

## APPENDIX A

### NOP and Comments Received During Public Review

# NOTICE OF PREPARATION

## Program Environmental Impact Report

### ONWARD OCEANSIDE:

City of Oceanside Comprehensive General Plan Update,  
South Morro Hills Community Plan,  
Smart & Sustainable Corridors Specific Plan, Climate Action Plan Update, Active  
Transportation Plan, and Trails Master Plan

**Date:** May 24, 2021

**To:** Reviewing Agencies, Interested Parties, and Organizations

**Subject:** Notice of Preparation of a Program Environmental Impact Report for Onward Oceanside: The City of Oceanside Comprehensive General Plan Update, South Morro Hills Community Plan, Smart & Sustainable Corridors Specific Plan, Climate Action Plan Update, Active Transportation Plan, and Trails Master Plan.

**Scoping Meeting:** June 9, 2021 at 6:00 p.m.

**Comment Period:** May 24, 2021 – June 23, 2021 (30 days)

**PUBLIC NOTICE:** The City of Oceanside (City), as the lead agency, has determined that the project described below will require the preparation of a Program Environmental Impact Report (PEIR) in compliance with the California Environmental Quality Act (CEQA; California Public Resources Code, Section 21000 et seq.), and Title 14 of the California Code of Regulations (CCR; hereafter CEQA Guidelines, 14 CCR 15000 et seq.). The City has prepared this Notice of Preparation (NOP) in accordance with CEQA Guidelines Sections 15082(a) and 15375.

**SCOPING MEETING:** Consistent with Section 21083.9(a)(2) of CEQA (California Public Resources Code, Section 21000 et seq.), a public scoping meeting will be held to solicit comments regarding the scope and analysis of the PEIR. The scoping meeting will provide information about the CEQA process and will enable interested stakeholders to provide meaningful comments that identify environmental issues and alternatives that are recommended for consideration in the PEIR. Public comments received at the Scoping Meeting and/or in writing during the NOP scoping process will be included as part of the PEIR.

Public scoping meeting  
Zoom Virtual Meeting  
Date: Wednesday, June 9, 2021  
Time: 6:00 p.m. to 7:00 p.m.

To participate in the meeting, please register in advance at:

[https://dyettandbhatia.zoom.us/webinar/register/WN\\_o8aDXyL1TIKg3hYKGztNuA](https://dyettandbhatia.zoom.us/webinar/register/WN_o8aDXyL1TIKg3hYKGztNuA)

After registering, you will receive a confirmation email containing information about joining the meeting. Written comments should be addressed to:

Robert Dmohowski, Senior Planner  
City of Oceanside  
Development Services Department  
300 North Coast Highway  
Oceanside, CA 92054  
RDmohowski@oceansideca.org

**PROJECT SETTING:** The City is in northwestern San Diego County, approximately 35 miles north of the City of San Diego and 80 miles south of the City of Los Angeles. Regional access to the City is provided by Interstate 5, which runs north-south through the City. The City is bordered by Camp Pendleton to the north, the City of Carlsbad and Buena Vista Lagoon to the south, unincorporated portions of San Diego County and the City of Vista to the east, and the Pacific Ocean to the west. The project area, or planning area, is the entirety of the City as well additional land (approximately 20 acres) within the City's Sphere of Influence. Figure 1 provides the project area regional location. Figure 2 shows the City's location on a United States Geographic Survey topographic map and Figure 3 shows the City's location on an aerial photograph.

**PROJECT DESCRIPTION:** The project includes a Comprehensive General Plan Update (GPU), development of a South Morro Hills Community Plan (SMHCP), creation of a Smart and Sustainable Corridors Specific Plan (SSCSP), an update to the City's Climate Action Plan (CAP), Active Transportation Plan (ATP), and Trails Master Plan (TMP), collectively referred to as the project.

### *General Plan Update*

The City's General Plan includes the following elements: Land Use, Circulation, Economic Development, Energy and Climate Action, Housing, Environmental Resource Management, Community Facilities, Public Safety, Noise, Hazardous Waste Management, and Military Reservation. The General Plan also includes a Redevelopment Plan that covers the Downtown Redevelopment Area and a Local Coastal Program as appendices.

A comprehensive GPU has not been completed since the plan was originally prepared in the 1970s. Since that time, a Military Reservation Element was approved in 1981 and a Community Facilities Element and Hazardous Waste Management Element were approved in 1990. More recently, the Circulation Element was updated in 2012, and the Housing Element (5<sup>th</sup> Cycle) in 2013. Most recently, the Economic Development and Energy and Climate Action Elements were created and adopted in 2019. The Housing Element is currently in the process of being updated to reflect the state's 6<sup>th</sup> Cycle

planning period requirements; however, it is not part of this comprehensive environmental review as a separate environmental document has been prepared.

The GPU includes updating all elements; the Economic Development and Energy and Climate Action elements were prepared in 2019 and may also be updated to be consistent with the other elements. The updated General Plan may also include new elements and existing elements may be renamed or combined (i.e., Circulation Element to be renamed Mobility Element). The GPU aims to address inconsistencies between the existing elements and to provide an updated focus to “shape a forward-looking vision for Oceanside and provide the City with a regulatory document that responds to our contemporary issues and legal context” ([www.onwardoceanside.com](http://www.onwardoceanside.com)).

#### *South Morro Hills Community Plan*

The SMHCP will contain policies and planning guidance specific to the City’s only remaining agricultural area and will be focused on supporting the continued viability of farming through expanded agritourism opportunities. Agritourism can support agricultural uses by providing new revenues for farmers, increasing public education around farming, and improving community access to fresh, local food and farm products.

The development of the SMHCP will allow the City to accommodate additional housing in the area while preserving agricultural resources and facilitating the long-term viability of farming operations ([www.onwardoceanside.com](http://www.onwardoceanside.com)). This will be facilitated through zoning changes and special area strategies intended to implement the vision of the plan.

#### *Smart and Sustainable Corridors Specific Plan*

The goal of the SSCSP will be to channel future housing and employment growth into the City’s commercial corridors while maintaining the integrity of adjacent residential neighborhoods. The SSCSP will identify ways to facilitate infill and redevelopment along Mission Avenue, Oceanside Boulevard, and Vista Way, while accommodating public transit and active transportation consistent with “complete streets” principles and regional policies that seek to reduce reliance on the private automobile ([www.onwardoceanside.com](http://www.onwardoceanside.com)).

The SSCSP will focus on planning infrastructure that is bicycle-, pedestrian-, and transit-friendly; increasing mixed-use development; decreasing greenhouse gas (GHG) emissions through increased use of transit, walking, and biking; attracting more commercial and industrial businesses and jobs to the City; preserving the City’s open space; and reducing sprawl. The SSCSP will support the City’s ability to meet its Regional Housing Needs Allocation by maximizing housing development in existing corridors near the City’s eight commuter rail stations and other transit stops.

#### *Climate Action Plan Update*

The project includes an update to the City’s GHG inventory and forecast emissions modeling that will inform an update to the City’s CAP. The CAP update may include new

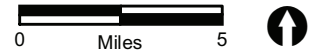
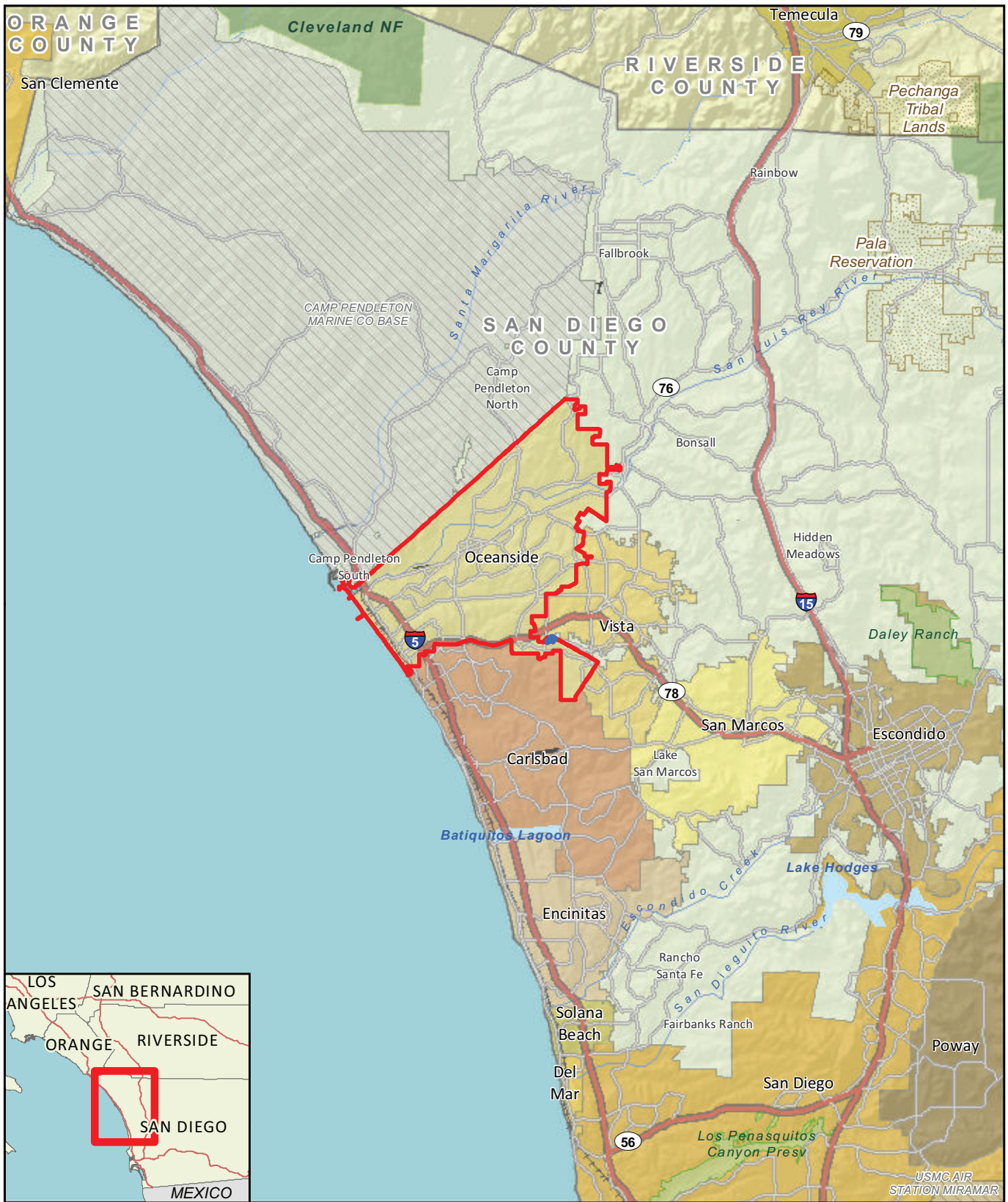
GHG reduction targets and reduction measures. The CAP will be developed consistent with CEQA Guidelines Section 15183.5 which would allow a streamlined GHG analysis for future development projects through implementation of a CAP consistency checklist.

#### *Active Transportation Plan*

The ATP will address pedestrian and bicycle movement throughout the City. While a broad level of pedestrian and bicycle policy effort is included as part of the GPU, the ATP will provide greater focus and level of detail.

#### *Trails Master Plan*

The TMP will provide direction for trails development in the community, as well as enable coordination with pedestrian and bicycle planning.



- City Limits
- Sphere of Influence







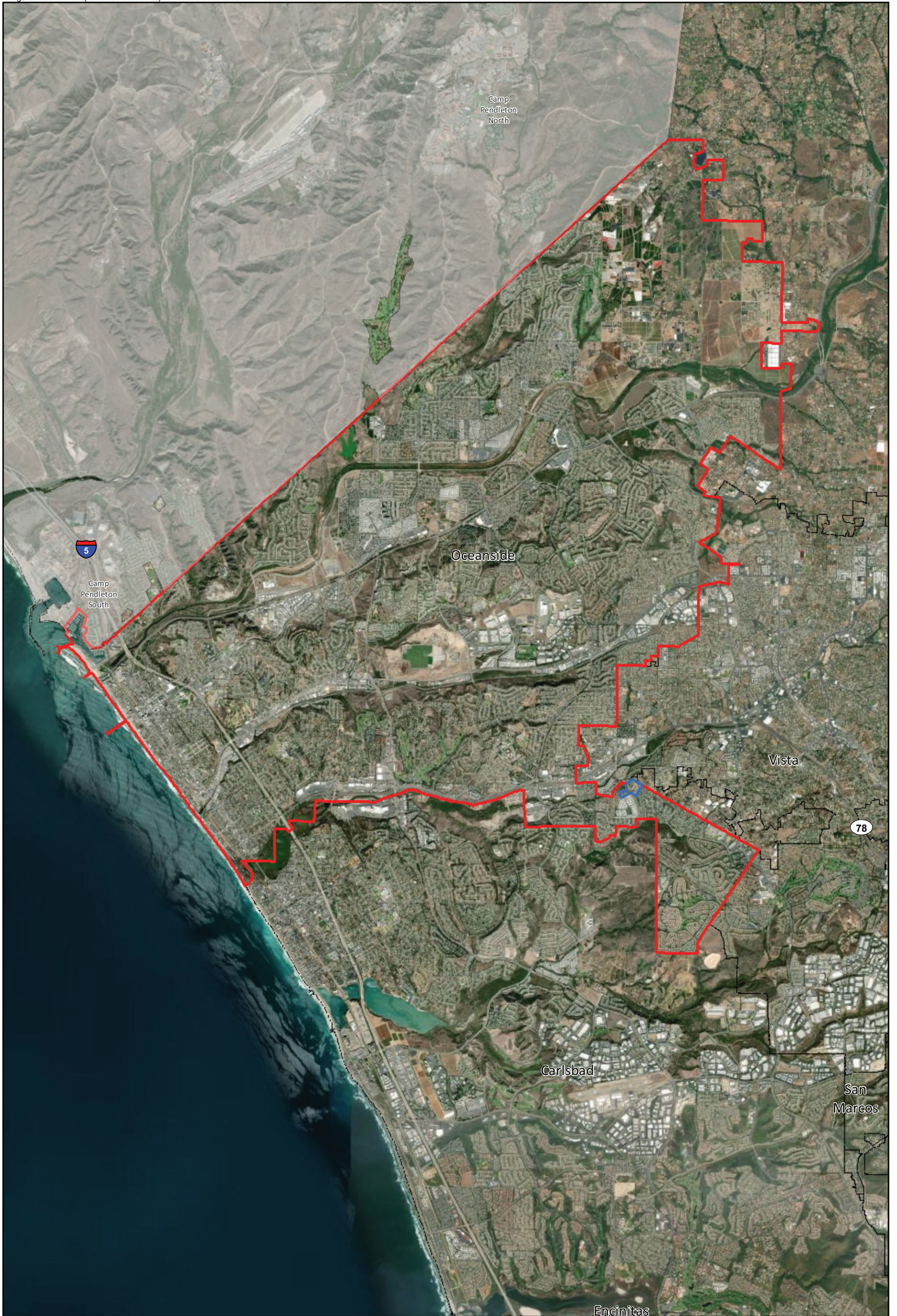
-  City Limits
-  Sphere of Influence



FIGURE 2  
Project Location on USGS Map





- City Limits
- Sphere of Influence

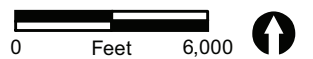


FIGURE 3  
Aerial Map Location



## **PROGRAM ENVIRONMENTAL IMPACT REPORT CONTENTS/POTENTIAL ENVIRONMENTAL EFFECTS:**

The City has determined that the project may cause significant adverse environmental effects and potentially significant indirect, direct, and cumulative environmental effects. An EIR is therefore required to comply with CEQA Guidelines Section 15060 and 15081. Due to the nature of the project, a PEIR, pursuant to CEQA Guidelines Sections 15162 and 15168 is the appropriate environmental document. The PEIR will be subsequent to the Phase 1 General Plan Update Program EIR prepared for the Economic Development Element, Energy and Climate Action Element, and CAP dated April 8, 2019, State Clearinghouse Number 2017051075.

In accordance with the CEQA Guidelines and the City's Environmental Procedures, the environmental impact analysis will describe the environmental setting of the project, identify potential environmental impacts, address the significance of potential impacts, identify mitigation measures to address potentially significant environmental impacts, and determine the significance of impacts after mitigation.

The scope of the PEIR for the project will be based in part on comments received in response to this NOP and public input received during the public scoping meeting. The PEIR will address each of the environmental issues summarized herein. A Mitigation Monitoring and Reporting Program will be prepared to document future implementation of the required mitigation framework as identified in the PEIR. The following environmental issues are proposed to be analyzed in the PEIR.

### *Aesthetics*

With respect to visual character, implementation of the project's component parts could result in changes to the aesthetic character and visual environment throughout the project area. The PEIR will analyze the potential effects of the policy updates, zoning changes, and implementation programs associated with the project to determine whether it would result in the degradation of the existing visual character of the City. The analysis will focus on the project's effect on the quality of surrounding public views and the potential for the project to obstruct any vistas or scenic views, or to be incompatible with surrounding development in terms of bulk, scale, materials, or style. If necessary, a mitigation framework will be included for future development to implement to ensure impacts are reduced to the extent feasible.

### *Agricultural Resources*

The project, specifically the SMHCP, will result in changes to allowable uses within the City's agricultural area. The PEIR will address potential impacts associated with the loss and/or conversion of agricultural lands to other uses and the potential for conflicts with zoning and other existing uses. The PEIR will identify categories of farmland as designated by the State of California, discuss potential loss of farmland, and include a mitigation framework, if necessary, for future development to implement to ensure impacts are reduced to the extent feasible.



### *Air Quality*

The project will facilitate changes in existing development patterns, density, and allowable uses throughout the City and sphere of influence, which could result in increases of vehicle-related emissions and GHG emissions. Construction and build-out of the project could result in a cumulatively considerable net increase of any criteria pollutant for which the region is non-attainment. Likewise, the project could expose sensitive receptors to substantial pollutant concentrations and/or result in other emissions (i.e., odors) that could adversely affect people. In addition, the PEIR will determine whether the project's potential air quality impacts would hinder or help the San Diego Air Basin to meet the regional air quality strategies.

### *Greenhouse Gas Emissions*

The project includes an update to the City's GHG inventory and forecast emissions modeling that will inform an update to the City's CAP. The PEIR will include an analysis of project GHG emissions and the extent that implementation of the CAP update will minimize GHG emissions. Project build-out generated GHG emissions resulting from both construction activities related to the project and post construction operation of the project will be evaluated. The analysis will include, but is not limited to, the five primary sources of GHG emissions: vehicular traffic, generation of electricity, natural gas consumption/combustion, solid waste generation, and water usage.

### *Biological Resources*

The City supports areas of sensitive biological resources including native habitat and known sensitive species. The PEIR will provide a programmatic review of biological resources, providing an assessment of potential future impacts and include a mitigation framework, if necessary, for future development to implement to ensure impacts are reduced to the extent feasible.

### *Cultural and Tribal Cultural Resources*

The City contains areas which support archaeological and Tribal cultural resources associated with the area's rich prehistoric history. Potential and recorded historic resources are also present throughout the City. The PEIR will provide a programmatic review of cultural resources, providing an assessment of potential future impacts and include a mitigation framework, if necessary, for future development to implement to ensure impacts are reduced to the extent feasible.

### *Energy*

Energy resources such as fuel (both gasoline and diesel), electricity, and natural gas will be consumed during construction and build-out operations of the project. The PEIR will analyze whether anticipated energy use would be wasteful, inefficient, or unnecessary. This section will consider how current building code standards of efficiency would affect energy use, in addition to any new CAP measures that address energy use.



## *Geology and Soils*

Although much of the City is developed, the project would facilitate redevelopment of underutilized sites and development on undeveloped sites throughout the project area. The PEIR will provide a programmatic assessment of geologic hazards and soil conditions, describing geologic and subsurface conditions throughout the City and discussing the planning area in terms of existing topography, geology (surface and subsurface), tectonics, and soil types. The discussion will include issues such as the potential for liquefaction, slope instability, and other hazards. As necessary, the PEIR will include a mitigation framework for future development to implement to reduce the potential for adverse impacts resulting from on-site soils or geologic hazards.

## *Hazards and Hazardous Materials*

The PEIR will address any areas throughout the City identified as a state or federal contaminated site. Additionally, the PEIR will discuss the potential for construction activities to result in hazards due to use of flammable materials, including diesel fuel, gasoline, and other oils and lubricants, and whether project build-out could require the transport, handling, or disposal of hazardous materials. The PEIR will describe applicable local, state, and federal regulations intended to minimize risk of hazards and hazardous materials release.

The PEIR will also address whether the project would result in the exposure of people or structures to a risk of loss, injury, or death involving wildland fires. The potential for safety hazards or excessive noise to result from land uses near airports will also be considered.

## *Hydrology/Water Quality*

The PEIR will provide a discussion and analysis focusing on the project's impact on the City's existing drainage patterns, as well as how the project could potentially affect water quality within the planning area and downstream. As applicable, the PEIR will discuss the need for best management practices and low impact development practices in order to ensure that hydrology and water quality impacts would be minimized the extent feasible.

## *Land Use and Planning*

The PEIR will provide a consistency analysis describing the projects consistency with all relevant land use and planning regulations. This section would also discuss whether the project could have the potential to physically divide the community.

## *Noise*

The project will facilitate redevelopment of underutilized sites and development on undeveloped sites within the project area which could introduce changes in noise levels. Accordingly, the PEIR will identify and analyze potential noise sources, including construction activities and operational build-out of the project (including on-site sources) and provide an analysis of potential effects and a mitigation framework for future development, as appropriate.



### *Population and Housing*

Implementation of the project will result in changes to existing development patterns and allowable uses throughout the City. The PEIR will analyze whether the project will induce substantial unplanned population growth or displace substantial numbers of existing people. The analysis will be supported by City and San Diego Association of Governments growth forecasts and will provide an assessment of policy and zoning strategies being considered to achieve the City's vision for providing adequate housing to support the projected population.

### *Public Services/Recreation*

The potential impact of project build-out on the City's available and planned public services will be addressed in the PEIR. Additionally, the PEIR will analyze whether the project would impact existing parks and recreational facilities, and whether new or expanded public service and/or recreational facilities would be required to support project build-out. The focus of the analysis will be on the potential for physical environmental impacts resulting from construction of required services.

### *Transportation*

Build-out of the project would intensify the land uses throughout the City. Consistent with CEQA Guidelines Section 15064.3, a detailed Vehicle Miles Travelled Analysis will be prepared, along with a discussion of infrastructure improvements that could be required to address local mobility. The discussion will focus on vehicle miles travelled, including the project location in relationship to transit and ride share incentives and opportunities. This section of the PEIR will also describe any required modifications and/or improvements to the existing circulation system, including City streets, intersections, freeways, and interchanges, as applicable. If the project would result in a significant impact, the study and PEIR will describe what measures would be required to mitigate traffic/circulation impacts to below a level of significance. The section will describe the walkability, pedestrian, and bicycle connectivity within the project and off-site areas.

### *Utilities*

Build-out of the project could require infrastructure improvements throughout the project area. This section of the PEIR will analyze whether construction of new or expanded utilities will cause significant environmental impacts. Additionally, this section will discuss sufficiency of water supply, capacity of wastewater and solid waste service providers, and whether the project would comply solid waste reduction goals.

### *Wildfire*

The PEIR will include a discussion of the project's potential to result in wildfire risks due to slope, prevailing winds, and other factors.



## California Department of Transportation

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



June 23, 2021

11-SD-5, 76, 78  
PM VAR  
PEIR for Onward Oceanside  
NOP/SCH#2021050529

Mr. Robert Dmohowski  
City of Oceanside  
300 North Coast Highway  
Oceanside, CA 92054

Dear Mr. Dmohowski:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Notice of Preparation for the Program Environmental Impact Report for Onward Oceanside: The City of Oceanside Comprehensive GPU, SMHCP, SSCSP, CAP Update, ATP, and TMP located near Interstate 5 (I-5), State Route 76 (SR-76) and State Route 78 (SR-78). The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development-Intergovernmental Review (LD-IGR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

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

Caltrans has the following comments:

### **Traffic Impact Study**

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

### **Complete Streets and Mobility Network**

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

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

### **Land Use and Smart Growth**

Caltrans recognizes there is a strong link between transportation and land use. Development can have a significant impact on traffic and congestion on State transportation facilities. In particular, the pattern of land use can affect both local vehicle miles traveled and the number of trips. Caltrans supports collaboration with local agencies to work towards a safe, functional, interconnected, multi-modal transportation network integrated through applicable "smart growth" type land use planning and policies.

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<sup>1</sup> California Governor's Office of Planning and Research (OPR) 2018. "Technical Advisory on Evaluating Transportation Impacts in CEQA." [http://opr.ca.gov/docs/20190122-743\\_Technical\\_Advisory.pdf](http://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf)



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

### **Noise**

The applicant must be informed that in accordance with 23 Code of Federal Regulations (CFR) 772, the Department of Transportation (Caltrans) is not responsible for existing or future traffic noise impacts associated with the existing configuration of I-5, SR-76 and/or SR-78.

### **Environmental**

Should future projects based upon the changes enacted from the General Plan have elements and/or mitigation measures that affect Caltrans Right-of-Way, Caltrans would welcome the opportunity to be a Responsible Agency under the California Environmental Quality Act (CEQA).

### **Broadband**

Caltrans recognizes that teleworking and remote learning lessen the impacts of traffic on our roadways and surrounding communities. This reduces the amount of VMT and decreases the amount of greenhouse gas (GHG) emissions and other pollutants. The availability of affordable and reliable, high speed broadband is a key component in supporting travel demand management and reaching the state's transportation and climate action goals.

### **Mitigation**

Caltrans endeavors that any direct and cumulative impacts to the State Highway network be eliminated or reduced to a level of insignificance pursuant to the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) standards.

Mitigation measures to State facilities should be included in TIS/TIA. Mitigation identified in the traffic study, subsequent environmental documents, and mitigation monitoring reports, should be coordinated with Caltrans to identify and implement the appropriate mitigation. This includes the actual implementation and collection of any "fair share" monies, as well as the appropriate timing of the mitigation. Mitigations for impacts to state facilities should be compatible with Caltrans concepts, policies, and standards.

## **Right-of-Way**

- Ensure that all survey monuments that were found/set or destroyed along the city street or Caltrans R/W are perpetuated per Land Surveys Act 8771.
- Any work performed within Caltrans' R/W will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans' R/W prior to construction.

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

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

Sincerely,

*Maurice A. Eaton*

MAURICE EATON  
Branch Chief  
Local Development and Intergovernmental Review





## NATIVE AMERICAN HERITAGE COMMISSION

May 24, 2021

Robert Dmohowski  
City of Oceanside  
300 North Coast Highway  
Oceanside, CA 92054

**Re: 2021050529, City of Oceanside General Plan Update, including South Morro Hills Community Plan, Smart and Sustainable Corridors Specific Plan, update to the City's Climate Action Plan, Active Transportation Plan, and Trails Master Plan Project, San Diego County**

Dear Mr. Dmohowski:

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

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

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

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

CHAIRPERSON  
**Laura Miranda**  
Luiseño

VICE CHAIRPERSON  
**Reginald Pagaling**  
Chumash

SECRETARY  
**Merri Lopez-Keifer**  
Luiseño

PARLIAMENTARIAN  
**Russell Attebery**  
Karuk

COMMISSIONER  
**William Mungary**  
Paiute/White Mountain  
Apache

COMMISSIONER  
**Julie Tumamait-Stenslie**  
Chumash

COMMISSIONER  
**[Vacant]**

COMMISSIONER  
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## AB 52

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

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
  - a. A brief description of the project.
  - b. The lead agency contact information.
  - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
  - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
  - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
  - a. Alternatives to the project.
  - b. Recommended mitigation measures.
  - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:
  - a. Type of environmental review necessary.
  - b. Significance of the tribal cultural resources.
  - c. Significance of the project's impacts on tribal cultural resources.
  - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
  - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
  - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

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



The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)

## SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf).

Some of SB 18's provisions include:

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

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

## NAHC Recommendations for Cultural Resources Assessments

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

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([http://ohp.parks.ca.gov/?page\\_id=1068](http://ohp.parks.ca.gov/?page_id=1068)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.

- b.** The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.
- 3.** Contact the NAHC for:
- a.** A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
  - b.** A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
- 4.** Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
- a.** Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
  - b.** Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
  - c.** Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:  
[Andrew.Green@nahc.ca.gov](mailto:Andrew.Green@nahc.ca.gov).

Sincerely,



Andrew Green  
Cultural Resources Analyst

cc: State Clearinghouse







**INTEGRAL**  
Communities  
A DIVERSIFIED REAL ESTATE COMPANY

June 22, 2021

**VIA E-MAIL AND MAIL**

Mr. Robert Dmohowski, Senior Planner  
City of Oceanside  
Development Services Department  
300 N. Coast Highway  
Oceanside, California 92054  
RDmohowski@oceansideca.org

*Re: Comments on Notice of Preparation of Program Environmental Impact Report for Onward Oceanside: City of Oceanside Comprehensive General Plan Update, South Morro Hills Community Plan, Smart & Sustainable Corridors Specific Plan, Climate Action Plan Update, Active Transportation Plan, and Trails Master Plan*

Dear Mr. Dmohowski:

On behalf of the NRF Project Owner, LLC, we have reviewed the Notice of Preparation (NOP) for the Onward Oceanside General Plan Update, together with the CEQA Scoping Meeting presentation and slides. We respectfully submit the following comments on the Notice of Preparation (NOP) and General Plan Update. Note we have previously provided similar comments, March 19, 2021 & April 28, 2021, as part of the South Morro Hills Community Plan effort with respect to the Atlas and Draft Framework presented to the City Council on April 28, 2021. We ask that those comments be considered together with this additional input.

First, a General Plan Amendment and Zone Amendment for the North River Farms Project was approved on November 6, 2019. The General Plan land uses on the North River Farms project site were modified as part of that project. The General Plan Update should include these approved and adopted land use designations on all relevant figures and data. Further, as previously commented, the City-certified North River Farms project EIR contains information concerning flood zones, biological resources, farmland designations, etc. that does not appear to be accurately reflected in the scoping meeting slides. The City should ensure the program environmental impact report (PEIR) prepared for the General Plan Update accurately portrays this information.

Specifically, the North River Farms site (including the Bree Property) are shown as designated for Agricultural (A) use several figures. This is inaccurate. The Bree Property (Assessor Parcel Number 122-081-30-00) is designated Estate A-Residential (EA-R) and the remainder of the North River Farms project site (Assessor Parcel Numbers 157-100-83-00, 157-100-84-00) is designated Agricultural (A), Open Space (OS), Single-Family Residential (SFD-R),

Medium Density Residential A (MDA-R), Medium Density Residential B (MDB-R), and Special Commercial (SC). The figures and relevant data must be revised accordingly.

In addition, the figure showing high fire hazard severity zone mapping within the City does not match CalFire mapping or any other fire severity mapping lawfully adopted by the City, and must be revised. Refer to Map of CalFires Fire Hazard Severity Zones in Local Responsibility Areas – Oceanside, available at <https://osfm.fire.ca.gov/media/5965/oceanside.pdf>. The designation of “very high fire hazard severity zones” is governed by state law, Government Code section 51779, and must be based on CalFire recommendations developed using a science-based and field-tested model that assigns a hazard score based on factors that influence fire likelihood and behavior, including topography, vegetation, weather, crown fire potential, ember production and movement, and likelihood of burning. The map in the City’s scoping slideshow is incongruent with CalFire mapping.<sup>1</sup>

Second, the General Plan Update, associated documents, and PEIR being prepared by the City should take into account the various commitments of the North River Farms project when evaluating potential impacts. Such commitments include the development of an onsite fire station; provision of parks, trails, and open space; North River Road improvements; College Boulevard widening; and recycled water main expansion. Third, to the extent significant impacts are identified in the PEIR, the City should take a programmatic and citywide view towards creating mitigation and reduction measures.

Lastly, we request that the San Luis Rey Transit Center (“Transit Center”) and its north/south connection be identified in the General Plan, Community Plan, and the City’s Smart and Sustainable Corridors Plan consistent with SANDAG’s designation of the Transit Center as Smart Growth Opportunity Area No. 8 (“SGOA”) for a community center.<sup>2</sup> At the time it was designated for smart growth by SANDAG – considering housing and employment density targets and transit service thresholds – the only transit service provided by North County Transit District (NCTD) was Route 303. NCTD at that time had plans to phase-in of Routes 474 and 477 by 2050. NCTD has since expanded service at the Transit Center to include Routes 303, 309, 311, 313, and 315, with services connecting to the Sprinter rail station.<sup>3</sup> Land use and transit opportunities support including the San Luis Rey Transit Center and its north/south connection in the City’s General Plan Update and Smart and Sustainable Corridors Plan. If the City elects to exclude this

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<sup>1</sup> Further, if the City does designate additional area for inclusion in the “very high fire hazard severity zone,” this potential constraint should be discussed in its housing element as such a designation requires new buildings incorporate 100-foot defensible space clearances, which may reduce the scope of development available on designated properties.

<sup>2</sup> See North County Subregional Map, available at [https://www.sandag.org/uploads/projectid/projectid\\_296\\_14003.pdf](https://www.sandag.org/uploads/projectid/projectid_296_14003.pdf) and Smart Growth Concept Map Site Descriptions, last updated May 5, 2016, and available at [https://www.sandag.org/uploads/projectid/projectid\\_296\\_14002.pdf](https://www.sandag.org/uploads/projectid/projectid_296_14002.pdf)

<sup>3</sup> See <https://gonctd.com/services/transit-centers/#breeze> (last visited January 21, 2021).

June 22, 2021

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Transit Center from its planning documents, please explain in detail the reasons for reaching such a decision this early in the planning process. Further, the PEIR should evaluate the General Plan Update's consistency with SANDAG regional plans in light of the City decision to either include or exclude the Transit Center SGOA.

We appreciate the City's consideration of these comments and look forward to continuing to work with the City on these planning endeavors. Thank you.

Regards,



Ninia Hammond  
Project Manager



## Robert Dmohowski

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**From:** Diane Nygaard <dnygaard3@gmail.com>  
**Sent:** Tuesday, June 22, 2021 8:35 AM  
**To:** Robert Dmohowski; Russ Cunningham  
**Subject:** Comments on General Plan and associated docs NOP

### Warning: External Source

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Mr Dmohowski and Cunningham

We are pleased to see that the EIR will address all of the CEQA issues areas- as they certainly potentially impact all.

A few key issues that need to be addressed:

#### 1. Interface/ conflicts between the documents

We see a major conflict between the HE and the SMHCP as discussed in our prior comments to the Planning Commission and City Council re the HE(incorporated by reference). These are the only two sections we have seen so there is a potential for other conflicts like this. For example, it is clear that taking acres of farmland for housing will reduce the jobs in this sector- in conflict with the EDE to preserve agriculture as one of the key sectors of our economy. These documents should all be consistent with each other. Where they are not this needs to be specifically assessed in the EIR.

#### 2. Alternatives analysis

The definition of alternatives should not be finalized until the environmental impacts are assessed so that they specifically address significant impacts. That said, it is already clear that the SMHCP will cause significant adverse impacts to VMT and GHG. In this analysis the interface between the documents also needs to be considered. Whatever alternatives are defined for the General Plan need to be evaluated with the SMHCP , with a modified SMHCP that remains at 2 and 1/2 acres but supports expanded agritourism, and No Project- at a minimum.

#### 3. Traffic modeling with this combination of elements seems to be a nightmare

Per the Planning Commission action last night on the Melrose Extension just on this one section of roadway there are now four alternatives to consider- with and without the Melrose bridge and with and without the Melrose extension- using the series 14 data. These four alternatives will also vary depending upon the SMHCP alternatives . So if there are three versions of that , plus multiple versions of the rest of the GP land use, how many alternatives actually need to be considered?

There needs to be some rationale for limiting the number of model runs and setting some screening criteria. That should be reviewed in advance- in a public forum. Perhaps this needs to follow SANDAG's approach over the years on the RTP- with defining a revenue constrained plan and working within those boundaries.

#### 4. Conservation and Open Space Element

At several meetings with key stakeholders it is clear that the draft C & OS Element was not designed to be, nor will it be fully consistent with the draft SAP. The SAP is consistent with the adopted MHCP. The C & OS does not need to include all of the details of the SAP- but these two documents need to be consistent as described in the SAP. If they are not consistent then we will waste time and money doing the C & OS, then the SAP and then revising the C & OS. If they are not consistent then the GP will be in conflict with the MHCP. It would be helpful to provide further detail of the content of the C & OS so that potential conflicts can be identified and addressed prior to CEQA review.

#### 4. Economic impacts

Economic impacts are not part of CEQA- but clearly need to be part of the city's consideration. The adopted Agritourism Strategic Plan recommended specific economic analyses to further that- those have not been done. The proposed housing on SMHCP could substantially adversely impact the agritourism plan but that was not evaluated. The economic analysis that was done for the SMHCP does not address all of the economic issues related to Transfer of Development Rights- making the viability of that completely unknown. Numerous studies of TDR programs discuss the importance of knowing the market-property values, willingness to send/receive units , how values will change with density and how that factors into pricing the transferred development units- none of that has been done. Furthermore they identify critical factors for TDR success- and one is the high administrative burden and cost of managing development banks. None of that has been defined or funded.

The EDE identified key actions to address jobs/housing ratio imbalance and the need for 75 acres of industrial land. The economic impacts of all of that need to be built into the decision process. If economic sustainability is a core goal then it needs to be a factor in the design of all of these related documents.

#### 5.. Public Input process

HCD has already commented on the shortcomings of the outreach- just on the HE. Staff have said there will be more outreach- yet the NOP and enviro review is proceeding- but of what documents? It is a waste of resources to do CEQA review on documents that have not been through any public input process, as well as ones like the SMHCP that have been through preliminary public review- where numerous concerns have been raised but not addressed.

Thank you for considering these comments.

Diane Nygaard  
On behalf of Preserve Calavera

## Robert Dmohowski

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**Subject:** Scoping Meeting public comments deadline  
**Attachments:** winmail.dat

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**From:** louise ravera <louisebalma@sbcglobal.net>  
**Sent:** Thursday, June 24, 2021 11:19 PM  
**To:** Russ Cunningham <RCunningham@oceansideca.org>; Robert Dmohowski <RDmohowski@oceansideca.org>  
**Cc:** Larry Balma <lb1122@hotmail.com>  
**Subject:** Re: Scoping Meeting public comments deadline?

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Dear Rob and Russ;

Thank you for accepting this late submittal into your work on the EIR. You and the consultants are doing a great job on all of this, I'm proud to be part of Oceanside, serve as a Planning Commissioner and the work I did on the South Morro Hills AgriVision plan which is now the SMHCC. Jeff Hunt said to me that a good plan makes no one happy and I'm thinking he's right, but the plan we do end with I hope will be thoughtful in the way it preserves our Agricultural Region and will make sense economically, environmentally, and be sustainable for many years ahead.

The following are some comments for you to consider if your haven't already:

1. The SMHCC needs to be economically feasible for farming and farmers, with adjustments made into the future. Once we introduce more housing, even at our current zoning, farming commercially will be more difficult. Agritourism farming may need to be mostly organic.
2. The use of NEV's, Neighborhood Electric Vehicles, both in areas of South Morro Hills (SMH) and Jefferies Ranch might be a mode of transportation to study. In SMH having a way to connect to Arrowwood via Straight Away road could help connect the two communities, and provide an emergency access for vehicles. In Jefferies Ranch instead of Melrose connecting for cars, an NEV, pedestrian, bike path would connect the High School to the surrounding community and provide emergency access for vehicles if needed.
3. Water sustainability for farming. We build more housing throughout the city but when we have droughts the farmers are the first to get cut, having a sustainable and economical water source is a key component to preserving Agriculture. Recycled, desal, ground water sources all need study.
4. Water quality, and adding more housing, even at our current 2.5 DU/ acre, with robust agritourism in SMH will need a sewer system but many of the community doesn't believe this, having this studied may help in the justification for wastewater systems.
5. Fire Safety and providing emergency access across the San Luis Rey River even if it only a land or Arizona type crossing in lieu of a bridge. This path can be expanded to add NEV's, pedestrian and bikes, connecting the two areas. In the future a bridge could be built.



I did watch the scoping meeting you held and was disappointed to hear comments that Larry is not representing our SMH's community, he has been working many hours and recently hosted three neighborhood meetings, with upwards of 30 neighbors each, to try and explain the SMHCC and that constructive comments are welcome. At each of these meetings agreements have been reached and progress is being made. But some, mostly not our neighbors are spreading propaganda and when people don't take the time to read the SMHCC for themselves they get lead down the wrong path.

Keep up the great work

All the best

Louise

**Louise Ravera Balma**

**Architect / Artist / Agriculturalist**

website [trackerhistory.com](http://trackerhistory.com)

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home# (760) 945-5454

## Robert Dmohowski

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**From:** Phil Johnston <pfjohnston@runbox.com>  
**Sent:** Wednesday, June 23, 2021 3:22 PM  
**To:** Robert Dmohowski; Russ Cunningham  
**Subject:** Comments regarding the South Morro Hills Community Plan Draft Framework

### Warning: External Source

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Oceanside Planners-

Please consider the following comments regarding the South Morro Hills Community Plan Draft Framework.

This plan is narrowly focused on the clustered housing option, and specifying the infrastructure needed to develop those clusters. In its current form, it is more of a Development Plan than a Community Plan.

I agree that clustered housing is an interesting possible forward path, but it is certainly not the only one. At this stage, other options need to be considered and further community input gathered regarding alternative options.

Certainly the existing plan with an areawide 2 1/2 acre spacing should be evaluated. Yes it has some shortcomings, but they need to be clearly identified and deliberately compared to the shortcomings of the clustered housing plan.

My biggest concern with the clustered housing option is there is no clear description of how to structure the plan so agritourism and specialty farming on the remaining open areas is certain to succeed at ensuring permanent preservation of the open spaces.

It is easy for me to visualize the following:

Farmer A sells his land to Developer B.

Developer B builds a cluster of houses, and leases the open space to Entrepreneur C, who plans to grow grapes or cannabis or designer turnips or something.

But this is a new concept, with a significant probability that the business will fail. Entrepreneur C soon defaults on his agreement and the property goes to weeds and trash. Developer B now complains that the agritourism concept doesn't work, and he needs a way to make a profit on the empty field.

Due to these extenuating circumstances (he might claim)- a special exemption to develop an adjacent cluster would solve his and the city's woeful problems. A compliant City Council agrees, over the objections of the citizens.

Repeat as necessary until all of S. Morro Hills is paved at 1 house per acre, to fully extract the available profit potential.

It seems obvious to me that the Community plan must have an ironclad description of how the open space would be permanently protected, regardless of the intensity of future onslaughts by developers to build more houses and roads.

An additional significant problem is the plan demands that existing residents help fund the sewer system needed for the wealthy farmers and wealthy developers to make a greater profit (this intent is clear in the Atlas).

The way this is presented (hidden in the Atlas) is completely unacceptable. Existing residents should not be burdened with subsidizing development they do not want, in order to further enrich wealthy farmers and developers. This needs to be presented to the community openly, clearly and honestly. And there needs to be stakeholder engagement, so citizens can make their concerns known.

Thank you, Phil Johnston

Phil



## Robert Dmohowski

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**From:** Dennis Martinek <dmartinek1941@gmail.com>  
**Sent:** Monday, June 21, 2021 12:46 PM  
**To:** Robert Dmohowski; Russ Cunningham  
**Subject:** SMHCP Scoping Comments

### Warning: External Source

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Dear Oceanside Planners,

I have reviewed the Program Environmental Impact Report Contents/Potential Environmental Effects. The final document will not be complete without consideration of the following areas:

1. PEIR should contain an **alternatives analysis**, including keeping the current Updated General Plan with its Updated Zoning Ordinance and Agritourism Plan.
2. Impact and extent of **conflicts with the City's Smart and Sustainable Corridors Specific Plan (SSCSP)**. The South Morro Hills Community Plan encourages sprawl development that will result in an increase in greenhouse gases caused by a significant increase in vehicle trips.
3. Although the proposed PEIR will address the **loss of agricultural resources**, the Draft SMHCP **conflicts with the objectives of the City's Climate Action Plan** that attempts to conserve agricultural uses, urban gardens, and City landscaping for carbon sequestering. To what extent will this conflict prevent the City from implementing its Climate Action Plan?
4. Impact of housing clusters on **availability of water**. Housing developments require significantly more water than agricultural uses. What would be the impact on future supply of water for residential, commercial, industrial, and agricultural uses?
5. Impact on the **ability to safely evacuate in times of wildfires**. There is recent history of long delays during the Lilac Fire because of traffic congestion on South Morro Hills roads. Increased development will increase congestion on evacuation routes.
6. **Growth inducing impacts**. The plan encourages land owners to give up agricultural pursuits and sell to developers. The provision of additional infrastructure will also encourage growth. The PEIR should evaluate these impacts.
7. The PEIR should also consider the **negative economic impacts** of the SMHCP. The resulting loss of agricultural jobs and increased costs to the City to maintain additional infrastructure and services will indirectly affect the ability to finance implementation of its Climate Action Plan.

Thank you for considering these comments.

Dennis Martinek, Ph.D.  
Forty-two year resident of South Morro Hills