proposed Project with the impacts of not approving the Project.

2. Finding

The City rejects Alternative 1, the No Project Alternative, as it is undesirable and infeasible as it fails to satisfy the Project's underlying purpose and fails to meet any of the Project objectives. Therefore, the No Project Alternative is rejected because of specific economic, legal, social, technological or other considerations which make the alternative infeasible.

3. Facts in Support of Finding

Under implementation of the No Project Alternative, potentially significant project impacts associated with air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, transportation, and tribal cultural resources identified for the Project would not occur under this alternative.

Under the No Project Alternative, the Project Site would remain and would maintain its current condition and no significant environmental impacts would occur. However, the No Project Alternative does not meet any of the Project objectives. Additionally, benefits of the Project such as transportation improvements and contributions; enhanced pedestrian improvements and connections; Project design features which aim to address requirements of the CAP; and improved traffic along North River Road and Riverview Way, SR-76 and College Boulevard, Douglas Drive from Pala Road to El Camino Real and Douglas Drive from El Camino Real to Mission Avenue would not be realized under the No Project Alternative. For these reasons, and others detailed in the record before the City, the City rejects the No Project Alternative as both undesirable and infeasible.

C. Alternative 2 – Reduced Intensity Alternative

1. Description of Alternative

Under the Reduced Intensity Alternative, the 25.6-acre Project Site would be developed with a less intensive residential use such as single-family homes which would be consistent with the land uses to the west of the Project Site. This alternative would require a General Plan Amendment and Zone Amendment in order to revise the existing land use and zoning designations from light industrial uses to residential estate (RE-B) similar to the development located directly to the west. The single-family development to the west contains 270 residences and has a density of approximately 3.0 du/ acre.

For the purposes of this analysis the single-family development would provide a density of 3.0 du/ acre in accordance with the RE-B zone which provides a base density of 1.0 du/ acre and a maximum potential density of 3.5 du/ acre. Therefore, the Project under this alternative would provide approximately 76 single-family residences. The environmental impacts associated with the Reduced Intensity Alternative are further discussed below.

2. Finding

The City rejects Alternative 2, the Reduced Intensity Alternative, as undesirable and infeasible as it fails to satisfy all of the Project objectives to the fullest extent. All four objectives would not be met to the fullest extent. Although the Reduced Intensity Alternative is the Environmentally Superior Alternative, this alternative would still be required to implement mitigation measures related to biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, transportation, and tribal cultural resources and impacts would be reduced to a level below significance. Mitigation measures would still be required as disturbance to the Project Site would be similar under this alternative and the Project. Therefore, the Reduced Intensity Alternative is rejected because of specific economic, legal, social, technological or other considerations making the alternative undesirable and infeasible.

3. Facts in Support of Finding

The Reduced Intensity Alternative would reduce Project impacts related to aesthetics, air quality, energy, GHG emissions, noise, population and housing, public services, recreation, and utilities and service systems. Impacts related to transportation would be similar to that of the Project; however the Project under this alternative would result in reduced vehicle trips. The Reduced Intensity Alternative would still be required to implement the mitigation measures identified for the Project in order to reduce potentially significant impacts to a level below significant. However, it is anticipated that under this alternative, roadway improvements and contributions in accordance with the reduced number of trips would be

provided. All other impacts would be the same under the Reduced Intensity Alternative and the Project. Project objectives under this alternative would only be met to an extent.

D. Alternative 3 – Reduced Project Footprint Alternative

1. Description of Alternative

The Reduced Project Footprint Alternative would construct a reduced sized multi-family development on the Project Site. For the purposes of this analysis, it is assumed that the entire 9.7-acre eastern parcel would be developed and only the northern and northwestern four (4) acres of the western parcel would be developed. This would avoid the land consisting of agricultural operations which totals approximately 11.8 acres of row crops. Development would be reduced by approximately 50% under this alternative and therefore, for the purposes of this alternatives analysis, a total of 200 multi-family units would be developed. It is also assumed that only one (1) of the existing single-family residences located on the western parcel would remain and would not be demolished as part of Project construction. Under this alternative, it is assumed that a General Plan Amendment and Zone Amendment would be required for both parcels in order to designate the site for medium density residential uses.

Under the Reduced Project Footprint Alternative the area of disturbance by grading and earthwork would be reduced, further reducing impacts to unknown cultural, tribal cultural and paleontological resources.

2. Finding

The City rejects Alternative 3, Reduced Project Footprint Alternative, as undesirable and would only meet the Project objectives to an extent. All four objectives would not be met to the fullest extent. All mitigation measures identified for the Project would be applicable to this alternative except for mitigation measure MM-HAZ-5 related to pesticides as no disturbance to the agricultural lands would occur under this alternative. Therefore, the Alternative Site Location Alternative is rejected because of specific economic, legal, social, technological or other considerations making the alternative infeasible.

3. Facts in Support of Finding

Development of the Project under the Alternative Site Location alternative would result in reductions to impacts related to aesthetics, agriculture and forestry resources, biological resources, cultural resources, energy, geology and soils, GHG emissions, hazards and hazardous materials, hydrology and water quality, land use, noise, population and housing, public services, recreation, and tribal cultural resources. Impacts related to mineral resources, transportation, and wildfire would be similar to the Project. All mitigation measures identified for the Project would be applicable to this alternative except for mitigation measure MM-HAZ-5 related to pesticides as no disturbance to the agricultural lands would occur under this alternative. Appropriate transportation roadway improvements in accordance with the reduced traffic under this alternative would be implemented as provided in the City's MTP. Project objectives under this alternative would only be met to an extent.

VI. Other CEQA Considerations

A. Growth-Inducing Impacts

Pursuant to CEQA Guidelines Sections 15126.2(d), the FEIR examined the potential growth-inducing impacts related to the Project and are provided in the FEIR Section 6.0 *Other CEQA Considerations*. The CEQA Guidelines states the growth-inducing analysis is intended to address the potential for the Project to “foster economic or population growth, or the construction of additional housing, either directly or

indirectly, in the surrounding environment.” Further, CEQA Appendix G Checklist discussion under Population and Housing also mandates that a CEQA document speak to the proposed project’s likelihood to induce substantial population growth in an area, either directly (e.g., by proposing new homes or businesses) or indirectly (e.g., through extension of roads or other infrastructure).

Population Growth

The Project Site is located in a primarily developed area and is surrounded by various residential uses including single-family residents to the west, multi-family apartments to the northwest, condominiums and mobile home estates to the north and light industrial uses to the east and south. The area south of North River Road, including the Project Site, is designated for light industrial uses and encompasses ten (10) contiguous parcels totaling roughly 112 acres. Approximately 74 acres are dedicated to the auto auction site and 12 acres to the recreational vehicle storage facility. The remaining approximately 26 acres consists of the Project Site.

The Project would provide a PBD Overlay District to allow for the future development of medium density residential housing with a maximum of 400 dwelling units. A General Plan Amendment and Zone Amendment would be required in order to designate the Project Site as MDC-R and RM-C corresponding to the land use and zoning designations for medium density residential development. The proposed medium density residential use would also provide a transition between the light industrial uses located to the south and east, and the existing residential uses located to the north and west.

According to Section 1010 of the Zoning Ordinance, the purpose of residential districts is to achieve design compatibility with surrounding neighborhoods. Though the existing land use and zoning designations for the site are for light industrial uses, the Project would provide an in-fill development for medium density residential uses in an area surrounded primarily by residential uses. Alternatively, development of the site to the fullest potential as a light industrial use would not be compatible with the surrounding residential development.

Utilizing the City’s average occupancy per household of 2.92 persons/unit (SANDAG, 2013), the Project would result in approximately 1,168 people residing on the Project Site with a maximum of 400 multi-family units, directly fostering population growth. As the site is currently designated for light industrial uses, the Project would introduce population and development beyond what is currently planned for and development of the site would introduce unplanned population growth. Although the Project would be consistent with the surrounding residential uses in the area, the increase in the number of people and development in the area has the potential to adversely affect the physical environment.

The associated environmental impacts have been identified and evaluated in Chapters 4.0 through 4.21 of this EIR. As documented in this EIR, the Project’s projected population would result in significant impacts to air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, transportation and tribal cultural resources. Mitigation measures MM-BIO-1, MM-CUL1a through MM-CUL1h, MM-CUL-2, MM-GEO1, MM-GEO-3a through MM-GEO-3b, MM-HAZ-1 through MM-HAZ-5, MM-HYDRO-1a through MM-HYDRO-1c, MM-HYDRO-2, MM-NOI-1a and MM-NOI-1b, and MM-TRANSP0-1 and MM-TRANSP0-2 which are provided in this EIR would be implemented in order to reduce these significant impacts to a level below significance.

The Project would have a significant impact (Impact LU-1) related to conflicting with a land use plan, policy, or regulation. Implementation of mitigation measures MM-TRANSP0-1 and MM-TRANSP0-2 would reduce impacts related to compliance with the City’s VMT guidelines would be reduced to a level below significance.

The Local Transportation Study (LTS) (**Appendix P** of FEIR) includes the analysis to determine traffic impacts as a result of the Project that would justify any roadway improvements or fair share participation (FEIR **Table 3.5-4**). The Project would provide roadway improvements and fair share contributions as part of the Project to alleviate traffic impacts as a result of Project traffic on the surrounding roadways. These roadway improvements are provided within the City's Master Transportation Plan (MTP) Traffic Impact Analysis and are planned for in the City's General Plan and would therefore not be considered growth inducing cause by the Project. Impacts identified in the transportation analysis related to VMT would be reduced to a level below significance after implementation of mitigation measures MM-TRANSP0-1 and MM-TRANSP0-2 which include VMT reduction measures.

Although the increased population as a result of the Project is not within the City's population projections, all physical impacts to the environment due to the increase in population have been evaluated throughout this EIR, as discussed above. No additional environmental impacts associated with population growth would occur as a result of the Project.

Public Services and Infrastructure

The Project would result in an incremental increase in demand of water and wastewater services and facilities and solid waste services, however, these anticipated increases would not significantly burden existing community service facilities or require construction of new facilities that would cause significant environmental effects (see FeIR Section 4.20 *Utilities and Service Systems*). Water and sewer utility services for the Project would connect to existing facilities surrounding the site and would provide both on- and off-site connections. Existing potable water piping in the vicinity of the Project Site would be adequate to serve the Project as provided in the Water Overview Letter (**Appendix S** of FEIR). The Project would be subject to additional analysis to determine the Project's cost share for any necessary improvements to the off-site trunk sewer in North River Road at the time of Project Site development. The Project, as part of the entitlement process, would be required to contribute its share of the costs for potential modifications to the North Valley Sewer Lift Station. The Project would also connect to existing electrical and gas services and specific tie-in locations would be determined at the time the Project Site is developed. The Project's incremental increase in demand for water, wastewater, electrical and natural gas services, the proposed utility service connections and contributions to the shared costs for potential modifications to the North Valley Sewer Lift Station are not considered to be growth-inducing. Water and wastewater facilities and connections associated with the Project would be sized to serve future uses onsite and would not indirectly induce growth in the surrounding area.

The Project would not construct any new public roadways which have the potential to further induce growth. Internal roadways would be provided throughout the multi-family development to provide access to the residential buildings from parking areas and the surrounding public roadways. The future internal roadways would be sized to adequately serve the Project and would not act as alternative routes through the surrounding area. Besides North River Road, the roadways surrounding the Project Site such as Calle Joven and Calle Montecito are local streets that are designed to accommodate a low level of traffic generated within the Project.

The Project would not provide any widening improvements along North River Road but would provide sidewalk improvements along the Project frontage. Additionally, the Project would install a traffic signal at North River Road and Riverview Way at the Project frontage. The Project would provide other traffic improvements as listed in FEIR **Table 3.5-4** unless subsequent traffic analysis demonstrates that the improvements are not warranted. Prior to submittal of the final site plan, a traffic analysis shall be prepared to identify the timing, trigger, improvement, and fair share contribution for each analyzed roadway segment and intersection.

The Local Transportation Study (LTS) (**Appendix P** of FEIR) includes the analysis to determine traffic effects as a result of the Project that would justify any roadway improvements or fair share participation. These roadway improvements are provided within the City's MTP Traffic Impact Analysis and are planned for in the City's General Plan and would therefore not be considered growth inducing caused by the Project. Impacts identified in the transportation analysis related to VMT would be reduced to a level below significance after mitigation.

The Project would result in an incremental increase in demand for fire protection and emergency medical services, police protection, schools, parks, and libraries, as discussed in FEIR Section 4.16 *Public Services*, and such increases in demand would not significantly burden existing community services facilities or require construction of new facilities that would cause significant environmental effects. The Project would contribute all required development impact fees in accordance with the City's current requirements, which would be allocated to offset for any increase in demand for such public services in the City. The Project Site is located in a developed area surrounded primarily by various residential land uses and light industrial uses where public services are currently provided.

There are no components of the Project that would remove obstacles to development in the surrounding area, as the majority of lands surrounding the Project Site are developed with urban uses, are in the process of being developed, or are planned as open space. No impact to population growth would result from any Project-related improvements as these improvements would not induce substantial growth on the surrounding area. The Project would exceed local and/or regional population projections; however, the Project would not indirectly induce growth by removing impediments to growth. Impacts associated with the Project's increase in population and growth inducing elements have been evaluated throughout this EIR and mitigation measures have been imposed in order to reduce impacts to less than significant levels. Therefore, Project growth-inducing impacts would be **less than significant**

B. Potential Secondary Effects

CEQA Guidelines Section 15126.4(a)(1)(D) states that "if a mitigation measure would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation measure shall be discussed but in less detail than the significant effects of the project as proposed." No adverse secondary effects would occur as a result of the Project mitigation measures MM-BIO-1, MM-CUL1a through MM-CUL1h, MM-CUL-2, MM-GEO1, MM-GEO-3a through MM-GEO-3b, MM-HAZ-1 through MM-HAZ-5, MM-HYDRO-1a through MM-HYDRO-1c, MM-HYDRO-2, MM-NOI-1a and MM-NOI-1b, and MM-TRANSP0-1 and MM-TRANSP0-2. The City finds no adverse secondary impacts will occur as a result of implementation of the Project and the Project mitigation measures.

C. Effects Found not to be Significant

CEQA Guidelines Section 15128 requires an EIR to contain a brief statement indicating reasons that various possible significant effects of a project were determined not to be significant and therefore are not discussed in detail in the EIR. Instead, the Project has provided a detailed discussion of each environmental issue area included in Appendix G of the CEQA Guidelines as identified in the FEIR Section 4.0 *Environmental Analysis*. As identified in Section 4.0 of the FEIR, the following environmental issue areas were determined to have no impact or a less than significant impact as a result of the Project: Aesthetics, Agriculture and Forestry Resources, Energy, Greenhouse Gas Emissions, Mineral Resources, Population and Housing, Public Services, Recreation, Utilities and Service Systems, and Wildfire.

VII. Other CEQA Findings**A. Mitigation Monitoring and Reporting Program****1. General Finding**

Pursuant to Section 21081.6 of the Public Resources Code, the City, in adopting these findings, also adopts the MMRP for the Tierra Norte Planned Block Development Project. The MMRP is designed to ensure that, during Project implementation, the City and other responsible parties will comply with the mitigation measures adopted in the Findings. The City hereby binds itself to cause the various feasible mitigation measures described in the MMRP to be implemented in accordance with the FEIR and MMRP. The mitigation measures constitute a binding set of obligations upon the City's certification and approvals identified herein.

The City hereby finds that the MMRP, which is incorporated into the Project Conditions of Approval, meets the requirements of Public Resources Code Section 21081.6 by providing for the implementation and monitoring of Project conditions intended to mitigate potentially significance environmental effects of the Project.

2. Regulatory Compliance

Federal, state, regional, and local laws contain certain regulatory compliance measures that must be adhered to in implementing the Project. The FEIR describes the Regulatory Setting within each environmental issue area of Section 4.0, which includes the details of regulatory compliance measures. Where regulatory compliance measures are required by law, the City has not separately proposed or adopted mitigation requiring regulatory compliance (as it would be declaratory of existing law). Nonetheless, the City finds that the Project must comply with all applicable regulatory compliance measures.

B. CEQA Guidelines Sections 15091 and 15092 Findings

Based on these findings and the information contained in the administrative record, the City has made one or more of the following findings with respect to each of the significant effects of the Project:

1. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.
2. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the FEIR.

Based on these findings and the information contained in the administrative record, and as conditioned by the foregoing:

1. All significant effects on the environment due to the Project have been eliminated or substantially lessened where feasible.

C. Nature of Findings

Any finding made by the City shall be deemed made, regardless of where it appears in this document. All of the language included in this document constitutes findings by the City, whether or not any particular sentence or clause includes a statement to that effect. The City intends that these findings be considered as an integrated whole and, whether or not any part of these findings fail to cross-reference or incorporate by

reference any other part of these findings, that any finding required or committed to be made by the City with respect to any particular subject matter of the FEIR, shall be deemed to be made if it appears in any portion of these findings.

D. Reliance on Record

Each and all of the findings and determinations contained herein are based on substantial evidence, both oral and written, contained in the administrative record relating to the Project. In accordance with Public Resources Code Section 21167.6(e), the record of proceedings (i.e. administrative record) for the City Council's decision on the Project is comprised of the following documents:

- The FEIR (June 2022) for the Project including Appendices;
- The DEIR (February 2022) for the Project including Appendices;
- NOP (November 2018) for the Project;
- Any appendices, studies or documents cited, referenced, or relied on in the NOP, DEIR, FEIR, or any document prepared for the Project's EIR and either made available to the public during a public review period or included in the City's non-privileged, retained files on the Project;
- Reports and technical reports, studies, and memoranda included or referenced in the NOP, DEIR, FEIR, or City's responses to comments on the Project;
- The Project application materials;
- All public notices issued by the City in conjunction with the Project, including notices issued by the City to comply with CEQA, the CEQA Guidelines, or any other law governing the processing and approval of the Project;
- Scoping Meeting notices and comments received at the virtual Scoping Meeting;
- The Notice of Availability (NOA) and Notice of Completion (NOC) of the DEIR;
- Comments received on the NOP;
- All reports, studies, memoranda, maps or other planning or environmental documents relating to the Project or its compliance with CEQA and prepared by the City, consultants to the City, or responsible or trustee agencies with respect to the Project that were either made available to the public during a public review period or included in the City's non-privileged, retained files on the Project;
- All written comments and attachments on the Project received from agencies, organizations, or members of the public during the DEIR comment period or prior to the close of the public hearing before the City Council;
- All City responses to comments received from agencies, organizations, or members of the public, or otherwise transferred from the City in connection with the Project or its compliance with CEQA;
- Any supplemental documents submitted to the City prior to public hearings on the Project;
- Staff reports prepared by the City for any information sessions, public meetings, and public hearings relating to the Project, and any exhibits or attachments thereto;
- Minutes and/or transcripts of all public information sessions, public meetings, and public hearings relating to the Project;
- Any documentary of other evidence submitted to the City at such information sessions, public meetings, and public hearings;
- Any proposed decisions or findings submitted to the City Council and made available to the public during any public review period;
- All findings, resolutions, and ordinances adopted by this City Council in connection with the Project, and all documents cited or referred to therein;
- The Project permit conditions;

- The MMRP for the Project;
- Any documents expressly cited in these findings and any documents incorporated by reference;
- The City of Oceanside General Plan and all pertinent environmental documents prepared in connection with its adoption;
- The full written record actually before the City Council;
- The Project's approval documents;
- All City website materials relating to the EIR or Project;
- Any other written materials included in the City's retained files for the EIR or Project that are relevant to the City's compliance with CEQA or its decision on the merits of the Project, and that were released for public review or relied upon in the environmental documents prepared for the Project; and
- Notice of Determination (NOD) for the Project.

The City Council intends that only those documents relating to the Project and its compliance with CEQA and prepared, owned, used, or retained by the City and listed above shall comprise the administrative record for the Project. Only that evidence presented to, considered by, and ultimately before the City Council prior to reviewing and reaching its decision on the FEIR and Project shall comprise the administrative record. The City Council does not intend that any drafts of any study, findings, or environmental document (or portions thereof), that were not released for public review or otherwise made available to the public be included in the administrative record.

E. Custodian of Records

The custodian of the documents or other material that constitute the record of proceedings upon which the City's decision is based is identified as follows:

City of Oceanside Planning Division
300 North Coast Highway
Oceanside, CA 92054

F. Response to Late Comments Not Required

CEQA Guidelines Section 15105 requires that the City provide a 45-day public review and comment period on the DEIR. Based on the NOA, public comment period for the DEIR began on February 23, 2022 and ended on April 8, 2022.

The City has not received comments on the DEIR after the close of the public comment period. If the City has received comments on the DEIR after the close of the public comment period, the City is not required to provide a written response to late letters (Public Resources Code Section 21091(d), CEQA Guidelines Section 15088(a)).

G. Recirculation Not Required

CEQA Guidelines Section 15088.5 provides the criteria that a lead agency is to consider when deciding whether it is required to recirculate an EIR. Recirculation is required when "significant new information" is added to the final EIR after public notice of availability of the draft EIR is given but before certification (CEQA Guidelines Section 15088.5(a). "Significant new information," as defined in CEQA Guidelines Section 15088.5(a), means information added to an EIR that changes the EIR so as to deprive the public of a meaningful opportunity to comment on a "substantial adverse environmental effect" or a "feasible

way to mitigate or avoid such an effect (including a feasible project alternative) that the Project's proponents have declined to implement."

An example of significant new information provided by the CEQA Guidelines is a disclosure showing that a "new significant environmental impact will result from the project or from a new mitigation measure proposed to be implemented;" that a "substantial increase in the severity of an environmental impact will result unless mitigation measures are adopted to reduce the impact to a level of insignificance;" or that a "feasible project alternative or mitigation measure considerably different from others previously analyzed will clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it" (CEQA Guidelines §15088.5(a)(1)-(3)).

Recirculation is not required where "the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR" (CEQA Guidelines §15088.5(b)). Recirculation also is not required simply because new information is added to the EIR — indeed, new information is oftentimes added given CEQA's public/agency comment and response process and CEQA's post-draft EIR circulation requirement of proposed responses to comments submitted by public agencies. In short, recirculation is "intended to be an exception rather than the general rule" (*Laurel Heights Improvement Assn. v. Regents of University of California* (1993) 6 Cal.4th 1112, 1132.).

In this legal context, the City finds that recirculation of the DEIR prior to certification is not required. In addition to providing responses to comments, the FEIR includes revisions to expand upon the information presented in the DEIR; explain or enhance the evidentiary basis for the DEIR's findings; update information; and to make clarifications, amplifications, updates, or helpful revisions to the DEIR. The FEIR's revisions, clarifications and/or updates do not result in any new significant impacts or increase the severity of a previously identified significant impact.

In summary, the FEIR demonstrates that the Project will not result in any new significant impacts or increase the severity of a significant impact, as compared to the analysis presented in the DEIR. The changes reflected in the FEIR also do not indicate that meaningful public review of the DEIR was precluded in the first instance. Accordingly, recirculation of the DEIR is not required as revisions to the DEIR are not significant as defined in Section 15088.5 of the CEQA Guidelines.

H. Certification of the Final Environmental Impact Report, CEQA Guidelines Section 15090

The City Council certifies that the FEIR, dated June 2022, on file with the Development Services Department (SCH# 2018111034), has been completed in compliance with CEQA and the State CEQA Guidelines, that the FEIR was presented to the City Council, and that the City Council reviewed and considered the information contained therein before approving the Project, and that the FEIR reflects the independent judgement and analysis of the City Council (State CEQA Guidelines Section 15090).

VIII. Statement of Overriding Considerations

The Project will not result in any significant unavoidable environmental impacts and therefore will not require a Statement of Overriding Considerations.