DRAFT

Draft Environmental Impact Report
D21-00011
Modera Melrose Mixed Use Development Project

OCTOBER 2022

STATE CLEARINGHOUSE NO. 2022030032

Prepared for:

CITY OF OCEANSIDE
300 N. Coast Highway
Oceanside, California 92054
Contact: Patricia Anders

Prepared by:

DUDEK

605 Third Street
Encinitas, California 92024
Contact: Vanessa Scheidel

Printed on 30% post-consumer recycled material.

Table of Contents

SECTION **PAGE NO.**

APPENDICES

FIGURES

TABLES

INTENTIONALLY LEFT BLANK

Acronyms and Abbreviations

Acronym/Abbreviation	Definition
AB	Assembly Bill
ACOE	Army Corps of Engineers
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
ALUCP	Airport Land Use Compatibility Plan
AMSL	above mean sea level
APE	area of potential effect
APN	Assessor's Parcel Number
AQIA	Air Quality Impact Assessments
ASCE	American Society of Civil Engineers
ASTM	ASTM International
ATCM	Airborne Toxic Control Measure
BERD	Built Environmental Resources Directory
BFSA	Brian F. Smith and Associates, Inc.
BLM	Bureau of Land Management
BMP	Best Management Plan
BTH	brown trunk height
CAAQS	California Ambient Air Quality Standards
CalARP	California Accidental Release Prevention
CalOSHA	California Division of Occupational Safety and Health
CAP	Climate Action Plan
CARB	California Air Resources Control Board
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFC	California Fire Code
CFR	Code of Federal Regulations
CH_4	methane
City	City of Oceanside
CIWM	California Integrated Waste Management
CIWMB	California Integrated Waste Management board
CMP	Congestion Management Program
CNDDB	California Natural Diversity Database
CNEL	community noise equivalent level
CNRA	California Natural Resources Agency
CO	carbon monoxide
CO_2	carbon dioxide
CPC	California Plumbing Code

Acronym/Abbreviation	Definition
CPUC	California Public Utilities Commission
CREC	controlled recognized environmental condition
CRHR	California Register of Historical Resources
CRPR	California Rare Plant Rank
CTPs	cone penetration tests
CWA	Clean Water Act
CWPP	Community Wildlife Protection Plan
CY	cubic yards
DBH	diameter at breast height
DEHQ	Department of Environmental Health and Quality
DFU	drainage fixture unit
DPM	Diesel particulate matter
DTSC	Department of Toxic Substances Control
ECAE	Energy and Climate Action Element
EDE	Economic Development Element
EFZ	Earthquake Fault Zone
EIA	Energy Information Administration
EIB	Emission Inventory Branch
EIR	environmental impact report
ELI	extremely low income
EMS	emergency medical service
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Endangered Species Act
EV	electric vehicle
FAA	Federal Aviation Administration
FEMA	Federal Emergency Management Agency
FHSZ	Fire Hazard Severity Zone
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
FTA	Federal Transit Administration
GHG	greenhouse gas
GSA	Groundwater Sustainability Agency
GWP	global warming potential
H_2S	Hydrogen Sulfide
HAP	Hazardous Air Pollutant
HARP2	Analysis and Reporting Program Version 2
HCD	Housing and Community Development
HCM	Highway Capacity Manual
HFC	hydrofluorocarbon
HMP	hydromodification management plan
HRA	health risk assessment
HREC	historical recognized environmental condition

Acronym/Abbreviation	Definition
HVAC	heating, ventilation, and air conditioning
I	Interstate
IBC	International Building Code
ICC	International Code Council
IPCC	Intergovernmental Panel on Climate Change
ISO	Insurance Service Office
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
ITE	Institute of Transportation Engineers
KOP	key observation point
LCP	Local Coastal Program
LED	light-emitting diode
LI	Limited Industrial
LOS	level of service
LRA	Local Responsibility Area
LTA	local transportation assessment
MBTA	Migratory Bird Treaty Act
MCEG	Mean Maximum Considered Earthquake
MDC-R	Medium Density Residential C
MEIR	Maximally Exposed Individual Resident
MHCP	Multiple Habitat Conservation Program
ML1	Monitoring location 1
MLD	most likely descendent
MM	mitigation measure
MOU	Memorandum of Understanding
MPH	Modeled Speeds
MPO	metropolitan planning organization
MRZ	Mineral Resource Zone
MS4	municipal separate storm sewer system
MT	metric ton
N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCCP	Natural Community Conservation Planning
NCTD	North County Transit District
NF_3	nitrogen trifluoride
NFPA	National Fire Protection Association
NHPA	National Historic Preservation Act
NHTSA	National Highway Traffic Safety Administration
NO_2	nitrogen dioxide
NOP	Notice of Preparation
NO_X	oxides of nitrogen
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places

Acronym/Abbreviation	Definition
O_2	molecular oxygen
O_3	hour ozone
OCP	organochlorine pesticides
OEHHA	Office of Environmental Health Hazard Assessment
OFD	Oceanside Fire Department
OHP	Office of Historical Preservation
OPR	Office of Planning and Research
OS	Operating System
OSHA	Occupational Safety and Health Administration
OUSD	Oceanside Unified School District
PCB	polychlorinated biphenyls
PFC	perfluorocarbon
PGA	peak ground acceleration
PM_{10}	coarse particulate matter; particulate matter less than or equal to 10 microns in diameter
$PM_{2.5}$	fine particulate matter; particulate matter less than or equal to 2.5 microns in diameter
PMP	Pedestrian Master Plan
POC1	point of compliance
PPV	peak particle velocity
PRC	Public Resources Code
PRIMP	Paleontological Resources Impact Mitigation Program
PRV	pressure reducing valves
PVC	polymer, polyvinyl chloride
RAQS	Regional Air Quality Strategy
RCP	Regional Comprehensive Plan
RCRA	Resource Conservation and Recovery Act
REC	recognized environmental condition
REL	Reference Exposure Levels
RHNA	Regional Housing Needs Assessment
RMD-C	Medium Density Residential C
ROG	Reactive Organic Gases
RPS	Renewable Portfolio Standard
RSL	Regional Screening Level
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SAFE	Safer Affordable Fuel-Efficient
SANDAG	San Diego Association of Governments
SAP	subarea plan
SB	Senate Bill
SCAQMD	South Coast Air Quality Management District
SCIC	South Coastal Information Center
SCS	Sustainable Communities Strategy

Acronym/Abbreviation	Definition
SDAB	San Diego Air Basin
SDAPCD	San Diego Air Pollution Control District
SDCWA	San Diego County Water Authority
SF_6	sulfur hexafluoride
SFD-R	Single Family Detached Residential
SGMA	Sustainable Groundwater Management Act
SIP	State Implementation Plan
SLCP	short-lived climate pollutant
SLF	Sacred Lands file
SLR	San Luis Rey
SMARA	Surface Mining and Reclamation Act
SO_2	sulfur dioxide
SR	State Route
SRA	State Responsibility Area
SWPPP	stormwater pollution prevention plan
SWQMP	Storm Water Quality Management Plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminant
T-BACT	toxics best available control technology
TCR	tribal cultural resource
TDM	transportation demand management
TMDL	total maximum daily load
U.S.C.	United States Code
USCB	U.S. Census Bureau
USFWS	U.S. Fish and Wildlife Service
UWMP	Urban Water Management Plans
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	Vehicle Miles Traveled
VMY	Vehicle Miles Traveled
VOC	Volatile Organic Compounds
WCPZ	Wildlife Corridor Planning Zone
WQIP	Water Quality Improvement Plan
YBP	years before the present

INTENTIONALLY LEFT BLANK

Executive Summary

ES.1 Introduction

This environmental impact report (EIR) has been prepared by the City of Oceanside (City) as lead agency pursuant to the California Environmental Quality Act (CEQA) (California Public Resources Code 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Section 15000 et seq.). This EIR has been prepared to evaluate the environmental impacts associated with implementation of the Modera Melrose Mixed-Use Development Project (project or proposed project).

This EIR is an informational document intended for use by the City of Oceanside, other public agencies, and members of the public in evaluating the potential environmental effects of the project.

CEQA Statute, Section 21002, states that public agencies should not approve projects that would result in significant effects on the environment if there are feasible mitigation measures or alternatives that can mitigate or avoid these effects. This EIR evaluates the environmental impacts associated with the project and discusses the manner in which the project's significant impacts can be reduced or avoided through mitigation measures or feasible alternatives to the project. In accordance with Section 15130 of the CEQA Guidelines, this EIR also includes an examination of the impacts of cumulative development. Cumulative impacts occur when the combined effects of several projects may be significant when considered collectively.

This summary provides a brief synopsis of the project, results of the environmental analysis contained within this environmental document, alternatives to the project that were considered, and major areas of controversy and issues to be resolved by decision-makers. This summary does not contain the extensive background and analysis found throughout the individual chapters within the EIR. Therefore, the reader should review the entire document to fully understand the project and its environmental impacts.

ES.2 Project Description and Location

ES.2.1 Project Location

The proposed project site consists of two vacant parcels (Assessor's Parcel Numbers 161-030-23 and 161-030-24) that collectively cover approximately 7.4 acres, located at the southeast corner of Melrose Drive and West Bobier Drive in the east-central portion of the City of Oceanside. The project site, located in the Peacock Neighborhood Area of Oceanside, is approximately 1.6 miles south of State Route 76 and approximately 2 miles north of State Route 78. The project site is located along the eastern boundary of the City of Oceanside and is immediately adjacent to the City of Vista. Surrounding properties are zoned by the City of Oceanside as CG-General Commercial to the west, CP-Commercial Professional to the northwest, and PD-Planned Development (residential) to the north. The City of Vista properties that surround the project site to the east and south and are zoned R-1-B-Single Family Residential and SPI-Specific Plan Implementation, respectively. The project site is also near a light rail line to the south, with an open space corridor and community park located to the north.

The project site has a General Plan designation of Neighborhood Commercial (NC) with a consistent zoning designation of Neighborhood Commercial (CN).

ES.2.2 Project Description

The project includes the development of a mixed-use infill project which would include 323 multi-family residential units and ground-level commercial space on the 7.4-acre project site. The proposed residential development would include 33 affordable/very low-income rental units and 290 market rate rental units ranging from 666 square feet to 1,416 square feet. The project development would include a total of six buildings, which are outlined in Table ES-1 below.

Table ES-1. Proposed Building Summary

Building Number*	Units	Building Details	Stories
1	34	34-unit mixed-use building with 1,745 square feet of leasing office, and 2,336 square feet of commercial space on the ground floor and residential units adjacent to mixed-use and on upper levels. Total gross square footage is 45,397 square feet.	4
2	55	55 units, with a total gross square footage of 61,961 square feet.	4
3	108	108 units, with a total gross square footage of 150,790 square feet. This building includes a subterranean parking structure with 145 garage spaces.	4
4	21	21 units, with a total gross square footage of 30,210. This building would include 8 garage parking spaces.	4
5	56	56-unit split building with 5 levels of units along W Bobier Drive, and 3 levels of units over tuck under garages on the rear side. This building would include 16 garage parking spaces. Total gross square footage is 70,520 square feet.	5
6	49	49 units, with a total gross square footage of 56,826 square feet. This building would include 15 tuck under single car garages.	4
Total Units	**323**		

* All buildings would include an elevator

As shown in Table ES-1, all proposed buildings would be 4 stories with the exception of Building 5 which would be five stories. Building 1 would be the proposed mixed-use building with 1,745 square feet of leasing office, and 2,336 square feet of commercial space on the ground floor and residential units on the ground floor and upper levels. The proposed residential units would include one, two, or three bedrooms, living areas, and tuck under single car garage spaces and tandem parking spaces for select units.

Access is proposed to be taken from West Bobier Drive, and the northeastern corner of the project site. In the event of an emergency, adequate emergency access would be provided via the entrance located on West Bobier Drive. Additionally, the development would include a total of 526 parking spaces for residences and guests.

The proposed residential and mixed-use building (Building 1) in the development would be setback 10 feet from the front of the project site located on West Bobier Drive, approximately 41 feet from the northern boundary, approximately 85 feet on the eastern boundary, and approximately 32 feet from the corner side located on Melrose Drive.

The approvals required for the project include a Mixed-Use Development Plan and a request for a Density Bonus. As the project proposes 33 very low-income units, Density Bonus Law requires the City to grant an incentive/concession and unlimited waivers. In order to accommodate the increased density allowed under Density Bonus Law, the project cannot physically comply with all of the development standards that apply to standard projects. Based on the proposed design to accommodate Density Bonus units, the project seeks waivers of

development standards for increase floor area ratio, increase allowable building height, reduce front setback, reduce usable open space requirements, adjust parking width next to columns, and allow non-plantable retaining walls at an increased wall height. Approvals and requested Density Bonus waivers for development standards are outlined in detail in Chapter 3, Project Description, of this EIR.

ES.2.3 Project Objectives

Section 15124(b) of the CEQA Guidelines requires that an EIR include a statement of the project objectives that "include the underlying purpose of the project and may discuss the project benefits." The following objectives have been identified for the project:

1. Ensure both visual and functional compatibility with other nearby land uses.
2. Provide new, quality residential units on an infill development site that will serve to activate the street frontage along Bobier Drive and provide improvements along Melrose Drive.
3. Develop on a site that can be served by existing utilities, services, and street access, and within close proximity to public transportation and shopping centers.
4. Provide new market rate and affordable housing on a site that is consistent with the City's General Plan, Housing Element, and Zoning Ordinance, Density Bonus Law, and affordable housing objectives to help satisfy the City's Regional Housing Needs Assessment current and future demand for housing.
5. Assist with implementation of the City's Smart and Sustainable Corridors Plan by providing future housing and employment growth into the City's commercial corridors while maintaining the integrity of adjacent residential.
6. Design buildings, spaces, site layout, and uses that enhance and respect the character of the surrounding area in a manner typical to residential developments and planning principles and to enhance connectivity.

ES.2.4 Discretionary Actions

Consistent with the City's General Plan and Zoning Ordinance, the project requires certain entitlements be submitted, reviewed, and approved by the City. The requested entitlements include a Mixed-Use Development Plan and Request for Density Bonus. As the project proposes 33 very low-income units, Density Bonus Law requires the City to grant an incentive/concession and unlimited waivers. In order to accommodate the increased density allowed under Density Bonus Law, the project cannot physically comply with all of the development standards that apply to standard projects. Based on the proposed design to accommodate Density Bonus units, the project seeks a waiver of the following development standards for a housing development pursuant to Density Bonus law:

- Increased Floor Area Ratio
- Increased allowable building height
- Reduce front setback
- Reduce usable open space requirements
- Adjust parking width next to columns
- Allow non-plantable retaining walls at an increased wall height

A summary of the development standards and required waivers are outlined in Table 3-4 in Chapter 3 of this EIR, to demonstrate compliance with the Neighborhood Commercial (CN) zone, or where Density Bonus waivers are requested. Development standards for the CN Zone is also described in detail in Chapter 4.10, Land Use, of this EIR.

The City would use this EIR and associated documentation in its decision to approve or deny the required discretionary permits. Other responsible and/or trustee agencies can use this EIR and supporting documentation in their decision-making process to issue additional approvals.

ES.3 Areas of Controversy

Pursuant to Section 15082 of the CEQA Guidelines, the City circulated a Notice of Preparation (NOP) published March 1, 2022, to interested agencies, organizations, and parties. The NOP was also sent to the State Clearinghouse at the California Office of Planning and Research. The State Clearinghouse assigned a state identification number (SCH No. 2022030032) to this EIR.

A public scoping meeting was held on March 15, 2022, at 6:00 p.m. at the Civic Center Library Community Room (330 North Coast Highway in the City of Oceanside) to gather additional public input. The initial 30-day public scoping period ended on March 31, 2022.

Comments received during the NOP public scoping period were considered as part of the preparation of this EIR. The NOP and written comments are included in Appendix A to this EIR. Comments covered numerous topics, including biological habitat, site access and circulation, utility infrastructure and supply, tribal cultural resources, traffic generation and roadway improvements, air quality, greenhouse gas emissions, growth inducement, open space and recreation, project amenities, community benefits, local hiring, safe construction work practices, and preservation of biological and cultural resources. Public scoping comments regarding the project's potential impact on the environment were evaluated as part of the preparation of this EIR and are analyzed throughout Chapter 4.

Consistent with CEQA's requirements that an alternative must reduce or avoid a potentially significant project impact and an EIR need not consider every conceivable alternative, the NOP comments were also considered in the development and evaluation of the reasonable range of feasible alternatives evaluated in this EIR.

ES.4 Effects Not Found to Be Significant

The project would result in no impact or less-than-significant impacts to the following: aesthetics, agriculture and forestry resources, energy, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, recreation, traffic and circulation, tribal cultural resources, utilities and service systems, and wildfire.

ES.5 Impacts Determined to Be Significant

Table ES-2 provides a summary of significant project-related impacts pursuant to the CEQA Guidelines, Section 15123(b)(1). Impacts associated with air quality, biological resources, cultural resources, geology and soils, and noise were identified as significant. However, implementation of mitigation measures would reduce impacts to a less-than-significant level for all identified environmental topic areas.

Table ES-2. Summary of Significant Environmental Impacts

Impact	Mitigation Measures		Level of Significance After Mitigation
Air Quality			
Impact AQ-1: The project would result in significant impacts related to emissions of criteria air pollutant emissions during construction	MM-AQ-1	**Require Low-Volatile Organic Compound Coatings During Construction.** The project applicant and/or their contractors shall ensure that low-volatile organic compound (VOC) coatings with a VOC content of 30 grams per liter or less are used during construction.	Less than significant
Impact AQ-2: The project would result in significant impacts related to TAC exposure during construction from construction diesel exhaust emissions	MM-AQ-2	**Require Use of Tier 4 Off-Road Equipment During Construction.** Prior to the commencement of construction activities for the project, the project applicant shall require its construction contractor to demonstrate that all 75-horsepower or greater diesel-powered equipment is powered with California Air Resources Board (CARB)-certified Tier 4 Interim engines. An exemption from this requirement may be granted if (1) the applicant documents equipment with Tier 4 Interim engines are not reasonably available; and (2) the required corresponding reductions in criteria air pollutant emissions can be achieved for the project from other combinations of construction equipment. Before an exemption may be granted, the applicant's construction contractor shall (1) demonstrate that at least two construction fleet owners/operators in the City of Oceanside or County of San Diego were contacted and that those owners/operators confirmed Tier 4 Interim equipment could not be located within the City of Oceanside or County of San Diego during the desired construction schedule; and (2) the proposed replacement equipment has been evaluated using California Emissions Estimator Model (CalEEMod) or other industry-standard emission estimation method and documentation provided to the City to confirm that necessary project-generated emissions reductions are achieved.	Less than significant
Biological Resources			
Impact BIO-1: The project would result in direct impacts to Diegan coastal sage	MM-BIO-1	**Habitat Mitigation.** The applicant shall mitigate for impacts to disturbed Diegan coastal sage and non-native grassland in accordance with Table 5-2, Mitigation Standards for Impacts to Natural Vegetation and Habitat, in the 2010 City of Oceanside Subarea Plan which states that mitigation shall occur at a ratio of 3:1 for coastal sage scrub and	Less than significant

Table ES-2. Summary of Significant Environmental Impacts

Impact	Mitigation Measures		Level of Significance After Mitigation
scrub and non-native grassland		0.5:1 for non-native grassland. However, due to the high level of disturbance of the coastal sage scrub onsite, small patches of habitat and soil disturbance within the coastal sage scrub a 1:1 mitigation ratio is applied. Therefore .49 acres of coastal sage scrub and 2.57 acres of non-native grassland will be required for project related impacts. Mitigation shall include preservation of any lands within the Wildlife Corridor Planning Zone and south of State Route 76, or any land within the Wildlife Corridor Planning Zone and north of State Route 76, or any Preapproved Mitigation Area within the City of Oceanside. Mitigation may also include purchase credits within an existing mitigation bank.	
Impact BIO-2: The project would result in direct impacts to non-native grassland habitat	**MM-BIO-1**	**Habitat Mitigation.** The applicant shall mitigate for impacts to Diegan coastal sage and non-native grassland in accordance with Table 5-2, Mitigation Standards for Impacts to Natural Vegetation and Habitat, in the 2010 City of Oceanside Subarea Plan which states that mitigation shall occur at a ratio of 3:1 for coastal sage scrub and 0.5:1 for non-native grassland. Therefore, 1.47 acres of coastal sage scrub and 2.57 acres of non-native grassland will be required for project related impacts. Mitigation shall include preservation of any lands within the Wildlife Corridor Planning Zone and south of State Route 76, or any land within the Wildlife Corridor Planning Zone and north of State Route 76, or any Preapproved Mitigation Area within the City of Oceanside. Mitigation may also include purchase credits within an existing mitigation bank.	Less than significant
Impact BIO-3: The project would result in potential direct impacts to nesting bird species	**MM-BIO-2**	**Nesting Bird Survey.** Construction-related ground-disturbing activities (e.g., clearing/grubbing, grading, and other intensive activities) that occur during the breeding season (typically January 15 through August 31) shall require a survey for nesting bird species to be conducted on or within 300 feet of the construction area for non-listed nesting migratory birds, and within 500 feet of the construction area for federally or state-listed birds and raptors. This survey is necessary to ensure avoidance of impacts to nesting raptors and/or birds protected by the federal Migratory Bird Treaty Act and California Fish and Game Code, Sections 3503 and 3513. The pre-construction survey must be conducted within 10 calendar days prior to the start of construction. The results of the survey must be submitted to the City of Oceanside (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	Less than significant

Table ES-2. Summary of Significant Environmental Impacts

Impact	Mitigation Measures	Level of Significance After Mitigation
	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, the project applicant shall contact the City and Wildlife Agencies to determine the appropriate buffer. Once the nest is no longer occupied for the season, construction may proceed in the setback areas. If construction activities, particularly clearing/grubbing, grading, and other intensive activities, stop for more than 3 days, an additional nesting bird survey shall be conducted within the proposed impact area.	
Impact BIO-4: The project would result in potential short-term indirect impacts to biological resources	**MM-BIO-3** **Biological Monitoring.** To prevent inadvertent disturbance to areas outside the limits of grading for each phase, all grading of native habitat shall be monitored by a biologist. The biological monitor(s) shall be contracted to perform biological monitoring during all clearing and grubbing activities. The project biologist(s) also shall perform the following duties: a. Attend the pre-construction meeting with the contractor and other key construction personnel prior to clearing and grubbing to reduce conflict between the timing and location of construction activities with other mitigation requirements (e.g., seasonal surveys for nesting birds). b. During clearing and grubbing, the project biologist shall conduct meetings with the contractor and other key construction personnel each morning prior to construction activities to go over the proposed activities for the day, and for the monitor(s) to describe the importance of restricting work to designated areas and of minimizing harm to or harassment of wildlife prior to clearing and grubbing. c. Review and/or designate the construction area in the field with the contractor in accordance with the final grading plan prior to clearing and grubbing. d. Supervise and monitor the initial vegetation clearing and grubbing weekly to ensure against direct and indirect impacts to biological resources (e.g., reptiles or biological resources adjacent to the site) that are intended to be protected, and to document that protective fencing is intact. e. Flush wildlife species (i.e., reptiles, mammals, avian, or other mobile species) from occupied habitat areas immediately prior to brush-clearing activities. This does not include disturbance to nesting birds (see **MM-BIO-2**).	Less than significant

Table ES-2. Summary of Significant Environmental Impacts

Impact	Mitigation Measures	Level of Significance After Mitigation
	f. Periodically monitor the construction site to verify that the project is implementing the stormwater quality management plan best management practices, including dust control, silt fencing, removal of construction debris and a clean work area, covered trash receptacles that are animal-proof and weather-proof, prohibition of pets on the construction site, and a speed limit of 15 miles per hour. g. Keep monitoring notes for the duration of the project for submittal in a final report to substantiate the biological supervision of the vegetation clearing and grading activities and the protection of any biological resources on or adjacent to the site. h. Prepare a monitoring report after the construction activities are completed that describes the biological monitoring activities, including a monitoring log; photos of the site before, during, and after the grading and clearing activities; and a list of special-status species observed.	
	MM-BIO-4 **Temporary Installation of Fencing.** To prevent inadvertent disturbance to areas outside the limits of grading for each phase, the contractor shall install temporary fencing, or use existing fencing, along the limits of grading.	
Impact BIO-5: The project would result in potential long-term indirect impacts to biological resources	MM-BIO-3	Less than significant
	MM-BIO-5 **Invasive Species Prohibition.** The final landscape plans shall be reviewed by the project biologist and a qualified botanist to confirm that there are no invasive plant species as included on the most recent version of the California Invasive Plant Council's inventory for the project region.	
Impact BIO-6: The project would result in potential short-term indirect impacts to jurisdictional aquatic resources	MM-BIO-3; MM-BIO-4	Less than significant
Impact BIO-7: The project would result in potential long-term indirect impacts to jurisdictional aquatic resources	MM-BIO-3; MM-BIO-5	Less than significant

Table ES-2. Summary of Significant Environmental Impacts

Impact	Mitigation Measures		Level of Significance After Mitigation
Impact BIO-8: The project would result in potential short-term indirect impacts to habitat connectivity	**MM-BIO-3; MM-BIO-4**		Less than significant
Impact BIO-9: The project would result in potential long-term indirect impacts to habitat connectivity	**MM-BIO-4; MM-BIO-5**		Less than significant
Impact BIO-10: Project compliance with local policies and ordinances protecting biological resources	**MM-BIO-1** through **MM-BIO-5**		Less than significant
Impact BIO-11: Project compliance with the Oceanside MHCP Subarea Plan	**MM-BIO-1** through **MM-BIO-5**		Less than significant
Cultural Resources			
Despite no significant archaeological resources being identified within the project site, to further ensure project development would not result in potential impacts to cultural resources, the project would implement the	**MM CUL-1**	Prior to the 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 Traditionally and Culturally Affiliated (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	Less than significant

Table ES-2. Summary of Significant Environmental Impacts

Impact	Mitigation Measures		Level of Significance After Mitigation
City's standard cultural mitigation measures.		archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities. Through consultation with the Tribes that consulted on the project and with their consent, certain 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-2	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-3	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-4	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 on-site 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-5	In order for potentially significant archaeological artifact deposits and/or cultural resources to be readily detected during mitigation monitoring, a written "Controlled Grade Procedure" for CA-SDI-5345 shall be prepared by a Qualified Archaeologist, in consultation with the 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,	

Table ES-2. Summary of Significant Environmental Impacts

Impact	Mitigation Measures		Level of Significance After Mitigation
		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-6	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	

Table ES-2. Summary of Significant Environmental Impacts

Impact	Mitigation Measures		Level of Significance After Mitigation
		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-7	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 on-site, 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 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-8	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.	
	MM CUL-9	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 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 on-site in the presence of a Luiseño Native American monitor. By law, the Medical Examiner will determine within two 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	

Table ES-2. Summary of Significant Environmental Impacts

Impact	Mitigation Measures		Level of Significance After Mitigation
		Heritage Commission (NAHC) within 24 hours. The NAHC shall make a determination as to the Most Likely Descendent.	
Geology and Soils			
Impact GEO-1: Development of the proposed project would require excavations for building foundations and utilities, and any excavations into the potentially fossil-bearing strata within the Quaternary terrace deposits and/or Santiago Formation could result in potentially significant impacts to paleontological resources	**MM-GEO-1**	A qualified paleontologist shall attend the pre-construction meeting to consult with the grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues (a qualified paleontologist is defined as an individual with a MS or PhD in paleontology or geology that is familiar with paleontological procedures and techniques, who is knowledgeable in the geology and paleontology of San Diego County, and who has worked as a paleontological mitigation project supervisor in the County for at least 1 year).	Less than significant
	MM-GEO-2	A paleontological monitor should be on-site on a full-time basis during the original cutting of previously undisturbed deposits of high paleontological resource potential (Quaternary Terrace Deposits and Santiago Formation) to inspect exposures for contained fossils. (A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials. The paleontological monitor shall work under the direction of a qualified paleontologist.)	Less than significant
	MM-GEO-3	If fossils are discovered, the paleontologist (or paleontological monitor) shall recover them. In most cases this fossil salvage can be completed in a short period of time. However, some fossil specimens (such as a complete large mammal skeleton) may require an extended salvage period. In these instances, the paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Because of the potential for the recovering of small fossil remains, such as isolated mammal teeth, it may be necessary to set up a screen-washing operation on the site.	Less than significant
	MM-GEO-4	Fossil remains collected during monitoring and salvage shall be cleaned, repaired, sorted, and cataloged as part of the mitigation program.	Less than significant
	MM-GEO-5	Prepared fossils, along with copies of all pertinent field notes, photos, and maps, shall be deposited (as a donation) in a scientific institution with permanent paleontological collections such as the San Diego Natural History Museum. Donation of the fossils should be accompanied by financial support for initial specimen storage.	Less than significant
	MM-GEO-6	A final summary report shall be completed that outlines the results of the mitigation program. This report shall include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils.	Less than significant

Table ES-2. Summary of Significant Environmental Impacts

Impact	Mitigation Measures		Level of Significance After Mitigation
Noise			
Impact NOI-1: Construction of the proposed project would potentially exceed construction noise limits on occasion at residential receivers, resulting in potentially significant impacts.	**MM-NOI-1**	A Prior to the issuance of a Construction Permit, the Applicant/Owner or Construction Contractor shall prepare and submit a Construction Noise Management Plan (CNMP) to the City of Oceanside Planning Division (City Planner) for review and approval. Prior to the issuance of a Construction Permit, Construction Plans shall also include a note indicating compliance with the CNMP is required. The CNMP shall be prepared or reviewed by a Qualified Acoustician (retained at the Applicant/Owner or Construction Contractor's expense) and feature the following: A. A detailed construction schedule at daily (or weekly if activities during each day of the week are typical) resolution and correlating to areas or zones of on-site project construction activity(ies) and the anticipated equipment types and quantities involved. Information will include expected hours of actual operation per day for each type of equipment per phase, and indication of anticipated concurrent construction activities on site. B. Suggested locations of a set of noise level monitors, attended by a Qualified Acoustician or another party under its supervision or direction, at which sample outdoor ambient noise levels will be measured and collected over a sufficient sample period and subsequently analyzed (i.e., compared with applicable time-dependent A-weighted decibel [dBA] thresholds) to ascertain compliance with the eight hour Federal Transit Administration (FTA) guidance-based limit of 80 dBA equivalent sound level over a consecutive eight hour period. Sampling shall be performed, at a minimum, on the first (or otherwise considered typical construction operations) day of each distinct construction phase (e.g., each of the seven listed phases in Table 4.11-4). C. If sample collected noise level data indicates that the eight-hour noise threshold has or will be exceeded, construction work shall be suspended (for the activity or phase of concern) and the Applicant/Owner or Construction Contractor shall implement one or more of the following measures as detailed or specified in the CNMP: i. Administrative controls (e.g., reduce operating time of equipment and/or prohibit usage of equipment type[s] within certain distances). ii. Engineering controls (upgrade noise controls, such as install better engine exhaust mufflers).	Less than significant

Table ES-2. Summary of Significant Environmental Impacts

Impact	Mitigation Measures	Level of Significance After Mitigation
	iii. Install noise abatement on the site boundary fencing (or within, as practical and appropriate) in the form of sound blankets or comparable temporary barriers to occlude construction noise emission between the site (or specific equipment operation as the situation may define) and the noise-sensitive receptor(s) of concern. The implemented measure(s) will be reviewed or otherwise inspected and approved by the Qualified Acoustician (or another party under its supervision or direction) prior to resumption of the construction activity or process that caused the measured noise concern or need for noise mitigation. Noise levels shall be re-measured after installation of said measures to ascertain post-mitigation compliance with the noise threshold. As needed, this process shall be repeated and refined until noise level compliance is demonstrated and documented. A report of this implemented mitigation and its documented success will be provided to the City Planner. D. The Applicant/Owner or Construction Contractor shall make available a telephone hotline so that concerned neighbors in the community may call to report noise complaints. The CNMP shall include a process to investigate these complaints and, if determined to be valid, detail efforts to provide a timely resolution and response to the complainant, with a copy of resolution provided to the City Planner.	

ES.6 Significant and Unavoidable Impacts

As discussed in this EIR, implementation of the project would not result in any significant and unavoidable impacts.

ES.7 Analysis of Alternatives

Pursuant to CEQA Guidelines, EIRs are required to "describe a range of reasonable alternatives to the 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 and evaluate the comparative merits of the alternatives" (14 CCR 15126.6[a]). This EIR "must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation" (14 CCR 15126.6[a]). The alternatives discussion is required even if these alternatives "would impede to some degree the attainment of the project objectives or would be more costly" (14 CCR 15126.6[b]). Alternatives considered are summarized below and analyzed in detail in Chapter 8 of this EIR.

ES.7.1 No Project (No Build) Alternative

Under the No Project (No Build) Alternative, the proposed project and associated improvements would not be implemented, and the project site would remain undeveloped. However, this no project/no build alternative does not preclude future development on site, as uses allowed under the Neighborhood Commercial (CN) would still be allowed under the current land use designation for the site. Since the No Project/No Development Alternative would not provide any development, overall impacts would be reduced compared to the proposed project. However, certain benefits would not be realized under this alternative, including the provision of housing units as identified in the General Plan in an infill area, and enhanced uses and connectivity in the surrounding area. Furthermore, as the No Project (No Build) Alternative would not develop the site or allow for housing, this alternative would not fulfill any of the proposed project objectives.

ES.7.2 Reduced Density Alternative

Reducing the proposed density was considered in response to community concerns associated with the number of units proposed to be developed on site. Under the Reduced Density Alternative, the project would be developed consistent with the allowed maximum density of up to 29 units per acre under the General Plan designation of Neighborhood Commercial (NC) and a consistent Zoning designation of Neighborhood Commercial (CN), with approval of a Mixed-Use Development Plan. The number of units allowed under the Reduced Density Alternative would be calculated by multiplying the gross site acreage (7.4 acres) by the maximum density allowed under the general plan and zoning land use designation (29 units per acre), for a total of 215 units (rounded up from 214.6). Development of 215 units under the Reduced Density Alternative would be a reduction of 108 residential units when compared to the proposed project's 323 units. A site plan has not been generated for this Alternative; however, it is assumed that under this Alternative, the design would be reconfigured to reduce the number of proposed buildings from six to five, removing the building closest to the existing residential development to the east (Building 2 as proposed under the project) to increase the buffer area and reduce potential air quality and noise-related impacts. It is also assumed under this Alternative that parking and on-site amenities would be reduced in scale to comply with the minimum required for this 215-unit count. Site access would remain the same as the proposed project. Under this Alternative, a request for Density Bonus would not be applied, as no affordable housing would be proposed.

The Reduced Density Alternative would meet all proposed project objectives with the exception of meeting objective 4 (provide new market rate and affordable housing on a site that is consistent with the City's General Plan and Zoning Ordinance, Density Bonus Law, and affordable housing objectives to help satisfy the City's current and future demand for housing).

While this alternative would develop infill housing on an urbanized site and assist the City to implement its housing goals, it would implement less housing compared to the proposed project and less efficiently promote infill development. This alternative would also provide less varied housing compared to the proposed project, including no affordable housing. This alternative would also not maximize housing density near existing transit. Furthermore, While the Reduced Density Alternative would pay inclusionary housing fees, this alternative would not provide affordable housing on-site to help satisfy the City's current housing deficit within an area designated by SANDAG as a Smart Growth Opportunity Area. Additionally, the developer may acquire the right to develop at a specific density under State of California Density Bonus Law (Government Code Section 65915-65918). The State of California's Density Bonus Law was established to promote the construction of affordable housing units and allows projects to exceed the maximum designated density and to use development standard waivers, reductions or incentives and concessions in exchange for providing affordable housing units in compliance with all current density bonus regulations. The City implements these state requirements.

Because the project qualifies for a density bonus due to its provision of affordable housing, the City may not refuse to grant a density bonus for the proposed project allowing it to develop the proposed 323 multi-family units. The Reduced Density Alternative would not further the Density Bonus Law's legislative intent and public policy goals of providing additional housing units, including affordable housing, through density bonuses. The Reduced Density Alternative would also conflict with goals and policies of the City's General Plan Housing Element and the Smart Growth Opportunity Area location as designated by SANDAG. Additionally, without the requested density bonus, the project would not provide affordable housing on site to help satisfy the City's current and future demand for housing. Under this alternative, the applicant would be required to pay a fee in-lieu of providing inclusionary/low-income housing.

Lastly, although the Reduced Density Alternative would meet most of the project objectives and potentially reduce the severity of impacts related to air quality, cultural resources and noise in comparison to the proposed project due to the reduced unit count and reduced development footprint; such impacts to air quality, biological resources, cultural resources, and geology and soils under this alternative would remain as less than significant with mitigation incorporated, similar to the proposed project.

ES.7.3 Environmentally Superior Alternative

Table ES-3 provides a qualitative comparison of the impacts for each Alternative compared to the proposed project. As shown in Table ES-3, the No Project Alternative would eliminate all of the significant impacts identified for the project. However, the No Project Alternative would not meet any of the project objectives. CEQA Guidelines Section 15126.6(e)(2) states that if the No Project alternative is identified as the environmentally superior alternative, then an environmentally superior alternative should be identified among the other alternatives.

Among the other alternatives, not including the proposed project, the Reduced Density Alternative would be considered the environmentally superior alternative because it would potentially provide a reduced level of impact in some environmental analysis areas including air quality, cultural resources, and noise. However, under this alternative, impacts to air quality, biological resources, cultural resources and geology and soils would still remain

as less than significant with mitigation incorporated, similar to the proposed project. Noise impacts under this alternative would likely be reduced to less than significant without mitigation.

The Reduced Density Alternative would meet all proposed project objectives with the exception of meeting objective 4 (provide new market rate and affordable housing on a site that is consistent with the City's General Plan, Housing Element, and Zoning Ordinance, Density Bonus Law, and affordable housing objectives to help satisfy the City's Regional Housing Needs Assessment current and future demand for housing). Under this Alternative, a request for Density Bonus would not be applied, as no affordable housing would be proposed, and the applicant would be required to pay a fee in-lieu of providing inclusionary/low-income housing.

While this alternative would develop infill housing on an urbanized site and assist the City to implement its housing goals, it would implement less housing compared to the proposed project and less efficiently promote infill development. This alternative would also provide less varied housing compared to the proposed project, including no on-site affordable housing. This alternative would also not maximize housing density near existing transit.

Nevertheless, because this alternative would slightly reduce potentially significant impacts in comparison to the project, this alternative is considered the environmentally superior alternative.

Table ES-3. Comparative Summary of Alternatives Under Consideration and Proposed Project

Environmental Topic	Proposed Project	No Project (No Build) Alternative	Reduced Density Alternative
Air Quality	LTSM	No Impact (Reduced)	LTSM (Same)
Biological Resources	LTSM	No Impact (Reduced)	LTSM (Same)
Cultural Resources	LTSM	No Impact (Reduced)	LTSM (Same)
Geology and Soils	LTSM	No Impact (Reduced)	LTSM (Same)
Noise	LTSM	No Impact (Reduced)	LTS (Reduced)

Notes: Impact Status: LTS = Less Than Significant Impact; LTSM = Less Than Significant with Mitigation; SU = Significant and Unavoidable

ES.8 Issues to be Resolved by Lead Agency

Section 15123(b)(3) of the CEQA Guidelines requires that an EIR contain a discussion of issues to be resolved. With respect to the project, the key issues to be resolved include decisions by the City, as lead agency, as to the following:

- Whether this environmental document adequately describes the environmental impacts of the project.
- Whether the recommended mitigation measures should be modified and/or adopted.
- Whether there are other mitigation measures or alternatives that should be considered for the project besides those identified in the Draft EIR.

1 Introduction

This chapter of this environmental impact report (EIR) describes the purpose, scope, and legislative authority of the EIR; the intent of the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000 et seq.); the environmental review process; and other pertinent environmental rules and regulations.

1.1 Purpose of the EIR

This EIR addresses the potentially significant adverse environmental effects associated with the proposed Modera Melrose Mixed-Use Development Project (project) under CEQA. The project involves development of a mixed-use infill project, which would include 323 multifamily residential units and ground-level commercial space on the 7.4-acre project site, in the City of Oceanside (City). The proposed project would require approval of certain discretionary actions by the City and, therefore, is subject to CEQA environmental review requirements. A detailed description of the proposed project is provided in Chapter 3, Project Description, of this EIR. The City, as the CEQA lead agency, has prepared this EIR to provide decision makers, the public, trustee agencies, and responsible agencies with information about the potential environmental effects associated with the proposed project.

1.2 Intended Use of the EIR

This EIR was prepared in accordance with CEQA (California Public Resources Code Section 21000 et seq.), the CEQA Guidelines (14 CCR 15000 et seq.), and the City's Environmental Review Procedures.

The EIR is an informational document that will provide the City's decision makers, public agencies, responsible and trustee agencies, and members of the public with information about (1) the potential for significant adverse environmental impacts that would result from the development of the proposed project, (2) feasible or potentially feasible ways to minimize any significant adverse environmental impacts that would result from the development of the proposed project, and (3) a reasonable range of potentially feasible alternatives to the proposed project that would reduce or avoid significant adverse environmental impacts associated with the proposed project (California Public Resources Code Section 21002.1[a]; 14 CCR 15121[a]). Responsible and trustee agencies may use this EIR to fulfill their legal authority to issue permits for the proposed project. The analysis and findings in this EIR reflect the independent judgment of the City.

The City is the lead agency for the EIR and will perform the entitlement processing of the proposed project. As the designated lead agency, the City has assumed responsibility for preparing this EIR, and the analysis and findings in this EIR reflect the City's independent judgment. When deciding whether to approve the proposed project, the City will use the information in this EIR to consider potential impacts to the physical environment associated with the proposed project. Subsequent to certification of the Final EIR, agencies with permitting authority over all or portions of the proposed project will use the Final EIR as the basis for their evaluation of environmental effects related to the proposed project that will culminate with the approval or denial of applicable permits.

1.3 Scope of the EIR

The City determined that a project EIR, as defined by CEQA Guidelines Section 15161, was required for this project. The City made this determination based on the scope and the location of the proposed project. As such, and in accordance with CEQA Guidelines Section 15060(d), the City opted not to prepare a detailed Initial Study and to instead immediately begin preparation of an EIR for the proposed project.

In the absence of an Initial Study, this Draft 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 consumption, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise and vibration, population and housing, public services, recreation, transportation, tribal cultural resources, utilities and service systems, wildfire, cumulative impacts, and growth-inducing impacts.

As a "project EIR," this EIR is "focused primarily on the changes in the environment that would result from the development project" (14 CCR 15161). In addition, as a project EIR, this EIR examines all phases of the proposed project, including planning, construction, and operation (14 CCR 15161). Where environmental impacts have been determined to be significant, this EIR recommends mitigation measures directed at reducing or avoiding those significant environmental impacts. A reasonable range of alternatives to the proposed project are identified to evaluate whether there are ways to minimize or avoid significant impacts associated with the proposed project.

1.4 The EIR and CEQA Environmental Review Process

1.4.1 CEQA Overview

CEQA requires the preparation and certification of an EIR for any project that a lead agency determines may have a significant adverse effect on the environment. CEQA Guidelines, Section 15151 (14 CCR 15151), states:

> An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

Accordingly, this EIR has been prepared to identify and disclose the significant environmental effects of the proposed project, identify mitigation measures to minimize significant effects, and consider reasonable project alternatives. The environmental impact analyses in this EIR are based on a variety of sources, including agency consultation, technical studies, and field surveys. The City will consider the information presented in this EIR, along with other factors in considering approval of the proposed project.

1.4.2 Notice of Preparation and Scoping

CEQA establishes mechanisms to inform the public and decision makers about the nature of the proposed project and the extent and types of impacts that the proposed project and alternatives to the proposed project would have on the environment should the proposed project or alternatives be implemented. Pursuant to CEQA Guidelines Section 15082, the City circulated a Notice of Preparation (NOP) published March 1, 2022, to interested agencies, organizations, and parties. The NOP was also sent to the State Clearinghouse at the California Office of Planning and Research. The State Clearinghouse assigned a state identification number (SCH No. 2022030032) to this project.

The NOP is intended to encourage interagency communication regarding the proposed action so that agencies, organizations, and individuals are afforded an opportunity to respond with specific comments and/or questions regarding the scope and content of the EIR. A public scoping meeting was held on March 15, 2022, at 6:00 p.m. at the Civic Center Library Community Room in the City of Oceanside, to gather additional public input. The 30-day public scoping period ended on March 31, 2022.

Comments received during the NOP public scoping period were considered as part of the preparation of this EIR. The NOP and written comments are included in Appendix A to this EIR. Comments covered numerous topics, including site access, traffic and circulation, noise, air quality and greenhouse gas emissions, lighting, utility infrastructure and supply, water quality, visual impact, emergency access, and preservation of biological and cultural resources. Public scoping comments regarding the proposed project's potential impact on the environment were evaluated as part of the preparation of this EIR. Consistent with CEQA requirements that an alternative must reduce or avoid a potentially significant project impact and an EIR need not consider every conceivable alternative, the NOP comments were also considered in the development and evaluation of the reasonable range of feasible alternatives evaluated in this EIR.

1.4.3 Draft EIR and Public Review

This Draft EIR was prepared under the direction and supervision of the City. 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" (14 CCR 15204). The Notice of Completion 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 could 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:

City of Oceanside Development Services Department
300 North Coast Highway
Oceanside, California 92054

City of Oceanside Public Library – Civic Center
330 North Coast Highway
Oceanside, California 92054

City of Oceanside Public Library – Mission Branch
3861-B Mission Avenue
Oceanside, California 92508

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

Interested agencies and members of the public can submit written comments on the adequacy of the Draft EIR to the City's Development Services Department at the address above, addressed to Patty Anders, Planning Consultant, or emailed at panders@oceansideca.org. Comments on the Draft EIR are to be received by 5:00 p.m. on December 14, 2022, the last day of the review period.

1.4.4 Final EIR Publication and Certification

Once the 45-day public review period concludes, the City will review all public comments on the Draft EIR and provide a written response to all written comments pertaining to environmental issues as part of the Final EIR. The Final EIR will include all written comments received during the public review period, responses to comments, and edits made to the Draft EIR.

The City will consider certification of the Final EIR (14 CCR 15090). If the Final EIR is certified, the City may consider the project approval (14 CCR 15092). When deciding whether to approve the proposed project, the City will use the information provided in the Final EIR to consider potential impacts to the physical environment. The City will also consider all written comments received on the Draft EIR during the public review period in making its decision to certify the Final EIR as complete and compliant with CEQA and in making its determination whether to approve or deny the proposed 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 proposed project, the City must make written findings and adopt a Statement of Overriding Considerations with respect to any significant and unavoidable environmental effect identified in the Draft EIR (14 CCR 15091, 15093). If the proposed project is approved, the City will file a Notice of Determination with the State Clearinghouse and San Diego County Clerk within 5 working days after project approval (14 CCR 15094.)

Subsequent to certification of the Final EIR, agencies with permitting authority over all or portions of the proposed project will use the Final EIR's evaluation of the proposed project's environmental effects in considering whether to approve or deny applicable permits.

1.4.5 Mitigation Monitoring and Reporting Program

CEQA requires that a lead agency "adopt a reporting and mitigation monitoring program for the 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" (14 CCR 15097, 15091). The City, as the designated lead agency, is responsible for enforcing and verifying that each mitigation measure is implemented as required by the mitigation monitoring and reporting program.

1.5 Organization and Content of the EIR

This EIR is organized as follows:

- **Executive Summary.** This chapter outlines the proposed project and conclusions of the environmental analysis and provides a summary of the proposed project compared to the alternatives analyzed in the EIR. This chapter also summarizes feasible mitigation measures proposed to reduce or avoid each significant project impact.
- **Chapter 1, Introduction.** This chapter briefly discusses the purposes of the EIR, the applicable environmental review process and procedures, and format and organization of the EIR.
- **Chapter 2, Environmental Setting.** This chapter describes the project location, physical environmental setting, and regulatory setting.
- **Chapter 3, Project Description.** This chapter provides a thorough description of the proposed project, including its location, characteristics, project objectives, and required discretionary actions.
- **Chapter 4, Environmental Impact Analysis.** This chapter discusses the regulatory and environmental setting, and provides an analysis of project's impacts, proposed mitigation measures to reduce or avoid any significant impacts, and conclusions regarding the level of significance after mitigation for each environmental impact issue.
- **Chapter 5, Effects Found Not to Be Significant.** This chapter discusses the reasons in which various possible significant effects of a proposed project were determined not to be significant and were therefore not discussed in detail in the EIR.
- **Chapter 6, Cumulative Effects.** This chapter describes the potential cumulative effects of the project, including those effects described in both Chapter 4 and Chapter 5. Cumulative impact refers to two or more individual effects that, when considered together, are considerable or that compound or increase other environmental impacts.
- **Chapter 7, Other CEQA Considerations.** This chapter 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. This chapter addresses impacts that have been identified as significant and unavoidable, and provides an analysis of the significant irreversible changes in the environment that would result from the proposed project.
- **Chapter 8, Alternatives.** This chapter analyzes a reasonable range of potentially feasible alternatives to the proposed project that have the potential to reduce or avoid significant impacts associated with the proposed project.
- **Chapter 9, List of Preparers**. This chapter provides a list of persons, organizations, and agencies that contributed to the preparation of this EIR.
- **Chapter 10, References.** This chapter lists the references and sources cited in each section of the EIR.
- **Appendices.** The appendices include various technical studies and correspondence prepared for the proposed project, as listed in the table of contents.

INTENTIONALLY LEFT BLANK

2 Environmental Setting

As required by Section 15125 of the California Environmental Quality Act (CEQA) Guidelines, this chapter of the environmental impact report (EIR) includes a brief description of the existing physical conditions at the Modera Melrose Mixed Use Development Project (project) site and the surrounding vicinity at the time of filing of the Notice of Preparation. Although in some cases current data was not available to represent conditions at the time of filing the Notice of Preparation, the most recent data available is described in this chapter and serve as the CEQA baseline for this EIR. This chapter also provides an overview of the regulatory setting on the project site pursuant to Section 15125(d) of the CEQA Guidelines. Additional details and descriptions of the existing conditions specific to each environmental issue can be found throughout Chapter 4, Environmental Analysis. The environmental conditions discussed in this chapter and throughout the EIR constitute the baseline conditions by which significances of impacts will be determined.

2.1 Project Setting

2.1.1 Project Location

The proposed site consists of a vacant parcel (APN 161-030-23 & 24) and includes approximately 7.4 acres located in the Peacock Neighborhood Area of the City of Oceanside, California (Figure 3-1, Project Location). The proposed project site is located at the southeast corner of Oceanside Boulevard and Bobier Drive in the east-central portion of the City of Oceanside. The project site's eastern boundary abuts the City of Vista. The project site is located approximately 1.6 miles south of State Route (SR) 76 and approximately 2 miles north of SR 78. The project site is surrounded by residential development and commercial uses.

2.1.2 Site Background

The project site has been previously impacted by grading and land development on adjacent parcels. The existing project site shows signs of disturbances related to previous grading, staging for recent construction of the North County Transit Sprinter light rail line, evidence of illegal dumping, and evidence of moving activities.

2.1.3 Existing Land Uses

On-Site Land Uses

The project site is currently disturbed, vacant land. The project site does not feature any existing uses.

Surrounding Land Uses

Uses in the vicinity of the project site primarily include residential development, open space, and commercial use. The project site abuts existing residential developments to the east, and commercials uses to the west. Areas surrounding the project site are zoned commercial, (north and west of the project site) and residential zones (south and east of the project site). The Melrose Drive Sprinter Light Rail Station is located 0.07 miles west of the project site.

2.1.4 Existing Zoning Designations

The project site and nearby commercial development is zoned as CN – Neighborhood Commercial. The project site is also surrounded by existing residential development and open space. These zoning designations are described in detail in Chapter 4.10, Land Use, of this EIR.

2.1.5 Existing General Plan Land Use Designations

The project site has a General Plan designation of Neighborhood Commercial (NC). Areas surrounding the project site are designated as commercial, (north and west of the project site) and residential (south and east of the project site).

2.2 Regional Setting

2.2.1 Climate

The local climate within the project area is characterized as semi-arid with consistently mild, warmer temperatures throughout the year. The average summertime high temperature in the region is approximately 75.9°F, with highs reaching 76.8°F on average during the months of July through September. The average wintertime low temperature is approximately 50.4°F, reaching as low as 48.5°F on average during November through March. Average precipitation in the local area is approximately 10.34 inches per year, with the bulk of precipitation falling November through March (WRCC 2021).

2.2.2 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 air 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 San Diego region, 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 temperatures range (in degrees Fahrenheit) from the mid-40s to the high 90s, with an average of 201 days warmer than 70°F. The SDAB experiences 9 to 13 inches of rainfall annually, with most of the region's precipitation falling from November through March, with infrequent (approximately 10%) precipitation during the summer. El Niño and La Niña patterns have large effects on the annual rainfall received in San Diego, where San Diego 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 (O_3) 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 O_3

concentrations in the San Diego area. Under certain conditions, atmospheric oscillation results in the offshore transport of air from the Los Angeles region to San Diego County that also raises the O_3 concentrations within the SDAB. Due to this condition and the associated Clean Air Act requirements, Regional Air Quality Strategies have been developed to address reducing O_3 in the SDAB. Refer to Section 4.2, Air Quality, for additional information regarding air quality in the SDAB.

2.2.3 Soils

Soils on site are classified as Tujunga sand (TuB), 0% to 5% slopes; and Diablo clay (DaC), 2% to 9% slopes. Tujunga sand is considered a “hydric" soil.” These soil types are “predominantly non-hydric” or “non-hydric” (Appendix C). Soils in the project site are made up of undocumented fill and colluvium. Generally, undocumented fill is approximately 4 feet in depth and colluvium is approximately 2 to 5 feet in depth (Appendix F). Refer to Section 4.3, Biological Resources, and Section 4.6, Geology and Soils, for additional information.

2.2.4 Terrain

The topography of the project site is generally flat but features slopes toward the northern portion of the project site near the intersection of Melrose Drive and West Bobier Boulevard. The project site primarily consists of bare land and native vegetation. Elevations range from approximately 425 feet to 450 feet.

2.2.5 Watersheds and Hydrology

The project site is located within the San Luis Rey Hydrologic Unit (903), within the Lower San Luis Hydrologic Area (903.1) and the Mission Hydrologic Sub-Area (903.11) of the Water Quality Control Plan for the San Diego Basin (California Regional Water Quality Control Board 2021). The major surface waterbodies in the vicinity of the project are Guajome Lake and the San Luis Rey River, which flows east to west. The portion of the San Luis Rey River directly north and west of the project site flows approximately 4 miles until its confluence with the Pacific Ocean. Within this Hydrologic Sub-Area, downstream impaired 303(d) listed water bodies include the Pacific Ocean Shoreline and San Luis Rey River Mouth. The technical analysis identifies potential groundwater at a depth between 10 and 20 feet below the ground surface. Refer to Section 4.9, Hydrology and Water Quality, for additional details.

2.2.6 Vegetation and Habitats

The project site supports primarily non-native grasslands and disturbed areas. Ornamental plantings occur along the southeastern edge of the site, which borders an existing residential development. Small and isolated patches of coastal sage scrub occur in the western and northwestern portions of the site. Dudek biologists mapped two vegetation communities and two land covers within the biological study area: Diegan coastal sage scrub (0.49 acres), non-native grassland (5.13 acres), ornamental land (0.10 acres), and disturbed habitat (1.67 acres). No special-status rare plant species were observed during the rare plant survey and/or subsequently determined to have a potential to occur.

2.2.7 Utilities

Potable water is currently provided by the City’s Water Utilities Department. The project site is located in an area of the City of Oceanside that is well developed and adjacent to residential and commercial uses. The project site is situated

in the east-central portion of the City in an area served by the Talone 320 Pressure Zone. The nearest existing 320 Pressure Zone public water lines in the vicinity of the project are a 12-inch water line in Oceanside Boulevard northwest of the project site.

In the City of Oceanside, wastewater is collected and treated by the City's Water Utilities Department, Wastewater Division. The Wastewater Division provides wastewater collection, treatment, and disposal services of sewage for the City in accordance with applicable laws and standards. The Project is located in the San Luis Rey Valley Sewer Sub-Basin Service Area. The San Luis Rey Valley Sewer Sub-Basin extends from just east of College Boulevard, west toward the Mission Avenue Lift Station. The existing public sewer system in the project area consists of sewer lines in Oceanside Boulevard. The sewer line flows west to Mission Avenue and then to the Mission Avenue Lift Station. Refer to Section 4.17, Utilities and Service Systems, for additional details.

The project site slopes from the northeast corner towards the southwest portion of the project site where runoff enters the existing storm drain system by culverts and headwalls. Runoff not directed towards the existing concrete channel flows to the existing storm drain system located within Oceanside Boulevard to the northwest of the project site. Refer to Section 4.9, Hydrology, for additional details.

2.3 Applicable Planning Documents

The following describes local and regional planning documents applicable to the proposed project. Per CEQA Guidelines Section 15125, Environmental Setting, the environmental setting chapter of an EIR shall discuss any inconsistencies between the project and applicable general plans, specific plans, and regional plans. Below is a summary of such regional and local plans, as well as a brief disclosure of any inconsistencies. Additional details regarding the consistency with applicable planning documents can be found in each individual environmental issue area section in this EIR, as noted below.

2.3.1 City of Oceanside General Plan

California law requires that each county and city adopt a General Plan "for the physical development of the County or City, and of any land outside its boundaries which…bears relation to its planning" (California Government Code, Section 65300). Each General Plan must be internally consistent, and all discretionary land use plans and projects must also be consistent with the General Plan.

The City's General Plan is the primary source of long-range planning and policy direction that is used to guide development within the City and serves as a policy guide for determining the appropriate physical development and character of the City. The City's General Plan is founded on the community's vision for the City and expresses the community's long-range goals. The document was last reformatted in 2002 to rearrange the text and include introductory material. The City's General Plan contains the following 10 elements: Land Use (amended in 1986), Circulation (updated in 2012), Recreational Trails (adopted in 1996), Housing (2013–2021 Housing Element adopted in August 2013), Environmental Resource Management (adopted in 1975), Public Safety (adopted 1975), Noise (adopted in 1974), Community Facilities (adopted in 1990), Hazardous Waste Management (adopted in 1990), and Military Reservation (adopted in 1981). Each of the City's General Plan elements contains goals for the future of the City. In addition, the City's General Plan contains a land use map, which depicts the planned land uses for properties within the City. Objectives and policies established for each land use designation are described within the City's General Plan's Land Use Element (City of Oceanside 2002).

In 2019, the City Council adopted Phase I of the General Plan Update, which included the Economic Development Element, Energy and Climate Action Element, and Climate Action Plan. Phase 2 of the General Plan Update will include updating of the City's existing Land Use, Circulation, Housing, Conservation and Open Space, Community Facilities, Safety, and Noise Elements. This planning process aims to revisit important planning elements last updated in 2002 (City of Oceanside 2021a). The Draft Revised Housing Element (2021–2029) was under California Department of Housing and Development (HCD) compliance review in February 2022. An EIR is being prepared for the City's General Plan Update, which will address all topic areas outlined in the CEQA Appendix G Environmental Checklist Form. The comment period for the scoping phase of the General Plan Update EIR ran from May 24 to June 23, 2021. The onwardoceanside.com website provides up-to-date information about the General Plan Update. Additionally, in June 2021 the City released five project background reports which was considered the first major technical step in the process of updating the City's General Plan and preparing the Smart and Sustainable Corridors Specific Plan. The background reports, (1) Baseline Economic and Market Analysis; (2) Land Use and Community Resources; (3) Mobility; (4) Environmental Resources; and (5) Smart and Sustainable Corridors Background Report provide a comprehensive analysis of resources, trends, and concerns that will frame and guide choices for the long-term development of the City. These five background reports can also be found on the onwardoceanside.com website.

The proposed project would be consistent with the General Plan, as discussed further in in Section 4.10, Land Use and Planning.

2.3.2 City of Oceanside Zoning Ordinance

The City of Oceanside's Zoning Ordinance is the primary implementation tool for the Land Use Element. 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 (City of Oceanside 2021b).

2.3.3 Oceanside Subarea Plan of the North County Multiple Habitat Conservation Plan

The project site is located within the North County Multiple Habitat Conservation Program (MHCP) area. The North County MHCP is a long-term regional conservation plan established to protect sensitive species and habitats in northern San Diego County (SANDAG 2003). The North County MHCP is divided into seven subarea plans—one for each jurisdiction within the MHCP area—that will be permitted and implemented separately from one another. The Oceanside Subarea Habitat Conservation Plan/Natural Communities Conservation Plan (Oceanside Subarea Plan) has been prepared, and although the Oceanside Subarea Plan has not been approved or permitted, it is used as a guidance document for projects in the City (City of Oceanside 2010). The project would be consistent with the MHCP. Refer to Section 4.3, Biological Resources, for additional discussion regarding the Oceanside Subarea Plan.

2.3.4 Regional Plans

In addition to the above City planning documents, the following regional plans are also applicable to the proposed project.

SANDAG's San Diego Forward: The Regional Plan

The San Diego Association of Governments' (SANDAG) San Diego Forward: The Regional Plan (Regional Plan) combines the region's two most important existing planning documents—the Regional Comprehensive Plan (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 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 RTP/SCS and are now fully integrated into the Regional Plan.

The SANDAG Board of Directors adopted the 2021 Regional Plan on December 10, 2021. The 2021 Regional Plan is a 30-year plan that considers growth, movement and residential location around the region. The 2021 Regional Plan combines the RTP/SCS, and Regional Comprehensive Plan. As such, the 2021 Regional Plan must comply with specific state and feral mandates. These include an SCS, per California Senate Bill 375 (SB 375), that achieves greenhouse gas emissions reduction targets set by the California Air Resources Board, compliance with federal civil rights requirements (Title VI); environmental justice considerations; air quality conformity; and public participation (SANDAG 2021). For additional information regarding the Regional Plan, refer to Sections 4.2, Air Quality; 4.7, Greenhouse Gas Emissions; 4.10 Land Use and Planning; and 4.15, Transportation.

Regional Air Quality Plan

The SDAPCD and SANDAG are responsible for developing and implementing the clean air plan for attainment and maintenance of the ambient air quality standards in the San Diego Air Basin. The Regional Air Quality Strategy (RAQS) for the San Diego Air Basin was initially adopted in 1991 and is updated on a triennial basis, most recently in 2016 (SDAPCD 2016). As discussed under Section 2.2.2 above, the SDAB is in non-attainment for O_3. The RAQS outlines SDAPCD's plans and control measures designed to attain the state air quality standards for O_3. The RAQS relies on information from the California Air Resources Board (CARB) and SANDAG, including mobile and area source emissions, as well as information regarding projected growth in the County and the cities in the County, to forecast future emissions and then determine from that the strategies necessary for the reduction of emissions through regulatory controls. The CARB mobile source emission projections and SANDAG growth projections are based on population, vehicle trends, and land use plans developed by the County and the cities in the County as part of the development of the General Plans (SANDAG 2017a, 2017b). The project would be consistent with the RAQS considering the project complies with the General Plan and Zoning for the site. For additional information regarding air quality plans, refer to Section 4.2 Air Quality.

Water Quality Plans

San Luis Rey Watershed Water Quality Improvement Plan

On May 8, 2013, the Regional Water Quality Control Board approved a regional municipal separate storm sewer system (MS4) permit that is applicable to local jurisdictions within San Diego, southern Orange, and southwestern Riverside Counties (Order No. R9-2013-0001). The region-wide National Pollutant Discharge Elimination System Permit (Regional MS4 Permit) sets the framework for municipalities, such as the City, to implement a collaborative watershed-based approach to restore and maintain the health of surface waters. The Regional MS4 Permit requires development of Water Quality Improvement Plans (WQIPs) that will allow the City (and other watershed stakeholders) to prioritize and address pollutants through an appropriate suite of best management practices in each watershed.

The City lies within the San Luis Rey Watershed Management Area and is one of the responsible municipalities for the watershed's WQIP. The San Luis Rey Watershed WQIP was accepted by the Regional Water Quality Control Board on February 12, 2016 and finalized in March 2016 (City of Oceanside et al. 2016). The WQIP includes strategies to improve

water quality in receiving waterbodies. The project would comply with these strategies and would be consistent with this plan. For additional information water quality, refer to Section 4.9, Hydrology and Water Quality.

Oceanside Municipal Airport Land Use Compatibility Plan

The County's Regional Airport Authority develops and adopts airport land use compatibility plans (ALUCPs) for each public use and military airport within its jurisdiction. The Oceanside Municipal ALUCP, as amended in December 2010, provides policies to ensure compatibility with the airport and surrounding land uses. These policies span various topics including noise, overflight zones, and safety. The ALUCP is based upon the Federal Aviation Administration approved Airport Layout Plan. The project site is not located within the noise or safety zones designated by this ALUCP, but a small southern portion of the project site is within the Airport Overflight Notification Area. The project would comply with this notification requirement and would be consistent with this plan. For additional information regarding the ALUCP, refer to Section 4.8, Hazards and Hazardous Materials, and Section 4.11, Noise.

INTENTIONALLY LEFT BLANK

3 Project Description

As required by Section 15124 of the California Environmental Quality Act (CEQA) Guidelines, this section describes the Modera Melrose Mixed-Use Development Project (project or proposed project). This chapter includes a statement of the project objectives, a general description of the project's technical, economic, and environmental characteristics, and a summary of the discretionary actions required to approve the project.

3.1 Project Objectives

Section 15124(b) of the CEQA Guidelines requires that an EIR include a statement of the project objectives that "include the underlying purpose of the project and may discuss the project benefits." The following objectives have been identified for the project:

1. Ensure both visual and functional compatibility with other nearby land uses.
2. Provide new, quality residential units on an infill development site that will serve to activate the street frontage along West Bobier Drive and provide improvements along Melrose Drive.
3. Develop on a site that can be served by existing utilities, services, and street access, and within close proximity to public transportation and shopping centers.
4. Provide new market rate and affordable housing on a site that is consistent with the City's General Plan, Housing Element, Zoning Ordinance, Density Bonus Law, and affordable housing objectives to help satisfy the City's Regional Housing Needs Assessment current and future demand for housing.
5. Assist with implementation of the City's Smart and Sustainable Corridors Plan by providing future housing and employment growth into the City's commercial corridors while maintaining the integrity of adjacent residential.
6. Design buildings, spaces, site layout, and uses that enhance and respect the character of the surrounding area in a manner typical to residential developments and planning principles and to enhance connectivity.

3.2 Project Overview and Major Components

The proposed site consists of two vacant parcels (APN 161-030-23 and 24) that collectively cover approximately 7.4 acres, located in the Peacock Neighborhood Area of the City of Oceanside, California (Figure 3-1, Project Location). The proposed project site is located at the southeast corner of Melrose Drive and West Bobier Drive in the east-central portion of the City of Oceanside. The project site is located approximately 1.6 miles south of State Route 76 and approximately 2 miles north of State Route 78. The project site is located along the eastern boundary of the City of Oceanside and is immediately adjacent to the City of Vista. Surrounding properties are zoned by the City of Oceanside as CG-General Commercial to the west, CP-Commercial Professional to the northwest, and PD-Planned Development (residential) to the north. The City of Vista properties that surround the project site to the east and south and are zoned R-1-B-Single Family Residential and SPI-Specific Plan Implementation, respectively. The project site is also near a light rail line to the south, with an open space corridor and community park located to the north. (Figure 3-2, Existing Project Site).

The project site has a General Plan designation of Neighborhood Commercial (NC) with a consistent zoning designation of Neighborhood Commercial (CN).

The project proposes to develop a mixed-use infill project which would include 323 multi-family residential units and ground-level commercial space on the 7.4-acre project site (Figure 3-3, Conceptual Site Plan). The proposed

residential development would include 33 affordable/very low-income rental units and 290 market rate rental units ranging from 666 square feet to 1,429 square feet. Access to the site would be via West Bobier Drive, and the northeastern corner of the project site. In the event of an emergency, adequate emergency access would be provided via the entrance located on West Bobier Drive. The development would also include a total of 526 parking spaces for residents and guests.

The project development would include a total of six buildings. As outlined in Table 3-1, Proposed Building Summary, all proposed buildings would be four stories with the exception of Building 5 which would be five stories. Building 1 would include mixed-uses with 1,745 square feet dedicated to the leasing office, and 2,336 square feet of commercial space on the ground floor. The proposed residential units would include 1, 2, or 3 bedrooms, living areas, and tuck-under single car garage spaces, with tandem parking spaces for select units. A floor plan summary for the proposed development is outlined in Table 3-1.

Table 3-1. Proposed Building Summary

Building Number	Building Type	Number of Units	Percentage of Total Units	Floor Plan Type (Number of Each)	Garage Spaces
1	Mixed-Use 4-story 2,336 square feet—commercial 1,745 square feet—office/amenity	34	11%	1 bed/1 bath (13) 1 bed and den/1 bath (7) 2 bed/2 bath (7) 2 bed and den/2 bath (7)	0
2	Residential 4-story	55	17%	1 bed/1 bath (25) 1 bed and den/1 bath (8) 2 bed/2 bath (15) 2 bed and den/2 bath (7)	0
3	Residential 4-story Courtyard building with below-grade parking	108	33%	1 bed/1 bath (33) 1 bed and den/1 bath (16) 2 bed/2 bath (44) 2 bed and den/2 bath (3) 3 bed/2 bath (11) 3 bed and den/2 bath (1)	145 below grade
4	Residential 4-story with tuck-under single car garages	21	7%	2 bed/2 bath (18) 2 bed and den/2 bath (3)	8
5	Residential 4 and 5-story split grade with tuck-under single car garages	56	17%	1 bed/1 bath (16) 1 bed and den/1 bath (6) 2 bed/2 bath (28) 2 bed and den/2 bath (6)	16
6	Residential 4-story with tuck-under single car garages	49	15%	1 bed/1 bath (21) 1 bed and den/1 bath (6) 2 bed/2 bath (16) 2 bed and den/2 bath (6)	15
				1 bed/1 bath (151) 47% 2 bed/2 bath (160) 49% 3 bed/2 bath (12) 3%	184
	Totals	**323**	**100%**	**(323) 100%**	

The proposed residential and mixed-use building (Building 1) in the development would be set back 10 feet from the front of the project site located on West Bobier Drive, approximately 41 feet from the northern boundary, approximately 85 feet from the eastern boundary, and approximately 32 feet from the corner side located on Melrose Drive.

The approvals required for the project include a Mixed-Use Development Plan, and a request for Density Bonus with waivers for development standards such as parking width, Floor Area Ratio (FAR), setbacks, building and retaining wall height, and usable open space. Approvals and requested Density Bonus waivers for development standards are further outlined below in Section 3.3 Discretionary Actions and Approvals.

3.2.1 Land Uses

The proposed mixed-use project includes residential and commercial uses within a 7.4-acre project site. The project would also support amenities including open space and landscaping. The property is zoned CN, corresponding with the City of Oceanside's General Plan designation of CN. As described above, surrounding areas are zoned Open Space, Commercial, and Residential. As the project proposes 33 very low-income units, the Density Bonus Law requires the City to grant two incentives/concessions and unlimited waivers. The project is requesting waivers to the following development standards for a housing development: increase FAR, increase allowable building height, reduce front setback, reduce usable open space requirements, adjust parking width next to columns, and allow non-plantable retaining walls at an increased height. Project development standards and requested waivers are outlined in Table 3-4. Proposed land uses on the project site are further discussed in detail in Chapter 4.10 Land Use, and Chapter 4.12 Population and Housing, of this EIR.

As described previously, the project site's eastern boundary coincides with the boundary of the City of Vista. Development of the proposed project would not alter any lands within the jurisdiction of the City of Vista, and project development would not require any permits or approvals from the City of Vista.

3.2.1.1 Residential

The State of California's Density Bonus Law (Government Code Section 65915-65918) was established to promote the construction of affordable housing units and allows projects to exceed the maximum designated density and to use development standard waivers, reductions or incentives, and concessions in exchange for providing affordable housing units in compliance with all current density bonus regulations. The City implements these state requirements. Dwelling unit distribution and density bonus calculations for the proposed project are outlined below.

The General Plan designation of Neighborhood Commercial (NC) and a consistent zoning designation of Neighborhood Commercial (CN) allow for a maximum potential density up to 29 units per acre with approval of a Mixed-Use Development Plan. The purpose of the Mixed-Use Development Plan is to establish orderly and thorough planning and review procedures for the development of parcels for mixed-use. Additionally, the plan is intended to provide a mechanism whereby the City can authorize desirable developments consistent with the General Plan without considering speculative rezoning applications.

Under the Density Bonus Law, where a density range is provided, the base number of units permitted is determined by multiplying the gross site acreage (7.4 acres) by the maximum density for the specific zoning range and land use element of the general plan applicable to the project (29 units per acre). Using this methodology, the base number of units allowed at the project site would be 214.6 (rounded up to 215 units as base allowable). The project proposes to provide 15% of the units as affordable/very low-income households. Per State Density Bonus Law, affordable units percentage is calculated excluding units added by a Density Bonus (15% × 215 base allowable units = 32.25), which would be rounded up to 33 very low-income units proposed as part of the project. Under the Density Bonus Law, the provision of 15% very

low-income units allows the applicant to receive a density bonus of 50% allowing additional market-rate units to be constructed (215 base allowable units × 0.5 (density bonus) = 107.5 units), which comes out to 108 density bonus units for the proposed project. Finally, to calculate the total dwelling units, the base allowable units are added to the density bonus units (215 base allowable units + 108 density bonus units = 323 total units allowed).

With this methodology implemented, the project would include a total of 323 apartment units with 215 units determined as the base density threshold. The project will designate 15% of the base unit amount, which equates to 33 units, at the affordable/very low-income level. The remaining 290 units will be designated as market rate. Affordable units will be proportional to the overall project in unit size, be dispersed throughout the project, and have access to all amenities available to market rate units. The proposed dwelling unit distribution exceeds the City of Oceanside Inclusionary Housing Ordinance requirements and complies with the provisions of Density Bonus Law regarding affordable housing. A summary of the proposed unit count based on the density bonus is outlined in Table 3-2 below.

Table 3-2. Proposed Unit Count Methodology

Types of Units	Calculations	Proposed
Total Units	323 units maximum/215 base units permitted under AB-2345	323 units
Affordable Units (Very Low-Income)	15% very low-income units provided to meet Density Bonus provisions (meets City of Oceanside Inclusionary Housing Requirements)	33 units
Market Rate Units	N/A	290 units
Project Density	**323/7.4 acres**	**43.6 units/acre**

3.2.1.2 Open Space

A total of approximately 31,635 square feet of common open space is proposed, which consists of landscaping throughout the project site which would help enforce pedestrian connectivity. Additional common space would include a pool and spa area and barbeque, located at the center of the proposed development (Figure 3-4, Conceptual Open Space Plan). The project would include a total of 19,848 square feet of private open space, comprised of balconies or patios within residences. Overall, a total of 51,483 square feet of usable space would be provided within the project site, which breaks down to 159 square feet per unit. The project would apply a waiver to reduce the required usable open space of 300 square feet to 159 square feet per unit, in order to accommodate the proposed density of the project. A summary of the usable open space areas proposed as part of the project is outlined in Table 3-3 below.

Table 3-3. Usable Open Space

Location of Open Space	Size of Open Space (square feet)
Common Open Space	
Courtyards, landscape areas, and amenity areas (excludes indoor club and fitness area of 5,206 square feet)	31.635 square feet
Private Open Space	
Balconies and patios	19,848 square feet
Total Usable Open Space	**51,483 square feet**
Total per Residence (323)	**159 square feet per unit**

3.2.1.3 Landscaping and Walls

Proposed landscaping is designed to provide a distinct visual character and enhance the project. The preliminary landscaping plan is shown in Figure 3-5, Conceptual Landscape Plan. The landscaping on-site is designed to take advantage of the existing slopes, which are most prominent at the intersection of West Bobier Drive and Melrose Drive, with a plant palette slanted towards drought tolerant planting and plants which would help stabilize the slopes over the long-term. The entrance at the West Bobier Drive would include the addition of trees and vegetation. Additional landscape opportunities are provided throughout the project site, along the boundaries and walkways.

The proposed project would be required to comply with Article 3049, Urban Forestry Program, of the City's Zoning Ordinance. The Urban Forestry Program requires new development over 1 acre in size to provide a minimum tree canopy area of 12%, and a minimum permeable surface area of 22%. As shown in Figure 3-5, Conceptual Landscape Plan, the proposed project would exceed both requirements, providing 2.34 acres of tree canopy coverage (0.89 acres required), and 1.86 acres of permeable surface area (1.62 acres required).

Retaining walls would be located at the north, south, and west boundary of the project site to support the required grading and storm drainage for the project site. The wall along the west boundary would be approximately 15 feet in height, and two retaining walls located at the south boundary would be approximately 12 and 18 feet in height, respectively. The proposed Building 5 would be designed as a split-level pad configuration in order to provide additional retention at the northwest corner of the project site.

A variety of vegetation would be featured along the boundaries of the project site. Drought-tolerant plants would be utilized as aesthetic and functional requirements for the site. Landscaping would also be featured adjacent to public rights-of-ways.

3.2.2 Architectural Design

The project would have a modern architectural style. Building exteriors would feature arcades, canopies, decks, and ground-level arches to create transitional breezeways. Proposed building material finishes would include a stucco finish, metal railings, and vinyl windows (Figure 3-6, Project Rendering). The project entry would be located at the northeast corner of the site, anchored by 2,363 square feet of commercial space and 1,745 square feet of leasing office space at the ground floor, with residential units situated adjacent to the retail space and three floors above it. The project site would feature two additional multi-story residential buildings facing towards West Bobier Drive, with three other residential buildings behind them. A resort pool and spa area, recreation area, including a

Clubroom and Fitness Center, and other amenity areas, would be located at the center of the project site. Pedestrian-friendly pathways would be designed throughout the site to promote connectivity between the proposed development. Additional details and analysis related to architectural design can be found in Chapter 4.1, Aesthetics.

All outdoor lighting would meet Chapter 39 of the City Municipal Code (light pollution ordinance) and would be shielded appropriately. Street lighting featured throughout the site would be appropriately shielded to reduce lighting impacts to the surrounding open space areas and improve dark sky regulation compliance.

3.2.3 Circulation, Access, and Parking

3.2.3.1 Vehicular Circulation and Access

The entrance to the project site is located at the corner of West Bobier Drive and Melrose Drive. The proposed mixed-use and residential buildings would be connected by a private loop road within the project site. West Bobier Drive would provide vehicular access to the project at the northeastern corner of the project site. Access from West Bobier Drive would lead to the private road with frontage for residences and guest parking. Circulation and emergency access drives have been designed in consultation with Oceanside Fire staff to provide 28-foot minimum widths with designated truck turnarounds and key staging areas throughout the project site.

3.2.3.2 Pedestrian Circulation and Access

Pedestrian access is provided by pathways throughout the project site to create connectivity to the proposed buildings. The project would link to the existing sidewalk system within the area to provide pedestrian connections to surrounding properties.

3.2.3.3 Bicycle Circulation and Access

There are currently bicycle trails and lanes located on the north side of West Bobier and along Sports Park Way. The project would maintain access to the to these bike lanes from the project site. A section of the Inland Rail Trail is directly adjacent along the project's southern and western boundaries connecting to bicycle trails and lanes on the north side of West Bobier Drive and along Sports Park Way.

3.2.3.4 Public Transit Access

The project site is provided transit service via the North County Transit District, which operates the Melrose Sprinter Station located approximately 0.25 miles (1,500 feet) west of the project site. The project site is located within a Smart Growth Opportunity Area – Community Center (OC-7) as designated by SANDAG. Smart growth areas are identified to promote higher density development in key areas near public transit. The project site is situated directly east of the Melrose North County Transit District Sprinter Station affording residents, commercial, and office users the opportunity to take advantage of available light rail transit options. Bus stops within a 1-mile radius of the project site include the stops located at Oceanside Boulevard, Melrose Drive, West Bobier Drive, and North Avenue.

3.2.3.5 Parking

The project would provide a total of 526 parking spaces on site for residents and guests. The project would provide 381 surface parking spaces, and 145 below-grade parking spaces. Incorporated into the 381 surface parking spaces, the project would include 39 garage units with 39 associated tandem parking spaces. Of the 145 below-grade parking spaces, 21 will be designated for compact parking.

3.2.4 Public Utilities

Water Facilities

Water service would be provided via the existing water connections to the existing public water system. Water service for the project would be provided by the City via connections to the existing developments adjacent to the project site. Refer to Section 4.17, Utilities and Services Systems, for a detailed description of water service and connection.

Sewer Facilities

Sewer service would be provided via the existing public sewer system in the vicinity of the project. The project site does not currently feature sewer facilities on site. The project would connect to an existing sewer pipeline adjacent to the site, which flows to the La Salina Wastewater Treatment Plan. Refer to Section 4.17, Utilities and Services Systems, for a detailed description of sewer service and connection.

Site Drainage

Storm drain systems and connections would be designed to collect on site runoff and convey it through the project site into existing drainage facilities. Stormwater treatment to meet water quality requirements include would include the installation of inlets, storm drain facilities, biofiltration basins, and an underground stormwater detention tank. Additional stormwater management areas include the landscaped areas to treat runoff. Refer to Section 4.9, Hydrology and Water Quality, for a detailed description of site drainage.

Dry Utilities

The project would connect to existing dry utilities. Electricity and natural gas would be provided by San Diego Gas & Electric (SDG&E). The project would connect to existing electrical lines and natural gas pipeline within existing roadways adjacent to the project site.

3.2.5 Project Design Features

The following features have been incorporated into the project design. These project design features would be conditions of approval and/or required in order to comply with applicable regulations.

3.2.5.1 Sustainability

In addition to the project's infill location, the project would include several sustainability design features to reduce potential energy and water usage, promote pedestrian and bicycle travel, and reduce potential greenhouse gas emissions. The proposed sustainability features include:

1. Electric vehicle parking
2. Photo-voltaic system installed on each building
3. Drought-tolerant landscaping and water efficient irrigation system

3.2.5.2 Way-finding Signage

Signage will include all code-required signage, and additional internal wayfinding and marketing signage as required. Signage would include but is not limited to, unit plaques, wayfinding, emergency exit signage, and branding signage. Throughout the development, buildings would be marked with building numbers or letters for ease of navigation, and the proposed leasing office and commercial space would include signage. The project would also include signage at the project entrance identifying to motorists that the residential complex is private/not a through street, as well as signage within the site to identify parking and visitor parking.

3.2.5.3 Geotechnical Report Recommendations

The Preliminary Geotechnical Investigation (Appendix E) includes project design recommendations pursuant to California Building Code and the City of Oceanside Grading Ordinance. The project would be required to comply with the recommendations of the Geotechnical Report as a condition of approval. These recommendations are specified in Appendix E, Section 7. In summary, the recommendations pertain to earthwork, foundations and slab design, lateral earth pressures and retaining wall design, geochemical considerations, concrete flatwork, preliminary pavement design, infiltration best management practices, control of ground water and surface waters, construction observation, and plan review. Please refer to Chapter 4.6 of this EIR for a detailed analysis on geology and soils.

3.2.6 Construction Phasing and Conceptual Grading

It is anticipated that development of the project would occur over approximately 18 months. Construction is anticipated to begin in the summer of 2023. The anticipated sequence of construction is as follows, with some phases overlapping:

- Site Preparation (2 weeks)
- Rough Grading (4-6 weeks)
- Building Construction and Architectural Coating (40 weeks)
- Paving (4 weeks)
- Architectural Coating

The entire 7.4-acre site would be graded. Approximately 63,700 cubic yards of fill would be required, as the project would include approximately 20,500 cubic yards of cut. Construction is proposed to occur Monday through Saturday, between 7:00 a.m. and 7:00 p.m., to comply with Section 6.25 of the City's Code of Ordinances (City of Oceanside 2019).

3.3 Discretionary Actions and Other Approvals

Consistent with the City's General Plan and Zoning Ordinance, the project requires certain entitlements be submitted, reviewed, and approved by the City. The requested entitlements include a Request for a Mixed-Use Development Plan, which is described in Section 3.2, and a request for a Density Bonus. As the project proposes 33 very low-income units, Density Bonus Law requires the City to grant incentives/concessions and unlimited waivers. By providing 15% very low-income units, the project is entitled to receive up to three incentives/concessions. In order to accommodate the increased density allowed under Density Bonus Law, the project cannot physically comply with all of the development standards that apply to standard projects. Based on

the proposed design to accommodate Density Bonus units, the project seeks a waiver of the following development standards for a housing development pursuant to Density Bonus law:

- Increase FAR
- Increase allowable building height
- Reduce front setback
- Reduce usable open space requirements
- Adjust parking width next to columns
- Allow non-plantable retaining walls at an increased wall height

A summary of the development standards and required waivers are outlined in Table 3-4, to demonstrate compliance with mixed-use development, or where Density Bonus waivers are requested. Development standards for mixed-use development is also described in detail in Chapter 4.10, Land Use, of this EIR.

Table 3-4. Project Development Standards and Required Waivers

Development Standard	Regulation Per Mixed-Use Standards	Proposed Modera Melrose Project	Notes
Minimum Area	1 acre (min. for Mixed-Use Plan)	7.4 acres / 322,275 square feet	Complies with Code.
Lot Width	50 feet (minimum)	+50 feet	Complies with Code.
Setback—Front	15 feet (minimum)	10 feet (West Bobier)	Waiver to accommodate front setback at density proposed.
Setback—Side	N/A	Approximately 85 feet	
Setback—Corner Side	10 feet (minimum)	32 feet (North Melrose)	
Setback—Rear	N/A	Approximately 41 feet	
Floor Area Ratio (FAR)	1.2 (max + bonus) – Applicable due to quantity of underground parking	1.29 Based on 415,704 SF of Gross Floor Area	Waiver to accommodate development at density proposed.
Density	29.0 dwelling units/acre - Base	43.6 dwelling units/acre with Density Bonus	City Approval of the request for Density Bonus to accommodate development at density proposed. The project's proposed density would be allowed under the Mixed-Use Development discretionary approval.
Building Height	50 feet. (maximum) Up to 60 feet for architectural elements as allowed per OZC Section 3018	Buildings 1-4, and 6: Building height: 46' – 48' Arch. Elements: up to 54' Building 5 Building height: 56' Arch. Elements: up to 62'	Architectural stair tower elements as allowed under Section 3018 - up to 10 additional feet. Waiver to accommodate development at density proposed building #5.

Table 3-4. Project Development Standards and Required Waivers

Development Standard	Regulation Per Mixed-Use Standards	Proposed Modera Melrose Project	Notes
Parking	170 spaces (minimum) Per Gov. Code Section 65915(p)(2)(A)	526 spaces	Waiver to accommodate parking space width next to columns for development at density proposed.
Landscaping	15% (minimum)	25.5%	Complies with Code.
Open Space (total per unit)	300 square feet/unit (minimum) per mixed-use standards	159 square feet/unit	Waiver to accommodate development at density proposed.
Retaining Wall Height	20 feet per mixed-use standards	Varying retaining wall heights up to 20' (with non-plantable walls)	Waivers to accommodate development at density proposed
Urban Forestry	Tree Canopy minimum – 12% of site area. Permeable surface area minimum on sites one acre or more – 22% of site area	Tree Canopy – 101,748 square feet or approximately 32% of site. Permeable Surface Area - 82,018 square feet or approximately 26% of site	Complies with Code. Complies with Code.
Renewable Energy Facilities	Residential projects with 25 or more units shall install and maintain renewable energy facilities that supply at least 50% of forecasted electricity demand	Photo-voltaic system will be installed on each building to meet 50% of forecasted electricity demand	Complies with Code.
Electric Vehicle Parking	15% of total required parking spaces (170 spaces required)	27 parking spaces	Complies with Code (50% of required EV spaces shall be charger equipped)

The City would use this EIR and associated documentation in its decision to approve or deny the required discretionary permits. Other responsible and/or trustee agencies can use this EIR and supporting documentation in their decision-making process to issue additional approvals.

SOURCE: SANGIS 2019, Open Street Map 2019

DUDEK

0 500 1,000 Feet

FIGURE 3-1

Project Location

Modera Melrose Mixed-Use Development Project EIR

INTENTIONALLY LEFT BLANK

SOURCE: SANGIS 2019, Open Street Map 2019

DUDEK

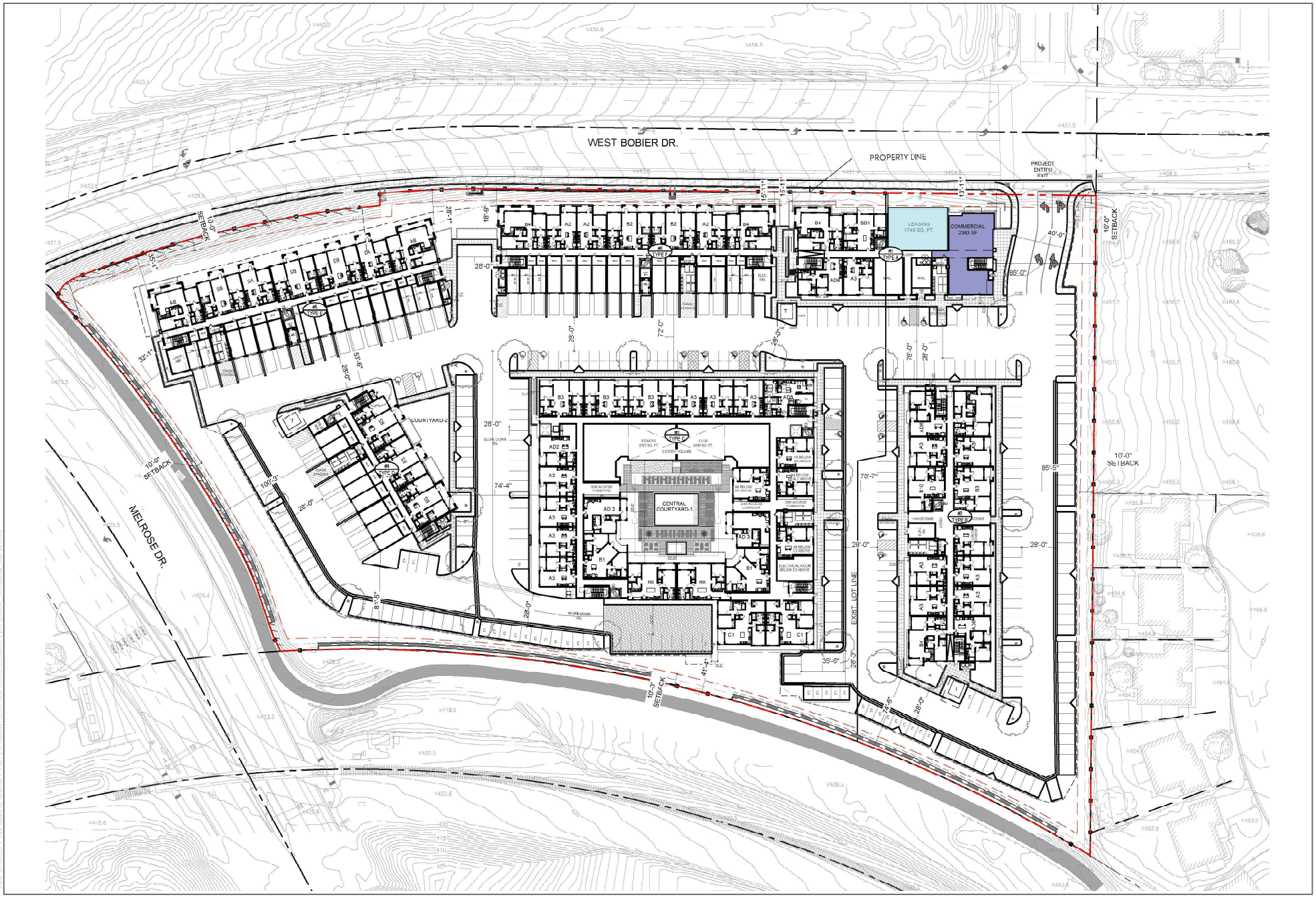
0 85 170 Feet

FIGURE 3-2

Existing Project Site

Modera Melrose Mixed-Use Development Project EIR

INTENTIONALLY LEFT BLANK



SOURCE: AO ARCHITECTS 2022

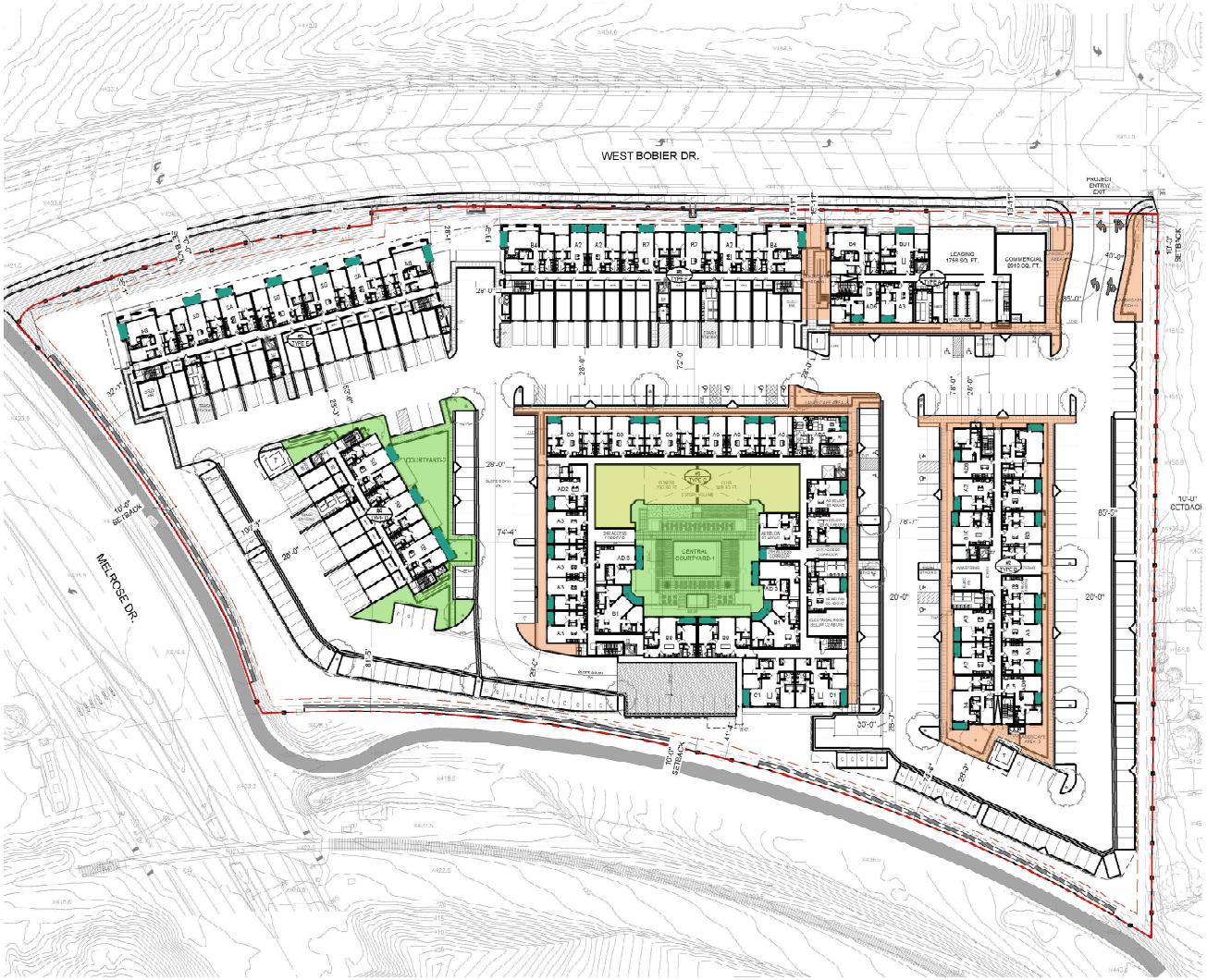
FIGURE 3-3

Conceptual Site Plan

Modera Melrose Mixed-Use Development Project EIR

DUDEK

INTENTIONALLY LEFT BLANK



SITE PLAN LEGEND

- OUTDOOR COMMON OPEN SPACE
- INDOOR COMMON OPEN SPACE
- OPEN SPACE
- PRIVATE OPEN SPACE

USABLE OPEN SPACE REQUIRED

TOTAL UNITS	OPEN SPACE REQUIRED PER UNIT (SQ.FT.)	TOTAL
323	200	2.23 ACRE 64,600 SQ.FT

PRIVATE OPEN SPACE PROVIDED

UNIT TYPE	QTY.	BALCONY SQ.FT. PER UNIT	TOTAL BALCONY SQ.FT. PER UNIT
A1	3	52	156
A2	28	52	1,456
A3	60	57	3,078
A3 ALT	6	57	342
A4	1	57	57
A5	1	57	57
A6	1	57	57
AD2	4	56	224
AD3	8	93	744
AD5	4	58	232
AD6	21	49	1,029
AD6 ALT	3	49	147
AD7	3	57	171
B1	14	126	1,764
B2	35	57	1,995
B3	20	57	1,596
B4	33	62	2,046
B5	3	57	171
B6	4	57	228
B7	3	57	171
B8	8	78	624
B9	12	57	684
B9 ALT	6	57	342
B10	10	57	570
BD1	4	71	284
C1	8	67	536
C2	3	57	171
C3	1	118	118
TOTAL	323		19,848

COMMON OPEN SPACE PROVIDED

OPEN SPACE TYPE	SQ.FT.	% OF EACH TYPE OF OPEN SPACE
CENTRAL COURTYARD -1	7,902	21%
COURTYARD - 2	6,403	17%
INDOOR CLUB/FITNESS	5,206	14%
OUTDOOR LANDSCAPE AREA-1	1,289	3%
OUTDOOR LANDSCAPE AREA-3	6,266	17%
OUTDOOR LANDSCAPE AREA-5	5,708	15%
OUTDOOR LANDSCAPE AREA-8	1,462	4%
OUTDOOR LANDSCAPE AREA-9	2,004	7%
TOTAL	36,841	100%

OPEN SPACE PROVIDED

OPEN SPACE TYPE	SQ.FT.	% OF EACH TYPE OF OPEN SPACE
PRIVATE OPEN SPACE	19,848	35%
COMMON OPEN SPACE	36,841	65%
TOTAL OPEN SPACE PROVIDED	56,689	100%
TOTAL PROVIDED PER UNIT	176	

SOURCE: AO ARCHITECTS 2022

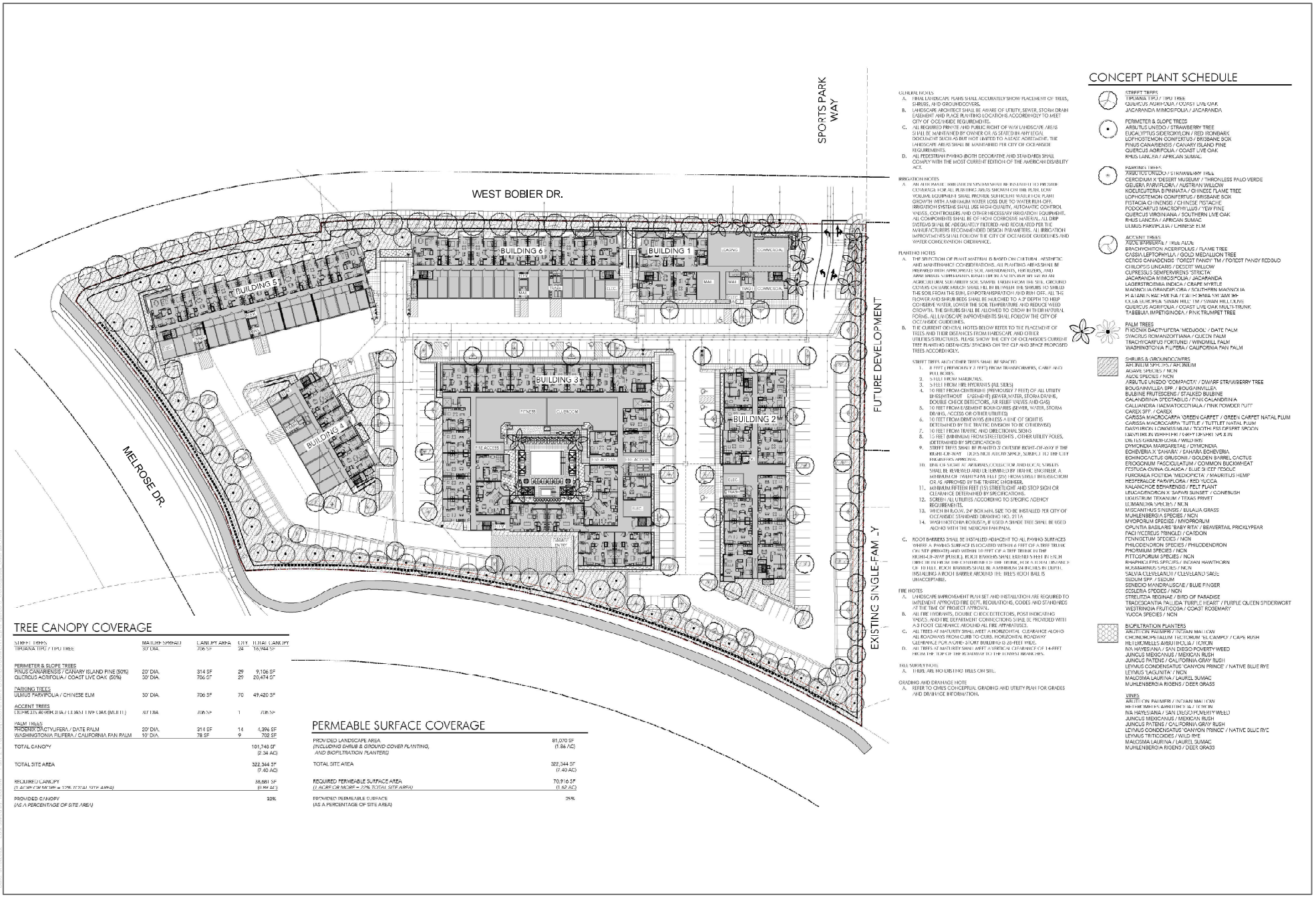
FIGURE 3-4

Conceptual Open Space Plan

Modera Melrose Mixed-Use Development Project EIR

DUDEK

INTENTIONALLY LEFT BLANK



TREE CANOPY COVERAGE

STREET TREES	MATURE SPREAD	CANOPY AREA	QTY.	TOTAL CANOPY
TIPUANA TIPU / TIPU TREE	50' DIA.	706 SF	24	16,944 SF
PERIMETER & SLOPE TREES				
PINUS CANARIENSIS / CANARY ISLAND PINE (50%)	20' DIA.	314 SF	29	9,106 SF
QUERCUS AGRIFOLIA / COAST LIVE OAK (50%)	30' DIA.	706 SF	29	20,474 SF
PARKING TREES				
ULMUS PARVIFOLIA / CHINESE ELM	30' DIA.	706 SF	70	49,420 SF
ACCENT TREES				
CERCIDIUM X 'DESERT MUSEUM' / 'THORNLESS PALO VERDE' (MULTI)	30' DIA.	706 SF	1	706 SF
PALM TREES				
PHOENIX DACTYLIFERA / DATE PALM	20' DIA.	314 SF	14	4,396 SF
WASHINGTONIA FILIFERA / CALIFORNIA FAN PALM	10' DIA.	78 SF	9	702 SF
TOTAL CANOPY				101,748 SF (2.34 AC)
TOTAL SITE AREA				322,344 SF (7.40 AC)
REQUIRED CANOPY (1 ACRE OR MORE = 10% TOTAL SITE AREA)				32,681 SF (0.80 AC)
PROVIDED CANOPY (AS A PERCENTAGE OF SITE AREA)				32%

PERMEABLE SURFACE COVERAGE

PROVIDED LANDSCAPE AREA (INCLUDING SHRUB & GROUND COVER PLANTING, AND BIOFILTRATION PLANTERS)	81,070 SF (1.86 AC)
TOTAL SITE AREA	322,344 SF (7.40 AC)
REQUIRED PERMEABLE SURFACE AREA (1 ACRE OR MORE = 22% TOTAL SITE AREA)	70,916 SF (1.62 AC)
PROVIDED PERMEABLE SURFACE (AS A PERCENTAGE OF SITE AREA)	25%

SOURCE: AO ARCHITECTS 2021

FIGURE 3-5

Conceptual Landscape Plan

Modera Melrose Mixed-Use Development Project EIR

DUDEK

INTENTIONALLY LEFT BLANK

VIEW ON WEST BOBIER DR. LOOKING SOUTH

SOURCE: AO ARCHITECTS 2021

DUDEK

FIGURE 3-6

Project Rendering

Modera Melrose Mixed-Use Development Project EIR

INTENTIONALLY LEFT BLANK

4 Environmental Analysis

4.1 Aesthetics

This section describes the existing visual conditions, identifies associated regulatory requirements, evaluates potential impacts related to aesthetics, and establishes mitigation measures related to implementation of the Modera Melrose Mixed Use Development Project (project).

4.1.1 Existing Conditions

Regional Setting

The project site is located in northern San Diego County, within the City of Oceanside (City). The City is located in the coastal zone of northern San Diego County. The City encompasses approximately 42 square miles and is bounded 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 has approximately 4 miles of shoreline, including a public marina, a 2,000-foot-long pier, and public beaches (City of Oceanside 2022). Most of the city is developed, with eastern Oceanside characterized by single-family houses on curving streets and cul-de-sacs, intermixed with canyon and hillside open spaces. Park, commercial, and institutional (schools and churches) uses occur within and around the residential uses.

Project Setting

The project site is located in the Peacock neighborhood within the east–central portion of the City. The 7.4-acre project site is a vacant, undeveloped parcel, located at the southeast corner of the Melrose Drive and West Bobier Drive intersection (see Figure 3-2, Existing Project Site). The project site is bound by Melrose Drive to the west, West Bobier Drive to the north, and existing residential development to the south and east. Topographically, the project site ranges in elevations from approximately 425 to 450 feet above mean sea level. The project site has been previously graded and is heavily disturbed with dirt paths used informally by residents of the adjacent residential development to the east. The disturbed site is covered by scattered, sparse, vegetation consisting of grasses and shrubs. Due to relatively steep slopes up to the project site's elevated pad, views of the project site are not afforded from the adjacent portions of West Bobier Drive and Melrose Drive. Direct views of the existing project site are available to residents immediately east of the project site, as well as users of the bike/pedestrian trail along the project site's southern boundary.

The area surrounding the project site is largely developed. Surrounding land uses in the vicinity of the project site primarily include residential development, commercial and retail uses, and parks. The project site abuts existing residential development to the east.

As the project site is vacant and undeveloped, it does not contain any sources of artificial lighting under the existing conditions. Lighting in the immediate area consists of streetlights at the intersections of Sports Park Way and West Bobier Drive, and Melrose Drive and Oceanside Boulevard. The Vista Sports Park, existing residential developments to the east, commercial uses to the south, and new homes under construction to the north/northwest, all utilize sources of artificial light. Due to the project's elevated setting from the adjacent roadways, lights from motorists are not afforded.

Scenic Vistas

A scenic vista is typically defined as a panoramic view or vista from an identified view/vista point, public road, public trails, public recreational areas, or scenic highways. Potential scenic views from private properties are not under consideration in this analysis, as it is not required by the City. The City of Oceanside General Plan Environmental Resource Management Element (City of Oceanside 2002a) identifies natural scenic open space as a valuable scenic resource that contributes to the visual landscape and should be preserved. Such resources include the Pacific Ocean, Buena Vista Lagoon, the San Luis Rey River, and Guajome Regional Park. Relative to the project site, the Pacific Ocean is approximately 7 miles west; the Buena Vista Lagoon is approximately 6.5 miles west; the San Luis Rey River is approximately 3 miles north; and Guajome Regional Park is approximately 1.7 miles north of the project site. No designated scenic vistas are located within the project area.

Scenic Routes

According to the California Department of Transportation Scenic Highway Mapping System, the project site is not located adjacent to, or in the vicinity of, a designated state scenic highway (Caltrans 2022). The nearest officially designated state scenic highway, State Route 52 as it travels adjacent to Mission Trails Regional Park (approximately Santo Road in San Diego to Mast Boulevard in Santee) is located approximately 27 miles to the south of the project site. Interstate 5, approximately 6 miles to the west of the project site, and State Route 76, approximately 2 miles to the north of the project site, are the nearest eligible state scenic highways to the project site (Caltrans 2022). Due to distance and intervening terrain, the project site is not visible from Interstate 5, State Highway 76, or any other state scenic highway in San Diego County.

Light and Glare

The project site does not currently support any existing sources of light or glare as it is undeveloped. Existing sources of light and glare in the project area are generated from the surrounding residential uses to the east and south from streetlights, exterior mounted lighting on building façades, landscape lighting, and soft lighting coming through from interior spaces. Additionally, there are streetlights along West Bobier Drive to the north of the project site.

4.1.2 Regulatory Setting

State

California Scenic Highway Program

California's Scenic Highway Program was created by the Legislature in 1963. Its purpose is to preserve and protect scenic highway corridors from change that would diminish the aesthetic value of lands adjacent to highways. A highway may be designated "scenic" depending on how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes on the traveler's enjoyment of the view. When a city or county nominates an eligible scenic highway for official designation, it must identify and define the scenic corridor of the highway. The agency must also adopt ordinances to preserve the scenic quality of the corridor or document such regulations that already exist in various portions of local codes. These ordinances make up the scenic protection program (Caltrans 2022). The state laws governing the Scenic Highway Program are found in the Streets and Highways Code, Section 260 et seq. The California Scenic Highway System includes a list of highways that are officially designated as scenic highways or eligible for designation as scenic highways.

California Public Resources Code Section 20199

California Public Resources Code Section 20199 (d)(1) stipulates that "aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment." The proposed project would qualify as a residential project on an infill site within a transit priority area. This is further addressed in Section 3.1.4 below.

Local

City of Oceanside General Plan

The City of Oceanside General Plan does not include any specific elements related to aesthetics and visual resources. However, the City's General Plan Environmental Resources Management Element addresses visual resources by assessing the suitability of land for home site development based on natural criteria, including slope, drainage, erosion hazard, shrink-swell behavior, and rockiness. In addition, the Environmental Resources Management Element identifies existing open space and scenic areas. An inventory of present open space and scenic areas are outlined in Figure ERM-8 and Table ERM-2 of this element. These include areas such as parks, schools with their adjacent playgrounds and athletic fields, golf courses, cemeteries, churches with extensive grounds, and visual elements such as the Pacific Ocean and Camp Pendleton. For the most part, these areas are in the developed portions of the City. Two notable exceptions are the municipal golf course and Guajome Regional Park (City of Oceanside 2002a). The project site is not identified on General Plan Table ERM-2 as a visual open space. Visual open space resources identified in the Environmental Resources Management Element are outlined below:

- Pacific Ocean
- MCB Camp Pendleton
- San Luis Rey River
- Mission San Luis Rey
- Rosicrucian Fellowship
- Cemetery
- Utility Easement
- Buena Vista Lagoon
- Hosp Grove
- St. Charles Priory (Prince/Peace Abbey)

Additionally, the City's General Plan Land Use Element includes policies related to land use compatibility, neighborhood character, site design, and natural resource management (City of Oceanside 2002b). The Land Use Element addresses the relationship between development, community enhancement, and natural resource management. As shown on General Plan Figure LU-15, the project site is located just outside of the Guajome Regional Park Sphere of Influence; the closest portion is located just north of the project site across W. Bobier Drive (City of Oceanside 2002b). Therefore, the project is not subject to objectives and policies under the Guajome Regional Park Sphere of Influence.

City of Oceanside Municipal Code Zoning Ordinance

Chapter 39 Light Pollution Regulations

Chapter 39 of the City of Oceanside Municipal Code restricts the permitted use of certain light fixtures that emit undesirable light rays into the night sky. This section of the municipal code regulates the usage of lighting intended for general illumination (Class II lighting) and the usage of decorative lighting, including building façade and landscape lighting (Class III lighting). For general illumination of parking lots, roadways, and security, low-pressure sodium lights are permitted as are other lights of 4050 lumens or less (similar lamp types are permitted for Class III [decorative] lighting). For all use types, permitted lighting shall be fully shielded where feasible and partially shielded in all other cases, and shall be focused to minimize light that would affect the night sky. Lastly, as stated in Section 39.8(c), all Class II lighting may remain illuminated all night, and pursuant to Section 39.8(d), all Class III lighting shall be off between 11:00 p.m. and sunrise.

Scenic Park Overlay Zoning District

Article 22 of the City's Zoning Ordinance covers the Scenic Park Overlay District. The purpose of the Scenic Park Overlay District is to:

A. Conserve and protect valuable natural resources of recreational and scenic areas in and adjacent to Guajome regional Park and other public parks.
B. Encourage the retention of natural slopes and waterways and minimize grading and alteration of drainage patterns.
C. Achieve a visually pleasing and compatible relationship between buildings and structures, park areas, walkways and planting areas, and the natural environment.
D. Provide appropriate standards and criteria for reviewing proposals for new construction, exterior additions and alterations, relocation of buildings, and other development subject to the provisions of this Article.

Article 22 also establishes development regulations, including general regulations, grading limitations, view preservation, building height, building height, building materials/finishes, parking/loading, utilities, and signs. Development plans for projects within the Scenic Park District shall be reviewed for compliance with the review criteria and requirements of Article 22 and with all other applicable requirements of the City Code. The project site is located immediately south of the Scenic Park District Overlay District. The closest portion of this District to the project site is immediately north, across West Bobier Drive.

4.1.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to aesthetics are based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines. According to CEQA Guidelines Appendix G, a significant impact related to aesthetics would occur if the Project would:

1. Have a substantial adverse effect on a scenic vista.
2. Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

3. 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 publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
4. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

4.1.4 Impacts Analysis

Would the project have a substantial adverse effect on a scenic vista?

The City's General Plan does not identify any designated scenic vistas within the project vicinity (City of Oceanside 2002a). The project site is not located within the public viewshed of any of the identified visual open space areas listed in Table 4.1-1. Direct views of the project site are limited to adjacent residences to the east, and users of the bike and pedestrian trail along the project site's southern boundary. Due to existing topography and pad height from the adjacent roadways, limited views of the site are available to new residences to the south/southeast and commercial development to the west and south. Additionally, due to existing topography and slopes up to the project site from West Bobier Drive and Melrose Drive, direct views of the project site and past the project site are limited for motorists on Melrose Drive and West Bobier Drive. In proposed conditions, the project would be visible from adjacent parcels and may be visible from some distant public viewpoints due to the proposed height of the buildings. However, due to the relatively flat nature of the project site and surrounding area, the lack of scenic viewpoints or scenic vistas in the immediate area, and the developed nature of the vicinity, development of the project site is expected to blend with the surrounding uses. Therefore, implementation of the proposed project would not result in substantial adverse effects on a scenic vista, and impacts would be **less than significant**.

Would the project substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

As described in Section 4.1.1 above, the project site is not located adjacent to, or in the vicinity of, a designated state scenic highway (Caltrans 2022). Therefore, the project would not substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway, and **no impacts** would occur.

In non-urbanized areas, would the project 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 publicly 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 proposed project site is considered an infill site within an urbanized area under CEQA and is located within a Smart Growth Opportunity Area as designated by the San Diego Association of Governments (SANDAG; SANDAG 2016), such that aesthetic impacts are conclusively not significant under California Public Resources Code Section 20199 (d)(1). As described in Section 4.1.3 above, California Public Resources Code Section 20199 (d)(1) states that "aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment." According to Section 21099(d)(1), an "infill site" is defined as "a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins or is separated only by an improved public

right-of-way from, parcels that are developed with qualified urban uses." The project site is located on a vacant lot, and more than 75% of the project boundary is adjacent to "qualified urban uses" (i.e., residential, and commercial) per California Public Resources Code Section 21072, such that the site is an "infill site."

California Public Resources Code Section 21071 defines an "urbanized area" as "(a) an incorporated city that meets either of the following criteria: (1) has a population of at least 100,000 persons, or (2) has a population of less than 100,000 persons if the population of that city and not more than two contiguous incorporated cities combined equals at least 100,000 persons." As of 2020, the City of Oceanside had an estimated population of 174,068 (U.S. Census Bureau 2022), which is well over the 100,000-person threshold. Thus, the City of Oceanside would be considered an urbanized area per CEQA.

A "transit priority area" is defined as "an area within one-half mile of a major transit stop that is existing or planned." The project site is located approximately 0.25 miles (1,500 feet) from the North County Transit District Melrose Sprinter Station, and therefore would be considered a transit priority area. Additionally, as described in Chapter 3 of this environmental impact report (EIR), the project site is located within a Smart Growth Opportunity Area – Community Center (OC-7) as designated by SANDAG (SANDAG 2016). Smart growth areas are identified to promote higher density development in key areas near public transit. The project site is situated directly east of the Melrose printer Station, affording residents, commercial and office users the opportunity to take advantage of available light-rail transit options. Bus stops within a 1-mile radius of the project site include the stops located at Oceanside Boulevard, Melrose Drive, West Bobier Drive, and North Avenue.

Accordingly, as the proposed project is a residential project on an infill site in an urbanized area located within a transit priority area/Smart Growth Opportunity Area, aesthetic impacts are not anticipated under California Public Resources Code Section 20199 (d)(1).

As described in Chapter 3, Project Description of this EIR, the project site has a General Plan designation of Neighborhood Commercial (NC) with a consistent zoning designation of Neighborhood Commercial (CN). The proposed project would be consistent with the existing General Plan and Zoning designations for the project site. However, to be consistent with the City's General Plan and Zoning Ordinance, the project requires certain entitlements be submitted, reviewed, and approved by the City. The required entitlements include a Mixed-Use Development Plan and a Request for Density Bonus. As the proposed project includes 33 very low-income units, the Density Bonus Law requires the City to grant an incentive/concession and unlimited waivers. In order to accommodate the increased density allowed under Density Bonus Law and maintain the multifamily lot design and character of the underlying zone, the project cannot physically comply with all of the development standards that apply to standard projects. Based on the proposed design to accommodate density bonus units, the project seeks a waiver of development standards for a housing development pursuant to the Density Bonus Law, including, parking width, floor-area ratio, setbacks, building and retaining wall height, and usable open space. A summary of the development standards and required waivers are outlined in Table 3-4 in Chapter 3 of this EIR, to demonstrate compliance with the CN zone, or where density bonus waivers are requested.

The proposed project would provide a high-quality architectural style inspired by traditional modern styles with patios and/or balconies included within each unit. Building exteriors would feature arcades, canopies, decks, and ground-level arches to create transitional breezeways (refer to Figure 3-6, Project Rendering, in Chapter 3 of this EIR). Proposed building material finishes would include stucco finish, metal railing, and vinyl windows. The project design is intended to promote the use of outdoor space and pedestrian usage.

Additionally, the proposed apartment buildings would be set back from existing residential homes to the southeast by approximately 95 feet to provide privacy and visual relief. Furthermore, proposed landscaping is designed to provide a distinct visual character and enhance the project.

Retaining walls would be located at the north, south, and west boundaries of the project site to provide support for the required grading and storm drainage for the project site. The wall along the west boundary would be approximately 15 feet in height, and two retaining walls located at the south boundary would be approximately 12 and 18 feet in height, respectively. The proposed Building 5 would be designed as a split-level pad configuration in order to provide additional retaining at the northwest corner of the project site. A variety of vegetation would be featured along the boundaries of the project site. Drought-tolerant plants would be used as aesthetic and functional requirements for the site. Landscaping would also be featured adjacent to public rights-of-ways. Final site plans and landscape plans would be subject to review and approval by the City.

The City would use this EIR and associated documentation in its decision to approve or deny the required discretionary permits. With City approval of the required discretionary permits, the project would not result in any zoning ordinance or general plan conflicts that would lead to significant scenic quality impacts. For these reasons analyzed above, impacts are determined to be **less than significant**.

Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

The proposed project is in a built-up area where night lighting is a common feature. Existing light sources in the area include streetlights and residential exterior and interior lighting from adjacent neighborhoods to the east and south. The project has the potential to create new light sources in the project area due to the introduction of new housing and commercial uses on a currently vacant site. Lighting for the project would be provided throughout the project site, affixed to building façades, along the pedestrian walkways, and in open space areas. Lighting features would consist of energy-efficient lighting that would be fully shielded and directed downward to minimize light trespass onto surrounding properties.

All outdoor lighting would meet requirements outlined in Chapter 39 of the City Municipal Code (light pollution ordinance) and would be shielded appropriately. Exterior lighting would be turned off during daylight hours. Through compliance with the municipal code, proposed outdoor lighting would not substantially affect day or nighttime views. Additionally, a retaining perimeter wall is proposed that would prevent access from the developed site towards the trail in order to help minimize light intrusion into adjacent residential areas.

The proposed project would use of photovoltaic (solar) panels on top of each proposed building. Exact solar panel features for the project are to be determined prior to building permit issuance. Although the proposed solar panels have the potential for glare during sunlight hours, solar panels are generally designed to absorb light not reflect it and typically generate glare only at acute angles. The design and location of the solar panels would minimize the potential for glare to nearby neighbors and would not result in glare that would be experienced from any roads.

The proposed project would not create any new sources of substantial light or glare that differ from existing surrounding light sources that would affect day or nighttime views. Additionally, compliance with the City's Municipal Code and implementation of project design features, which will be required as a condition of project approval, would ensure impacts related to light and glare would be **less than significant**.

4.1.5 Mitigation Measures

Impacts related to aesthetics as a result of project implementation are determined to be less than significant, and therefore no mitigation measures are required.

4.1.6 Level of Significance After Mitigation

No substantial impacts related to aesthetics were identified; therefore, no mitigation measures are required. Impacts related to aesthetics would be **less than significant**.

4.2 Air Quality

This section describes the existing air quality conditions, identifies associated regulatory requirements, evaluates potential impacts, and establishes mitigation measures related to implementation of the Modera Melrose Mixed-Use Development Project (proposed project or project). The following analysis is based on the Air Quality and Greenhouse Gas Emissions Technical Report prepared by Dudek in May 2022, which is included as Appendix B to this environmental impact report (EIR).

4.2.1 Existing Conditions

Environmental Setting

The project site is located within the San Diego Air Basin (SDAB) and is subject to San Diego County Air Pollution Control District (SDAPCD) guidelines and regulations. The SDAB is 1 of 15 air basins that geographically divide California. The SDAB lies in the southwest corner of California. The SDAB comprises the entire San Diego region and covers approximately 4,260 square miles (Appendix B).

Climate and Topography

The primary factors that determine air quality are the locations of air pollutant sources and the amount of pollutants emitted. Meteorological and topographical conditions, however, are also important. 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 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 San Diego County (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.

The topography in the San Diego region varies greatly, from beaches on the west to mountains and desert on the east; along with local weather, it influences the dispersal and movement of pollutants in the SDAB. The mountains to the east prevent dispersal of pollutants in that direction and help trap them in inversion layers.

The interaction of ocean, land, and the Pacific High-Pressure Zone maintains clear skies for much of the year and influences the direction of prevailing winds (westerly to northwesterly). Local terrain is often the dominant factor inland, and winds in inland mountainous areas tend to blow through the valleys during the day and down the hills and valleys at night.

Site-Specific Meteorological Conditions

The average temperature ranges from mid-40°F to high 90°F. Most of the region's precipitation falls from November to April, with infrequent (approximately 10%) precipitation during the summer. The average seasonal

precipitation along the coast is approximately 10 inches; the amount increases with elevation as moist air is lifted over the mountains (Appendix B).

Air Pollution Climatology

The SDAB is currently classified as a federal nonattainment area for 8-hour ozone (O_3) and a state nonattainment area for coarse particulate matter (particulate matter less than or equal to 10 microns in diameter; PM_{10}), fine particulate matter (particulate matter less than or equal to 2.5 microns in diameter; $PM_{2.5}$), and O_3.

The SDAB lies in the southwest corner of California and comprises the entire San Diego region, covers 4,260 square miles, and is an area of high air pollution potential. The SDAB experiences warm summers, mild winters, infrequent rainfalls, light winds, and moderate humidity. This usually mild climatological pattern is interrupted infrequently by periods of extremely hot weather, winter storms, or Santa Ana winds.

The SDAB experiences frequent temperature inversions. Subsidence inversions occur during the warmer months as descending air associated with the Pacific High-Pressure Zone meets cool marine air. The boundary between the two layers of air creates a temperature inversion that traps pollutants. Another type of inversion, a radiation inversion, develops on winter nights when air near the ground cools by heat radiation and air aloft remains warm. The shallow inversion layer formed between these two air masses also can trap pollutants. As the pollutants become more concentrated in the atmosphere, photochemical reactions occur that produce O_3, commonly known as smog.

Light daytime winds, predominantly from the west, further aggravate the condition by driving air pollutants inland, toward the mountains. 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 SDAB are associated with heavy traffic. Nitrogen dioxide (NO_2) 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 San Diego County. This often produces high O_3 concentrations, as measured at air pollutant monitoring stations within the County. The transport of air pollutants from Los Angeles to San Diego County has also occurred within the stable layer of the elevated subsidence inversion, where high levels of O_3 are transported.

Sensitive Receptors

People who are considered sensitive receptors may experience reduced visibility, eye irritation, and adverse health impacts, which are the most serious hazards of existing air quality conditions in the area. Some land uses are considered more sensitive to changes in air quality than others, depending on the population groups and the activities involved. People most likely to be affected by air pollution, as identified by the California Air Resources Board (CARB), include children, the elderly, and people with cardiovascular and chronic respiratory diseases. Sensitive receptors include residences, schools, playgrounds, childcare centers, long-term healthcare facilities, rehabilitation centers, convalescent centers, retirement homes, health clinics, and hospitals within 2 kilometers of the facility. The closest sensitive receptors to the project site are single-family residences immediately adjacent to the southeast boundary of the site (Appendix B).

Pollutants and Effects

"Criteria air pollutants" are defined as pollutants for which the federal and state governments have established ambient air quality standards, or criteria, for outdoor concentrations to protect public health. The federal and state standards have been set, with an adequate margin of safety, at levels above which concentrations could be harmful to human health and welfare. These standards are designed to protect the most sensitive persons from illness or discomfort. Pollutants of concern include O_3, NO_2, CO, sulfur dioxide (SO_2), PM_{10}, $PM_{2.5}$, and lead. These pollutants, as well as toxic air contaminants (TACs), are discussed in this section. In California, sulfates, vinyl chloride, hydrogen sulfide, and visibility-reducing particles are also regulated as criteria air pollutants.

Ozone. O_3 is a highly oxidative unstable gas capable of damaging the linings of the respiratory tract. This pollutant forms in the atmosphere through reactions between chemicals directly emitted from vehicles, industrial plants, and many other sources. Exposure to ozone above ambient air quality standards can lead to human health effects such as lung inflammation, tissue damage, and impaired lung functioning. Ozone can also damage materials such as rubber, fabrics, and plastics.

Nitrogen Dioxide. NO_2 is a reactive, oxidizing gas capable of damaging cells lining the respiratory tract and is one of the nitrogen oxides emitted from high-temperature combustion, such as those occurring in trucks, cars, power plants, home heaters, and gas stoves. In the presence of other air contaminants, NO_2 is usually visible as a reddish-brown air layer over urban areas. NO_2 along with other traffic-related pollutants is associated with respiratory symptoms, respiratory illness and respiratory impairment. Studies in animals have reported biochemical, structural, and cellular changes in the lung when exposed to NO_2 above the level of the current state air quality standard. Clinical studies of human subjects suggest that NO_2 exposure to levels near the current standard may worsen the effect of allergens in allergic asthmatics, especially in children.

Carbon Monoxide. CO is a colorless, odorless, and tasteless gas and is produced from the partial combustion of carbon-containing compounds, notably in internal-combustion engines. Carbon monoxide usually forms when there is a reduced availability of oxygen present during the combustion process. Exposure to CO near the levels of the ambient air quality standards can lead to fatigue, headaches, confusion, and dizziness. CO interferes with the blood's ability to carry oxygen.

Sulfur Dioxide. SO_2 is a gaseous compound of sulfur and oxygen and is formed when sulfur-containing fuel is burned by mobile sources, such as locomotives, ships, and off-road diesel equipment. SO_2 is also emitted from several industrial processes, such as petroleum refining and metal processing. Effects from SO_2 exposures at levels near the 1-hour standard include bronchoconstriction accompanied by symptoms, which may include wheezing, shortness of breath, and chest tightness, especially during exercise or physical activity. Children, the elderly, and people with asthma, cardiovascular disease, or chronic lung disease (such as bronchitis or emphysema) are most susceptible to these symptoms. Continued exposure at elevated levels of SO_2 results in increased incidence of pulmonary symptoms and disease, decreased pulmonary function, and increased risk of mortality.

Particulate Matter. Particulate matter is a complex mixture of tiny particles that consists of dry solid fragments, solid cores with liquid coatings, and small droplets of liquid. These particles vary in shape, size, and chemical composition, and can be made up of multiple materials such as metal, soot, soil, and dust. PM_{10} particles are 10 microns (µm) or less, and $PM_{2.5}$ particles are 2.5 µm or less. These particles can contribute significantly to regional haze and reduction of visibility in California. Exposure to particulate matter levels exceeding current air quality standards increases the risk of allergies such as asthma and respiratory illness.

Lead. Lead is a potent neurotoxin that accumulates in soft tissues and bone over time. The major sources of lead emissions have historically been motor vehicles (such as cars and trucks) and industrial sources. Because lead is only slowly excreted, exposures to small amounts of lead from a variety of sources can accumulate to harmful levels. Effects from inhalation of lead near the level of the ambient air quality standard include impaired blood formation and nerve conduction. Lead can adversely affect the nervous, reproductive, digestive, immune, and blood-forming systems. Symptoms can include fatigue, anxiety, short-term memory loss, depression, weakness in the extremities, and learning disabilities in children.

Toxic Air Contaminants. A substance is considered toxic if it has the potential to cause adverse health effects in humans, including increasing the risk of cancer upon exposure, or acute and/or chronic non-cancer health effects. A toxic substance released into the air is considered a TAC. Examples include certain aromatic and chlorinated hydrocarbons, certain metals, and asbestos. TACs are generated by a number of sources, including stationary sources such as dry cleaners, gas stations, combustion sources, and laboratories; mobile sources such as automobiles; and area sources such as landfills. Adverse health effects associated with exposure to TACs may include carcinogenic (i.e., cancer-causing) and non-carcinogenic effects. Non-carcinogenic effects typically affect one or more target organ systems and may be experienced either on short-term (acute) or long-term (chronic) exposure to a given TAC.

4.2.2 Regulatory Setting

Federal

The federal air quality standards were developed per the requirements of the federal Clean Air Act, which is a federal law that was passed in 1970 and further amended in 1990. This law provides the basis for the national air pollution control effort. An important element of the act included the development of National Ambient Air Quality Standards (NAAQS) for major air pollutants.

The 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 the elderly. Secondary standards set limits to protect public welfare to include the protection against decreased visibility and damage to animals, crops, vegetation, and buildings.

The NAAQS describe acceptable air quality conditions designed to protect the health and welfare of the citizens of the nation. The NAAQS (other than for O_3, NO_2, SO_2, PM_{10}, $PM_{2.5}$, and those based on annual averages or arithmetic mean) are not to be exceeded more than once per year. NAAQS for O_3, NO_2, SO_2, PM_{10}, and $PM_{2.5}$ are based on statistical calculations over 1- to 3-year periods, depending on the pollutant. The Clean Air Act requires the U.S. Environmental Protection Agency (EPA) to reassess the NAAQS at least every 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.

State

The California Clean Air Act was adopted in 1988 and establishes the state's air quality goals, planning mechanisms, regulatory strategies, and standards of progress.

Under the California Clean Air Act, the task of air quality management and regulation has been legislatively granted to CARB, with subsidiary responsibilities 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, responding to the federal Clean Air Act, and regulating emissions from motor vehicles and consumer products. Pursuant to the authority granted to it, CARB has established California Ambient Air Quality Standards (CAAQS), which are generally more restrictive than the NAAQS.

Standards and Definitions

Table 4.2-1 identifies both the NAAQS and CAAQS. The additional contaminants as regulated by the CAAQS are defined below.

Visibility Reducing Particles: Particles in the air that obstruct visibility.

Sulfates: Salts of sulfuric acid. Sulfates occur as microscopic particles (aerosols) resulting from fossil fuel and biomass combustion. They increase the acidity of the atmosphere and form acid rain.

Hydrogen Sulfide (H2S): A colorless and flammable gas that has a characteristic odor of rotten eggs. Sources of hydrogen sulfide include geothermal power plants, petroleum refineries, sewers, and sewage treatment plants. Exposure to hydrogen sulfide can result in nuisance odors, as well as headaches and breathing difficulties at higher concentrations.

Vinyl Chloride: Also known as chloroethene and is a toxic, carcinogenic, colorless gas with a sweet odor. It is an industrial chemical mainly used to produce its polymer, polyvinyl chloride (PVC).

Table 4.2-1. Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards[a]	National Standards[b]	
		Concentration[c]	Primary[c,d]	Secondary[c,e]
O_3	1 hour	0.09 ppm (180 µg/m³)	—	Same as Primary Standard[f]
	8 hours	0.070 ppm (137 µg/m³)	0.070 ppm (137 µg/m³)[f]	
NO_2[g]	1 hour	0.18 ppm (339 µg/m³)	0.100 ppm (188 µg/m³)	Same as Primary Standard
	Annual Arithmetic Mean	0.030 ppm (57 µg/m³)	0.053 ppm (100 µg/m³)	
CO	1 hour	20 ppm (23 mg/m³)	35 ppm (40 mg/m³)	None
	8 hours	9.0 ppm (10 mg/m³)	9 ppm (10 mg/m³)	
SO_2[h]	1 hour	0.25 ppm (655 µg/m³)	0.075 ppm (196 µg/m³)	—
	3 hours	—	—	0.5 ppm (1,300 µg/m³)
	24 hours	0.04 ppm (105 µg/m³)	0.14 ppm (for certain areas)[g]	—
	Annual	—	0.030 ppm (for certain areas)[g]	—
PM_{10}[i]	24 hours	50 µg/m³	150 µg/m³	

Table 4.2-1. Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards[a]	National Standards[b]	
		Concentration[c]	Primary[c,d]	Secondary[c,e]
	Annual Arithmetic Mean	20 µg/m³	—	Same as Primary Standard
$PM_{2.5}$[i]	24 hours	—	35 µg/m³	Same as Primary Standard
	Annual Arithmetic Mean	12 µg/m³	12.0 µg/m³	15.0 µg/m³
Lead[j,k]	30-day Average	1.5 µg/m³	—	—
	Calendar Quarter	—	1.5 µg/m³ (for certain areas)[k]	Same as Primary Standard
	Rolling 3-Month Average	—	0.15 µg/m³	
Hydrogen sulfide	1 hour	0.03 ppm (42 µg/m³)	—	—
Vinyl chloride[j]	24 hours	0.01 ppm (26 µg/m³)	—	—
Sulfates	24- hours	25 µg/m³	—	—
Visibility reducing particles	8 hour (10:00 a.m. to 6:00 p.m. PST)	Insufficient amount to produce an extinction coefficient of 0.23 per kilometer due to particles when the relative humidity is less than 70%	—	—

Source: CARB 2016.

Notes: ppm = parts per million by volume; µg/m³ = micrograms per cubic meter; mg/m³ = milligrams per cubic meter.

[a] California standards for O_3, CO, SO_2 (1-hour and 24-hour), NO_2, suspended particulate matter—PM_{10}, $PM_{2.5}$, and visibility-reducing particles are values that are not to be exceeded. All others are not to be equaled or exceeded. CAAQS are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

[b] National standards (other than O_3, NO_2, SO_2, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The O_3 standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over 3 years, is equal to or less than the standard. For PM_{10}, 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 1. For $PM_{2.5}$, the 24-hour standard is attained when 98% of the daily concentrations, averaged over 3 years, are equal to or less than the standard.

[c] 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.

[d] National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.

[e] National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

[f] On October 1, 2015, the primary and secondary NAAQS for O_3 were lowered from 0.075 ppm to 0.070 ppm.

[g] 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 parts per billion (ppb). Note that the national 1-hour standard is in units of ppb. California standards are in units of 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.

[h] On June 2, 2010, a new 1-hour SO_2 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 SO_2 national standards (24-hour and annual) remain in effect until 1 year after an area is designated for the 2010 standard, except that in areas designated nonattainment of the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.

[i] On December 14, 2012, the national annual $PM_{2.5}$ primary standard was lowered from 15 μg/m³ to 12.0 μg/m³. The existing national 24-hour $PM_{2.5}$ standards (primary and secondary) were retained at 35 μg/m³, as was the annual secondary standard of 15 μg/m³. The existing 24-hour PM_{10} standards (primary and secondary) of 150 μg/m³ also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.

[j] CARB has identified lead and vinyl chloride as TACs 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.

[k] 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 1 year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.

Toxic Air Contaminants

The state Air Toxics Program was established in 1983 under Assembly Bill (AB) 1807 (Tanner). The California TAC list identifies more than 700 pollutants, of which carcinogenic and noncarcinogenic 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 list includes the (federal) hazardous air pollutants. 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. Diesel exhaust is composed of two phases—gas and particle—both of which contribute to health risks. DPM is typically composed of carbon particles ("soot," also called black carbon, or BC) and numerous organic compounds, including over 40 known cancer-causing organic substances. CARB classified "particulate emissions from diesel-fueled engines" (i.e., DPM; 17 CCR 93000) 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. Approximately 70% of all airborne cancer risk in California is associated with DPM (CARB 2000).

In 2000, CARB approved a comprehensive Diesel Risk Reduction Plan to reduce diesel emissions from both new and existing diesel-fueled vehicles and engines. The regulation is anticipated to result in an 80% decrease in statewide diesel health risk in 2020 compared with the diesel risk in 2000 (CARB 2000). Additional regulations apply to new trucks and diesel fuel, including the On-Road Heavy Duty Diesel Vehicle (In-Use) Regulation, the On-Road Heavy Duty (New) Vehicle Program, the In-Use Off-Road Diesel Vehicle Regulation, and the New Off-Road Compression-Ignition (Diesel) Engines and Equipment program. All of these regulations and programs have timetables by which manufacturers must comply and existing operators must upgrade their diesel-powered equipment. Several Airborne Toxic Control Measures reduce diesel emissions, including In-Use Off-Road Diesel-Fueled Fleets (13 CCR 2449 et seq.) and In-Use On-Road Diesel-Fueled Vehicles (13 CCR 2025).

HRAs are used to estimate health risk impacts to existing sensitive receptors from exposure to TAC emissions from construction of a project. HRAs also predict the potential exposure to future residents of the project from TAC emissions related to motor vehicles. HRA analyses use air dispersion modeling and Hotspots Analysis and Reporting Program Version 2 (HARP2) to evaluate potential health risks associated with a particular project.

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.

Local

San Diego Air Pollution Control District

The State of California has 35 specific air districts, which are each responsible for ensuring that the criteria pollutants are below the NAAQS and CAAQS. Air basins that exceed either the NAAQS or the CAAQS for any criteria pollutants are designated as "nonattainment areas" for that pollutant. Currently, there are 15 nonattainment areas for the federal ozone standard and two nonattainment areas for the $PM_{2.5}$ standard; many areas are in nonattainment for PM_{10} as well. Therefore, California created the California SIP, which is designed to provide control measures needed to attain ambient air quality standards.

SDAPCD is the government agency which regulates sources of air pollution within County and all cities within. Therefore, SDAPCD developed a Regional Air Quality Strategy (RAQS) to provide control measures to try to achieve attainment status for state ozone standards, with control measures focused on volatile organic compounds (VOCs) and oxides of nitrogen (NO_x). Currently, San Diego is in "nonattainment" status for federal and state O_3, and state PM_{10} and $PM_{2.5}$. An attainment plan is available for O_3. The RAQS was adopted in 1992 and has been updated in 2016, which was the latest update incorporating minor changes to the prior 2009 update.

The 2016 update mostly summarizes how the 2009 update has lowered NO_x and VOCs emissions, which reduces ozone and clarifies and enhances emission reductions by introducing for discussion three new VOC and four new NO_x reduction measures. NO_x and VOCs are precursors to the formation of ozone in the atmosphere. The criteria pollutant standards are generally attained when each monitor within the region has had no exceedances during the previous 3 calendar years.

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

In December 2005, SDAPCD prepared a report titled Measures to Reduce Particulate Matter in San Diego County to address implementation of Senate Bill 656 in San Diego County, which required additional controls to reduce ambient concentrations of PM_{10} and $PM_{2.5}$ (SDAPCD 2005). In the report, SDAPCD evaluated the implementation of source-control measures that would reduce particulate matter emissions associated with residential wood combustion; various construction activities including earthmoving, demolition, and grading; bulk material storage and handling; carryout and trackout removal and cleanup methods; inactive disturbed land; disturbed open areas; unpaved parking lots/staging areas; unpaved roads; and windblown dust.

As stated previously, SDAPCD is responsible for planning, implementing, and enforcing the CAAQS and NAAQS in the SDAB. The following rules and regulations apply to all sources in the jurisdiction of SDAPCD:

SDAPCD Rules and Regulations

As stated above, 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.

SDAPCD Regulation IV: Prohibitions; Rule 50: Visible Emissions. Prohibits any activity causing air contaminant emissions darker than 20% opacity for more than an aggregate of 3 minutes in any consecutive 60-minute time period. In addition, Rule 50 prohibits any diesel pile-driving hammer activity causing air contaminant emissions for a period or periods aggregating more than 4 minutes during the driving of a single pile (SDAPCD 1997).

SDAPCD Regulation IV: Prohibitions; Rule 51: Nuisance. Prohibits the discharge, from any source, of such quantities of 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).

SDAPCD Regulation IV: Prohibitions; Rule 55: Fugitive Dust. 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 2009).

SDAPCD Regulation IV: Prohibitions; Rule 67.0.1: Architectural Coatings. 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 2015).

San Diego Association of Governments

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. With respect to air quality planning and other regional issues, SANDAG has prepared San Diego Forward: The Regional Plan (Regional Plan) for the San Diego region (SANDAG 2015). The Regional Plan combines the big-picture vision for how the San Diego region will grow over the next 35 years with an implementation program to help make that vision a reality. The Regional Plan, including its Sustainable Communities Strategy, 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.

With respect to air quality, the Regional Plan sets the policy context in which SANDAG participates and responds to the air district's air quality plans and builds on plan processes that are designed to meet health-based criteria pollutant standards in several ways (SANDAG 2015). 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 influence the emissions inventory from the transportation sectors of the economy. This also minimizes land use conflicts, such as residential development near freeways, industrial areas, or other sources of air pollution.

On February 26, 2021, SANDAG's Board of Directors adopted the final 2021 Regional Transportation Improvement Program (RTIP). The 2021 RTIP covers 5 fiscal years (FY 2021 through FY 2025) and incrementally implements

the SANDAG 2019 Federal Regional Transportation Plan. The 2021 RTIP is designed to implement the region's overall strategy for providing mobility and improving the safety, condition, and efficiency of the transportation system while reducing transportation related air pollution. The 2021 RTIP incrementally implements San Diego Forward: The 2019 Federal Regional Transportation Plan, the long-range transportation plan for the San Diego region approved by the SANDAG Board of Directors on October 25, 2019.

San Diego Air Basin 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 the public welfare.

Pursuant to the 1990 federal Clean Air Act Amendments, the EPA classifies air basins (or portions thereof) as "attainment" or "nonattainment" for each criteria air pollutant, based on whether the 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 "nonattainment" for that 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." The designation of "unclassifiable/attainment" means that the area meets the standard or is expected to be meet the standard despite a lack of monitoring data. Areas that achieve the standards after a nonattainment designation are redesignated 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 "nonattainment," but based on the CAAQS rather than the NAAQS. The criteria pollutants of primary concern that are considered in this analysis are O_3, NO_2, CO, SO_2, PM_{10}, and $PM_{2.5}$. Table 4.2-2 summarizes the SDAB's federal and state attainment designations for each of the criteria pollutants.

Table 4.2-2. San Diego Air Basin Attainment Classification

Pollutant	Designation/Classification	
	Federal Standards	State Standards
Ozone (O_3) – 1 hour [a]	Attainment[a]	**Nonattainment**
O_3 (8-hour – 2008)	**Nonattainment**	**Nonattainment**
Nitrogen Dioxide (NO_2)	Attainment	Attainment
Carbon Monoxide (CO)	Attainment	Attainment
Sulfur Dioxide (SO_2)	Attainment	Attainment
Coarse Particulate Matter (PM_{10})	Unclassifiable	**Nonattainment**
Fine Particulate Matter ($PM_{2.5}$)	Attainment	**Nonattainment**
Lead (Pb)	Attainment	Attainment
Hydrogen Sulfide	No federal standard	Unclassified
Sulfates	No federal standard	Attainment
Visibility-Reducing Particles	No federal standard	Unclassified

Sources: Appendix B.
Notes: Attainment = meets the standards; Attainment/Maintenance = achieve the standards after a nonattainment designation; Nonattainment = does not meet the standards; Unclassified or Unclassifiable = insufficient data to classify; Unclassifiable/ Attainment = meets the standard or is expected to be meet the standard despite a lack of monitoring data.
[a] The federal 1-hour standard of 0.12 ppm 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 SIPs.

SDAPCD Rule 20.2 – Air Quality Impact Assessment Screening Thresholds

SDAPCD has established thresholds in Rule 20.2 for new or modified stationary sources. 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 California Environmental Quality Act (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. Also, since SDAPCD does not have air quality impact threshold for VOCs, it is acceptable to use the Coachella Valley VOC threshold from the South Coast Air Quality Management District (SCAQMD). Should emissions be found to exceed these thresholds, additional modeling is required to demonstrate that the project's total air quality impacts are below the state and federal ambient air quality standards. These screening thresholds for construction and daily operations are shown in Table 4.2-3.

Non-criteria pollutants such as hazardous air pollutants or TACs are also regulated by SDAPCD. Rule 1200 (Toxic Air Contaminants – New Source Review), adopted on June 12, 1996, requires evaluation of potential health risks for any new, relocated, or modified emission unit that may increase emissions to one of more TACs. The rule requires that projects that include components that might increase cancer risk to between 1 and 10 in a million need to implement toxics best available control technology (T-BACT) or import the most effective emission limitation, emission control device, or control technique to reduce the cancer risk. At no time shall the project increase the incremental cancer risk to over 10 in 1 million or a health hazard index (chronic and acute) greater than 1. Projects creating cancer risks less than 1 in 1 million are not required to implement T-BACT technology.

The EPA uses the term VOC, and CARB's Emission Inventory Branch uses the term reactive organic gas (ROG) to define essentially the same thing. There are minor deviations between compounds that define each term; however, for purposes of this study it is assumed they are essentially the same due to the fact that SCAQMD interchanges these words and because air quality models directly calculate ROG in place of VOC.

Table 4.2-3. Screening Level Thresholds for Criteria Pollutants

Pollutant	Total Emissions (Pounds per Day)
Construction Emissions	
Respirable Particulate Matter (PM_{10} and $PM_{2.5}$)	100 and 55
Nitrogen Oxide (NO_x)	250
Sulfur Oxide (SO_x)	250
Carbon Monoxide (CO)	550
Volatile Organic Compounds (VOCs)	75
Reactive Organic Gases (ROG) SCAQMD	75
Operational Emissions	
Respirable Particulate Matter (PM_{10} and $PM_{2.5}$)	100 and 55
Nitrogen Oxide (NO_x)	250
Sulfur Oxide (SO_x)	250
Carbon Monoxide (CO)	550
Lead and Lead Compounds	3.2
Volatile Organic Compounds (VOCs)	75
Reactive Organic Gases (ROG) SCAQMD	75

Source: Appendix B.

Air Quality Monitoring Data

SDAPCD operates a network of ambient air monitoring stations throughout San Diego County, which measure ambient concentrations of pollutants and determine whether the ambient air quality meets the CAAQS and the NAAQS. CARB, air districts, and other agencies monitor ambient air quality at approximately 250 air quality monitoring stations across the state. SDAPCD monitors local ambient air quality.

The Camp Pendleton monitoring station represents the closest monitoring station to the project site for concentrations for O_3, $PM_{2.5}$, and NO_2. The Escondido monitoring station is the closest monitoring station for CO. The closest monitoring station for SO_2 is the El Cajon monitoring station. The San Diego–Kearny Villa Road monitoring station is the closest station monitoring for PM_{10}. Ambient concentrations of pollutants from 2018 through 2020 are presented in Table 4.2-4.

Table 4.2-4. Local Ambient Air Quality Data

Monitoring Station	Unit	Averaging Time	Agency/ Method	Ambient Air Quality Standard	Measured Concentration by Year			Exceedances by Year		
					2018	2019	2020	2018	2019	2020
Ozone (O3)										
Camp Pendleton	ppm	Maximum 1-hour concentration	State	0.09	0.084	0.075	0.094	0	0	0
	ppm	Maximum 8-hour concentration	State	0.070	0.069	0.064	0.074	0	0	3
			Federal	0.070	0.068	0.063	0.062	0	0	0
Nitrogen Dioxide (NO_2)										
Camp Pendleton	ppm	Maximum 1-hour concentration	State	0.18	0.048	0.053	0.058	*0*	*0*	*0*
			Federal	0.100	0.048	0053	0.058	*0*	*0*	*0*
	ppm	Annual concentration	State	0.030	0.006	0.006	0.006	0	0	0
			Federal	0.053	0.006	0.005	0.006	0	0	0
Carbon Monoxide (CO)										
Escondido-Rancho Carmel Drive	ppm	Maximum 1-hour concentration	State	20	1.9	4.1	3.3	0	0	0
			Federal	35	1.9	4.1	3.3	0	0	0
	ppm	Maximum 8-hour concentration	State	9.0	1.4	2.5	1.7	0	0	0
			Federal	9	1.4	2.5	1.7	0	0	0
Sulfur Dioxide (SO_2)										
El Cajon	ppm	Maximum 1-hour concentration	Federal	0.075	0.004	—	—	0	0	0
	ppm	Maximum 24-hour concentration	State	0.04	0.0004	—	—	0	0	0
			Federal	0.140	0.0004	—	—	0	0	0
	ppm	Annual concentration	Federal	0.030	0.0001	—	—	—	—	—

Table 4.2-4. Local Ambient Air Quality Data

Monitoring Station	Unit	Averaging Time	Agency/ Method	Ambient Air Quality Standard	Measured Concentration by Year			Exceedances by Year		
					2018	2019	2020	2018	2019	2020
Coarse Particulate Matter (PM_{10})[a]										
San Diego–Kearny Villa Road	µg/m³	Maximum 24-hour concentration	State	50	38	—	—	0 (0)	—	—
			Federal	150	38	—	—	0 (0)	—	—
	µg/m³	Annual concentration	State	20	18.4	—	—	—	—	—
Fine Particulate Matter ($PM_{2.5}$)[a]										
Camp Pendleton	µg/m³	Maximum 24-hour concentration	Federal	35	30.5	13.8	61.1	0 (0)	0 (0)	0 (0)
	µg/m³	Annual concentration	State	12	—	—	—	—	—	—
			Federal	12.0	—	—	9.5	—	—	—

Source: Appendix B.

Notes: ppm = parts per million; — = not available or applicable; µg/m³ = micrograms per cubic meter; ND = insufficient data available to determine the value.
Data taken from CARB iADAM (http://www.arb.ca.gov/adam) and EPA AirData (http://www.epa.gov/airdata/) represent the highest concentrations experienced over a given year.
Exceedances of federal and state standards are only shown for O_3 and particulate matter. Daily exceedances for particulate matter are estimated days because PM_{10} and $PM_{2.5}$ are not monitored daily. All other criteria pollutants did not exceed federal or state standards during the years shown. There is no federal standard for 1-hour O_3, annual PM_{10}, or 24-hour SO_2, nor is there a state 24-hour standard for $PM_{2.5}$.
The Camp Pendleton monitoring station is located at 21441-W B Street, Oceanside, California.
The Escondido monitoring station is located at 600 East Valley Pkwy, Escondido, California.
The El Cajon monitoring station is located at 10537 Floyd Smith Drive, El Cajon, California.
The San Diego–Kearny Villa monitoring station is located at 6123A Kearny Villa Road, San Diego, California.
The San Diego – Rancho Carmel Drive monitoring station is located at 11403 Rancho Carmel Drive, San Diego, California.

[a] Measurements of PM_{10} and $PM_{2.5}$ are usually collected every 6 days and every 1 to 3 days, respectively. Number of days exceeding the standards is a mathematical estimate of the number of days concentrations would have been greater than the level of the standard had each day been monitored. The numbers in parentheses are the measured number of samples that exceeded the standard.

Oceanside General Plan

The City of Oceanside General Plan Circulation Element (City of Oceanside 2012) and Land Use Element (City of Oceanside 2012) include various policies related to improving air quality (both directly and indirectly). Applicable policies include the following.

Circulation Element

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.

Pedestrian Facilities

Goal 5: Support walking as a primary means of transportation that in turn supports transit and bike options. A positive walking environment is essential for supporting smart growth, mixed land uses, transit-oriented development, traffic calming and reducing traffic congestion and greenhouse gas (GHG) emissions.

Intelligent Transportation System Technologies

Policy 4.1: The City shall encourage the reduction of vehicle miles traveled, reduction of the total number of daily and peak hour vehicle trips, and provide better utilization of the circulation system through development and implementation of TDM [transportation demand management] strategies. These may include, but not limited to, implementation of peak hour trip reduction, encourage staggered work hours, telework programs, increased development of employment centers where transit usage is highly viable, encouragement of ridesharing options in the public and private sector, provision for park-and-ride facilities adjacent to the regional transportation system, and provision for transit subsidies.

Transportation Demand Management

Policy 4.9: The City shall look for opportunities to incorporate TDM [transportation demand management] programs into their Energy Roadmap that contributes to state and regional goals for saving energy and reducing greenhouse gas emissions.

Land Use Element

Bicycle Facilities

Policy A: Development shall provide Class II Bikeways (Bike Lanes) on all secondary, major, and prime arterials.

Policy D: The use of land shall integrate the Bicycle Circulation System with auto, pedestrian, and transit systems:

1. Development shall provide short-term bicycle parking and long-term bicycle storage facilities such as bicycle racks, pedestal posts, and rental bicycle lockers.
2. Development shall provide safe and convenient bicycle access to high activity land uses, such as schools, parks, shopping, employment, and entertainment centers.

Pedestrian

Policy A: The construction of five (5) foot wide sidewalks adjacent to the curb shall be required in all new developments and street improvements.

Energy

Policy A: The City shall encourage the design, installation, and use of passive and active solar collection systems.

Policy B: The City shall encourage the use of energy efficient design, structures, materials, and equipment in all land developments or uses.

Oceanside Climate Action Plan and Energy and Climate Action Element

The City adopted its Climate Action Plan (CAP) on May 8, 2019 (City of Oceanside 2019). The CAP acts as a roadmap to address challenges of climate change within the City and outlines measures the City will take to make progress towards meeting the state's GHG reduction goals. The CAP includes a baseline GHG emissions inventory for 2013; GHG emissions forecasts for 2020, 2030, 2035, 2040, and 2050; local GHG emissions reduction strategies and measures to help the City achieve the statewide targets; and implementation and monitoring mechanisms to ensure the City's measures and targets are achieved. The CAP established local GHG emissions reduction targets for future years as follows:

- by 2020, reduce GHG emissions levels to 5 metric tons carbon dioxide equivalent (MT CO_2e) per capita
- by 2030, reduce GHG emissions levels to 4 MT CO_2e per capita
- by 2040, reduce GHG emissions levels to 3 MT CO_2e per capita
- by 2050, reduce GHG emissions levels to 2 MT CO_2e per capita

In accordance with CEQA Guidelines Section 15183.5, the CAP Checklist provides for streamlined review of projects subject to environmental review, offering an alternative to project-specific analysis of GHG emissions impacts.

4.2.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to air quality are based on CEQA Guidelines Appendix G. According to Appendix G, a significant impact related to air quality would occur if the proposed project would:

1. Conflict with or obstruct implementation of the applicable air quality plan.
2. 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.
3. Expose sensitive receptors to substantial pollutant concentrations.
4. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

CEQA Guidelines Appendix G (14 CCR 15000 et seq.) 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, SDAPCD and the County of San Diego have established thresholds in Rule 20.2 requiring the preparation of air quality impact assessments for permitted stationary sources (SDAPCD 2016). SDAPCD sets forth quantitative emission thresholds below which a stationary source would not have a significant impact on ambient air quality. Although these trigger levels do not generally apply to mobile sources or general land development projects, for comparative purposes, these levels may be used to evaluate the increased emissions that would be discharged to the SDAB from proposed land development projects (County of San Diego 2007). Proposed-project-related air quality impacts estimated in this environmental analysis would be considered significant if any of the applicable significance thresholds presented in Table 4.2-5, SDAPCD Air Quality Significance Thresholds, are exceeded.

Table 4.2-5. SDAPCD Air Quality Significance Thresholds

Construction Emissions			
Pollutant	**Total Emissions (Pounds per Day)**		
Respirable Particulate Matter (PM10)	100		
Fine Particulate Matter (PM2.5)	55		
Oxides of Nitrogen (NOx)	250		
Oxides of Sulfur (SOx)	250		
Carbon Monoxide (CO)	550		
Volatile Organic Compounds (VOC)	75*		
Operational Emissions			
	Total Emissions		
Pollutant	**Pounds per Hour**	**Pounds per Day**	**Tons per Year**
Respirable Particulate Matter (PM10)	—	100	15
Fine Particulate Matter (PM2.5)	—	55	10
Oxides of Nitrogen (NOx)	25	250	40
Sulfur Oxides (SOx)	25	250	40
Carbon Monoxide (CO)	100	550	100
Lead and Lead Compounds	—	3.2	0.6
Volatile Organic Compounds (VOC)	—	75*	13.7

Sources: SDAPCD 2016.

* VOC threshold based on the threshold of significance for VOCs from the SCAQMD for the Coachella Valley as stated in the San Diego County Guidelines for Determining Significance.

The thresholds listed in Table 4.2-5 represent screening-level thresholds that can be used to evaluate whether proposed-project-related emissions could cause a significant impact on air quality. Emissions below the screening-level thresholds would not cause a significant impact. The emissions-based thresholds for O_3 precursors are intended to serve as a surrogate for an "O_3 significance threshold" (i.e., the potential for adverse O_3 impacts to occur). This approach is used because O_3 is not emitted directly on O_3 levels in ambient air cannot be determined through air quality models or other quantitative methods. For nonattainment pollutants, if emissions exceed the thresholds shown in Table 4.2-5, the proposed project could have the potential to result in a cumulatively considerable net increase in these pollutants and thus could have a significant impact on the ambient air quality.

With respect to odors, SDAPCD Rule 51 (Public Nuisance) prohibits emission of any material that causes nuisance to a considerable number of persons or endangers the comfort, health, or safety of any person. A project that

includes a use that would produce objectionable odors would be deemed to have a significant odor impact if it would affect a considerable number of off-site receptors.

4.2.4 Impacts Analysis

Would the project conflict with or obstruct implementation of the applicable air quality plan?

SDAPCD and SANDAG are responsible for developing and implementing the clean air plans for attainment and maintenance of the ambient air quality standards in the SDAB—specifically, the SIP and RAQS.[1] The federal O_3 maintenance plan, which is part of the SIP, was adopted in 2016. The SIP includes a demonstration that current strategies and tactics will maintain acceptable air quality in the SDAB based on the NAAQS. The RAQS was initially adopted in 1991 and is updated every 3 years (most recently in 2016). The RAQS outlines SDAPCD's plans and control measures designed to attain the state air quality standards for O_3. The SIP and RAQS rely on information from CARB and SANDAG, including mobile and area source emissions as well as information regarding projected growth in the County as a whole and the cities in the County, to project future emissions and determine the strategies necessary for the reduction of emissions through regulatory controls. CARB mobile source emission projections and SANDAG growth projections are based on population, vehicle trends, and land use plans developed by the County and the cities in the County as part of the development of their General Plans.

If a project involves development that is greater than that anticipated in the local plan and SANDAG's growth projections, the project might be in conflict with the SIP and RAQS, and may contribute to a potentially significant cumulative impact on air quality.

Implementation of the project would result in an increase in housing of 323 multifamily residential units. The City of Oceanside General Plan identifies the site as Neighborhood Commercial (NC) and the project site is zoned Commercial Neighborhood (CN) (City of Oceanside 2002). The existing land use designation and zoning allows for mixed-use development, including various residential uses. The proposed project is consistent with the underlying land use and zoning for the project site but would require a waiver under the state Density Bonus Law.

Under the Density Bonus Law, the provision of 15% very low-income units allows the applicant to receive a density bonus of 50%, allowing additional market-rate units to be constructed. Of the proposed 323 single-family homes, 33 of the units would be affordable/very low-income units, and the remaining 290 units would be considered market-rate units, which complies with the Density Bonus Law provisions regarding affordable housing. Therefore, the proposed mix of residential units totaling 323 units is consistent with the underlying uses anticipated for the project site and consistent with the provisions allowed under State Density Bonus Law.

Furthermore, the most recent Regional Housing Needs Assessment from SANDAG stated that Oceanside needs to build 5,443 units from 2021 through 2029 (SANDAG 2020). The City has a projected deficit of 1,268 very-low units, 718 low-income units, 883 moderate units, and 2,574 above-moderate income units (SANDAG 2020). The proposed project is expected to bring 323 units to market in 2023, including 33 very low-income units and 290 above moderate-income units, which would be within SANDAG's growth

[1] For the purpose of this discussion, the relevant federal air quality plan is the ozone maintenance plan (SDAPCD 2012). The RAQS is the applicable plan for purposes of state air quality planning. Both plans reflect growth projections in the basin.

projection for housing during the 6th Cycle planning horizon (i.e., April 2021 – April 2029). Therefore, the proposed project would not conflict with SANDAG's regional growth forecast for the City (Appendix B).

Based on this, the project would be consistent with the growth assumptions in the City's General Plan and would not conflict with the RAQS or SIP. As the project is consistent with the zoning designation, and is anticipated in the City's General Plan and SANDAG's growth projections, implementation of the project would not conflict with the SIP and RAQS. Therefore, the project would not conflict with or obstruct implementation of an applicable air quality plan, and impacts would be **less than significant.**

Would the project 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?

Construction Emissions

Emissions from the construction phase of project components were estimated using the California Emissions Estimator Model (CalEEMod) Version 2020.4.0.[2] Per preliminary project details, it is assumed that construction of the project would begin in spring 2023 and would last approximately 18 months.

Table 4.2-6 provides the construction timeline, potential phasing, construction equipment mix, and vehicle trips assumed for estimating project-generated construction emissions. The construction schedule has been developed based on available information provided by the project applicant, typical construction practices, and CalEEMod default assumptions. Construction phasing is intended to represent a schedule of anticipated activities for use in estimating potential project-generated construction emissions.

Table 4.2-6. Construction Scenario Assumptions

Construction Phase (Duration)	Vehicle Trips			Equipment		
	Average Daily Worker Trips	Average Daily Vendor Truck Trips	Total Haul Truck Trips	Equipment Type	Quantity	Usage Hours
Site Preparation	18	2	0	Rubber-tired dozers	3	8
				Tractors/loaders/backhoes	4	8
Grading	15	2	5,400	Excavators	1	8
				Graders	1	8
				Rubber-tired dozers	1	8
				Tractors/loaders/backhoes	3	8
Building Construction	351	81	0	Cranes	1	7
				Forklifts	3	8
				Generator sets	1	8
				Tractors/loaders/backhoes	3	7
				Welders	1	8

[2] CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform to calculate construction and operational emissions from land use development projects. The model was developed for the California Air Pollution Control Officers Association in collaboration with multiple air districts across the state. Numerous lead agencies in the state, including SDAPCD, use CalEEMod to estimate greenhouse gas emissions in accordance with CEQA Guidelines Section 15064.4(a)(1).

Table 4.2-6. Construction Scenario Assumptions

Construction Phase (Duration)	Vehicle Trips			Equipment		
	Average Daily Worker Trips	Average Daily Vendor Truck Trips	Total Haul Truck Trips	Equipment Type	Quantity	Usage Hours
Paving	15	2	0	Pavers	2	8
				Paving equipment	2	8
				Rollers	2	8
Architectural Coating	70	2	0	Air compressors	1	6

Note: See Appendix B for additional details.

Construction of the project would result in the temporary addition of pollutants to the local SDAB caused by on-site sources (i.e., off-road construction equipment, soil disturbance, and VOC off-gassing) and off-site sources (i.e., on-road haul trucks, vendor trucks, and worker vehicle trips). The project's construction emissions were estimated using CalEEMod and compared to the SDAPCD Thresholds of Significance. Construction of the proposed project is expected to start in 2023 and is expected to take 18 months. Based on project specific information, 43,200 cubic yards of material import is expected from the construction of the project during the grading phase and was modeled as such. The construction emissions are shown in Table 4.2-7. As show in in Table 4.2-7, the project would exceed SDAPCD's significance thresholds.

Table 4.2-7. Estimated Maximum Daily Construction Criteria Air Pollutant Emissions Prior to Mitigation

Construction Phase	VOC	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
	Pounds per Day					
Site Preparation	2.72	27.65	18.71	0.04	21.09	11.31
Grading	2.37	54.80	24.95	0.19	13.32	5.80
Building Construction	2.71	18.67	25.92	0.07	4.17	1.62
Paving	1.38	9.64	14.99	0.02	0.61	0.47
Architectural Coatings	106.03	1.43	3.41	0.01	0.65	0.22
Maximum	***106.03***	***54.80***	***25.92***	***0.19***	***21.09***	***11.31***
SDAPCD Threshold	*75*	*250*	*550*	*250*	*100*	*55*
Threshold exceeded?	Yes	No	No	No	No	No

Source: Appendix B.
Notes: VOC = volatile organic compound; NO_x = oxides of nitrogen; CO = carbon monoxide; SO_x = sulfur oxides; PM_{10} = coarse particulate matter; $PM_{2.5}$ = fine particulate matter; SDAPCD = San Diego Air Pollution Control District.
The values shown are the maximum summer or winter daily emissions results from CalEEMod.

As shown in Table 4.2-7, daily construction emissions for the project would exceed SDAPCD's significance thresholds for VOCs during the application of architectural coatings. Therefore, the proposed project would have a potentially significant impact related to emissions of criteria air pollutant emissions during construction and would require mitigation (**Impact AQ-1**).

However, as shown in Table 4.2-8, implementation of mitigation measure (**MM)-AQ-1**, which would ensure that low-VOC coatings are used during construction, would reduce VOCs to below the SDPACD threshold. Additionally,

implementation of mitigation measure **MM-AQ-2**, which requires use of Tier 4 equipment during construction, would reduce diesel exhaust emissions. Therefore, construction pollutant emissions impacts would be **less than significant with mitigation.**

Table 4.2-8. Estimated Maximum Daily Construction Criteria Air Pollutant Emissions After Mitigation

Construction Phase	VOC	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
	Pounds per Day					
Site Preparation	1.57	19.60	21.29	0.04	20.34	10.63
Grading	1.45	49.63	28.48	0.19	12.75	5.28
Building Construction	1.88	14.96	27.73	0.07	3.56	1.05
Paving	0.73	10.15	17.66	0.02	0.18	0.08
Architectural Coatings	64.62	1.27	3.43	0.01	0.60	0.16
Maximum	***64.62***	***49.63***	***28.48***	***0.19***	***20.34***	***10.63***
SDAPCD Threshold	*75*	*250*	*550*	*250*	*100*	*55*
Threshold exceeded?	No	No	No	No	No	No

Source: Appendix B.
Notes: VOC = volatile organic compound; NO_x = oxides of nitrogen; CO = carbon monoxide; SO_x = sulfur oxides; PM_{10} = coarse particulate matter; $PM_{2.5}$ = fine particulate matter; SDAPCD = San Diego Air Pollution Control District.
The values shown are the maximum summer or winter daily emissions results from CalEEMod.

Operational Emissions

The project would generate criteria pollutant emissions during operation from area, energy, and mobile sources. Pollutant emissions associated with long-term operations were quantified using CalEEMod and compared to SDAPCD's significance thresholds for operation. Project full buildout operations are expected in 2024 and were modeled as such. Additionally, the model was run for the summer and winter scenarios to determine maximum daily operational impacts for operation.

Table 4.2-9 presents the unmitigated maximum daily emissions associated with the operation of the project in 2024 after all phases of construction have been completed. Emissions represent maximum of summer and winter. "Summer" emissions are representative of the conditions that may occur during the O_3 season (May 1 to October 31), and "winter" emissions are representative of the conditions that may occur during the balance of the year (November 1 to April 30).

Table 4.2-9. Estimated Maximum Daily Operational Criteria Air Pollutant Emissions

Source	VOC	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
	Pounds per Day					
Area	9.13	5.13	28.72	0.03	0.54	0.54
Energy	0.07	0.62	0.28	0.00	0.05	0.05
Mobile	5.81	6.35	53.09	0.11	12.07	3.27
Total	***15.00***	***12.10***	***82.08***	***0.15***	***12.66***	***3.86***
SDAPCD Threshold	*75*	*250*	*550*	*250*	*100*	*55*
Threshold exceeded?	*No*	*No*	*No*	*No*	*No*	*No*

Source: Appendix B.

Notes: VOC = volatile organic compound; NO_x = oxides of nitrogen; CO = carbon monoxide; SO_x = sulfur oxides; PM_{10} = coarse particulate matter; $PM_{2.5}$ = fine particulate matter; SDAPCD = San Diego Air Pollution Control District. <0.01 = reported value is less than 0.01.
The values shown are the maximum summer or winter daily emissions results from CalEEMod.

Air pollution is largely a cumulative impact and is cumulatively evaluated based on the air basin. The nonattainment 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 on air quality. Based on calculations presented in Tables 4.2-7 and 4.2-8, the proposed project would not exceed the mass emissions significance thresholds for VOC, NO_x, CO, SO_x, PM_{10}, and $PM_{2.5}$ during operation, and therefore, project operational impacts are determined to be **less than significant.**

Would the project expose sensitive receptors to substantial pollutant concentrations?

Air quality varies as a direct function of the amount of pollutants emitted into the atmosphere, the size and topography of the air basin, and the prevailing meteorological conditions. Air quality problems arise when the rate of pollutant emissions exceeds the rate of dispersion. Reduced visibility, eye irritation, and adverse health impacts upon those persons termed sensitive receptors are the most serious hazards of existing air quality conditions in the area. Some land uses are considered more sensitive to changes in air quality than others, depending on the population groups and the activities involved. Sensitive receptors include residences, schools, playgrounds, child-care centers, athletic facilities, long-term health-care facilities, rehabilitation centers, convalescent centers, retirement homes, health clinics, and hospitals within 2 kilometers of the facility (SDAPCD 2022).

Projects contributing to adverse traffic impacts may result in the formation of CO hotspots. To verify that the proposed project would not cause or contribute to a violation of the CO standard, a screening evaluation of the potential for CO hotspots was conducted. The County's CO hotspot screening guidance (County of San Diego 2007) was followed to determine whether the proposed project would require a site-specific hotspot analysis. Per guidance, any project that would place receptors within 500 feet of a signalized intersection operating at or below Level of Service (LOS) E (peak-hour trips exceeding 3,000 trips) must conduct a "hotspot" analysis for CO. Likewise, projects that will cause road intersections to operate at or below a LOS E (i.e., with intersection peak-hour trips exceeding 3,000) will also have to conduct a CO "hotspot" analysis. The signalized intersection nearest to the project is located at North Melrose Drive/Oceanside Boulevard, which is currently operating at LOS F. While this LOS is below the County's screening criteria of LOS E, per the Local Transportation Study prepared for the project, once the project is constructed, the intersection will be operating at LOS D with project traffic due to improvements by the adjacent Melrose Heights Project. It is assumed these improvements would be implemented by the time the project is built and would result in delay decreases (Appendix L). Therefore, the proposed project would not generate traffic that would contribute to potential adverse traffic impacts that may result in the formation of CO hotspots, and no hotspot analysis is required. Based on these considerations, the project would result in a **less than significant** impact to air quality with regard to potential CO hotspots.

In addition to impacts from criteria pollutants, project impacts may include emissions of pollutants identified by the state and federal government as TACs or hazardous air pollutants. The greatest potential for TAC emissions during construction would be DPM emissions from heavy equipment operations and heavy-duty trucks, and the associated health impacts to sensitive receptors. Construction of the project

would occur over a period of 14 months and following completion of construction activities, project-related TAC emissions would cease.

Health effects from carcinogenic air toxics are usually described in terms of cancer risk. SDAPCD recommends a carcinogenic (cancer) risk threshold of 10 in 1 million. Additionally, some TACs increase non-cancer health risk due to long-term (chronic) exposures. The Chronic Hazard Index is the sum of the individual substance chronic hazard indices for all TACs affecting the same target organ system. SDAPCD recommends a Chronic Hazard Index significance threshold of 1 (project increment). The exhaust from diesel engines is a complex mixture of gases, vapors, and particles, many of which are known human carcinogens. DPM has established cancer risk factors and relative exposure values for long-term chronic health hazard impacts. No short-term, acute relative exposure level has been established for DPM; therefore, acute impacts of DPM are not addressed in this assessment. The HRA for the proposed project evaluated the risk to existing off-site residents from diesel emissions from exhaust from on-site construction equipment and diesel haul and vendor trucks.

The closest sensitive receptors to the project site are single-family residences immediately adjacent on the southeast boundary of the site. As such, a construction HRA was performed for the project. Based on results from the HRA, the maximally exposed individual resident off site would be located at the single-family residences to the southeast of the project site. Table 4.2-10 summarizes the results of the HRA for proposed project construction.

Table 4.2-10. Construction Activity HRA Results Prior to Mitigation

Impact Parameter	Units	Project Impact	CEQA Threshold	Level of Significance
Offsite				
Cancer Risk	Per million	39.33	10.0	**Potentially Significant**
HIC	Not applicable	0.035	1.0	Less than Significant

Source: Appendix B.
Notes: CEQA = California Environmental Quality Act; HIC = Chronic Hazard Index.

The results of the HRA demonstrate that the TAC exposure from construction diesel exhaust emissions would result in cancer risk above the 10 in 1 million threshold and Chronic Hazard Index less than 1. For the reasons outlined above, and calculated in Appendix B to this EIR, it is determined that potential impacts to sensitive receptors as a result of project construction would be potentially significant, and therefore, mitigation is required (**Impact AQ-2**).

However, as shown in Table 4.2-11, with implementation of mitigation measure **MM-AQ-2**, which requires the use of Tier 4 equipment during construction, TAC exposure from construction diesel exhaust emissions would result in cancer risk below the 10 in 1 million threshold and Chronic Hazard Index would still be less than 1. Therefore, the project would result in a **less than significant impact with mitigation**, related to exposure to TAC emissions during construction.

Table 4.2-11. Construction Activity HRA Results After Mitigation

Impact Parameter	Units	Project Impact	CEQA Threshold	Level of Significance
Offsite				
Cancer Risk	Per Million	6.41	10.0	Less than Significant
HIC	Not Applicable	0.006	1.0	Less than Significant

Source: Appendix B.
Notes: CEQA = California Environmental Quality Act; HIC = Chronic Hazard Index.

The results of the HRA demonstrate that after implementation of mitigation measure **MM-AQ-2**, which requires use of Tier 4 equipment during construction, the TAC exposure from construction diesel exhaust emissions would not result in cancer risk above the 10 in 1 million threshold, nor a Chronic Hazard Index greater than 1.0. In addition, VOC and NOx emissions, as described previously, would minimally contribute to regional O_3 concentrations and the associated health effects. In addition to O_3, NO_x emissions would not contribute to potential exceedances of the NAAQS and CAAQS for NO_2. The existing NO_2 concentrations in the area are well below the NAAQS and CAAQS standards. Thus, it is not expected the proposed project's operational NO_x emissions would result in exceedances of the NO_2 standards or contribute to the associated health effects. CO tends to be a localized impact associated with congested intersections. The associated CO "hotspots" were discussed previously as a less than significant impact. Thus, the proposed project's CO emissions would not contribute to significant health effects associated with this pollutant. PM_{10} and $PM_{2.5}$ would not contribute to potential exceedances of the NAAQS and CAAQS for particulate matter and would not obstruct the SDAB from coming into attainment for these pollutants and would not contribute to significant health effects associated with particulates.

Valley fever is not highly endemic to San Diego County. The proposed project would be consistent with SDAPCD Rule 55, which limits the amount of dust generated during construction and would also control the release of the fungus from construction activities by watering three times per day and limiting speed on unpaved roads. The closest sensitive receptors to the project site are single-family residences immediately adjacent on the southwest boundary of the site. Based on the low incidence rate of valley fever in the project area and in greater San Diego County, and the project's implementation of dust control strategies, the earth-moving activities during project construction would not result in valley fever exposure to sensitive receptors.

After implementation of mitigation measures **MM-AQ-1** and **MM-AQ-2**, construction and operation of the project would not result in emissions that exceed SDAPCD's emission thresholds for any criteria air pollutants. The SDAPCD thresholds are based on the SDAB complying with the NAAQS and CAAQS, which are protective of public health; therefore, no adverse effects to human health would result from the proposed project.

Therefore, overall health impacts associated with criteria air pollutants would be considered **less than significant.**

Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

The State of California Health and Safety Code, Division 26, Part 4, Chapter 3, Section 41700; SDAPCD Rule 51; and the City's Municipal Code Section 13.16, commonly referred to as public nuisance law,

prohibit 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 also regulates project odor via SDAPCD Rule 51.

Potential on-site odor generators would only be expected during short-term construction activities such as from vehicles and/or equipment exhaust emissions during construction of the project, as well as and architectural coatings. However, the odors would be considered short term and would not result in substantial impacts, as previously analyzed. During project operation, activities associated with the proposed mixed-use residential development would not result in any long-term odor impacts. In addition, the project would be required to comply with the City's public nuisance law and the State of California Health and Safety Code mentioned above.

Therefore, it is determined that impacts associated with odor-related emissions as a result of project implementation would be **less than significant**.

4.2.5 Mitigation Measures

The following mitigation measures set forth a program of air pollution control strategies designed to reduce the proposed project's air quality impacts during construction (**Impact AQ-1** and **Impact AQ-2**).

MM-AQ-1 Require Low-Volatile Organic Compound Coatings During Construction**.** The project applicant and/or their contractors shall ensure that low-volatile organic compound (VOC) coatings with a VOC content of 30 grams per liter or less are used during construction.

MM-AQ-2 Require Use of Tier 4 Off-Road Equipment During Construction. Prior to the commencement of construction activities for the project, the project applicant shall require its construction contractor to demonstrate that all 75-horsepower or greater diesel-powered equipment is powered with California Air Resources Board (CARB)-certified Tier 4 Interim engines.

An exemption from this requirement may be granted if (1) the applicant documents equipment with Tier 4 Interim engines are not reasonably available; and (2) the required corresponding reductions in criteria air pollutant emissions can be achieved for the project from other combinations of construction equipment. Before an exemption may be granted, the applicant's construction contractor shall (1) demonstrate that at least two construction fleet owners/operators in the City of Oceanside or County of San Diego were contacted and that those owners/operators confirmed Tier 4 Interim equipment could not be located within the City of Oceanside or County of San Diego during the desired construction schedule; and (2) the proposed replacement equipment has been evaluated using California Emissions Estimator Model (CalEEMod) or other industry-standard emission estimation method and documentation provided to the City to confirm that necessary project-generated emissions reductions are achieved.

4.2.6 Level of Significance After Mitigation

Upon implementation of mitigation measures **MM-AQ-1** and **MM-AQ-2**, air quality impacts would be less than significant.

INTENTIONALLY LEFT BLANK

4.3 Biological Resources

This section describes the existing biological resources of the project site and off-site improvement areas, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the Modera Melrose Mixed-Use Development Project (project or proposed project). The following analysis is based on the Biological Technical Report prepared for the proposed project by Dudek in August 2022. The Biological Technical Report is included as Appendix C of this environmental impact report (EIR).

4.3.1 Existing Conditions

The project site is currently disturbed, vacant land. A review of aerial photography (Google Earth 2022) suggests that the majority of the site has experienced periodic disturbance through mowing and/or disking for many years. One dirt access road intersects the property in a slight northeast/southwest direction across the non-native grassland, suggesting prior access for vehicles and/or equipment. The property is partially fenced along the southern and eastern boundaries. The unfenced areas are adjacent to Melrose Drive and West Bobier Drive, which provides opportunities for frequent human access and utilization. Trash, debris, and old straw wattles are present on site, particularly along the southwestern portions of the site. Wall graffiti is also present on a short retaining wall just outside the site boundaries along the southern portion of the site.

The project site supports primarily non-native grasslands and disturbed areas. Ornamental plantings occur along the southeastern edge of the site, which borders an existing residential development. Small and isolated patches of disturbed Diegan coastal sage scrub occur in the western and northwestern portions of the site.

Elevations on site range from approximately 417 feet above mean sea level to 451 feet above mean sea level. The topography is steeper along the southwest, west, and northwest edges of the site, along Melrose Drive and West Bobier Drive. At these locations, the terrain rises quickly from the bike paths, sidewalks, and roadways. From west to east, the topography gently slopes downward toward the middle of the site at its lowest point before rising gently toward the southeast of the site.

Soils on site are classified as Tujunga sand (TuB), 0% to 5% slopes, and Diablo clay (DaC), 2% to 9% slopes (USDA 2022). Tujunga sand is considered a hydric soil. Diablo clay is predominantly non-hydric or non-hydric (Appendix C).

Nearly the entire project site is within the Carlsbad Hydrological Unit (904.00) Loma Alta Hydrological Area (904.10). A very small section of the northwestern edge of the project site is within the San Luis Rey Hydrologic Unit (903.00) Lower San Luis Hydrological Aera (903.11). The U.S. Geological Survey maps this area in the Loma Alta Creek–Frontal Gulf of Santa Catalina Hydrologic Subarea, within the San Marcos Creek–Frontal Gulf of Santa Catalina Hydrologic Area, within the San Luis Rey–Escondido Hydrologic Unit. Similarly, only the very northwestern edge of the site is within the adjacent Guajome Lake San Luis Rey River Subarea, within the Low San Luis Rey River Hydrological Area. The main drainage in this area is Loma Alta Creek, which runs parallel to Oceanside Boulevard northwest of the project site and drains to the west. Loma Alta Creek outlets into the Pacific Ocean approximately 7 miles west of the site.

4.3.1.1 Methodology

The biological report prepared for the project was based on a review of pertinent literature, aerial photographs, and a field investigation.

Literature Review

Prior to conducting field surveys, Dudek reviewed regional California Natural Diversity Database occurrence data[1] (CDFW 2022a), the California Rare Plant Inventory[1] (CNPS 2022), U.S. Fish and Wildlife Service (USFWS) occurrence data[1] and critical habitat (USFWS 2022a), the San Diego Geographic Information Source (SanGIS 2022), the National Wetlands Inventory (USFWS 2022b), and the U.S. Department of Agriculture's Natural Resources Conservation Service Web Soil Survey (USDA 2022) to analyze the occurrence potential of special-status species and jurisdictional waters that are known to occur or may potentially occur within the biological study area (project site).

General information regarding wildlife species present in the region was obtained from Unitt (2004) for birds, Tremor (2017) for mammals, and Stebbins (2018) and California Herps (CaliforniaHerps.com 2022) for reptiles and amphibians (Appendix C).

Site Reconnaissance Survey

The reconnaissance survey, vegetation mapping, and rare plant survey was completed on June 6, 2022, by Dudek biologists. Dudek biologists traversed the entire project site by foot and performed a general inventory of plant and animal species detected by sight, calls, tracks, scat, or other signs. If detected during the reconnaissance survey, plant and wildlife species commonly accepted as regionally sensitive by the California Native Plant Society (CNPS), the California Department of Fish and Wildlife (CDFW), and USFWS were recorded. During the reconnaissance survey, a habitat assessment was conducted for potentially occurring sensitive resources that were not apparent at the time of the survey (e.g., rare annual plants, special-status wildlife species, and raptor nests). In addition, the site was assessed for any potentially jurisdictional aquatic resources.

Vegetation Mapping

Vegetation communities were evaluated within the biological study area on an aerial map at a 200 scale (1 inch equals 200 feet). These boundaries and locations were digitized and downloaded by Dudek geographic information system technicians using ArcGIS software. Vegetation communities and land covers were mapped using the Preliminary Descriptions of the Terrestrial Natural Communities of California (Holland 1986) as modified by the County of San Diego and noted in Vegetation Communities of San Diego County (Appendix C).

Special-Status Plants

Special-status plant species considered in the Biological Technical Report prepared for the project are those that are (1) species listed by federal and/or state agencies, proposed for listing as threatened or endangered, or candidate species (CDFW 2022b); (2) species with a California Rare Plant Rank (CRPR) (CNPS 2022); or (3) species listed in the Oceanside Subarea Plan Proposed Covered Species list (City of Oceanside 2010). A focused survey for special-status plants was conducted on June 6, 2022. A reference check was done before the survey at a nearby site to verify the blooming status of thread-leaf brodiaea (*Brodiaea filifolia*), San Diego button celery (*Eryngium aristulatum* var. *parishii*), and vernal pool pincushion plant (*Navarretia fossalis*). Prior to special-status plant surveys, Dudek evaluated plant records in the San Luis Rey quadrangle and the surrounding seven quadrangles: Las Pulgas Canyon, Morro Hill, Bonsall, Oceanside, San Marcos, Encinitas, and Rancho Santa Fe (CDFW 2022a; CNPS 2022; USFWS 2022a) to determine target species. In addition to Dudek biologists' knowledge of biological resources and regional distribution of each species, elevation, habitat, and soils present within the biological study

[1] U.S. Geological Survey 7.5-minute San Luis Rey quadrangle and surrounding seven quadrangles: Las Pulgas Canyon, Morro Hill, Bonsall, Oceanside, San Marcos, Encinitas, and Rancho Santa Fe.

area were evaluated to determine the potential for various special-status plant species to occur. Field survey methods conformed to CNPS Botanical Survey Guidelines (CNPS 2001); Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities (CDFG 2000); and General Rare Plant Survey Guidelines (Cypher 2002). Figure 4, Regional Species Occurrences, in Appendix C to this EIR shows the surrounding species occurrences. Surveys were conducted by walking meandering transects throughout the project site to detect special-status species.

Special-Status Wildlife

All wildlife species detected during the field surveys by sight, vocalizations, burrows, tracks, scat, and other signs were recorded. Binoculars (10×40) were used to aid in the identification of observed wildlife.

Special-status wildlife species considered in this analysis are those that are (1) listed by federal and/or state agencies, proposed for listing as threatened or endangered, or are candidate species (CDFW 2022c); (2) Species of Special Concern and Birds of Conservation Concern (CDFW 2022c; USFWS 2021); (3) fully protected species (CDFW 2022c); or (4) listed in the Oceanside Subarea Plan Proposed Covered Species list (City of Oceanside 2010). Figure 4 in Appendix C shows the surrounding species occurrences.

4.3.1.2 Existing Biological Resources

Vegetation Communities

Dudek biologists mapped two vegetation communities and two land covers within the biological study area: disturbed Diegan coastal sage scrub, non-native grassland, ornamental, and disturbed habitat. Table 4.3-1 outlines the acreage of each vegetation community and land cover identified on site.

Table 4.3-1. Vegetation Communities and Land Covers

Vegetation/Land Cover Type	Total Acreage
Disturbed Diegan coastal sage scrub	0.49
Non-native grassland	5.13
Ornamental	0.10
Disturbed habitat	1.67
Total:*	**7.40**

Source: Appendix C
Note: * May not total due to rounding.

Disturbed Diegan Coastal Sage Scrub

Disturbed Diegan coastal sage scrub is mapped in small, isolated patches along the central-western and northwestern portions of the biological study area. Disturbed Diegan coastal sage scrub is dominated by coyotebrush (*Baccharis pilularis*) and California sagebrush (*Artemisia californica*) and interspersed with California buckwheat (*Eriogonum fasciculatum*) and non-native grasses. The Diegan coastal sage scrub habitat onsite is disturbed with non-native grasses, historical mowing or grading, soil erosion, and soil disturbance. The Diegan coastal sage scrub is in small patches and surrounded by urban development. The site doesn't consist of habitat that would support coastal California gnatcatcher or coastal California gnatcatcher nesting.

Non-Native Grassland

Non-native grassland comprises the majority of the biological study area where it is dominated by naturalized species, including non-native bromes (Bromus spp.), oats (*Avena* sp.), panic veldtgrass (*Ehrharta erecta*), perennial rye grass (*Festuca perennis*), mouse barley (Hordeum murinum), and fountain grass (*Pennisetum setaceum*). As discussed above, the site and areas of non-native grasslands appear to have experienced periodic disturbance through disking and/or mowing for many years.

Ornamental

Ornamental refers to areas where non-native ornamental species and landscaping schemes have been installed and maintained, usually as part of commercial or residential property. The ornamental areas mapped within the biological study area occur along the southeastern edge of the site where the biological study area is bordered by existing residential development. Ornamentals in this area include species such as hottentot fig (*Carpobrotus edulis*), Peruvian peppertree (*Schinus molle*), and similar species.

Disturbed Habitat

Disturbed habitat refers to areas where soils have been recently or repeatedly disturbed by grading, compaction, or clearing of vegetation. Within the biological study area, disturbed habitat includes the dirt access road bisecting the site, areas with barren ground, and areas with evidence of debris and significant ground disturbance that may have occurred from previous ground-disturbing activities. Disturbed habitat on site supports sparse or interspersed non-native species, such as mustard (*Brassica nigra, Hirschfeldia incana*), sowthistle (*Sonchus* sp.), fennel (*Foeniculum vulgare*), and similar species.

Flora and Fauna

A total of 58 plant species were observed during the June 2022 survey, consisting of 15 native (26%) and 43 non-native (74%) species. A cumulative list of plant species observed by Dudek biologists during all surveys is presented as part of Appendix C to this EIR.

A total of 10 wildlife species were observed during the June 2022 survey, consisting of 8 bird, 1 invertebrate, and 1 reptile species. All wildlife species observed or detected during the surveys were recorded and are presented as part of Appendix C to this EIR.

Special-Status Species

No special-status plants were observed during the focused plant surveys in June 2022. Special-status plants evaluated but that have low potential or are not expected to occur are described in Appendix C to this EIR. Although federal critical habitat is designated on the parcel north of West Bobier Drive for thread-leaved brodiaea (*Brodiaea filifolia*), the project site does not contain critical habitat (please refer to Figure 8, USFWS Critical Habitat, within Appendix C to this EIR). Further, thread-leaved brodiaea was observed in bloom at a nearby reference site on June 6, 2022, prior to the site-specific survey.

Special-Status Wildlife

No special-status wildlife were observed during the survey in June 2022. Special-status wildlife species with potential to occur on site are listed within Appendix C to this EIR. Special-status species with moderate potential to

occur include orange-throated whiptail (*Aspidoscelis hyperythra*), San Diegan tiger whiptail (*Aspidoscelis tigris stejnegeri*), Southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*), Bell's sage sparrow (*Artemisiospiza belli belli*), and California horned lark (*Eremophila alpestris actia*). Special-status wildlife that occur in the vicinity but do not have potential to occur based on lack of habitat, elevation, or range are included in Appendix C. As outlined in Figure 8 of the Biological Technical Report (Appendix C), the project site does not contain critical habitat.

Jurisdictional Resources

No potentially jurisdictional features were mapped within the biological study area. One concrete-lined stormwater control feature (v-ditch) was observed along the southern boundary, but outside of the biological study area. This feature follows the public bike path and appears to collect runoff, including possibly sheet flow runoff associated with the biological study area.

Wildlife Corridors/Habitat Linkages

The biological study area is outside of the Wildlife Corridor Planning Zone designated by the Oceanside Subarea Plan (City of Oceanside 2010). The site is surrounded by development, which limits movement of larger mammals. One small undeveloped parcel borders the northeastern edge of the site. However, this parcel is small; vacant; appears to be regularly maintained, mowed, or disked; and is also surrounded by development. In addition, an active residential development project (Melrose Heights) is located between the biological study area and the nearest open space area (Guajome Regional Park), located approximately 600 feet north of the site. As a result, there is no direct connection between the biological study area and other natural areas that would support the movement of larger wildlife to or through the biological study area. The small, isolated patches of disturbed Diegan coastal sage scrub may support some common birds, reptiles, invertebrates, and small mammals commonly found in upland scrub and disturbed vegetation.

Urban-adapted species observed or that could commonly occur in the non-native grassland and disturbed areas in the lowlands include desert cottontail (*Sylvilagus audubonii*), western fence lizard (*Sceloporus occidentalis*), common side-blotched lizard (*Uta stansburiana*), horned lark (*Eremophila alpestris*), American crow (*Corvus brachyrhynchos*), house finch (*Haemorhous mexicanus*), and California towhee (*Melozone crissalis*).

4.3.2 Regulatory Setting

Federal

Endangered Species Act

The federal Endangered Species Act (ESA) of 1973 (16 USC 1531 et seq.), as amended, is administered by USFWS for most plant and animal species and by the National Oceanic and Atmospheric Administration National Marine Fisheries Service for certain marine species. This legislation is intended to provide a means to conserve the ecosystems upon which endangered and threatened species depend and to provide programs for the conservation of those species, thus preventing extinction of plants and wildlife. The ESA defines an endangered species as "any species that is in danger of extinction throughout all or a significant portion of its range." A threatened species is defined as "any species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range." Under the ESA, it is unlawful to "take" any listed species; "take" is defined as "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct."

The ESA allows for the issuance of incidental take permits for listed species under Section 7, which is generally available for projects that also require other federal agency permits or other approvals, and under Section 10, which provides for the approval of habitat conservation plans on private property without any other federal agency involvement. Upon development of a habitat conservation plan, USFWS can issue incidental take permits for listed species.

Clean Water Act

Pursuant to Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers regulates the discharge of dredged and/or fill material into waters of the United States. The term "adjacent wetlands" (a subset of waters of the United States) is defined in Title 33 of the Code of Federal Regulations, Section 328.3(c)(16), as "areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas." In the absence of wetlands, the limits of U.S. Army Corps of Engineers jurisdiction in non-tidal waters, such as intermittent streams, extend to the ordinary high water mark, which is defined in Title 33 of the Code of Federal Regulations, Section 328.3(c)(7) as "that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas."

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) was originally passed in 1918 as four bilateral treaties, or conventions, for the protection of a shared migratory bird resource. The primary motivation for the international negotiations was to stop the "indiscriminate slaughter" of migratory birds by market hunters and others. Each of the treaties protects selected species of birds and provides for closed and open seasons for hunting game birds. The MBTA protects more than 800 species of birds and prohibits the take of any migratory bird or any part, nest, or eggs of any such bird. Under the MBTA, "take" is defined as pursuing, hunting, shooting, capturing, collecting, or killing, or attempting to do so (16 USC 703 et seq.). Current federal interpretation of the MBTA prohibits incidental take of migratory birds and applies enforcement discretion associated with incidental take (October 4, 2021, 86 FR 54642–54656).

Two species of eagles that are native to the United States, bald eagle (*Haliaeetus leucocephalus*) and golden eagle (*Aquila chrysaetos*), were granted additional protection within the United States under the Bald and Golden Eagle Protection Act (16 USC 668–668d) to prevent the species from becoming extinct.

State

California Department of Fish and Game Code

Section 3511, Birds; Section 4700, Mammals; Section 5050, Reptiles and Amphibians; and Section 5515, Fish, of the California Fish and Game Code provide that designated fully protected species may not be taken or possessed without a permit. Incidental take of these species is not authorized by law.

Pursuant to Section 3503.5 of the California Fish and Game Code, it is unlawful to take, possess, or destroy any birds of prey or to take, possess, or destroy any nest or eggs of such birds. Birds of prey refer to species in the orders Falconiformes and Strigiformes.

Nests of all other birds (except English sparrow [*Passer domesticus*] and European starling [*Sturnus vulgaris*]) are protected under Sections 3503 and 3513 of the California Fish and Game Code.

Pursuant to Section 1602 of the California Fish and Game Code, CDFW regulates all diversions, obstructions, and changes to the natural flow or bed, channel, or bank of any river, stream, or lake that supports fish or wildlife. Diversion, obstruction, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake that supports fish or wildlife requires authorization from CDFW by means of entering into an agreement pursuant to Section 1602 of the California Fish and Game Code.

California Endangered Species Act

CDFW administers the California Endangered Species Act (CESA), which prohibits the "take" of plant and animal species designated by the California Fish and Game Commission as endangered or threatened in the state of California. Under CESA Section 86, take is defined as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." CESA Section 2053 stipulates that state agencies may not approve projects that will "jeopardize the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of habitat essential to the continued existence of those species, if there are reasonable and prudent alternatives available consistent with conserving the species or its habitat which would prevent jeopardy."

CESA defines an endangered species as "a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease." CESA defines a threatened species as "a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter. Any animal determined by the [California Fish and Game] Commission as rare on or before January 1, 1985, is a threatened species." A candidate species is defined as "a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that the Commission has formally noticed as being under review by the department for addition to either the list of endangered species or the list of threatened species, or a species for which the Commission has published a notice of proposed regulation to add the species to either list." CESA does not list invertebrate species.

CESA authorizes the taking of threatened, endangered, or candidate species if take is incidental to otherwise lawful activity and if specific criteria are met. These provisions also require CDFW to coordinate consultations with USFWS for actions involving federally listed species that are also state-listed species. In certain circumstances, CESA allows CDFW to adopt a CESA incidental take authorization as satisfactory for California Environmental Quality Act (CEQA) purposes based on a finding that the federal permit adequately protects the species and is consistent with state law.

A CESA permit may not authorize the take of "fully protected" species that are protected in other provisions of the California Fish and Game Code, discussed further below.

Porter-Cologne Water Quality Control Act

The Porter–Cologne Water Quality Control Act (Porter–Cologne Act) protects water quality and the beneficial uses of water. It applies to surface water and groundwater. Under this law, the State Water Resources Control Board develops statewide water quality plans and the Regional Water Quality Control Boards develop regional basin plans that identify beneficial uses, water quality objectives, and implementation plans. The Regional Water Quality Control

Boards have the primary responsibility to implement the provisions of statewide plans and basin plans. Waters regulated under the Porter–Cologne Act include isolated waters that are not regulated by the U.S. Army Corps of Engineers. Regional Water Quality Control Boards regulate discharging waste, or proposing to discharge waste, within any region that could affect waters of the state (California Water Code, Section 13260[a]). Waters of the state are defined as "any surface water or groundwater, including saline waters, within the boundaries of the state" (California Water Code, Section 13050[e]). Developments with impacts on jurisdictional waters must demonstrate compliance with the goals of the Porter–Cologne Act by developing stormwater pollution prevention plans, standard urban stormwater mitigation plans, and other measures to obtain a Clean Water Act Section 401 certification. If a Clean Water Act Section 404 permit is not required for the project, the Regional Water Quality Control Board may still require a permit (i.e., Waste Discharge Requirement) for impacts to waters of the state under the Porter–Cologne Act.

California Environmental Quality Act

CEQA (California Public Resources Code, Section 21000 et seq.) and the CEQA Guidelines (14 CCR 15000 et seq.) require identification of a project's potentially significant impacts on biological resources and feasible mitigation measures and alternatives that could avoid or reduce significant impacts. CEQA Guidelines Section 15380(b)(1) defines endangered animals or plants as species or subspecies whose "survival and reproduction in the wild are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, disease, or other factors." A rare animal or plant is defined in CEQA Guidelines Section 15380(b)(2) as a species that, although not currently threatened with extinction, exists "in such small numbers throughout all or a significant portion of its range that it may become endangered if its environment worsens; or … [t]he species is likely to become endangered within the foreseeable future throughout all or a significant portion of its range and may be considered 'threatened' as that term is used in the federal Endangered Species Act." Additionally, an animal or plant may be presumed to be endangered, rare, or threatened if it meets the criteria for listing, as defined further in CEQA Guidelines Section 15380(c). CEQA also requires identification of a project's potentially significant impacts on riparian habitats (such as wetlands, bays, estuaries, and marshes) and other sensitive natural communities, including habitats occupied by endangered, rare, and threatened species.

In Title 14 of the California Code of Regulations, Section 1.72, CDFW defines a "stream" (including creeks and rivers) as "a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having surface or subsurface flow that supports or has supported riparian vegetation."

In Title 14 of the California Code of Regulations, Section 1.56, CDFW's definition of "lake" includes "natural lakes or man-made reservoirs." Diversion, obstruction, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake that supports fish or wildlife requires authorization from CDFW by means of entering into an agreement pursuant to Section 1602 of the California Fish and Game Code.

CDFW recognizes that all plants with a CRPR of 1A, 1B, and 2, and some ranked 3, of the CNPS Inventory of Rare and Endangered Plants in California (CNPS 2022) may meet the criteria for listing as threatened or endangered and should be considered under CEQA (CDFW 2022b). Some of the CRPR 3 and 4 plants meet the criteria for determination as "rare" or "endangered" as defined in Section 1901, Chapter 10 (Native Plant Protection Act), Division 2, of the California Fish and Game Code, as well as Section 2062 and Section 2067, Chapter 1.5 (CESA), Division 3. Therefore, consideration under CEQA for these CRPR 3 and 4 species is strongly recommended by CNPS (CNPS 2022). For purposes of this analysis, animals considered "rare" under CEQA include endangered or

threatened species, Birds of Conservation Concern (USFWS 2021), California Species of Special Concern (CDFW 2022c), and fully protected species.

Section IV, Appendix G (Environmental Checklist Form) of the CEQA Guidelines (14 CCR 15000 et seq.) requires an evaluation of impacts to "any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service." The criteria used to determine the significance of impacts to biological resources under CEQA are provided in Section 4.3.3.

Local

North County Multiple Habitat Conservation Program

The North County Multiple Habitat Conservation Program (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 for each jurisdiction within the MHCP—that are permitted and implemented separately from one another. The City of Carlsbad is the only city under the MHCP that has an approved and permitted Subarea Plan. The Oceanside Subarea Plan has been prepared and is used as a guidance document for development projects in Oceanside, but the Oceanside Subarea Plan has not been approved or permitted (City of Oceanside 2010).

Oceanside Subarea Habitat Conservation Plan/Natural Communities Conservation Plan

The overall goal of the Oceanside Subarea Plan is to contribute to regional biodiversity and the viability of rare, unique, or sensitive biological resources throughout Oceanside and the larger region while allowing public and private development to occur consistent with the City of Oceanside's General Plan and Capital Improvement Program. In addition, the Oceanside Subarea Plan calls for the conservation of 90% to 100% of all hardline conservation areas; conservation of a minimum of 2,511 acres of existing native habitats as a biological preserve in Oceanside; conservation of a minimum of 95% of rare and narrow endemic species populations within the preserve and a minimum of 80% throughout Oceanside as a whole; and restoration of a minimum of 164 acres of coastal sage scrub habitat within Oceanside, of which 145 acres will be within a wildlife corridor planning zone. Parcels within the wildlife corridor planning zone contribute to the north/south regional gnatcatcher steppingstone corridor (City of Oceanside 2010). Although the Oceanside Subarea Plan is used as a guidance document for development projects in Oceanside, the Subarea Plan has yet to be approved by the Oceanside City Council, and incidental take authority has therefore not been transferred to the City of Oceanside from USFWS and CDFW.

The Oceanside Subarea Plan identifies undeveloped lands within Oceanside where conservation and management will achieve the Oceanside Subarea Plan's biological goals while minimizing adverse effects on lands uses, economics, or private property rights. In addition, the Oceanside Subarea Plan establishes preserve planning zones, the existing biological conditions and goals of which were used as foundations for their designation. The zones are defined for effective implementation of the Subarea Plan. Brief descriptions of the preserve planning zones are provided below (City of Oceanside 2010):

- **Wildlife Corridor Planning Zone.** The Wildlife Corridor Planning Zone extends from U.S. Marine Corps Base Camp Pendleton south to Buena Vista Creek. This zone varies in width from 1 to 2 miles along most of its length, and is centered roughly on El Camino Real and the associated San Diego Gas & Electric Company electric transmission corridor. It encompasses those habitat parcels that potentially contribute to the north/south regional gnatcatcher steppingstone corridor, recognizing that existing preserve lands north of

the San Luis Rey River complete the steppingstone corridor connection to U.S. Marine Corps Base Camp Pendleton. The project site is not within the Wildlife Corridor Planning Zone.

- **Pre-Approved Mitigation Areas.** These areas represent land areas that have significant resource value and therefore qualify for on-site mitigation credit. Development is allowed in Pre-Approved Mitigation Areas, subject to planning guidelines to avoid, minimize, and fully mitigate impacts. The project site is not within a Pre-Approved Mitigation Area.
- **Agricultural Exclusion Zone.** This zone includes lands north of San Luis Rey River that are planned for agricultural uses under the Oceanside General Plan. Ongoing agricultural practices may continue in this area as long as they do not remove existing natural habitats. The project site is not within an Agricultural Exclusion Zone.
- **Off-Site Mitigation Zone.** This zone includes all other parcels within Oceanside that support natural vegetation outside of the Wildlife Corridor Planning Zone, Agricultural Exclusion Zone, and Coastal Zone. The Off-Site Mitigation Zone includes several Pre-Approved Mitigation Areas. In addition, there is less emphasis on impact avoidance within this zone as long as off-site mitigation is directed to the Wildlife Corridor Planning Zone or Pre-Approved Mitigation Areas. The project site is within the Off-Site Mitigation Zone.
- **Coastal Zone.** This zone is all areas within Oceanside's coastal zone where the federal Coastal Zone Management Act and California Coastal Act policies apply. The project site is not within the Coastal Zone.

In addition to preserve planning zones, the Oceanside Subarea Plan also identifies specific "hardline" and "softline" preserves. Generally, hardline preserves are areas that are already preserved to Oceanside Subarea Plan standards, and softline preserves are areas specifically targeted for preservation through application of Subarea Plan standards and policies (City of Oceanside 2010). The project site does not contain, and is not adjacent to, any preserves.

City of Oceanside General Plan

The City's General Plan Land Use Element contains environmental resource management objectives and policies pertaining to biological resources (City of Oceanside 2002a). Applicable objectives and policies include the following:

> **Vegetation and Wildlife Habitats, Objective:** Recognition and preservation of significant areas with regard to vegetation and wildlife habitats.
>
> > **Policy 3.11A:** 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 specifies of plants or animals have been found on nearby properties.
> >
> > **Policy 3.11B:** 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 3.11C:** In areas where vegetation or wildlife habitat modification if inevitable, mitigation and/or compensatory measures such as native plant restoration, land reclamation, habitat replacement, or land interest donation would be considered.
> >
> > **Policy 3.11D:** Areas containing unique vegetation or wildlife habitats shall receive a high priority for preservation.

> **Policy 3.11E:** 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.

The Environmental Resource Management Element of the City's General Plan also contain long-range policy direct and action programs with respect to biological resources. The Environmental Resource Management Element contains a workable program designed to conserve natural resources and preserve open space. The long-range policy direction for biological resources is (City of Oceanside 2002b):

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

4.3.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to biological resources are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to biological resources would occur if the proposed project would:

1. 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?
2. 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.
3. 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.
4. 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.
5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

4.3.4 Impacts Analysis

For the purposes of biological resources impact analysis, direct, indirect, and cumulative impacts are defined as the following:

Direct impacts are those that result in the direct removal of a biological resource through clearing, grubbing, and/or grading. These impacts are further classified as temporary or permanent: temporary impacts primarily result from staging or work areas outside of the permanent footprint that will be restored to its pre-project conditions and permanent impacts refer to the buildings, roads, and other permanent structures. As shown in Figure 9, Impacts to Biological Resources, in Appendix C, no temporary impacts are proposed; permanent impacts would occur in all areas of the biological study area (i.e., project site).

Indirect impacts primarily result from adverse "edge effects" as either short-term indirect impacts related to construction activities or long-term indirect impacts associated with the proximity of a development to natural areas.

Cumulative impacts refer to incremental individual environmental effects of two or more projects when considered together. These impacts taken individually may be minor but collectively significant as they occur over a period of time. Cumulative biological impacts are discussed in Chapter 6 of this EIR, Cumulative Effects.

1. 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 Game or U.S. Fish and Wildlife Service?

As described in Section 4.3.1.1, potential project impacts were evaluated based on examination of the proposed project plans within the context of the biological resources documented during the field surveys and those biological resources known to occur or assessed as having a likely potential to occur in the project area.

Direct Impacts

Habitats and Vegetation Communities

Implementation of the proposed project would result in permanent direct impacts to disturbed Diegan coastal sage scrub, non-native grassland, ornamental vegetation and disturbed habitat, due to vegetation clearing, grubbing, and grading construction activities. The impacts are summarized in Table 4.3-2.

Table 4.3-2. Habitat/Vegetation Community Project Direct Impacts and Proposed Mitigation

	Impacts (Acres)	Mitigation	
Vegetation/Land Cover Type	Development	Ratio[a]	Acres Required
Disturbed Diegan coastal sage scrub	0.49	1:1	0.49
Non-native grassland	5.13	0.5:1	2.57
Ornamental	0.10	0	0
Disturbed habitat	1.67	0	0
Total[b]	**7.40**	n/a	**3.06**

Notes: n/a = not applicable.

[a] Per Table 5-2 of the Oceanside Subarea Plan (City of Oceanside 2010).

[b] Acreages may not sum precisely due to rounding.

The project site is within the Oceanside Subarea Plan Offsite Mitigation Zone. Therefore, impacts to disturbed Diegan coastal sage scrub and non-native grassland require mitigation per Table 5-2, Mitigation Standards for Impacts to Natural Vegetation and Habitat, of the Oceanside Subarea Plan (City of Oceanside 2010). Due to the low quality of the disturbed Diegan coastal sage scrub (small size, soil disturbance, lack of habitat for Coastal California gnatcatcher) a mitigation ratio of 1:1 is assumed. Permanent impacts to these vegetation communities would be a **potentially significant impact** (**Impact BIO-1**). The permanent loss of these vegetation communities would be mitigated to less than significant through the conservation of native habitats, as described in Mitigation Measure (**MM) BIO-1** (Habitat Mitigation), provided in Section

4.3.5, Mitigation Measures. Permanent impacts to ornamental areas totaling 0.10 acres and disturbed habitat totaling 1.67 acres would be less than significant and no mitigation is required.

Special-Status Plant Species

No special-status plants were observed during the focused survey in June 2022. In addition, Dudek biologists' habitat evaluation of special-status plants, including those with a blooming period outside of the June site visit, determined that special-status plants have a low potential to occur or not expected, as described in Appendix C. Therefore, the project would not result in direct impacts to special-status plant species.

Special-Status Wildlife Species

Special-status species with moderate potential to occur on site are listed in Appendix C and include orange-throated whiptail, San Diegan tiger whiptail, Southern California rufous-crowned sparrow, Bell's sage sparrow, and California horned lark. These species would primarily occur in the disturbed Diegan coastal sage scrub, but could occasionally use the non-native grassland on site. Impacts to the non-native grassland could result in loss of foraging and/or breeding and nesting habitat for these species, and would be a **potentially significant impact** (**Impact BIO-2**). The permanent loss of habitat would be mitigated to less than significant through the conservation of native habitats, as described in **MM-BIO-1** (Habitat Mitigation).

Special-status wildlife that occur in the vicinity of the project site but do not have potential to occur based on lack of habitat, elevation, or range are listed in Appendix C.

The California Fish and Game Code protects bird nests and the MBTA prohibits the intentional take of any migratory bird or any part, nest, or eggs of any such bird. If clearing, grubbing, or other activities that result in the removal of vegetation occur during the nesting bird season, any impacts to active nests or the young of nesting bird species would be a **potentially significant impact** (**Impact BIO-3**). This impact would be mitigated to less than significant through nesting bird surveys and establishment of appropriate buffers, as described in **MM-BIO-2** (Nesting Bird Surveys).

Indirect Impacts

In association with direct impacts to native vegetation communities, there are usually indirect impacts to the remaining native vegetation and wildlife communities. Many of these are related to habitat fragmentation, which occurs when a native vegetation community is not entirely altered or developed, but what remains has a diminished wildlife habitat value due to edge effects and lack of connectivity. Edge effects may include increased predation pressure, increased brood parasitism, increased competition for nesting cavities from non-native species, and increased floral competition from weedy species. Outside of those effects associated with fragmentation, indirect impacts may include elevated noise above 60 A-weighted decibels sound equivalent level, increased artificial night lighting within wildlife habitat, increased human disturbance, change in duration and amount of surface water within a floodplain, and increased erosion or sedimentation. These types of indirect impacts can affect vegetation communities or alter habitat use by sensitive species. Although there is already a substantial amount of disturbance on site and at the project boundary edge due to the surrounding existing developments, the proposed project could still result in indirect impacts as outlined herein.

Potential short-term or temporary indirect impacts to any special-status vegetation communities and special-status plants adjacent to the biological study area (if they occur) would primarily result from construction activities and include impacts related to or resulting from the generation of fugitive dust; changes in hydrology resulting from construction, including sedimentation and erosion; and the introduction of chemical pollutants (including herbicides). Excessive dust can decrease the vigor and productivity of vegetation through effects on light, penetration, photosynthesis, respiration, transpiration, increased penetration of phytotoxic gaseous pollutants, and increased incidence of pests and diseases. Additionally, construction could result in hydrologic impacts adjacent to and downstream of the limits of grading. Furthermore, erosion, sedimentation, and chemical pollution (releases of fuel, oil, lubricants, paints, release agents, and other construction materials) may affect special-status vegetation communities and/or special-status plants. The use of chemical pollutants can decrease the number of plant pollinators, increase the existence of non-native plants, and cause damage to and destruction of native plants.

These potential short-term indirect impacts are determined to be **potentially significant** (**Impact BIO-4**), and would be mitigated to less than significant through implementation of **MM-BIO-3** (Biological Monitoring) and **MM-BIO-4** (Temporary Installation of Fencing).

Long-term (operation-related) or permanent indirect impacts could result from the proposed project to special-status vegetation communities and/or special-status plants adjacent to the site (if they occur) after construction. Permanent indirect impacts that could affect special-status vegetation communities include chemical pollutants, altered hydrology, non-native invasive species, and increased human activity. The effects of chemical pollutants on vegetation communities and special-status plant species are described above. During landscaping activities, herbicides may be used to prevent vegetation from reoccurring around structures. However, weed control treatments would include only legally permitted chemical, manual, and mechanical methods. Additionally, the herbicides used during landscaping activities would be contained within the project site.

Water would be used for landscaping purposes that may alter the on-site hydrologic regime. These hydrologic alterations may affect special-status vegetation communities and special-status plant communities. Altered hydrology can allow for the establishment of non-native plants and invasion by Argentine ants (*Linepithema humile*), which can compete with native ant species that could be seed dispersers or plant pollinators. However, the water, and associated runoff, used during landscaping activities would be contained within the project site, and long-term indirect impacts associated with altered hydrology are not expected because the storm drain design proposed for the project would mitigate flood and water quality impacts such that no adjacent properties would be negatively impacted from runoff generated by the development (Appendix C).

Invasive plant species that thrive in edge habitats are a well-documented problem in Southern California and throughout the United States. Bossard et al. (2000) list several adverse effects of non-native species in natural open areas, including exotic plant competition for light, water, and nutrients and the formation of thatches that block sunlight from reaching smaller native plants. Exotic plant species may alter habitats and displace native species over time, leading to extirpation of native plant species and unique vegetation communities. The introduction of non-native, invasive animal species could negatively affect native species that may be pollinators or seed dispersal agents for plants within vegetation communities and special-status plant populations. However, the project site is in a vacant lot that appears to have experienced periodic disturbance through disking and/or mowing activities. The majority of the site is already disturbed by non-native species and human activity.

The proposed development would contain ground-level commercial space and 323 multifamily residential units ranging from 666 square feet to 1,429 square feet. Increased human activity could result in trampling of vegetation and soil compaction and could affect the viability of plant communities. Trampling can alter the ecosystem, creating gaps in vegetation, and allow exotic, non-native plant species to become established, leading to soil erosion. Trampling may also affect the rate of rainfall interception and evapotranspiration, soil moisture, water penetration pathways, surface flows, and erosion. An increased human population would increase the risk for damage to vegetation communities and/or special-status plants if they occur adjacent to the site.

These long-term (operation-related) or permanent indirect impacts outlined above could result in **potentially significant impacts** (**Impact BIO-5**) but would be mitigated through implementation of **MM-BIO-3** (Biological Monitoring) and **MM-BIO-5** (Invasive Species Prohibition).

In summary, with implementation of **MM-BIO-1** through **MM-BIO-5**, potential direct and indirect impacts to wildlife and plant species would be reduced to a less than significant level.

2. ***Would the project 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?***

As outlined in Appendix C to this EIR, the project site is not within a preserve, nor does it include any wetlands or riparian areas on site or adjacent to the site. Therefore, project implementation would not result in substantial adverse effects on any riparian habitat, and impacts would be **less than significant**.

3. ***Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?***

No potentially jurisdictional features were mapped within the biological study area. One concrete-lined stormwater control feature (v-ditch) was observed along the southern boundary, but outside of the biological study area. This feature follows the public bike path and appears to collect runoff, including possibly sheet flow runoff associated with the biological study area. As determined in Appendix C, no direct impacts to jurisdictional resources would occur as a result of the project.

However, potential short-term or temporary indirect impacts to jurisdictional resources adjacent to the biological study area would primarily result from construction activities and include impacts related to or resulting from the generation of fugitive dust; changes in hydrology resulting from construction, including sedimentation and erosion; and the introduction of chemical pollutants, including herbicides. Excessive dust can decrease the vigor and productivity of vegetation through effects on light, penetration, photosynthesis, respiration, and transpiration, as well as increase the penetration of phytotoxic gaseous pollutants and increase the incidence of pests and diseases. Additionally, construction could result in hydrologic and water-quality-related impacts adjacent to and downstream of the construction area. Furthermore, erosion and chemical pollution (releases of fuel, oil, lubricants, paints, release agents, and other construction materials) may affect jurisdictional resources. The use of chemical pollutants can decrease the number of plant pollinators, increase the existence of non-native plants, and cause damage to and destruction of native plants.

These potential short-term indirect impacts could affect jurisdictional aquatic resources adjacent to the project site and would be **potentially significant** (**Impact BIO-6**). These potential short-term impacts would be mitigated to less than significant through implementation of **MM-BIO-3** (Biological Monitoring) and **MM-BIO-4** (Temporary Installation of Fencing).

Long-term (operation-related) or permanent indirect impacts could result from the proximity of the proposed project to jurisdictional aquatic resources after construction. Permanent indirect impacts that could affect jurisdictional aquatic resources include chemical pollutants, altered hydrology, non-native invasive species, and increased human activity. Water used for landscaping purposes may alter the adjacent hydrologic regime. These hydrologic alterations may affect nearby jurisdictional resources. However, the water and associated runoff used during landscaping activities would be contained within the project site and long-term indirect impacts associated with altered hydrology are not expected because the storm drain proposed for the project is designed to mitigate flood and water quality impacts such that no adjacent properties would be negatively impacted from runoff generated by the development (Appendix C). The effects of chemical pollutants, increased human activity, and non-native invasive plant and animal species on jurisdictional resources are described under short-term indirect impacts above.

These potential long-term indirect impacts would be **potentially significant** (**Impact BIO-7**), but would be mitigated to less than significant through implementation of **MM-BIO-3** (Biological Monitoring) and **MM-BIO-5** (Invasive Species Prohibition).

4. Would the project 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?

The biological study area is outside of the Wildlife Corridor Planning Zone designated by the Oceanside Subarea Plan (City of Oceanside 2010). The site is surrounded by development, which limits movement of larger mammals. One small undeveloped parcel borders the northeastern edge of the site. However, this parcel is small; vacant; appears to be regularly maintained, mowed, or disked; and is also surrounded by development. In addition, an active residential development project (Melrose Heights) is located between the biological study area and the nearest open space area (Guajome Regional Park), located approximately 600 feet north of the site. As a result, there is no direct connection between the biological study area and other natural areas that would support the movement of larger wildlife to or through the biological study area. The small, isolated patches of disturbed Diegan coastal sage scrub may support some common birds, reptiles, invertebrates, and small mammals commonly found in upland scrub and disturbed vegetation.

Urban-adapted species observed or that could commonly occur in the non-native grassland and disturbed areas in the lowlands include desert cottontail, western fence lizard, common side-blotched lizard, horned lark, American crow, house finch, and California towhee.

For these reasons, it is determined that no direct impacts to wildlife corridors or habitat linkages would occur as a result of the proposed project.

However, short-term indirect impacts to habitat connectivity and wildlife corridors could result from increased human activity. Project construction would occur during the daytime and would not affect wildlife species, such as mammals, that are most active in evenings and nighttime. Wildlife species such as birds, rabbits, and lizards are active in the daytime, but use a variety of habitats and could continue using other

areas adjacent to the biological study area for wildlife movement. Short-term indirect impacts to habitat connectivity and wildlife corridors would be **potentially significant** (**Impact BIO-8**) but would be mitigated to less than significant through implementation of **MM-BIO-3** (Biological Monitoring) and **MM-BIO-4** (Temporary Installation of Fencing), outlined in Section 4.3.5.

Long-term indirect impacts include increased human activity and lighting. The proposed project would contain ground-level commercial space and 323 multifamily residential units ranging from 666 square feet to 1,429 square feet. Increased human activity can deter wildlife from using habitat areas near the proposed project. However, the project site is in an area already disturbed by non-native species and human disturbance. Nonetheless, any potential for long-term indirect impacts would be **potentially significant** (**Impact BIO-9**), but would be mitigated to less than significant through implementation of **MM-BIO-4** (Biological Monitoring) and **MM-BIO-5** (Invasive Species Prohibition), outlined in Section 4.3.5.

5. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The City's General Plan biological policies are identified in Section 4.3.2. In accordance with General Plan Policy 3.11A, a biological survey report was completed for the project (Appendix C), and the result of its analysis has been incorporated into this EIR. The biological report includes field surveys, jurisdictional delineation, and a literature review to assess potential impacts to sensitive biological resources that would result from implementation of the proposed project. The report and associated surveys were performed in accordance with applicable plans, policies, and ordinances set forth by the Wildlife Agencies and the City of Oceanside, as well as current industry standards. Thus, the project is in compliance with General Plan Policy 3.11A.

General Plan Policy 3.11C requires the preservation of biological resources or, where vegetation and habitat modification is inevitable, appropriate mitigation for potential impacts. As described above, the proposed project would have potentially significant impacts to sensitive biological resources. Appropriate mitigation measures consistent with the Draft Oceanside Subarea Plan and in compliance with applicable federal, state, and local codes are required and incorporated into this EIR. Impacts would be **potentially significant** prior to mitigation (**Impact BIO-10**). With implementation of **MM-BIO-1** through **MM-BIO-5** outlined in Section 4.3.5 below, the project would be in compliance with General Plan Policy 3.11C.

The site does not constitute unique vegetation or wildlife habitats; significant scenic, ecological, or recreational value; or contain endangered or threatened species that are addressed in the General Plan Policies 3.11B, 3.11D, and 3.11E. Therefore, the project would not conflict with General Plan Policies 3.11B, 3.11D, and 3.11E.

The City of Oceanside landscape regulations require a tree survey showing all existing trees on a project site to be relocated or removed, labeled with tree type, quantities, and diameter at breast height for canopy trees and/or brown trunk height for palms. The city requires a 1:1 replacement ratio for all diameter at breast height and brown trunk height removed. As previously described, the project site as it exists is heavily disturbed and does not include any native trees on site. Some existing ornamental trees exist along the southeastern edge of the project site bordered by existing residential development. Ornamentals in this area include species such as hottentot fig, Peruvian peppertree, and similar species. As shown in Figure 3-5 in Chapter 3 of this EIR, the project proposes a detailed landscape plan for the site, including trees along

the entire site boundary, and throughout the development. The project would not conflict with the City's landscape regulations and a tree survey would not be required.

In summary, with implementation of proposed mitigation, the proposed project would not conflict with any local policies or ordinances protecting biological resources, and impacts would be less than significant with mitigation.

6. Would the project 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 proposed project was assessed to ensure consistency with the Oceanside Subarea Plan by reviewing the applicable Subarea Plan standards against the proposed project. The project site is not within a preserve, nor does it include any wetlands or riparian areas on site or adjacent to the site. However, impacts would be **potentially significant** prior to mitigation (**Impact BIO-11**). With implementation of the **MM-BIO-1** through **MM-BIO-5** outlined below, the project would be in compliance with the Oceanside Subarea Plan.

Therefore, with implementation of proposed mitigation, project implementation would not conflict with an applicable conservation plan.

4.3.5 Mitigation Measures

The project would have potential direct and/or indirect significant impacts to vegetation communities, special-status wildlife species, potential jurisdictional resources, and wildlife corridors/habitat linkages. The following minimization and mitigation measures (**MM-BIO-1** through **MM-BIO-5**) would be implemented to reduce potential direct and indirect impacts to less than significant.

MM-BIO-1 Habitat Mitigation. The applicant shall mitigate for impacts to disturbed Diegan coastal sage and non-native grassland in accordance with Table 5-2, Mitigation Standards for Impacts to Natural Vegetation and Habitat, in the 2010 City of Oceanside Subarea Plan which states that mitigation shall occur at a ratio of 3:1 for coastal sage scrub and 0.5:1 for non-native grassland. However, due to the high level of disturbance of the coastal sage scrub onsite, small patches of habitat and soil disturbance within the coastal sage scrub a 1:1 mitigation ratio is applied. Therefore .49 acres of coastal sage scrub and 2.57 acres of non-native grassland will be required for project related impacts. Mitigation shall include preservation of any lands within the Wildlife Corridor Planning Zone and south of State Route 76, or any land within the Wildlife Corridor Planning Zone and north of State Route 76, or any Preapproved Mitigation Area within the City of Oceanside. Mitigation may also include purchase credits within an existing mitigation bank.

MM-BIO-2 Nesting Bird Survey. Construction-related ground-disturbing activities (e.g., clearing/grubbing, grading, and other intensive activities) that occur during the breeding season (typically January 15 through August 31) shall require a survey for nesting bird species to be conducted on or within 300 feet of the construction area for non-listed nesting migratory birds, and within 500 feet of the construction area for federally or state-listed birds and raptors. This survey is necessary to ensure avoidance of impacts to nesting raptors and/or birds protected by the federal Migratory Bird Treaty Act and California Fish and Game Code, Sections 3503 and 3513.

The pre-construction survey must be conducted within 10 calendar days prior to the start of construction. The results of the survey must be submitted to the City of Oceanside (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, the project applicant shall contact the City and Wildlife Agencies to determine the appropriate buffer. Once the nest is no longer occupied for the season, construction may proceed in the setback areas.

If construction activities, particularly clearing/grubbing, grading, and other intensive activities, stop for more than 3 days, an additional nesting bird survey shall be conducted within the proposed impact area.

MM-BIO-3 Biological Monitoring. To prevent inadvertent disturbance to areas outside the limits of grading for each phase, all grading of native habitat shall be monitored by a biologist. The biological monitor(s) shall be contracted to perform biological monitoring during all clearing and grubbing activities.

The project biologist(s) also shall perform the following duties:

a. Attend the pre-construction meeting with the contractor and other key construction personnel prior to clearing and grubbing to reduce conflict between the timing and location of construction activities with other mitigation requirements (e.g., seasonal surveys for nesting birds).
b. During clearing and grubbing, the project biologist shall conduct meetings with the contractor and other key construction personnel each morning prior to construction activities to go over the proposed activities for the day and to describe the importance of restricting work to designated areas and of minimizing harm to or harassment of wildlife prior to clearing and grubbing.
c. Review and/or designate the construction area in the field with the contractor in accordance with the final grading plan prior to clearing and grubbing.
d. Supervise and monitor the initial vegetation clearing and grubbing weekly to ensure against direct and indirect impacts to biological resources (e.g., reptiles or biological resources adjacent to the site) that are intended to be protected, and to document that protective fencing is intact.
e. Flush wildlife species (i.e., reptiles, mammals, avian, or other mobile species) from occupied habitat areas immediately prior to brush-clearing activities. This does not include disturbance to nesting birds (see **MM-BIO-2**).
f. Periodically monitor the construction site to verify that the project is implementing the stormwater quality management plan best management practices, including dust control, silt fencing, removal of construction debris and a clean work area, covered trash receptacles that are animal-proof and weather-proof, prohibition of pets on the construction site, and a speed limit of 15 miles per hour.

g. Keep monitoring notes for the duration of the project for submittal in a final report to substantiate the biological supervision of the vegetation clearing and grading activities and the protection of any biological resources on or adjacent to the site.

h. Prepare a monitoring report after the construction activities are completed that describes the biological monitoring activities, including a monitoring log; photos of the site before, during, and after the grading and clearing activities; and a list of special-status species observed.

MM-BIO-4 Temporary Installation of Fencing. To prevent inadvertent disturbance to areas outside the limits of grading for each phase, the contractor shall install temporary fencing, or use existing fencing, along the limits of grading.

MM-BIO-5 Invasive Species Prohibition. The final landscape plans shall be reviewed by the project biologist and a qualified botanist to confirm that there are no invasive plant species as included on the most recent version of the California Invasive Plant Council's inventory for the project region.

4.3.6 Level of Significance After Mitigation

With incorporation of **MM-BIO-1** through **MM-BIO-5** outlined above, potentially significant impacts to biological resources would be reduced to a level of **less than significant**.

4.4 Cultural Resources

This Section describes the existing cultural resources of the project site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures as necessary related to implementation of the proposed Modera Melrose Mixed Use Development Project (proposed project or project). The following analysis is based on the Cultural Resources Inventory Report prepared for the proposed project by Dudek in August 2022, which is included as Appendix D to this EIR.

4.4.1 Existing Conditions

The approximately 7.4-acre project site is currently a disturbed, vacant property with no existing structures. The cultural study area includes the entire 7.4-acre property and is referred to herein as the area of potential effect (APE). The proposed project APE has never been developed but the general level of previous ground disturbance is high, as noted by evidence of mowing/discing, grading, various dirt berms, and construction waste dumping piles. The project APE has a discernable south-facing slope, with the lowest elevation along the southern edge of the project APE. There are multiple large granite bedrock boulders located in the remains of a natural seasonal drainage along the south-central edge of the project APE, all heavily exfoliated and damaged on outer surfaces. Vegetation within the project APE includes primarily non-native grasslands and disturbed areas. Ornamental plantings occur along the southeastern edge of the site, bordering an existing residential development, and small isolated patches of coastal sage scrub exist in the western and northwestern portions of the project APE.

The project APE is underlain by weathered plutonic igneous rocks mapped as the Cretaceous-age Bonsall Tonalite, overlain by sedimentary rocks of the Eocene-age Santiago Formation (Appendix D). Soils consist of Diablo clay, 2% to 9% slopes within the northwestern corner and eastern Section of the project APE, and Tujunga Sand, 0% to 5% slopes throughout the rest of the project APE (Appendix D).

4.4.1.1 Methodology

Records Search

Dudek conducted a records search at the South Coastal Information Center (SCIC) for the project APE and a 1-mile radius buffer around the project on March 16, 2022 (Confidential Appendix A to Appendix D of this EIR). The records search results indicate that 79 previous cultural resources studies have been conducted within 1 mile of the project APE. Of the 79 studies, eight studies intersect the project APE and are listed in Table 4.4-1 below. These studies include two archaeological testing programs, four cultural resources survey reports, one archaeological evaluation report, and one archaeological investigation report. Additionally, a Due Diligence Study prepared for the project by Brian F. Smith and Associates in 2021 was provided to Dudek (Confidential Appendix A to Appendix D of this EIR). Based on the previous studies, the entire APE has been studied. The studies not listed in Table 4.4-1 are included in Confidential Appendix A to Appendix D of this EIR.

Table 4.4-1. Previous Cultural Studies on the Project APE

Report I.D.	Title	Author	Year
SD-00503	Archaeological Test Excavations at SDI-5345, the Church Site, City of Vista	Paul G. Chace	1978
SD-01090	Archaeological Investigation of the Colluci Property, Oceanside, California	Westec Services, Inc.	1979
SD-11228	Historic Resource Survey, A Project of the City of Vista, California	Marben-Laird Associates	1987
SD-11524	A Cultural Resources Evaluation for the Vista and Buena Sanitation District 2007 Sewer Master Plan Update	Brian F. Smith and Associates	2007
SD-11563	Archaeological Resources Survey of the Melrose Station Market, Oceanside, San Diego County, California	ASM Affiliates, Inc.	2008
SD-11742	Archaeological Resources Survey, Bobier Property (APN 161-030-07), Vista, San Diego County, California	Gatlin Development Company	2008
SD-14069	Cultural and Historical Resource Study for the City of Oceanside General Plan- Circulation Element Update Program Environmental Impact Report	ASM Affiliates, Inc.	2011
SD-14122	Cultural Resources Survey and Assessment, Vista Ridge Apartments, Vista, San Diego County, California	Affinis	2013
N/A	Results of a Cultural Resources Due Diligence Study for the Modera Melrose Project (APNs 161-030-07, -23, and -24), Cities of Oceanside and Vista, San Diego County, California	Brian F. Smith and Associates	2021

Source: Appendix D

Smith 2021

Brian F. Smith and Associates completed a Due Diligence Study for the current project APE in 2021. The study included a review of SCIC records and previous studies, Native American Heritage Commission (NAHC) Sacred Lands File (SLF) files, and a reconnaissance survey of the APE. A portion of CA-SDI-5345 is recorded within the eastern portion of the project APE. Eight additional sites (CA-SDI-6088, CA-SDI-6089, CA-SDI-6090, CA-SDI-6091, CA-SDI-6092, CA-SDI-6093, CA-SDI-8241, and SDI-11630) are located to the north and northeast of the project APE. CA-SDI-5345 was originally recorded as consisting of bedrock milling features and a partially disturbed surface scatter of prehistoric habitation debris in 1975 by B. Underwood. Paul Chace conducted test excavations in 1978 and determined that a majority of CA-SDI-5345 was destroyed by grading activities. Brian F. Smith and Associates conducted a survey of the project APE on February 11, 2021 and noted that the property was impacted by previous agricultural uses, some grading activity, a block retaining wall, entry gate, and driveway at the northeast portion of the project APE. Brian F. Smith and Associates relocated two bedrock milling features were within the eastern portion of the project APE. No artifacts or additional features associated with CA-SDI-5345 were identified and no additional archaeological sites were identified within the project APE. While a majority of CA-SDI-5345 was previously destroyed, there is still potential for inadvertent archaeological discoveries, and archaeological and Native American monitoring would likely be required by the City of Oceanside.

SD-00503

Paul G. Chace & Associates conducted a testing program at CA-SDI-5345 in 1978. Five 5-ft x 5-ft square subsurface test units were excavated and placed within a five-foot grid system over the entire project area, and a series of soil

auger tests were performed with a manual 10-inch diameter bucket augur. The units were excavated in 6-inch horizontal levels. There was very little prehistoric cultural material recovered from the site. In total, only 24 pieces of prehistoric material were recovered (one flaked core, one wedge-shaped piece of limestone, one milling basin fragment, one cobble, and 20 flakes of stone debitage). Modern trash was encountered in large quantities during the excavation of the test units. This demonstrated that the soil deposit was highly disturbed and that the site lacked integrity of association to distinguish between the prehistoric and modern material in the deposit. The testing program concluded that the archaeological resources at CA-SDI-5345 are limited and lack integrity of setting and association, that it can be included that CA-SDI-5345 will not yield information important in prehistory. CA-SDI-5345 is not eligible for listing on the National Register of Historic Places (NRHP). It is proposed that no further mitigation measures are necessary to mitigate any impacts against the site. The maps in the report do not indicate the site boundaries; however, the mapping on the U.S. Geological Survey map with the site record shows it extending on both the north and south sides of Bobier Drive.

SD-11742

Affinis conducted a cultural resources survey in 2008 of the Bobier Property (APN 161-030-07) located immediate adjacent and to the east of the proposed project APE. CA-SDI-5345 is located within the Bobier Property and was previously tested by Paul G. Chace & Associates in 1978. During the survey, two bedrock milling features were noted, as well as two marine shells and a piece of metavolcanic angular waste. The survey did not contradict the previous assessment concluded by Chace in which CA-SDI-5345 was determined not to be a significant resource. Impacts to CA-SDI-5345 would not constitute a significant environmental effect. CA-SDI-5345 does not meet the criteria for listing on the California Register, nor would it be considered a historic property. However, due to the proximity of culturally sensitive areas such as the Luiseño village of Guajome, there is potential for subsurface cultural resources and an archaeological monitoring program was recommended.

SD-11563

ASM conducted a survey for the Melrose Station Market Project in 2007. This survey covers the proposed project APE. One prehistoric milling feature was noted in the northeastern corner of the project area, within the approximate area where CA-SDI-5345 was mapped. The feature consists of a partial milling slick surface on an approximately 70-centimeter by 60-centimeter by 70-centimeter granite boulder. The slick is situated on a vertical angle; therefore, it is clear the feature is not in its original location and was likely moved to its current position during past construction and development. In addition, a marine shell fragment (sp. *Argopecten aequisulcatus*) was identified less than 5 meters from the eastern boundary fence adjacent to the location of CA-SDI-5345. The fragment was located on the surface and not in association with any midden soils. Three exploratory shovel tests pits were excavated during the survey immediately adjacent to the location where the shell was discovered. Within 20 centimeters below the surface, a modern ceramic fragment was recovered. The ceramic was decorated with a scallop shell set in epoxy resin. The scallop shell from the ceramic fragment is the same type of shell noted on the surface, therefore, the surface shell fragment is likely modern in origin. In addition, three backhoe trenches approximately 25 feet long, 2.5 to 3 feet deep, located approximately 5 feet apart, were excavated. No evidence of any buried cultural materials were found the trench excavations. While one prehistoric milling feature was identified, the feature is not in its original location. No other evidence for CA-SDI-5345 or any other prehistoric archaeological site was found during the survey.

SD-14122

Affinis conducted a survey and testing program of CA-SDI-5345 in 2012 for the Vista Ridge Apartments. Testing included documentation of the bedrock milling feature and 12 shovel test pits measuring 50 centimeters by 30 centimeters and excavated in 10-centimeter levels. CA-SDI-5345 was recorded immediately south of the Vista Ridge Apartments property and noted as being significantly disturbed by the construction of West Bobier Drive. One small bedrock milling feature was noted during the survey along with a scatter of 30 surface artifacts consisting of marine shell, animal bone, and lithic artifacts. The testing program resulted in the recovery of seven pieces of debitage, indicating a lack of subsurface cultural deposits. Due to the amount of past disturbance and the scarcity of cultural material, CA-SDI-5345 is not a significant archaeological resource under CEQA, and impacts to the site do not constitute significant environmental effects. This study does not cover the proposed project APE, as the Vista Ridge Apartments is located northeast of the project APE, north of Bobier Drive.

Previously Recorded Resources

The SCIC records indicate that a portion of one site, CA-SDI-5345/P-37-005345, is located within the northeastern portion of the project APE. A further description of CA-SDI-5345 if provided below. The records search results identified a total of 21 cultural resources previously recorded within 1-mile of the project APE (Table 4.4-2). Of the 21 total resources identified in the 1-mile buffer, 16 are prehistoric resources, 4 are historic resources, and 1 is a multicomponent site. No historic addresses have been recorded within the project APE.

Table 4.4-2, Previous Cultural Resources Identified within 1 Mile of the Project APE

Primary Number	Trinomial	Age	Description	In/Out APE
P-37-004991	—	Prehistoric	Lithic scatter and metate fragment	Out
P-37-004992	—	Prehistoric	Lithic scatter and bedrock milling feature	Out
P-37-005345	CA-SDI-5345	Prehistoric	Bedrock milling with lithic scatter	In
P-37-005992	CA-SDI-5992	Historic	Guajome Ranch House	Out
P-37-006604	CA-SDI-6004	Prehistoric	Lithic scatter and flaking debris	Out
P-37-006088	CA-SDI-6088	Prehistoric	Bedrock milling with shell and lithic scatter	Out
P-37-006089	CA-SDI-6089	Prehistoric	Lithic fragments	Out
P-37-006090	CA-SDI-6090	Prehistoric	Bedrock milling feature with lithic scatter	Out
P-37-006091	CA-SDI-6091	Prehistoric	Bedrock milling with lithic scatter	Out
P-37-006092	CA-SDI-6092	Prehistoric	Bedrock milling features	Out
P-37-006093	CA-SDI-6093	Prehistoric	Bedrock milling with flakes	Out

Table 4.4-2, Previous Cultural Resources Identified within 1 Mile of the Project APE

Primary Number	Trinomial	Age	Description	In/Out APE
P-37-008241	CA-SDI-8241	Prehistoric	Bedrock milling, pictographs, midden, shell, lithic tool scatter	Out
P-37-008242	CA-SDI-8242	Prehistoric	Village site and human burial of recent European origin	Out
P-37-011630	CA-SDI-11630	Prehistoric	Shell scatter	Out
P-37-013182	CA-SDI-13182H	Multicomponent	Prehistoric lithic tool scatter, bedrock milling features, and historic tiles and pottery	Out
P-37-019211	CA-SDI-15889	Prehistoric	Campsite with hearth feature, groundstone tool cache, and human burial	Out
P-37-028774	—	Historic	Vista Community Center	Out
P-37-029291	CA-SDI-18734	Prehistoric	Lithic tool scatter and debitage	Out
P-37-029400	—	Historic	Residential foundations, swimming pool, shed, palm nursery	Out
P-37-035549	—	Historic	Single family property	Out
P-37-038378	CA-SDI-22643	Prehistoric	Bedrock milling features	Out

Source: Appendix D

CA-SDI-5345

As noted above, CA-SDI-5345 was recorded by B. Underwood in 1975 as a prehistoric bedrock milling feature with one milling element that consisted of a mortar. The SCIC GIS data maps CA-SDI-5345 within the northeastern corner of the project APE. In 1975, B. Underwood noted that the property owners reported that the site contained handstones, metates, and small triangular projectile points, but lacked pottery. Since there was no official site form prepared by B. Underwood in 1975, P. Chace officially recorded CA-SDI-5345 in 1977 and noted midden soil adjacent to the bedrock milling granite. The approximate size of the site was undetermined, but P. Chace noted the site to be potentially larger than 1 acre. In 1978, Chace conducted a testing program consisting of five test units, each approximately 5 square feet. The testing program yielded 24 artifacts consisting of a core, wedge-shaped piece of limestone, metate fragment, cobble handstone, and 20 flakes. The testing program concluded that the CA-SDI-5345 will not yield information important in prehistory and determined to not be a significant resource under CEQA, and no further work was recommended. R.L. Franklin revisited CA-SDI-5345 in 1979 and noted the site to be approximately 4 meters by 5 meters and consisting of bedrock grinding features, a midden, various handstones, two metates, and a metate fragment. In 2008, Affinis revisited the site and noted that most of CA-SDI-5345 had been destroyed by construction of West Bobier Drive. Two bedrock milling features were noted, two marine shells, and a piece of metavolcanic angular waste. No evidence was found to contradict the previous assessment of CA-SDI-5345 as not being a significant resource under CEQA.

ASM Affiliates Inc. conducted a survey in 2007 for the proposed Melrose Station Market Project, which is located immediately adjacent to CA-SDI-5345 and covers the current proposed project APE. One bedrock milling slick was noted on a displaced granite boulder. The slick was relatively vertical which strongly implied that the boulder was

disturbed and not in situ. No other archaeological evidence was noted during the survey. A marine shell fragment (sp. *Argopecten aequisulcatus*) was identified less than 5 meters from the eastern boundary fence adjacent to the location of CA-SDI-5345. The fragment was located on the surface and not in association with any midden soils. Three exploratory shovel test pits were excavated during the survey immediately adjacent to the location where the shell was discovered. Within 20 centimeters below the surface, a modern ceramic fragment was recovered. The ceramic was decorated with a scallop shell set in epoxy resin. The scallop shell from the ceramic fragment is the same type of shell noted on the surface, therefore, the surface shell fragment is likely modern in origin. In addition, three backhoe trenches approximately 25 feet long, 2.5 to 3 feet deep, located approximately 5 feet apart, were excavated. No evidence of any buried cultural materials were found the trench excavations. There was an absence of materials from site CA-SDI-5345.

Affinis conducted a survey in 2012 for the proposed Vista Ridge Apartments Project and CA-SDI-5345 was located within the project area. One small bedrock milling feature and a surface scatter of shell and lithic artifacts consisting of 37 flaked stone artifacts, shell, animal bone, and historic glass and metal were noted. A testing program consisting of 12 shovel test pits was conducted and yielded seven pieces of debitage and three historic items. The testing program determined that the property has been subject to a great deal of past disturbance associated with develop of the two existing residential lots and the placement of fill soils with the development of West Bobier Drive. Native soil and bedrock were still exposed on the south-central and southeastern portions of the project and there is a possibility that cultural material still exist beneath the fill soils. The testing program concluded that CA-SDI-5345 is not a significant archaeological resource under CEQA; however, the area is of cultural importance to the Luiseño people, and significant cultural resources are known in the vicinity. CA-SDI-5345 was not relocated during the survey by ASM Affiliates Inc. The proposed current project would not impact (neither directly nor indirectly) site CA-SDI-5345.

Archival Research

Historic topographic maps and historic aerial images were reviewed to understand the development of the project area and surrounding properties at historicaerials.com (Appendix D). Historic aerial photographs of the project site were available for 1938, 1946, 1953, 1964, 1967, 1978, 1980-1986, 1988-1991, 1993-2000, 2003, 2005, 2009, 2010, 2012, 2014, 2016, and 2018. The historic aerial from 1938 shows the project APE disturbed by agricultural activities. West Bobier Drive/Ocean Boulevard exists as a dirt road immediately north of the project APE and a residential structure appears to the east of the project APE. The 1946 aerial shows crops within the southeastern portion of the project APE, and the rest of the project APE as being mass graded. The 1953 aerial shows a majority of the crops disappearing. The 1964 aerial shows some dirt roads cutting through the middle of the project APE, and a residential development appears to the east. By 1967, more grading occurs along the perimeter and middle portion of the project APE and another residential development appears to the northeast. The 1978 aerial shows some slight ground disturbance in the western portion of the project APE. The 1980 aerial does not reveal any changes to the project APE.

The 1981 aerial shows mass grading to the northern and western perimeters of the project APE, likely for construction of West Bobier Drive/Ocean Boulevard and Melrose Drive. The 1982 aerial shows West Bobier Drive/Ocean Boulevard as paved asphalt roads with some grading within the northern and western perimeter of the project APE. The 1983-1984 aerials do not reveal any changes to the project APE. The 1985 aerial shows dirt trails within the western and southern portion of the project APE. The 1986-1990 aerials do not reveal any changes to the project APE. By 1991, some landscaping occurs on the northwestern perimeter of the project APE. The 1994 aerial shows dirt trails in the middle of the project APE and some ground disturbance to the northeastern corner of the project APE. The 1995 to 2002 aerials do not reveal any changes to the project APE. The 2005 aerial shows mass grading within the entire project APE. The 2009-2012 aerials do not reveal any changes to the project APE.

The 2014 aerial shows ground disturbance in the project APE. The 2018 aerial shows some ground disturbance within the project APE. The review of the historic aerial images demonstrates that the project APE has undergone extensive earth movement from agricultural activities, construction of the adjacent roads, and some grading activity. No historic structures are located within the project APE. Historic topographic maps of the project APE were reviewed (earliest map available from 1893) and do not show historic-age structures within the project APE.

NAHC and Tribal Correspondence

A search of the NAHC SLF was requested by Dudek on February 21, 2022 for the project APE and a 1-mile buffer. The SLF consists of a database of known Native American resources. These resources may not be included in SCIC database. The NAHC replied on April 12, 2022 with positive results; however, the response does not state if Tribal Cultural Resources (TCRs) are located within the project APE or the search buffer. The NAHC also recommended contacting the La Jolla Band of Luiseño Indians, Pechanga Band of Mission Indians, and the San Luis Rey Band of Mission Indians for more information (Appendix D). The NAHC additionally provided a list of Native American tribes and individuals/organizations with traditional geographic associations that might have knowledge of cultural resources in this area.

Outreach letters were mailed on April 13, 2022, to all Native American group representatives included on the NAHC contact list (Appendix D). The purpose of these letters is to solicit additional information relating to Native American resources that may be impacted by the project. Native American representatives were requested to define a general area where known resources intersect the project APE. Four responses have been received to date. A response was received from the Pechanga Band of Mission Indians on April 15, 2022 stating that the project area is located within their Ancestral Territory, located in proximity to two Luiseño Traditional Cultural Properties, located near five Ancestral Placename locations and two ceremonial locations, and believes the possibility for recovering subsurface artifacts during ground-disturbing activities is extremely high. A response was received from the San Luis Rey Band of Mission Indians on April 26, 2022, stating that they are aware of cultural resources within close proximity to the proposed project and recommends including a Luiseño Native American Monitor during all ground disturbing activities. A response was received from the Barona Band of Mission Indians on April 29, 2022, requesting to consult under AB52 with the City. A response was received form the Rincon Band of Luiseño Indians on May 3, 2022, stating the project is located within their Area of Historic Interest, and the project may impact tangible TCRs, Traditional Cultural Landscapes, and potential Traditional Cultural Properties. They recommended conducing a cultural resources study including a records search and survey of the property. The letters have been forwarded to the City and included in the report. No other communications between Dudek and the tribes has occurred since then. The NAHC correspondence is included in Appendix D.

In compliance with Assembly Bill 52, the City, as lead agency, is responsible for conducting government to government consultation with pertinent tribal entities. The City has conducted consultation with San Luis Rey Band of Mission Indians, Pechanga Band of Mission Indians, and Rincon Band of Luiseño Indians. Consultation included phone calls with all three Tribes, follow-up email coordination, and a site visit with Cheryl Madrigal who is the representative Cultural Resources Manager for Rincon Band of Luiseño Indians. Consultation has been deemed complete with Rincon Band of Luiseño Indians and San Luis Rey Band of Mission Indians. After initial consultation with Pechanga Band of Mission Indians, no responses have been received after multiple follow-up requests from the City.

Intensive Pedestrian Survey

The current intensive pedestrian field survey was conducted by a Dudek archaeologist on March 18, 2022. A Saving Sacred Sites Native American monitor participated in the survey. All survey work was conducted employing standard archaeological procedures and techniques consistent with Secretary of the Interior Standards. 5-meter interval survey transects were conducted. Exposed ground surface areas, such as vegetation clearings, cut banks, and rodent burrows/spoils were inspected for potential subsurface deposits and sediment conditions.

The project APE had moderate to poor ground surface visibility due to various levels of ground covering surface vegetation. Vegetation covered approximately 75% of the ground surface. The general level of previous ground disturbance is very high, as noted by evidence of grading excavations and various dirt berms, as well as several dispersed locations of construction waste dumping piles. Small mammal burrows were noted on the property, offering a brief glimpse at immediate sub-surface sediments. The rodent spoils were searched for potential subsurface artifacts or other cultural materials and no artifacts were identified.

The project APE has a discernable south-facing slope, with the lowest elevation along the southern edge of the project APE. There are multiple large granite bedrock boulders located in the remains of a natural seasonal drainage along the south-central edge of the project APE, all heavily exfoliated and damaged on outer surfaces. No milling surfaces were identified on these boulders. Additionally, three granite bedrock boulders were observed along the southeastern corner of the project APE. These boulders were inspected for cultural features, and none were identified. It strongly appears that the boulders are not in situ and have been placed in their current location.

No new artifacts of features were identified during the pedestrian survey. The previously recorded displaced milling feature identified during the 2007 ASM Affiliates survey of the project APE is now missing and was not relocated during the current survey. In 2007-2008, this feature was presumed to have been displaced from the immediately adjacent site, CA-SDI-5345.

No artifacts or features were identified within the previously recorded site boundaries of CA-SDI-5345 or in the vicinity associated with CA-SDI-5345. CA-SDI-5345 was not relocated within the project APE. No artifacts or features were identified during this survey and no structures are present in the project APE; therefore, there are no historical resources located within the project APE (Appendix D).

4.4.2 Regulatory Setting

Federal

National Historic Preservation Act

The National Historic Preservation Act (NHPA) (16 USC 470, et seq.) 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 (e.g., historic properties) prior to undertakings.

Section 106 of the NHPA requires federal agencies to take into account the effects of projects on historic properties (resources included in or eligible for the NRHP). It also gives the Advisory Council on Historic Preservation and the state historic preservation offices an opportunity to consult.

Executive Order 11593, Protection and Enhancement of the Cultural Environment

Executive Order 11593 (36 Federal Register 8921) (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 (16 USC 470-1).

National Register of Historic Places

The 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 or more of the following four criteria at the national, state, or local level to ensure integrity and obtain official designation:

- The property is associated with events that have made a significant contribution to the broad patterns of our history.
- The property is associated with the lives of persons significant to our past. Eligible properties based on this criterion are generally those associated with the productive life of the individual in the field in which the person achieved significance.
- The property embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic value, or represents a significant and distinguishable entity whose components lack individual distinction.
- The property has yielded, or is likely to yield, information important to prehistory or history.

In addition to meeting at least one of these four criteria, listed properties must also retain sufficient physical integrity of those features necessary to convey historic significance. The register has identified the following seven aspects of integrity: (1) location, (2) design, (3) setting, (4) materials, (5) workmanship, (6) feeling, and (7) association.

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 national standards used by every state. Once a property is listed in the NRHP, it becomes searchable in the NRHP database of research information. Documentation of a property's historic significance helps encourage preservation of the resource.

State

Native American Historic Cultural Sites (California Public Resources Code Section 5097 et seq.)

California Public Resources Code, Sections 5097–5097.6, identify that the unauthorized disturbance or removal of archaeological or historical resources located on public lands is a misdemeanor. It prohibits the knowing destruction of objects of antiquity without a permit (express permission) on public lands, and it provides for criminal sanctions. This Section was amended in 1987 to require consultation with the Native American Heritage

Commission (NAHC) whenever Native American graves are found. Violations that involve taking or possessing remains or artifacts are felonies.

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."

California Native American Graves Protection and Repatriation Act

The California Native American Graves Protection and Repatriation Act (California Repatriation Act), enacted in 2001, required all state agencies and museums that receive state funding and that have possession or control over collections of human remains or cultural items, as defined, to complete an inventory and summary of these remains and items on or before January 1, 2003, with certain exceptions. The California Repatriation Act also provides a process for the identification and repatriation of these items to the appropriate tribes.

California Register of Historical Resources

Under CEQA, the term "historical resource" includes but is not limited to "any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California" (California Public Resources Code Section 5020.1[j]). In 1992, the California legislature established the California Register of Historical Resources (CRHR) "to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change" (California Public Resources Code Section 5024.1[a]). A resource is eligible for listing in the CRHR if the State Historical Resources Commission determines that it is a significant resource and that it meets any of the following NRHP criteria:

- Associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- Associated with the lives of persons important in our past.
- 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.
- Has yielded, or may be likely to yield, information important in prehistory or history.

Resources less than 50 years old are not considered for listing in the CRHR, but may be considered if it can be demonstrated that sufficient time has passed to understand the historical importance of the resource (California Public Resources Code Section 5024.1[c]; 14 CCR Section 4852[d][2]).

The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR are nearly identical to those for the NRHP, and properties listed or formally designated as eligible for listing on the NRHP are automatically listed on the CRHR, as are the state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys. The State Historic Preservation Officer maintains the CRHR.

California Environmental Quality Act

As described further below, the following CEQA statutes and CEQA Guidelines are of relevance to the analysis of archaeological and historic resources:

1. California Public Resources Code Section 21083.2(g): Defines "unique archaeological resource."
2. California Public Resources Code Section 21084.1 and CEQA Guidelines Section 15064.5(a): Define historical resources. In addition, CEQA Guidelines Section 15064.5(b) defines the phrase "substantial adverse change in the significance of an historical resource;" it also defines the circumstances when a project would materially impair the significance of a historical resource.
3. California Public Resources Code Section 5097.98 and CEQA Guidelines Section 15064.5(e): Set forth standards and steps to be employed following the accidental discovery of human remains in any location other than a dedicated ceremony.
4. California Public Resources Code Sections 21083.2(b)-(c) and CEQA Guidelines Section 15126.4: Provide information regarding the mitigation framework for archaeological and historic resources, including options of preservation-in-place mitigation measures; preservation-in-place is the preferred manner of mitigating impacts to significant archaeological sites because it maintains the relationship between artifacts and the archaeological context, and may also help avoid conflict with religious or cultural values of groups associated with the archaeological site(s).

Under CEQA, a project may have a significant effect on the environment if it may cause "a substantial adverse change in the significance of an historical resource" (California Public Resources Code Section 21084.1; CEQA Guidelines Section 15064.5[b]). If a site is either listed or eligible for listing in the CRHR, or if it is included in a local register of historic resources or identified as significant in a historical resources survey (meeting the requirements of California Public Resources Code Section 5024.1[q]), it is a "historical resource" and is presumed to be historically or culturally significant for purposes of CEQA (California Public Resources Code Section 21084.1; CEQA Guidelines Section 15064.5[a]). The lead agency is not precluded from determining that a resource is a historical resource even if it does not fall within this presumption (California Public Resources Code Section 21084.1; CEQA Guidelines Section 15064.5[a]).

A "substantial adverse change in the significance of an historical resource" reflecting a significant effect under CEQA means "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired" (CEQA Guidelines Section 15064.5[b][1]; California Public Resources Code Section 5020.1[q]). In turn, the significance of a historical resource is materially impaired when a project:

1. Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register; or
2. Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to Section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or

3. Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register as determined by a lead agency for purposes of CEQA.

California Health and Safety Code Section 7050.5

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. 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 shall occur until the County coroner has examined the remains (Section 7050.5b). If the coroner determines or has reason to believe the remains are those of a Native American, the coroner must contact the NAHC within 24 hours (Section 7050.5c). The NAHC will notify the Most Likely Descendant. With the permission of the landowner, the Most Likely Descendant may inspect the site of discovery. The inspection must be completed within 24 hours of notification of the Most Likely Descendant by the NAHC. The Most Likely Descendant may recommend means of treating or disposing of, with appropriate dignity, the human remains and items associated with Native Americans.

Assembly Bill 52

California Assembly Bill 52, which took effect July 1, 2015, establishes 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 resources" (TCR). Public Resources Code Section 21074(a) defines TCRs and states that a project that has the potential to cause a substantial adverse change to a TCR is a project that may have an adverse effect on the environment. A TCR is defined as a site, feature, place, cultural landscape, sacred place, and 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 historical resources, or
2. determined by a lead agency to be a TCR.

Local

City of Oceanside General Plan

Cultural resources are addressed in the Environmental Resources Management Element City of Oceanside 2002a) and the Land Use Element (City of Oceanside 2002b). The Environmental Resources Management Element identifies several important cultural sites, including the nearby Mission San Luis Rey, and encourages preservation of such sites when planning development. Specifically, the Environmental Resource Management Element has the following objective for 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 (City) 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 areas and to forward this information to appropriate County agencies for inclusion in the San Diego County Natural Resources Inventory.

The Land Use Element provides designations for historic areas in order to preserve cultural resources. The Land Use Element states the following policy relevant to historic sites:

> 1.33 Historic Areas and Sites, Policy A: The City shall utilize adopted criteria, such as the "Mission San Luis Rey Historic Area Development Program and Design Guidelines," to preserve and further enhance designated historic or cultural resources.

The Land Use Element further contains the following policies regarding cultural resources:

> 3.2A: The City shall encourage open space land use designations and open space land use designations and open space zoning or open space easements for the preservation of cultural resources.
>
> 3.2B: The City shall encourage the acquisition, restoration, and/or maintenance of significant cultural resources by private organizations.
>
> 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.
>
> 3.2D: An archaeological survey report shall be prepared by a 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.

City of Oceanside Historic Preservation Ordinance

Chapter 14A of the City's Municipal Code, referred to as the Historic Preservation Ordinance, identifies evaluation criteria under which a historical site or area may be designated in Section 14A.6, as follows (City of Oceanside 2017):

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.

4.4.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to cultural resources are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to cultural resources would occur if the project would:

1. Cause a substantial adverse change in the significance of a historical resource pursuant to in CEQA Guidelines Section 15064.2.
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.2.
3. Disturb any human remains, including those interred outside of formal cemeteries.

The CEQA Guidelines state that a project that demolishes or alters those physical characteristics of a historical resource that convey its historical significance (i.e., its character-defining features) can be considered to materially impair the resource's significance. To best mitigate the effects of a project on cultural resources, a lead agency must make a reasonable, good faith effort to determine their historical or archaeological character and eligibility for listing in the CRHR. Of the four primary CRHR criteria for making such recommendations listed in Section 4.4.2, Regulatory Setting, Criterion 4 is most applicable for directing Phase I archaeological investigations. To be eligible for listing in the CRHR, a site must have "yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation" (California Public Resources Code Section 5024.1; 14 CCR 4852).

4.4.4 Impacts Analysis

Would the Project cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.2?

Based upon archival research and aerial photographs, the project site has been disturbed and modified between 1938 and 2018. Aerial photographs between 1938 and 1953 show that the project site was disturbed by agricultural activities. Additionally, the project site has been disturbed by mass grading and residential development adjacent to the project site. There are no historical-era (greater than 45 years old) structures present on the project site, as described in Section 4.4.1. The SCIC records search did not identify any historic addresses recorded within the project APE. For these reasons, it has been determined that the project would not result in a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.2, and potential impacts to historic resources as a result of project implementation would be **less than significant**.

Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.2?

Dudek's Phase I cultural resources inventory of the project indicates there is moderate to high sensitivity for identifying intact subsurface archaeological deposits during project implementation. The SCIC records search did identify CA-SDI-5345 within the northeastern corner of the project APE; however, the pedestrian survey did not relocate CA-SDI-5345 or any resources within the project APE. CA-SDI-5345 was previously determined as ineligible for listing for the CRHR and NRHP and is not significant under CEQA or the City of Oceanside Guidelines. As no ethnography and ethnobotanical studies have been conducted, overall eligibility for listing for the CRHR and NRHP remains undetermined.

As there are no cultural resources in the APE, no historical resources (as defined under CEQA) will be impacted by the project. This includes no direct, indirect, or cumulative impacts. The portion of CA-SDI-5345 within the project APE has been destroyed. The site is not a significant archaeological resource under CEQA; however, the project APE is located in close proximity to culturally sensitive areas such as village sites and ceremonial aeras, numerous cultural resources have been noted to be within proximity to the project APE, and the project APE is in close proximity to a drainage. Given the sensitivity of the area, there is potential for subsurface cultural resources. Therefore, it is recommended that a qualified archaeologist and Traditionally and Culturally Affiliated (TCA) Native American monitor representing a TCA Luiseño Tribe are present during all ground-disturbing activities.

Despite no significant archaeological resources being identified within the project site, the project area is of importance to the Luiseño People, and significant resources are noted within the area surrounding the project site. Therefore, as recommended in the Cultural Resources Inventory Report (Appendix D), in the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist meeting the Secretary of the Interior's Professional Qualification Standards can evaluate the significance of the find. Construction activities may continue in other areas but should be redirected a safe distance from the find. If the new discovery is evaluated and found to be significant under CEQA and avoidance is not feasible, additional work such as data recovery may be warranted. In such an event, a data recovery plan should be developed by the qualified archaeologist in consultation with the City and Native American representatives, if applicable. Ground disturbing work can continue in the area of the find only after impacts to the resources have been mitigated and with City approval.

Additionally, to further ensure project development would not result in potential impacts to cultural resources, the project would implement the City's standard cultural mitigation measures, **MM-CUL-1** through **MM-CUL-9**, outlined in Section 4.4.5 below. project implementation of the recommendations in the Cultural Resources Inventory Report (Appendix D) as well as implementation of the City's cultural mitigation measures would ensure that potential impacts to archaeological resources would remain **less than significant**.

Would the Project disturb any human remains, including those interred outside of formal cemeteries?

The project site is not used as a cemetery and is not otherwise known to contain human remains. Additionally, no evidence of human remains was discovered within the project site during the field surveys. However, this does not preclude finding human remains during project excavation and grading activities. As a standard construction practice, and in accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the County Coroner shall be immediately notified of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are, or are believed to be, Native American, he or she shall notify the NAHC in Sacramento within 24 hours. In accordance with California Public Resources Code Section 5097.98, the NAHC must immediately notify the person or persons it believes to be the Most Likely Descendant from the deceased Native American. The Most Likely Descendant shall complete inspection within 48 hours of being granted access to the site and make recommendations for the treatment and disposition, in consultation with the property owner, of the human remains.

The project would be required to comply with Section 7050.5 of the California Health and Safety Code, and would implement the City's cultural mitigation measures **MM-CUL-1** through **MM-CUL-9,** which would ensure that any potential impacts to human remains would be **less than significant**.

4.4.5 Mitigation Measures

Despite no significant archaeological resources being identified within the project site, to further ensure project development would not result in potential impacts to cultural resources, the project would implement the City's standard cultural mitigation measures, **MM-CUL-1** through **MM-CUL-9**, outlined below.

MM CUL-1 Prior to the 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 Traditionally and Culturally Affiliated (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. Through consultation with the Tribes that consulted on the project and with their consent, certain 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-2 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-3 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-4 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 on-site 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-5 In order for potentially significant archaeological artifact deposits and/or cultural resources to be readily detected during mitigation monitoring, a written "Controlled Grade Procedure" for CA-SDI-5345 shall be prepared by a Qualified Archaeologist, in consultation with the 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-6 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-7 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 on-site, 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 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-8 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.

MM CUL-9 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 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 on-site in the presence of a Luiseño Native American monitor. By law, the Medical Examiner will determine within two 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 Most Likely Descendant.

4.4.6 Level of Significance After Mitigation

As analyzed above, project implementation of the recommendations in the Cultural Resources Inventory Report (Appendix D), as well as implementation of the City's cultural mitigation measures **MM-CUL-1** through **MM-CUL-9**, would ensure that potential impacts to archaeological resources and human remains would remain **less than significant**.

4.5 Energy

This section describes the existing energy conditions of the project site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the Modera Melrose Mixed Use Development Project (proposed project or project) in the City of Oceanside (City). The following analysis is based on the latest version of California Emissions Estimator Model (CalEEMod), Version 2020.4.0, to estimate the proposed project's energy use (Air Quality and Greenhouse Gas Emissions Technical Report, provided as Appendix B).

4.5.1 Existing Conditions

Electricity

According to the U.S. Energy Information Administration, California used approximately 250,379 gigawatt hours of electricity in 2019 (EIA 2020a). Electricity usage in California for different land uses varies substantially by the types of uses in a building, type of construction materials used in a building, and the efficiency of all electricity-consuming devices within a building. By sector in 2017, commercial uses accounted for 46% of the state's electricity use, followed by 35% for residential uses, and 19% for industrial uses (EIA 2019). Due to the state's energy efficiency building standards and efficiency and conservation programs, California's electricity use per capita in the residential sector is lower than any other state except Hawaii (EIA 2020b).

San Diego Gas and Electric Company (SDG&E) provides electric services to 3.7 million customers through 1.49 million electric meters located in a 4,100-square-mile service area that includes San Diego County and southern Orange County (SDG&E 2022). According to the California Public Utilities Commission (CPUC), SDG&E customers consumed approximately 19,045 million kilowatt-hours (kWh) of electricity in 2020 (CPUC 2022).

SDG&E receives electric power from a variety of sources. In 2017, 44% of SDG&E's power came from eligible renewable energy sources, including biomass/waste, geothermal, small hydroelectric, solar, and wind sources (CPUC 2016, 2017).

Based on recent energy supply and demand projections in California, statewide annual peak electricity demand is projected to grow an average of 890 megawatts per year for the next decade, or 1.4% annually, and consumption per capita is expected to remain relatively constant at 7,200 kWh to 7,800 kWh per person (CEC 2016).

In San Diego County, the California Energy Commission (CEC) reported an annual electrical consumption of approximately 7.4 billion kWh in 2020 for residential use (CEC 2020).

Natural Gas

CPUC regulates natural gas utility service for approximately 10.8 million customers who receive natural gas from Pacific Gas & Electric, Southern California Gas (SoCalGas), SDG&E, Southwest Gas, and several smaller natural gas utilities. CPUC also regulates independent storage operators Lodi Gas Storage, Wild Goose Storage, Central Valley Storage, and Gill Ranch Storage (CPUC 2017). SDG&E provides natural gas service to San Diego County and Orange County and would provide natural gas to the proposed project. SDG&E is a wholesale customer of SoCalGas and currently receives all of its natural gas from the SoCalGas system (CPUC 2017).

The majority of California's natural gas customers are residential and small commercial customers (core customers). These customers accounted for approximately 32% of the natural gas delivered by California utilities in 2012. Large consumers, such as electric generators and industrial customers (noncore customers), accounted for approximately 68% of the natural gas delivered by California utilities in 2012 (CPUC 2017).

CPUC regulates California natural gas rates and natural gas services, including in-state transportation over transmission and distribution pipeline systems, storage, procurement, metering, and billing. Most of the natural gas used in California comes from out-of-state natural gas basins (CPUC 2017).

The CEC reports that SDG&E consumed a total of approximately 50.5 trillion British thermal units (Btu) of natural gas in 2020, including 14.7 trillion Btu for commercial buildings, 2.2 trillion Btu for industrial buildings, and 30.2 trillion Btu for residential use (CEC 2022a). In San Diego County, total natural gas consumption was approximately 50.5 trillion Btu in 2020, with 20.2 trillion Btu for nonresidential use and 30.3 trillion Btu for residential use (CEC 2022b).

Petroleum

According to the EIA, California used approximately 681 million barrels of petroleum in 2018, with the majority (584 million barrels) used for the transportation sector (EIA 2021). This total annual consumption equates to a daily use of approximately 1.9 million barrels of petroleum. There are 42 U.S. gallons in a barrel, so California consumes approximately 78.4 million gallons of petroleum per day, adding up to an annual consumption of 28.7 billion gallons of petroleum. By sector, transportation uses account for approximately 85.5% of the state's petroleum use, followed by 11.1% from industrial uses, 2.5% from commercial uses, 0.9% from residential uses, and 0.01% from electric power uses (EIA 2018). Petroleum usage in California includes petroleum products such as motor gasoline, distillate fuel, liquefied petroleum gases, and jet fuel. California has implemented policies to improve vehicle efficiency and to support use of alternative transportation, which are described in Section 4.5.2, below. As such, the CEC anticipates an overall decrease of gasoline demand in the state over the next decade.

Existing Infrastructure

Electricity and natural gas for the proposed project would be provided by SDG&E. The proposed project would connect to existing electrical lines and natural gas pipeline within existing roadways adjacent to the project site.

4.5.2 Regulatory Setting

Federal

Energy Policy and Conservation Act

In 1975, Congress enacted the federal Energy Policy and Conservation Act, which 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 is responsible for establishing additional vehicle standards. In 2012, new fuel economy standards for passenger cars and light trucks were approved for model years 2017 through 2021 (77 FR 62624–63200). Fuel economy is determined based on each manufacturer's average fuel economy for the fleet of vehicles available for sale in the United States.

Intermodal Surface Transportation Efficiency Act of 1991

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) promoted the development of intermodal transportation systems to maximize mobility and address national and local interests in air quality and energy. ISTEA contained factors that metropolitan planning organizations were to address in developing transportation plans and programs, including some energy-related factors. To meet the new ISTEA requirements, metropolitan planning organizations adopted policies defining the social, economic, energy, and environmental values guiding transportation decisions.

Transportation Equity Act for the 21st Century

The Transportation Equity Act for the 21st Century was signed into law in 1998 and builds on the initiatives established in the ISTEA legislation, discussed above. The act authorizes highway, highway safety, transit, and other efficient surface transportation programs. The act continues the program structure established for highways and transit under ISTEA, such as flexibility in the use of funds, emphasis on measures to improve the environment, and focus on a strong planning process as the foundation of transportation decisions. The act also provides for investment in research and its application to maximize the performance of the transportation system through, for example, deployment of intelligent transportation systems to help improve operations and management of transportation systems and vehicle safety.

Energy Independence and Security Act of 2007

On December 19, 2007, the Energy Independence and Security Act of 2007 (EISA) was signed into law. In addition to setting increased Corporate Average Fuel Economy standards for motor vehicles, the EISA includes the following other provisions related to energy efficiency:

- Renewable Fuel Standard (RFS) (Section 202)
- Appliance and Lighting Efficiency Standards (Sections 301–325)
- Building Energy Efficiency (Sections 411–441)

This federal legislation requires ever-increasing levels of renewable fuels (the RFS) to replace petroleum (EPA 2022). The U.S. Environmental Protection Agency is responsible for developing and implementing regulations to ensure that transportation fuel sold in the United States contains a minimum volume of renewable fuel. The RFS program regulations were developed in collaboration with refiners, renewable fuel producers, and many other stakeholders.

The RFS program was created under the Energy Policy Act of 2005 and established the first renewable fuel volume mandate in the United States. As required under the act, the original RFS program (RFS1) required 7.5 billion gallons of renewable fuel to be blended into gasoline by 2012. Under the EISA, the RFS program was expanded in several key ways that lay the foundation for achieving significant reductions in greenhouse gas (GHG) emissions from the use of renewable fuels, reducing imported petroleum, and encouraging the development and expansion of the renewable fuels sector in the United States. The updated program is referred to as “RFS2” and includes the following:

- EISA expanded the RFS program to include diesel, in addition to gasoline.
- EISA increased the volume of renewable fuel required to be blended into transportation fuel from 9 billion gallons in 2008 to 36 billion gallons by 2022.
- EISA established new categories of renewable fuel and set separate volume requirements for each one.

- EISA required the U.S. Environmental Protection Agency to apply lifecycle GHG performance threshold standards to ensure that each category of renewable fuel emits fewer GHGs than the petroleum fuel it replaces.

Additional provisions of the EISA address energy savings in government and public institutions, research for alternative energy, additional research in carbon capture, international energy programs, and the creation of "green" jobs.

State

California Environmental Quality Act

Appendix F of the California Environmental Quality Act (CEQA) Guidelines calls for discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy.

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.

Warren–Alquist Act

The California Legislature passed the Warren–Alquist Act in 1974. The Warren–Alquist Act created the CEC. The legislation also incorporated the following three key provisions designed to address the demand side of the energy equation:

- It directed the CEC to formulate and adopt the nation's first energy conservation standards for both buildings constructed and appliances sold in California.
- The act removed the responsibility of electricity demand forecasting from utilities, which had a financial interest in high demand projections, and transferred it to a more impartial CEC.
- The CEC was directed to embark on an ambitious research and development program, with a particular focus on fostering what were characterized as non-conventional energy sources.

State of California Energy Action Plan

The CEC and CPUC approved the first State of California Energy Action Plan in 2003. The plan established shared goals and specific actions to ensure that adequate, reliable, and reasonably priced electrical power and natural gas supplies are provided, and identified policies, strategies, and actions that are cost-effective and environmentally sound for California's consumers and taxpayers. In 2005, CEC and CPUC adopted a second Energy Action Plan to reflect various policy changes and actions of the prior 2 years.

At the beginning of 2008, the CEC and CPUC determined that it was not necessary or productive to prepare a new energy action plan. This determination was based in part on a finding that the state's energy policies have been significantly influenced by the passage of Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006 (discussed below). Rather than produce a new energy action plan, the CEC and CPUC prepared an "update" that examines the state's ongoing actions in the context of global climate change.

Senate Bill 1078 (2002)

This bill established the California Renewables Portfolio Standard (RPS) Program and required that a retail seller of electricity purchase a specified minimum percentage of electricity generated by eligible renewable energy resources as defined in any given year, culminating in a 20% standard by December 31, 2017. These retail sellers include electrical corporations, community choice aggregators, and electric service providers. The bill relatedly required the CEC to certify eligible renewable energy resources, design and implement an accounting system to verify compliance with the RPS by retail sellers, and allocate and award supplemental energy payments to cover above-market costs of renewable energy.

Senate Bills 107 (2006), X1-2 (2011), 350 (2015), and 100 (2018)

Senate Bill (SB) 107 (2006) accelerated the RPS established by SB 1078 by requiring that 20% of electricity retail sales be served by renewable energy resources by 2010 (not 2017). Additionally, SB X1-2 (2011) requires all California utilities to generate 33% of their electricity from eligible renewable energy resources by 2020. Specifically, SB X1-2 sets a three-stage compliance period: by December 31, 2013, 20% shall come from renewables; by December 31, 2016, 25% shall come from renewables; and by December 31, 2020, 33% shall come from renewables.

SB 350 (2015) requires retail seller and publicly owned utilities to procure 50% of their electricity from eligible renewable energy resources by 2030, with interim goals of 40% by 2024 and 45% by 2027.

SB 100 (2018) accelerated and expanded the standards set forth in SB 350 by establishing that 44% of the total electricity sold to retail customers in California per year by December 31, 2024; 52% by December 31, 2027; and 60% by December 31, 2030, be secured from qualifying renewable energy sources. SB 100 also states that it is the policy of the state that eligible renewable energy resources and zero-carbon resources supply 100% of the retail sales of electricity to California. This bill requires that the achievement of 100% zero-carbon electricity resources does not increase the carbon emissions elsewhere in the western grid and that the achievement not be achieved through resource shuffling.

Consequently, utility energy generation from nonrenewable resources is expected to be reduced based on implementation of the 60% RPS in 2030. Therefore, any project's reliance on nonrenewable energy sources would also be reduced.

Assembly Bill 1007 (2005)

AB 1007 (2005) required the CEC to prepare a statewide plan to increase the use of alternative fuels in California (State Alternative Fuels Plan). The CEC prepared the plan in partnership with the California Air Resources Board (CARB) and in consultation with the other state, federal, and local agencies. The plan assessed various alternative fuels and developed fuel portfolios to meet California's goals to reduce petroleum consumption, increase alternative fuels use, reduce GHG emissions, and increase in-state production of biofuels without causing a significant degradation of public health and environmental quality.

Assembly Bill 32 (2006) and Senate Bill 32 (2016)

In 2006, the Legislature enacted AB 32, the California Global Warming Solutions Act of 2006. AB 32 requires California to reduce its GHG emissions to 1990 levels by 2020. In 2016, the Legislature enacted SB 32, which extended the horizon year of the state's codified GHG reduction planning targets from 2020 to 2030, requiring

California to reduce its GHG emissions to 40% below 1990 levels by 2030. In accordance with AB 32 and SB 32, CARB prepares scoping plans to guide the development of statewide policies and regulations for the reduction of GHG emissions. Many of the policy and regulatory concepts identified in the scoping plans focused on increasing energy efficiencies and the use of renewable resources, and reducing the consumption of petroleum-based fuels (such as gasoline and diesel). As such, the state's GHG emissions reduction planning framework creates co-benefits for energy-related resources. Additional information on AB 32 and SB 32 is provided in Section 4.7, Greenhouse Gases, of this EIR.

California Building Standards

Part 6 of Title 24 of the California Code of Regulations was established in 1978 and serves to enhance and regulate California's building standards. Part 6 establishes energy efficiency standards for residential and nonresidential buildings constructed in California to reduce energy demand and consumption. Part 6 is updated periodically to incorporate and consider new energy efficiency technologies and methodologies.

The current Title 24, Part 6 standards, referred to as the 2019 Title 24 Building Energy Efficiency Standards, became effective on January 1, 2020. In general, single-family residences built to the 2019 standards are anticipated to use approximately 7% less energy due to energy efficiency measures than those built to the 2016 standards; once rooftop solar electricity generation is factored in, single-family residences built under the 2019 standards will use approximately 53% less energy than those under the 2016 standards (CEC 2018a). Nonresidential buildings built to the 2019 standards are anticipated to use an estimated 30% less energy than those built to the 2016 standards (CEC 2018a).

Title 24 also includes Part 11, the California Green Building Standards (CALGreen). CALGreen establishes minimum mandatory standards as well as voluntary standards pertaining to the planning and design of sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and interior air quality. The 2019 CALGreen standards are the current applicable standards. Title 24 categorizes residential buildings that are four or more habitable levels as high-rise residential rather than mid-rise. High-rise residential is included in the nonresidential section of Title 24 and therefore, is subject to the nonresidential code rather than the residential code. For nonresidential projects (which the project is subject to), some of the key mandatory CALGreen 2019 standards involve requirements related to bicycle parking, designated parking for clean air vehicles, electric vehicle (EV) charging stations, shade trees, water-conserving plumbing fixtures and fittings, outdoor potable water use in landscaped areas, recycled water supply systems, construction waste management, excavated soil and land clearing debris, and commissioning (24 CCR Part 11).

Integrated Energy Policy Report

The CEC is responsible for preparing integrated energy policy reports that identify emerging trends related to energy supply, demand, and conservation; public health and safety; and maintenance of a healthy economy. The CEC's 2018 Integrated Energy Policy Report discusses the state's policy goals of decarbonizing buildings, doubling energy efficiency savings, and increasing flexibility in the electricity grid system to integrate more renewable energy (CEC 2018b). Specifically, for the decarbonizing of building energy, the goal would be achieved by designing future commercial and residential buildings to have their energy sourced almost entirely from electricity in place of natural gas. Regarding the increase in renewable energy flexibility, the goal would be achieved through increases in energy storage capacity within the state, increases in energy efficiency, and adjusting energy use to the time of day when the most amount of renewable energy is being generated. Over time these policies and trends would serve to beneficially reduce the project's GHG emissions profile and energy consumption as they are implemented.

Executive Order (EO) N-79-20. EO N-79-20 (2020) sets the goal for the state that 100% of in-state sales of new passenger cars and trucks will be zero-emission by 2035. EO-N-79-20 also sets goals for transition to 100% zero-emission all medium- and heavy-duty vehicles by 2045, zero-emission drayage trucks by 2035, and zero-emission off-road vehicles and equipment by 2035, where feasible. Among other directives to further this EO, for passenger cars and trucks, the governor directed CARB to develop and propose regulations requiring increasing volumes of new zero-emission vehicles sold in the state towards the target of 100% of in-state sales by 2035. The governor also directed the Governor's Office of Business and Economic Development to develop a Zero-Emissions Vehicle Market Development Strategy, which was completed in February 2021.[1] The EO also directs updates and assessments to ensure zero-emission vehicle infrastructure is in place to support the levels of electric vehicle adoption required by the order.

Sustainable Communities Strategy

The Sustainable Communities and Climate Protection Act of 2008, or SB 375, coordinates land use planning, regional transportation plans, and funding priorities to help California meet its GHG emissions reduction mandates. As codified in California Government Code, Section 65080, SB 375 requires metropolitan planning organizations (San Diego Association of Governments) to include a sustainable communities strategy in its regional transportation plan. The main focus of the sustainable communities strategy is to plan for growth in a fashion that will ultimately reduce GHG emissions, but the strategy is also a part of a bigger effort to address other development issues within the general vicinity, including transit and vehicle miles traveled, which influence the consumption of petroleum-based fuels.

Local

SDG&E Individual Integrated Resource Plan

SDG&E's Conforming Portfolio identifies a need for approximately 700 gigawatt-hours of incremental renewable power in addition to the assumed increases in energy efficiency and behind-the-meter solar, to meet the 2030 planning target (approximately 4% of the total energy in the portfolio) (SDG&E 2020a). SDG&E's Conforming Portfolio demonstrates that the utility has reduced its GHG emissions in the early years of the planning period, reflecting its current position in relation to its RPS targets—in 2018, approximately 45% of its energy mix came from delivering renewable resources (compared to an RPS requirement of 29%), it has aggressively adopted energy storage, and does not use coal resources. SDG&E is fully compliant with RPS and long-term contracting requirements. SDG&E continues its efforts to meet resource-specific renewable procurement mandates, as required, but does not expect to procure additional resources for RPS compliance purposes until after 2030. SDG&E is forecasted to reach 49% renewable energy in 2021, 98% of which will be from long-term contracts (SDG&E 2020b).

City of Oceanside General Plan

Energy Climate Action Element

The Energy Climate Action Element (ECAE) of the General Plan addresses energy consumption and other activities within the City that may contribute to adverse energy and GHG impacts. The ECAE focuses on activities associated with human-induced climate change. The ECAE outlines sustainability goals and policies for the City's decision-making process, including development review protocols. The primary themes and goals of the ECAE are related to

[1] https://static.business.ca.gov/wp-content/uploads/2021/02/ZEV_Strategy_Feb2021.pdf

energy efficiency and renewable energy, smart growth and multimodal transportation, zero waste, water conservation, urban greening, local agriculture, and sustainable consumption (City of Oceanside 2019a).

City of Oceanside Climate Action Plan

The City adopted a Climate Action Plan in May of 2019, which seeks to align with state efforts to reduce GHG emissions while balancing a variety of community interests such as quality of life, economic development, and social equity. The Climate Action Plan outlines City measures and strategies to reduce GHG emissions to make progress towards meeting the State of California's 2050 GHG reduction goal. The Climate Action Plan mirrors what the ECAE mentions regarding the different efforts that will be vital in meeting these goals for GHG reduction (City of Oceanside 2019b).

4.5.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to energy are based on CEQA Guidelines Appendix G. According to Appendix G, a significant impact related to energy would occur if the proposed project would:

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

4.5.4 Impacts Analysis

Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Construction Use

The proposed project would require an approximately 18-month-long construction period. The construction phases anticipated to occur include demolition, site preparation, rough grading, building construction and architectural coating, and paving. Heavy-duty construction equipment associated with construction activities would rely on diesel fuel, as would trucks associated with vendor and haul trips.

The amount of electricity used during construction would be minimal; typical demand would stem from the use of electrically powered hand tools and several construction trailers by managerial staff during the hours of construction activities. Natural gas is not anticipated to be required during project construction.

Heavy-duty construction equipment of various types would be used during each phase of construction. The CalEEMod analysis discussed in Appendix B to this EIR, includes the proposed construction schedule and assumed equipment usage. Based on that analysis, over all phases of construction, diesel-fueled construction equipment would run for an estimated 18,240 hours, as summarized in Table 4.5-1.

Table 4.5-1. Hours of Operation for Construction Equipment

Phase	Hours of Equipment Use
Site Preparation	560
Grading	960
Building Construction	15,640
Paving	960
Architectural Coating	120
Total	**18,240**

Source: Appendix B.

Fuel consumption from construction equipment was estimated based on the project's anticipated construction schedule by converting the total carbon dioxide (CO_2) emissions from each construction phase to gallons using conversion factors for CO_2 to gallons of diesel. Construction is estimated to occur over a 14-month period (2023–2024) based on the CalEEMod default construction phasing schedule. The conversion factor for gasoline is 8.78 kilograms per metric ton CO_2 per gallon, and the conversion factor for diesel is 10.21 kilograms per metric ton CO_2 per gallon (The Climate Registry 2019). The estimated diesel fuel use from construction equipment is shown in Table 4.5-2.

Table 4.5-2. Construction Equipment Diesel Demand

Phase	Pieces of Equipment	Equipment CO2 (MT)	kg CO2/Gallon	Gallons
Site Preparation	7	16.73	10.21	1,638.14
Grading	6	26.06	10.21	2,552.46
Building Construction	9	266.59	10.21	26,110.67
Paving	6	20.03	10.21	1,961.46
Architectural Coating	1	2.55	10.21	250.08
			Total	**32,512.80**

Sources: Appendix B (pieces of equipment and equipment CO_2); The Climate Registry 2019 (kg/CO_2/gallon).
Notes: CO_2 = carbon dioxide; MT = metric ton; kg = kilogram.

Fuel consumption from worker and vendor trips is estimated by converting the total CO_2 emissions from each construction phase to gallons using the conversion factors for CO_2 to gallons of gasoline or diesel. Worker vehicles are analyzed as being gasoline fueled, and vendor/hauling vehicles are analyzed as being diesel fueled. Calculations for total worker, vendor, and hauler fuel consumption are provided in Tables 4.5-3, 4.5-4, and 4.5-5, respectively.

Table 4.5-3. Construction Worker Vehicle Gasoline Demand

Phase	Trips	Vehicle CO_2 (MT)	kg CO_2/Gallon	Gallons
Site Preparation	180	0.57	8.78	65.05
Grading	300	0.95	8.78	108.41
Building Construction	80,730	253.77	8.78	28,903.10
Paving	300	0.92	8.78	104.86
Architectural Coatings	1,400	4.30	8.78	489.35
			Total	**29,670.76**

Sources: Appendix B (construction worker CO_2); The Climate Registry 2019 (kg/CO_2/gallon).
Notes: CO_2 = carbon dioxide; MT = metric ton; kg = kilogram.

Table 4.5-4. Construction Vendor Truck Diesel Demand

Phase	Trips	Vehicle CO_2 (MT)	kg/CO_2/Gallon	Gallons
Site Preparation	20	0.20	10.21	19.66
Grading	60	0.40	10.21	39.30
Building Construction	21,300	185.99	10.21	18,216.04
Paving	40	0.39	10.21	38.62
Architectural Coatings	40	0.39	10.21	38.62
			Total	**18,352.24**

Sources: Appendix B (construction worker CO_2); The Climate Registry 2019 (kg/CO_2/gallon).
Notes: CO_2 = carbon dioxide; MT = metric ton; kg = kilogram.

Table 4.5-5. Construction Haul Truck Diesel Demand

Phase	Trips	Vehicle CO_2 (MT)	kg CO_2/Gallon	Gallons
Site Preparation	0	0.00	10.21	0.00
Grading	5,400	162.04	10.21	15,870.64
Building Construction	0	0.00	10.21	0.00
Paving	0	0.00	10.21	0.00
Architectural Coatings	—	—	—	—
			Total	**15,870.64**

Sources: Appendix B (construction worker CO_2); The Climate Registry 2019 (kg/CO_2/gallon).
Notes: CO_2 = carbon dioxide; MT = metric ton; kg = kilogram.

As shown in Tables 4.5-2 through 4.5-5, the project is estimated to consume a total of approximately 96,406 gallons of petroleum during the construction phase. By comparison, approximately 14.8 billion gallons of petroleum would be consumed in California over the course of the proposed project's construction period based on the California daily petroleum consumption estimate of approximately 52.9 million gallons per day (CEC 2016). Additionally, the proposed project would be required to comply with CARB's Airborne Toxics Control Measure, which limits fuel use by restricting heavy-duty diesel vehicle idling time to 5 minutes. Based on the calculations above, the project would not significantly affect the overall demand for petroleum considering the project's minimal contribution towards demand, and compliance with CARB's Airborne Toxics Control Measure.

Temporary electric power for as-necessary lighting and electronic equipment such as computers inside temporary construction trailers is not anticipated; however, electricity used for such activities would be less than that required for project operation and would have a minimal contribution to the project's overall energy consumption. Project construction would also involve use of nonrenewable or slowly renewable resources used to create building materials, including certain types of lumber and other forest products; aggregate materials used in concrete and asphalt such as sand, gravel, and stone; metals such as steel, copper, and lead; petrochemical construction materials such as plastics; and water. Construction would comply with all relevant energy-related regulations by conserving energy and natural resources to the extent feasible. The energy demands due to diesel and gasoline use during construction would be small relative to statewide and local demands for fuel use, as discussed previously. The energy consumption during project construction would be commensurate with typical construction projects and would not use energy wastefully or inefficiently. Therefore, impacts related to temporary energy consumption during construction of the project are considered to be **less than significant.**

Operational Use

Electricity

SDG&E provides electric services to 3.7 million customers through 1.49 million electric meters and 905,000 natural gas meters throughout a 4,100-square-mile service area in San Diego County and southern Orange County (SDG&E 2022). According to CPUC, SDG&E customers consumed approximately 19,045 million kilowatt-hours (kWh) of electricity in 2020 (CPUC 2022). Based on recent energy supply and demand projections in California, statewide per-capita consumption is expected to remain relatively constant at 7,200 to 7,800 kWh per person (CEC 2015). In the County, SDG&E reported an annual electrical consumption of approximately 15,634 million kWh in 2018, with 8,550 million kWh for nonresidential use and 7,084 million kWh for residential use (SDG&E 2019). More specifically, within the City, annual electricity consumption (encompassing both residential and nonresidential) was approximately 654,557,305 kWh in 2018 (SDG&E 2019).

CalEEMod estimates energy usage associated with building systems that are regulated under Title 24 (such as the heating and cooling system), lighting, and use of, appliances, plug-ins, and other sources not covered by Title 24. CalEEMod estimated that the project would consume approximately 839,993 kWh of electricity annually. Compared with the City's annual electricity consumption, the anticipated increase in consumption associated with 1 year of project operation is approximately 0.4% of the City's use. Considering the project would be consistent with the City's General Plan and Zoning for the site, the local and regional electricity demand planning would have included the project. In addition, the project would comply with Title 24 energy efficiency standards.

Natural Gas

The CPUC regulates California natural gas rates and natural gas services, including in-state transportation over transmission and distribution pipeline systems, storage, procurement, metering, and billing. Most of the natural gas used in California comes from out-of-state natural gas basins. SDG&E provides natural gas service to San Diego and Orange Counties, and would provide service to the project site. CalEEMod estimated that the project would consume approximately 2.41 million thousand British thermal units (kBtu) of natural gas annually. By comparison, the City consumed approximately 4,877 million kBtu in 2018 (SDG&E 2019). The anticipated increase in consumption associated with 1 year of project operation is approximately 0.05% of the SDG&E existing demand. Considering the proposed project would be consistent with the City's General Plan and Zoning for the site, the local and regional natural gas demand planning would have included the project. In addition, the proposed project would comply with Title 24 energy efficiency standards.

Petroleum

There are more than 36 million registered vehicles in California, and those vehicles consume an estimated 1.45 billion gallons of fuel each year (CEC 2022a; DMV 2022). Petroleum currently accounts for approximately 92% of California's transportation energy consumption (CEC 2019). However, technological advances, market trends, consumer behavior, and government policies could result in significant changes in fuel consumption by type and in total. At the federal and state levels, various policies, rules, and regulations have been enacted to improve vehicle fuel efficiency, promote the development and use of alternative fuels, reduce transportation-source air pollutants and GHG emissions, and reduce vehicle miles traveled. Market forces have driven the price of petroleum products steadily upward over time, and technological advances have made use of other energy resources or alternative transportation modes increasingly feasible. Largely as a result of and in response to these multiple factors, gasoline consumption within the state has declined in recent years, and availability of other alternative fuels and energy sources has increased. The quantity, availability, and reliability of transportation energy resources have increased in recent years, and this trend may likely continue and accelerate (CEC 2019). Increasingly available and diversified transportation energy resources act to promote continuing reliable and affordable means to support vehicular transportation within the state.

CalEEMod estimated that the project would generate approximately 5,406,727 vehicle miles traveled per year. Similar to construction worker and vendor trips, fuel consumption was estimated by converting the total CO_2 emissions from each land use type to gallons using the conversion factors for CO_2 to gallons of gasoline or diesel. Based on the annual fleet mix provided in CalEEMod, 96% of the fleet range from light-duty to medium-duty vehicles and motorcycles were assumed to run on gasoline. The remaining 4% of vehicles represent medium-heavy duty to heavy-duty vehicles and buses/recreational vehicles, which were assumed to run on diesel. Calculations for annual mobile-source fuel consumption are provided in Table 4.5-6.

Table 4.5-6. Mobile Source Fuel Consumption – Operation

Fuel	Vehicle MT CO2	kg CO2/Gallon	Gallons
Gasoline	1,673.41	8.78	190,592.97
Diesel	78.47	10.21	7,685.95
		Total	**198,278.92**

Sources: Appendix B (mobile source CO_2); The Climate Registry 2019 (kg/CO_2/gallon).
Notes: MT = metric ton; CO_2 = carbon dioxide; kg = kilogram.

As shown in Table 4.5-6, mobile sources from the proposed project would result in approximately 190,593 gallons of gasoline per year and 7,686 gallons of diesel consumed per year beginning in 2024. By comparison, California as a whole consumed approximately 1.45 billion gallons of petroleum in 2018 (CEC 2019).

Over the lifetime of the project, the fuel efficiency of the vehicles being used by residents, visitors, and employees is expected to increase. As such, the amount of petroleum consumed as a result of vehicular trips to and from the project site during operation would decrease over time.

In summary, although the project would increase electricity, natural gas, and petroleum use during operation, considering the size of the project, estimated use of these resources would be minimal relative to existing statewide and local demands. Energy consumption during project operation would be commensurate with typical residential projects and would not use energy wastefully or inefficiently. Furthermore, the project would include several sustainability design features to reduce potential energy and water usage, such as (but not limited to) EV parking

including 27 EV stalls, solar photovoltaic (PV) roof tiles to accommodate 50% of on-site energy demand, and drought-tolerant landscaping and water efficient irrigation systems.

As stated above, the proposed project will include on-site solar PV systems. Other renewable energy systems including wind turbine generation, geothermal generation, energy storage, and other renewable energy generation features are not considered technically or economically feasible and/or demonstrated for a similar project. Additionally, site constraints include limited land availability and incompatibility with land use for large scale power generation facilities as well as unknown interconnection feasibility and compatibility with utility provider systems. For these reasons other on-site renewable energy systems are not considered feasible for the proposed project.

Given the considerations above, energy consumption associated with construction and operation of the project would not be considered wasteful, inefficient, or unnecessary consumption of energy resources, and impacts would **be less than significant**.

Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The project would meet the Title 24 and CALGreen standards to reduce energy demand and increase energy efficiency. Title 24 of the California Code of Regulations contains energy efficiency standards for residential and nonresidential buildings based on a state mandate to reduce California's energy demand. Specifically, Title 24 addresses a number of energy efficiency measures that impact energy used for lighting, water heating, heating, and air conditioning, including the energy impact of the building envelope such as windows, doors, skylights, wall/floor/ceiling assemblies, attics, and roofs.

Title 24, Part 6 specifically establishes energy efficiency standards for residential and nonresidential buildings constructed in the State of California in order to reduce energy demand and consumption. The proposed project would comply with Title 24, Part 6, per state regulations.

Title 24, Part 11. In addition to the CEC's 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 referred to as California's Green Building Standards (CALGreen) and establishes minimum mandatory standards and voluntary standards pertaining to the planning and design of sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and interior air quality. The CALGreen standards took effect in January 2011 and instituted mandatory minimum environmental performance standards for all ground-up, new construction of commercial, low-rise residential and state-owned buildings and schools and hospitals.

The 2019 CALGreen standards are the current applicable standards. The 2019 update to the Building Energy Efficiency Standards focuses on several key areas to improve the energy efficiency of newly constructed buildings and additions and alterations to existing buildings. The most significant efficiency improvements to the residential standards include the introduction of PV into the prescriptive package, and improvements for attics, walls, water heating, and lighting. The standards are conceptually divided into three basic sets. First, there is a basic set of mandatory requirements that apply to all buildings. Second, there is a set of performance standards for energy budgets that vary by climate zone (of which there are 16 in California) and building type; thus, the standards are tailored to local conditions and provide flexibility in how energy efficiency in buildings can be achieved. Finally, the third set constitutes an alternative to the performance standards, which is a set of prescriptive packages that provide a recipe or a checklist compliance approach. (24 CCR Part 11).

Title 20. Title 20 of the California Code of Regulations requires manufacturers of appliances to meet state and federal standards for energy and water efficiency. The CEC certifies an appliance based on a manufacturer's demonstration that the appliance meets the standards. New appliances regulated under Title 20 include refrigerators, refrigerator-freezers, and freezers; room air conditioners 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 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 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.

Additionally, it is anticipated that operational vehicles would meet the applicable standards of AB 1493 (vehicles manufactured in 2009 or later), and as a result, would likely consume less energy as fuel efficiency standards increase and vehicles are replaced. SDG&E supplies natural gas and electricity to the project site. The proposed project would result in an increased use of natural gas and electricity during operation compared with the existing conditions. However, the project would result in a nominal increase in natural gas and electricity over the City's typical annual natural gas and electricity consumption.

Implementation of the proposed project would not result in the reduction of substantial amounts of local or regional energy supplies compared to existing conditions. The resultant increase in energy demand would not exceed the available capacity of SDG&E servicing infrastructure to the site or beyond. Further, as substantiated in the calculations above, the increase in electricity and natural gas usage attributable to the proposed project falls within the current electricity and natural gas local demands. Considering the project would be consistent with the City's General Plan and zoning for the site, the local and regional energy demand planning would have included the project. In addition, the project would comply with Title 24 energy efficiency standards, use appliances that meet Title 20 requirements, and implement sustainability design features. As outlined in Chapter 3 of this EIR, proposed sustainability design features to be incorporated into the project design include 27 EV parking stalls, solar PV roof tiles to accommodate 50% of on-site energy demand, and drought-tolerant landscaping and water efficient irrigation systems. Therefore, it has been determined that the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, and impacts would be **less than significant**.

4.5.5 Mitigation Measures

Impacts related to energy as a result of project implementation are determined to be less than significant, and therefore no mitigation measures are required.

4.5.6 Level of Significance After Mitigation

No substantial impacts related to energy were identified; therefore, no mitigation measures are required. Impacts related to energy would be **less than significant**.

4.6 Geology and Soils

This section describes the existing geological setting of the project site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures as necessary related to implementation of the Modera Melrose Mixed Use Development Project (proposed project or project). The following analysis is based on the Preliminary Geotechnical Investigation that was prepared for the Project by MCRT Investments LLC in January 2021, included in this environmental impact report (EIR) as Appendix E. The Paleontological Resource Assessment was prepared by California West Communities, and is included as Appendix F in this EIR.

In consideration of the analysis herein, it should be noted that impacts of the environment on a project or plan (as opposed to impacts of a project or plan on the environment) are beyond the scope of required California Environmental Quality Act (CEQA) review. "[T]he purpose of an EIR is to identify the significant effects of a project on the environment, not the significant effects of the environment on the project" (*Ballona Wetlands Land Trust v. City of Los Angeles* (2011) 201 Cal.App.4th 455, 473).

4.6.1 Existing Conditions

4.6.1.1 Regional Geologic Setting

The project area is situated in the Peninsular Ranges Geomorphic Province of California. This geomorphic province encompasses an area that extends approximately 900 miles from the Transverse Ranges and the Los Angeles Basin south to the southern tip of Baja California and varies in width from approximately 30 to 100 miles. The province is characterized by mountainous terrain on the east composed mostly of Mesozoic igneous and metamorphic rocks, and relatively low-lying coastal terraces to the west underlain by late Cretaceous-age, Tertiary-age, and Quaternary-age sedimentary units. Most of the coastal region of the County of San Diego, including the project site, occurs within this coastal region and are underlain by sedimentary units.

4.6.1.2 Site Geology

Topography

The 7.43-acre project site is located in the east-central portion of the City of Oceanside (City), which is within the northwestern portion of San Diego County. The project site is undeveloped with gently sloping terrain. Elevations vary between approximately 424 feet above mean sea level to approximately 455 feet above mean sea level. The project site is bound by West Bobier Boulevard to the north, Melrose Drive to the west, residential homes to the east, and a railroad easement to the south.

Soil and Geologic Conditions

Field investigations of the project site were performed June 28 and June 29, 2011, which consisted of a site reconnaissance and subsurface exploration. Further detail regarding the subsurface exploration is included in Appendix E of this EIR.

Based on subsurface exploration, aerial photographic analysis, and review of pertinent geologic literature and maps, the geologic units underlying the site consists of localized undocumented artificial fill, colluvium, the Santiago Formation, and Bonsall Tonalite (Appendix E). A brief description of the geologic units encountered on the site are presented below.

Undocumented Fill Material (Qudf)

Undocumented fill material was encountered in the drainage course that runs through the south-central portion of the project site. The undocumented fill material generally consist of loose, porous, clayey sands and is approximately 4 feet in depth. The upper 1 foot of the undocumented fill was relatively clean of debris. The lower 3 feet consist of primarily organic and plastic debris. Based on review by MCRT Investments, complete removal of the undocumented fill material in this portion of the project site would be required prior to construction (Appendix E).

Colluvium (Col)

Colluvium overlies the majority of the project site and underlies the undocumented fill. The colluvium is approximately 2- to 5-feet thick and generally consists of loose to medium dense, medium stiff to stiff, silty to clayey sand and silty to sandy clay. The colluvium is compressible and features a medium to high expansion potential. Under existing conditions, this soil is unsuitable for construction and would require remedial grading within the area of proposed development.

Santiago Formation (Tsa)

The Eocene-age Santiago Formation was encountered in the majority of exploratory borings and trenches performed throughout the project site. The Santiago Formation consists of massive, dense to hard, damp to moist, silty to clayey, fine- to medium-grained sandstone, sandy to clayey siltstone, and silty claystone.

This geologic unit is considered suitable for the support of additional structural fill. However, the Santiago Formation often features highly cemented zones, which may pose difficulty during grading, excavation, and construction. MCRT Investments recommends undercutting cemented zones to reduce difficulty associated with excavation. Any oversized materials generated from excavation of this unit should be placed in deeper fill areas in accordance with grading specifications or removed from the project site. Grading specifications are included in the geotechnical investigation (Appendix E).

Bonsall Tonalite (Kb)

The Crustaceous-age Bonsall Tonalite (granite rock) of the Southern California Batholith was encountered in the eastern portion of the project site and is exposed along the western boundary of the project site. The soils derived from excavations within the decomposed granite rock are expected to consist of low expansive, silty to clayey, medium- to coarse-grained sands. Both granite rock and the soils from decomposed granite rock are suitable for building foundation support. Excavation within the granite rock would generate oversized materials, which should be placed in deeper fill areas in accordance with grading specifications or removed from the project site.

Geologic Hazards

Faulting and Seismicity

The project site can be considered to lie within a seismically active region, as can all of Southern California. The California Mining and Geology Board defines an active fault as a fault which has had surface displacement within Holocene time (about the last 11,000 years) (Appendix E). The state geologist has defined a pre-Holocene fault as any fault considered to have been active during Quaternary time (last 1,600,000 years). This definition is used in delineating Earthquake Fault Zones as mandated by the Alquist–Priolo Earthquake Faulting Zones Act of 1972 (Alquist–Priolo Act) and as most recently revised in 2007. The intent of this act is to assure that unwise urban development and certain habitable structures do not occur across the traces of active faults.

A review of U.S. Geological Survey maps indicated that there are no mapped Quaternary faults traversing the project site (Appendix E). The project site is not located within an Alquist–Priolo Earthquake Fault Zone (Appendix E). The nearest active fault zones are the Rose Canyon and Newport Inglewood Faults located approximately 11 miles west of the project site. It has been determined that risk associated with ground rupture hazard within the project site is low.

Liquefaction

Liquefaction and dynamic settlement of soils can be caused by strong vibratory motion due to earthquakes. Both research and historical data indicate that loose, saturated, granular soils are susceptible to liquefaction and dynamic settlement. Liquefaction is typified by a loss of shear strength in the affected soil layer, thereby causing the soil to behave as a viscous liquid. Due to the absence of permanent groundwater, the dense nature of soil and rock beneath the project site, and the proposed removal and compaction of compressible soils, the potential for liquefaction to occur at the project site is considered very low.

Landslides

Several formations within the San Diego region are particularly prone to landslide. These formations generally have high clay content and mobilize when they become saturated with water. Other factors, such as steeply dipping bedding that project out of the face of the slope and/or the presence of fracture planes, will also increase the potential for landslides. No landslides or indications of deep-seated landslide were indicated at the site during the field exploration.

Flood Hazard

According to a Federal Emergency Management Agency (FEMA) flood insurance rate map for the project site, the project site is not located within a floodplain identified as part of a Special Flood Hazard Area (FEMA 2022).

Surface Water and Ground Water

No indication of surface water or evidence of surface ponding or groundwater was encountered within the limits of the proposed development during the geotechnical investigation performed at the site (Appendix E).

However, there is the possibility for groundwater seepage conditions to develop where none previously existed. The geotechnical investigation recommends proper surface drainage be incorporated into the Project (Appendix E).

4.6.1.3 Paleoenvironment

As described in the Paleontological Resource Assessment (Appendix F) paleontological resources (i.e., fossils) are defined as the buried remains and/or traces of prehistoric organisms, such as animals, plants, and microbes. Other fossils include such things as shells, leaves, wood, tracks, and footprints that can be found in the geologic deposits where they were originally buried. A review of historic aerial images indicates that the project site has undergone extensive ground-disturbing activities. Since 1946, the project site has been disturbed by previous residential and agricultural uses, and construction of adjacent roads. As noted above, the project site includes a variety of different soil materials, including artificial fill material that is present in various areas on the site. No fossils of paleontological interest are located in artificial fill materials. Quaternary alluvial deposits occur in the floor of the small drainage area on the site. This alluvium is assigned a low paleontological resource sensitivity. Areas on the site also contain Quaternary Terrace Deposits. These soils are assigned a high paleontological resource sensitivity rating. The last soil type— Eocene-age sedimentary rocks of the Santiago Formation—is located throughout the project site and is considered to also have a high paleontological resource sensitivity rating (Appendix F).

4.6.2 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. Prior to the creation of the IBC, several different building codes were used; however, by the year 2000, the IBC had replaced these previous codes. The IBC is updated every 3 years.

Occupational Safety and Health Administration Regulations

Excavation and trenching are among the most hazardous construction activities. The OSHA Excavation and Trenching standard, Title 29 of the Code of Federal Regulations, Part 1926.650 et seq., 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.

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 (CGS 2008), 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 (CalOSHA) Excavations Standard (Subchapter 4, Article 6) details 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 excavated area, or placing a shield between the side of the excavation and the work area. Article 6 also includes specifications for a Tailgate/Toolbox Guide for Trenching Safety before and during excavation activities.

California Building Code

The CBC has been codified in the California Code of Regulations as Title 24, Part 2. Title 24 is administered by the California Building Standards Commission, which, by law, is responsible for coordinating building standards. Under state law, building standards must be centralized in Title 24 to be enforceable. 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 provisions of the CBC apply to the construction, alteration, movement, replacement, and demolition of every building or structure, or any appurtenances connected or attached to such buildings or structures throughout California. The CBC describes requirements for engineering geologic reports, supplemental ground-response reports, and geotechnical reports (California Building Standards Commission 2019).

Alquist–Priolo Earthquake Fault Zoning Act

The Alquist–Priolo Earthquake Fault Zoning Act of 1972 (California Public Resources Code, Sections 2621–2630) regulates development and construction of buildings intended for human occupancy to avoid the hazard of surface fault rupture. The act helps define areas where fault rupture is most likely to occur. The act groups faults into categories of active, potentially active, and inactive. Historic- and Holocene-age faults are considered active. Late Quaternary- and Quaternary-age faults are considered potentially active, and pre-Quaternary-age faults are considered inactive. These classifications are qualified by the conditions that a fault must be shown to be sufficiently active and well defined by detailed site-specific geologic explorations in order to determine whether building setbacks should be established. Cities and counties affected by the zones must regulate certain development projects within the zones. They must withhold development permits for sites within the zones until geologic investigations demonstrate that the sites are not threatened by surface displacement from future faulting. The project site is not identified on an Alquist–Priolo Earthquake Fault Zoning Map (Appendix E).

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (California Public Resources Code, Sections 2690–2699.6) addresses earthquake hazards from non-surface fault rupture, including liquefaction, landslides, strong ground shaking, or other earthquake and geologic hazards. The Seismic Hazards Mapping Act also specifies that the lead agency for a project may withhold development permits until geologic or soils investigations are conducted for specific sites, and mitigation measures are incorporated into plans to reduce hazards associated with seismicity and unstable soils. The project site is not identified on a seismic hazards map.

CEQA Paleontological Resources

Paleontological resources are limited, nonrenewable resources of scientific, cultural, and educational value and are afforded protection under state (CEQA) laws and regulations. Paleontological resources are explicitly afforded protection by CEQA, specifically in Section VII(f) of CEQA Guidelines Appendix G, the "Environmental Checklist Form," which addresses the potential for adverse impacts to "unique paleontological resource[s] or site[s] or … unique geological feature[s]." This provision covers fossils of signal importance—remains of species or genera new to science, for example, or fossils exhibiting features not previously recognized for a given animal group—as well as localities that yield fossils significant in their abundance, diversity, preservation, and so forth. Further, CEQA provides that generally, a resource shall be considered "historically significant" if it has yielded or may be likely to yield information important in prehistory (California Public Resources Code 15064.5 [a][3][D]). Paleontological resources would fall within this category. California Public Resources Code Chapter 1.7, Sections 5097.5 and 30244, also regulates removal of paleontological resources from state lands, defines unauthorized removal of fossil resources as a misdemeanor, and requires mitigation of disturbed sites.

Local

City of Oceanside General Plan

Public Safety Element

State of California law requires that each city prepare and adopt an approved General Plan that provides comprehensive, long-term guidance for the City's future. General Plans are also required to contain specific elements regarding different areas of planning; relevant elements include land use, environmental resource management, and public safety. While each element outlines policies, plans, and goals that guide the City to maintaining and improving each area of development, the Public Safety Element specifically addresses seismic hazards and geologic conditions.

Public Safety Element

The Public Safety Element includes the following 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 Public Safety Element includes the Public Safety Plan that provides definitions, maps, and mitigation information for seismic and geologic hazards that exist within the City (City of Oceanside 2022a).

Environmental Resource Management Element

The Environmental Resource Management Element includes the following policy for 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.

The Environmental Resource Management Element also provides a general map of soil types within the City (see Figure ERM-3, Soil and Land Forms, in City of Oceanside 2022b).

Land Use Element

The Land Use Element contains the following objectives and policies regarding geology and soils (City of Oceanside 2022c):

> 3.14 Grading and Excavations: To provide mitigation recommendations for grading and excavations in the City of Oceanside.
>
> Policy 3.14A: 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.

City of Oceanside Building Code

Chapter 6, Building Construction Regulations, of the City's Municipal Code 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 makes amendments as needed.

City of Oceanside Grading Ordinance

City of Oceanside Grading Ordinance (City of Oceanside 1992) 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 including, but not limited to, commercial, grading permits, grading slopes, industrial, parking lots, planned residential developments, remodeling that requires a permit, and subdivisions. Plans shall include details regarding landscaping, erosion control, and irrigation features. Section 1501(d) of the City's Grading Ordinance details requirements and practices of the Erosion Control System to reduce or avoid the potential for sediment runoff and erosion.

4.6.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to geology and soils are based on CEQA Guidelines Appendix G (14 CCR 15000 et seq.). According to Appendix G, a significant impact related to geology and soils would occur if the project would:

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

b. Strong seismic ground shaking.
c. Seismic-related ground failure, including liquefaction.
d. Landslides.

2. Result in substantial soil erosion or the loss of topsoil.
3. 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.
4. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property.
5. 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.
6. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

4.6.4 Impacts Analysis

Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: (a) 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 based on other substantial evidence of as known fault (Refer to Division of Mines and Geology Special Publication 42); (b) strong seismic ground shaking; (c) seismic-related ground failure, including liquefaction; or (d) landslides?

(a) As described under Section 4.6.1.2 above, the project site is located within a seismically active region, as is all of Southern California. However, the project site is not located within an Alquist–Priolo Earthquake Fault Zone, and there are no known active or potentially active faults transecting or projecting toward the project site (Appendix E). The nearest active faults are the Rose Canyon and Newport Inglewood Faults, located approximately 11 miles west of the project site. Therefore, ground rupture because of active faulting is not likely to occur on site due to the absence of known active faults. Cracking of building foundations and walls due to shaking from distant seismic events is not considered an existing significant hazard, although it is a possibility at any site in Southern California. Implementation of recommendations outlined in the Geotechnical Report (Section 7 of Appendix E), and adherence to the CBC requiring specific performance standards to address geologic hazards, would ensure impacts related to faulting and seismicity would remain **less than significant**.

(b) Due to regional proximity to major known active fault zones such as the Rose Canyon Fault and Newport-Inglewood Fault (located approximately 11 miles west of the project site), the project site lies in a seismically active region. The project site is likely to be subjected to strong ground motion from seismic activity similar to that of the rest of San Diego County and Southern California, due to the seismic activity of the region as a whole. With adherence to the IBC and CBC requiring specific performance standards and implementation of the Geotechnical Report recommendations (Appendix E), project impacts related to strong seismic ground shaking would be **less than significant**.

(c) As described in the Geotechnical Report (Appendix E), due to the absence of groundwater and the dense nature of the soil and rock that underlies the project site, the potential for liquefaction to occur is considered very low. Additionally, during project construction, compressible soils would be removed and compacted, and any oversized materials of the Santiago Formation or granite rock would be placed in deeper fill areas to improve soil stability.

As described above, the project site is not located within a floodplain as mapped by FEMA. As such, the potential for flooding of the project site is considered low. Furthermore, based on site elevation of approximately 424 feet to 455 feet above mean sea level and the distance of the project site from the Pacific coastline, the potential for flood damage to occur at the project site from a tsunami or seiche is considered low. For the reasons stated above, potential impacts related to seismic-related ground failure are considered to be **less than significant**.

(d) The Geotechnical Report prepared for the project (Appendix E) found no evidence of landslides or instability on site or in the immediate area. The field reconnaissance and the local geologic maps indicate the project site is generally underlain by favorable oriented geologic structure, consisting of massively bedded silty to clayey sands and sandy to silty clays, and gently sloping topographic conditions. Therefore, potential impacts associated with significant landslides or large-scale slope instability at the project site is considered to be **less than significant**.

Overall, the project would result in a **less-than-significant** impact related to risk of loss, injury, or death involving earthquake faults, seismic ground shaking, and seismic-related ground failure with implementation of Geotechnical Report (Appendix E) recommendations and IBC and CBC compliance.

Would the project result in substantial soil erosion or the loss of topsoil?

The potential for erosion would increase during construction as a result of vehicles, heavy equipment, and general earth work accelerating the erosion process. Wind erosion could occur on bare soils or where vehicles and equipment cause dust. The project would be subject to compliance with the City's General Plan Grading and Excavations Objective and Policy 3.14A identified in Section 4.6.2, Regulatory Setting, above, that requires measures during grading to reduce erosion. Refer to Section 4.9, Hydrology and Water Quality, for additional details. Additionally, all recommendations outlined in the Geotechnical Report (Appendix E) would be implemented, including recommendations related to grading activities. Potential erosion impacts would be avoided by adherence to the erosion control standards established by the City's Grading Ordinance and through implementation of best management practices required by the stormwater pollution prevention plan (refer to Section 4.9, Hydrology and Water Quality, for more information). Furthermore, the proposed project would incorporate landscaping throughout the project site and along the boundaries of the project site. The proposed landscaping features covering vacant land would inhibit erosion, and proposed landscaping would stabilize soils, thereby reducing erosion potential on the project site. Therefore, impacts related to soil erosion are determined to be **less than significant**.

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?

Please refer to response to Threshold 1(c) above. With implementation of all recommendations outlined in the Geotechnical Report (Appendix E), potential impacts related to liquefaction, spreading, subsidence, collapse, and unstable soils would be **less than significant**.

Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

According to the Geotechnical Report, the colluvium materials on the site possess a medium to high expansion potential. Although colluvium is present throughout the project site, the majority of the site is also underlain by

materials suitable for construction, such as the Santiago Formation and Bonsall Tonalite (Appendix E). In addition, to accommodate conventional foundation design, the upper 5 feet of materials within the building pad and 5 feet outside the limits of the building foundation should have a very low to low expansion potential (EI<50) (Appendix E). With implementation of the recommendations outlined in Section 7 of the Geotechnical Report (Appendix E), impacts related to expansive soils would be **less than significant**.

Would the project 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 project would be provided sewer service through the City, as discussed in Section 4.17, Utilities and Service Systems. The proposed project does not include or require the use of septic tanks or alternative wastewater disposal systems. Therefore, **no impact** would occur.

Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The potential for both historic and prehistoric deposits across the project site was investigated as part of the Paleontological Report (Appendix F). Direct impacts to paleontological resources occur when earthwork activities, such as mass grading operations, cut into the geological deposits (formations) within which fossils are buried. These direct impacts are in the form of physical destruction of fossil remains. Impacts to paleontological resources are typically rated from high to zero depending upon the resource sensitivity of impacted formations.

As described in Appendix F, artificial fill materials cover majority of the project site and were presumably derived from earlier construction activities and were placed in such a way as to provide topographically high areas for current and future development. Based on the soils and geological conditions on the project site, it was determined that there is zero paleontological resource sensitivity rating associated with Modern Artificial Fill Materials (Qcf and Qudf); low paleontological resource sensitivity rating associated with Quaternary Alluvial Deposits (Qal); high paleontological resource sensitivity rating associated with Quaternary Terrace Deposits (Qt); high paleontological resource sensitivity rating associated with Eocene Santiago Formation (Tsa); and, zero paleontological resources sensitivity rating associated with Cretaceous Bonsall Tonalite (Kb).

Although the paleontological record search completed for the site failed to report any previously recorded paleontological sites within the project site, and none were observed during the pedestrian survey, Quaternary Terrace Deposits and Santiago Formation identified on site have a high paleontological resource potential. Development of the proposed project would require excavations for building foundations and utilities, and any excavations into the potentially fossil-bearing strata within the Quaternary Terrace Deposits and/or Santiago Formation could result in potentially significant impacts to paleontological resources (**Impact GEO-1**). However, with implementation of proposed mitigation measures (**MM-) GEO-1** through **MM-GEO-6**, potential impacts would be reduced to less than significant. Therefore, impacts to paleontological resources are determined to be **less than significant with mitigation incorporated**.

4.1.5 Mitigation Measures

Impacts related to geology and soils as a result of project implementation are determined to be less than significant, with the exception of potential impacts to paleontological resources. Implementation of mitigation measures

MM-GEO-1 through **MM-GEO-6** outlined below would ensure that potential impacts to paleontological resources are reduced to a less than significant level.

MM-GEO-1 A qualified paleontologist shall attend the pre-construction meeting to consult with the grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues (a qualified paleontologist is defined as an individual with an MS or PhD in paleontology or geology who is familiar with paleontological procedures and techniques, who is knowledgeable in the geology and paleontology of San Diego County, and who has worked as a paleontological mitigation project supervisor in the County for at least 1 year).

MM-GEO-2 A paleontological monitor should be on site on a full-time basis during the original cutting of previously undisturbed deposits of high paleontological resource potential (Quaternary Terrace Deposits and Santiago Formation) to inspect exposures for contained fossils. (A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials. The paleontological monitor shall work under the direction of a qualified paleontologist.)

MM-GEO-3 If fossils are discovered, the paleontologist (or paleontological monitor) shall recover them. In most cases, fossil salvage can be completed in a short period of time. However, some fossil specimens (such as a complete large mammal skeleton) may require an extended salvage period. In these instances, the paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Because of the potential for the recovering of small fossil remains, such as isolated mammal teeth, it may be necessary to set up a screen-washing operation on the site.

MM-GEO-4 Fossil remains collected during monitoring and salvage shall be cleaned, repaired, sorted, and cataloged as part of the mitigation program.

MM-GEO-5 Prepared fossils, along with copies of all pertinent field notes, photos, and maps, shall be deposited (as a donation) in a scientific institution with permanent paleontological collections such as the San Diego Natural History Museum. Donation of the fossils should be accompanied by financial support for initial specimen storage.

MM-GEO-6 A final summary report shall be completed that outlines the results of the mitigation program. This report shall include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils.

4.1.6 Level of Significance After Mitigation

As described in the impact analysis throughout Section 4.6.4 above, impacts related to geology and soils as a result of the proposed project would be less than significant, with the exception of impacts to paleontological resources, which were determined to be potentially significant. Implementation of mitigation measures **MM-GEO-1** through **MM-GEO-6** outlined above would ensure that potential impacts to paleontological resources are reduced to less than significant. Therefore, with implementation of proposed mitigation, project impacts related to geology and soils would be **less than significant**.

INTENTIONALLY LEFT BLANK

4.7 Greenhouse Gases

This section describes the existing greenhouse gas conditions, identifies associated regulatory requirements, evaluates potential impacts, and establishes mitigation measures related to implementation of the Modera Melrose Mixed Use Development Project (proposed project or project). The following analysis is based Air Quality and Greenhouse Gas Emissions Technical Report prepared by Dudek in May 2022, which is included as Appendix B of this environmental impact report (EIR).

4.7.1 Existing Conditions

Climate Change Overview

Climate change refers to any significant change in measures of climate, such as temperature, precipitation, or wind patterns, lasting for an extended period of time (decades or longer). The Earth's temperature depends on the balance between energy entering and leaving the planet's system. Many factors, both natural and human, can cause changes in Earth's energy balance, including variations in the sun's energy reaching Earth, changes in the reflectivity of Earth's atmosphere and surface, and changes in the greenhouse effect, which affects the amount of heat retained by Earth's atmosphere (EPA 2022).

The greenhouse effect is the trapping and build-up of heat in the atmosphere (troposphere) near the Earth's surface. The greenhouse effect traps heat in the troposphere through a threefold process as follows: short-wave radiation emitted by the sun is absorbed by the Earth, the Earth emits a portion of this energy in the form of long-wave radiation, and greenhouse gases (GHGs) in the upper atmosphere absorb this long-wave radiation and emit it into space and toward the Earth. The greenhouse effect is a natural process that contributes to regulating the Earth's temperature and creates a pleasant, livable environment on the Earth. Human activities that emit additional GHGs to the atmosphere increase the amount of infrared radiation that gets absorbed before escaping into space, thus enhancing the greenhouse effect and causing the Earth's surface temperature to rise.

The scientific record of the Earth's climate shows that the climate system varies naturally over a wide range of time scales and that, in general, climate changes prior to the Industrial Revolution in the 1700s can be explained by natural causes, such as changes in solar energy, volcanic eruptions, and natural changes in GHG concentrations. Recent climate changes, in particular the warming observed over the past century, however, cannot be explained by natural causes alone. Rather, it is extremely likely that human activities have been the dominant cause of that warming since the mid-twentieth century and is the most significant driver of observed climate change (IPCC 2014; EPA 2022). Human influence on the climate system is evident from the increasing GHG concentrations in the atmosphere, positive radiative forcing, observed warming, and improved understanding of the climate system (IPCC 2014). The atmospheric concentrations of GHGs have increased to levels unprecedented in the last 800,000 years, primarily from fossil fuel emissions and secondarily from emissions associated with land use changes (IPCC 2014). Continued emissions of GHGs will cause further warming and changes in all components of the climate system. The atmospheric concentrations of GHGs have increased to levels unprecedented in the last 800,000 years, primarily from fossil fuel emissions and secondarily from emissions associated with land use changes (IPCC 2014).

Greenhouse Gases

A GHG is any gas that absorbs infrared radiation in the atmosphere; in other words, GHGs trap heat in the atmosphere. As defined in California Health and Safety Code section 38505(g) for purposes of administering many

of the state's primary GHG emissions reduction programs, GHGs include carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF_6), and nitrogen trifluoride (NF_3) (see also 14 CCR 15364.5).[1] Some GHGs, such as CO_2, CH_4, and N_2O, are emitted into the atmosphere through natural processes and human activities. Of these gases, CO_2 and CH_4 are emitted in the greatest quantities from human activities. Manufactured GHGs, which have a much greater heat-absorption potential than CO_2, include fluorinated gases, such as HFCs, PFCs, and SF_6, which are associated with certain industrial products and processes. The following paragraphs provide a summary of the most common GHGs and their sources. [2]

Carbon Dioxide. CO_2 is a naturally occurring gas and a by-product of human activities and is the principal anthropogenic GHG that affects the Earth's radiative balance. Natural sources of CO_2 include respiration of bacteria, plants, animals, and fungus; evaporation from oceans; volcanic out-gassing; and decomposition of dead organic matter. Human activities that generate CO_2 include combustion of fuels such as coal, oil, natural gas, and wood, and changes in land use.

Methane. CH_4 is produced through both natural and human activities. CH_4 is a flammable gas and is the main component of natural gas. CH_4 is produced through anaerobic (without oxygen) decomposition of waste in landfills, flooded rice fields, animal digestion, decomposition of animal wastes, production and distribution of natural gas and petroleum, coal production, and incomplete fossil fuel combustion.

Nitrous Oxide. N_2O is produced through natural and human activities, mainly through agricultural activities and natural biological processes, although fuel burning and other processes also create N_2O. Sources of N_2O include soil cultivation practices (microbial processes in soil and water), especially the use of commercial and organic fertilizers, manure management, industrial processes (such as in nitric acid production, nylon production, and fossil-fuel-fired power plants), vehicle emissions, and using N_2O as a propellant (such as in rockets, race cars, and aerosol sprays).

Fluorinated Gases. Fluorinated gases (also referred to as F-gases) are synthetic powerful GHGs emitted from many industrial processes. Fluorinated gases are commonly used as substitutes for stratospheric ozone-depleting substances (e.g., CFCs, HCFCs, and halons). The most prevalent fluorinated gases include the following:

- **Hydrofluorocarbons:** HFCs are compounds containing only hydrogen, fluorine, and carbon atoms. HFCs are synthetic chemicals used as alternatives to ozone-depleting substances in serving many industrial, commercial, and personal needs. HFCs are emitted as by-products of industrial processes and are used in manufacturing.
- **Perfluorocarbons:** PFCs are a group of human-made chemicals composed of carbon and fluorine only. These chemicals were introduced as alternatives, with HFCs, to the ozone depleting substances. The two main sources of PFCs are primary aluminum production and semiconductor manufacturing. Since PFCs have stable molecular structures and do not break down through the chemical processes in the lower atmosphere, these chemicals have long lifetimes, ranging between 10,000 and 50,000 years.
- **Sulfur Hexafluoride:** SF_6 is a colorless gas that is soluble in alcohol and ether and is slightly soluble in water. SF_6 is used for insulation in electric power transmission and distribution equipment, semiconductor manufacturing, the magnesium industry, and as a tracer gas for leak detection.

[1] California Health and Safety Code 38505 identifies seven GHGs that CARB is responsible to monitor and regulate to reduce emissions: CO_2, CH_4, N_2O, SF_6, HFCs, PFCs, and NF_3.

[2] The descriptions of GHGs are summarized from the Intergovernmental Panel on Climate Change (IPCC) Second Assessment Report (1995), IPCC Fourth Assessment Report (2007), CARB's Glossary of Air Pollution Terms (2015), and EPA's Glossary of Climate Change Terms (2016).

- **Nitrogen Trifluoride:** NF_3 is used in the manufacture of a variety of electronics, including semiconductors and flat panel displays.
- **Chlorofluorocarbons.** CFCs are synthetic chemicals that have been used as cleaning solvents, refrigerants, and aerosol propellants. CFCs are chemically unreactive in the lower atmosphere (troposphere) and the production of CFCs was prohibited in 1987 due to the chemical destruction of stratospheric O_3.
- **Hydrochlorofluorocarbons.** HCFCs are a large group of compounds, whose structure is very close to that of CFCs—containing hydrogen, fluorine, chlorine, and carbon atoms—but including one or more hydrogen atoms. Like HFCs, HCFCs are used in refrigerants and propellants. HCFCs were also used in place of CFCs for some applications; however, their use in general is being phased out.

Black Carbon. Black carbon is a component of fine particulate matter, which has been identified as a leading environmental risk factor for premature death. It is produced from the incomplete combustion of fossil fuels and biomass burning, particularly from older diesel engines and forest fires. Black carbon warms the atmosphere by absorbing solar radiation, influences cloud formation, and darkens the surface of snow and ice, which accelerates heat absorption and melting. Black carbon is a short-lived species that varies spatially, which makes quantifying its global warming potential difficult. Diesel particulate matter emissions are a major source of black carbon and are toxic air contaminants that have been regulated and controlled in California for several decades to protect public health. In relation to declining diesel particulate matter from the California Air Resources Board's (CARB's) regulations pertaining to diesel engines, diesel fuels, and burning activities, CARB estimates that annual black carbon emissions in California were reduced by 70% between 1990 and 2010, with 95% control expected by 2020 (CARB 2014).

Water Vapor. The primary source of water vapor is evaporation from the ocean, with additional vapor generated by sublimation (change from solid to gas) from ice and snow, evaporation from other water bodies, and transpiration from plant leaves. Water vapor is the most important, abundant, and variable GHG in the atmosphere and is necessary to maintain life.

Ozone. Tropospheric O_3, which is created by photochemical reactions involving gases from both natural sources and human activities, acts as a GHG. Stratospheric O_3, which is created by the interaction between solar ultraviolet radiation and molecular oxygen (O_2), plays a decisive role in the stratospheric radiative balance. Depletion of stratospheric O_3, due to chemical reactions that may be enhanced by climate change, results in an increased ground-level flux of ultraviolet-B radiation.

Aerosols. Aerosols are suspensions of particulate matter in a gas emitted into the air through burning biomass (plant material) and fossil fuels. Aerosols can warm the atmosphere by absorbing and emitting heat and can cool the atmosphere by reflecting light.

Global Warming Potential

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 (e.g., affect cloud formation or albedo) (EPA 2022). 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 (IPCC 2014). The reference gas used is CO_2; therefore, GWP-weighted emissions are measured in metric tons of CO_2 equivalent (MT CO_2e).

The current version of the California Emissions Estimator Model (CalEEMod) (version 2020.4.0) assumes that the GWP for CH_4 is 25 (so emissions of 1 MT of CH_4 are equivalent to emissions of 25 MT of CO_2), and the GWP for N_2O is 298, based on the Intergovernmental Panel on Climate Change's Fourth Assessment Report (IPCC 2007). The GWP values identified in CalEEMod were applied to the project.

Contributions to Greenhouse Gas Emissions

Per the EPA Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990 to 2019 (EPA 2021), total United States GHG emissions were approximately 6,558.3 million metric tons (MMT) CO_2e in 2019 (EPA 2021). The primary GHG emitted by human activities in the United States was CO_2, which represented approximately 80.1% of total GHG emissions (5,255.8 MMT CO_2e). The largest source of CO2, and of overall GHG emissions, was fossil-fuel combustion, which accounted for approximately 92.4% of CO_2 emissions in 2019 (4,856.7 MMT CO_2e). Relative to 1990, gross United States GHG emissions in 2019 were 1.8% higher; however, the gross emissions were down from a high of 15.6% above 1990 levels in 2007. GHG emissions decreased from 2018 to 2019 by 1.7% (113.1 MMT CO_2e) and overall, net emissions in 2019 were 13% below 2005 levels (EPA 2021).

According to California's 2000–2019 GHG emissions inventory (2021 edition), California emitted approximately 418 MMT CO_2e in 2019, including emissions resulting from out-of-state electrical generation (CARB 2022). The sources of GHG emissions in California include transportation, industry, electric power production from both in-state and out-of-state sources, residential and commercial activities, agriculture, high-GWP substances, and recycling and waste. Table 4.7-1 presents California GHG emission source categories and their relative contributions to the emissions inventory in 2019.

According to California's 2000–2018 GHG emissions inventory (2020 edition), California emitted 425 MMT CO_2e in 2018, including emissions resulting from out-of-state electrical generation (CARB 2020a). The sources of GHG emissions in California include transportation, industry, electric power production from both in-state and out-of-state sources, residential and commercial activities, agriculture, high GWP substances, and recycling and waste. The California GHG emission source categories and their relative contributions in 2018 are presented in Table 4.7-1.

Table 4.7-1. Greenhouse Gas Emissions Sources in California

Source Category	Annual GHG Emissions (MMT CO2e)	Percent of Total[a]
Transportation	166.1	39.7%
Industrial	88.2	21.1%
Electric Power	58.8	14.1%
Commercial and residential	43.8	10.5%
Agriculture	31.8	7.6%
High global-warming potential substances	20.6	4.9%
Recycling and waste	8.9	2.1%
Total	**418.2**	**100%**

Source: CARB 2022
Notes: GHG = greenhouse gas; MMT CO_2e = million metric tons of carbon dioxide equivalent per year.
* Column may not add due to rounding.

Between 2000 and 2019, per-capita GHG emissions in California have dropped from a peak of 14.0 MT per person in 2001 to 10.5 MT per person in 2019, representing an approximate 25% decrease. In addition, total GHG emissions in 2019 were approximately 7 MMT CO_2e lower than 2018 emissions (CARB 2022).

Table 4.7-2 presents the City of Oceanside's 2013 community wide GHG emissions and the percent contribution of each emissions sector (commercial/industrial, residential, solid waste, transportation, and wastewater).

Table 4.7-2. City of Oceanside Baseline Community-Wide GHG Emissions Inventory (2013)

Source Category	Annual GHG Emissions (MT CO_2e)	Percent of Total
Transportation	477,178	48.5%
Electricity	251,524	25.6%
Natural Gas	162,447	16.5%
Solid Waste	40,615	4.1%
Water1	27,420	2.8%
Municipal	24,828	2.5%
Totals	**984,012**	**100%**

Source: City of Oceanside, Oceanside Climate Action Plan, April 2019.
Notes: GHG = greenhouse gas; MT CO_2e = metric tons of carbon dioxide equivalent.
GHG emissions for each category are rounded. Sums may not add up to totals due to rounding.
[1] Emissions associated with water and wastewater treatment at City-operated facilities were accounted for as Municipal emissions. Water emissions include upstream emissions from import of water to the City.

As shown in Table 4.7-2, approximately 49% of the City of Oceanside's community wide GHG emissions in 2013 were attributed to transportation sources. Energy consumption including electricity and natural gas accounted for approximately 42%, solid waste accounted for 4%, and water accounted for the less than 3% of the City of Oceanside's community wide GHG emissions.

Potential Effects of Climate Change

Globally, climate change has the potential to affect numerous environmental resources through uncertain impacts related to future air temperatures and precipitation patterns. The 2014 Intergovernmental Panel on Climate Change Synthesis Report (IPCC 2014) indicated that warming of the climate system is unequivocal, and since the 1950s, many of the observed changes are unprecedented over decades to millennia. Signs that global climate change has occurred include warming of the atmosphere and ocean, diminished amounts of snow and ice, rising sea levels, and ocean acidification (IPCC 2014).

In California, climate change impacts have the potential to affect sea-level rise, agriculture, snowpack and water supply, forestry, wildfire risk, public health, frequency of severe weather events, and electricity demand and supply. The primary effect of global climate change has been a rise in average global tropospheric temperature. Reflecting the long-term warming trend since pre-industrial times, observed global mean surface temperature for the decade 2006–2015 was 0.87°C (likely between 0.75°C and 0.99°C) higher than the average over the 1850–1900 period (IPCC 2018). Scientific modeling predicts that continued emissions of GHGs at or above current rates would induce more extreme climate changes during the twenty-first century than were observed during the twentieth century. Human activities are estimated to have caused approximately 1.0°C (1.8 degrees °F) of global warming above pre-industrial levels, with a likely range of 0.8°C to 1.2°C (1.4°F to 2.2°F) (IPCC 2018). Scientific modeling predicts

that continued emissions of GHGs at or above current rates would induce more extreme climate changes during the twenty-first century than were observed during the twentieth century. Human activities are estimated to have caused approximately 1.0°C (1.8°F) of global warming above pre-industrial levels, with a likely range of 0.8°C to 1.2°C (1.4°F to 2.2°F) (IPCC 2018). Global warming is likely to reach 1.5°C (2.7°F) between 2030 and 2052 if it continues to increase at the current rate (IPCC 2018).

Although climate change is driven by global atmospheric conditions, climate change impacts are felt locally. A scientific consensus confirms that climate change is already affecting California. The Office of Environmental Health Hazard Assessment identified various indicators of climate change in California, which are scientifically-based measurements that track trends in various aspects of climate change. Many indicators reveal discernible evidence that climate change is occurring in California and is having significant, measurable impacts in the state. Changes in the state's climate have been observed including an increase in annual average air temperature with record warmth from 2012 to 2016, more frequent extreme heat events, more extreme drought, a decline in winter chill, an increase in cooling degree days and a decrease in heating degree days, and an increase in variability of statewide precipitation (OEHHA 2018).

Warming temperatures and changing precipitation patterns have altered California's physical systems—the ocean, lakes, rivers and snowpack—upon which the state depends. Winter snowpack and spring snowmelt runoff from the Sierra Nevada and southern Cascade Mountains provide approximately one-third of the state's annual water supply. Impacts of climate on physical systems have been observed such as high variability of snow-water content (i.e., amount of water stored in snowpack), decrease in snowmelt runoff, glacier change (loss in area), rise in sea levels, increase in average lake water temperature and coastal ocean temperature, and a decrease in dissolved oxygen in coastal waters (OEHHA 2018).

Impacts of climate change on biological systems, including humans, wildlife, and vegetation, have also been observed including climate change impacts on terrestrial, marine, and freshwater ecosystems. As with global observations, species responses include those consistent with warming: elevational or latitudinal shifts in range, changes in the timing of key plant and animal life cycle events, and changes in the abundance of species and in community composition. Humans are better able to adapt to a changing climate than plants and animals in natural ecosystems. Nevertheless, climate change poses a threat to public health as warming temperatures and changes in precipitation can affect vector-borne pathogen transmission and disease patterns in California as well as the variability of heat-related deaths and illnesses. In addition, since 1950, the area burned by wildfires each year has followed an increasing trend overall.

The California Natural Resources Agency (CNRA) has released four California Climate Change Assessments (2006, 2009, 2012, and 2018), which have addressed the following: acceleration of warming across the state, more intense and frequent heat waves, greater riverine flows, accelerating sea level rise, more intense and frequent drought, more severe and frequent wildfires, more severe storms and extreme weather events, shrinking snowpack and less overall precipitation, and ocean acidification, hypoxia, and warming. In addition to the potential statewide effects of climate change, to address local and regional governments need for information to support action in their communities, the CNRA Fourth Assessment includes reports for nine regions of the state, including the San Diego Region, where the project is located. Key projected climate changes for the San Diego Region include the following (CNRA 2019):

- Temperature is projected to increase substantially, along with mean temperature, heat wave frequency will increase, with more intensity and longer duration.
- Precipitation will remain highly variable but will change in character, with wetter winters, drier springs, and more frequent and severe droughts punctuated by more intense individual precipitation events.

- Wildfire risk will increase in the future as climate warms. The risk for large catastrophic wildfires driven by Santa Ana wind events will also likely increase as a result of a drier autumns leading to low antecedent precipitation before the height of the Santa Ana wind season.
- The sea level along San Diego County's shoreline is expected to rise. High tides combined with elevated shoreline water levels produced by locally and distantly driven wind-driven waves will drive extreme events. Longer-term sea level will increase rapidly in the second half of the century and will be punctuated by short periods of storm-driven extreme sea levels that will imperil existing infrastructure, structures, and ecosystems with increasing frequency.

4.7.2 Regulatory Setting

Federal

Massachusetts v. EPA

In *Massachusetts v. EPA* (April 2007), the U.S. Supreme Court directed the EPA administrator to determine whether GHG emissions from new motor vehicles cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision. In December 2009, the administrator signed a final rule with the following two distinct findings regarding GHGs under Section 202(a) of the federal Clean Air Act:

- The Administrator found that elevated concentrations of GHGs—CO_2, CH_4, N_2O, HFCs, PFCs, and SF_6—in the atmosphere threaten the public health and welfare of current and future generations. This is the "endangerment finding."
- The Administrator further found the combined emissions of GHGs—CO_2, CH_4, N_2O, and HFCs—from new motor vehicles and new motor vehicle engines contribute to the GHG air pollution that endangers public health and welfare. This is the "cause or contribute finding."

These two findings were necessary to establish the foundation for regulation of GHGs from new motor vehicles as air pollutants under the Clean Air Act.

Energy Independence and Security Act of 2007

The Energy Independence and Security Act of 2007 (December 2007), among other key measures, would do the following, which would aid in the reduction of national GHG emissions (EPA 2007):

- 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.
- Set a target of 35 miles per gallon for the combined fleet of cars and light trucks by model year 2020 and directs 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.
- 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.

Federal Vehicle Standards

In response to a U.S. Supreme Court ruling, the Bush Administration issued Executive Order (EO) 13432 in 2007 directing the EPA, the Department of Transportation, and the Department of Energy to establish regulations that reduce GHG emissions from motor vehicles, non-road vehicles, and non-road engines by 2008. In 2009, the NHTSA issued a final rule regulating fuel efficiency and GHG emissions from cars and light-duty trucks for model year 2011, and in 2010, the EPA and NHTSA issued a final rule regulating cars and light-duty trucks for model years 2012–2016 (75 FR 25324–25728).

In 2010, President Barack Obama issued a memorandum directing the Department of Transportation, Department of Energy, EPA, and NHTSA to establish additional standards regarding fuel efficiency and GHG reduction, clean fuels, and advanced vehicle infrastructure. In response to this directive, EPA and NHTSA proposed stringent, coordinated federal GHG and fuel economy standards for model years 2017–2025 light-duty vehicles. The proposed standards projected to achieve 163 grams per mile of CO_2 in model year 2025, on an average industry fleet-wide basis, which is equivalent to 54.5 miles per gallon if this level were achieved solely through fuel efficiency. The final rule was adopted in 2012 for model years 2017–2021 (77 FR 62624–63200). On January 12, 2017, the EPA finalized its decision to maintain the current GHG emissions standards for model years 2022–2025 cars and light trucks (EPA 2022b).

In addition to the regulations applicable to cars and light-duty trucks described above, in 2011, the EPA and NHTSA announced fuel economy and GHG standards for medium- and heavy-duty trucks for model years 2014–2018 (76 FR 57106–57513). The standards for CO_2 emissions and fuel consumption are tailored to three main vehicle categories: combination tractors, heavy-duty pickup trucks and vans, and vocational vehicles. According to the EPA, this regulatory program will reduce GHG emissions and fuel consumption for the affected vehicles by 6% to23% over the 2010 baselines.

In August 2016, the EPA and NHTSA announced the adoption of the phase two program related to the fuel economy and GHG standards for medium- and heavy-duty trucks. The phase two program will apply to vehicles with model year 2018 through 2027 for certain trailers, and model years 2021 through 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 CO_2 emissions by approximately 1.1 billion MT and reduce oil consumption by up to 2 billion barrels over the lifetime of the vehicles sold under the program (EPA and NHTSA 2016).

In August 2018, EPA and NHTSA proposed to amend certain fuel economy and GHG standards for passenger cars and light trucks and establish new standards for model years 2021 through 2026. Compared to maintaining the post-2020 standards now in place, the 2018 proposal would increase U.S. fuel consumption by about half a million barrels per day (2% to 3% of total daily consumption, according to the Energy Information Administration) and would impact the global climate by 3/1000th of one degree Celsius by 2100 (EPA and NHTSA 2018). California and other states have stated their intent to challenge federal actions that would delay or eliminate GHG reduction measures and have committed to cooperating with other countries to implement global climate change initiatives.

In 2019, the EPA and NHTSA published the Safer Affordable Fuel-Efficient Vehicles Rule Part One: One National Program (SAFE-1), which revoked California's authority to set its own GHG emissions standards and set zero-emission vehicle mandates in California. In March 2020, Part Two was issued which set CO2 emissions standards and corporate average fuel economy standards for passenger vehicles and light-duty trucks for model years 2021 through 2026. In March 2022, EPA reinstated California's authority under the Clean Air Act to implement its own GHG emission standards and zero-emission vehicle sales mandate. EPA's March 2022 action concludes its

reconsideration of the 2019 SAFE-1 rule by finding that the actions taken under the previous administration as a part of SAFE-1 were decided in error and are now entirely rescinded.

State

The statewide GHG emissions regulatory framework is summarized below by category: state climate change targets, building energy, renewable energy and energy procurement, mobile sources, solid waste, water, and other state regulations and goals. The following text describes EOs, legislation, regulations, and other plans and policies that would directly or indirectly reduce GHG emissions and/or address climate change issues.

State Climate Change Targets

The state has taken a number of actions to address climate change. These include EOs, legislation, and CARB plans and requirements. These are summarized below.

EO S-3-05. EO S-3-05 (June 2005) established California's GHG emissions reduction targets and laid out responsibilities among the state agencies for implementing the EO and for reporting on progress toward the targets. This EO established the following targets:

- By 2010, reduce GHG emissions to 2000 levels
- By 2020, reduce GHG emissions to 1990 levels
- By 2050, reduce GHG emissions to 80% below 1990 levels

EO S-3-05 also directed the California Environmental Protection Agency 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, public health, agriculture, the coastline, and forestry. The Climate Action Team was formed, which subsequently issued reports from 2006 to 2010.

Assembly Bill 32. In furtherance of the goals established in EO S-3-05, the legislature enacted Assembly Bill (AB) 32. The bill is referred to as the California Global Warming Solutions Act of 2006. AB 32 provided initial direction on creating a comprehensive multiyear program to limit California's GHG emissions at 1990 levels by 2020 and initiate the transformations required to achieve the state's long-range climate objectives.

Executive Order B-55-18. EO B-55-18 (September 2018) establishes a statewide policy for the state to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net-negative emissions thereafter. The goal is an addition to the existing statewide targets of reducing the state's GHG emissions. CARB will work with relevant state agencies to ensure that future scoping plans identify and recommend measures to achieve the carbon neutrality goal.

Senate Bill 32 and AB 197. Senate Bill (SB) 32 and AB 197 (enacted in 2016) are companion bills. SB 32 codified the 2030 emissions reduction goal of EO B-30-15 by requiring CARB to ensure that statewide GHG emissions are reduced to 40% below 1990 levels by 2030. AB 197 established the Joint Legislative Committee on Climate Change Policies, consisting of at least three members of the senate and three members of the assembly, in order to provide ongoing oversight over implementation of the state's climate policies. AB 197 also added two members of the legislature to CARB as nonvoting members; requires CARB to make available and update (at least annually via its website) emissions data for GHGs, criteria air pollutants, and toxic air contaminants from reporting facilities; and requires CARB to identify specific information for GHG emissions reduction measures when updating the scoping plan.

CARB's Climate Change Scoping Plan. One specific requirement of AB 32 is for CARB to prepare a scoping plan for achieving the maximum technologically feasible and cost-effective GHG emission reductions by 2020 (California Health and Safety Code Section 38561[a]), and to update the plan at least once every 5 years. In 2008, CARB approved the first scoping plan. The Climate Change Scoping Plan: A Framework for Change (Scoping Plan) included a mix of recommended strategies that combined direct regulations, market-based approaches, voluntary measures, policies, and other emission reduction programs calculated to meet the 2020 statewide GHG emission limit and initiate the transformations needed to achieve the state's long-range climate objectives. The key elements of the Scoping Plan include the following (CARB 2008):

1. Expanding and strengthening existing energy efficiency programs as well as building and appliance standards.
2. Achieving a statewide renewable energy mix of 33%.
3. Developing a California cap-and-trade program that links with other Western Climate Initiative partner programs to create a regional market system and caps sources contributing 85% of California's GHG emissions.
4. Establishing targets for transportation-related GHG emissions for regions throughout California, and pursuing policies and incentives to achieve those targets.
5. Adopting and implementing measures pursuant to existing state laws and policies, including California's clean car standards, goods movement measures, and the Low Carbon Fuel Standard (17 CCR 95480 et seq.).
6. Creating targeted fees, including a public goods charge on water use, fees on high GWP gases, and a fee to fund the administrative costs of the State of California's long-term commitment to AB 32 implementation.

The Scoping Plan also identified local governments as essential partners in achieving California's goals to reduce GHG emissions because they have broad influence and, in some cases, exclusive authority over activities that contribute to significant direct and indirect GHG emissions through their planning and permitting processes, local ordinances, outreach and education efforts, and municipal operations. Specifically, the Scoping Plan encouraged local governments to adopt a reduction goal for municipal operations and for community emissions to reduce GHGs by approximately 15% from then levels (2008) by 2020. Many local governments developed community-scale local GHG reduction plans based on this Scoping Plan recommendation.

In 2014, CARB approved the first update to the Scoping Plan. The First Update to the Climate Change Scoping Plan: Building on the Framework (First Update) defined the state's GHG emission reduction priorities for the next 5 years and laid the groundwork to start the transition to the post-2020 goals set forth in EOs S-3-05 and B-16-2012. The First Update concluded that California is on track to meet the 2020 target, but recommended a 2030 mid-term GHG reduction target be established to ensure a continuum of action to reduce emissions. The First Update recommended a mix of technologies in key economic sectors to reduce emissions through 2050, including energy demand reduction through efficiency and activity changes; large-scale electrification of on-road vehicles, buildings, and industrial machinery; decarbonizing electricity and fuel supplies; and the rapid market penetration of efficient and clean energy technologies. As part of the First Update, CARB recalculated the state's 1990 emissions level, using more recent GWPs identified by the Intergovernmental Panel on Climate Change, from 427 MMT CO_2e to 431 MMT CO_2e (CARB 2014)

In 2015, as directed by EO B-30-15, CARB began working on an update to the Scoping Plan to incorporate the 2030 target of 40% below 1990 levels by 2030 to keep California on its trajectory toward meeting or exceeding the long-term goal of reducing GHG emissions to 80% below 1990 levels by 2050 as set forth in S-3-05. The governor called on California to pursue a new and ambitious set of strategies, in line with the five climate change pillars from his

inaugural address, to reduce GHG emissions and prepare for the unavoidable impacts of climate change. In the summer of 2016, the legislature affirmed the importance of addressing climate change through passage of SB 32.

In December 2017, CARB released the 2017 Climate Change Scoping Plan Update (2030 Scoping Plan) for public review and comment (CARB 2017). 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. The strategies' "known commitments" include implementing renewable energy and energy efficiency (including the mandates of SB 350), increased stringency of the Low Carbon Fuel Standard, measures identified in the Mobile Source and Freight Strategies, measures identified in the proposed Short-Lived Climate Pollutant Plan, and increased stringency of SB 375 targets. To fill the gap in additional reductions needed to achieve the 2030 target, it recommends continuing the Cap-and-Trade Program and a measure to reduce GHGs from refineries by 20%.

For local governments, the 2017 Scoping Plan replaced the initial Scoping Plan's 15% reduction goal with a recommendation to aim for a community-wide goal of no more than 6 MT CO_2e per capita by 2030 and no more than 2 MT CO_2e per capita by 2050, which are consistent with the state's long-term goals. These goals are also consistent with the Global Climate Leadership Memorandum of Understanding (Under 2 MOU) (Under 2 2016) and the Paris Agreement, which are developed around the scientifically based levels necessary to limit global warming below 2°C. The 2017 Scoping Plan recognizes the benefits of local government GHG planning (e.g., through climate action plans [CAPs]) and provides more information regarding tools CARB is working on to support those efforts. It also recognizes the California Environmental Quality Act (CEQA) streamlining provisions for project-level review where there is a legally adequate CAP.[3] The 2017 Scoping Plan was approved by CARB's Governing Board on December 14, 2017.

The Scoping Plan recommends strategies for implementation at the statewide level to meet the goals of AB 32, SB 32, and the EOs 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 EOs if it meets the general policies in reducing GHG emissions to facilitate the achievement of the state's goals and does not impede attainment of those goals. As discussed in several cases, a given project need not be in perfect conformity with every planning policy or goals to be consistent. A project would be consistent if it would further the objectives and not obstruct their attainment.

EO B-30-15. EO B-30-15 (April 2015) identified an interim GHG reduction target in support of targets previously identified under S-3-05 and AB 32. EO B-30-15 set an interim target goal of reducing GHG emissions to 40% below 1990 levels by 2030 to keep California on its trajectory toward meeting or exceeding the long-term goal of reducing GHG emissions to 80% below 1990 levels by 2050 as set forth in S-3-05. To facilitate achieving this goal, EO B-30-15 called for CARB to update the Scoping Plan to express the 2030 target in terms of MMT CO_2e. The EO also called for state agencies to continue to develop and implement GHG emission reduction programs in support of the reduction targets.

SB 605 and SB 1383. SB 605 (2014) required CARB to complete a comprehensive strategy to reduce emissions of short-lived climate pollutants in the state; and SB 1383 (2016) required CARB to approve and implement that strategy by January 1, 2018. SB 1383 also establishes specific targets for the reduction of short-lived climate pollutants (40% below 2013 levels by 2030 for methane and HFCs, and 50% below 2013 levels by 2030 for

[3] *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490; *San Francisco Tomorrow et al. v. City and County of San Francisco* (2015) 229 Cal.App.4th 498; *San Franciscans Upholding the Downtown Specific Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656; *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 719.

anthropogenic black carbon), and provides direction for reductions from dairy and livestock operations and landfills. Accordingly, and as mentioned above, CARB adopted its Short-Lived Climate Pollutant Reduction Strategy in March 2017. The Short-Lived Climate Pollutant Reduction Strategy establishes a framework for the statewide reduction of emissions of black carbon, methane, and fluorinated gases.

Building Energy

Title 24, Part 6. Title 24 of the California Code of Regulations was established in 1978 and serves to enhance and regulate California's building standards. While not initially promulgated to reduce GHG emissions, Part 6 of Title 24 specifically established Building Energy Efficiency Standards that are designed to ensure new and existing buildings in California achieve energy efficiency and preserve outdoor and indoor environmental quality. These energy efficiency standards are reviewed every few years by the Building Standards Commission and the California Energy Commission (CEC) (and revised if necessary) (California Public Resources Code, Section 25402[b][1]). The regulations receive input from members of industry, as well as the public, with the goal of "reducing of wasteful, uneconomic, inefficient, or unnecessary consumption of energy" (California Public Resources Code, Section 25402). These regulations are carefully scrutinized and analyzed for technological and economic feasibility (California Public Resources Code, Section 25402[d]) and cost effectiveness (California Public Resources Code, Sections 25402[b][2] and [b][3]). As a result, these standards save energy, increase electricity supply reliability, increase indoor comfort, avoid the need to construct new power plants, and help preserve the environment. The 2016 Title 24 building energy efficiency standards became effective January 1, 2017. The 2019 Title 24 Building Energy Efficiency Standards became effective on January 1, 2020, which will further reduce energy used and associated GHG emissions compared to the 2016 Title 24 building energy standards. Residential buildings built to the 2019 standards are anticipated to use an estimated 53% less energy than those built to the 2016 standards (CEC 2018).

The 2022 Title 24 standards will improve upon the 2019 standards for new construction of, and additions and alterations to, residential and nonresidential buildings. The CEC adopted the 2022 Title 24 Energy Code in August 2021 and the California Building Standards Commission approved incorporating the updated code into the California Building Standards Code (CALGreen) in December 2021. The 2022 Energy Code will go into effect on January 1, 2023. The 2022 Energy Code focuses on four key areas in newly constructed homes and businesses:

- Encouraging electric heat pump technology for space and water heating, which consumes less energy and produces fewer emissions than gas-powered units.
- Establishing electric-ready requirements for single-family homes to position owners to use cleaner electric heating, cooking, and electric vehicle (EV) charging options whenever they choose to adopt those technologies.
- Expanding solar photovoltaic (PV) system and battery storage standards to make clean energy available onsite and complement the state's progress toward a 100% clean electricity grid.
- Strengthening ventilation standards to improve indoor air quality.

Title 24, Part 11. In addition to the CEC's 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 referred to as California's Green Building Standards (CALGreen), and establishes minimum mandatory standards and voluntary standards pertaining to the planning and design of sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and interior air quality. The CALGreen standards took effect in January 2011 and instituted mandatory minimum environmental performance standards for all ground-up, new construction of commercial, low-rise residential and

state-owned buildings, schools, and hospitals. The CALGreen 2019 standards, which are the current standards, became effective January 1, 2020.

Title 20. Title 20 of the California Code of Regulations requires manufacturers of appliances to meet state and federal standards for energy and water efficiency. The CEC certifies an appliance based on a manufacturer's demonstration that the appliance meets the standards. New appliances regulated under Title 20 include refrigerators, refrigerator-freezers, and freezers; room air conditioners 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 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 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.

Assembly Bill 1109. Enacted in 2007, AB 1109 required the CEC to adopt minimum energy efficiency standards for general-purpose lighting to reduce electricity consumption by 50% for indoor residential lighting and by 25% for indoor commercial lighting.

SB 1. SB 1 (August 2006) established a $3 billion rebate program to support the goal of the state to install rooftop solar energy systems with a generation capacity of 3,000 megawatts through 2016. SB 1 added sections to the California Public Resources Code, including Chapter 8.8 (California Solar Initiative), that require building projects applying for ratepayer-funded incentives for photovoltaic systems to meet minimum energy efficiency levels and performance requirements. Section 25780 established that it is a goal of the state to establish a self-sufficient solar industry. The goals included establishing solar energy systems as a viable mainstream option for both homes and businesses within 10 years of adoption, and placing solar energy systems on 50% of new homes within 13 years of adoption. SB 1, also termed "Go Solar California," was previously titled "Million Solar Roofs."

AB 1470 (Solar Water Heating). This bill established the Solar Water Heating and Efficiency Act of 2007. The bill makes findings and declarations of the legislature relating to the promotion of solar water heating systems and other technologies that reduce natural gas demand. The bill defines several terms for purposes of the act. The bill requires the commission to evaluate the data available from a specified pilot program, and, if it makes a specified determination, to design and implement a program of incentives for the installation of 200,000 solar water heating systems in homes and businesses throughout the state by 2017.

Renewable Energy and Energy Procurement

SB 1078. SB 1078 (September 2002) established the Renewables Portfolio Standard (RPS) program, which requires an annual increase in renewable generation by the utilities. Initially, the RPS required utilities to obtain 20% of their power from renewable sources by 2010. SB X1-2 (2011) subsequently expanded the RPS by establishing that 33% of the total electricity sold to retail customers in California per year by December 31, 2020, and in subsequent years, be secured from qualifying renewable energy sources. SB 350 (2015) further expanded the RPS by establishing that 50% of the total electricity sold to retail customers in California per year by December 31, 2030, be secured from qualifying renewable energy sources. And SB 100 (2018) further accelerated the RPS, requiring achievement of a 50% RPS by December 31, 2026, and a 60% RPS by December 31, 2030. SB 100 also established a new state policy goal that calls

for eligible renewable energy resources and zero-carbon resources to supply 100% of electricity retail sales and 100% of electricity procured to serve all state agencies by December 31, 2045.

Under the program, 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.

SB 350. SB 350 (October 2015) further expanded the RPS by establishing a goal of 50% of the total electricity sold to retail customers in California per year by December 31, 2030. In addition, SB 350 included the goal to double the energy-efficiency savings in electricity and natural gas final end uses (e.g., heating, cooling, lighting, or class of energy uses on which an energy-efficiency program is focused) of retail customers through energy conservation and efficiency. The bill also requires the CPUC, in consultation with the CEC, to establish efficiency targets for electrical and gas corporations consistent with this goal.

Mobile Sources

AB 1493. AB 1493 (July 2002) was enacted in response to the transportation sector accounting for more than one-half of California's CO_2 emissions. AB 1493 required CARB to set GHG emission standards for passenger vehicles, light-duty trucks, and other vehicles determined by the state board to be vehicles that are primarily used for noncommercial personal transportation in the state. AB 1493 required that CARB set GHG emission standards for motor vehicles manufactured in 2009 and all subsequent model years. CARB adopted the standards in September 2004. EO B-16-12 (March 2012) required that state entities under the governor's direction and control support and facilitate the rapid commercialization of zero-emissions vehicles. It ordered CARB, CEC, the California Public Utilities Commission, and other relevant agencies to work with the Plug-In Electric Vehicle Collaborative and the California Fuel Cell Partnership to establish benchmarks to help achieve goals by 2015, 2020, and 2025. On a statewide basis, EO B-16-12 established a target reduction of GHG emissions from the transportation sector equaling 80% less than 1990 levels by 2050. This directive did not apply to vehicles that have special performance requirements necessary for the protection of the public safety and welfare.

EO S-1-07. EO S-1-07 (January 2007, implementing regulation adopted in April 2009) sets a declining Low Carbon Fuel Standard for GHG emissions measured in CO_2e grams per unit of fuel energy sold in California. The target of the Low Carbon Fuel Standard is to reduce the carbon intensity of California passenger vehicle fuels by at least 10% by 2020 (17 CCR 95480 et seq.). The Low Carbon Fuel Standard was subsequently amended in 2018 to require a 20% reduction in carbon intensity by 2030. This new requirement aligns with the California's overall 2030 target of reducing climate changing emissions to 40% below 1990 levels by 2030, set by SB 32. CARB has adopted implementing regulations for both the 10% and 20% carbon intensity reduction targets. The carbon intensity measures the amount of GHG emissions in the lifecycle of a fuel, including extraction/feedstock production, processing, transportation, and final consumption, per unit of energy delivered.

SB 375. SB 375 (September 2008) addresses GHG emissions associated with the transportation sector through regional transportation and sustainability plans. SB 375 requires CARB to adopt regional GHG reduction targets for the automobile and light-truck sector for 2020 and 2035 and to update those targets every 8 years. SB 375 requires the state's 18 regional MPOs to prepare an SCS as part of their Regional Transportation Plan (RTP) that will achieve the GHG reduction targets set by CARB. If an MPO is unable to devise an SCS to achieve the GHG reduction target, the MPO must prepare an Alternative Planning Strategy demonstrating how the GHG reduction target would be achieved through alternative development patterns, infrastructure, or additional transportation measures or policies.

Pursuant to California Government Code Section 65080(b)(2)(K), an SCS does not (1) regulate the use of land; (2) supersede the land use authority of cities and counties; or (3) require that a city or county's land use policies and regulations, including those in a general plan, be consistent with it. Nonetheless, SB 375 makes regional and local planning agencies responsible for developing those strategies as part of the federally required metropolitan transportation planning process and the state-mandated housing element process.

In 2010, CARB adopted the SB 375 targets for the regional MPOs. The targets for SANDAG are a 7% reduction in emissions per capita by 2020 and a 13% reduction by 2035.

SANDAG completed and adopted its 2050 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) in October 2011 (SANDAG 2011). In November 2011, CARB, by resolution, accepted SANDAG's GHG emissions quantification analysis and determination that, if implemented, the SCS would achieve CARB's 2020 and 2035 GHG emissions reduction targets for the region.

After SANDAG's 2050 RTP/SCS was adopted, a lawsuit was filed by the Cleveland National Forest Foundation and others. The case was decided in July 2017, and the court found that the EIR did not have to use EO S-3-05's 2050 goal of an 80% reduction in GHG emissions from 1990 levels as a threshold because the EIR sufficiently informed the public of the potential impacts.

In 2015, SANDAG adopted the next iteration of its RTP/SCS in accordance with statutorily mandated timelines, and no subsequent litigation challenge was filed. More specifically, in October 2015, SANDAG adopted San Diego Forward: The Regional Plan. Like the 2050 RTP/SCS, this planning document meets CARB's 2020 and 2035 reduction targets for the region (SANDAG 2015). In December 2015, CARB, by resolution, accepted SANDAG's GHG emissions quantification analysis and determination that, if implemented, the SCS would achieve CARB's 2020 and 2035 GHG emissions reduction targets for the region. In March 2018, CARB approved updates to the SB 375 GHG emission reduction targets, including a reduction of 15% reduction in emissions per capita by 2020 and a 19% reduction by 2035 for SANDAG.

On February 26, 2021, SANDAG's Board of Directors adopted the final 2021 Regional Transportation Improvement Program (RTIP). The 2021 RTIP covers five fiscal years (FY 2021 through FY 2025) and incrementally implements the SANDAG 2019 Federal Regional Transportation Plan. The 2021 RTIP is designed to implement the region's overall strategy for providing mobility and improving the safety, condition, and efficiency of the transportation system while reducing transportation related air pollution. The 2021 RTIP incrementally implements San Diego Forward: The 2019 Federal Regional Transportation Plan (2019 Federal RTP), the long-range transportation plan for the San Diego region approved by the SANDAG Board of Directors on October 25, 2019.

Advanced Clean Cars Program and Zero-Emissions Vehicle Program. The Advanced Clean Cars Program (January 2012) is an emissions-control program for model years 2015 through 2025. The program combines the control of smog- and soot-causing pollutants and GHG emissions into a single coordinated package. The package includes elements to reduce smog-forming pollution, reduce GHG emissions, promote clean cars, and provide the fuels for clean cars (CARB 2011). To improve air quality, CARB has implemented new emission standards to reduce smog-forming emissions beginning with 2015 model year vehicles. It is estimated that in 2025 cars will emit 75% less smog-forming pollution than the average new car sold today. To reduce GHG emissions, CARB, in conjunction with the EPA and the NHTSA, adopted new GHG standards for model year 2017 to 2025 vehicles; the new standards are estimated to reduce GHG emissions by 34% in 2025. The Zero-Emission Vehicle Program will act as the focused technology of the Advanced Clean Cars Program by requiring manufacturers to produce increasing numbers of zero-emission vehicles and plug-in hybrid electric vehicles in the 2018 to 2025 model years.

EO B-16-12. EO B-16-12 (March 2012) required that state entities under the governor's direction and control support and facilitate the rapid commercialization of zero-emission vehicles. It ordered CARB, CEC, CPUC, and other relevant agencies to work with the Plug-in Electric Vehicle Collaborative and the California Fuel Cell Partnership to establish benchmarks to help achieve benchmark goals by 2015, 2020, and 2025. On a statewide basis, EO B-16-12 established a target reduction of GHG emissions from the transportation sector equaling 80% less than 1990 levels by 2050. This directive did not apply to vehicles that have special performance requirements necessary for the protection of the public safety and welfare.

AB 1236. AB 1236 (October 2015) required a city, county, or city and county to approve an application for the installation of electric vehicle charging stations, as defined, through the issuance of specified permits unless the city or county makes specified written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. The bill provided for appeal of that decision to the planning commission, as specified. The bill provided that the implementation of consistent statewide standards to achieve the timely and cost-effective installation of electric vehicle charging stations is a matter of statewide concern. The bill required electric vehicle charging stations to meet specified standards. The bill required a city, county, or city and county with a population of 200,000 or more residents to adopt an ordinance, by September 30, 2016, that created an expedited and streamlined permitting process for electric vehicle charging stations, as specified. The bill also required a city, county, or city and county with a population of less than 200,000 residents to adopt this ordinance by September 30, 2017.

Water

EO B-29-15. In response to the ongoing drought in California, EO B-29-15 (April 2015) set a goal of achieving a statewide reduction in potable urban water usage of 25% relative to water use in 2013. The term of the EO extended through February 28, 2016, although many of the directives have become permanent water-efficiency standards and requirements. The EO includes specific directives that set strict limits on water usage in the state. In response to EO B-29-15, the California Department of Water Resources has modified and adopted a revised version of the Model Water Efficient Landscape Ordinance that, among other changes, significantly increases the requirements for landscape water use efficiency and broadens its applicability to include new development projects with smaller landscape areas.

EO B-37-16. Issued May 2016, EO B-37-16 directed the State Water Resources Control Board to adjust emergency water conservation regulations through the end of January 2017 to reflect differing water supply conditions across the state. The State Water Resources Control Board also developed a proposal to achieve a mandatory reduction of potable urban water usage that builds off the mandatory 25% reduction called for in EO B-29-15. The State Water Resources Control Board and Department of Water Resources will develop new, permanent water use targets that build on the existing state law requirements that the state achieve 20% reduction in urban water usage by 2020. EO B-37-16 also specifies that the State Water Resources Control Board permanently prohibit water-wasting practices such as hosing off sidewalks, driveways, and other hardscapes; washing automobiles with hoses not equipped with a shut-off nozzle; using non-recirculated water in fountains and other decorative water features; watering lawns in a manner that causes runoff, or within 48 hours after measurable precipitation; and irrigating ornamental turf on public street medians.

Solid Waste

AB 939, AB 341, and AB 1826. In 1989, AB 939, known as the Integrated Waste Management Act (PRC Sections 40000 et seq.), was passed because of the increase in waste stream and 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 of where jurisdictions were required to meet diversion goals of all solid waste through source reduction, recycling, and composting activities of 25% by 1995 and 50% by 2000.

AB 341 (Chapter 476, Statutes of 2011 [Chesbro]) 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 generated be source-reduced, recycled, or composted by 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. CalRecycle conducted several general stakeholder workshops and several focused workshops, and in August 2015 published a discussion document titled AB 341 Report to the Legislature, which identified five priority strategies that CalRecycle believed would assist the state in reaching the 75% goal by 2020, legislative and regulatory recommendations, and an evaluation of program effectiveness (CalRecycle 2015).

AB 1826 (Chapter 727, Statutes of 2014, effective 2016) requires businesses to recycle their organic waste (i.e., food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste) depending on the amount of waste they generate per week. This law also requires local jurisdictions across the state to implement an organic waste recycling program to divert organic waste generated by businesses, including multi-family residential dwellings that consist of five or more units. The minimum threshold of organic waste generation by businesses decreases over time, which means an increasingly greater proportion of the commercial sector will be required to comply.

Other State Actions

SB 97. SB 97 (August 2007) directed the Governor's Office of Planning and Research to develop guidelines under CEQA for the mitigation of GHG emissions. In 2008, Office of Planning and Research issued a technical advisory as interim guidance regarding the analysis of GHG emissions in CEQA documents. The advisory indicated that the lead agency should identify and estimate a project's GHG emissions, including those associated with vehicular traffic, energy consumption, water usage, and construction activities (OPR 2008). The advisory further recommended that the lead agency determine significance of the impacts and impose all mitigation measures necessary to reduce GHG emissions to a level that is less than significant. The CNRA adopted the CEQA Guidelines amendments in December 2009, which became effective in March 2010.

Under the amended CEQA Guidelines, a lead agency has the discretion to determine whether to use a quantitative or qualitative analysis or apply performance standards to determine the significance of GHG emissions resulting from a particular project (14 CCR 15064.4[a]). The CEQA Guidelines require a lead agency to consider the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions (14 CCR 15064.4[b]). The CEQA Guidelines also allow a lead agency to consider feasible means of mitigating the significant effects of GHG emissions, including reductions in emissions through the implementation of project features or off-site measures. The adopted amendments do not establish a GHG emission threshold, instead allowing a lead agency to develop, adopt, and apply its own thresholds of significance or those developed by other agencies or experts. The 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 (CNRA 2009a).

With respect to GHG emissions, the CEQA Guidelines state in Section 15064.4(a) that lead agencies should "make a good faith effort, to the extent possible on scientific and factual data, to describe, calculate or estimate" GHG emissions. The CEQA Guidelines note that an agency may identify emissions by either selecting a "model or methodology" to quantify the emissions or by relying on "qualitative analysis or other performance based standards" (14 CCR 15064.4[a]). Section 15064.4(b) states that the lead agency should consider the following when assessing the significance of impacts from GHG emissions on the environment: (1) the extent a project may increase or reduce GHG emissions as compared to the existing environmental setting; (2) whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project; and (3) the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions (14 CCR 15064.4[b]).

EO S-13-08. EO Order S-13-08 (November 2008) is intended to hasten California's response to the impacts of global climate change, particularly sea-level rise. Therefore, the executive order directs state agencies to take specified actions to assess and plan for such impacts. The final 2009 California Climate Adaptation Strategy report was issued in December 2009 (CNRA 2009b), and an update, Safeguarding California: Reducing Climate Risk, followed in July 2014 (CNRA 2014). To assess the state's vulnerability, the report summarizes key climate change impacts to the state for the following areas: agriculture, biodiversity and habitat, emergency management, energy, forestry, ocean and coastal ecosystems and resources, public health, transportation, and water.

Local

City of Oceanside General Plan

The City of Oceanside's General Plan Circulation Element includes goals and policies to reduce GHG emissions within the City (City of Oceanside 2002). The following goals and policies from the City's General Plan are relevant to the project.

Circulation Element

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.

Pedestrian Facilities

Goal 5: Support walking as a primary means of transportation that in turn supports transit and bike options. A positive walking environment is essential for supporting smart growth, mixed land uses, transit oriented development, traffic calming and reducing traffic congestion and greenhouse gas emissions.

Intelligent Transportation System Technologies

Policy 4.1: The City shall encourage the reduction of vehicle miles traveled, reduction of the total number of daily and peak hour vehicle trips, and provide better utilization of the circulation system through development and implementation of transportation demand management (TDM) strategies. These may include, but not limited to, implementation of peak hour trip reduction, encourage staggered work hours, telework programs, increased development of employment centers where transit usage is highly

viable, encouragement of ridesharing options in the public and private sector, provision for park-and-ride facilities adjacent to the regional transportation system, and provision for transit subsidies.

Transportation Demand Management

Policy 4.9: The City shall look for opportunities to incorporate TDM [transportation demand management] programs into their Energy Roadmap that contributes to state and regional goals for saving energy and reducing greenhouse gas emissions.

Land Use Element

Air Quality

The City will continue to cooperate with the SDAPCD Board. This will include participation in the development of the Regional Air Quality Strategy (RAQS) through cooperation with the San Diego County Air Quality Planning Team.

Bicycle Facilities

Policy A: Development shall provide Class II Bikeways (Bike Lanes) on all secondary, major, and prime arterials.

Policy D: The use of land shall integrate the Bicycle Circulation System with auto, pedestrian, and transit systems:

1. Development shall provide short-term bicycle parking and long-term bicycle storage facilities such as bicycle racks, pedestal posts, and rental bicycle lockers.
2. Development shall provide safe and convenient bicycle access to high activity land uses, such as schools, parks, shopping, employment, and entertainment centers.

Pedestrian

Policy A: The construction of five (5) foot wide sidewalks adjacent to the curb shall be required in all new developments and street improvements.

Transit System

Policy A: The City shall coordinate and encourage the existing bus system to serve newly developed areas.

Energy

Policy A: The City shall encourage the design, installation, and use of passive and active solar collection systems.

Policy B: The City shall encourage the use of energy efficient design, structures, materials, and equipment in all land developments or uses.

City of Oceanside Climate Action Plan

The City adopted its CAP on May 8, 2019 (City of Oceanside 2019). The CAP acts as a roadmap to address challenges of climate change within the City and outlines measures the City will take to make progress towards meeting the state's GHG reduction goals. The CAP includes a baseline GHG emissions inventory for 2013, GHG emissions forecasts for 2020, 2030, 2035, 2040, and 2050, local GHG emissions reduction strategies and measures to help the City achieve the statewide targets, and implementation and monitoring mechanisms to ensure the City's measures and targets are achieved. The CAP established local GHG emissions reduction targets for future years as follows:

- by 2020, reduce GHG emissions levels to 5 MT CO_2e per capita;
- by 2030, reduce GHG emissions levels to 4 MT CO_2e per capita;
- by 2040, reduce GHG emissions levels to 3 MT CO_2e per capita; and
- by 2050, reduce GHG emissions levels to 2 MT CO_2e per capita.

The CAP was prepared in accordance with the requirements within CEQA Guidelines Section 15183.5, and the CAP Consistency Checklist was used to evaluate the proposed project's significance with respect to GHG emissions.

Energy and Climate Action Element

Policy ECAE 1b-4: The City shall explore opportunities to implement "mobility hub" features within Smart Growth Opportunity Areas and other areas amenable to active transportation and shared mobility option.

Policy ECAE 2a-6: The City shall work with the development community to identify new sources of financing for mixed-use and other forms of urbanized development, including the implementation of the El Corazon Specific Plan.

Policy ECAE 2e-4: Through TDM programs and other means, the City shall encourage employers to participate in regional rideshare programs, including SANDAG's iCommute.

Policy ECAE 2f-2: The City shall explore incentives for electric vehicle charging facilities in multi-family developments.

Policy ECAE 2f-4: The City shall partnership with the local business community, San Diego Gas & Electric, and other stakeholders, explore ways to reduce the cost of electric and other zero emission vehicles to Oceanside residents, specifically low-income households in proximity to air quality hotspots near I-5 and state highways.

Policy ECAE 2f-9: The City shall consider ways to reduce vehicle idling, particularly in proximity to schools and other sensitive receptors.

Policy ECAE 5a-2: The City shall update the City's Street Tree Ordinance to require one-to-one replacement of trees removed from the public right-of-way, parkways, and other public spaces.

Oceanside Energy Climate Action Element

The Energy Climate Action Element (ECAE) of the City's General Plan was adopted on May 8, 2019 and addresses energy consumption and other activities within the City that may contribute to adverse energy and GHG impacts. The ECAE focuses on activities associated with human-induced climate change. The ECAE outlines sustainability goals and policies for the City's decision-making process including development review protocols. The primary 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

The significance criteria used to evaluate the project impacts to greenhouse gases are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to greenhouse gases would occur if the proposed project would:

1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

As stated in CEQA Guidelines Section 15064.4(b)(1)-(3),

> a lead agency should consider the following factors, among others, when assessing the significance of impacts from GHG emissions on the environment: (1) the extent to which a project may increase or reduce GHG emissions as compared to the existing environmental setting; (2) whether project emissions exceed a threshold of significance that the lead agency determines applies to the project; and, (3) the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions.

Section 15064(h)(3) of the CEQA Guidelines also states that "A lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located."

The CEQA Guidelines do not prescribe specific methodologies for performing an assessment, do not establish specific quantitative thresholds of significance, and do not mandate specific mitigation measures. Rather, the CEQA Guidelines emphasize the lead agency's discretion to determine the appropriate methodologies and thresholds of significance consistent with the manner in which other impact areas are handled in CEQA.

The Office of Planning and Research Technical Advisory titled CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act Review states that "public agencies are encouraged but not required to adopt thresholds of significance for environmental impacts. Even in the absence of clearly defined thresholds for GHG emissions, the law requires that such emissions from CEQA projects must be disclosed and mitigated to the extent feasible whenever the lead agency determines that the project contributes to a significant, cumulative climate change impact" (OPR 2008). Furthermore, the advisory document indicates that "in the absence of regulatory standards for GHG emissions or other scientific data to clearly define what constitutes a 'significant

impact,' individual lead agencies may undertake a project-by-project analysis, consistent with available guidance and current CEQA practice."

City of Oceanside

As the lead agency, the City has the discretion to choose the significance threshold for discretionary projects. The City of Oceanside's CAP relies on a screening threshold based on land use size and a CAP Consistency Checklist to determine whether a project's emissions would be consistent with GHG emissions estimated within the City's CAP. Consistent with recent projects certified by the City and the City CAP, the project will utilize a 900 MT CO_2e annually with construction-related emissions amortized over 20 years. Specifically, the City has determined that new development projects emitting less than 900 MT CO_2e annual GHG would not contribute considerably to cumulative climate change impacts, and therefore do not need to demonstrate consistency with the CAP. Projects greater than 900 MT CO_2e would be required to show CAP Checklist consistency.

The CAP Consistency Checklist is used to determine significance in accordance with CEQA Guidelines Section 15183.5; therefore, the CAP Consistency Checklist was used to evaluate the proposed project's significance with respect to GHG emissions.

4.7.4 Impact Analysis

Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Construction of the project would result in GHG emissions, which are primarily associated with the use of off-road construction equipment, on-road vendor trucks, and worker vehicles. The construction GHG emissions as calculated in CalEEMod. are shown in Table 4.7-3 below. Per preliminary project details, it is assumed that construction of the project would begin in Spring 2023 and would last approximately 14 months. Total cumulative or combined construction emissions (from 2023 and 2024) that are generated prior to operations will ultimately contribute to yearly emission levels of the project as a whole. Because of this, it is acceptable to average the total construction emission over a 20-year period, per City Guidance, which represents an average lifecycle of a project. GHGs related to construction are shown in Table 4.7-3. Based on this, it is expected that the 20-year average would be 48.12 MT CO_2e per year.

Table 4.7-3 Estimated Annual Construction GHG Emissions

Year	MT CO_2	MT CH_4	MT N_2O	MT CO_2e
2023	716.03	0.08	0.05	732.99
2024	225.85	0.03	0.01	229.44
Total	**941.88**	**0.11**	**0.06**	**962.43**
Yearly Average Construction Emissions (MT CO_2e /year over 20 years				**48.12**

Source: Appendix B
Notes: CO_2 = carbon dioxide; CH_4 = methane; N_2O = nitrous oxide; CO_2e = carbon dioxide equivalent.

Operation of the proposed project would generate GHG emissions from mobile sources, area sources (landscape maintenance equipment), energy use, water use and wastewater generation, and solid waste (i.e., CO_2e emissions associated with landfill off-gassing). As with project construction, CalEEMod was used to estimate potential project-

generated operational GHG emissions based on proposed project land uses. It was assumed that the project would be operational following the completion of construction, which would occur in 2024.

Area

The area source category calculates direct sources of GHG emissions located at the project site including hearths and landscape maintenance equipment. This source category does not include the emissions associated with natural gas usage in space heating and water heating as these are calculated in the building energy use module of CalEEMod. The project includes a project design feature (PDF) that prohibits wood-burning, and only allows for natural gas-fired fireplaces in residential units.

Landscape maintenance includes fuel combustion emissions from equipment such as lawn mowers, roto tillers, shredders/grinders, blowers, trimmers, chain saws, and hedge trimmers, as well as air compressors, generators, and pumps. The emissions associated from landscape equipment use were estimated using CalEEMod defaults. For San Diego County, CalEEMod assumes that landscaping equipment would operate 180 days per year. To be conservative, emissions were estimated assuming that landscape maintenance equipment was powered by gasoline or diesel fuel, and not electrified.

Energy

As represented in CalEEMod, energy sources include emissions associated with building electricity and natural gas usage (non-hearth). CalEEMod default values for energy consumption were applied to each land use. The energy use from residential land uses is calculated in CalEEMod based on the Residential Appliance Saturation Survey. Energy use from the non-residential land uses is based on various studies and assessments as described in Section 7.3, *Estimating Energy Use from Other Land Uses*, of Appendix A of the CalEEMod User's Guide (CAPCOA 2021).

Annual natural gas and electricity emissions were estimated in CalEEMod using default values for emissions factors for San Diego Gas and Electric, which would be the energy source provider for the project. The project includes PDF-GHG-1 that ensures PV systems are installed on each building to meet 50% of forecasted electricity demand.

Mobile Sources (Motor Vehicles)

Following the completion of construction activities, the project would generate GHG emissions from mobile sources (vehicular traffic), as a result of residents and employees associated with the 323 residential units. The CalEEMod Version 2020.4.0 model was used to estimate daily emissions from vehicular sources (refer to Appendix B). CalEEMod Version 2020.4.0 default data, including trip rate, temperature, trip characteristics, variable start information, and emissions factors were used for the model inputs. Emission factors representing the vehicle mix and emission factors for 2024 were used to estimate emissions associated with vehicular sources.

Solid Waste

The project would generate solid waste, and therefore, result in CO_2e emissions associated with landfill off-gassing. CalEEMod default values for solid waste generation were used to estimate GHG emissions associated with solid waste.

Water and Wastewater

Supply, conveyance, treatment, and distribution of water for the project require the use of electricity, which would result in associated indirect GHG emissions. Similarly, wastewater generated by the project requires the use of electricity for conveyance and treatment, along with GHG emissions generated during wastewater treatment.

Annual operational emissions were combined with the average total construction emission over a 20-year period and compared to the recommended 900 MT CO_2e bright-line threshold. As shown in Table 17, implementation of the project would result in approximately 2,604.30 MT CO_2e per year including amortized construction emissions Operational emissions from the proposed project would also include amortized construction emissions from Table 4.7-3 above. Based on these findings, combined operational and construction GHG emissions would generate approximately 48.2 MT CO_2e each year during a typical operational year. The expected operational emissions for the proposed project are outlined in Table 4.7-4 below.

Table 4.7-4 Summary of Estimated Annual GHG Emissions

Emission Source	MT CO_2	MT CH_4	MT N_2O	MT CO_2e
Area	232.89	0.01	0.00	234.35
Energy	336.50	0.02	0.00	338.05
Mobile	1,751.89	0.13	0.08	1,778.92
Solid waste	39.30	2.32	0.00	97.36
Water	84.30	0.72	0.02	107.51
Amortized Construction Emissions (20 years)				48.12
Total Project Emissions				***2,604.30***
Brightline Threshold				*900*
Exceeds Threshold?				**Yes**

Source: Appendix B
Notes: GHG = greenhouse gas; MT = metric tons; CO_2 = carbon dioxide; CH_4 = methane; N_2O = nitrous oxide; CO_2e = carbon dioxide equivalent. <0.01 = reported value is less than 0.01.

Per City guidance, new development projects that emit more than 900 MT CO_2e annually could have a considerable contribution to cumulative climate change impacts. Given that project-generated operational emissions in 2024 plus amortized project construction emissions are estimated to exceed this bright-line threshold, the project is required to demonstrate consistency with the CAP Consistency Checklist to ensure that the specific emissions targets identified in the City's CAP can be achieved.

Projects that meet one or more of the following locational criteria are eligible for using the CAP Consistency Checklist:

1. The project site is located within a designated Smart Growth Opportunity Area.
2. The project site is located with ¼ mile of a priority transit-oriented development corridor, as identified in the City's Smart and Sustainable Corridors Plan.
3. The project is consistent with current land use and zoning designations.
4. The project requires amendment of current land use and zoning designations. As demonstrated through a detailed analysis a) consistent with the precedent in the surrounding zoning district and b) subject to third party expert review, the proposed land uses would generate less GHG emissions than those associated with uses allowed under current land use and zoning designations.

The project site is located within a Smart Growth Opportunity Area, is within ¼ mile of a priority transit-oriented development corridor, and is consistent with the current land use and zoning designation, as described in detail in Appendix B. As such, the project is eligible for the CAP Consistency Checklist for assessment of GHG emissions impacts. Table 4.7-6 includes the CAP Checklist items and the related project consistency analysis. As shown in Appendix B, the proposed project is consistent with the CAP Consistency Checklist adopted by the City to ensure that the emission targets identified in the CAP are achieved.

Table 4.7-6. Climate Action Plan Consistency Checklist and Project Consistency

Check List Item	Project Consistency Analysis
1. On-Site Renewable Energy Supply. If the project meets one or more of the thresholds outlined in Section 3047 of the City's Zoning Ordinance, will at least 50 percent of the estimated electricity demand be met with on-site renewable emissions-free energy supply (e.g., solar photovoltaic facilities)?	**Consistent.** The project is a residential project that includes more than 25 dwelling units and is therefore required to comply with the on-site renewable energy supply provisions of the checklist. The proposed project includes roof-top solar PV, which will accommodate at least 50% of energy demand during operation.
2. Electric Vehicle Charging Facilities. If the project involves new development that requires at least five (5) parking spaces, will the project comply with the requirements of Section 3048 of the City's Zoning Ordinance?	**Consistent.** The proposed project includes a total of 526 parking spaces for residences and guests and is therefore required to comply with the requirements of Section 3048 of the City's Zoning Ordinance. Per Section 3048, the project will provide 78 electric vehicle parking stalls, 39 of which will be charger quipped facilities.
3. Recycled Water Infrastructure. Does the City's Water Utilities Department require that the project install infrastructure to provide for recycled water service?	**Not Applicable.** The project is not required to use recycled water.
4. Transportation Demand Management (TDM). Per Section 3050 of the City's Zoning Ordinance, does the proposed project expected to generate at least 100 daily employee commute trips, necessitating the preparation and implementation of a TDM Plan?	**Not Applicable**. The project is not expected to generate more than 100 daily employee commute trips, and therefore is not required to prepare a TDM Plan.
5. Urban Forestry. Will the project comply with the minimum tree canopy and permeable surface area requirements outlined in Section 3049 of the City's Zoning Ordinance?	**Consistent.** The proposed project will provide 32% tree canopy coverage and 25.5% permeable surface, which exceeds the requirements outlined in Section 3049 of the City's Zoning Ordinance.

Source: Appendix B

Therefore, the proposed project is not expected to generate GHG emissions that may have a significant impact on the environment, and would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs and the impact would be **less than significant**.

For the reasons outlined above, and calculated in Appendix B of this EIR, it is determined that implementation of the project would not generate substantial greenhouse gas emissions that may have a significant impact on the environment, and therefore impacts would be **less than significant**.

Would the project generate conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

As noted above, the proposed project would not generate GHG emissions that have a significant impact on the environment because it is determined to be consistent with the City's CAP, which is the most applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs (See: Table 4.7-6, *Climate Action Plan Consistency Checklist and Project Consistency)*. Therefore, the proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases and the impact would be **less than significant**.

4.7.5 Mitigation Measures

Impacts related to greenhouse gas emissions as a result of project implementation are determined to be less than significant, and therefore no mitigation measures are required.

4.7.6 Level of Significance After Mitigation

No substantial impacts related to greenhouse gas emissions were identified; therefore, no mitigation measures are required. Impacts related to greenhouse gas emissions would be **less than significant**.

4.8 Hazards and Hazardous Materials

This section describes the existing hazards and hazardous materials conditions of the project site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the Modera Melrose Mixed-Use Development Project (project or proposed project) in the City of Oceanside (City). The following analysis is based on the Phase I Environmental Site Assessment that was prepared for the project by Weis Environmental in February 2021 and is incorporated by reference herein. The Phase 1 and Limited Phase 2 Environmental Site Assessment (ESA) is included as Appendix G to this EIR.

4.8.1 Existing Conditions

Hazardous Materials Definition

The term "hazardous materials" refers to both hazardous substances and hazardous wastes. Under federal and state laws, materials, including wastes, may be considered hazardous if they are specifically listed by statute as such or if they exhibit one of the following four characteristics: toxicity (causes adverse human health effects), ignitability (has the ability to burn), corrosivity (causes severe burns or damage to materials), or reactivity (can react violently, explode, or generate vapors). The term "hazardous material" is defined in law as any material that, because of quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment (California Health and Safety Code, Section 25501[o]).

In some cases, past industrial or commercial activities may have resulted in spills or leaks of hazardous materials, resulting in soil and/or groundwater contamination. Excavated soils having concentrations of certain contaminants, such as lead, gasoline, or industrial solvents, which are higher than certain acceptable levels must be managed, treated, transported, and/or disposed of as a hazardous waste. The California Code of Regulations (CCR), Title 22, Sections 66261.10 through 66261.24, contains technical descriptions of characteristics that would cause a soil to be designated a hazardous waste.

Federal and state laws require that hazardous materials be specially managed. California regulations are compliant with federal regulations and in most cases, are more stringent. Regulations also govern the management of potentially hazardous building materials, such as asbestos-containing materials, lead-based paint, and polychlorinated biphenyls during demolition activities that could potentially disturb existing building materials.

Historic Property Uses

The existing project site is undeveloped and vacant, and previously disturbed, consisting primarily of sparse grasses, shrubs, and some dirt paths. The project site and surrounding vicinity are situated in the Cities of Oceanside and Vista, in an area consisting primarily of commercial development, residential development, public roadways and train tracks.

As described in Section 4.4 of this EIR, historic topographic maps and historic aerial images were reviewed to understand the development of the project area and surrounding properties at historicaerials.com (Appendix D). Historic aerial photographs of the project site were available for 1938, 1946, 1953, 1964, 1967, 1978, 1980-1986, 1988 to 1991, 1993 to 2000, 2003, 2005, 2009, 2010, 2012, 2014, 2016, and 2018. The historic aerial from 1938 shows the project area of potential effect (APE) disturbed by agricultural activities. West Bobier Drive/Ocean Boulevard exists as a dirt road immediately north of the project APE and a residential structure appears to the east of the project APE. The 1946 aerial shows crops within the southeastern portion of the project APE, and

the rest of the project APE as being mass graded. The 1953 aerial shows a majority of the crops disappearing. The 1964 aerial shows some dirt roads cutting through the middle of the project APE, and a residential development appears to the east. By 1967, more grading occurs along the perimeter and middle portion of the project APE and another residential development appears to the northeast. The 1978 aerial shows some slight ground disturbance in the western portion of the project APE. The 1980 aerial does not reveal any changes to the project APE.

The 1981 aerial shows mass grading to the northern and western perimeters of the project APE, likely for construction of West Bobier Drive/Ocean Boulevard and Melrose Drive. The 1982 aerial shows West Bobier Drive/Ocean Boulevard as paved asphalt roads with some grading within the northern and western perimeter of the project APE. The 1983 and 1984 aerials do not reveal any changes to the project APE. The 1985 aerial shows dirt trails within the western and southern portion of the project APE. The 1986 to 1990 aerials do not reveal any changes to the project APE. By 1991, some landscaping occurs on the northwestern perimeter of the project APE. The 1994 aerial shows dirt trails in the middle of the project APE and some ground disturbance to the northeastern corner of the project APE. The 1995 to 2002 aerials do not reveal any changes to the project APE. The 2005 aerial shows mass grading within the entire project APE. The 2009 to 2012 aerials do not reveal any changes to the project APE. The 2014 aerial shows ground disturbance in the project APE. The 2018 aerial shows some ground disturbance within the project APE. The review of the historic aerial images demonstrates that the project APE has undergone extensive earth movement from agricultural activities, construction of the adjacent roads, and some grading activity. No historic structures are located within the project APE. Historic topographic maps of the project APE were reviewed (earliest map available from 1893) and do not show historic-age structures within the project APE.

As described in the Phase I ESA for the project site (Appendix G), no recognized environmental conditions associated with historical resources reviewed were noted. In addition, historical resources related to the adjoining properties and properties in the vicinity of the project site do not represent recognized environmental conditions that are of direct environmental concern to the project site. As stated above, portions of the project site have been previously used for agricultural purposes. Based on the regulatory and historical research completed during the preparation of the Phase I ESA, no information has been revealed regarding the potential for a previous accidental spill or release of pesticide products at the project site. In addition, prior soil sampling and analysis activities completed at the project site did not reveal detections of agricultural chemicals or other contaminants of concern at concentrations above residential human health risk based screening levels (Appendix G).

Hazardous Material Sites

As part of the Phase I ESA completed for the project site, a regulatory records review was completed, and a regulatory database report was generated from Environmental Risk Information Services (ERIS). ERIS searches federal, state, and local government environmental databases. Descriptions of each database searched, source distance from the project site, and the dates that the regulatory databases were last updated by the applicable agencies are included in Appendix G to this EIR. The site is not listed on any of the standard federal ASTM regulatory databases, not any State, Tribal, or local standard ASTM databases. Four adjoining properties are listed on the standard federal ASTM regulatory databases, including Melrose Auto Park and B&D Auto Repair (1350 N Melrose Drive), Melrose Auto Park, Tony's Automotive, and Tavos Auto Repair LLC (1352 N Melrose Drive, Suite E/F), Margaret Madden (1354 Waxwing Drive), and KA Management Inc DBA Melrose Arco (1501 Melrose Drive). These properties have no reported violations and are not listed on databases indicative of releases of hazardous substances or petroleum products to the subsurface. These properties are not considered to have the potential to adversely impact the project site. Furthermore, the project site is not listed on any of the non-ASTM regulatory databases, and none of the six adjoining properties on the non-ASTM regulatory database are considered to have the potential to adversely impact the project site.

The current use of the project site and adjoining properties are not indicative of the use, treatment, storage, disposal, or generation of hazardous substances or petroleum products that have significantly impacted the project site. This includes the western adjacent gasoline station that has not reported unauthorized releases to the subsurface (Appendix G).

Site Reconnaissance

On January 23, 2021, a representative of Weis Environmental conducted a reconnaissance-level assessment of the project site to assess the potential of identifying any recognized environmental conditions (RECs) in connection to the project site. No RECs associated with the current use of the project were identified during the site reconnaissance. Additionally, no RECs that could impact the project site were observed at adjacent properties.

Sensitive Receptors

Preschools, schools, daycare centers, nursing homes, and hospitals are considered sensitive receptors for hazardous material issues because children and the elderly are more susceptible than adults to the effects of many hazardous materials. There are no sensitive receptors within a 0.25-mile radius of the project site. The closest school to the project site is Maryland Elementary School, located approximately 0.43 miles southwest of the project site.

Airports

The closest airport to the project site is the Oceanside Municipal Airport, located approximately 5.5 miles west of the project site. According to the Airport Land Use Compatibility Plan (ALUCP), the project site is not located within an aviation noise exposure range of 60 dB CNEL, nor is the project site located within the Airport Overflight Notification Area. The project site is located within Review Area 2 of the ALUCP Airport Influence Area (ALUC 2010). Review Area 2 of the Airport Influence Area extends into the City of Vista and unincorporated San Diego County. Review Area 2 consists of locations beyond Review Area 1 but within the airspace protection and/or notification overflight areas. Limits on the heights of structures, particularly in areas of high terrain, are the only restriction on land uses within Review Area 2. Restrictions on infill development is not applicable within Review Area 2 as land uses are not restricted in this area, other than with respect to height limits, related airspace protection policies, and overflight notification requirements (ALUC 2010).

Wildfires

Both the State of California and County of San Diego map the Fire Hazard Severity Zones within San Diego County. According to the California Department of Forestry and Fire Protection, the Fire Hazard Severity Zones are based on an evaluation of fire history, existing and potential duel, flame length, blowing embers, terrain, weather, and the likelihood of buildings igniting. The project site is within a Local Responsibility Area unzoned Fire Hazard Severity Zone (CAL FIRE 2022). Therefore, the project site is not within a mapped Fire Hazard Severity Zone and is considered to have a low potential for risk of wildfire hazards.

Evacuation Routes

The City of Oceanside General Plan Public Safety Element includes evacuation routes for people who are forced from their homes during a disaster. The main through streets and highways within the city would be the primary relocation routes, and schools would serve as refuge centers capable of providing food and shelter (City of Oceanside 2002). Oceanside Boulevard and College Boulevard are the nearest evacuation routes to the project site.

4.8.2 Regulatory Setting

Federal

Hazardous Materials Transportation Act

The U.S. Department of Transportation regulates hazardous materials transportation under Title 49 of the United States Code (U.S.C.). State agencies with primary responsibility for enforcing federal and state regulations and responding to hazardous materials transportation emergencies are the California Highway Patrol and the California Department of Transportation. These agencies also govern permitting for hazardous materials transportation. Title 49 CFR reflects laws passed by Congress as of January 2, 2006.

Federal Toxic Substances Control Act and Resources Conservation and Recovery Act

The Federal Toxic Substances Control Act of 1976 (15 U.S.C. 2601-2697) and the Resource Conservation and Recovery Act (RCRA) of 1976 (42 U.S.C. 6901-6992) established a program administered by the U.S. Environmental Protection Agency (EPA) for regulation of the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Act (PL 98-616), which affirmed and extended the "cradle-to-grave" system of regulating hazardous wastes. The use of certain techniques for the disposal of some hazardous wastes was specifically prohibited by the Hazardous and Solid Waste Act. Under the authority of 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 40 CFR, Parts 260-299.

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA; U.S.C.9601-9675), commonly known as "Superfund", was enacted by Congress on December 11, 1980. This law provides 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. The National Contingency Plan provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants.

International Fire Code

The International Fire Code (IFC; ICC 2020), created by the International Code Council, 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 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. The IFC is updated every 3 years, with 2021 as the most recent edition.

Federal Response Plan

The Federal Response Plan of 1999 (FEMA 1999) is a signed agreement among 27 federal departments and agencies, including the America Red Cross, that (1) provides the mechanism for coordinating delivery of federal assistance and resources to augment efforts of state and local governments overwhelmed by a major disaster or emergency; (2) supports implementation of the Robert T. Stafford Disaster Relief and Emergency Act, as well as individual agency statutory authorities; and (3) supplements other federal emergency operations plans developed to address specific hazards. The Federal Response Plan is implemented in anticipation of a significant event likely to result in a need for federal assistance or in response to an actual event requiring federal assistance under a presidential declaration of a major disaster or emergency.

State

California Occupational Safety and Health Administration

The California Occupational Safety and Health Administration is the primary agency responsible for worker safety in the handling and use of chemicals in the workplace. The California Occupational Safety and Health Administration 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 (8 CCR 330 et seq.). The regulations specify requirements for employee training, availability of safety equipment, accident prevention programs, and hazardous substance exposure warnings.

California Hazardous Waste Control Act

The Department of Toxic Substances Control 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. It also provides for the designation of California-only hazardous waste and development of standards that are equal to or, in some cases, more stringent than federal requirements. 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 still 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 22 CCR 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, contaminated, or are being stored prior to proper disposal.

Cortese List

Government Code Section 65962.5, commonly referred to as the Cortese List, was originally enacted in 1985. Provisions set forth in Section 65962.5 require that the Department of Toxic Substances Control compile and update a list of the following:

- All hazardous waste facilities subject to corrective action
- All land designated as hazardous waste property or border zone property

- All information received by the Department of Toxic Substances Control on hazardous wastes disposals on public lands
- All sites listed pursuant to Section 25356 of the Health and Safety Code (hazardous substance release sites)
- All sites included in the Abandoned Site Assessment Program

California Accidental Release Prevention Program

Similar to the EPA Risk Management Program, the California Accidental Release Prevention (CalARP) Program (19 CCR 2735.1 et seq.) 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 releases of regulated substances and reduce the severity of releases that may occur. The CalARP Program meets the requirements of the EPA Risk Management Program, which was established pursuant to the Clean Air Act amendments.

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 Sections 25500-25543.3, 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.

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 it is based on the IFC created by the International Code Council. It 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 California Building Code use a hazard classification system to determine what protective measures are required to protect fire and life safety. These measures may include construction standards, separations from property lines, and specialized equipment.

To ensure that these safety measures are met, the CFC employs a permit system based on hazard classification. The CFC is updated every 3 years.

California Emergency Services Act

Under the Emergency Services Act (California Government Code, Section 8550 et seq.), the State of California developed an emergency response plan to coordinate emergency services provided by federal, state, and local agencies. Rapid response to incidents involving hazardous materials or hazardous waste is an integral part of the plan, which is administered by the Governor's Office of Emergency Services. The Office of Emergency Services coordinates the responses of other agencies, including the EPA, California Highway Patrol, Regional Water Quality Control Boards, air quality management districts, and county disaster response offices.

Local

San Diego County Emergency Plan

The San Diego County Emergency 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 plan also identifies the source 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.

San Diego County Multi-Jurisdictional Hazard Mitigation Plan

The San Diego County Multi-Jurisdictional Hazard Mitigation Plan was prepared in July 2010 to meet federal and state requirements for disaster preparedness to make the county eligible for funding and technical assistance from 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 man-made hazards. To address potential hazards, the plan then incorporates mitigation goals and objectives, mitigation actions and priorities, an implementation plan, and documentation of the mitigation planning process for each of the twenty-one participating jurisdictions, including the City of Oceanside.

California Disaster and Civil Defense Master Mutual Aid Agreement

As provided for in the California Emergency Services Act, this agreement was developed in 1950 and adopted by all 58 California counties. This statewide mutual aid system is designed to ensure that adequate resources, facilities, and other support is provided to jurisdictions whenever their own resources prove to be inadequate to cope with a given situation. San Diego 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 San Diego County Regional Airport Authority develops and adopts ALUCPs for each public use and military airport within its jurisdiction. The Oceanside Municipal ALUCP, as amended in December 2010, provides policies to ensure compatibility with the airport and surrounding land uses. These policies span various topics including noise, overflight zones, and safety. The ALUCP is based upon the Federal Aviation Administration approved Airport Layout Plan. The project site is located within Review Area 2 of the ALUCP Airport Influence Area. Review Area 2 consists of locations beyond Review Area 1 but within the airspace protection and/or notification overflight areas. Limits on the heights of structures, particularly in areas of high terrain, are the only restriction on land uses within Review Area 2 (ALUC 2010).

City of Oceanside General Plan

The State of California requires that each city prepare and adopt an approved General Plan that provides comprehensive, long-term guidance for the City's future. General Plans are also required to contain specific elements regarding different areas of planning. Relevant elements are as follows:

Hazardous Waste Management Element

The Hazardous Waste Management Element serves as primary guidelines for policies as they relate to effective management of hazardous materials within the City of Oceanside's influence. This element emphasizes policies that minimize hazardous waste within the City and contains siting criteria for specified hazardous waste facilities. There are no formal policies within this element that are applicable to the proposed project.

Public Safety Element

The Public Safety Element identifies hazards, such as earthquakes, fires, and tsunamis, and provides guidance for proper mitigation measures, such as evacuation routes, to ensure safety. Along with long range policies regarding seismic, flooding, and fire hazards, this element also includes a Public Safety Plan. The Public Safety Plan includes maps of indicating areas that have increased susceptibility to these hazards and relocation routes during emergency evacuations. There are no formal policies within this element that are applicable to the proposed project.

4.8.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to hazards and hazardous materials are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to hazards would occur if the project would:

1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
4. Be located on a site that 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.
5. 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, would the project result in a safety hazard or excessive noise for people residing or working in the project area.
6. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
7. Expose people or structures, either directly or indirectly, to a significant risk or loss, injury or death involving wildland fires.

4.8.4 Impacts Analysis

The impact analysis herein is based on the findings of the Phase I ESA prepared for the project (Appendix G). The purpose of the Phase I ESA was to identify, to the extent feasible and pursuant to the processes prescribed in ASTM International (ASTM) E1527, recognized environmental conditions (RECs)[1], historical RECs [2], or controlled RECs [3] in connection with the project site.

Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Construction

Construction activities would entail routine transport of materials potentially hazardous to humans, wildlife, and sensitive environments. These materials include gasoline oil, solvents, cleaners, paint, and various other liquids and materials required for the operation of construction equipment. Direct impacts to human health and biological resources from transport, use, or disposal of these materials could occur as a result of project construction. However, existing federal and state standards are in place for the use, handling, storage, and transport of these materials and would be implemented during construction of the project. These regulations include the Federal Chemical Accident Prevention Provisions (Part 68 of the Code of Federal Regulations); California Highway Patrol and California Department of Transportation container and licensing requirements for transportation of hazardous waste on public roads; the International Fire Code; the Resource Conservation and Recovery Act of 1976, as amended by the Hazardous and Solid Waste Amendments of 1984; California's Hazardous Waste Control Law; the California Fire Code; California Health and Safety Code Hazardous Materials Release Response Plans and Inventory; the California Integrated Waste Management Act; regulations developed by California Occupations Safety and Health Administration; and the state Hazardous Waste Control Act.

Additionally, standard best management practices included in the Storm Water Pollution Prevention Plan required of the project by the Construction General Permit (see Chapter 4.9, Hydrology and Water Quality), and associated hazardous materials handling protocols would be prepared and implemented to ensure the safe storage, handling, transport, use, and disposal of all hazardous materials during the construction phase of the project. Therefore, potential impacts related to the routine transport, use, or disposal of hazardous materials during project construction is determined to be **less than significant**.

Operations

Residential uses are not typically associated with the transport, use, or disposal of hazardous materials. Household goods used by residential homes that contain toxic substances are usually low in concentration

[1] According to ASTM E1527, RECs are defined as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not RECs (Appendix J).

[2] According to ASTM E1527, historical RECs are defined as a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls.

[3] According to ASTM E1527, controlled RECs are defined as a REC resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls.

and small in amount. Therefore, there is no significant risk to humans or the environment from the use of such household goods. Residents are required to dispose of household hazardous waste, including pesticides, batteries, old paint, solvents, used oil, antifreeze, and other chemicals, at a Household Hazardous Waste Collection Facility. Also, as of February 2006, fluorescent lamps, batteries, and mercury thermostats can no longer be disposed in the trash. Additionally, the proposed 2,336 square-foot commercial use on-site would not be associated with the transport, use, or disposal of hazardous materials. The transport, use, and disposal of hazardous materials are fully regulated by the EPA, State of California, San Diego County, and/or the City. With mandatory regulatory compliance, potential hazardous materials impacts associated with long-term operation of the project would be **less than significant**.

Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Construction

Construction activities would entail transport, use, or disposal of potentially hazardous materials including, but not limited to, diesel fuel, gasoline, equipment fluids, concrete, cleaning solutions and solvents, lubricant oils, adhesives, human waste, and chemical toilets. Spill or upset of these materials could have the potential to significantly impact surrounding land uses; however, federal, state, and local controls have been enacted to reduce the effects of such potential hazardous materials spills. The Oceanside Fire Department enforces city, state, and federal hazardous materials regulations for the City. City regulations include spill mitigation, and containment and securing of hazardous materials containers to prevent spills. Compliance with these requirements is mandatory as standard permitting conditions and would minimize the potential for the accidental release or upset of hazardous materials, thus ensuring public safety. Therefore, compliance with the above requirements such as Cal/OSHA requirements, the Hazardous Waste Control Act, CalARP Program, and the California Health and Safety Code would ensure potential impacts related to the release of hazardous materials would be **less than significant**.

Operations

As stated above, operation of the project's proposed residential and commercial uses would only require the transport, use, or disposal of typical household hazardous materials. Residents of the development would be required to dispose of household hazardous waste at a Household Hazardous Waste Collection Facility. In addition, operations would be required to comply with EPA, State of California, San Diego County, and/or the City regulations pertaining to household wastes. With mandatory regulatory compliance, the potential for an accidental release of hazardous materials associated with long-term operation of the project would be **less than significant**.

Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The project site is not located within 0.25 miles of an existing or proposed school. The nearest school is Maryland Elementary School, located approximately 0.43 miles southwest of the project site. As stated above, operation of the project would not require the transport, use, or disposal of hazardous materials. Construction activities would comply with the above requirements such as Cal/OSHA requirements, the Hazardous Waste Control Act, CalARP Program, and the California Health and Safety Code. Compliance with these requirements is mandatory

and would minimize the potential for an accidental release of hazardous materials; therefore, impacts to schools as a result of project implementation is determined to be **less than significant**.

Would the Project be located on a site that 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 ESA (Appendix G) has revealed no evidence of REC, historical RECs, or controlled RECs in connection with the project site. Additionally, the project site was not identified on the "Cortese" Hazardous Waste and Substances Sites List /Historical Cortese databases (Appendix G). The Phase I ESA prepared for the project site determined that the site does not warrant listing because there are not RECs present on the site. Therefore, impacts would be **less than significant**.

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 nearest airport is the Oceanside Municipal Airport, located approximately 5.5 miles west of the project site. The project is located outside of the safety zone for the airport (ALUC 2010).

However, the project site is located within the north area of Review Area 2 for the Oceanside Municipal Airport (ALUC 2010). Review Area 2 consists of locations beyond Review Area 1 but within the airspace protection and/or notification overflight areas. Within Review Area 2, the following land use actions require ALUC review:

i. Any object which has received a final notice of determination from the Federal Aviation Administration that the project will constitute a hazard or obstruction to air navigation, to the extent applicable.
ii. Any proposed object in a High Terrain Zone or in an area of terrain penetration to airspace surfaces which has a height greater than 35 feet above ground level.
iii. Any project having the potential to create electrical or visual hazards to aircraft in flight, including: electrical interference with radio communications or navigational signals; lighting which could be mistaken for airport lighting; glare or bright lights (including laser lights) in the eyes of pilots or aircraft using the Airport; certain colors of neon lights—especially red and white—that can interfere with night vision goggles; and impaired visibility near the Airport. The local agency should coordinate with the airport operator in making this determination.
iv Any project having the potential to cause an increase in the attraction of birds or other wildlife that can be hazardous to aircraft operations in the vicinity of the Airport. The local agency should coordinate with the airport operator in making this decision.

Land use actions (i), (iii), and (iv) would not apply to the project. The proposed project would not introduce any new overhead utilities, nor introduce any new sources of light and glare that would differ substantially from existing surrounding light sources that would affect day or nighttime views (refer to Section 4.1 Aesthetics for detailed information on project lighting and glare). Limits on the heights of structures, particularly in areas of high terrain, are the only restriction on land uses within Review Area 2. The project site is located within a designated High Terrain Zone area, per Exhibit III-4 of the Oceanside Municipal Airport Land Use Compatibility Plan (ALUC 2010). Therefore, the project would require review by the ALUC

since the proposed buildings are over 35 feet high (ranging from 46 to 62 feet). Additionally, prior to project approval, the applicant would be required to complete the San Diego County Regional Airport Authority's Application for Determination of Consistency form, which requires the City's signature and approval.

The project would be constructed in compliance with requirements of the Airport Land Use Commission for the Oceanside Municipal Airport. Because the project site is not within close proximity to the airport, noise associated with planes would not result in excessive noise for project residents. Nonetheless, the project applicant would be responsible for the recordation of overflight notification documents per Review Area 2 requirements, and completion of requirements under the High Terrain Zone designation.

With project compliance with the applicable ALUC requirements and review, impacts related to an airport safety hazard or excessive airport noise is determined to be **less than significant**.

Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The adopted emergency plans applicable to the project area consist of the Multi-Jurisdictional Hazard Mitigation Plan for San Diego County (County of San Diego 2018a), the San Diego County Emergency Operations Plan (County of San Diego 2018b), and the City's Emergency Operations Plan (City of Oceanside 2017). In addition, the City has developed a tsunami evacuation map (City of Oceanside n.d.).

The County's Multi-Jurisdictional Hazard Mitigation Plan is a countywide plan that identifies risks and ways to minimize damage by natural and manmade disasters. The plan is a comprehensive resource document that serves many purposes such as enhancing public awareness, creating a decision tool for management, promoting compliance with state and federal program requirements, enhancing local policies for hazard mitigation capability, and providing inter-jurisdictional coordination. The project would not impair implementation of the Multi-Jurisdictional Hazard Mitigation Plan.

The City's Emergency Operations Plan describes a comprehensive emergency management system which provides for a planned response to disaster situations associated with natural disasters, technological incidents, terrorism and nuclear-related incidents. It delineates 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 plan also identifies the sources of outside support which might be provided (through mutual aid and specific statutory authorities) by other jurisdictions, state and federal agencies, and the private sector.

As discussed in Chapter 4.9, Hydrology and Water Quality, the coast of the City is within a tsunami inundation area. As a part of the City's Emergency Operations Plan, the City developed a tsunami evacuation map (City of Oceanside n.d.). This City map shows the project site located outside of the tsunami evacuation area for the City. Evacuation routes shown on the tsunami evacuation map indicate that the project would not interfere with any evacuation routes identified on the map. As the project is not within the identified evacuation area and is not near any roads used for evacuation routes, the project would not impede implementation of this plan or the associated tsunami evacuation plan.

The project would provide one access point for emergency responders at the northeast corner of the project site from West Bobier Drive. The project would not require the full closure of any public or private streets or roadways during construction or operations and would not impede access of emergency vehicles to the

project site or any surrounding areas. Further, the project would provide all required emergency access in accordance with the requirements of the Oceanside Fire Department, as detailed in Chapter 4.13, Public Services and Chapter 4.15, Traffic and Circulation.

Overall, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, impacts are determined to be **less than significant**.

Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

According to the California Department of Forestry and Fire Protection's Fire Hazard Severity Zones map, the project site is not located within or adjacent to a Very High Fire Hazard Severity Zone (CAL FIRE 2022). The project site is located within an urbanized and developed area of the City. Furthermore, the project site is not located near any undeveloped wildland areas. Therefore, impacts are determined to be **less than significant**. Please refer to Chapter 4.13, Public Services and Chapter 4.18. Wildfire, of this EIR, for a detailed discussion of fire services and wildfire risk.

4.8.5 Mitigation Measures

No impacts to hazards and hazardous materials were identified; thus, no mitigation measures are required.

4.1.6 Level of Significance After Mitigation

No substantial impacts related to hazards and hazardous materials were identified; therefore, no mitigation measures are required. Impacts related to hazards and hazardous materials would be **less than significant**.

INTENTIONALLY LEFT BLANK

4.9 Hydrology and Water Quality

This section describes the existing hydrology and water quality conditions of the project site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the Modera Melrose Mixed-Use Development Project (project or proposed project) in the City of Oceanside (City). The following analysis is based on the Drainage Study and Storm Water Quality Management Plan (SWQMP) that were prepared for the project by Kimley Horn in 2021 and 2016, respectively. The Drainage Study is included as Appendix H to this EIR, and the SWQMP is included as Appendix I to this EIR.

4.9.1 Existing Conditions

Hydrologic Setting

The project is located in the east-central portion of the City within the Carlsbad watershed. In existing conditions, the project site has been previously graded and is currently vacant. Overland runoff flows from the northeast corner of the project site to the southwest towards the existing bike path and North County Transit District Sprinter line where runoff enters the existing storm drain system via culverts and headwalls south of the bike path (Appendix H).

The City is within the San Luis Rey Hydrological Unit which covers a drainage area of approximately 560 square miles. Elevations within this hydrologic unit range from sea level to over 4,300 feet above mean sea level (City of Oceanside 2022). Average annual precipitation ranges from roughly 10 inches along the coastal region (the project area) to 45 inches in the mountainous area. The project site is located within the Lower San Luis Rey Hydrologic Area (903.1) and the Mission Hydrologic Sub-Area (903.11) of the Water Quality Control Plan for the San Diego Basin (California Regional Water Quality Control Board 2016).

The major surface waterbodies in the vicinity of the project are Guajome Lake (located approximately 2 miles northwest of the project site) and the San Luis Rey River (located approximately 2.5 miles north of the project site), which flows east to west. The portion of the San Luis Rey River closest to the project site flows approximately 4 miles west until its confluence with the Pacific Ocean. Within the Mission Hydrologic Sub-Area, downstream impaired 303(d) listed water bodies include the Loma Alta Creek, Loma Alta Slough, Pacific Ocean Shoreline, East Channel Lake, Guajome Lake, and the San Luis Rey River Mouth.

Surface Water Quality

The San Luis Rey River is listed on the State Water Resources Control Board's (SWRCB) 303(d) list of impaired water bodies, as shown below in Table 4.9-1. 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 that the state 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 4.9-1. Downstream Water Quality Impairments

Water Body	Impairments	TMDLs
Loma Alta Creek	Selenium	—
	Toxicity	—
Loma Alta Slough	Eutrophic	—

Table 4.9-1. Downstream Water Quality Impairments

Water Body	Impairments	TMDLs
	Indicator Bacteria	—
Pacific Ocean Shoreline, Loma Alta HAS, at Loma Alta Creek mouth	Indicator Bacteria	—
	Trash	—
East Channel Creek	Indicator Bacteria	—
Guajome Lake	Eutrophic	—
Pacific Ocean Shoreline, San Luis Rey HU, at San Luis Rey River Mouth	*Enterococcus*	TMDL Required
	Total Coliform	—

Source: Appendix I.
Note: TMDL = total maximum daily load

Groundwater

Based on the Geotechnical Investigation Report prepared for the project, no groundwater was encountered within the project site (Appendix E). Groundwater is not anticipated to impact the project.

Flood Zone

The project site is not located within flood zone designated by the Federal Emergency Management Agency, as indicated in the Flood Insurance Rate Map for the area.

Tsunami Inundation

The project site does not lie within the tsunami inundation area for the City of Oceanside (CalEMA 2009).

4.9.2 Regulatory Setting

Federal

Clean Water Act

The U.S. Environmental Protection Agency (EPA) regulates water quality under the CWA (also known as the federal Water Pollution Control Act). Enacted in 1972, and significantly amended in subsequent years, the CWA is designed to restore and maintain the chemical, physical, and biological integrity of waters of the United States. The CWA provides the legal framework for several water quality regulations, including the National Pollutant Discharge Elimination System (NPDES). The NPDES program characterizes receiving water, identifies harmful constituents, targets potential sources of pollutants and implements a comprehensive stormwater management program. Construction and industrial activities are typically regulated under statewide general permits that are issues by the SWRCB. The Regional Water Quality Control Board (RWQCB) also issues waste discharge requirements that serve as NPDES permits under the authority delegated to the RWQCBs under the CWA.

The CWA requires NPDES permits for the discharge of pollutants to waters of the United States from any point source. In 1987, the CWA was amended to require that the EPA establish regulations for permitting of municipal and industrial stormwater discharges under the NPDES permit program. In November 1990, Phase I of the urban runoff management strategy, the EPA published NPDES permit applicant requirements for municipal, industrial, and

construction stormwater discharges. These requirements are implemented through permits issued by the SWRCB or the local RWQCB in which the project is located (California RWQCB San Diego Region, herein San Diego RWQCB) and/or the governing municipality where the project is located.

The EPA delegated its responsibility for administration of portions of the Clean Water Act to state and regional agencies. The CWA requires states to adopt water quality standards for receiving water bodies and to have those standards approved by the EPA. Water quality standards consist of designated beneficial uses for a particular receiving water body (e.g., wildlife habitat, agricultural supply, fishing), along with water quality criteria necessary to support those uses. Water quality criteria are prescribed concentrations or levels of constituents, such as lead, suspended sediment, and fecal coliform bacteria, or narrative statements that represent the quality of water that supports a particular use.

National and State Safe Drinking Water Acts

The federal Safe Drinking Water Act, established in 1974, is administered by the EPA and sets drinking water standards throughout the country. The drinking water standards established in the act, as set forth in the Code of Federal Regulations (CFR), are referred to as the National Primary Drinking Water Regulations (Primary Standards; 40 CFR 141), and the National Secondary Drinking Water Regulations (Secondary Standards; 40 CFR 143). According to the EPA, the Primary Standards are legally enforceable standards that apply to public water systems. The Secondary Standards are non-enforceable guidelines regulating contaminants that may cause cosmetic or aesthetic effects in drinking water. The EPA recommends the Secondary Standards for water systems but does not require systems to comply. California passed its own Safe Drinking Water Ac in 1986 that authorizes the state's Department of Health Services to protect the public from contaminants in drinking water by establishing maximum contaminant levels (as set forth in the California Code of Regulations (CCR), Title 22, Division 4, Chapter 15) that are at least as stringent as those developed by the EPA, as required by the federal Safe Drinking Water Act.

Federal Antidegradation Policy

The federal Antidegradation Policy (40 CCR 131.12) requires states to develop statewide antidegradation policies and identify methods for implementing them. Pursuant to this policy, state antidegradation policies and implementation methods shall, at a minimum, protect and maintain: (1) existing in-stream water uses; (2) existing water quality where the quality of the waters exceeds levels necessary to support existing beneficial uses, unless the state finds that allowing lower water quality is necessary to accommodate economic and social development in the area; and (3) water quality in waters considered an outstanding national resource. State permitting actions must be consistent with the federal Antidegradation Policy.

State

California Toxics Rule

Because of gaps in California's regulations, the EPA promulgated the California Toxics Rule (40 CCR131.38), which established numeric water quality criteria for certain toxic substances in California surface waters. The California Toxics Rule establishes acute (i.e., short-term) and chronic (i.e., long-term) standards for water bodies that are designated by the San Diego RWQCB as having beneficial uses protective of aquatic life or human health. The California Toxics Rule criteria are applicable to the receiving waters from the project site.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (Porter-Cologne Act) established the principal California legal and regulatory framework for water quality control. The Porter-Cologne Act is embodied in the California Water Code. The California Water Code authorizes the SWRCB to implement the provisions of the CWA.

California is divided into nine regions governed by RWQCBs. The RWQCBs implement and enforce provisions of the California Water Code and the CWA under the oversight of the SWQCB. The project site is located in Region 9, also known as the San Diego Region, and is governed by the San Diego RWQCB.

Each RWQCB must formulate and adopt a water quality control plan for its region. The San Diego RWQCB has adopted and periodically amends a water quality control plan titled Water Quality Control Plan for the San Diego Basin (Basin Plan). The San Diego RWQCB Basin Plan must conform to the policies set forth in the Porter-Cologne Act as established by the SWQCB in its state water policy. The Porter-Cologne Act also provides the RWQCBs with authority to include within their basin plans water discharge prohibitions applicable to particular conditions, areas, or types of waste.

Section 303(d)—Total Maximum Daily Load

The CWA requires states to publish, every 2 years, an updated list of streams and lakes that are not meeting their designated uses because of excess pollutants (i.e., impaired water bodies). The list, known as the Section 303(d) list, is based on violations of water quality standards. Once a water body has been deemed impaired, a TMDL must be developed for the impairing pollutant(s). A TMDL is an estimate of the total load of pollutants from point, non-point, and natural sources that a water body may receive without exceeding applicable water quality standards (plus a margin of safety). Once established, the TMDL allocates the loads among current and future pollutant sources to the water body. Targets utilized in the TMDL do not establish new water quality objectives and are not enforceable against dischargers. Allocations made to point sources are implemented primarily through NPDES permits, particularly the region-wide NPDES Municipal Separate Storm Sewer System (MS4) permit as well as the General Industrial Permit and Construction General Permit. Additionally, once a TMDL is developed and adopted into a basin plan, the water body is removed from the Section 303(d) list.

States are required to submit the Section 303(d) list and TMDL priorities to the EPA for approval. The 2018 Section 303(d) list is the most recently adopted list (SWRCB 2018). The 2018 Section 303(d) list was adopted by the SWRCB and approved by the EPA on June 9, 2021.

National Pollutant Discharge Elimination System Permits

In California, the SWRCB and its RWQCBs administer the NPDES permit program. The NPDES permits cover all construction and subsequent drainage improvements that disturb 1 acre or more, industrial activities, and municipal separate storm drain systems. Construction and industrial activities are typically regulated under statewide general permits that are issued by the SWRCB. The SWRCB also issued a statewide general small MS4 stormwater NPDES permit for public agencies that fall under that Phase II NPDES regulations.

The NPDES permit system was established in the CWA to regulate both point source discharges (a municipal or industrial discharge at a specific location or pipe) and nonpoint source discharges (diffused runoff of water from adjacent land uses) to surface waters of the United States. For point source discharges, each NPDES permit contains limits on allowable concentrations and mass emission of pollutants contained in the discharge. For

nonpoint source discharges, the NPDES program establishes a comprehensive stormwater quality program to manage urban stormwater and minimize pollution of the environment to the maximum extent practicable. The NPDES program consists of characterizing receiving water quality, identifying harmful constituents, targeting potential sources of pollutants, and implementing a comprehensive stormwater management program.

The reduction of pollutants in urban stormwater discharge to the maximum extent practicable through the use of structural and nonstructural best management practices (BMPs) is one of the primary objectives of the water quality regulations for MS4s. BMPs typically used to manage runoff water quality include controlling roadway and parking lot contaminants by installing filters with oil and grease absorbents at storm drain inlets, cleaning parking lots on a regular basis, incorporating peak-flow reduction and infiltration features (e.g., grass swales, infiltration trenches, and grass filter strips) into landscaping, and implementing educational programs.

Local

San Diego Basin Plan

The Basin Plan sets forth water quality objectives for constituents that could potentially cause an adverse effect or impact on the beneficial uses of water. Specifically, the San Diego Basin Plan is designed to accomplish the following:

- Designate beneficial uses for surface water and groundwater;
- 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;
- Describe the implementation programs to protect the beneficial uses of all waters within the region; and
- Describe surveillance and monitoring activities to evaluate the effectiveness of the Basin Plan.

The Basin Plan incorporates by reference all applicable SWRCB and RWQCB plans and policies.

Regional MS4 Permit

On May 8, 2013, the RWQCB approved a regional MS4 permit for San Diego, southern Orange, and southwest Riverside counties (Order No. R9-2013-0001). Order No. R9-2013-0001 has been subsequently amended by Order Nos. R9-2015-0001 and R9-2015-0100. The region-wide NPDES Permit (commonly referred to as the Regional MS4 Permit) sets the framework for municipalities, such as the City of Oceanside, to implement a collaborative watershed-based approach to restore and maintain the health of surface waters. The Regional MS4 Permit requires development of Water Quality Improvement Plans (WQIPs) that will allow the City (and other watershed stakeholders) to prioritize and address pollutants through an appropriate suite of BMPs in each watershed.

The project lies within the San Luis Rey Watershed Management Area, and the City is one of the responsible municipalities for the watershed's WQIP. The San Luis Rey Watershed WQIP was approved by the RWQCB on February 12, 2016.

City of Oceanside General Plan

The City of Oceanside's General Plan Community Facilities Element contains plans, policies, objectives, and goals related to stormwater system management. The overall objective for managing the City's drainage and stormwater system is:

> Objective: To provide adequate stormwater management facilities and services for the entire community in a timely and cost-effective manner, while mitigating the environmental impacts or construction of the storm drainage system as well as stormwater runoff.

The City of Oceanside works to achieve this objective through the following nine policies:

> Policy 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.

> Policy 6.2: All new development in the City of Oceanside shall pay drainage impact fees to defray the development's proportionate share of drainage facilities serving the basin where the new development is located.

> Policy 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.

> Policy 6.4: To the degree that it 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 protection methods, which avoid major construction programs such as channels and favor vegetative measures to protect and stabilized land areas, should be considered as an alternative to constructing concrete channels where feasible.

> Policy 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.

> Policy 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.

> Policy 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.

Policy 6.8: The City of Oceanside shall integrate required drainage planning efforts with linear open space amenities and trail corridors through the community, while addressing the issues of life safety, attractive nuisances, and long-term maintenance responsibility and costs.

Policy 6.9: The City shall comply with the sections of the federal CWA in regard to stormwater drainage.

City of Oceanside Zoning Ordinance

Article 30 of the City's Zoning Ordinance (3049 Urban Forestry Program) states that all new development that requires administrative or discretionary review shall comply with the urban forestry standards for minimum tree canopy and permeable surface area requirements. Permeable surfaces should allow water to pass through it, with pores or openings, and may include gravel, pervious concrete, porous asphalt, paving stone, or similar materials. For projects with a site area of 1 acre or more, including the project site, the minimum permeable surface area is 22% of the project site.

City of Oceanside Municipal Code

Chapter 40 of the City of Oceanside Municipal Code 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 City 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" (City of Oceanside 2021). General provisions of the Urban Management and Discharge Control Ordinance include compliance with the current and applicable RWQCB discharge permits, requirements for discretionary approvals subject to discharge control, development of Urban Runoff Standards Manuals, and designations for permitted use of collected stormwater.

4.9.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to hydrology and water quality are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to hydrology and water quality would occur if the project would:

1. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.
2. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.
3. 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; or

iv. impede or redirect flood flows.

4. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.
5. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

4.9.4 Impacts Analysis

Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

The project is located within the San Luis Rey Hydrologic Unit (903), within the Lower San Luis Hydrologic Area (903.1) and the Mission Hydrologic Sub-Area (903.11) of the Water Quality Control Plan for the San Diego Basin (California Regional Water Quality Control Board 2016). Within this Hydrologic Sub-Area, downstream impaired 303(d) listed water bodies include the Loma Alta Creek, Loma Alta Slough, Pacific Ocean Shoreline, East Channel Lake, Guajome Lake, and the San Luis Rey River Mouth. Impairments to these water bodies are shown in Table 4.9-1. TMDLs have been established to address pollutants listed in Table 4.9-1 for these impaired water bodies. Considering the downstream waters are impaired by these pollutants, the potential pollutants of concern that may be generated by the project include sediment, nutrients, organic compounds, trash and debris, oxygen demanding substances, bacteria and viruses, and pesticides.

Construction

Construction activities associated with the project could result in wind and water erosion of the disturbed area leading to sediment discharges. Fuels, oils, lubricants, and other hazardous substances used during construction could be released and impact water quality. The project is required to comply with the NPDES State Water Resources Control Board Construction General Permit Order No. 2009-0009-DWQ for stormwater discharges and general construction activities and incorporate standard BMPs such as regular cleaning or sweeping of construction areas and impervious areas, and runoff controls. In compliance with the Construction General Permit Order 2009-0009-DWQ, a Stormwater Pollution Prevention Plan (SWPPP) would be prepared for the project that specifies BMPs that would be implemented during construction to minimize impacts to water quality. Construction activity subject to this permit include clearing, grading and disturbances to the ground such as stockpiling, or excavation. Compliance with the General Construction Permit, SWQMP, SWPPP, and BMPs would ensure construction-related impacts to water quality would be **less than significant.**

Operations

In operational conditions, the project would be approximately 74% impervious area and 26% landscape area. The project would have two discharge locations, which would remain the same as they are in existing conditions. The two discharge locations, or points of compliance (POC), consist of POC 1 and POC 2. POC 2 would collect runoff from the northern landscaped slope that flows into the existing gutter in Oceanside Boulevard and Melrose Drive, where it enters the public storm drain system by the existing curb inlet at the southeast corner of Oceanside Boulevard and Melrose Drive. The storm drain flows north and discharges in the East Channel Creek where it flows north to San Luis Rey River where it ultimately discharges into the Pacific Ocean. POC 1 collects

the rest of the project site's runoff where it enters the City of Vista's public storm drain system by the existing headwall. The public storm system conveys flows south and discharges into Loma Alta Creek which flows west to ultimately discharge into the Pacific Ocean (Appendix H). The project's source control measures would include prevention of illicit discharges, storm drain stenciling, and protection of outdoor materials storage areas and trash storage areas. Biofiltration raised planter areas and Modular Wetland Systems are proposed throughout the project site to provide stormwater treatment for the pollutants discharged from the development. The project would be required to provide for ongoing implementation and maintenance of these features in accordance with the SWQMP. Implementation of the SWQMP, associated source control measures of the Drainage Report, and BMPs would reduce potential operational impacts related to water quality standards or waste discharge requirements to **less than significant**.

Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

The project would not use groundwater during construction or operation. According to the Geotechnical Investigation Report (Appendix E), no groundwater was encountered during the field exploration. Although the project would result in a change in amount of impervious groundcover on the project site, the project would include pervious features that include tree wells, landscaping throughout the site, and vegetated biofiltration basins. About 26% of the project site would be composed of permeable surface area, which is greater than the 22% minimum requirement for sites over 1 acre in size per Article 30 of the City's Zoning Ordinance. Due to the proposed type of construction and surface water management, the project is not anticipated to decrease groundwater supplies or interfere with groundwater recharge in a manner that would impede sustainable groundwater management. Therefore, project impacts related to groundwater recharge would be **less than significant**.

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 (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; or (iv) impede or redirect flood flows?

(i) During construction, the project has potential to result in exposed soils or changes in runoff that could result in erosion or siltation. This potential impact would be minimized through implementation of BMPs during construction in accordance with the Drainage Study and SWQMP. As the project is over 1 acre in size, the project would be subject to the General Permit Order and required to prepare a SWPPP and comply with the associated BMPs. Preparation of a SWPPP would also be required to obtain a grading permit for the project. Construction BMPs described in the SWPPP may include, but are not limited to, measures minimizing exposed soils, silt fencing, soil binders, street sweeping, hydroseeding soils, and using sandbags, check dams or berms during rain events to direct flows. Surface drainage during project construction would be controlled through implementation of the SWQMP and SWPPP, and in accordance with NPDES regulations and provisions of the City's Grading and Erosion Control Ordinances.

During operations of the project, the on-site surfaces would be covered by 74% impervious area with 26% landscaped slopes and parkway landscaped areas. The proposed buildings would have a drainage system to collect roof runoff and graded and disturbed areas would be re-vegetated and landscaped to minimize erosion. Post-construction the project site would have minimal risks of erosion occurring given property

plant establishment and transport of sediments downstream would be significantly reduced by means of pretreatment and onsite biofiltration basins. As described above, the project would be subject to operational BMPs, and stormwater management strategies outlined in the project's Drainage Study (Appendix H) and SWQMP (Appendix I). Positive surface drainage would be provided to direct surface water on-site toward the street or suitable drainage facilities, planters would be designed with provisions for drainage to the storm drain system, and surface runoff would be controlled in a manner to avoid erosion and sedimentation in accordance with regulations and the project's SWQMP. Therefore, no substantial erosion or siltation on- or off-site is anticipated during operation. For the reasons outlined above, construction nor operation of the project would result in substantial erosion or siltation on- or off-site, and impacts would be **less than significant**.

(ii) In existing conditions, the project site has been previously graded but is currently vacant. Overland runoff flows from the northeast corner to the southwest towards the bike path and North County Transit District Sprinter line where runoff enters the existing storm drain system by culverts and headwalls south of the bike path. According to the Drainage Study performed by Kimley Horn (Appendix H), existing runoff from the project site is captured by an existing concrete lined channel located along the southern boundary of the project site. Runoff is then collected in the City's storm drain system.

The project's Drainage Study concludes that project improvements would result in an increase in peak runoff flowrate within the project site. However, the project proposes to install an underground detention basin to mitigate the peak flows to less than pre-project flows, producing mitigated runoff less than the existing runoff at POC 1 (see Table 4-1 of Appendix H). Implementation of the underground detention basin would mitigate peak flows by storing stormwater runoff and controlling the release of flow. The project would also install engineered tree wells and raised planters, which would direct flows to the proposed underground detention basin to be filtered and treated before entering the City's storm drain system. Due to the proposed drainage systems, the project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site and the impact would be **less than significant**.

(iii) Under existing conditions, the project site is undeveloped and vacant. Existing runoff is directed to the existing concrete channel located along the southern boundary of the project site into the storm drain system located within Oceanside Boulevard.

The project would result in an increase in impervious surfaces within the project site. Specifically, 74% of the project site would include impervious surfaces and 26% of the project site would include landscaped areas. Under the project, on-site areas would surface drain to the proposed engineered tree wells and raised planters, and then to the underground detention basin. Flows from off-site areas that drain into the project site would be intercepted and conveyed through the project site into the project's proposed drainage system. Stormwater treatment to meet water quality requirements include the proposed engineered tree wells, raised planters, and underground detention basin. Additional stormwater management areas include the landscaped areas along the boundaries of the site. The SWQMP includes stormwater quality measures to remove pollutants from runoff in compliance with the City's BMP Manual.

The existing municipal storm drain system has sufficient conveyance capacity to accept the proposed runoff from the site that would be reduced by the proposed underground detention basin. The Drainage Study calculates existing and proposed stormwater runoff conditions by reviewing time of concentration, peak intensity, and peak flowrate of stormwater. Although there would be an overall increase in runoff from the project site due to project development, with implementation of the proposed underground detention basin,

on-site runoff would be less than the existing rate at POC 1 (Appendix H). Therefore, the project would not contribute runoff which would exceed existing capacity of storm drain facilities and impacts would be **less than significant**.

(iv) As previously discussed, the project would have two discharge locations, which would remain the same as they are in existing conditions. The two discharge locations, or POCs, consist of POC 1 and POC 2. POC 2 would collect runoff from the northern landscaped slope that flows into the existing gutter in Oceanside Boulevard and Melrose Drive, where it enters the public storm drain system by the existing curb inlet at the southeast corner of Oceanside Boulevard and Melrose Drive. The storm drain flows north and discharges in the East Channel Creek where it flows north to San Luis Rey River where it ultimately discharges into the Pacific Ocean. POC 1 collects the rest of the project site's runoff where it enters the City of Vista's public storm drain system by the existing headwall. The public storm system conveys flows south and discharges into Loma Alta Creek which flows west to ultimately discharge into the Pacific Ocean (Appendix H). Although the project would result in an increase in impervious surfaces on-site that would generate additional stormwater runoff, implementation of the project would utilize the same drainage points and would not substantially impede or redirect flows in comparison to existing conditions. As previously discussed, with the implementation of the proposed underground detention basin, on-site runoff would be less than under existing conditions. Due to the proposed drainage design and improvements to the existing on-site drainage, the project would not substantially impede or redirect flood flows and impacts would **be less than significant**.

In flood hazard, tsunami, or seiche zones, would the Project risk release of pollutants due to project inundation?

The project site is not located within flood zone designated by the Federal Emergency Management Agency, as documented in the National Flood Hazard Layer map (FEMA 2022). In addition, according to the City's Tsunami Inundation Map for Emergency Planning (Oceanside Quadrangle) the project site is not located within the inundation area (CalEMA 2009). For these reasons, it is determined that because the project site is not within a flood hazard zone or subject to a tsunami, significant impacts related to the release of pollutants due to project inundation would not occur. Therefore, project impacts related to the potential release of pollutants due to project inundation would be **less than significant**.

Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

The project site is located within the San Luis Rey Watershed Water Quality Improvement Plan (WQIP) area. The goal of the WQIP is to protect, preserve, enhance, and restore water quality of receiving water bodies (City of Oceanside 2016). These improvements in water quality would be accomplished through an adaptive planning and management process that identifies the highest priority water quality conditions within the watershed and identifies implementation strategies. The project is consistent with these goals by complying with the regulations, as described below.

The Sustainable Groundwater Management Act has enacted sustainable groundwater management requirements. In San Diego County, there are four basins that meet the criteria as medium-priority and are subject to these requirements: Borrego Valley, San Diego River Valley, San Luis Rey Valley and San Pasqual Valley. Currently there is no adopted sustainable groundwater management plan applicable to the project site. The project does not involve the use or extraction of groundwater and the project would not significantly impact groundwater quality due to proposed engineering methods and regulatory compliance, as discussed above. Thus, the project would not conflict with a sustainable groundwater management plan.

The SWQMP prepared for the project was based on requirements set forth in the RWQCB's NPDES MS4 Permit that covers the San Diego Region (Order No. R9-2013-0001). The storm water quality design was also prepared in accordance with the City's Best Management Plan (BMP) Design Manual. As outlined in response to the thresholds above, the project would include appropriate BMPs to reduce water quality pollutants of concern during construction and operations. Furthermore, the project would be required to adhere to a project specific SWPPP during construction, which would satisfy the requirements set forth by the NPDES Construction General Permit Order No. 2009-0009-DWQ. Overall, the project would comply the San Luis Rey Watershed Water Quality Improvement Plan and would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan impacts. Therefore, project impacts are determined to be **less than significant**.

4.9.5 Mitigation Measures

Impacts related to hydrology and water quality as a result of project implementation are determined to be less than significant, and therefore no mitigation measures are required.

4.9.6 Level of Significance After Mitigation

No substantial impacts related to hydrology and water quality were identified; therefore, no mitigation measures are required. Impacts related to hydrology and water quality would be **less than significant**.

4.10 Land Use and Planning

This section describes the existing land use and planning conditions of the project site and vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the Modera Melrose Mixed-Use Development Project (project or proposed project).

4.10.1 Existing Conditions

Existing Uses

The proposed project site consists of two vacant parcels (Assessor's Parcel Numbers 161-030-23 and 161-030-24) that collectively cover approximately 7.4 acres, located at the southeast corner of Melrose Drive and West Bobier Drive in the east-central portion of the City of Oceanside. The project site, located in the Peacock Neighborhood Area of Oceanside, is approximately 1.6 miles south of State Route 76 and approximately 2 miles north of State Route 78. The project site is located along the eastern boundary of the City of Oceanside and is immediately adjacent to the City of Vista. The project site has a General Plan designation of Neighborhood Commercial (NC) with a consistent zoning designation of Neighborhood Commercial (CN).

The project site has been previously graded and heavily disturbed by development on adjacent parcels, development of adjacent roadways, and previous agricultural uses within the site. An unofficial trail bisects the project site and is used primarily by pedestrians from nearby residential areas to access Melrose Drive. The topography of the project site is generally flat and roughly rectangular with a gentle slope towards the south end of the project site. Elevations vary between approximately 424 feet above mean sea level to approximately 455 feet above mean sea level.

Surrounding Areas

The project site is surrounded by existing residential and commercial development and major roads within the City. Land uses surrounding the project site are zoned by the City as CG-General Commercial to the west, CP-Commercial Professional to the northwest, and PD-Planned Development (residential) to the north. The City of Vista properties that surround the project site to the east and south are zoned R-1-B-Single Family Residential and SPI-Specific Plan Implementation, respectively. The project site is near an open space corridor and community park located to the north, including the Vista Sports Park. The project site is located within a Smart Growth Opportunity Area (Community Center OC-7) as designated by the San Diego Association of Governments (SANDAG). Smart growth areas are identified to promote higher density development in key areas near public transit, such as the project site located directly east of the North County Transit District (NCTD) Melrose Sprinter Station.

4.10.2 Regulatory Setting

State

California Planning and Zoning Law

The legal framework under which California cities and counties exercise local planning and land use functions is set forth in California Planning and Zoning Law, Government Code Sections 65000-66499.58. Under state planning law, each city and county must adopt a comprehensive, long-term general plan. State law gives cities and counties wide latitude in how a jurisdiction may create a general plan, but there are fundamental requirements that must be met. These

requirements include the inclusion of seven mandatory described in the Government Code, including a section on land use. Each of the elements must contain text and descriptions setting forth objectives, principles, standards, policies, and plan proposals; diagrams and maps that incorporate data and analysis; and mitigation measures.

Regional

San Diego Association of Governments

The Regional Comprehensive Plan (RCP), adopted in 2004 by SANDAG, laid out key principles for managing the region's growth while preserving natural resources and limiting urban sprawl. The plan covered eight policy areas, including urban form, transportation, housing, healthy environment, economic prosperity, public facilities, our borders, and social equity.

In 2011, SANDAG approved the 2050 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). This approval marked the first time SANDAG's RTP included a sustainable communities strategy, consistent with the Sustainable Communities and Climate Protection Act of 2008, also known as Senate Bill 375. This RTP/SCS provided a blueprint to improve mobility, preserve open space, and create communities, all with transportation choices to reduce greenhouse gas emissions and meet specific targets set by the California Air Resources Board (CARB) as required by the 2008 Sustainable Communities Act. In 2010, CARB established targets for each region in California governed by a metropolitan planning organization. SANDAG is the metropolitan planning organization for the San Diego region.

The SANDAG target, as set by CARB, is to reduce the region's per capita emissions of greenhouse gas emissions from cars and light-duty trucks by 7% by 2020, compared with a 2005 baseline. By 2035, the target is a 13% per capita reduction. There is no target set beyond 2035. To achieve the 2020 and 2035 targets, SANDAG and other metropolitan planning organizations are required to develop an SCS as an element of its RTP. The SANDAG SCS integrates land use and transportation plans to achieve reductions in greenhouse gas emissions and meet the CARB-required targets.

On October 9, 2015, the SANDAG Board of Directors adopted San Diego Forward: The Regional Plan (Regional Plan). The Regional Plan combines the two previously described existing regional planning documents: the RCP and the RTP/SCS. The Regional Plan updates growth forecasts and is based on the most recent planning assumptions considering currently adopted land use plans, including the City's General Plan and other factors from the cities in the region and the County. SANDAG's Regional Plan will change in response to the ongoing land use planning of the City and other jurisdictions. For example, the City's General Plan, and the general plans of other local cities, may change based on amendments initiated by the jurisdiction or landowner applicants. These amendments may result in increases in development densities by amending the regional category designations or zoning classifications. Accordingly, SANDAG's RTP/SCS latest forecasts of future development in the San Diego region, including location, must be coordinated closely with each jurisdiction's ongoing land use planning because that planning is not static, as recognized by the need for updates to SANDAG's RTP/SCS every 4 years). The most recent regional plan is the 2021 Regional Plan, which builds off the 2019 San Diego Forward Federal Transportation Plan (SANDAG 2021). The SANDAG Board of Directors adopted the 2021 Regional Plan on December 10, 2021. The 2021 Regional Plan is a 30-year plan that considers growth, movement and residential location around the region. The 2021 Regional Plan combines the RTP/SCS and the RCP. As such, the 2021 Regional Plan must comply with specific state and feral mandates. These include an SCS, per California Senate Bill 375 (SB 375), that achieves GHG emissions reduction targets set by CARB, compliance with federal civil rights requirements (Title VI), environmental justice considerations, air quality conformity, and public participation (SANDAG 2021).

Local

City of Oceanside General Plan

The State of California requires each city to have a general plan to guide its future, and mandates that the plan be updated periodically to assure relevance and utility. The City of Oceanside General Plan is the primary source of long-range planning and policy direction that is used to guide development within the city and serves as a policy guide for determining the appropriate physical development and character of the City. The plan is founded on the community's vision for the City and expresses the community's long-range planning goals. The Oceanside General Plan contains 10 elements: Land Use (adopted 1986), Circulation (adopted 2012), Recreational Trails (adopted 1996), Housing (adopted 2013), Environmental Resource Management (adopted 1975), Public Safety (adopted 1975), Noise (adopted 1974), Community Facilities (adopted 1990), Hazardous Waste Management (adopted 1990), and Military Reservation (adopted 1981) (City of Oceanside 1974, 1975a, 1975b, 1981, 1986, 1990a, 1990b, 1996, 2012, 2013). Each of the General Plan elements contains goals for the future of the City. In addition, the Land Use and Zoning Map Viewer depicts the planned land uses and zoning within the City of Oceanside, and the land use designations are described through policies within the General Plan (City of Oceanside 2022).

On May 8, 2019, the City Council adopted Phase I of the General Plan Update, which consisted of new General Plan elements including the Economic Development Element (April 2019) and the Energy Climate Action Element (May 2019), as well as the Climate Action Plan (CAP). Phase 2 of the General Plan Update will include updating the City's existing Land Use, Circulation, Housing, Conservation and Open Space, Community Facilities, Safety, and Noise elements. The Draft of Oceanside's 2021-2029 Housing Element was submitted for review by the California Department of Housing and Community Development in March 2021.

The release of five project background reports in June 2021 was the first technical step in the process of updating the City's General Plan and preparing the Smart and Sustainable Corridors Specific Plan. The background reports provide a comprehensive analysis of resources, trends, and concerns that will frame and guide choices for the long-term development of the City. These five background reports include #1: Baseline Economic and Market Analysis; #2: Land Use and Community Resources; #3: Mobility; #4: Environmental Resources; and #5: Smart and Sustainable Corridors Background Report. These reports are available for review at the City's Onward Oceanside website: https://onwardoceanside.com/.

Land Use Element

The Land Use Elements and Land Use Map identify the type of land uses that have been planned for within the City of Oceanside. The purpose of the Land Use Element is to describe present and planned land use activity that has been designed to achieve the community's long-range objectives for the future. The Land Use Element and Map identify the proposed general distribution, location, and extent of land uses such as industrial, commercial, residential, institutional, agricultural, open space, and community facilities. The element contains goals, objectives, policies, and implementation programs, along with maps and diagrams that outline the future land uses within the City. The element also provides direction related to how future development would occur, such as the intensity/ density and character of new development.

Circulation Element

The purpose of the Circulation Element is to ensure that the Oceanside Master Transportation Plan and its implementation policies and programs would safely and efficiently accommodate the growth envisioned in the Land

Use Element. The Oceanside Master Transportation Plan has been incorporated as a subsection to the Circulation Element and serves as the main policy tool, designating future road improvements, extensions, and special intersection design treatments.

Recreational Trails Element

The Recreational Trails Element provides provisions for, and maintenance of, pedestrian, bicycle, and equestrian trail systems throughout the City. The purpose of the Recreational Trails Element is to provide goals and objectives that would improve the operation and design of the City of Oceanside's trail system for bicycles, pedestrians, and equestrians.

Housing Element

The Housing Element is intended to identify and analyze the City's housing needs; establish reasonable goals, objectives, and policies based on those needs; and set forth a comprehensive 5-year program of actions to achieve the identified goals and objectives, including meeting the City's Regional Housing Needs Assessment.

Environmental Resource Management Element

The Environmental Resource Management Element is a program designed to conserve natural resources and preserve open space. This element contains goals, objectives, and implementation strategies related to water, soil, erosion, and drainage; coastal preservation; minerals; vegetation and wildlife habitats; air quality; agricultural resources; cultural sites; and recreation and scenic areas.

Public Safety Element

The purpose of the Public Safety Element is to serve as a safety guide in the planning process to reduce loss of life, injury, property damage, and economic and soils dislocation resulting from fire hazards, flooding hazards, and seismic and geologic hazards and to promote civil disaster preparedness.

Noise Element

The Noise Element is composed of three sections: Introduction, Long-Range Policy Direction, and Noise Plan. In the Long-Range Policy Direction section, goals, objectives and policies are identified to address noise-related issues in the community. The goals and objectives are overall statements of the City's desires and comprise broad statements of purpose and direction. The policies serve as guides for reducing or avoiding adverse noise effects on residents. Policies and plans in the Noise Element are designed to protect existing and planned land uses identified in the Land Use Element from excessive noise.

Community Facilities Element

The purpose of the Community Facilities Element is to provide overall 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 element provides a comprehensive and current inventory of the City's community facilities; a summary of the conditions, capacities, and status of all public facilities serving the city; a system of objectives, policies, and standards to be used by the City for programming its primary public facilities; and a comprehensive improvement plan and program for community facilities through the year 2010 to serve projected land use development in the City.

Hazardous Waste Management Element

The Hazardous Waste Management Element provides health and safety measures that are necessary to protect citizens from the siting of hazardous waste facilities as required by California Health and Safety Code, Section 25199 et seq., in coordination with the San Diego County Hazardous Waste Management Plan, and to reduce the need for such facilities through the minimization of hazardous materials and wastes.

Military Reservation Element

The purpose of the Military Reservation Element is to acknowledge the direct physical, social, and economic linkages between the City and U.S. Marine Corps Base Camp Pendleton and to propose policies that would strengthen the bond between the community and the base.

Economic Development Element

The City has prepared an Economic Development Element to establish, refine, and consolidate goals and policies that will inform future actions affecting the City's fiscal resources and the local economy. Addressing both municipal operations and the economic dynamics of the community at large, the Economic Development Element will provide direction to all City disciplines whose functions impact the City's financial resources and influence the economic circumstances and choices of the City's residents, property owners, business owners, workers, and visitors. These City disciplines include the Economic Development Division, the Development Services Department, the Public Works Department, the Property Management Division, the Housing Division, the Parks and Recreation Division, the Water Utilities Department, and the City's public safety apparatus. The Economic Development Element will guide these disciplines in fulfilling their respective missions in a manner supportive of the City's long-term fiscal and economic health (City of Oceanside 2019a).

Energy Climate Action Element

The Energy and Climate Action Element (ECAE) 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 (City of Oceanside 2019b).

City of Oceanside Climate Action Plan

The City's CAP (April 2019) seeks to align with state efforts to reduce greenhouse gas (GHG) emissions while balancing a variety of community interests: e.g., quality of life, economic development, and social equity. The CAP outlines the measures the City will take to make progress towards meeting the State of California's 2050 GHG reduction goal. While federal and state measures are contributing significantly to GHG emissions reduction, climate action at the local level is essential in reducing global emissions to sustainable levels. Achieving the state's 2050 GHG reduction target will require local jurisdictions to complement state measures such as low-carbon fuel standards, vehicle fuel-efficiency standards, and the Cap-and-Trade Program. Reducing the City's carbon footprint requires both local government action as well as a commitment from residents, business owners, and others in the community to reduce their reliance on fossil fuels; pursue clean and renewable energy sources; reduce, reuse, recycle, and compost solid waste; conserve water and carefully manage the City's land resources.

Given that the vast majority of the City's GHG emissions are generated by activities in the private sector, the bulk of the GHG reduction measures outlined in the City's CAP address emissions associated with residential,

commercial, industrial, and agricultural uses. Nevertheless, the City recognizes its role as an exemplar for the Oceanside community and is thus committed to reducing GHG emissions from municipal operations. Led by the Water Utilities and Public Works Departments, the City has already significantly reduced its GHG emissions through a variety of means, including methane cogeneration, streetlight retrofitting, solar photovoltaic installation at numerous municipal facilities, solid waste diversion, energy efficiency retrofitting in municipal buildings, and the Green Oceanside campaign's community education programs. The City will continue to pursue GHG reduction in local government operations while encouraging emissions reduction in the community at-large through a combination of requirements, incentives, and community outreach efforts. As climate action planning continues to evolve, through advancements in climate science, technology, and public policy, the City's CAP will need to be periodically updated. These updates will be informed by new GHG emissions inventories, which will show how the City's emissions are trending and reveal which emissions reduction measures are most effective. In light of new information, and as new constraints and opportunities arise, the City will adjust its emissions reduction strategy to achieve state-aligned targets.

While the City is on track to meet its state-aligned emissions reduction targets for 2030 without additional emissions reduction measures, it is understood that meeting long-term reduction targets requires aggressive action and that taking action now will better position the City to reach long-term reduction targets (City of Oceanside 2019c).

Oceanside Subarea Plan of the North County Multiple Habitat Conservation Plan

The North County Multiple Habitat Conservation Plan (MHCP) is a comprehensive conservation planning process that addresses the needs of multiple plant and animal species in northwestern San Diego County (SANDAG 2003). The MHCP encompasses the cities of Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach, and Vista. Its goal is to conserve approximately 19,000 acres of habitat, of which roughly 8,800 acres (46%) are already in public ownership and contribute toward the habitat preserve system for the protection of more than 80 rare, threatened, or endangered species.

The Oceanside Subarea Plan (City of Oceanside 2010) of the MHCP addresses how the City would conserve natural biotic communities and sensitive plant and wildlife species pursuant to the California Natural Community Conservation Planning Act of 1991 and the state and federal Endangered Species Acts.

City of Oceanside Zoning Ordinance

The City of Oceanside's Zoning Ordinance is the primary implementation tool for the Land Use Element. 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.

Oceanside Municipal Airport Land Use Compatibility Plan

The San Diego County Regional Airport Authority serves as the Airport Land Use Commission (ALUC) for the County and develops and adopts airport land use compatibility plans (ALUCPs) for each public use and military airport within its jurisdiction. The ALUCP, as amended in December 2010, provides policies to ensure compatibility with airport and surrounding uses. These policies span various topics including noise, overflight zones, development standards, and safety within an established Airport Influence Area for each airport over a 20-year horizon.

San Luis Rey Watershed Water Quality Improvement Plan

The project site is located within the San Luis Rey Watershed Water Quality Improvement Plan (WQIP) area. Agencies involved in the development of the San Luis Rey WQIP include the Cities of Oceanside and Vista, the County of San Diego, and the California Department of Transportation. The WQIP is a requirement of updated stormwater regulations adopted by the Regional Water Quality Control Board (RWQCB) according to Order No. R9-2013-0001, as amended by Order Nos. R9 2015-0001 and R9-2015-0100. The ultimate goal of the WQIP is to protect, preserve, enhance, and restore water quality of receiving water bodies. These improvements in water quality would be accomplished through an adaptive planning and management process that identifies the highest priority water quality conditions within the watershed and implements strategies to address them.

The San Luis Rey Water Quality Improvement Plan was originally submitted to the RWQCB on June 26, 2015, as required by the Municipal Permit. The WQIP was subsequently revised and resubmitted in order to incorporate comments received from the public and the RWQCB. Following further comments, the RWQCB issued an acceptance letter for the San Luis Rey WQIP on February 12, 2016. In January 2022, an addendum to the WQIP for the San Luis Rey watershed was released (Project Clean Water 2022).

4.10.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to land use are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to land use would occur if the Project would:

1. Physically divide an established community.
2. 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.

4.10.4 Impacts Analysis

Would the Project physically divide an established community?

The physical division of an established community typically refers to the construction of a linear feature, such as an interstate highway or railroad tracks, or removal of a means of access, such as a local road that would impact mobility within an existing community or between a community and outlying area.

As described above, the 7.4-acre project site is located in the Peacock Neighborhood Area of the east-central portion of the City, at the southeast corner of the West Bobier Drive and Melrose Drive intersection. The project site boarders the City of Vista along the project site's eastern boundary line. The project site is located approximately 1.6 miles south of State Route 76 and approximately 2 miles north of State Route 78. The project site has a General Plan designation of Neighborhood Commercial (NC) with a consistent zoning designation of Neighborhood Commercial (CN). The existing land use designation and zoning allows mixed-use development which includes various residential uses.

The project proposes a request for approval of a Mixed-Use Development Plan and a request for a Density Bonus to allow the construction of 323 residential apartment units; 290 units are proposed as market rate and 33 units are proposed as low-income affordable. The project would also include 2,336 square feet of

ground-level commercial space, 1,745 square feet of leasing office space, open space, and amenity areas on the 7.4-acre project site (refer to Figure 3-3, Conceptual Site Plan, in Chapter 3 of this EIR). The project is subject to State Density Bonus Law (Government Code Section 65915) and local Density Bonus provisions (Section 3032 of the Zoning Ordinance).

The proposed development would be composed of six separate buildings. All proposed buildings would be four stories with the exception of Building 5 which would be five stories, and buildings would vary in height from 45 feet to 62 feet. Building 1 would be the proposed mixed-use building with 1,745 square feet of leasing office, and 2,336 square feet of commercial space on the ground floor and residential units on the ground floor and upper levels. The proposed residential units would include 1, 2, or 3 bedrooms, living areas, and tuck-under single car garage spaces and tandem parking spaces for select units. Table 4.10-1 outlines a summary of the proposed building details, including building number, number of residential units, building details, and number of stories.

Table 4.10-1. Proposed Building Summary

Building Number*	Units	Building Details	Stories
1	34	34-unit mixed-use building with 1,745 square feet of leasing office, and 2,336 square feet of commercial space on the ground floor and residential units adjacent to mixed-use and on upper levels. Total gross square footage is 45,397 square feet.	4
2	55	55 units, with a total gross square footage of 61,961 square feet.	4
3	108	108 units, with a total gross square footage of 150,790 square feet. This building includes a subterranean parking structure with 145 garage spaces.	4
4	21	21 units, with a total gross square footage of 30,210. This building would include 8 garage parking spaces.	4
5	56	56-unit split building with five levels of units along West Bobier Drive, and three levels of units over tuck-under garages on the rear side. This building would include 16 garage parking spaces. Total gross square footage is 70,520 square feet.	5
6	49	49 units, with a total gross square footage of 56,826 square feet. This building would include 15 tuck-under single car garages.	4
Total Units	**323**		

* All buildings would include an elevator

As the project proposes 33 low-income units, the Density Bonus Law requires the City to grant two incentives/concessions and unlimited waivers. The project is requesting waivers to the following development standards for a housing development: increase floor area ratio, increase allowable building height, reduce front setback, reduce usable open space requirements, adjust parking width next to columns, allow non-plantable retaining walls at an increased wall height.

As described in Chapter 3, Project Description, the General Plan designation of Neighborhood Commercial (NC) and a consistent zoning designation of Neighborhood Commercial (CN) allow for a maximum potential density of up to 29 units per acre with approval of a mixed-use development plan. Under the Density Bonus Law, where a density range is provided, the base number of units permitted is determined by multiplying the gross site acreage (7.4 acres) by the maximum density for the specific zoning range and land use

element of the general plan applicable to the project (29 units per acre). Using this methodology, the base number of units allowed at the project site would be 214.6 (rounded up to 215 units as base allowable). The project proposes to provide 15% of the units as affordable to low-income households. Per the State Density Bonus Law, affordable units' percentage is calculated excluding units added by a Density Bonus (15% × 215 base allowable units = 32.25), which would be rounded up to 33 low-income units proposed as part of the project. Under the Density Bonus Law, the provision of 15% low-income units allows the applicant to receive a density bonus of 50% allowing additional market-rate units to be constructed (215 base allowable units × 0.5 (density bonus) = 107.5 units), which comes out to 108 density bonus units for the proposed project. Finally, to calculate the total dwelling units, the base allowable units are added to the density bonus units (215 base allowable units + 108 density bonus units = 323 total units allowed). With this methodology implemented, the project would include a total of 323 apartment units with 215 units determined as the base density threshold. The project will designate 15% of the base unit amount, which equates to 33 units, at the affordable/low-income level. The remaining 290 units will be designated as market rate. Affordable units will be proportional to the overall project in unit size, be dispersed throughout the project, and have access to all amenities available to market rate units. For these reasons, the project complies with the provisions of Density Bonus Law regarding affordable housing.

The project is required to comply with City of Oceanside Inclusionary Housing Ordinance, which is listed under Article 14C of the City's Municipal Code. According to this ordinance, residential projects involving three or more units are subject to affordable housing reservation. Specifically, 10% of housing units are to be reserved for sale to low to moderate income household or reserved as rental units for low-income households. As discussed above, the base number of allowed units at the project site would be 215. Because the project proposes 33 low-income units, 15% of the proposed units would be reserved for affordable housing as defined under the City's Inclusionary Housing Ordinance (215 base allowable units / 33 low-income units = ~15%). Therefore, proposed dwelling unit distribution exceeds the City's Inclusionary Housing Ordinance 10% requirement.

A total of approximately 31,635 square feet of common open space is proposed, which consists of landscaping throughout the project site which would help enforce pedestrian connectivity. Additional common space would include a pool and spa area and barbeque, located at the center of the proposed development (Figure 3-4, Conceptual Open Space Plan). The project would include a total of 19,848 square feet of private open space, comprised of balconies or patios within residences. Overall, a total of 51,483 square feet of usable space would be provided within the project site, which breaks down to 159 square feet per unit. The project would apply for a waiver to reduce the usable open space requirement of 300 square feet per unit to accommodate the proposed density of the project and would provide 159 square feet per unit.

Proposed landscaping is designed to provide a distinct visual character and enhance the project. The landscaping on-site is designed to take advantage of the existing slopes, which are most prominent at the intersection of West Bobier Drive and Melrose Drive, with a plant palette slanted towards drought tolerant planting and plants which would help stabilize the slopes over the long-term. The entrance at the West Bobier Drive would include the addition of trees and vegetation. Additional landscape opportunities are provided throughout the project site, along the boundaries and walkways. Retaining walls would be located at the north, south, and west boundary of the project site to provide support the required grading and storm drainage for the project site. The proposed retaining walls would vary in heights up to 20 feet and would be non-plantable walls. The wall along the west boundary would be approximately 15 feet in height, and two

retaining walls located at the south boundary would be approximately 12 and 18 feet in height. The proposed Building 5 would be designed as a split-level pad configuration in order to provide additional retaining at the northwest corner of the project site. A variety a vegetation would be featured along the boundaries of the project site. Drought-tolerant plants would be utilized as aesthetic and functional requirements for the site. Landscaping would also be featured adjacent to public rights-of-ways and strategically places for visual relief from adjacent residences to the east/southeast.

As described in Section 4.10.1, the project site is located within a Smart Growth Opportunity Area (Community Center OC-7) as designated by the San Diego Association of Governments (SANDAG). Smart growth areas are identified to promote higher density development in key areas near public transit, such as the project site located directly east of the NCTD Melrose Sprinter Station. Existing transit options adjacent to the project site include the Melrose Sprinter Station located approximately 0.07 miles west of the project site, and bus stops within a 1-mile radius of the project site include the stops located at Oceanside Boulevard, Melrose Drive, West Bobier Drive, and North Avenue. These transit options would provide future residents of the project with direct connections to the surrounding community and regional area. This available public transit adjacent to the project site would provide community benefits through reductions in the amount of vehicle trips associated with project development. Additionally, there are currently bicycle trails and lanes located on the north side of West Bobier and along Sports Park Way. The project would maintain access to the to these bike lanes from the project site. A section of the Inland Rail Trail is directly adjacent along the project's southern and western boundaries connecting to bicycle trails and lanes on the north side of West Bobier Drive and along Sports Park Way.

Land uses surrounding the project site are zoned by the City as CG-General Commercial to the west, CP-Commercial Professional to the northwest, and PD-Planned Development (residential) to the north. The City of Vista properties that surround the project site to the east and south are zoned R-1-B-Single Family Residential and SPI-Specific Plan Implementation. The project's proposed residential and commercial uses would be consistent with surrounding development, and the proposed buildings would be set back from existing residential homes to the southeast by approximately 95 feet to provide privacy and visual relief.

As described previously, the project site has been previously graded and heavily disturbed by development on adjacent parcels, development of adjacent roadways, and previous agricultural uses within the site. An unofficial trail bisects the project site and is used primarily by pedestrians from nearby residential areas to access Melrose Drive. Pedestrian use of the dirt trail would cease as a result of project development; however, the dirt trail is not recognized as an official trail by the City and implementation of the project would not prevent pedestrian access to the surrounding area.

Proposed land uses and implementation of the project would not impede access to any adjacent land uses or roadways. Development of the project would improve the existing project site and provide for sustainability features and community connection with surrounding uses. Considering the project's infill location within a highly developed portion of the City, within a Smart Growth Opportunity Area (Community Center OC-7), on a site consistent with the existing General Plan and Zoning designations, it is determined that implementation of the project would not physically divide an established community. Therefore, impacts would be **less than significant**.

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?

The project is subject to several local and regional plans intended to avoid environmental effects. Such plans, policies and regulations that pertain to the proposed project are contained within the elements of the City's General Plan, the City's Zoning Ordinance, the Subarea Plan of the North County MHCP, the ALUCP, the San Luis Rey Watershed WQIP, the 2050 RTP/SCS, and the SDAPCD. The analysis herein outlines project consistency with these plans.

City of Oceanside General Plan

As outlined in Section 4.10.2 above, the City of Oceanside General Plan is the primary source of long-range planning and policy direction that is used to guide development within the city and serves as a policy guide for determining the appropriate physical development and character of Oceanside. The plan is founded on the community's vision for the City of Oceanside and expresses the community's long-range planning goals. New development within the City, including the project, is subject to the goals and policies outlined in the City's General Plan Elements.

The project proposes a request for approval of a Mixed-Use Development Plan and a request for a Density Bonus to allow the construction of 323 residential apartment units, including 33 units proposed as low-income affordable, as well as ground-level commercial and office space. As analyzed throughout this EIR, the proposed project would be consistent with the City's General Plan's land use designation of Neighborhood Commercial (NC) for the project site. The existing land use designation allows mixed-use development which includes various residential uses, as proposed by the project. The project's consistency with the City's General Plan Elements goals, policies, and objectives is provided below in Table 4.10-2[1], City of Oceanside General Plan Consistency Evaluation. As outlined in Table 4.10-2, the project would not conflict with the goals, policies, and objectives of the City's General Plan.

City of Oceanside Zoning Ordinance

The City's Zoning Ordinance designates the project site CN (Commercial Neighborhood). Article 11 of this Zoning Ordinance states that the Commercial Neighborhood District is intended to "provide sites for businesses serving the daily needs of nearby residential areas while establishing development standards that prevent significant adverse effects on residential uses adjoining a CN district" (City of Oceanside 1992). The project proposes to develop 323 multi-family units, a 2,336 square-foot commercial space, and a 1,745 square-foot office/leasing center on a 7.4-acre project site.

Consistent with the City's General Plan and Zoning Ordinance, the project requires certain entitlements be submitted, reviewed, and approved by the City. The requested entitlements include a Mixed-Use Development Plan and a request for a Density Bonus. According to Article 30 of the City's Zoning Ordinance, the purpose of the Mixed-Use Development Plan is to establish orderly and thorough planning and review procedures for the development of parcels for mixed-use. The plan also is intended to provide a mechanism whereby the City can authorize desirable developments consistent with it General Plan without considering speculative rezoning applications.

[1] Given its length, Table 4.10-2 can be found at the end of this section.

As the project proposes 33 low-income units, Density Bonus Law requires the City to grant an incentives/concessions and unlimited waivers. By providing 15% low-income units, the project is entitled to receive up to three incentives/concessions, although the project does not propose any under the current plan. However, in order to accommodate the increased density allowed under Density Bonus Law and maintain the character of the underlying zone, the project cannot physically comply with all of the development standards that apply to standard projects. Based on the proposed design to accommodate Density Bonus units, the project seeks a waiver of the following development standards for a housing development pursuant to Density Bonus law:

- Increase floor area ratio
- Increase allowable building height
- Reduce front setback
- Reduce usable open space requirements
- Adjust parking width next to columns
- Allow non-plantable retaining walls at an increased wall height

A summary of the development standards and required waivers are outlined in Table 3-4 in Chapter 3 of this EIR, to demonstrate compliance with mixed-use development, or where Density Bonus waivers are requested. The City would use this EIR and associated documentation in its decision to approve or deny the required discretionary permits. With approval of the requested Density Bonus, the proposed project would be consistent with the City's zoning designation for the project site, and implementation of the project would not conflict with the City's Zoning Ordinance.

Oceanside Subarea Plan of the North County

The Oceanside Subarea Plan (City of Oceanside 2010) of the MHCP addresses how the City would conserve natural biotic communities and sensitive plant and wildlife species pursuant to the California Natural Community Conservation Planning Act of 1991 and the state and federal Endangered Species Acts. As outlined in Chapter 4.3, Biological Resources, the project would be consistent with the biological resource avoidance and mitigation requirements set forth by this plan and would not result in a conflict with the Oceanside Subarea Plan.

Oceanside Municipal Airport Land Use Compatibility Plan

The San Diego County Regional Airport Authority develops and adopts ALUCPs for each public use and military airport within its jurisdiction. The Oceanside Municipal ALUCP, as amended in December 2010, provides policies to ensure compatibility with the airport and surrounding land uses. These policies span various topics including noise, overflight zones, and safety. The ALUCP is based upon the Federal Aviation Administration approved Airport Layout Plan. The project site is located within Review Area 2 of the ALUCP Airport Influence Area. Review Area 2 consists of locations beyond Review Area 1 but within the airspace protection and/or notification overflight areas. As outlined in Section 4.8 of this EIR, within Review Area 2, the following land use actions require ALUC review:

i) Any object which has received a final notice of determination from the Federal Aviation Administration that the project will constitute a hazard or obstruction to air navigation, to the extent applicable.

ii) Any proposed object in a High Terrain Zone or in an area of terrain penetration to airspace surfaces which has a height greater than 35 feet above ground level.

iii) Any project having the potential to create electrical or visual hazards to aircraft in flight, including: electrical interference with radio communications or navigational signals; lighting which could be mistaken for airport lighting; glare or bright lights (including laser lights) in the eyes of pilots or aircraft using the Airport; certain colors of neon lights—especially red and white—that can interfere with night vision goggles; and impaired visibility near the Airport. The local agency should coordinate with the airport operator in making this determination.

iv) Any project having the potential to cause an increase in the attraction of birds or other wildlife that can be hazardous to aircraft operations in the vicinity of the Airport. The local agency should coordinate with the airport operator in making this decision.

As outlined in Section 4.8 of this EIR, land use actions (i), (iii), and (iv) would not apply to the project. The proposed project would not introduce any new overhead utilities, nor introduce any new sources of light and glare that would differ substantially from existing surrounding light sources that would affect day or nighttime views (refer to Section 4.1, Aesthetics, for detailed information on project lighting and glare). Limits on the heights of structures, particularly in areas of high terrain, are the only restriction on land uses within Review Area 2. The project site is located within a designated High Terrain Zone area, per Exhibit III-4 of the Oceanside Municipal Airport Land Use Compatibility Plan (ALUC 2010). Therefore, the project would require review by the ALUC since the proposed buildings are over 35 feet high (ranging from 46 to 62 feet). Additionally, prior to project approval, the applicant would be required to complete the San Diego County Regional Airport Authority's Application for Determination of Consistency form, which requires the City's signature and approval.

The project would be constructed in compliance with requirements of the ALUC for the Oceanside Municipal Airport. Because the project site is not within close proximity to the airport, noise associated with planes would not result in excessive noise for project residents. Nonetheless, the project applicant would be responsible for the recordation of overflight notification documents per Review Area 2 requirements, and completion of requirements under the *High Terrain Zone* designation.

San Luis Rey Watershed Water Quality Improvement Plan

The project site is located within the San Luis Rey Watershed WQIP area. The ultimate goal of the WQIP is to protect, preserve, enhance, and restore water quality of receiving water bodies. These improvements in water quality would be accomplished through an adaptive planning and management process that identifies the highest priority water quality conditions within the watershed and implements strategies to address them. The WQIP allows the City of Oceanside (and other watershed stakeholders) to prioritize and address pollutants through an appropriate suite of BMPs in each watershed. A Storm Water Quality Management Plan was prepared for the project based on requirements set forth in the Regional Water Quality Control Board's National Pollutant Discharge Elimination System MS4 Permit that covers the San Diego Region (Order No. R9-2013-0001). The storm water design was prepared in accordance with the City's Best Management Plan (BMP) Design Manual. Please refer to Chapter 4.9, Hydrology and Water Quality for a detailed analysis and additional information. In summary, the project is meeting these goals by complying with all local and regional water quality programs and policies that are intended to reduce water pollutants and control runoff in a manner to avoid impacts to downstream waters. Therefore, the project would not conflict with the San Luis Rey WQIP.

2050 Regional Transportation Plan/Sustainable Communities Strategy

SANDAG's 2050 RTP/SCS outlines projects for rail and bus services, highways, local streets, bicycling, walking, and movement of goods, as well as systems and demand management. The 2050 RTP/SCS presents a transportation system designed to maximize transit enhancements, integrate biking and walking elements, and promote programs to reduce demand and increase efficiency. As described in Section 4.15, Traffic and Circulation, the proposed project would provide for residential land uses in an infill area, taking advantage of the site's location near transit, retail, employment, schools, parks, and other uses. The proposed project would be consistent with programs, plans, ordinances and policies addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Furthermore, the project site is located within a Smart Growth Opportunity Area – Community Center (OC-7) as designated by SANDAG. Smart growth areas are identified to promote higher density development in key areas near public transit. The project site is situated directly east of the Melrose NCTD Sprinter Station affording residents, commercial and office users the opportunity to take advantage of available light rail transit options. Bus stops within a 1-mile radius of the project site include the stops located at Oceanside Boulevard, Melrose Drive, West Bobier Drive, and North Avenue. Implementation of the project would not result in environmental impacts due to inconsistency with the RTP/SCS.

San Diego Air Pollution Control District

As outlined in Section 4.2 Air Quality of this EIR, SDAPCD and SANDAG are responsible for developing and implementing the clean air plans for attainment and maintenance of the ambient air quality standards in the basin—specifically, the SIP and RAQS. The federal ozone maintenance plan, which is part of the SIP, was adopted in 2016. The SIP includes a demonstration that current strategies and tactics will maintain acceptable air quality in the SDAB based on the NAAQS. The RAQS was initially adopted in 1991 and is updated every 3 years (most recently in 2020). The RAQS outlines SDAPCD's plans and control measures designed to attain the state air quality standards for ozone. The SIP and RAQS rely on information from CARB and SANDAG, including mobile and area source emissions as well as information regarding projected growth in the County as a whole and the cities in the County, to project future emissions and determine the strategies necessary for the reduction of emissions through regulatory controls. CARB mobile source emission projections and SANDAG growth projections are based on population, vehicle trends, and land use plans developed by the County and the cities in the County as part of the development of their general plans.

If a project involves development that is greater than that anticipated in the local plan and SANDAG's growth projections, the project might be in conflict with the SIP and RAQS and may contribute to a potentially significant cumulative impact on air quality.

Implementation of the project would result in an increase in housing of 323 multi-family residential units. The City of Oceanside General Plan identifies the site as Neighborhood Commercial (NC) and the project site is zoned Commercial Neighborhood (CN). The existing land use designation and zoning allows for mixed-use development, including various residential uses. The proposed project is consistent with the underlying land use and zoning for the project site, except the requested waivers under the State Density Bonus Law.

Under the Density Bonus Law if a project is developed with 10 or more residences, no fewer than 15% of those residences must be designated as "affordable" as defined by the state. Of the proposed 323 single-family homes, 33 of the units would be affordable/low-income units, and the remaining 290 units would be considered market rate units, which complies with the Density Bonus Law provisions regarding

affordable housing. Therefore, the proposed mix of residential units totaling 323 units is consistent with the underlying uses anticipated for the project site and consistent with the provisions allowed under State Density Bonus Law.

Furthermore, the most recent Regional Housing Needs Assessment from SANDAG stated that Oceanside needs to build 5,443 units from 2021 through 2029 (SANDAG 2020). The City has a projected deficit of 1,268 very-low, 718 low-income units, 883 moderate and 2,574 above-moderate income units (SANDAG 2020). The project is expected to bring 323 units to market in 2023, including 33 low-income units and 290 above moderate-income units, which would be within SANDAG's growth projection for housing during the 6th Cycle planning horizon (i.e., April 2021 – April 2029). Therefore, the project would not conflict with SANDAG's regional growth forecast for the City (Appendix B).

Based on this, the project would be consistent with the growth assumptions in the City's General Plan and would not conflict with the RAQS or SIP. As, the project is consistent with the zoning designation and is anticipated in the City's General Plan and SANDAG's growth projections, implementation of the project would not conflict with the SIP and RAQS.

In summary, the project would not conflict with or obstruct implementation of an applicable plan or policy, and impacts would be **less than significant.**

4.10.5 Mitigation Measures

No impacts to land use were identified, and no mitigation measures are required.

4.10.6 Level of Significance After Mitigation

No impacts to land use were identified, and therefore no mitigation measures are required. Impacts related to land use would be **less than significant**.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
City of Oceanside General Plan			
Land Use Element			
1.1 Community Values Objective	To ensure the enhancement of long-term community and neighborhood values through effective land use planning.	The project would be consistent with the City of Oceanside land use designations and zoning ordinance. The project would be located in an existing neighborhood, within the vicinity of an existing state route system, and commercial uses that would benefit the newly proposed residences.	The project would be in conformance with this objective.
Policy 1.1A	Land uses shall be attractively planned and benefit the community.	The project would have an architectural style inspired by classic modern styles with ground level arches at each building to create	The project would be in conformance with this policy.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
		transitional breezeways. The project design is intended to promote the use of outdoor space and pedestrian usage. In addition, the project would go through design review approval by the City of Oceanside and is subject to Oceanside zoning standards, which regulate building design, mass, bulk, height, etc., or applicable waivers. A total of approximately 31,635 square-feet of common open space is proposed, which consists of a centrally located recreation area, green space, and landscaped areas. The centrally located common open space creates a gathering spot for neighbors and includes a pool and shaded area.	
Policy 1.1B	Land uses shall not significantly distract from nor negatively impact surrounding conforming land uses.	The project site is designated Neighborhood Commercial per the Oceanside General Plan Land Use Map. The proposed housing development would be consistent with the surrounding residential and open space uses and zoning designations. The project would not negatively impact surrounding conforming land uses because it proposes similar residential development and open space amenities.	The project would be in conformance with this policy.
Policy 1.1C	The City shall analyze the long-term effects of all proposed development to assure both the present and future social, economic, and physical enhancement of the community.	The project site currently consists of a 7.4-acre vacant lot. The proposed mixed-use development project would utilize the otherwise underutilized site by constructing 323 multi-family units, of which 33 would be low-income units. Addition of new market rate and affordable housing stock would benefit the community. In addition, the tax revenue from the project would provide an economic benefit to the City of Oceanside.	The project would be in conformance with this policy.
1.11 Balanced Land Use Objective	To develop and use lands for the long-term provision of a balanced, self-sufficient, and efficient community.	Increased housing stock is essential to provide a balanced, efficient, community. The inclusion of affordable housing would also	The project would be in conformance with this objective.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
		promote a socio-economic diversity within the area, and development on a vacant infill parcel within the City would ensure residents of the project site have access to existing infrastructure, parks, shopping centers and schools.	
Policy 1.11A	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.	The project would provide the City of Oceanside with additional residential units, including low-income housing. The proposed development would be consistent with the surrounding residential and open space uses. The project would connect to the existing sidewalk system within West Bobier Drive to provide pedestrian connections to surrounding properties.	The project would be in conformance with this policy.
Policy 1.11B	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.	The project would accommodate the growing population of the greater San Diego area. Increased housing stock near existing infrastructure is essential to provide a balanced, efficient, community. The inclusion of affordable housing would also promote a socio-economic diversity within the area.	The project would be in conformance with this policy.
Policy 1.11C	The City shall continuously monitor the impact and intensity of land use and land use distribution to ensure that the City's circulation system is not overburdened beyond design capacity.	The project would be consistent with the City's General Plan Circulation Element and the 2021 Regional Transportation Plan. As outlined in Chapter 4.15, Traffic and Circulation of this EIR, the project would not result in impacts related to traffic and circulation. The project includes sufficient parking on-site for the residential development. Implementation of the project would not overburden existing roadways in the area.	The project would be in conformance with this policy.
1.12 Land Use Compatibility Objective	To minimize conflicts with adjacent or related land use.	The proposed housing development would be consistent with the surrounding residential land uses, as the site is zoned and designated for commercial uses and various residential uses. The project site access has been designed to reduce the potential for additional	The project would be in conformance with this objective.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
		traffic on West Bobier Drive. The project would not alter the designated open space land uses to the north of the project site.	
Policy 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.	The project would be compatible with the surrounding land uses. Because the project would include the development of 33 low-income units, the Density Bonus Law requires the City to grant two incentives/concessions and unlimited waivers. The project would request waivers to the following development standards: building setbacks, floor area ratio (FAR), building height, parking space, usable open space, retaining wall height and material.	The project would be in conformance with this Policy.
Policy 1.12B	The use of land shall not create negative visual impacts to surrounding land uses.	The project would construct a mixed-use development with open space amenities and enhanced landscaping. The proposed classic modern style architectural design, landscaping and amenities would be reviewed by the City for approval prior to development.	The project would be in conformance with this Policy.
Policy 1.12C	The use of land shall not subject people to potential sources of objectionable noise, light, odors, and other emissions nor to exposure of toxic, radioactive, or other dangerous materials.	The project would be constructed in compliance with all local, state, and federal regulations. As outlined in Chapters 4.1. 4.2, and 4.8 of this EIR, implementation of the project would not result in impacts related to noise, light, odor, or release of hazardous materials. All outdoor lighting would meet Chapter 39 of the City Municipal Code (light pollution ordinance) and would be shielded appropriately. Street lighting would be provided through lighting on individual homes rather than overhead lighting to reduce lighting impacts to the surrounding open space areas and improve dark sky regulation compliance.	The project would be in conformance with this Policy.
1.121 Land Use Compatibility with Adjacent Jurisdictions or	To assure appropriate land use compatibility is maintained between Oceanside and	The project site is located within the east-central portion of the City of Oceanside, in the Peacock Neighborhood. The Oceanside General	The project would be in conformance with this objective.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
Responsible Agencies Objective	adjacent jurisdictions or responsible agencies.	Plan Land Use designation for the site is Neighborhood Commercial. In addition, the project site is surrounded by residential, commercial, and open space uses. The project would not impact any adjacent jurisdictions or responsible agencies.	
Policy 1.121A	Oceanside shall formally notice adjacent jurisdictions of proposed land uses or developments that may affect an adjacent jurisdiction.	Please see response to Objective 1.121 above.	The project would be in conformance with this Policy.
Policy 1.121B	Oceanside shall formally notice responsible agencies of proposed land uses or developments that may affect an agency's program or responsibilities.	Through the Notice of Preparation (NOP) for the project, the City of Oceanside has formally noticed responsible agencies of the proposed development, including but not limited to USFWS, Army Corps of Engineers, Regional Water Quality Control Board, CDFW, and NAHC. In addition, Oceanside has provided formal solicitation for comments from these agencies during the NOP, and the public review process as defined by CEQA Guidelines Section 15103.	The project would be in conformance with this Policy.
Policy 1.121C	To provide for proper land development or land use compatibility the City shall, wherever possible, take appropriate action on proposed land uses or development to address the concerns of adjacent jurisdictions or responsible agencies.	Please see response to Objective 1.121 above.	The project would be in conformance with this Policy.
1.14 Noise Control Objective	To improve the quality of Oceanside's environment by minimizing the negative effects of excessive noise.	The proposed residential development would be constructed in an existing residential area. Construction of the project would be subject to City noise ordinances, and as discussed in Section 4.11, Noise, of this EIR, the project would not generate noise levels in exceedance of the analyzed noise thresholds.	The project would be in conformance with this objective.
Policy 1.14A	Noise emissions shall not reach levels that pose a danger to the public health.	Please see response to Objective 1.14 above.	The project would be in conformance with this Policy.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
Policy 1.14B	Noise emissions shall be controlled at the source where possible.	Please see response to Objective 1.14 above.	The project would be in conformance with this Policy.
Policy 1.14C	Noise emissions shall be intercepted by barriers or dissipated by space where the source cannot be controlled.	Please see response to Objective 1.14 above.	The project would be in conformance with this Policy.
Policy 1.14D	Noise emissions shall be reduced from structures by the use of soundproofing where other controls fail or are impractical.	Please see response to Objective 1.14 above.	The project would be in conformance with this Policy.
Policy 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 a permit or other approval from the City.	Please see response to Objective 1.14 above. A Noise Study was prepared for the project by Dudek in 2022 which demonstrated that project construction and operation would result in acceptable noise levels.	The project would be in conformance with this Policy.
Site Design Objective 1.2	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.	The project proposes to provide residential and private open space uses on-site. The project has been designed to incorporate sustainable design features, visual aesthetics, private and common open space area, privacy, enhanced landscaping, and land use compatibility.	The project would be in conformance with this objective.
Policy 1.1A	The placement of all proposed structural components, landscaping, access ways, etc. shall be oriented on the site in such a manner to maximize: 1) Interior building absorption and retention of solar energy during appropriate seasons and times of day, and the access to sunlight for potential solar energy collection; and 2) the even circulation of natural breezes between and through all buildings; and 3) the quality of view and vistas from the site to the surrounding environment; and 4) the quality of views of the	The project proposes to construct 323 multi-family units, private open space, on-site amenities, and commercial space. The project would be constructed with a classic modern architectural style and would feature ground level transitional breezeways. The centrally located recreation area, landscape areas, and pedestrian pathways would enforce connectivity throughout the proposed development. The project proposes private open space and communal open space on-site. Final site plans for the project would be subject to City review.	The project would be in conformance with this Policy.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
	site from surrounding land uses; and 5) the public safety by eliminating designs that may harbor or hide detrimental activities.		
Policy 1.2B	A combination of deep, landscaped setback areas, berms, and decorative sound attenuation walls shall be required where developments abut major or intense transportation corridors.	The project does not abut a major or intense transportation corridor. However, the project would incorporate retaining walls, landscaped setback areas, and a variety of landscaping would create a buffer to the existing homes. Landscaping would be along the boundaries of the property.	The project would be in conformance with this Policy.
Policy 1.2C	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.	Although the project proposes multi-story residential buildings which would differ in visual character to existing one-story homes to the east, the overall project design would be consistent with the designated land use for the site. Requests of adjacent neighbors have been taken into consideration for the project site plan. Final site plans are subject to City review.	The project would be in conformance with this Policy.
Policy 1.2G	All developments shall design parking areas to maximize efficiency, safety, convenience, and open space.	The project would provide a total of 526 parking spaces on site for residents and guests. The project would include 381 surface parking spaces, 145 below grade parking spaces, and 39 tandem parking spaces. Parking would be located off the private loop road within the project site.	The project would be in conformance with this Policy.
1.21 Common Open Space Objective	To provide and maintain common open areas for a wide range of uses.	A total of approximately 31,635 square feet of common open space is proposed, which consists of landscaping throughout the project site which would help enforce pedestrian connectivity. Additional common space would include a pool and spa area and barbeque, located at the center of the proposed development. The project would include a total of 19,484 square feet of private open space, included as balconies or patios within residences. Overall, a total of	The project would be in conformance with this objective.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
		51,483 square feet of usable space would be provided within the project site, which breaks down to 159 square feet per unit is required. The project would apply to waiver to reduce usable open space per unit to accommodate the proposed density of the project. The project would not significantly impact any existing open space or recreational facilities within the City. There are currently bicycle trails and lanes located on the north side of West Bobier and along Sports Park Way. The project would maintain access to the to these bike lanes from the project site. A section of the Inland Rail Trail is directly adjacent along the project's southern and western boundaries connecting to bicycle trails and lanes on the north side of West Bobier Drive and along Sports Park Way.	
Policy 1.21A	Common open space must be accessible and usable by potential users of the common open space.	See response to Objective 1.21.	The project would be in conformance with this policy.
Policy 1.21B	Common open spaces within a project site shall be contiguous unless it is found that segregation of the area and type of open space uses better serve the purposes of the General Plan and the project site.	See response to Objective 1.21.	The project would be in conformance with this policy.
Policy 1.21C	Where feasible, common open space shall be integrated with adjacent common or public open spaces, trails, or bicycle transit systems to promote an open space or trails network throughout the City.	See response to Objective 1.21.	The project would be in conformance with this policy.
1.22 Landscaping Objective	The enhancement of community and neighborhood identity through landscaping requirements that frame and soften the built environment	The project proposes ample new landscaping. Landscaping would be in front of all walls where possible and along pedestrian pathways. Water conserving landscaping and efficient irrigation design would be	The project would be in conformance with this objective.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
	consistent with water and energy conservation.	utilized, along with consideration of aesthetic and functional requirements for the site. Landscaping adjacent to public rights-of-ways would be maintained by the property owner.	
Policy 1.22A	Existing mature trees shall be retained wherever possible.	The project site is vacant and does not require tree removal.	Not applicable.
Policy 1.22B	Mature trees removed for development shall be mitigated by replacement with an appropriate type, size, and number of trees.	See response to Policy 1.22A.	Not applicable.
Policy 1.22C	Drought-tolerant materials, including native California plant species, shall be encouraged as a landscape type.	The development would be landscaped with native plant species. In addition, the project would provide drought-tolerant landscaping and water efficient irrigation system.	The project would be in conformance with this policy.
Policy 1.22F	A buffer of landscaping shall be required between the built environment and lands left in a natural or open state. The landscape buffer shall be of sufficient size and shall use plant materials that will retard the spread of wild fire.	The site plan has been designed to comply with the planning buffer regulations. In addition, the project proposes to landscape with native drought tolerant plant species. Proposed landscaping and setbacks have been reviewed and approved by City Fire.	The project would be in conformance with this policy.
1.23 Architecture Objective	The architectural quality of all proposed projects shall enhance neighborhood and community values and City image.	The project would have an architectural style inspired by classic modern styles. The project design is intended to promote the use of outdoor space and pedestrian usage. The project would go through design review approval by the City of Oceanside and is subject to Oceanside zoning standards, which regulate building design, mass, bulk, height, etc., or applicable waivers. A total of approximately 51,483 square-feet of private and common open space is proposed, which consists of a centrally located recreation area, green space, landscaped areas, and either a balcony or patio within each residential unit	The project would be in conformance with this objective.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
Policy 1.23A	Architectural form, treatments, and materials shall serve to significantly improve on the visual image of the surrounding neighborhood.	See response to Objective 1.23.	The project would be in conformance with this policy.
Policy 1.23B	Structures shall work in harmony with landscaping and adjacent urban and/or topographic form to create an attractive line, dimension, scale, and/or pattern.	See response to Objective 1.23.	The project would be in conformance with this policy.
Policy 1.23C	Elevations, floor plans, perspectives, lines-of-sight, material boards, and other such displays and exhibits shall be provided as necessary to ensure compliance with General Plan policies.	See response to Objective 1.23. All site plans, including proposed building materials and landscaping would be provided to the City for final review.	The project would be in conformance with this policy.
1.24 Topographic Resources Objective	To ensure that development preserves and enhances the unique beauty and character of the City's natural topographic features and does not contribute to slope instability, flooding, or erosion hazards to life and property.	The project site and more specifically, the project development footprint, is relatively flat with a gentle slope at the south end of the project site. The project would not contribute to slope instability, flooding, or erosion hazards. Please refer to Chapter 4.6 and 4.9 of this EIR which determines that potential impacts related to slope instability, flooding and erosion hazards would be less than significant.	The project would be in conformance with this objective.
Policy 1.24A	Lands designated for industrial and commercial development may require significant alteration of the terrain to ensure their viability. Therefore, it is recognized that the ability of such projects to fulfill the policies contained below will be limited.	The project site is zoned as Commercial Neighborhood and the project would include the development of commercial space. The project site is relatively flat, with a gentle slope at the south end. The project would require grading to allow for the proposed building pads.	The project would be in conformance with this policy.
Policy 1.24F	Excessive cut and fill grading to create standard prepared pads shall be prohibited.	The project would not require excessive cut and fill as the site has been previously graded and is relatively flat in its existing condition. The project would require approximately 20,500 cubic yards of cut and 63,700 cubic yards of fill.	The project would be in conformance with this policy.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
		This amount is not considered excessive given the size and proposed use of the project.	
Policy 1.24G	Where grading is required, flat planes, and sharp angles of intersection with the natural terrain shall be avoided.	Please refer to response to Policy 1.24F. The project would not create flat plans with sharp angles of intersection.	The project would be in conformance with this policy.
Policy 1.24H	Slopes shall be rounded and contoured to blend with the existing topography, unless on an individual site this would diminish open space or significant natural features of the site.	The topography of the project site is generally flat with a gentle slope towards the south end of the project site. Elevations vary between approximately 424 feet above mean sea level to approximately 455 feet above mean sea level. The project site is bounded by West Bobier Drive to the north, Melrose Drive to the west, and existing residential and commercial uses to the east and south. The project would blend with existing topography.	The project would be in conformance with this policy.
Policy 1.24I	The structural quality of the soil and geologic conditions shall be incorporated into the site design and determine the method and type of construction. Slope stability shall be ensured during and after construction.	A Geotechnical Investigation was prepared for the project by Geocon in January 2021. The report documented the recommended construction methods to provide structural stability for the proposed development on the project site and are incorporated as project design features to ensure geological safety. Please refer to Chapter 4.6, Geology and Soils, of this EIR which determines impacts as a result of the project would be less than significant.	The project would be in conformance with this policy.
Policy 1.24J	Potential hazards of flooding, erosion and sedimentation shall be reduced by designing the site drainage system to accommodate the existing upstream storm runoff and to coordinate with existing downstream conditions.	As outlined in Chapter 4.9, Hydrology and Water Quality, of this EIR, impacts related to flooding, erosion and sedimentation and site drainage as a result of project implementation would be less than significant. Proposed site drainage would ensure flow on- and off-site would be adequately handled by existing and proposed drainage structures.	The project would be in conformance with this policy.
Policy 1.24M	The amount of impervious surfacing shall be limited and	Although there would be an overall increase in runoff from the project site due to an increase in	The project would be in conformance with this policy.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
	shall be designed to support the natural drainage system.	impervious surface, the Drainage Study calculates and anticipates no adverse impact as a result of the proposed development.	
Policy 1.24N	Roadways shall be designed and located to avoid excessive cut and fill, surface disturbance and to respect the existing topography.	See response to Policies 1.24F and 1.24H. The extension of West Bobier Drive to serve project site access, and the proposed connection to existing sidewalks on West Bobier Drive would not require excessive grading, and the topography of the site would not be substantially altered.	The project would be in conformance with this policy.
Policy 1.24O	Parking areas shall adapt to the topographic character of the site.	The project site is relatively flat and therefore the existing topography would not need to be substantially altered in order to accommodate the proposed development, including parking on-site.	The project would be in conformance with this policy.
Policy 1.24P	Site disturbance shall be limited to the minimum area necessary as construction proceeds.	The project site is located on a previously disturbed, vacant lot. Development of the project would improve existing conditions with enhanced landscaping on-site and open space areas.	The project would be in conformance with this policy.
Policy 1.24Q	Groundcover shall be re-established as early as possible as construction proceeds.	The first phase of construction would include grading of the development area. Groundcover for the proposed development of the structures and landscaping would occur at the earliest stage possible during construction, and re-vegetation of disturbed areas would occur. The project would implement a stormwater pollution prevention plan (SWPPP) during construction to reduce sediment transport, in addition to other construction best management practices (BMPs) to reduce erosion. Proposed landscaping would be established on-site in accordance with the construction schedule outlined in Chapter 3 of this EIR.	The project would be in conformance with this policy.
Coastal Zone Objective 1.32	To provide for the conservation of the City's coastal resources and fulfill the requirements of	The project would not be subject to California Coastal Commission review nor subject to the Oceanside	Not applicable.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
	the California Coastal Act of 1976.	Local Coastal Plan because it is not located in a coastal zone.	
Policy 1.32A	The City shall utilize the certified Local Coastal Plan and supporting documentation for review of all proposed projects within the Coastal Zone (Figure 3 of the Land Use Element). Specifically, the goals and policies of the Local Coastal Program Land Use Plan shall be the guiding policy review document.	Please see response to Objective 1.32	Not applicable.
Commercial Subdivision Objective 2.01	To assure commercial subdivisions of land shall promote long-term economic efficiency and provide benefits to the community.	The project site is zoned as Commercial Neighborhood, allowing for the development of commercial uses and various residential uses. The project proposes to develop approximately 2,363 square feet of commercial space at the ground level. The proposed commercial uses would be available to future residents and guests and would provide economic opportunities to the surrounding community.	The project would be in conformance with this objective.
Commercial Subdivision Policy 2.01B	Subdivision of commercial lands shall encourage wherever possible the unification of access and site design with adjacent and surrounding commercial land uses.	Please see response to Objective 2.01	The project would be in conformance with this policy.
2.2 Commercial Development Objective	The City shall preserve and enhance viable, positive commercial developments through the proper allocation of the following commercial land use designations: community commercial, neighborhood commercial, general commercial, special commercial and professional commercial.	Please see response to Objective 2.01	The project would be in conformance with this objective.
Neighborhood Commercial Policy 2.22A.	Neighborhood Commercial shall provide commercial uses which meet the day-to-day commercial needs of the	Please see response to Objective 2.01.	The project would be in conformance with this policy.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
	community. Commercial center development is implicit. Key tenants shall be limited to supermarkets, variety stores, drug stores, specialty stores, and similar businesses. Most retail shops, restaurants and services are permitted as minor tenants and "convenience" businesses may be allowed when well integrated into the center's design.		
Neighborhood Commercial Policy 2.22B	Since Neighborhood Commercial centers will meet the daily shopping needs of the community, they shall be located near residential areas along major arterials or secondary arterials, preferably at their intersections with collector streets. Consequently, there shall be limits on their intensity to be compatible with nearby residential areas. Areas shall generally be between 10 and 30 acres.	Please see response to Objective 2.01. The project site is located adjacent to existing residential uses and commercial uses. The proposed commercial space would serve future residents and the surrounding community. The project is located within a Smart Growth Opportunity Area.	The project would be in conformance with this policy.
Interstate 5, State Highway 76, and State Highway 78 Corridors Policy 2.242 B	Given the proximity and visibility from major travel corridors, development shall place a major emphasis on providing visitor-serving uses and facilities. Larger sites may provide commercial development of community serving or higher level.	Please see response to Objective 2.01. The project is located approximately 2 miles south of State Highway 76 and is adjacent to the Melrose Drive Station. The project would include mixed-use development with commercial uses at the ground level of the proposed Building 1.	The project would be in conformance with this policy.
Interstate 5, State Highway 76, and State Highway 78 Corridors Policy 2.242 D	Commercial developments shall be encouraged to provide facilities that promote and support the use of public transportation systems.	Please see response to Objective 2.01 and Policy 2.242 D	The project would be in conformance with this policy.
Commercial Enhancement Policy 2.26A	The City shall encourage the establishment of specialized districts, centers, and developments for unique commercial uses which	Please see response to Objective 2.01.	The project would be in conformance with this policy.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
	contribute positively to the City's revenue and employment generating abilities and cultural enhancement.		
Commercial Enhancement Policy 2.26B	The City shall not permit the proliferation and/or over-construction of commercial use that generate adverse impacts to the social structure, visual quality, economy, public safety, or well-being of the community.	Please see response to Objective 2.01.	The project would be in conformance with this policy.
2.7 Community Facilities Management Objective	To provide a consistent level of quality and affordable public services and facilities and to effectively manage development to ensure that a consistent service level is continued.	A total of approximately 31,635square-feet of common open space is proposed, which consists of a centrally located recreation area, green space, and landscaped areas. The centrally located common open space creates a gathering spot for neighbors and includes a pool and shaded area. Existing public services and existing utilities and service systems would be utilized by the project but would not be overburdened, as analyzed in Chapters 4.13, Public Services, and 4.17, Utilities and Service Systems, of this EIR.	The project would be in conformance with this objective.
Communities Facilities Management Policy A	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 development; 3) fees must be adequate to cover the full cost of non-citywide facilities serving the development (neighborhood parks, fire, and	Prior to the issuance of the building permits, the project applicant would pay all required development fees to the approval of the City of Oceanside.	The project would be in conformance with this policy.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
	paramedic facilities), including a reserve for replacement costs; 4) In addition, fees must cover new construction and replacement of citywide facilities.		
3.14 Grading and Excavations Objective	To provide mitigation recommendations for grading and excavations in the City of Oceanside.	Several project design features have been incorporated to ensure adequate safety, with considerations of the geologic conditions of the project site. Prior to issuance of the grading permit, the applicant shall verify that the applicable recommendations of the Geotechnical Investigation have been incorporated into the project design and construction documents to the satisfaction of the City Engineer.	The project would be in conformance with this policy.
Grading and Excavations Policy A	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.	The recommended grading and geological measures have been incorporated into the project design; see Chapter 4.6 of this EIR, Geology and Soils.	The project would be in conformance with this policy.
Housing Element			
Goal 1	Produce opportunities for decent and affordable housing for all of Oceanside's citizens.	The proposed residential development would include 33 affordable/low-income units and includes supporting amenities, including open space and	The project would be in conformance with this policy.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
		landscaping. Amenities include a resort pool and spa area, recreation area, including a Clubroom and Fitness Center, and other amenity areas, would be located at the center of the project site. Pedestrian friendly pathways would be designed throughout the site to promote connectivity between the proposed development.	
Policy 1.1	Promote a high-quality urban environment with stable residential neighborhoods and healthy business districts.	Please see response to Goal 1. The project would provide high quality amenities to its residents. Development of the mixed-use Project includes residential, commercial, and office space that would promote an urban environment with a variety of new uses. The project would be in close proximity to public transportation and shopping centers. Furthermore, the project's design, spaces, and site layout would enhance and respect the character of the surrounding area.	The project would be in conformance with this policy.
Policy 1.3	Promote a high, stable rate of homeownership in Oceanside	The proposed residential development would include a total of 323 multi-family residential units. Of which, 33 would be dedicated to affordable/low-income residents and 290 would be market rate. All proposed units would be rental units and not for sale. Although the project does not provide for sale units, it provides both affordable and market rate rental units in the City.	The project would not be in conformance with this policy.
Policy 1.6	Encourage higher-density housing development along transit corridors and smart growth focus areas in order to encourage preservation of natural resources and agricultural land; reduce energy consumption and emissions of greenhouse gasses and other air pollutants; reduce water	The State of California's Density Bonus Law (Government Code Section 65915-65918) was established to promote the construction of affordable housing units and allows projects to exceed the maximum designated density and to use development standard waivers, reductions or incentives and concessions in exchange for providing affordable housing units	The project would be in conformance with this policy.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
	pollution occasioned by stormwater runoff; and promote active transportation with its associated health benefits.	in compliance with all current density bonus regulations. The project involves approval of a Density Bonus to accommodate higher-density housing. The project proposes a residential density of 43.6 du/ac, which is higher than the typical zoning development standard of 29.0 du/ac.	
Goal 2	Encourage the development of a variety of housing opportunities, with special emphasis on providing: ▪ • A broad range of housing types, with varied levels of amenities and number of bedrooms. ▪ • Sufficient rental stock for all segments of the community, including families with children. ▪ • Housing that meets the special needs of the elderly, homeless, farm workers, and persons with disabilities, and those with developmental disabilities. ▪ • Housing that meets the needs of large families.	Please see response to Goal 1 and Policy 1.1.	The project would be in conformance with this policy.
Policy 2.1	Designate land for a variety of residential densities sufficient to meet the housing needs for a variety of household sizes and income levels, with higher densities being focused in the vicinity of transit stops, smart growth focus areas, and in proximity to significant concentrations of employment opportunities.	Please see response to Goal 1 and Policies 1.1 and 1.6. The proposed residences vary in household sizes ranging between 666 square feet to 1,429 square feet. The project proposes a higher-density residential development that is in proximity to public transportation and employment opportunities. The project site is provided transit service via the North County Transit District (NCTD), which operates the Melrose Sprinter Station located approximately 0.25 miles (1,500 feet) west of the project site. The project site is located within a Smart Growth Opportunity Area – Community Center (OC-7) as designated by SANDAG. Smart	The project would be in conformance with this policy.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
		growth areas are identified to promote higher density development in key areas near public transit. The project site is situated directly east of the Melrose NCTD Sprinter Station affording residents, commercial and office users the opportunity to take advantage of available light rail transit options. Bus stops within a 1-mile radius of the project site include the stops located at Oceanside Boulevard, Melrose Drive, West Bobier Drive, and North Avenue.	
Goal 3	Protect, encourage, and provide housing opportunities for persons of low and moderate income.	Please see response to Goal 1.	The project would be in conformance with this policy.
Policy 3.5	Encourage the development of housing for low- and moderate-income households in areas with adequate access to employment opportunities, community facilities, and public services.	Please see response to Goal 1 and Policies 1.1, 1.6, and 2.1.	
Policy 3.7	Encourage the disbursement of lower and moderate income housing opportunities throughout all areas of the City.	Please see response to Goal 1.	
Policy 3.8	Encourage inclusionary housing to be built on or off-site for new housing projects rather than pay in-lieu fee.	The project would be compliant with the City's Inclusionary Housing Ordinance requirements in that over 10% of its proposed units would be designated as affordable. The project would include affordable housing on-site rather than payment of in-lieu fee.	The project would be in conformance with this policy.
Recreational Trails Element			
Goal 8	An interconnected network of pedestrian facilities within the City, linking recreational and other destinations.	The proposed sidewalks within the project site would connect to the existing circulation system on West Bobier Drive, promoting the non-vehicular transportation to and from the project site.	The project would be in conformance with this goal.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
Objective 8.2	Continue to require pedestrian oriented trails and amenities in parks, new developments, and commercial centers. Encourage the inclusion of greenbelts and common open space for pedestrian use in residential development. Prioritize sidewalk construction in areas where sidewalks are missing as part of the City's Capital Improvement Budget.	See response to Goal 8. The project would include pedestrian pathways throughout the project site to promote connectivity and provide access to common open space and recreational amenities within the project site.	The project would be in conformance with this goal.
Objective 8.3	Continue to construct sidewalks on all streets as improvements occur. Sidewalks should be adequately maintained and kept clear of obstructions. Landscaped walking corridors should be encouraged in new development through use of meandering sidewalks, linear larks, greenbelts, and similar elements.	Please see response to Goal 8.	The project would be in conformance with this goal.
Objective 8.7	Provide access for the handicapped, elderly, and visually and hearing impaired to all public buildings, parks, and trails in accordance with State law and the Americans with Disabilities Act.	On-site pedestrian circulation network would be built in compliance with the Americans with Disabilities Act (ADA) and would not be designed in such a way to prevent access from handicapped, elderly, or impaired persons.	The project would be in conformance with this goal.
Public Safety Element			
Public Safety Element Goal	Take the action necessary to ensure an acceptable level of public safety for prevention and reduction of loss of life and personal property of the citizens of Oceanside.	The project proposes retaining walls along the north, south, and west boundaries that would help minimize intrusion onto the project site. These walls are 12 to 18-would help provide security.	The project would be in conformance with this goal.
Seismic and Geologic Hazard Objective 1	Consider seismic and geologic hazards when making land use decisions particularly in regard to critical structures.	A Geotechnical Investigation that was prepared for the project by Geocon in January 2021. The report documented the recommended construction methods to provide structural stability for the proposed development on the project site and are incorporated as project design	The project would be in conformance with this objective.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
		features to ensure geological safety.	
Seismic and Geologic Hazard Objective 2	Minimize the risk of occupancy of all structures from seismic and geologic occurrences.	See response to Objective 1 above.	The project would be in conformance with this objective.
Seismic and Geologic Hazard Objective 3	Provide to the public all available information about existing seismic and geologic conditions.	The existing seismic and geologic conditions are provided in the geotechnical reports prepared for the project site and are further discussed in Section 4.6, Geology and Soils, of this EIR.	The project would be in conformance with this policy.
Circulation Element			
Long Range Policy Direction			
Goal 1	A multimodal transportation system, which allows for the efficient and safe movement of all people and goods, and which meets current demands and future needs of the population and projected land uses with minimal impact to the environment.	The project would connect to the sidewalk system along West Bobier Drive. The existing sidewalks along West Bobier Drive provide access to the Melrose Drive Station, west of the project site.	The project would be in conformance with this goal.
Goal 2	Alternative modes of transportation to reduce the dependence on the automobile.	The project area is provided transit service via the North County Transit District (NCTD), which operates the Melrose drive Station located approximately 0.7 west of the project site. Bus stops within a 1-mile radius of the project site include the stops located at West Bobier Drive, Oceanside Boulevard, Melrose Drive, and North Avenue. The availability of public transportation in the project area provides an alternative mode of transportation to the residents of Project and community.	The project would be in conformance with this goal.
Goal 3	Alternative transportation strategies designed to reduce traffic volumes and improve traffic flow.	See response to Goal 2.	The project would be in conformance with this goal.
Goal 4	A citywide transportation system that integrates with the regional transportation system.	See response to Goal 2.	The project would be in conformance with this goal.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
Goal 5	A multimodal transportation system that creates a balance with preserving community values and maintaining public acceptance.	See response to Goals 1 and 2.	The project would be in conformance with this goal.
Objective i.	Implement a circulation system that provide 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.	See response to Goals 1 and 2.	The project would be in conformance with this objective.
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.	See response to Goal 2.	The project would be in conformance with this policy.
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.	See response to Goals 1 and 2. Pedestrians and Bicyclists would be able to access the project site from existing facilities. The project area is served by an existing network of public transportation.	The project would be in conformance with this policy.
Master Transportation Roadway Plan			
Goal 1	A transportation network that supports safe and efficient travel for all modes of transportation.	See response to Long Range Policy Direction Goals 1 and 2.	The project would be in conformance with this goal.
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.	Upon implementation of the project, the Intersection at West Bobier Drive and Melrose Drive would continue to operate at acceptable levels of service.	The project would be in conformance with this objective.
Objective ii.	Ensure that all streets within the City achieve the City's mobility goals and design standards as highlighted	The project would be reviewed by the Planning Commission to ensure that all Oceanside -required design parameters are met. Design	The project would be in conformance with this objective.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
	throughout [Chapter 3 of the Circulation Element].	parameters include street widths, access improvements, landscape standards, streetlights, lighting requirements, architectural design, etc.	
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.	See response to Objective ii.	The project would be in conformance with this policy.
Policy 3.4	The City may permit construction of private streets within individual development projects, provided that: They are designed geometrically and structurally to meet City standards. Only project occupants are served. All emergency vehicle access requirements are satisfied. The streets do not provide direct through route between public streets. The Homeowners Association and/or property owners provide an acceptable program for financing regular street maintenance.	See response to Objective ii. On-site traffic circulation and fire access would be provided. Access to the project site would be provided via West Bobier Drive at the northeast corner of the project site. The newly proposed streets would not provide direct through route access between public streets. The property owner of the development would be responsible for coordinating street maintenance and any on-site facility repairs.	The project would be in conformance with this policy.
Policy 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.	See response to Objective ii. Additionally, the project site is located at the intersection of West Bobier Drive and Melrose Drive, which is classified as a major arterial roadway in the City's Master Transportation Plan. Access to the project site would be provided via a signalized traffic intersection signal to manage street capacity	The project would be in conformance with this policy.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
	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 from the ends of curb returns.		
Policy 3.9	The City shall review all project applications and reduce or eliminate residential driveways on all collector and busier streets. Access to commercial projects shall be designed to meet the City's standards and limited to the extent feasible. The City shall routinely review existing collector and higher streets to determine, as feasible, the closing, combining, or relocation of existing driveways.	See response to Policies 3.4 and 3.6. The project does not propose access or driveways on high collector or busier streets. Additionally, the project would be reviewed by the Planning Commission and Oceanside's traffic engineer to ensure that all Oceanside -required design parameters and standards are met. Design parameters include street widths, access improvements, landscape standards, streetlights, lighting requirements, architectural design, etc.	The project would be in conformance with this policy.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
Policy 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.	The project is located at the intersection of West Bobier Drive and Melrose Drive, which are both classified as major arterial roadways in the City's Master Transportation Plan. The project would be reviewed by the Planning Commission and Oceanside's traffic engineer to ensure that all Oceanside -required design parameters and standards are met. Design parameters include street widths, access improvements, landscape standards, streetlights, lighting requirements, architectural design, etc.	The project would be in conformance with this policy.
Policy 3.11	The City shall assure that each addition to the circulation system is a useable link on the total system and that new routes and links are coordinated with existing routes to ensure that each new and existing roadway continues to function as it was intended.	See response to Objectives ii. and iii.	The project would be in conformance with this policy.
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.	The project would be reviewed by the Planning Commission to ensure that all Oceanside-required design parameters are met. Design parameters include street widths, access improvements, landscape standards, streetlights, lighting requirements, architectural design, etc. Signage, lighting, and other improvements would be made to ensure user safety on and around the site including wayfinding for pedestrians and bicyclists.	The project would be in conformance with this policy.
Policy 3.14	The City shall, where feasible, interconnect traffic signals to form area networks or corridor systems. These systems shall be timed to facilitate the flow of through traffic on the arterial system, thus enhancing movement of	See response to Policy 3.6.	The project would be in conformance with this policy.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
	vehicles and goods through the City, while reducing fuel consumption and air pollution.		
Policy 3.15	The City shall impose appropriate prorated fees for construction of roadway facilities and associated landscaping to ensure that all new development contributes to the completion of the circulation system. In addition to pre-permit collection, such fees may be imposed through creation of assessment districts.	The project would be subject to fair share fees to be paid by the project applicant. These fees would be assessed by the City and applicable districts and collected before development permits are issued.	The project would be in conformance with this policy.
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.	The project would not cause congestion on major streets and per the traffic study, the project area would continue to operate at a LOS D or better with additional project trips. As related to transportation, the project would not create a safety hazard. This is further discussed in Section 4.15, Traffic and Circulation, of the EIR.	The project would be in conformance with this policy.
Policy 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.	The project involves landscaping in front of the proposed development along West Bobier Drive. In addition, the project entrance at West Bobier Drive would include the addition of street trees and ground level vegetation.	The project would be in conformance with this policy.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
Transportation Demand Management			
Goal 1	Support programs that encourage increased vehicle occupancies and trip reduction in order for residents to enjoy the quality of life that currently exists in Oceanside.	See response to Long Range Policy Direction Goals 1 and 2. While the project does not directly support programs that encourage increased vehicle occupancy, pedestrians and bicyclists would be able to access the project site from existing facilities. The project also proposes new and improved sidewalks on-site as described in Chapter 3 of this EIR. The project area is served by an existing network of public transportation and is located within a Smart Growth Opportunity Area as designated by SANDAG.	The project would be in conformance with this goal.
Objective i.	Move more people in fewer vehicles while providing high quality modes of transportation.	See response to Goal 1.	The project would be in conformance with this objective.
Objective ii.	Maintain high quality transportation services which cater to the needs of all residents, regardless of age, income, or physical ability.	See response to Goal 1.	The project would be in conformance with this objective.
Objective iii.	Encourage alternative modes of transportation through TDM practices such as transit, walking, bicycling, and teleworking especially during peak travel periods.	See response to Goal 1.	The project would be in conformance with this objective.
Policy 4.1	The City shall encourage the reduction of vehicle miles traveled, reduction of the total number of daily and peak hour vehicle trips and provide better utilization of the circulation system through development and implementation of TDM strategies. These may include, but not limited to, implementation of peak hour trip reduction, encourage staggered work hours, telework programs, increased development of employment centers where transit usage is	See response to Goal 1 and Long-Range Policy Direction Goals 1 and 2.	The project would be in conformance with this policy.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
	highly viable, encouragement of ridesharing options in the public and private sector, provision for park-and-ride facilities adjacent to the regional transportation system, and provision for transit subsidies.		
Policy 4.4	The City shall support parking policies that increase the cost of parking and/or reduce the supply of off-street parking to encourage drivers to consider using alternative modes of transportation or carpool/vanpool opportunities where transit facilities are available.	The project would provide a total of 526 parking spaces on site for residents and guests. The project would include 381 surface parking spaces, 145 below grade parking spaces, and 39 tandem parking spaces. All parking would be on-site off the private internal loop road. The project site is located within a Smart Growth Opportunity Area, close to existing alternative public transportation.	The project would be in conformance with this policy.
Policy 4.6	The City shall encourage new developments to provide on-site facilities such as showers, lockers, carpool stalls, and bicycle racks.	The project includes residential development and therefore many of these facilities would be provided on-site or within each unit. Bicycle parking would be provided.	The project would be in conformance with this policy.
Public Transit and Rail Policies and Guidelines			
Goal 1	Support the increased use and availability of transit and rail service to encourage a multimodal transportation network in Oceanside.	See response to Long Range Policy Direction Goal 2. The project would include on-site improvements to the proposed circulation network that would support the proposed project operations. Pedestrian and road improvements would be implemented to facilitate efficient flow of traffic and the safe and effective passage of pedestrians and cyclists. The project site is located within a Smart Growth Opportunity Area, close to existing alternative public transportation. The availability of public transportation in the project area provides an alternative mode of transportation to the residents of Project and community.	The project would be in conformance with this goal.
Objective ii.	Support the development, improvement, expansion, and increased ridership of transit	See response to Goal 1. While the project would not directly develop, improve, expand, or increase transit	The project would be in conformance with this objective.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
	within the City, including the development of new forms of transit and transit technologies as they become available.	ridership, it would be located in the vicinity of existing transit lines which would be available to new residents.	
Objective iii.	Support Mixed-Use developments in transit focus areas and transit-oriented developments.	See response to Goal 1.	The project would be in conformance with this objective.
Policy 5.2	The City shall require developers to construct, where appropriate, transit facilities when their development is on a transit service route including bus stop amenities to include lighted shelters, benches, and route information signs (where appropriate) through coordination with NCTD.	Although the project does not include the construction of transit facilities, it would be located within the vicinity of existing transit networks, as described in Goal 1. The project site is located within a Smart Growth Opportunity Area, close to existing alternative public transportation.	The project would be in conformance with this policy.
Pedestrian Facilities			
Goal 1	Develop and maintain a safe pedestrian network that is free of barriers and hazards; that has sufficient lighting, signs, signals, street crossings, and buffers from vehicular traffic in order to create a sense of security for the pedestrian. Utilize corrective measures through engineering, education, and enforcement.	Pedestrian access is provided by pathways throughout the project site to create connectivity to the proposed buildings. The project would link to the existing sidewalk system within the area to provide pedestrian connections to surrounding properties. The project would not pose any unique barriers or hazards to pedestrians.	The project would be in conformance with this goal.
Goal 3	Develop a complete pedestrian network that provides continuous and convenient access to transit, employment centers, retail, neighborhoods, schools, beaches, parks, public places, and other essential pedestrian destinations.	The project site is located within a Smart Growth Opportunity Area, close to existing alternative public transportation. The project is located within close proximity to major freeways, public transit, parks, and commercial centers.	The project would be in conformance with this goal.
Goal 4	Ensure that pedestrian facilities meet local, state, and federal access requirements. Utilize “Universal Access” principles that go beyond the minimum standards, since all	On-site pedestrian circulation network and sidewalk improvements would be built in compliance with the Americans with Disabilities Act (ADA) and would not be designed in such a way to	The project would be in conformance with this goal.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
	pedestrians benefit from this approach.	prevent access from handicapped, elderly, or impaired persons.	
Objective i.	Support projects, improvements, and programs that create a safer pedestrian walking environment.	See responses to Goals 1, 3, and 4.	The project would be in conformance with this objective.
Objective ii.	Encourage development patterns that promote walking and increase connectivity.	See response to Goal 3.	The project would be in conformance with this objective.
Objective iv.	Promote accessibility and mobility for all people including children, disabled, and the elderly.	See response to Goal 4.	The project would be in conformance with this objective.
Policy 7.2	The City shall encourage pedestrian facility improvements such as signs, signals, streets crossings, and proper lighting especially in areas where there is high pedestrian activity and/or safety issues.	See response to Goal 1.	The project would be in conformance with this policy.
Policy 7.7	The City shall require the construction of a minimum five-foot wide sidewalk in all new developments and street improvements but will encourage sidewalk widths that go beyond the minimum five-foot ADA standards in areas with high pedestrian activity.	See response to Goals 3 and 4.	The project would be in conformance with this policy.
Policy 7.8	The City shall encourage the inclusion of public walkways, open space, or trails for pedestrian usage in large, private developments.	See response to Goals 1 and 3.	The project would be in conformance with this policy.
Policy 7.10	The City shall require all new developments to provide universal access (meaning access for all ages or persons with disabilities).	See response to Goal 4.	The project would be in conformance with this policy.
Environmental Resource Management Element			
Water Objective 2	Investigate sources of local water supplies to reduce dependence on imported water.	The City purchases the majority of its water supply from the San Diego County Water Authority (SDCWA). The project would comply with the	The project would be in conformance with this Objective.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
		General Plan and zoning code, and therefore water demand of the project has been considered in the City and regional water supply documents that are based on the buildout of the City. See Chapter 4.17, Utilities and Service Systems.	
Water Objective 3	Minimize pollution of water supplies, including lakes, rivers, streams, lagoons, and ground water.	The project would be required to prepare a project-specific stormwater pollution prevention plan (SWPPP) during construction to reduce sediment transport, in addition to other construction best management practices (BMPs) to further reduce erosion and runoff. A project stormwater quality management plan (SWQMP) was also prepared to address the project's operational impacts to water quality and the potential pollutants of concern. These measures and plans are fully described in Section 4.9, Hydrology and Water Quality. Project impacts related to water quality were determined to be less than significant.	The project would be in conformance with this objective.
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.	As discussed in detail in Chapter 4.6, Geology and Soils and 4.9, Hydrology and Water Quality, impacts related to soil erosion and siltation would be less than significant.	The project would be in conformance with this objective.
Vegetation and Wildlife Habitats Objective 1	Conserve and enhance vegetation and wildlife habitats, especially areas of rare, endangered, or threatened species.	As outlined in Chapter 4.3, Biological Resources, the project would incorporate design features which would ensure conservation and enhancement of existing vegetation and wildlife habitats in adjacent open space land uses. It was determined there are no existing rare, endangered, or threatened species on-site.	The project would be in conformance with this objective.
Recreation and Scenic Areas Objective 1	Plan adequate recreation facilities based on existing recreation standards and criteria established by the appropriate agencies as	Although the project would potentially increase the utilization of existing parks and recreational facilities within the City; the EIR determined that the combination of	The project would be in conformance with this objective.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
	contained in the other elements of the General Plan.	proposed open space and recreation amenities on-site, existing park and recreational facilities in the area, and proposed future recreational facilities within the City would adequately serve future residents of the project site. Additionally, the project developer would be responsible for applicable Development Services Department Impact Fees which would contribute to (but not limited to) parks, public facilities, and schools.	
Community Facilities Element			
Long Range Policy Direction Objective	To ensure that adequate public facilities and services are provided to serve existing and future residential, commercial, and industrial development throughout the City of Oceanside.	The project would cause an increase of approximately 904 residents. Potential impacts to public facilities would not be significant as analyzed in Chapter 4.13 of this EIR. Furthermore, payment of development impact fees, as applicable, in accordance with Municipal Code Sections 32B and 32C would address the need for additional public services generated by new development.	The project would be in conformance with this objective.
Policy 0.3	The City shall strive to manage community growth so that public facilities and services to current residents of the community will not be adversely impacts by new development.	Project impacts to public facilities are discussed in Section 4.13, Public Services, of this EIR. The project would be required to pay public facilities impact fees based on the impact fee schedule in effect at the time of issuance of a building permit. Fees collected are to be used to fund public service capital improvements, the need for which is attributable to the proposed development. Payment of the required public facility fees would ensure impacts to future public facilities would be less than significant.	The project would be in conformance with this policy.
Policy 0.6	The City shall strive to establish control over the quality, distribution, and rate of growth of the City in order to: a) preserve the character of	The project proposes to develop 323 residential units on a vacant lot that is surrounded by a residential, commercial, and open space uses. In addition, the proposed residential	The project would be in conformance with this policy.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
	the community; b) protect the open space of the City; f) ensure the balanced development of the City; g) prevent future significant deterioration in the local air quality; h) ensure that traffic demands do not exceed the capacity of the streets; j) ensure that the City does not grow in a manner that places a severe strain on the local freeway system; k) ensure the adequacy of fire and police protection; l) ensure adequate water and sanitary sewage systems; m) ensure adequate stormwater management systems. (The following subcomponents of this policy did not apply to the proposed project: c, d, e, and i).	development would be consistent with the General Plan land use designation. Relevant subcomponents of Policy 0.6 would be addressed as follows. a. The project would be consistent with the surrounding residential development. b. The project would make available open space amenities to its residents. f. The project would provide market-rate and low-income housing stock for the City. g. As discussed in Section 4.2, Air Quality, project air quality impacts would be less than significant. h. As discussed in Section 4.15, LOS levels would remain at acceptable levels (LOS D or better). j. The proposed residential development would not place a severe strain on the local freeway system. k. The project's site plan has been reviewed by the Oceanside fire and police protection services to ensure the availability of services. l. As discussed in Section 4.17, Utilities and Services Systems, no expansion of existing water and sewage facilities would be required beyond the construction of on-site connections. m. As discussed in Section 4.10, Hydrology and Water Quality, although there would be an overall increase in runoff (due to increased impervious surface) from the project site by approximately 15% due to project development, the Drainage Study calculates and anticipates no adverse impact as a result of the proposed development.	

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
Fire Department Facilities Objective	To protect the health, safety , and welfare of Oceanside residents and property through the provision of adequate fire protection and emergency medical services to all residences, businesses, and public facilities within the City; to identify and mitigate potential hazards to the community; and to prepare for, respond to, and aid in the recovery from emergencies related to fire, explosion, hazardous materials, rescue, and medical problems as well as natural disasters such as earthquakes, floods, and storms.	The potential impacts to the project site as a result of natural disasters and hazardous materials are discussed in Chapters 4.6, Geology and Soils, 4.8, Hazards, and 4.18, Wildfire. It was determined that the potential for emergencies related to natural disasters, hazardous materials, and wildfire to occur within the project site would be less than significant.	The project would be in conformance with this objective.
Fire Department Facilities Policy 3.10	In order to minimize fire hazards, the Oceanside Fire Department shall be involved in the review of development applications. Consideration shall be given to adequate emergency access, driveway widths, turning radii, fire hydrant locations, and Needed Fire Flow requirements.	The current site plan has been approved by the Oceanside Fire Department as meeting the applicable fire requirements. All final plans will be subject to review by City Fire.	The project would be in conformance with this policy.
Fire Department Facilities Policy 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 safety automatic fire sprinkler systems, water availability, secondary emergency access routes, construction requirements, and landscaping around structures.	The project site is not located within or adjacent to a State Responsibility Area (SRA) or Local Responsibility Area (LRA) Very High Fire Hazard Severity Zone (VHFHSZ). The project site is located within an urbanized and developed area of the City. In addition, the project proposes to implement a landscape pallet consisting of native species that would naturally serve as a fire retardant. The project would be required to comply with the City of Oceanside Code of Ordinances, Chapter 11 (Fire Protection), which provides regulations for fire prevention measures including fire sprinklers and landscape restrictions.	The project would be in conformance with this policy.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
Sanitary Sewer Policy 5.4	New development shall be responsible for on-site facility improvements required by that development.	The project would construct all necessary on-site facility improvements required for the development of the project.	The project would be in conformance with this policy.
Sanitary Sewer Policy 5.5	The sanitary sewer system shall be designed to allow for full development of each service area at the intensity proposed by the Land Use Element of the General Plan.	See response to Policy 5.5. All on-site sewer facilities for the project are proposed to be private. As discussed in Section 4.17, Utilities and Service Systems, it has been determined that the proposed sewer system connection would adequately serve the project, and existing City infrastructure would have sufficient capacity to accommodate project demand.	The project would be in conformance with this policy.
Water Supply Policy 5.11	New development shall be responsible for on-site water facilities improvements required by that development.	Development of the project includes construction of adequately sized on-site water facilities.	The project would be in conformance with this policy.
Water Supply Policy 5.12	The water supply and distribution system shall be designed to allow for development of each service area at the intensity proposed by the Land Use Element of the General Plan.	The project would be consistent with the General Plan Land Use Designation for Neighborhood Commercial uses. Water service would be provided via the existing water connections to the existing public water system. Water service for the project would be provided by the City via connections to the existing developments adjacent to the project site, which would adequately serve the proposed development, as outlined in Section 4.17, Utilities and Services Systems.	The project would be in conformance with this policy.
Stormwater Management System Policy 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.	Storm drain systems and connections would be designed to collect on site runoff and convey it through the project site into existing drainage facilities. Stormwater treatment to meet water quality requirements include would include the installation of inlets, storm drain facilities, biofiltration basins, and an underground stormwater detention tank. Additional stormwater management areas include the landscaped areas to treat runoff. No expansion of	The project would be in conformance with this policy.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
		drainage facilities would occur beyond what is required on-site.	
Policy 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 protection methods, which avoid major construction programs such as channels and favor vegetative measures to protect and stabilized land areas, should be considered as an alternative to constructing concrete channels where feasible.	The project site has been previously graded and heavily disturbed as a result of adjacent development. The project would have two discharge locations, which would remain the same as they are in existing conditions. The two discharge locations, or points of compliance (POC), consist of POC 1 and POC 2. POC 2 would collect runoff from the northern landscaped slope that flows into the existing gutter in Oceanside Boulevard and Melrose Drive, where it enters the public storm drain system by the existing curb inlet at the southeast corner of Oceanside Boulevard and Melrose Drive. The storm drain flows north and discharges in the East Channel Creek where it flows north to San Luis Rey River where it ultimately discharges into the Pacific Ocean. POC 1 collects the rest of the project site's runoff where it enters the City of Vista's public storm drain system by the existing headwall. The public storm system conveys flows south and discharges into Loma Alta Creek which flows west to ultimately discharge into the Pacific Ocean (Appendix H). The project's source control measures would include prevention of illicit discharges, storm drain stenciling, and protection of outdoor materials storage areas and trash storage areas. Biofiltration raised planter areas and Modular Wetland Systems are proposed throughout the project site to provide stormwater treatment for the pollutants discharged from the development. The project would be required to provide for ongoing implementation and maintenance of these features in accordance with the SWQMP.	The project would be in conformance with this policy.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
Policy 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.	Please see response to Policy 6.4. Impacts related to hydrology and water quality would be less than significant and no mitigation is required.	The project would be in conformance with this policy.
Circulation System Policy 12.5	Private land developers will continue to be responsible for constructing adjacent and internal Arterial Streets, Collector Streets, and Local Streets necessary to provide access and internal service to their subdivisions in a manner consistent with City standards. Developers will be required to contribute to and correct off-site impacts for local streets, collectors, and arterials to insure and maintain a smooth, functional, and safe circulation system.	As described in the project description, West Bobier Drive would provide vehicular access to the project at the northeast corner of the project site. The proposed sidewalks within the project site would connect to existing pedestrian circulation along West Bobier Drive and would include ADA-accessible corner curbs. All existing roadway infrastructure would be sufficient to serve the project site.	The project would be in conformance with this policy.
Community Facilities Financing 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, stormwater 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 project applicant would pay all applicable fees required as part of the development process; such fees include but are not limited to fair-share circulation network improvement fess and public facility fee requirements as applicable and determined by the City of Oceanside.	The project would be in conformance with this policy.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
Noise Element			
Policy 1	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.	As described in Chapter 4.11, Noise, of this EIR, project related construction and operation noise would not exceed the noise thresholds analyzed in the Noise Report prepared for the project (Appendix I).	The project would be in conformance with this policy.
Policy 2	Noise shall be controlled at the source where possible.	See Noise Element Policy 1.	The project would be in conformance with this policy.
Policy 3	Noise shall be intercepted by barriers or dissipated by space where the source cannot be controlled.	See Noise Element Policy 1.	The project would be in conformance with this policy.
Policy 4	Noise shall be reduced from structures by the use of soundproofing where other controls fail or are impractical.	See Noise Element Policy 1.	The project would be in conformance with this policy.
Policy 5	Noise levels shall be considered in the approval of any projects or activities, public or private, which requires a permit or other approval from the City.	See Noise Element Policy 1.	The project would be in conformance with this policy.
Recommendation 2	In order to measure noise levels, a noise meter must be acquired. This meter is necessary to identify and measure noise sources and noise levels.	See Noise Element Policy 1.	The project would be in conformance with this recommendation.
Recommendation 4	Truck traffic on residential streets should be prohibited for all vehicles over two tons in weight. This recommendation is based upon complaints from residents subjected to severe noise and disruptions caused by heavy trucks using residential streets not designated for that purpose. (Oceanside currently has no streets prohibited to trucks in excess of certain weight.)	Construction equipment, including trucks, would be required during construction of the project. However, such equipment would remain on-site and would not result in traffic in the surrounding neighborhoods. During project operation, no large trucks would be associated with the residential land use.	The project would be in conformance with this recommendation.
Recommendation 5	Land uses in the City of Oceanside should be planned	See Noise Element Policy 1.	The project would be in conformance

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
	in order to ensure that residential areas will not be impacted by noise. Approval of any project in the City where the health of future residents or occupants may be adversely affected by noise associated with the site should be taken to reduce or abate the noise effects or should be denied approval and recommended for an alternative site (example- a new rest home or hospital should not be constructed in areas subjected to noise levels 65 dBA or higher).		with this recommendation.
Hazardous Waste Management Element			
Pollution Prevention, Hazardous Waste Reduction Goal	The goal of the City of Oceanside is the prevention of pollution of the City's air, water, and soil by hazardous materials and hazardous waste to the greatest extent possible. In the context of this City HWME.	As discussed in Section 4.2, Air Quality, the project would not result in substantial air pollutant concentrations that would otherwise present a public health hazard. In addition, as outlined in Section 4.9, Hydrology and Water Quality, standard best management practices included in the SWPPP required of the project by the Construction General Permit and associated hazardous materials handling protocols would be prepared and implemented to ensure the safe storage, handling, transport, use, and disposal of all hazardous materials during the construction phase of the project. Once project construction is complete, the transport, use, or disposal of hazardous materials during the operational phase of the project would be limited to residential and commercial cleaning products, landscaping chemicals and fertilizers, and other substances associated with residential uses that are required to comply with all federal, state, and local laws regulating the	The project would be in conformance with this goal.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
		management and use of hazardous materials. Overall, hazardous materials release would be minimized, and impacts are determined to be less than significant.	
Method A, Method B, Method C, Method D, Method E, Method F, Method G, Method J.	A. A) The reduction or elimination of the manufacture and use of hazardous materials in order to reduce risks to human health and the environment; B) The reduction of elimination of the generation or production of hazards materials (including wastes); C) The use of safer substitutes for hazardous materials; D) The recycling of hazardous materials whenever possible; E) The prevention and elimination of releases of hazardous materials into all media (air, water and land); F) The alteration or modification of manufacturing practices and/or processes to reduce or eliminate the use of hazardous materials and resulting hazardous wastes; G) The improvement of industrial, commercial, and residential housekeeping practices to eliminate or reduce the quantity or toxicity of hazardous materials and wastes; J) The implementation of practices and/or processes that encourage the on-site treatment through recycling of hazardous.	The project would be required to comply with the current federal, state, and local policies regarding the use, transport, storage, handling, and disposal of hazardous materials. As outlined in Chapters 4.8, Hazards and 4.17, Utilities and Service Systems, project impacts related to hazards and hazardous materials, and solid waste would be less than significant.	The project would be in conformance with these methods.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
Method K	Notwithstanding the requirements on large generators of hazardous waste pursuant to SB 14 (Roberti, 1989), the "Hazardous Waste Source Reduction and Management Act of 1989" Health and Safety Code section 25244.12 et seq., all users of reportable quantities of hazardous materials shall file a source reduction plan with the appropriate outside agencies and the City of Oceanside at the time of Business License application. All users of reportable quantities of hazardous materials shall also file regular reports on the implementation of the source reduction plan as required by the City and any other agency. A review of specified source reduction measures may be conducted by the City or other designated agency.	Please refer to response to Methods A through J above.	The project would be in conformance with this method.
Strategies for Meeting Prevention and Minimization Goals	The City of Oceanside shall work with the San Diego County Hazardous Materials Management Division ("HMMD") in the implementation of its policies and procedures, including those now being developed to implement the provisions of the Hazardous Waste Source Reduction and Management Review Act of 1989. This law is intended to assist hazardous waste generators to reduce hazardous waste. Health and Safety Code section 25244.12 et seq. requires generators to conduct source evaluation reviews and implement source reduction plans, to specify source reduction measures, and to implement the plans	Please refer to response to Methods A through J above. The project would comply with all applicable federal, state, and local laws regarding the use, handling, transport, storage, and disposal of hazardous waste. The project, during both the construction and operational phases, would not be considered a generator of substantial hazardous waste.	The project would be in conformance with these goals.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
	and file performance reports concerning the outcome with various agencies. This Act requires and specifies the following requirements for generators of hazardous wastes: a) A hazardous Waste Reduction Plan and a Plan Summary; b) a Hazardous Waste Management Performance report and a Report Summary documenting hazardous waste management approaches implemented by the generator.		
Energy and Climate Action Element			
Goal ECAE-1a	The Oceanside Community Will Significantly Reduce Its Dependence on Fossil Fuels	The project would include sustainability design features to reduce potential energy and water usage, promote pedestrian and bicycle travel, and reduce potential greenhouse gas emissions. The proposed sustainability features include: ▪ PV Solar electricity system ▪ Installation of 90% light-emitting diode (LED) lighting or other high-efficiency lightbulbs ▪ Energy star or equivalent energy efficient appliances ▪ Compliance with Title 24 energy efficiency standards. ▪ Low-flow water fixtures and appliances ▪ Drought-tolerant landscaping and water efficient irrigation system ▪ Electrical Vehicle Charging Stalls	The project would be in conformance with this goal.
Policy ECAE-1a-1	Incentivize the installation of solar photovoltaic systems in existing development, through community outreach and education, permit streamlining, and support of creative financing programs	The project would include PV solar electricity systems for each of the proposed buildings.	The project would be in conformance with this policy.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
Policy ECAE-1a-2	Require that new development supply a portion of its energy demand through renewable sources, to the extent practical and financially feasible.	See response to Policy ECAE-1a-1.	The project would be in conformance with this policy.
Policy ECAE-1b-3	In dedicating resources to energy efficiency and conservation in the residential sector, prioritize lower-income households that may lack the financial means to invest in retrofitting and/or other means of reducing energy use.	See response to Policy ECAE-1a-1. The project involves the development of 33 affordable-income units.	The project would be in conformance with this policy.
Policy ECAE-1b-4	Assist lower-income households in accessing financial incentives for energy efficiency and renewable power upgrades.	See response to Policy ECAE-1b-3.	The project would be in conformance with this policy.
Goal ECAE-1c	The City Will Encourage Energy Efficiency and Conservation in New Development	See response to Goal ECAE-1a. The project would comply with Title 24 energy efficiency standards and use energy efficient appliances and lighting.	The project would be in conformance with this goal.
Policy ECAE-1c-2	Encourage passive solar building design in new development.	See response to Policy ECAE-1a-1.	The project would be in conformance with this policy.
Policy ECAE-1c-7	As an alternative to natural gas, encourage building electrification, including electric heat pump appliances, space heaters, and water heaters.	See response to Goal ECAE-1a. The project would comply with Title 24 energy efficiency standards and use energy efficient appliances.	The project would be in conformance with this policy.
Policy ECAE-2a-1	In areas served by transit, promote land use intensities that increase transit ridership and, in turn, the quality and frequency of transit service.	The project area is provided transit service via the North County Transit District (NCTD), which operates the Melrose Drive Station located approximately 0.1 miles west of the project site. Bus stops within a 1-mile radius of the project site include the stops located at West Bobier Drive, Oceanside Boulevard, Melrose Drive, and North Avenue. The availability of public transportation in the project area provides an alternative mode of transportation to the residents of Project and community. Additionally, the project	The project would be in conformance with this policy.

Table 4.10-2. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-conformance
		site is located in a Smart Growth Opportunity Area, as designed by SANDAG.	
Goal ECAE-4a	The City Will Be Among The Most Water Efficient Local Jurisdictions In the San Diego Region	As discussed in the response to Goal ECAE-1a, the project and proposed residential development would utilize low-flow water fixtures and appliances. The project would also plant drought-tolerant landscaping and water efficient irrigation system.	The project would be in conformance with this goal.
Goal ECAE-5a	By 2035, The City Will Expand Its Tree Canopy To At Least 25% Coverage Citywide.	The proposed landscape plans include trees throughout the project site as shown on Figure 3-5, Conceptual Landscape Plan.	The project would be in conformance with this goal.
Policy ECAE-5a-6	Prioritize street tree planting in lower-income neighborhoods.	As discussed in Goal ECAE-5a, new trees would be planted as part of the project, which includes 33 new affordable-income residences.	The project would be in conformance with this policy.

4.11 Noise

This section describes the existing noise setting of the project site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures as necessary related to implementation of the Modera Melrose Mixed-Use Development Project (proposed project). Dudek completed on-site short-term sound measurements to describe the ambient noise environment and used noise predictive models to quantify noise levels from project construction, on-site mechanical equipment operation, and project off-site traffic noise contributions. Sound level measurement results and predictive noise modeling data are included in Appendix J of this environmental impact report (EIR).

4.11.1 Existing Conditions

Methodology

Noise Characteristics and Descriptors

Sound is mechanical energy transmitted by pressure waves in a compressible medium, such as air. Noise is defined as sound that is loud, unpleasant, unexpected, or undesired. The sound-pressure level has become the most common descriptor used to characterize the loudness of an ambient sound level. The unit of measurement of sound pressure is a decibel (dB). Under controlled conditions in an acoustics laboratory, the trained, healthy human ear is able to discern changes in sound levels of 1 dB when exposed to steady, single-frequency signals in the mid-frequency range. Outside such controlled conditions, the trained ear can detect changes of 2 dB in normal environmental noise. It is widely accepted that the average healthy ear, however, can barely perceive noise level changes of 3 dB. A change of 5 dB is readily perceptible, and a change of 10 dB is perceived as twice or half as loud. A doubling of sound energy results in a 3 dB increase in sound, which means that a doubling of sound energy (e.g., doubling the number of daily trips along a given road) would result in a barely perceptible change in sound level.

Sound may be described in terms of level or amplitude (measured in dB), frequency or pitch (measured in hertz or cycles per second), and duration (measured in seconds or minutes). Because the human ear is not equally sensitive to sound at all frequencies, a special frequency-dependent rating scale is used to relate noise to human sensitivity. The A-weighted decibel (dBA) scale performs this compensation by discriminating against low and very high frequencies in a manner approximating the sensitivity of the human ear.

Several descriptors of noise (noise metrics) exist to help predict average community reactions to the adverse effects of environmental noise, including traffic-generated noise. These descriptors include the equivalent noise level over a given period (L_{eq}), the day–night average noise level (L_{dn}), and the community noise equivalent level (CNEL). Each of these descriptors uses units of dBA.

L_{eq} is a decibel quantity that represents the constant or energy-averaged value equivalent to the amount of variable sound energy received by a receptor during a time interval. For example, a one hour L_{eq} measurement of 60 dBA would represent the average amount of energy contained in all the noise that occurred in that hour. L_{eq} is an effective noise descriptor because of its ability to assess the total time-varying effects of noise on sensitive receptors, which can then be compared to an established L_{eq} standard or threshold of the same duration. Another descriptor is maximum sound level (L_{max}), which is the greatest sound level measured during a designated time interval or event. The minimum sound level (L_{min}) is often called the *floor* of a measurement period.

Unlike the L_{eq}, L_{max}, and L_{min} metrics, L_{dn} and CNEL descriptors always represent 24-hour periods and differ from a 24-hour L_{eq} value because they apply a time-weighted factor designed to emphasize noise events that occur during the non-daytime hours (when speech and sleep disturbance is of more concern). Time weighted refers to the fact that L_{dn} and CNEL penalize noise that occurs during certain sensitive periods. In the case of CNEL, noise occurring during the daytime (7:00 a.m. to 7:00 p.m.) receives no penalty. Noise during the evening (7:00 p.m. to 10:00 p.m.) is penalized by adding 5 dB, and nighttime (10:00 p.m. to 7:00 a.m.) noise is penalized by adding 10 dB. L_{dn} differs from CNEL in that the daytime period is longer (defined instead as 7:00 a.m. to 10:00 p.m.), thus eliminating the dB adjustment for the evening period. L_{dn} and CNEL are the predominant criteria used to measure roadway noise affecting residential receptors. These two metrics generally differ from one another by no more than 0.5 to 1 dB and are often considered or actually defined as being essentially equivalent by many jurisdictions.

Vibration Fundamentals

Vibration is oscillatory movement of mass (typically a solid) over time. It is described in terms of frequency and amplitude and, unlike sound, can be expressed as displacement, velocity, or acceleration. For environmental studies, vibration is often studied as a velocity that, akin to the discussion of sound pressure levels, can also be expressed in dB as a way to cast a large range of quantities into a more convenient scale. Vibration impacts to buildings are generally discussed in terms of inches per second (ips) peak particle velocity (PPV), which will be used herein to discuss vibration levels for ease of reading and comparison with relevant standards. Vibration can also be annoying and thereby impact occupants of structures, and vibration of sufficient amplitude can disrupt sensitive equipment and processes, such as those involving the use of electron microscopes and lithography equipment. Common sources of vibration within communities include construction activities and railroads. 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. The maximum vibration level standard used by the California Department of Transportation (Caltrans 2020) for the prevention of structural damage to typical residential buildings is 0.3 ips PPV.

Effect of Noise

Excessively noisy conditions can affect an individual's quality of life, health, and well-being. The effects of noise can be organized into six broad categories: sleep disturbance, permanent hearing loss, human performance and behavior, social interaction or communication, extra-auditory health effects, and general annoyance. An individual's reaction to noise and its level of disturbance depends on many factors such as the source of the noise, its loudness relative to the background noise level, time of day, whether the noise is temporary or permanent, and subjective sensitivity.

Ambient Noise Survey

Sound-pressure level measurements were conducted within the project site on April 21,2022 to quantify and characterize the existing outdoor noise levels. Table 4.11-1 provides the location, date, and time at which these baseline noise level measurements were taken. The sound-pressure level measurements were performed by an attending Dudek field investigator using a Rion NL-52 sound level meter equipped with a 0.5-inch, pre-polarized condenser microphone with pre-amplifier. The sound level meter meets the current American National Standards Institute standard for a Type 1 (Precision Grade) sound level meter. The accuracy of the sound level meter was

verified using a field calibrator before and after the measurements, and the measurements were conducted with the microphone positioned approximately five feet above the ground.

Five short-term noise level measurement locations (ST1–ST5) that represent existing or future sensitive receivers and/or roadway facilities to which the project would principally contribute trips were selected within the project site boundaries. These short-term measurement locations are depicted on Figure 4.11-1. The L_{eq} and L_{max} noise levels are provided in Table 4.11-1. The primary noise sources at the sites identified in Table 4.11-1 consisted of traffic along adjacent roadways, distant aircraft, and a nearby carwash facility (captured at ST2). As shown in Table 4.11-1, the measured sound levels ranged from approximately 50.7 dBA L_{eq} at ST4 to 68.9 dBA L_{eq} at ST2. Noise measurement data is also included in Appendix J.

The project site is located within the City of Oceanside but is bordered on the east and south by the City of Vista boundary. Hence, the existing noise-sensitive receivers (i.e., residential land uses) immediately east and northeast of the project site, and southwest across the Sprinter rail line and Melrose Drive, are each located in the City of Vista.

Table 4.11-1. Measured Baseline Outdoor Noise Levels

Receptor	Location/Address	Date	Time	L_{eq} (dBA)	L_{max} (dBA)
ST1	North property line, south side of West Bobier Drive and west side of Sports Park Way	04/21/2022	11:30 a.m. to 11:40 a.m.	68.3	81.2
ST2	Northwestern property line, south side of West Bobier Drive and east side of Melrose Drive		12:40 p.m. to 12:50 p.m.	68.9	78.5
ST3	Southwestern property line, north side of Sprinter Rail Line and east side of Melrose Drive		12:20 p.m. to 12:30 p.m.	65.6	72.8
ST4	Southeastern property line, north side of Sprinter Rail Line		12:10 p.m. to 12:20 p.m.	50.7	58.6
ST5	Eastern property line near the mid-point, adjacent to existing residences		11:45 a.m. to 11:55 a.m.	52.0	58.5

Source: Appendix J
Notes: L_{eq} = equivalent continuous sound level (time-averaged sound level); L_{max} = maximum sound level during the measurement interval; dBA = A-weighted decibels; ST = short-term noise measurement locations.

4.11.2 Regulatory Setting

Federal

Federal Transit Administration

In its Transit Noise and Vibration Impact Assessment guidance manual, the Federal Transit Administration (FTA) recommends a daytime construction noise level threshold of 80 dBA L_{eq} over an 8-hour period when detailed construction noise assessments are performed to evaluate potential impacts to community residences surrounding a project (FTA 2006). Although this 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

Title 24 of the California Code of Regulations sets standards that new development in California must meet. According to Title 24, interior noise levels are not to exceed 45 dBA CNEL for new multifamily residences, hotels, and other attached residences.

Title 24 also requires that an interior acoustical study demonstrating that interior noise levels due to exterior sources will be less than or equal to 45 dBA CNEL be performed for affected multifamily structures and hotels that are exposed to exterior noise levels in excess of 60 dBA CNEL.

California Department of Health Services Guidelines

The California Department of Health Services has developed guidelines of community noise acceptability for use by local agencies. Selected relevant levels are listed here:

- Below 60 dBA CNEL: normally acceptable for low-density residential use
- 50 to 70 dBA: conditionally acceptable for low-density residential use
- Below 65 dBA CNEL: normally acceptable for high-density residential use and transient lodging
- 60 to 70 dBA CNEL: conditionally acceptable for high-density residential, transient lodging, churches, educational, and medical facilities

California Department of Transportation

In its Transportation and Construction Vibration Guidance Manual, Caltrans recommends a vibration velocity threshold of 0.2 ips PPV for assessing annoying 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. Similarly, thresholds to assess building damage risk due to construction vibration vary with the type of structure and its fragility but tend to range between 0.2 ips and 0.3 ips PPV for typical residential structures, relative to older or historic structures and contemporary construction, respectively.

Local

City of Oceanside General Plan Noise Element

The Noise Element of the City of Oceanside (City) General Plan establishes target maximum noise levels in the City. The Noise Element provides the following limitations on construction noise (City of Oceanside 2002):

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 p.m. and 7:00 a.m. generating an ambient noise levels 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 p.m. and 7:00 a.m. 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.

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.

The Oceanside Noise Element outlines general 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 visitors 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 levels shall be considered in any change to the Land Use and Circulation Elements of the City's General Plan.
- Noise levels of City vehicles, construction equipment, and garbage trucks shall be reduced to acceptable levels.

In a manner similar to the state's land use planning guidelines, the City's Noise Element establishes an implementation recommendation (#5) that puts attention to the careful planning of future residents in areas "subjected to noise levels of 65 dBA or higher."

For interior noise, the Noise Element refers to the aforementioned California Title 24 noise insulation standard: 45 dBA CNEL as the maximum acceptable level for inhabited rooms when exterior noise levels are 60 dBA CNEL or more. This implies that if windows and doors are required to be closed to meet this standard, then mechanical ventilation (i.e., air conditioning) shall be included in the project design.

City of Oceanside Noise Control Ordinance

Chapter 38, Noise Control, of the Oceanside Municipal Code governs operational noise and contains the maximum 1-hour average sound levels for various land uses for operational noise (Table 4.11-2). The project site and immediately adjacent parcel to the west are zoned commercial. The Noise Control Ordinance (Noise Ordinance) sets an allowed level for commercial zones to be 65 dBA L_{eq} from 7:00 a.m. to 9:59 p.m. (daytime), and 60 dBA L_{eq} from 10:00 p.m. to 6:59 a.m. (nighttime). The parcel to the north of the project site (across West Bobier Drive) is zoned for high density residential. The Noise Ordinance sets an allowed level for high density residential zones to be 55 dBA L_{eq} from 7:00 a.m. to 9:59 p.m. (daytime), and 50 dBA L_{eq} from 10:00 p.m. to 6:59 a.m. (nighttime). The allowed noise level at the boundary of these two zone districts (which follows the center-line of West Bobier Drive), would be the arithmetic mean of the noise limits for both zones sharing the joint boundary, or 60 dBA L_{eq} (daytime) and 55 dBA L_{eq} (nighttime). Parcels to the east and south of the project site are within the City of Vista. Allowable noise levels at the eastern and southern property boundaries of the project site are discussed under Vista regulations.

Table 4.11-2. City of Oceanside Exterior Noise Standards

Zone	Applicable Limit (decibels) [1]	Time Period
Residential Estate, Single-Family Residential, Medium Density Residential, Agricultural, Open Space	50 45	7:00 a.m. to 9:59 p.m. 10:00 p.m. to 6:59 a.m.
High Density, Residential Tourist	55 50	7:00 a.m. to 9:59 p.m. 10:00 p.m. to 6:59 a.m.
Commercial	65 60	7:00 a.m. to 9:59 p.m. 10:00 p.m. to 6:59 a.m.
Industrial	70 65	7:00 a.m. to 9:59 p.m. 10:00 p.m. to 6:59 a.m.
Downtown	65 55	7:00 a.m. to 9:59 p.m. 10:00 p.m. to 6:59 a.m.

Source: Appendix J
Note:
[1] 1-hour average sound level.

Construction activities are subject to Section 38.17 of the Noise Ordinance (City of Oceanside 2019), 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 p.m. and 7:00 a.m.

Section 38.16 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. However, Section 35.15 provides 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 (or manager's designee) determination that the authorization furthers the public interest.

City of Oceanside Engineering Manual

Construction noise in the City is governed by the City Engineering Manual. Construction is normally limited to the hours between 7:00 a.m. and 6:00 p.m., Monday through Friday.

City of Vista General Plan Noise Element

City of Vista Noise Element goals and noise policies applicable to development that could affect noise-sensitive land uses within Vista are as follows:

NE Goal 1: Protect people who live, work, and recreate in the City from excessive transportation noise with an emphasis on protecting residential neighborhoods and other noise-sensitive receptors (i.e., picnic areas, recreation areas, playgrounds, active sports areas, golf courses, parks, residences, motels, hotels, schools, churches, libraries, and hospitals).

NE Policy 1.4**:** Require developers to implement noise abatement that meets Caltrans' acoustical criteria if new developments cause increases in traffic volumes that result in roadway or rail noise levels of 65 dB CNEL or above at existing or planned future noise -sensitive receptors.

NE Goal 2: Protect people who live, work, and recreate in the City from unwarranted and excessive levels of noise, with special emphasis on protecting residential neighborhoods from intrusive noise.

NE Policy 2.2: Adopt and apply the Noise and Land Use Compatibility Matrix and the Interior and Exterior Noise Guidelines as guidelines to establish acceptable noise standards for various uses throughout the City.

NE Policy 2.3: Require new development to minimize noise impacts upon adjacent uses through site and building design, setbacks, berms, landscaping, and /or other noise abatement techniques.

Based upon the state's land use compatibility guidance, Vista has established 65 dBA CNEL (or L_{dn}) as the maximum exterior noise exposure level for residences, applied to the rear yard of single -family homes, multi -family patios and balconies, and common recreation areas. Vista has also adopted 45 dBA CNEL as the maximum acceptable interior noise exposure for all residential land uses (with windows closed).

City of Vista Noise Control Ordinance

Chapter 8.32, Noise Control, of the Vista Municipal Code governs operational noise and contains the maximum 1-hour average sound levels for various land uses for operational noise (Table 4.11-3). Existing residences along the eastern project site boundary are in Vista and are zoned R-1B (medium density residential), while residences in Vista to the northeast and southwest of the project site are zoned mixed use. The Noise Control Ordinance sets an allowed level for medium density residential zones to be 55 dBA L_{eq} from 7:00 a.m. to 9:59 p.m. (daytime), and 50 dBA L_{eq} from 10:00 p.m. to 6:59 a.m. (nighttime). Thus, along the eastern property boundary of the project site, these limits would be applicable to comply with the Vista municipal code. The Noise Control Ordinance sets an allowed level for mixed use zones to be 60 dBA L_{eq} from 7:00 a.m. to 9:59 p.m. (daytime), and 55 dBA L_{eq} from 10:00 p.m. to 6:59 a.m. (nighttime). Hence, project noise levels at the closest boundary of the residential neighborhood to the northeast (north of West Bobier Drive and East of Sports Park Way) and to the southwest (west of North Melrose Drive and south of the Sprinter rail line) would need to comply with these mixed-use zone noise limits.

Table 4.11-3. City of Vista Exterior Noise Standards

Zone	Applicable Limit (decibels) [1]	Time Period
Residential Estate, Single-Family Residential, Open Space (A-1, E-1, O, OSR)	50 45	7:00 a.m. to 9:59 p.m. 10:00 p.m. to 6:59 a.m.
Medium Density Residential, Mobile Home Park, Multi-Family Residential (R1-B, MHP,R-M)	55 50	7:00 a.m. to 9:59 p.m. 10:00 p.m. to 6:59 a.m.
Commercial, Mixed-Use, Downtown Specific Plan (C-1, C-2, O-3, C-T, OP, M-U)	60 55	7:00 a.m. to 9:59 p.m. 10:00 p.m. to 6:59 a.m.
Industrial (M-1, I-P, Vista Business Park Specific Plan)	70	Any time.

Source: Appendix J
Note:
[1] 1-hour average sound level.

4.11.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts related to noise are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to noise would occur if the proposed project would:

1. Result in generation of 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?
2. Result in generation of excessive groundborne vibration or groundborne noise levels?
3. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such 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?

In light of these above significance criteria, this analysis uses the following standards to evaluate potential noise and vibration impacts.

- **Construction noise –** Although Chapter 38 of the Oceanside Municipal Code does not quantify a threshold for allowable construction noise, the City's General Plan allows noise from construction equipment operation to be as high as 85 dBA at 100 feet from the source. Applying the principles of sound propagation for a point-type source, this level means 91 dBA at 50 feet, which is greater than the maximum sound levels of most operating construction equipment and would thus imply all but the loudest construction activities (e.g., pile driving) could be compliant with this standard. However, the apparent proximity of existing residential receptors to the east of the proposed project site suggests that source-to-receiver distances could be as short as 20 feet (between the edge of parking lot construction and adjacent yard area). Additionally, most construction equipment and vehicles on a project site do not operate continuously. Therefore, consistent with the FTA guidance mentioned in Section 4.11.2, Regulatory Setting, this analysis will use 80 dBA L_{eq} over an 8-hour period as the construction noise impact criterion during daytime hours (7:00 a.m. to 6:00 p.m.). If construction work were to occur outside these hours, the impact threshold would align with the City's General Plan requirement during such hours: no more than a 5 dBA increase over existing ambient noise levels.
- **Off-site project-attributed transportation noise** – For purposes for this analysis, a direct roadway noise impact would be considered significant if increases in roadway traffic noise levels attributed to the proposed project were greater than 3 dBA CNEL at an existing noise-sensitive land use.
- **Off-site project-attributed stationary noise** – For purposes for this analysis, a noise impact would be considered significant if noise from typical operation of heating, ventilation, and air conditioning and other electro-mechanical systems associated with the proposed project exceeded the following levels at the following locations:
  - **Western Project Site Boundary:** 65 dBA hourly L_{eq} at the property line from 7:00 a.m. to 9:59 p.m., and 60 dBA hourly L_{eq} from 10:00 p.m. to 6:59 a.m. Note that these are the City's thresholds for commercial zoning (the project site and adjacent project to the west are zoned commercial).
  - **Northern Project Site Boundary:** 60 dBA hourly L_{eq} at the centerline of West Bobier Drive from 7:00 a.m. to 9:59 p.m., and 55 dBA hourly L_{eq} from 10:00 p.m. to 6:59 a.m. Note this represents the arithmetic mean of the noise limits for the commercial and high-density residential zones (which share a common boundary at the West Bobier centerline) as dictated under Section 38.19.d of the City's noise ordinance.
  - **Eastern Project Site Boundary:** 55 dBA hourly L_{eq} at the property-line from 7:00 a.m. to 9:59 p.m., and 50 dBA hourly L_{eq} from 10:00 p.m. to 6:59 a.m. Note this represents the Vista noise limits for medium

density residential zoning; because the existing residences adjacent to the east of the project site are in Vista, an arithmetic averaging for the adjacent zones would evidently not to be allowable.

- Southern Project Site Boundary: 65 dBA hourly L_{eq} at the property line from 7:00 a.m. to 9:59 p.m., and 60 dBA hourly L_{eq} from 10:00 p.m. to 6:59 a.m., the City's thresholds for commercial zoning. The closest residences south of the project site are located not closer than 300 feet from the southern property boundary of the project site; while these residences are subject to the Vista limits of 60 dBA hourly L_{eq} from 7:00 a.m. to 9:59 p.m., and 55 dBA hourly L_{eq} from 10:00 p.m. to 6:59 a.m., the separation distance of 300 feet would attenuate project noise levels along the southern property boundary by a minimum of 10 dBA. As such, compliance with the commercial zone limits at the southern project site property boundary would also ensure project noise levels remain within applicable Vista noise limits at the residences to the south.

- Construction vibration – Guidance from Caltrans indicates that a vibration velocity level of 0.2 ips PPV received at a structure would be considered annoying by occupants within. As for the receiving structure itself, aforementioned Caltrans guidance from Section 4.11.2 recommends that a vibration level of 0.3 ips PPV would represent the threshold for building damage risk.

4.11.4 Impacts Analysis

Would the project result in generation of 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?

Short-Term Construction Noise

Construction noise and vibration are temporary phenomena. Construction noise and vibration levels vary 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 would include, in part, graders, backhoes, rubber-tired dozers, loaders, cranes, forklifts, cement mixers, pavers, rollers, and air compressors. The typical maximum noise levels for various pieces of construction equipment at a distance of 50 feet are presented in Table 4.11-4. The listed maximum noise levels in Table 4.11-4 are, when downwardly adjusted by 6 dB to account for doubling the distance to 100 feet, all compliant with the 85 dBA at 100 feet criterion per the City's General Plan Noise Element. Note that the equipment noise levels presented in Table 4.11-4 are maximum noise levels. Usually, construction equipment operates in alternating cycles of full power and low power, producing average noise levels over time that are less than the maximum noise level. The average sound level of construction activity also depends on the amount of time that the equipment operates and the intensity of construction activities during that time.

Table 4.11-4. Typical Construction Equipment Maximum Noise Levels

Equipment Type	Typical Equipment (L_{max}, dBA at 50 Feet)
Air compressor	78
Backhoe	78
Concrete pump truck	81
Grader	85
Crane	81
Dump Truck	76

Table 4.11-4. Typical Construction Equipment Maximum Noise Levels

Equipment Type	Typical Equipment (L_{max}, dBA at 50 Feet)
Dozer	82
Generator	72
Front End Loader	79
Paver	77
Pneumatic tools	85
Water pump	77

Source: Appendix J
Note: L_{max} = maximum sound level; dBA = A-weighted decibels.

Aggregate noise emission from proposed project construction activities, broken down by sequential phase, was predicted at two distances to the nearest existing noise-sensitive receptor: (1) from the nearest position of the construction site boundary and (2) from the geographic center of the construction site, which serves as the time-averaged location or geographic *acoustical centroid* of active construction equipment for the phase under study. The intent of the former distance is to help evaluate anticipated construction noise from a limited quantity of equipment or vehicle activity expected to be at the boundary for some period of time, which would be most appropriate for phases such as site preparation, grading, and paving. The latter distance is used in a manner similar to the general assessment technique as described in the FTA guidance for construction noise assessment, when the location of individual equipment for a given construction phase is uncertain over some extent of (or the entirety of) the construction site area. Because of this uncertainty, the assessment is done based on all the equipment for a construction phase operating—on average—from the acoustical centroid. Table 4.11-5 summarizes these two distances to the apparent closest noise-sensitive receptor for each of the seven sequential construction phases. At the site boundary, based on expected construction operations, this analysis evaluates impacts based on up to only one piece of equipment of each listed type per phase will be involved in the construction activity for a limited portion of the 8-hour period. In other words, at such proximity, the operating equipment cannot "stack" or crowd the vicinity and still operate. For the acoustical centroid case, which intends to be a geographic average position for all equipment during the indicated phase, this analysis evaluates the impacts as if the equipment may be operating up to all 8 hours per day.

Table 4.11-5. Estimated Distances between Construction Activities and the Nearest Noise-Sensitive Receptors

Construction Phase (and Equipment Types Involved)	Distance from Nearest Noise-Sensitive Receptor to Construction Site Boundary (Feet)	Distance from Nearest Noise-Sensitive Receptor to Acoustical Centroid of Site (Feet)
Demolition (dozer, excavator, concrete saw)	20	450
Site preparation (dozer, backhoe, front-end loader)	20	450
Grading (excavator, grader, dozer, front-end loader, backhoe, scraper)	20	450
Building construction (crane, man-lift, generator, backhoe, front-end loader, welder/torch)	100	450

Table 4.11-5. Estimated Distances between Construction Activities and the Nearest Noise-Sensitive Receptors

Construction Phase (and Equipment Types Involved)	Distance from Nearest Noise-Sensitive Receptor to Construction Site Boundary (Feet)	Distance from Nearest Noise-Sensitive Receptor to Acoustical Centroid of Site (Feet)
Architectural finishes (air compressor)	100	450
Paving (paver, roller, other equipment)	20	450

Source: Appendix J

A Microsoft Excel–based noise prediction model emulating and using reference data from the Federal Highway Administration Roadway Construction Noise Model (FHWA 2008)was used to estimate construction noise levels at the nearest occupied noise-sensitive land use. This model incorporates information about equipment, and hours of operations. It is anticipated that project construction activities would take place within the allowable construction hours of the City (7:00 a.m. and 6:00 p.m. Monday through Friday). Conservatively, no topographical or structural shielding was assumed in the modeling. The predicted construction noise levels per activity phase are displayed in Table 4.11-6 based on the project construction information input into the Roadway Construction Noise Model (FHWA 2008).

Table 4.11-6. Predicted Construction Noise Levels per Activity Phase

Construction Phase (and Equipment Types Involved)	8-Hour Leq at Nearest Noise-Sensitive Receptor to Construction Site Boundary (dBA)	8-Hour Leq at Nearest Noise-Sensitive Receptor to Acoustical Centroid of Site (dBA)
Demolition (dozer, excavator, concrete saw)	88	68
Site preparation (dozer, backhoe, front-end loader)	89	66
Grading (excavator, grader, dozer, front-end loader, backhoe, scraper)	86	68
Building construction (crane, man-lift, generator, backhoe, front-end loader, welder/torch)	69	62
Architectural finishes (air compressor)	65	55
Paving (paver, roller, other equipment)	88	67

Source: Appendix J
Notes: L_{eq} = equivalent noise level; dBA = A-weighted decibels.

As presented in Table 4.11-6, the estimated construction noise levels are predicted to be as high as 89 dBA L_{eq} over an 8-hour period at the nearest existing residences (as close as 20 feet away) when site preparation activities take place near the eastern project boundaries. Based on the noise reductions per doubling distance characteristics of noise and an approximate distance of 100 feet, building construction noise at the adjacent residences would be up to 69 dBA L_{eq} over an 8-hour period. Note that these estimated noise levels at these source-to-receiver distance would only occur when noted pieces of heavy equipment would each operate for a cumulative period from 1 to 3 hours per day. By way of example, a grader might make multiple passes on site that are this close to a receiver; but, for the remaining time during the day, the grader is sufficiently farther away, performing work at a more distant location, or simply

not operating. Nonetheless, the project would potentially exceed construction noise limits on occasion at residential receivers and would result in a **potentially significant** impact (**Impact NOI-1**), and mitigation would be required (see Section 4.11.5 below).

Long-Term Operational Noise

Roadway Traffic Noise

The proposed project would result in additional vehicle trips on local arterial roadways (i.e., Oceanside Boulevard/West Bobier Drive, Melrose Drive), which could result in increased traffic noise levels at adjacent noise-sensitive land uses. The project traffic study (Appendix L) quantified the number project-added average daily trips on roadways serving the project, compared to average daily trip levels without the project. Table 4.11-7 lists the roadway segments identified in the project traffic study (Appendix L) and identifies noise-sensitive land uses adjacent to each roadway segment.

Table 4.11-7. Roadway Segments Analyzed for Traffic Noise

Road Segment ID	Description	Noise Sensitive Land Uses
1	**North Melrose** – North of Meadow Brook	Single Family Residences
2	**North Melrose –**Meadow Brook to Oceanside	Single Family Residences
3	**North Melrose** – Oceanside to North Avenue	Multi-Family Residences **/ Project Western Frontage**
4	**North Melrose –** South of North Avenue	Single Family Residences
5	**Oceanside Blvd.** – West of Catalina Circle	Multi-Family Residences
6	**Oceanside Blvd.** –Catalina Circle to Melrose	Multi-Family Residences
7	**West Bobier Drive –** Melrose to Sports Park	Multi-Family Residences **/ Project Northern Frontage**
8	**West Bobier Drive** – Sports Park to Santa Fe	Multi-Family Residences / Single Family Residences
9	**West Bobier Drive** – East of Santa Fe	Multi-Family Residences / Single Family Residences

Source: Appendix J

Potential noise effects from vehicular traffic were assessed using worksheets based upon the Federal Highway Administration's Traffic Noise Model version 2.5 (FHWA 2004). Information used in the model included the roadway geometry, posted traffic speeds, and traffic volumes for the following scenarios: existing, existing plus project, near term without project, near term plus project, buildout (2030), and buildout plus project. Noise levels for each roadway segment were modeled at a distance representing the closest residential use to the edge of the roadway pavement.

The City's Noise Element establishes a policy for exterior sensitive areas to be protected from high noise levels. The Noise Element sets 65 dBA CNEL for the outdoor areas and 45 dBA CNEL for interior areas as the normally acceptable levels. However, existing noise levels from traffic along the studied roadway segment already largely exceed this threshold. For the purposes of this noise analysis, increases in traffic noise levels caused by the project are considered significant when they would cause an increase of at least

3 dB from existing noise levels. Based on the limits of human hearing, an increase or decrease in noise level of at least 3 dB is required before any noticeable change in community response would be expected.

As is standard for this type of modeling, and appropriate for this project, the receivers were modeled to be five feet above the local ground elevation. The noise model results are summarized in Table 4.11-8. As shown in the table, the addition of proposed project traffic to the roadway network would result in a CNEL increase of substantially less than 1 dB at all locations evaluated, which is well below the discernible level of change for the average healthy human ear. Thus, a **less-than-significant** impact would occur for proposed project–related off-site traffic noise increases affecting existing residences in the vicinity.

Table 4.11-8. Roadway Traffic Noise Modeling Results

Road Segment ID	Existing Noise Level (dBA CNEL)	Existing Plus Project Noise Level (dBA CNEL)	Existing Plus Near Term without Project Noise Level (dBA CNEL)	Existing Plus Near Term with Project Noise Level (dBA CNEL)	Buildout (2030) Noise Level (dBA CNEL)	Buildout (2030) Plus Project Noise Level (dBA CNEL)	Maximum Project-Related Noise Level Increase (dB)
1	66.9	67.0	66.9	67.0	69.3	69.4	0.1
2	67.0	67.1	67.0	67.1	69.3	69.4	0.1
3	68.5	68.5	68.5	68.5	69.9	70.0	0.1
4	68.9	68.9	68.9	69.9	69.6	69.7	0.1
5	64.2	64.3	64.4	64.5	65.8	65.8	0.1
6	68.7	68.8	69.3	69.4	70.2	70.3	0.1
7	68.9	69.2	69.2	69.4	68.9	69.2	0.3
8	67.8	67.8	67.8	67.9	69.1	69.2	0.1
9	68.4	68.4	68.4	68.5	67.9	67.9	0.1

Source: Appendix J
Notes: dBA = A-weighted decibel; CNEL = Community Noise Equivalent Level; dB = decibel.

Stationary Operations Noise

The incorporation of new multifamily homes, commercial, recreational amenity uses attributed to development of the proposed project would add a variety of noise-producing activities and mechanical equipment. The most important recreational amenity would be an exterior central courtyard in Building 3, adjacent to a proposed fitness studio within the ground floor of the building. Given the four-floor structure surrounding the central courtyard functioning as a sound barrier, mechanical equipment and recreational activities in the courtyard would not be expected to generate sound levels that are audible off site. With respect to other exterior mechanical equipment, such sources are considered stationary and are evaluated below.

Residential Unit Heating, Ventilation, and Air Conditioning Noise

The proposed project would include an air conditioning system for each residential unit with a refrigeration condenser unit mounted on the building roof shielded by a 5-foot-high roof parapet. The number of roof-top condenser units was obtained from the architecture plan set (AO Architects 2021). Table 4.11-9 lists the number of condenser units for each building. For noise modeling, Dudek used the reference sound level for a 4-ton residential unit (Carrier 16NA, sound power level of 76 dBA L_{eq}). The proposed 5-foot-high roof

parapet would provide attenuation ranging from 9.5 dB (for a receiver at 75 feet) to 16.3 dB (for a receiver at 400 feet), which represent the shortest and longest distances from an on-site building to an adjacent residential land use. A conservative attenuation factor of 9.5 dB was therefore included in the model for all roof-top equipment to account for the noise reduction associated with the roof parapet.

Table 4.11-9. Roof Top Mechanical Equipment per Building

Building Identification	Quantity - Residential Air Conditioning Unit Condensers
1	34
2	55
3	110
4	21
5	55
6	55

Source: Appendix J

Parking Garage Ventilation

A parking garage would be located beneath Building 3 and would require exhaust fans for ventilation. The parking garage would require a tube-axial type fan on the roof of Building 3 at each corner of the building, with a total estimated fan sound power for each fan of 97 dBA L_{eq}. Vertically, these fans on the roof would be 40 feet above grade, and the fan discharge plane would be behind the 5-foot roof parapet wall, like the residential condenser units.

Stationary Noise Source Modeling

Prediction of mechanical equipment operational noise attributed to the project involved creation of a sound propagation model using a Dudek proprietary Excel-based software tool. Dudek NoisePro is used for calculation, presentation, assessment, and prediction of environmental noise. Dudek used NoisePro to calculate the combined sound emission from the above-described air conditioner condensers and garage exhaust fans and to predict sound levels at receiver points placed in the model. The outdoor noise propagation formulas in NoisePro follow the International Organization of Standardization (ISO) Standard 9613-2, "Attenuation of Sound During Propagation Outdoors, Part 2: General Method of Calculation" (ISO 1996).

Table 4.11-10 presents the results of the project operational noise prediction modeling at the five modeled receptor locations (ST1-ST5) in the NoisePro model space. Note the modeled receiver locations correspond to the locations for the short-term noise measurements Dudek conducted to characterize the ambient noise environment. Refer to Figure 4.11-1 for the locations of ST1-ST5. These modeled receptor positions are intended to represent project operational sound levels along the property boundaries for comparison to Oceanside and Vista noise ordinance limits. As indicated in Table 4.11-10, project operational noise levels at each modeled location along the property boundary would fall below the more stringent nighttime limit, indicating that even if all equipment is operating in the overnight period, the project noise levels would comply. NoisePro also generates an exhibit with noise contours depicting the noise levels resulting from project operations, that illustrates noise levels extending several hundred feet from the site. Refer to the exhibit in Appendix J for the noise contour map from the NoisePro modeling.

Table 4.11-10. Stationary Noise Source Modeling Results Compared to Noise Ordinance

Road Segment ID	Description	Predicted Noise Level (dBA L_{eq})	Applicable Sound Level Limit (dBA L_{eq})1	Limit Exceeded?
ST1	Project Northern Property Boundary	51	55	NO
ST2	Project Northern/Western Property Boundary	44	55	NO
ST3	Project Western Property Boundary	46	60	NO
ST4	Project Southern Property Boundary	43	60	NO
ST5	Project Eastern Property Boundary	47	50	NO

Source: Appendix J
Notes:
1 The nighttime limit under the noise ordinance for Oceanside of Vista, as applicable.
dBA = A-weighted decibel; L_{eq} = Noise Equivalent Level (Average Noise Level)

In addition to comparing project operational noise to noise ordinance limits, Dudek also compared the predicted operational noise to ambient noise levels documented during the ambient noise survey, as reported for locations ST1-ST5. Table 4.11-11 presents the predicted project operational noise levels to the measured ambient noise levels. As indicated in Table 4.11-11, project operational noise levels at each modeled location along the property boundary would fall below the measured ambient noise level. Adding the project operational noise level to the ambient noise level would in each case result in less than a 3 dB increase.

Table 4.11-11. Stationary Noise Source Modeling Results Compared to Ambient

Road Segment ID	Description	Predicted Noise Level (dBA Leq)	Ambient Noise Level (dBA Leq)	Ambient Plus Project Noise Level (dBA Leq)	Increase Greater Than 3 dBA?
ST1	Project Northern Property Boundary	51	68	68	NO
ST2	Project Northern/Western Property Boundary	44	69	69	NO
ST3	Project Western Property Boundary	46	66	66	NO
ST4	Project Southern Property Boundary	43	51	52	NO
ST5	Project Eastern Property Boundary	47	52	53	NO

Source: Appendix J

On the basis of comparing predicted project operational noise levels against both noise ordinance limits and ambient noise levels, a **less-than-significant** impact would occur for proposed project operational noise.

Project Residences - Transportation Noise Exposure

Although not currently required by the California Environmental Quality Act, for informational purposes this noise assessment also predicted the potential exposure of new proposed project residential building occupants to noise from adjacent roadway traffic and passing railroad operations.

Roadway Traffic Noise

The potential traffic noise levels to which project residents could be exposed is normally based upon traffic volumes under the "Build Out Plus Project" scenario from the project traffic analysis. Using the results of the analysis of traffic noise increases from project-added trips (refer to discussion of this analysis presented above), the predicted traffic noise exposure from the 2030 Plus Project scenario for building facades oriented toward an adjacent roadway are presented in Table 4.11-12.

Table 4.11-12. Traffic Noise Exposure for Building Façades Oriented Toward a Roadway

Building	Adjacent Roadway	Predicted Noise Level (dBA CNEL)	Applicable Sound Level Limit (dBA CNEL)
1	West Bobier Drive	69	65
6	West Bobier Drive	69	
5	West Bobier Drive	67	
4	Melrose Drive	67	

Source: Appendix J
Notes: dBA = A-weighted decibel; CNEL = Community Noise Equivalent Level

Architectural plans indicate that private outdoor living space in the form of exterior balconies are proposed on the building facades oriented toward West Bobier Drive for Buildings 1, 5, and 6. The predicted traffic noise exposure in these balcony areas would marginally exceed the residential exterior noise criterion for Oceanside. A noise barrier across the balcony opening could be used to reduce the traffic noise exposure in the balcony areas to levels below the 65 dBA CNEL criterion.

The California Department of Health Services guidelines consider an exterior noise exposure of 60 to 70 dBA CNEL for high density residences to be "conditionally acceptable" while CCR Title 24 requires that an interior noise analysis be performed where exterior noise exposure would exceed 60 dBA CNEL. CCR Title 24 also requires that interior noise levels due to exterior noise sources not exceed 45 dBA CNEL for multi-family residences. An interior noise analysis is not currently required under CEQA, but a preliminary discussion for informational purposes is provided below.

No exterior wall assembly has been provided yet, but it is assumed the exterior wall for the project structures will be of standard construction and consist of three-coat stucco or exterior paneling over sheathing, on wood studs with a single layer of gypsum board on the interior and batt insulation in the cavity. This assembly has an attenuation capacity of typically 40-45 (identified by a Sound Transmission Classification rating), which means the exterior solid wall could reduce exterior noise levels by at least 40 dBA in interior spaces. However, windows and doors are not as effective in reducing noise levels from exterior to interior spaces. Therefore, to achieve the interior criterion of 45 dBA CNEL, exterior doors and windows on the West

Bobier Drive façade of Building 1 and Building 6 should have a minimum Sound Transmission Classification rating of 34; exterior doors and windows on the West Bobier Drive façade of Building 5 should have a minimum Sound Transmission Classification rating of 32; exterior doors and windows on the Melrose Drive façade of Building 4 should have a minimum Sound Transmission Classification rating of 32.

Rail Operations Noise

The Sprinter Light Rail Line runs to the south of the project site, at a distance of approximately 150 feet from the closest proposed residential structure. The Vista General Plan Noise Element (City of Vista 2011) indicates that the 65 dBA CNEL noise contour from the Sprinter line in the project vicinity extends 140 feet from the center of the tracks. Consequently, the maximum rail noise exposure for future residents at the site is anticipated to be 65 dBA CNEL. This noise exposure level is consistent with the Oceanside exterior noise exposure criteria for multi-family residential uses.

As previously discussed, an interior noise analysis is not currently required under CEQA, but a preliminary discussion for informational purposes is provided. With windows closed on the modern buildings planned for the proposed project that will provide air conditioning, resultant occupied interior background sound levels resulting from rail noise intrusion would be compliant with the 45 dBA CNEL interior standard as required by the CCR Title 24. According to the FHWA Highway Traffic Noise: Analysis and Abatement Guidance (FHWA 2011), standard construction residential building shells with dual-glazed windows provide 25 dB of noise reduction, and Title 24 energy standards require dual glazing windows in new construction. Since the proposed project building shell would appear to match or exceed this example, the resulting interior background noise level would be the difference between the anticipated 65 dBA CNEL and this noise reduction: 65 – 25 = 40 dBA CNEL, which is below the 45 dBA CNEL interior threshold. For the reasons stated above, impacts related to transportation noise exposure are determined to be **less than significant**.

Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Construction activities may expose persons to excessive groundborne vibration or groundborne noise, causing a potentially significant impact. Caltrans has collected groundborne vibration information related to construction activities. The vibration levels generated by common construction equipment are provided in Table 4.11-13.

Table 4.11-13. Vibration Source Levels for Construction Equipment

Equipment	PPV (ips) at 25 feet
Small Bulldozer	0.003
Jackhammer	0.035
Loaded Trucks	0.076
Large Bulldozer	0.089

Source: Caltrans 2020.

Information from Caltrans indicates that continuous vibrations with a PPV of approximately 0.2 ips is considered annoying. Construction vibration, at sufficiently high levels, can also present a building damage risk; the Caltrans guidance limit for avoidance of damage to residential structures is of 0.2 to 0.3 ips (Caltrans 2020). Given adjacent existing residences would be no closer than 30 feet from construction activities on the project site, vibration levels at these existing adjacent receivers would be no greater than

indicated in Table 4.11-13. None of these levels begin to approach 0.2 PPV. Therefore, potential impacts associated with construction-related vibration levels for both risk of human annoyance or vibration damage to nearby structures are considered **less than significant**.

Once operational, the proposed project would not be expected to feature major producers of groundborne vibration. Anticipated mechanical systems like heating, ventilation, and air-conditioning units are designed and manufactured to feature rotating (fans, motors) and reciprocating (compressors) components that are well-balanced with isolated vibration within or external to the equipment casings. On this basis, potential vibration impacts due to proposed project operation would be **less than significant**.

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?

There are no private airstrips within the vicinity of the project site. The closest airport to the project site is the Oceanside Municipal Airport, located approximately 5.5 miles west of the project site. According to the Airport Land Use Compatibility Plan (San Diego County Regional Airport Authority 2010), the project site is not located within an aviation noise exposure range of 60 dB CNEL and would therefore not expose people residing or working in the project area to excessive noise levels, since this 60 dB CNEL exterior noise standard is compatible with aforementioned state noise insulation standards. Therefore, impacts from aviation overflight noise exposure would be **less than significant**.

4.11.5 Mitigation Measures

The following mitigation measure would ensure that noise impacts during construction (**Impact NOI-1**) are reduced to below a level of significance:

MM-NOI-1 Prior to the issuance of a Construction Permit, the applicant/owner or Construction Contractor shall prepare and submit a Construction Noise Management Plan (CNMP) to the City of Oceanside Planning Division (City Planner) for review and approval. Prior to the issuance of a Construction Permit, Construction Plans shall also include a note indicating compliance with the CNMP is required. The CNMP shall be prepared or reviewed by a Qualified Acoustician (retained at the applicant/owner or Construction Contractor's expense) and feature the following:

A. A detailed construction schedule at daily (or weekly if activities during each day of the week are typical) resolution and correlating to areas or zones of on-site project construction activity(ies) and the anticipated equipment types and quantities involved. Information will include expected hours of actual operation per day for each type of equipment per phase, and indication of anticipated concurrent construction activities on site.

B. Suggested locations of a set of noise level monitors, attended by a Qualified Acoustician or another party under its supervision or direction, at which sample outdoor ambient noise levels will be measured and collected over a sufficient sample period and subsequently analyzed (i.e., compared with applicable time-dependent A-weighted decibel [dBA] thresholds) to ascertain compliance with the 8-hour Federal Transit Administration (FTA) guidance-based limit of 80 dBA equivalent sound level over a consecutive 8-hour period. Sampling shall be performed, at a minimum, on the first (or otherwise considered typical

construction operations) day of each distinct construction phase (e.g., each of the seven listed phases in Table 4.11-4).

C. If sample collected noise level data indicates that the 8-hour noise threshold has or will be exceeded, construction work shall be suspended (for the activity or phase of concern) and the applicant/owner or Construction Contractor shall implement one or more of the following measures as detailed or specified in the CNMP:

   i. Administrative controls (e.g., reduce operating time of equipment and/or prohibit usage of equipment type[s] within certain distances).

   ii. Engineering controls (upgrade noise controls, such as install better engine exhaust mufflers).

   iii. Install noise abatement on the site boundary fencing (or within, as practical and appropriate) in the form of sound blankets or comparable temporary barriers to occlude construction noise emission between the site (or specific equipment operation as the situation may define) and the noise-sensitive receptor(s) of concern.

The implemented measure(s) will be reviewed or otherwise inspected and approved by the Qualified Acoustician (or another party under its supervision or direction) prior to resumption of the construction activity or process that caused the measured noise concern or need for noise mitigation. Noise levels shall be re-measured after installation of said measures to ascertain post-mitigation compliance with the noise threshold. As needed, this process shall be repeated and refined until noise level compliance is demonstrated and documented. A report of this implemented mitigation and its documented success will be provided to the City Planner.

D. The applicant/owner or Construction Contractor shall make available a telephone hotline so that concerned neighbors in the community may call to report noise complaints. The CNMP shall include a process to investigate these complaints and, if determined to be valid, detail efforts to provide a timely resolution and response to the complainant, with a copy of resolution provided to the City Planner.

4.11.6 Level of Significance After Mitigation

With implementation of **MM-NOI-1**, potentially significant noise impacts would be reduced to a level below significance. Proper application of temporary noise barriers or comparable sound abatement due to implementation of **MM-NOI-1** would reduce noise levels by 10 dB, which would correspondingly reduce the predicted 89 dBA 8-hour L_{eq} for the grading phase to 79 dBA L_{eq}, which would make the level compliant with the 80 dBA threshold. Therefore, with implementation of **MM-NOI-1**, impacts related to noise as a result of project implementation **would be less than significant**.

INTENTIONALLLY LEFT BLANK

4.12 Population and Housing

This section describes the existing population and housing in the City of Oceanside (City), identifies associated regulatory requirements, evaluates potential population and housing impacts, and identifies mitigation measures related to implementation of the Modera Melrose Mixed Use Development Project (project or proposed project) on population and housing in the City.

4.12.1 Existing Conditions

The discussion herein provides background information regarding population and housing forecasts for the City based upon demographic information from the San Diego Association of Governments (SANDAG) and the City's Housing Element (2021–2029).

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 3,298,634 (USCB 2021). The City occupies approximately 42 square miles and had a population of 174,068 as of 2020 (USCB 2021). The City comprises approximately 5% of the population of San Diego County. Table 4.12-1 summarizes population growth within the City since 2000. As shown in Table 4.12-1, the City has maintained a relatively low level of population growth.

Table 4.12-1. Past Population Growth within Oceanside

Year	Population	Change	Percent Change
2000	160,905	----	----
2010	167,086	6,181	3.8
2015	175,691	8,605	5.2
2020	174,068	-1623	-0.9

Source: U.S. Census Bureau (USCB) 2000, USCB 2010, USCB 2020

SANDAG projects that population growth will increase between 2016 and 2025 but will then slowly decrease back to the relatively low population growth that has been typical within the City the last 20 years. SANDAG also forecasts the growth of jobs and housing, as shown in Table 4.12-2.

Table 4.12-2. Oceanside Regional Growth Forecast

Factors	Years			
	2016	2025	2035	2050
Population	176,461	183,541	183,541	187,728
Housing	66,200	69,725	72,246	74,913
Jobs	44,898	46,379	52,286	56,767

Source: SANDAG 2019a.

Housing

According to the California Department of Finance, the City had 66,283 housing units in January 2021. Table 4.12-3 provides a breakdown of housing units by type. A majority of the housing units are single-family, 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 the City's total housing units.

Table 4.12-3. 2021 Housing Units in Oceanside by Type

Unit Type	Total Units	
	Number	Percentage
Single-family detached	34,674	50.8
Single-family attached	7,603	11.5
Multi-family (2-4 units)	5,854	8.8
Multi-family (5+ units)	14,872	22.4
Mobile-Home	3,280	4.9
Total	**66,283**	**100**

Source: California Department of Finance 2021.

Housing tenure (owner versus renter) is an important indicator of the housing market. Communities need an adequate supply of units available both for rent and owner occupancy in order to accommodate a range of households with varying income, family size, composition and lifestyle. Just over half of the housing units in the City are owner-occupied, with a total vacancy rate of 7% (City of Oceanside 2021). Per the City's Housing Element, the total housing growth need allocated to the City in the 2021–2029 Housing Element is 5,443 units. This total is distributed by income categories as follows: very low–1,268 units (23%); low–718 units (13%); moderate–883 units (16%); and above moderate–2,574 (47%).

State law requires quantification and analysis of existing and projected housing needs of extremely low income (ELI) households. Extremely low income is defined as less than 30% of area median income. The 2020 area median income for San Diego County was approximately $92,700. For ELI households, this results in an income of $34,650 or less for a four-person household, when adjusted for high housing costs. Households with extremely low incomes have a variety of housing challenges and needs. According to the Census Bureau ACS estimates, approximately 8,970 ELI households resided in the City. Approximately 68% of ELI renter-households had housing cost burden, and about 61% of ELI owners were cost burdened. Cost burden occurs when housing costs exceed 30% of gross household income. The projected housing need for ELI households is assumed to be 50% of the very low-income regional housing need of 1,268 units. As a result, the City has a projected need for 634 ELI units (City of Oceanside 2021).

The current Regional Housing Needs Assessment (adopted November 2019) identifies housing needs in each SANDAG jurisdiction and allocates a fair share of that need across the represented regional communities. The Regional Housing Needs Assessment indicates that the San Diego Region needs to supply a total of 171,685 housing units for the planning period between 2021 and 2029 (SANDAG 2019b). This total is distributed by income category, as shown in Table 4.12-4.

Table 4.12-4. San Diego Regional Housing Needs Assessment Allocation

Very Low	Low	Moderate	Above Moderate	Total
42,332	26,627	29,734	72,992	171,685
24.4%	15.5%	17.3%	42.5%	100.0%

Source: SANDAG 2019b

The most recent Regional Housing Needs Assessment from SANDAG stated that Oceanside needs to build 5,443 units from 2021 through 2029 (SANDAG 2020). The City has a projected deficit of 1,268 very-low, 718 low-income units, 883 moderate and 2,574 above-moderate income units (SANDAG 2020).

Employment

Employment and job growth have an influence on housing needs in the region and in the City. As shown in Table 4.12-5, about two-thirds of the population aged 16 and over were in the City's labor force in 2018.

Table 4.12-5. Labor Force in Oceanside

Labor Force Status	Persons	Percentage
Population 16 years and over	142,187	100%
In labor force	91,921	65%
Civilian labor force	89,501	63%
Employed	83,950	59%
Unemployed	5,551	4%
Armed Forces	2,420	2%
Not in labor force	50,266	35%

Source: City of Oceanside 2021–2029 Housing Element.

SANDAG's forecast of job growth for the City and the San Diego region from 2010 to 2050 estimates that the City's job growth is projected to be faster than growth projected in the San Diego region until 2035, at which point growth slows compared to the region. While growth was projected to be 17% between 2010 and 2020, it slows to 10% between 2020 and 2035, and only 2% between 2035 and 2050 (City of Oceanside 2021).

Project Site

The project site is currently vacant land, surrounded by residential and commercial uses. Currently, there are no people residing on the project site. The project site has a General Plan land use designation of Neighborhood Commercial (NC) and is zoned Commercial Neighborhood (CN). Per the City's General Plan Housing Element (2021–2029), the NC land use designation and CN zoning district allows for mixed-use development, which includes various residential housing types.

As described in Chapter 3 of this EIR, the project would apply for waivers under the State Density Bonus Law. Under the Density Bonus Law if a project is developed with 10 or more residences, no fewer than 15% of those residences must be designated as "affordable" as defined by the state. Of the proposed 323 multi-family residential units, 33 of the units would be affordable/very low-income units, and the remaining 290 units would be considered market rate units, which complies with the Density Bonus Law provisions regarding affordable housing. Affordable units

would be commensurate to the overall project in unit size and dispersed throughout the project having access to all amenities available to the market rate units.

4.12.2 Regulatory Setting

State

California Government Code (Sections 65580-65590)

State law mandates local communities plan for enough housing to meet projected growth in California. Article 10.6 of the California Government Code (Sections 65580-65590) requires each County and City to prepare a Housing Element as part of its General Plan. The housing element is one of seven state-mandated elements that every General Plan must contain, and it is required to be updated every 5 to 8 years and determined legally adequate by the state. The purpose of the housing element is to identify the community's housing needs; state the community's goals and objectives with regards to housing production, rehabilitation, and conservation to meet those needs; and define the policies and programs that the community will implement to achieve the stated goals and objectives.

California Government Code (Section 65915)

California Government Code Section 65915 includes requirements for local governments to provide incentives and a density increase over the otherwise maximum allowable residential density under the Municipal Code and the Land Use Element of the General Plan (or bonuses of equivalent financial value) when builders agree to construct housing developments with units affordable to lower or moderate-income households.

The state has recently passed several bills that change the State Density Bonus law, including but not limited to the following:

- Assembly Bill 1763 (Density Bonus for 100% Affordable Housing) – Density bonus and increased incentives for 100% affordable housing projects for lower income households.
- Senate Bill 1227 (Density Bonus for Student Housing) – Density bonus for student housing development for students enrolled at a full-time college, and to establish prioritization for students experiencing homelessness.
- Assembly Bill 2345 (Increase Maximum Allowable Density) – Revised the requirements for receiving concessions and incentives, and the maximum density bonus provided.

Regional

San Diego Association of Governments

SANDAG is a public agency, composed of 18 cities and the County of San Diego, which builds strategic plans guiding the San Diego region in land use, growth, economics, and the environment. SANDAG also provides population and housing estimates for the region, which are based, in part, on local jurisdictional planning data, and inform regional planning.

The SANDAG Regional Comprehensive Plan, adopted in 2004, provides a long-term planning framework for the San Diego Region. The Regional Comprehensive Plan identified smart growth and sustainable development as important strategies to direct the region's future growth toward compact, mixed-use development in urbanized communities that already have existing and planned infrastructure, and then toward connecting those communities with a variety of transportation choices.

In 2011, SANDAG approved the 2050 RTP/SCS. This approval marked the first time SANDAG's RTP included a SCS, consistent with the Sustainable Communities and Climate Protection Act of 2008, also known as Senate Bill 375. This RTP/SCS provided a blueprint to improve mobility, preserve open space, and create communities, all with transportation choices to reduce greenhouse gas emissions and meet specific targets set by the California Air Resources Board as required by the 2008 Sustainable Communities Act.

SANDAG is required by law to update its regional transportation plan every 4 years. In December 2021, SANDAG adopted the latest update to its RTP/SCS. SANDAG's 2021 RTP/SCS, known as the 2021 Regional Plan, builds upon SANDAG's 2019 RTP/SCS, known as the 2019 Federal Regional Transportation Plan.

The 2021 Regional Plan updates growth forecasts and is based on the most recent planning assumptions including adopted land use plans, including the City's General Plan and other factors from the cities in the region and the County. SANDAG's Regional Plan will change in response to the ongoing land use planning of the City and other jurisdictions. For example, the City's General Plan, and other local general plans, may change based on general plan amendments initiated by the jurisdiction or landowner applicants. The general plan amendments may result in increases in development densities by amending the regional category designations or zoning classifications. Accordingly, the latest forecasts from the SANDAG RTP/SCS of future development in the San Diego region, including location, must be coordinated closely with each jurisdiction's ongoing land use planning because plans are not static, as recognized by the need for updates to SANDAG's RTP/SCS every 4 years.

San Diego Association of Governments Series 14 Regional Growth Forecast

The SANDAG Series 14 Regional Growth Forecast serves as the foundation for the 2021 Regional Plan and other planning documents across the region. This summary includes an overview of the regional demographic, economic, and housing trends expected over the next 34 years.

San Diego Association of Governments 6th Cycle Regional Housing Needs Assessment

State law requires that jurisdictions provide their fair share of regional housing needs. The California Department of Housing and Community Development is mandated to determine the statewide housing need. In cooperation with Department of Housing and Community Development, local governments and councils of government are charged with determining the city's or region's existing and projected housing need as a share of the statewide housing need.

Local

City of Oceanside General Plan

The state requires that each city draft and adopt a comprehensive General Plan that provides guidance for the city's growth and development. The City revised its Housing Element in 2021, which was previously intended for use until April 30, 2021, with a 2021–2029 Housing Element adopted in June 2021. The Housing Element is designed to provide development guidance for housing through facilitating the development of a variety of housing types, appropriately removing housing restraints, enhancing existing residential neighborhoods, promoting equal housing opportunities, and encouraging new housing growth patterns within the City until April 15, 2029 (City of Oceanside 2021).

The City's Density Bonus Ordinance was revised in the spring of 2012 to comply with the provisions of Senate Bill 1818, which facilitated higher density for developments that provided affordable housing. The City encourages

density bonus development as an option for new developments. On May 8, 2019, the City approved updates to zoning regulations to comply with revisions to the state Bonus Law. The 2021–2029 Housing Element update includes amendments to the coastal, non-coastal, and downtown district Zoning Ordinances to ensure density bonus requirements comply with current state law (California Government Code Section 65915, outlined above) (City of Oceanside 2021).

The City's Housing Element (2021–2029) includes the following goals, objectives, and policies that are relevant to the project:

Goal 1: Produce opportunities for decent and affordable housing for all of Oceanside's citizens.

Policy 1.1: Promote a high-quality urban environment with stable residential neighborhoods and healthy business districts.

Policy 1.2: Encourage and assist in neighborhood rehabilitation and beautification activities.

Policy 1.6: Encourage higher-density housing development along transit corridors and smart growth focus areas in order to encourage preservation of natural resources and agricultural land; reduce energy consumption and emissions of greenhouse gasses and other air pollutants; reduce water pollution occasioned by stormwater runoff; and promote active transportation with its associated health benefits.

Goal 3: Protect, encourage, and provide housing opportunities for persons of low and moderate income.

Policy 3.1: Continue to utilize federal and state subsidies to the fullest extent in order to meet the needs of lower income residents.

Policy 3.2: Use the City's regulatory powers to promote affordable housing.

Policy 3.4: Ensure that the development of lower income housing meets applicable standards of health, safety, and decency.

Policy 3.5: Encourage the development of housing for low and moderate income households in areas with adequate access to employment opportunities, community facilities, and public services.

Policy 3.7: Encourage the disbursement of lower and moderate income housing opportunities throughout all areas of the City.

Goal 4: Promote equal opportunity for all residents to reside in housing of their choice.

Policy 4.1: Prohibit discrimination in the sale or rental of housing with regard to race, ethnic background, religion, disability, income, sex, age, familial status or household composition.

General Plan Land Use Element

The General Plan Land Use Element includes the following goals, objectives, and policies that are relevant to the project:

Goal 1: Community Enhancement. The consistent, significant, long term preservation and improvement of the environment, values, aesthetics, character and image of Oceanside as a safe, attractive, desirable and well-balanced community.

Objective 1.16 Housing: 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 the reach of the diverse economic segments of Oceanside.

Policy 1.16C: The City shall ensure that housing is developed in areas with adequate access to employment opportunities, community facilities, and public services.

Policy 1.16E: The City shall protect, encourage, and where feasible, providing housing opportunities for persons of low and moderate income.

Goal 2.3: Residential Development. 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.

Policy 2.32B: Residential projects that possess and 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:

- Infrastructure improvements beyond what is necessary to serve the project and its population.
- Lot standards (i.e., lot area, width, depth) which exceed the minimum standards established by City policy.
- Development standards (i.e., parking, setbacks, lot coverage) which exceed the standards established by City policy.
- Superior architectural design and materials.
- Superior landscape/hardscape design and materials.
- Superior recreation facilities or other amenities.
- Superior private and/or semi-private open space areas.
- Floor areas that exceed the norm established by existing or approved development in the surrounding area.
- Consolidation of existing legal lots to provide unified site design.
- Initiation of residential development in areas where nonconforming commercial or industrial uses are still predominant.
- Participation in the City's Redevelopment, Housing, or Historical Preservation programs.
- 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.

4.12.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to population and housing are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to population and housing would occur if the project would:

1. 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).
2. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

4.12.4 Impacts Analysis

Would the Project 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?

The project would construct 323 multi-family residential units, which would have the potential to house approximately 904 people, based on the City's Housing Element of an average household size of 2.8 persons per dwelling unit (City of Oceanside 2021). The project site has a General Plan designation of Neighborhood Commercial (NC) with a consistent zoning designation of Neighborhood Commercial (CN), and the proposed project would be consistent with the designated land use and zoning for the site.

As described in Chapter 3, Project Description of this EIR, if a project is developed with 10 or more residences, under the Density Bonus Law, no fewer than 15% of those residences must be designated as "affordable" as defined by the state. Of the proposed 323 single-family homes, 33 of the units would be affordable/low-income units, and the remaining 290 units would be considered market rate units, which complies with the Density Bonus Law provisions regarding affordable housing. Therefore, the proposed mix of residential units totaling 323 units is consistent with the underlying uses anticipated for the project site and consistent with the provisions allowed under California's Density Bonus Law.

Furthermore, the most recent Regional Housing Needs Assessment from SANDAG stated that Oceanside needs to build 5,443 units from 2021 through 2029 (SANDAG 2020). The City has a projected deficit of 1,268 very-low, 718 low-income units, 883 moderate and 2,574 above-moderate income units (SANDAG 2020). The project is expected to bring 323 units to market in 2023/2024, including 33 low-income units and 290 market rate units, which would be within SANDAG's growth projection for housing during the 6th Cycle planning horizon (i.e., April 2021 – April 2029). Therefore, the project would not conflict with SANDAG's regional growth forecast for the City (Appendix B).

Although the project would directly lead to additional growth within the City, the increase in population growth at the project site is accounted for in the City's Housing Element and General Plan and meets the General Plan goals and policies, specifically Policy 3.5, which encourages development of low-income and

moderate-income housing opportunities and Policy 3.7, which encourages disbursement of low-income and moderate-income housing throughout the City. The project would not lead to indirect growth, as the project does not propose substantial infrastructure improvements that would allow for additional unplanned growth in the area. It is noted that the surrounding area already includes land developed or designated for residential uses, and land that has not been developed is designated as Open Space, limiting further substantial development of the area. Therefore, the project would not induce substantial unplanned population growth in the developed area, and impacts would be **less than significant**.

Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The project site is currently vacant and undeveloped. Therefore, the project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. Therefore, impacts would be **less than significant**.

4.12.5 Mitigation Measures

Impacts related to population and housing as a result of project implementation are determined to be less than significant, and therefore no mitigation measures are required.

4.12.6 Level of Significance After Mitigation

No substantial impacts related to population and housing were identified; therefore, no mitigation measures are required. Impacts related to population and housing would be **less than significant**.

INTENTIONALLY LEFT BLANK

4.13 Public Services

This section describes the existing fire, police, schools, parks, and other public service facilities to accommodate an increase in demand, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the Modera Melrose Mixed-Use Development Project (project or proposed project) on public services in the City of Oceanside (City).

4.13.1 Existing Conditions

Fire Protection

The Oceanside Fire Department (OFD) provides fire protection services to the City. The department's mission is to meet and exceed community needs and expectations through the preservation and protection of life, property, and the environment. The OFD has eight stations that serve over 180,000 residents and visitors over an area of 41 square miles. The OFD has a total of 115 full-time fire personnel, 34 full and part-time emergency medical technicians, 7 full-time lifeguard personnel, 76 part-time lifeguard personnel, and 8 support staff (OFD 2022). All truck and engine companies are staffed with a minimum of one company officer, one engineer, and one firefighter/paramedic. The Fire Operations Division also manages emergency medical service response, transport, and management. The following apparatus are in service full-time (OFD 2022):

- Fire Engines (7)
- Ambulances (5)
- Tiller Truck (1)
- Type 3 Brush Engines (3)
- Type 6 Brush Engine (1)
- 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 (1)

The OFD has eight firehouses located throughout the City. Of these stations, the closest to the project site is Station 6 (895 Santa Fe Avenue), located approximately 1.8 miles north of the project site. Station 8 (1935 Avenida Del Oro, Suite F) is the second closest station to the project site, located approximately 2 miles west of the project site (OFD 2022). As established by the City's General Plan, the City has the following standards for Fire Department facilities: strive to maintain a 5-minute response time from fire stations to all developed areas within the City, maintain staffing levels adequate to achieve a locally desirable Insurance Service Office rating, and strive to maintain a maximum response time for paramedic units of 8 minutes in urban areas and 15 minutes in rural areas (City of Oceanside 1990).

The OFD calls for service in 2019 (the most recent data available) were as follows:

- Total responses – 21,138
- Fire responses – 381

- Emergency medical service responses – 14,104
- Investigation/Good Intent – 3,819
- Vehicle accidents – 1,771
- Service calls – 1,995
- Hazardous condition – 144
- False alarms – 635
- Other – 60

In addition to providing emergency response services, non-emergency functions are continually performed by the OFD, including fire investigations, plan checks for all new development, fire prevention inspections, and public education and informational programs (OFD 2022).

The City has automatic aid agreements with the neighboring cities of Carlsbad and Vista. Per the agreement, when an emergency call comes into dispatch, the nearest emergency responder is notified regardless of the jurisdictional boundaries. The fire stations located closest to the project site are OFD stations, but non-OFD fire stations may also be notified in the event of an emergency at the project site.

Police Protection

The Oceanside Police Department (Police Department) comprises 228 sworn officers and 84 professional staff members who serve a population of more than 175,000 residents and handle approximately 110,000 calls for service each year (Oceanside Police Department 2022a). The Police Department consists of a Patrol Division, Traffic Unit, Harbor Police, School Safety Enhancement Team, Neighborhood Policing Team, Resource Team, Administrative/Front Desk Operations, and Senior Volunteer Patrol Program members. The Patrol Division is the largest division in the Police Department and consists of officers and field evidence technicians. Patrol officers are responsible for handling radio calls, taking crime reports, handling traffic enforcement, making arrests, resolving disputes, and preventing crime, while field evidence technicians process crime scenes, collect evidence, and take crime reports (Oceanside Police Department 2022b). The Police Department station is located at 3855 Mission Avenue, approximately 4.13 miles east of the project site.

According to the City's General Plan – Community Facilities Element, the Police Department shall strive to provide a maximum response time of five minutes for all Priority E and I emergency service calls (City of Oceanside 1990). Table 4.13-1 indicates that the Police Department has been meeting these response time goals as of 2019 (most recent data available).

Table 4.13-1. Oceanside Police Department Response Times

Call Priority	Average Response Time Goals	Actual Average Response Times
Priority E – Imminent threat to life	Within 5 minutes	3 minutes, 45 seconds
Priority 1 – Serious crimes in progress	Within 5 minutes	3 Minutes, 45 seconds
Priority 2 – Less serious crimes with no threat to life	Within 10 minutes	8 Minutes, 40 seconds
Priority 3 – Minor crimes/requests that are not urgent	Within 60 minutes	17 Minutes, 20 seconds
Priority 4 – Minor requests for police services	Within 60 minutes	17 Minutes, 20 seconds

Source: Armijo, pers. comm. 2019; Stauffer, pers. comm. 2019.

Schools

The Vista Unified School District (VUSD) provides education services to the eastern portion of the City where the project site is located. The VUSD covers approximately 36 square miles, and the District Office is located at 1234 Arcadia Avenue. The VUSD operates and maintains 15 elementary schools, 5 middle schools, 3 high schools, and 2 alternative high schools to approximately 20,000 students (VUSD 2022a). The project site is located within the service boundaries of 6 of VUSD's 25 schools: Mission Vista High School, Alta Vista High School, Vista Academy, Rosemont Middle School, T.H.E Leadership Academy, and Vista High School (VUSD 2022b). The closest elementary, middle, and high school are anticipated to serve future residents of the project include Maryland Elementary School (located approximately 0.43 mile southwest of the project site), Bobier Elementary School (located approximately 0.56 mile east of the project site), Roosevelt Middle School (located approximately 1.8 miles northwest of the project site), and Vista High School (located approximately 1 mile east of the project site).

The Oceanside Unified School District (OUSD) also provides K-12 educational services to the City. OUSD operates and maintains 12 elementary schools, 4 middle schools, 3 K-8 schools, 2 high schools, and 2 alternative schools (OUSD 2022).

Parks

The City maintains parks, recreational facilities, and community centers, including the beach, Buena Vista Lagoon, the San Luis Rey River, Calaveras Lake, Hosp Grove, golf courses, a dog park, skate parks, and trails. The City currently has approximately 642 acres of park land, as well as approximately 155 acres of public school-ground acreage (40% of the total school-ground acres) which are countable towards Oceanside's total park acreage, giving a total of approximately 797-acres of existing parkland. As of 2020, the City's parks and recreation facilities consist of 15 community and 17 neighborhood parks, 1 regional park, 3 recreation centers (Junior Seau Community Center, Joe Balderamma Recreation Center, and Melba Bishop Recreation Center), a YMCA and Boys and Girls Club, 2 senior centers, 5 skateparks, and 2 pools. Other facilities include Oceanside's 3.5 miles of beach, the harbor, and the pier (City of Oceanside 2021a).

The City's General Plan Recreational Trails Element focuses on the provision and maintenance of pedestrian, bicycle, and equestrian trial systems through the City. The City's General Plan Environmental Resource Management Element provides the City's recreational standards for parks, which includes the dedication of 5 acres of park per 1,000 residents (City of Oceanside 2002). In addition, the City's Parks and Recreation Division has a Parks and Recreation Master Plan to create a vision for the Park and Recreation system. The Parks and Recreation Master Plan was updated in 2019 and provides a guide for the orderly development of future park, recreation, and open space facilities and programs in order to meet the community's current and future needs through 2030. Goals of the Master Plan include a 15-minute walk for neighborhood parks or a 5-minute drive for community parks and special facilities (City of Oceanside 2019).

The closest neighborhood park to the project site is the 7-acre Alamosa Park located approximately 2 miles northwest of the project site. The closest community parks to the project site include 15.5-acre Rancho Del Oro Park, located approximately 2 miles west of the project site, and 10.5-acre John Landes Park and Recreation Center, located approximately 2.4 miles southwest of the project site. The closest regional park is Guajome Regional Park, located approximately 1.7 miles northwest of the project site. Please refer to Section 4.14 Recreation, for a detailed description of existing parks and recreation facilities within the City.

Other Public Facilities

The City operates two public library locations: The Civic Center Library on 330 North Coast Highway, and Oceanside Public Library Mission Branch on 3861 Mission Avenue (City of Oceanside 2022). The City's public libraries offer services to the community including, DVDs, CDs, audio books, eBooks, and children's books; public computers with internet access at both locations including available wi-fi; printing, faxing, scanning and copying services; private study rooms; special collections containing local and state history and world languages; a dedicated teen area; and programs for all ages. Library staff consist of library administration, public services (librarians), and support services (City of Oceanside 2022).

4.13.2 Regulatory Setting

State

California Fire Code

The California Fire Code and Office of the State Fire Marshal provides regulations and guidance for local agencies in the development and enforcement of fire safety standards. The California Fire Code also establishes minimum requirements that would provide a reasonable degree of safety from fire, panic, and explosion.

Senate Bill 50 – Leroy F Greene Schools Facilities Act of 1998

Senate Bill (SB) 50, or the Leroy F. Greene School Facilities Act of 1998, restricts the ability of local agencies to deny project approvals on the basis that public school facilities (classrooms, auditoriums, etc.) are inadequate. Payment of school fees are also collected at the time when building permits are issued. Payment of school fees is required by SB 50 for all new residential development projects and is considered full and complete mitigation of any school impacts (Government Code section 65996). As required by SB 50, school impact fees are payments to offset capital cost impacts associated with new developments, which result primarily from costs of additional facilities, related furnishings and equipment, and projected capital maintenance requirements. As such, agencies cannot require additional mitigation for any school impacts. School impact fees and fees collected pursuant to SB 50 are collected at the time when building permits are issued.

Quimby Act and Assembly Bill 1359

The Quimby Act, which is within the state's Subdivision Map Act, authorizes the legislative body of a city or county to require the dedication of land or impose fees for park or recreational purposes as a condition to the approval of a tentative or parcel subdivision map, if specified requirements are met. One of these requirements is that the dedicated land or fees, or combination thereof, shall be used only for the purposes of developing or rehabilitating neighborhood or community park or recreational facilities to serve the subdivision for which the land was dedicated or fees were paid. The act provides that the dedication of land or the payment of fees, or both, shall not exceed the proportionate amount necessary to provide 3 acres of park area per 1,000 persons residing within a subdivision subject to the act, except as specified.

California Government Code, Section 66000.5 – Mitigation Fee Act

The Mitigation Fee Act complements the Quimby Act by allowing separate impact and recreation facilities fees to be collected so that parks can be improved and recreation facilities can be maintained. The act also allows impact fees to be placed on non-subdivision residential developments.

California Education Code

Section 17620 of the California Education Code authorizes school districts to require construction projects within the boundaries of the districts to pay a fee used for funding construction or reconstruction of school facilities.

Local

City of Oceanside General Plan

Community Facilities Element

The City of Oceanside General Plan Community Facilities Element provides long-term policies for public services within the City, including fire protection, police protection, schools, and libraries. The element outlines adequate service ratios and future planning policies by which the Fire Department and Police Department must abide (City of Oceanside 1990). The following policies are appliable to the project:

Policy 3.1: The City of Oceanside shall strive to provide adequate Fire Department facilities through the achievement of the following facilities and service standards:

- A 5-minute response time from fire stations to all developed areas within the city of Oceanside
- Personnel staffing at a minimum of four people per company
- City maintaining staffing levels adequate to achieve a locally desirable Insurance Service Office (ISO) rating; and
- A maximum response time for paramedic units of 8 minutes in urban areas and 15 minutes in rural areas

Policy 3.5: Close coordination shall be maintained between planned improvements to the Circulation System within the City of Oceanside and the location of future fire stations, in order to assure adequate levels of service and response times to all areas of the community along existing and future arterials, collectors, and local streets.

Policy 3.10: In order to minimize fire hazards, the Oceanside Fire Department shall be involved in the review of development applications. Consideration shall be given to adequate emergency access, driveway widths, turning radii, fire hydrant locations, and Needed Fire flow requirements.

Policy 4.3: The Oceanside Police Department shall strive to provide a maximum response time of 5 minutes for all Priority I and II emergency service calls.

Additionally, the Community Facilities Element provides goals and policies aimed to provide adequate public facilities that support recreational and leisure activities as well as to contribute to overall health of the City's residents. Specifically, the Community Facilities Element establishes that an adequate parkland goal is 5 acres of

dedicated parkland per 1,000 residents within the city. As defined in the Community Facilities Element, community parks should meet the following:

a) The topography and land configuration should be sustainable to accommodate the park's proposed uses. A minimum of 65% of the park land area should be usable 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 residences;
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 resident neighborhoods should have at least one access point on a Collector road. Whenever possible, these facilities should be located adjacent to public schools.

City of Oceanside Municipal Code

Chapter 32B – Impact Fees

Chapter 32B of the City's Code of Ordinances covers all impact fees imposed by the City as a condition of development approval for the purpose of financing capital improvements, the need for which is attributable to such development, unless expressly exempted. Fees applicable to recreation include, (d) Park fees imposed pursuant to Ordinance No. 91-10; (e) Park fees imposed pursuant to article 40 of the Zoning Regulations (Ordinance No. 88-22, as amended).

Chapter 32C – Public Facility Fee

Chapter 32C of the City's Code of Ordinances outlines provisions for assessing and collecting public facilities fees as a condition of issuing a building permit for the purpose of defraying the actual or estimated costs of constructing needed public facilities pursuant to the community facilities element of the general plan. Public facilities shall include all governmental facilities specified in the adopted elements of the city's general plan, including the community facilities element, or such facilities contained in the city's five-year capital improvement program. Prior to the issuance of a building permit for new construction, including residential and nonresidential development, on any property within the Citywide area of benefit established pursuant to this chapter, the applicant for such permit shall pay or cause to be paid any fees established and apportioned pursuant to this chapter for the purpose of defraying the actual or estimated cost of constructing the city's public facilities. The amount of such fee shall be fixed by resolution of the city council in accordance with the provisions of Chapter 32B. The purpose of this chapter is to ensure that the quality of life of all residents is protected as new development occurs, and that the ability of the city to provide public facilities for the benefit of the city as a whole exists. Because the police, fire, general government and library facilities addressed in the public facilities fee provide benefit to the entire City, the area of benefit for the public facilities fee is the City boundaries.

Chapter 32D – Park Land Dedication and Payment of Fees

Chapter 32D of the City's Code of Ordinances outlines provisions that apply to all development within the City of Oceanside 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 this chapter for the purposes of providing open space, park and recreational facilities. In accordance with the standards of five (5) acres of developed parkland for each one thousand (1,000) people, set forth in the community facilities element, a developer shall dedicate land and/or pay a fee as required by this chapter. The city council shall, by resolution, fix said dedication and/or fee requirements. Fees collected pursuant to this chapter shall be allocated and expended pursuant to the requirements of Chapter 32B of the City Code.

City of Vista Development Code 16.52 – School Facilities Dedications and Fees

The School Facilities and Dedication Fees chapter of the Municipal Code provides guidance to the city, an affected school district, and project applicants for undertaking reasonable steps to alleviate overcrowded school facilities. The chapter lists reasonable methods for mitigating conditions of overcrowding and provides alternative authority to that provided under CEQA, general plan policies and elements of the city, and state law to permit continued alleviation of conditions of overcrowding.

4.13.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to public services are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to public services would occur if the project would:

1. 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
    - Police Protection
    - Schools
    - Parks
    - Other public facilities

4.13.4 Impacts Analysis

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?

The project site is currently vacant, and implementation of the project could result in an increase in demand on OFD as a result of new residential and commercial development at the project site. However, the project is located within an existing neighborhood and highly developed area of the City that already receives fire protection services. Additionally, as described in Section 4.12, Population and Housing, of this EIR, the proposed 323 residential units would result in an increase of approximately 904 people at the project site,

which has been accounted for in the City's General Plan. The increase of approximately 904 people at the project site is not expected to result in a substantial increase in service calls to the OFD.

As described above, the OFD has eight firehouses located throughout the City. Of these stations, the closest to the project site is Station 6 (895 Santa Fe Avenue), located approximately 1.78 miles northwest of the project site. Station 8 (1935 Avenida Del Oro, Suite F), the second closest station to the project site, is located approximately 2.14 miles west of the project site (OFD 2022). In addition to the City's eight fire stations, the City has an automatic aid agreement with the neighboring cities of Carlsbad and Vista. Per the agreement, when an emergency call comes into dispatch, the nearest emergency responder is notified regardless of the jurisdictional boundaries.

In the event of an emergency, adequate emergency access would be provided via the entrance located on West Bobier Drive. Circulation and emergency access drives have been designed in consultation with Oceanside Fire staff to provide 28 -foot minimum widths with designated truck turnarounds and key staging areas throughout the project site. Prior to project development, OFD would be required to review and approval all final site plans for the project to ensure adequate site accessibility and response times. Additionally, the City has an established public facility development impact fee program (Municipal Code Chapter 32B and 32C) that requires new development to provide funds towards capital improvements for public services including fire and emergency services. The project would be required to pay applicable developer impact fees in accordance with the City's requirements.

Therefore, while development of the project site would place a slight increase in demand on fire protection services in comparison to existing conditions, it is not anticipated that the project would result in the need for new fire personnel or equipment or require construction of a new station or expansion of existing fire facilities. The project is expected to be adequately served by existing fire stations, and impacts related to fire protection are determined to be **less than significant**.

Police Protection?

As described above, the project site is currently vacant, and implementation of the project could result in an increase in demand for police protection services as a result of new residential and commercial development at the project site. However, similar to fire protection, the project site is surrounded by existing residential development that already receives police protection services. Additionally, as described in Section 4.12, Population and Housing, of this EIR, the proposed 323 residential units would result in an increase of approximately 904 people at the project site, which has been accounted for in the City's General Plan. The increase of approximately 904 people at the project site is not expected to result in a substantial increase of service calls to the Police Department.

As described under Section 4.13.1 above, the Police Department includes 228 sworn officers and 84 professional staff members who serve a population of more than 175,000 residents and handle approximately 110,000 calls for service each year (Oceanside Police Department 2021a). As indicated in Table 4.13-1 above, the Police Department has been meeting response time goals as of 2019. The Police Department station is located at 3855 Mission Avenue, located approximately 4.2 miles west of the project site.

The project would be required to provide adequate site access, emergency access, and maintain police department response times. In the event of an emergency, adequate emergency access would be provided via the entrance located on West Bobier Drive. Additionally, as described above, the City has an established public

facility development impact fee program (Municipal Code Chapter 32B and 32C) that requires new development to provide funds towards capital improvements for public services including police services. The project would be required to pay applicable developer impact fees in accordance with the City's requirements.

Therefore, while development of the project site would place a slight increase in demand on police protection services, it is not anticipated that the project would result in the need for construction or expansion of existing police facilities to accommodate new police personnel or equipment. The project is expected to be adequately served by existing police department stations, and impacts related to police protection are determined to be **less than significant**.

Schools?

The project would directly increase the population through development of new residential units at the project site and would therefore increase existing demand on school facilities. School-age (K through 12) residents at the project site would be served by the VUSD. School-age students are expected to attend the following schools, as they are located closest to the project site:

- Maryland Elementary School (located approximately 0.43 mile southwest of the project site), or Bobier Elementary School (located approximately 0.56 mile east of the project site)
- Roosevelt Middle School (located approximately 1.8 miles northwest of the project site)
- Vista High School (located approximately 1 mile east of the project site).

The OUSD also provides K-12 educational services to the City. OUSD operates and maintains 12 elementary schools, 4 middle schools, three (3) K-8 schools, 2 high schools, and 2 alternative schools (OUSD 2022). However, for the purpose of this analysis, it is assumed that students generated by the proposed project would attend the closest public schools to the project site, which are in the VUSD.

As described previously, the proposed 323 residential units would result in an increase of approximately 904 people at the project site. VUSD uses a student generation rate of 0.4374 for multiple-family dwelling units. As shown in Table 4.13-2, the project would be expected to generate approximately 76 elementary school students, 32 middle school students, and 33 high school students, for a total of 141 students.

Table 4.13-2. Potential Student Yield for the Project

Proposed Units	Student Yield Factor			Students Yielded by Project		
	Elementary School	Middle School	High School	Elementary School	Middle School	High School
323	0.2354	0.0990	0.1030	76	32	33

Source: City of Vista, 2011

The generation of approximately 141 is expected to be adequately served by VUSD, and if necessary, OUSD. However, review of the project and a will-serve letter from VUSD will be required for the project prior to development. Additionally, it should be considered that not all students residing at the project site would be new to the City or VUSD. Students generated by the project would be subject to VUSD's Open Enrollment School of Choice, which accepts students on a space available basis. Of the 25 total schools within the VUSD (not including private schools), it is determined that the number of students generated by the project would be adequately served by existing facilities.

Furthermore, the project applicant would be subject to City development impact fees, as applicable, as well as applicable VUSD development impact fees. As outlined in Section 4.13.2 above, developer fees allows school districts to impose mitigation fees on new development as a method of addressing increased enrollment. SB 50 states that the fees imposed by school districts shall constitute the exclusive method of considering and mitigating impacts on school facilities caused by a development project. Such payment shall provide "full and complete mitigation of the impacts of any legislative or adjudicative act…on the provision of adequate school facilities" (Government Code Section 65995[h]). As such, contribution of required development fees would ensure impacts to schools as a result of students generated by the project would be **less than significant**.

Parks?

The project site is currently vacant, and an increase of approximately 904 people could result in the potential for increased use of existing neighborhood and regional parks. In accordance with the City's Municipal Code, Chapter 32D, the project is required to either (1) create dedicated park land within or partly within the project site, whose acreage would be determined by the City, (2) dedicate land usable for recreation purposes in addition to paying a portion of the park impact fee, or (3) pay the entire park impact fee (City of Oceanside 2021b).

As described above, the City currently has approximately 642 acres of park land. In addition, 155.6 acres of public school-ground acreage (40% of the total school-ground acres) are countable toward Oceanside's total park acreage giving a total of 797-acres of existing parkland. The closest neighborhood park to the project site is the 7-acre Alamosa Park located approximately 2 miles northwest of the project site. The closest community parks to the project site include 15.5-acre Rancho Del Oro Park, located approximately 2 miles west of the project site, and 10.5-acre John Landes Park and Recreation Center, located approximately 2.4 miles southwest of the project site. The closest regional park is Guajome Regional Park, a 394-acre park located approximately 1.7 miles northwest of the project site. The closest park to the project site is Vista Sports Park located in the City of Vista, approximately 0.3 mile north of the project site.

According to the City's General Plan – Community Facilities Element, the City's goal is to provide a minimum of 5 acres of developed "community parks" per 1,000 residents within the City (City of Oceanside 1990). As described above, the City currently has a total of approximately 797 acres of existing parkland. As of 2020, the population within the City of Oceanside was 174,068, resulting in a parkland service ratio of approximately 4.5 acres per 1,000 residents. While this is below the current standard of 5 acres per 1,000 residents, the existing inventory includes only 2 acres of the 465-acre El Corazon Specific Plan area. Planned development of El Corazon Park would result in an additional 210 acres of parkland. With completion of El Corazon Park, the City's parkland service ratio would increase to approximately 5.7 acres per 1,000 residents (City of Oceanside 2021a).

In addition to existing City parks and recreational facilities, residents of the project site would have private access to 31,635 square-feet (0.73 acres) of common open space, as proposed by the project, which consists of a central courtyard, and landscaped areas and passive open space throughout the project site. As discussed in Section 4.14, Recreation, the centrally-located common open space includes a pool and spa, barbeque area, and shaded lounge areas for residents. Additionally, each residence would have either a balcony or patio, which would provide a total of approximately 19,848 square-feet of private open space within the project site. Overall, a total of 51,483 square-feet (1.18-acres) of useable open space would be provided by the project. Three hundred square-feet of open space per unit is required by the City, and the

project proposes approximately 159 square-feet of open space per unit. The project would apply a waiver to accommodate the proposed Density Bonus Units and reduce the amount of usable open space per unit.

Although the project would potentially increase the utilization of existing parks and recreational facilities within the City; it is determined that the combination of proposed on-site recreational amenities and private open space, existing public park and recreational facilities in the project vicinity, and proposed future recreational facilities within the City would adequately serve future residents of the project site. Additionally, the project developer would be responsible to pay applicable development and park impact fees. Such fees for new residential development within the City go towards facilities such as (but not limited to) parks, public facilities, and schools. Therefore, it is determined that implementation of the project would have a **less-than-significant** impact on existing park facilities.

Please also refer to Section 4.14, Recreation, for additional details and impact analysis on existing park and recreation facilities within the City.

Other Public Facilities?

As described above, the City operates two public library locations: The Civic Center Library on 330 North Coast Highway, and Oceanside Public Library Mission Branch on 3861 Mission Avenue (City of Oceanside 2022). The Oceanside Public Library Mission Branch is located approximately 4.5 miles east of the project site. The two existing public libraries, in addition to school libraries that would serve students at the project site are expected to adequately serve the approximately 904 residents generated by the project. Furthermore, payment of development impact fees, as applicable, in accordance with Municipal Code Chapters 32B and 32C would address the need for additional public services generated by new development. For these reasons, impact to libraries or other public facilities as a result of project implementation is determined to be **less than significant**.

4.13.5 Mitigation Measures

Impacts related to public services as a result of project implementation are determined to be less than significant, and therefore no mitigation measures are required.

4.13.6 Level of Significance After Mitigation

No substantial impacts related to public services were identified; therefore, no mitigation measures are required. Impacts related to recreation would be **less than significant**.

INTENTIONALLY LEFT BLANK

4.14 Recreation

This section describes the existing recreation conditions of the project site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of Modera Melrose Mixed-Use Development Project (project or proposed project) in the City of Oceanside (City).

4.14.1 Existing Conditions

The City's General Plan Recreational Trails Element was last updated in June 2002 (City of Oceanside 2002). The purpose of the Recreational Trails Element is to state the specific goals and objectives that will improve the operation and design of the City's trail system for bicycles, pedestrians, and equestrians. The Recreational Trails Element replaced the City's Non-Motorized Transportation Element (1976) and is a sub-element of the Circulation Element. Information from the Recreational Trails Element is incorporated herein. Due to the age of this document, information from the Background Report #2: Land Use and Community Resources prepared by the City in June 2021 (City of Oceanside 2021) in support of the General Plan Update, has also been referenced herein for more updated information on parks and recreational open space within the City, in addition to the City's 2019 Parks and Recreation Master Plan.

Surrounding Parks and Trails

The City of Oceanside maintains parks, recreational facilities, and community centers, including the beach, Buena Vista Lagoon, the San Luis Rey River, Calaveras Lake, Hosp Grove, Guajome Regional Park, golf courses, a dog park, skate parks, and trails. The City currently has approximately 642 acres of park land. As of 2020, the City's parks and recreation facilities consist of 15 community and 17 neighborhood parks, 1 regional park, 3 recreation centers (Junior Seau Community Center, Joe Balderamma Recreation Center, and Melba Bishop Recreation Center), a YMCA and Boys and Girls Club, 2 senior centers, 5 skateparks, and 2 pools. Other facilities include Oceanside's 3.5 miles of beach and the City's harbor and pier (City of Oceanside 2021).

The City's General Plan Recreational Trails Element focuses on the provision and maintenance of pedestrian, bicycle, and equestrian trial systems through the City. The City's General Plan Environmental Resource Management Element provides the City's recreational standards for parks, which includes the dedication of 5 acres of park per 1,000 residents (City of Oceanside 2002). In addition, the City adopted a Parks and Recreation Master Plan to create a vision for the park and recreation system. The Parks and Recreation Master Plan was updated in 2019 and provides a guide for the orderly development of future park, recreation, and open space facilities and programs in order to meet the community's current and future needs through 2030. Goals of the Master Plan include a 15-minute walk for neighborhood parks or a 5-minute drive for community parks and special facilities. The Master Plan defines five major categories of park types: Neighborhood Parks, Community Parks, Community Centers, Regional Parks, and Special Use Parks. These give park categories are described below (City of Oceanside 2019).

- Neighborhood Parks are generally smaller parks that provide both passive and limited active recreation but tend to focus on passive recreation. They are typically less than 5 acres in size and serve nearby residents within a 15-minute walkshed. They generally do not include Citywide facilities, such as gyms, pools, or sports fields.
- Community Parks serve daily recreational needs of the community as well as the local broader neighborhood. They are generally larger than 5 acres in size and service an area within a 5-minute driveshed. Citywide sports fields, pools, and court sports are concentrated in these locations.

- Community Centers are community buildings that provide a wide range of activities serving the community as a whole. These centers often accommodate special events, recreation programs, offices, and community services. These facilities can pull from users all over the community but should be accessible by a 5-minute drive.
- Regional Parks are parks that are larger than 30 acres, serve the region, and provide a range of activities including passive and active recreation opportunities and often include open space, cultural, and/or natural resources. The sole park classified as regional is the75-acre Guajome Regional Park, which includes 4.5 miles of multi-use trails, diverse habitats, and recreation areas featuring playgrounds, a basketball court and a 33-site campsite.
- Special Use Parks are a broad category of facilities which focus on specific functions, themes, or user groups. They include facilities such as Heritage Park, the Municipal Golf Course, Oceanside Harbor and Oceanside Pier, and swim facilities.

The closest City of Oceanside neighborhood park to the project site is the 7-acre Alamosa Park located approximately 2 miles northwest of the project site. The closest community parks to the project site include 15.5-acre Rancho Del Oro Park, located approximately 2 miles west of the project site, and 10.5-acre John Landes Park and Recreation Center, located approximately 2.4 miles southwest of the project site. The closest regional park is Guajome Regional Park, located approximately 1.7 miles northwest of the project site. The closest park to the project site is Vista Sports Park, located in the City of Vista, approximately 0.3 mile north of the project site.

Planned parks in the City include El Corazon Park, located in the center of the City bounded by Rancho Del Oro Drive on the east, Oceanside Boulevard on the south, El Camino Real on the west and Mesa Drive on the north. In 2009 the El Corazon Specific Plan was adopted to guide and implement the vision for the 465-acre area. Future plans for the site include 212 acres of parks and recreation, 164 acres of habitat, 34 acres of civic services, 25 acres of commercial, 19 acres of village commercial, and 11 acres of hotel (City of Oceanside 2021).

Accounting for the total acreage of Oceanside's parks including Regional, Community, Special Use, and Neighborhood Parks, as well as golf courses and Community Centers, the City of Oceanside currently provides approximately 642-acres of parkland. In addition, 155.6 acres of public school-ground acreage (40% of the total school-ground acres) are countable toward Oceanside's total park acreage giving a total of 797-acres of existing parkland. As of 2020, the population within the City of Oceanside was 174,068, resulting in a parkland service ratio of 4.5 acres per 1,000 residents. While this is below the current standard of 5 acres per 1,000 residents, the existing inventory includes only 2 acres of the El Corazon site. Planned development of El Corazon will result in an additional 210 acres of parkland. With completion of El Corazon, the parkland service ratio will increase to 5.7 acres per 1,000 residents (City of Oceanside 2021).

4.14.2 Regulatory Setting

State

Quimby Act

California allows a city or county to pass an ordinance that requires, as a condition of approval of a subdivision, either the dedication of land, the payment of a fee in lieu of dedication, or a combination of both for park and recreational purposes (California Government Code Section 66477). This legislation, commonly called the "Quimby Act," establishes a maximum parkland dedication standard of 3 acres of parkland per 1,000 residents for a new subdivision development unless the amount of existing neighborhood and community parkland exceeds that limit.

Local

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 City of Oceanside General Plan is comprised of multiple elements addressing specific areas of development. The sections that address goals and policies related to recreation are the Community Facilities Element, Environmental Resource Management Element, Land Use Element, and Recreational Trails Element. Each of these elements are described in detail as they related to parks and recreation below.

Community Facilities Element

The Community Facilities Element provides overall guidance for maintaining and developing the City's public services and facilities, including parks and other recreational facilities. The goals and policies contained in the Community Facilities Element aim to provide adequate public facilities that support recreational and leisure activities as well as to contribute to overall health of the City's residents. Specifically, the Community Facilities Element establishes that an adequate parkland goal is 5 acres of dedicated parkland per 1,000 residents within the city.

As defined in the Community Facilities Element, community parks should meet the following:

a) The topography and land configuration should be sustainable to accommodate the park's proposed uses. A minimum of 65% of the park land area should be usable 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 residences;
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 resident neighborhoods should have at least one access point on a Collector road. Whenever possible, these facilities should be located adjacent to public schools.

Environmental Resource Management Element

The Environmental Resource Management Element provides guidance to 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. Open space is generally defined as land areas absent of man-made structures.

Land Use Element

The Land Use Element provides policies, definitions, and zoning designations for all land use types in the City. It establishes guiding policies for each type of land use including open space and community facilities. As it related to parks and recreation the Land Use Element gives overall direction of 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.

Circulation Element

The City's Circulation Element includes the Pedestrian Master Plan, the Bicycle Master Plan, and the Recreational Trails Element.

Pedestrian Master Plan

The City of Oceanside Pedestrian Master Plan aims to guide how the City plans and implements pedestrian projects, including projects to enhance neighborhood quality or mobility options by providing pedestrian improvement projects. The Pedestrian Master Plan identifies and prioritizes pedestrian projects based on technical analyses and community input and provides a prioritized list of projects to improve the City's ability to receive grant funding to implement the top priority projects.

Bicycle Master Plan

The Bicycle Master Plan is a comprehensive update to the 1995 City of Oceanside Circulation Element and Recreational Trails Element and identifies points where the city's bikeway system could be integrated with the San Diego County regional bikeway system. The Bicycle Master Plan evaluates the City's existing bikeway facility system and its relationship with other systems, such as mass transit, and recommends improvements wherever appropriate. Additionally, the goal of the Bicycle Master Plan is to maximize the efficiencies offered by multi-modal connections between mass transit and bikeways as well as to promote a viable alternative to the automobile travel in a climate particularly conducive to bicycle transportation. The City aims to implement the Bicycle Master Plan to provide a more convenient bikeway system for cyclists, especially for those who choose bicycle transportation over vehicle transportation.

Recreational Trails Element

The Recreational Trails 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.

City of Oceanside Municipal Code

Chapter 32B – Impact Fees

Chapter 32B of the City's Code of Ordinances covers all impact fees imposed by the City as a condition of development approval for the purpose of financing capital improvements, the need for which is attributable to such development, unless expressly exempted. Fees applicable to recreation include, (d) Park fees imposed pursuant to Ordinance No. 91-10; (e) Park fees imposed pursuant to article 40 of the Zoning Regulations (Ordinance No. 88-22, as amended).

Chapter 32C – Public Facility Fee

Chapter 32C of the City's Code of Ordinances outlines provisions for assessing and collecting public facilities fees as a condition of issuing a building permit for the purpose of defraying the actual or estimated costs of constructing needed public facilities pursuant to the community facilities element of the general plan. *Public facilities* shall include all governmental facilities specified in the adopted elements of the city's general plan, including the community facilities element, or such facilities contained in the city's five-year capital improvement program. Prior

to the issuance of a building permit for new construction, including residential and nonresidential development, on any property within the Citywide area of benefit established pursuant to this chapter, the applicant for such permit shall pay or cause to be paid any fees established and apportioned pursuant to this chapter for the purpose of defraying the actual or estimated cost of constructing the city's public facilities. The amount of such fee shall be fixed by resolution of the city council in accordance with the provisions of Chapter 32B. The purpose of this chapter is to ensure that the quality of life of all residents is protected as new development occurs, and that the ability of the city to provide public facilities for the benefit of the city as a whole exists. Because the police, fire, general government and library facilities addressed in the public facilities fee provide benefit to the entire City, the area of benefit for the public facilities fee is the City boundaries.

Chapter 32D – Park Land Dedication and Payment of Fees

Chapter 32D of the City's Code of Ordinances outlines provisions that apply to all development within the City of Oceanside 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 this chapter for the purposes of providing open space, park and recreational facilities. In accordance with the standards of five (5) acres of developed parkland for each one thousand (1,000) people, set forth in the community facilities element, a developer shall dedicate land and/or pay a fee as required by this chapter. The city council shall, by resolution, fix said dedication and/or fee requirements. Fees collected pursuant to this chapter shall be allocated and expended pursuant to the requirements of Chapter 32B of the City Code.

Parks and Recreation Master Plan

Adopted in November 2019, the Parks and Recreation Master Plan provides guidance on the development of future parks, recreation, and open space facilities in order to meet the needs of the community. The Master Plan identifies existing facilities, provides a Citywide needs assessment, proposes implementation strategies, and includes overall goals and policies for the development, maintenance, renovation, and acquisition of park facilities.

4.14.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to recreation are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to recreation would occur if the project would:

1. 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.
2. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

4.14.4 Impacts Analysis

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?

As described in Section 4.12, Population and Housing, of this EIR, the project would construct 323 residential units, which would have the potential to house approximately 904 people, based on the City's Housing Element of an average household size of 2.8 persons per dwelling unit. An increase of 904 people at the currently vacant project

site would result in the potential for increased use of existing neighborhood and regional parks. In accordance with the City's Municipal Code, Chapter 32D, the project is required to either (1) create dedicated park land within or partly within the project site, whose acreage would be determined by the City, (2) dedicate land usable for recreation purposes in addition to paying a portion of the park impact fee, or (3) pay the entire park impact fee (City of Oceanside 2020).

As described above, the City's parks and recreation facilities consist of 15 community and 17 neighborhood parks, 1 regional park, 3 recreation centers (Junior Seau Community Center, Joe Balderamma Recreation Center, and Melba Bishop Recreation Center), a YMCA and Boys and Girls Club, 2 senior centers, 5 skateparks, and 2 pools. Residents can also enjoy more than 115 acres of school play areas as provided through Memoranda of Understanding with the Oceanside Unified School District. Other facilities, including Oceanside's 3.5 miles of beach and the City's harbor and pier (City of Oceanside 2021). The closest neighborhood park to the project site is the 7-acre Alamosa Park located approximately 2 miles northwest of the project site. The closest community parks to the project site include 15.5-acre Rancho Del Oro Park, located approximately 2 miles west of the project site, and the 10.5-acre John Landes Park and Recreation Center, located approximately 2.4 miles southwest of the project site. The closest regional park is Guajome Regional Park, a 394-acre park located approximately 1.7 miles northwest of the project site.

According to the City's General Plan – Community Facilities Element, the City's goal is to provide a minimum of 5 acres of developed "community parks" per 1,000 residents within the City (City of Oceanside 1990). As described above, the City currently has a total of 797.7-acres of existing parkland. As of 2020, the population within the City of Oceanside was 174,068, resulting in a parkland service ratio of 4.5 acres per 1,000 residents. While this is below the current standard of 5 acres per 1,000 residents, the existing inventory includes only 2 acres of the 465-acre El Corazon Specific Plan area. Planned development of El Corazon Park will result in an additional 210 acres of parkland. With completion of El Corazon Park, the parkland service ratio will increase to 5.7 acres per 1,000 residents (City of Oceanside 2021).

A total of 31,635 square-feet (0.73-acre) of common open space is proposed, which consists of a central courtyard, and landscaped areas and passive open space throughout the project site. The centrally located common open space creates a gathering spot for neighbors, and includes a pool and spa, barbeque area, and shaded lounge areas. Additionally, each residence would have either a balcony or patio, which would provide a total of approximately 19,848 square feet of private open space within the project site. Overall, a total of 51,483 square feet (1.18 acres) of usable open space would be provided by the project. Three hundred square feet of open space per unit is required by the City, and the project proposes approximately 159 square feet of open space per unit. The project would apply a waiver to accommodate the proposed Density Bonus Units and reduce the amount of usable open space per unit.

Although the project would potentially increase the utilization of existing parks and recreational facilities within the City; it is determined that the combination of proposed open space amenities on site, existing park and recreational facilities in the area, and proposed future recreational facilities within the City would adequately serve future residents of the project site. Additionally, the project developer would be responsible for applicable developer and park impact fees. Such fees for new residential development within the City go towards facilities such as (but not limited to) parks, public facilities, and schools. Furthermore, the increase of approximately 904 people at the project site has been accounted for in the City's General Plan. Therefore, it is determined that implementation of the project would have a **less than significant** impact on existing recreation facilities.

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?

As described in response to threshold (1), above, the project includes 31,635 square-feet (0.73-acre) of common open space is proposed, which consists of a central courtyard, and landscaped areas and passive open space throughout the project site. The centrally located common open space creates a gathering spot for neighbors, and includes a pool and spa, barbeque area, and shaded lounge areas. Additionally, each residence would have either a balcony or patio, which would provide a total of approximately 19,848 square feet of private open space within the project site. Overall, a total of 51,483 square-feet (1.18 acres) of usable open space would be provided by the project. Three hundred square feet of open space per unit is required by the City, and the project proposes approximately 159 square feet of open space per unit. The project would apply a waiver to accommodate the proposed Density Bonus Units and reduce the amount of usable open space per unit.

Open space and recreational amenities proposed as part of the project have been analyzed throughout this EIR and would not result in any adverse physical effect on the environment. Implementation of the project is not anticipated to result in accelerated deterioration of existing parkland or recreation facilities that would necessitate the construction or expansion of additional parks or recreational facilities off-site. The project would increase the use of existing parks and recreational facilities within the project area. However, the combination of the proposed open space amenities on-site, existing park and recreational facilities within the area, and proposed future recreational facilities within the City, would adequately serve future residents of the project site. Additionally, the project developer would be responsible to pay applicable development and park impact fees. Such fees for new residential development within the City go towards facilities such as (but not limited to) parks, public facilities, and schools. Therefore, impacts to recreational facilities as a result of project implementation would be **less than significant**.

4.14.5 Mitigation Measures

Impacts related to recreation as a result of project implementation are determined to be less than significant, and therefore no mitigation measures are required.

4.14.6 Level of Significance After Mitigation

No substantial impacts related to recreation were identified; therefore, no mitigation measures are required. Impacts related to recreation would be **less than significant**.

INTENTIONALLY LEFT BLANK

4.15 Traffic and Circulation

This section describes the existing traffic/circulation setting of the project site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the Modera Melrose Mixed-Use Development Project (proposed project) in the City of Oceanside (City). The following analysis is based on Vehicles Miles Traveled Analysis and the Local Transportation Study that were prepared for the proposed project by Linscott, Law & Greenspan Engineers in October 2022. The Vehicle Miles Traveled Analysis is included as Appendix K to this environmental impact report (EIR), and the Local Transportation Study is included as Appendix L to this EIR.

4.15.1 Existing Conditions

The 7.4-acre project site is located at the southeast corner of Melrose Drive and West Bobier Drive in the east-central portion of the City of Oceanside. The eastern boundary of the project site coincides with the City's border with the City of Vista. The project site is located approximately 1.6 miles south of State Route 76 and approximately 2 miles north of State Route 78. The project site is located within a Smart Growth Opportunity Area – Community Center (OC-7) as designated by the San Diego Association of Governments (SANDAG). Smart growth areas are identified to promote higher density development in key areas near public transit. The project site is situated directly east of the Melrose North County Transit District (NCTD) Sprinter Station. Bus stops within a 1-mile radius of the project site include the stops located at Oceanside Boulevard, Melrose Drive, West Bobier Drive, and North Avenue. The project site has a General Plan designation of Neighborhood Commercial (NC) with a consistent zoning designation of Neighborhood Commercial (CN). Areas surrounding the project site are zoned commercial (north and west of the project site) and residential (south and east of the project site). The project site is currently vacant and undeveloped and has been previously disturbed due to construction of adjacent development and infrastructure.

4.15.1.1 Methodology

Vehicle Miles Traveled Approach and Methodology

An assessment was conducted to determine the impacts on utilizing Vehicle Miles Traveled (VMT) for the project. This assessment utilizes methodologies presented within the Governor's Office of Planning and Research (OPR) Technical Advisory developed to assist with implementation of Senate Bill (SB) 743, which resulted in a shift in the measure of effectiveness for determining transportation impacts from Level of Service (LOS) and vehicular delay to VMT. VMT analyses are required in all California Environmental Quality Act (CEQA) documents as of July 1, 2020.

VMT is defined as the "amount and distance of automobile travel attributable to a project" per CEQA Guidelines Section 15064.3. VMT (and VMT per capita or VMT per employee) is a measure of the use and efficiency of the transportation network as well as land uses in a region. VMT is calculated based on individual vehicle trips generated and their associated trip lengths. VMT is estimated for a typical weekday for the purposes of measuring transportation impacts.

The City of Oceanside utilizes the Institute of Transportation Engineers (ITE) San Diego Regional Guidelines (May 2019) to establish thresholds and methodology for VMT analysis. Based on the recommendations of the ITE for the San Diego region, a VMT analysis for CEQA is not required for projects consistent with the City's adopted General Plan and calculated to generate less than 1,000 average daily trips (ADT). This is based on keeping

consistent with the thresholds previously used and SANDAG's (Not So) Brief Guide Trip Generation (2002). These thresholds are based on the understanding that SANDAG trip generation rates differ from ITE trip generation rates upon which OPR's recommendations are based.

The City's adopted General Plan represents the vision and goals the City has for the community. VMT analysis is not needed for projects that support these goals and generate fewer than 1,000 ADT, as noted in Table 3 of the City of Oceanside Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment (August 2020). Additionally, per the City's guidelines, a VMT analysis is not required for General Plan conforming projects located within a Transit Priority Area (TPA) or Smart Growth Opportunity Area as identified in the most recent SANDAG San Diego Forward Regional Plan. Projects located in a TPA must be able to access the transit station (within 0.5 miles walking distance or 6-minute walk) without discontinuity of sidewalk or obstructions to the route. Qualifying transit stops means a site containing an existing rail transit station served by either a bus or rail transit service, or the intersection or two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. A high-quality transit corridor may also be considered if a corridor with fixed route bus service has service intervals no longer than 15 minutes during peak commute hours.

The project site is located approximately 1,500 feet from the Melrose Drive Sprinter station. A direct route without discontinuity of sidewalk or obstructions is provided between the project site and the station. As the project is consistent with the General Plan land use, and is located within a Smart Growth Opportunity Area, the project is screened out of requiring a transportation VMT analysis (Appendix K).

Local Transportation Analysis Approach and Methodology

A project-specific Local Transportation Study (LTS) was prepared to analyze automobile delay and LOS. The LOS analysis was conducted to identify project impacts on the roadway operations in the project study area and to recommend project improvements to address noted deficiencies; however, the CEQA impact significance determination for the proposed project is based only on VMT and not on LOS. Under CEQA, LOS or other measures of vehicle capacity or traffic congestion (i.e., traffic delay) are no longer considered in evaluating whether a significant impact on the environment would occur; therefore, the LOS analysis referred to in this section and outlined in Appendix L to this EIR, is for information purposes only. Similarly, trip generation rates and distribution information related to the LOS analysis also is presented for information purposes only.

The proposed project would be consistent with the City's adopted General Plan but generates over 1,000 ADT. Therefore, a LTS was prepared consistent with the City of Oceanside Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment.

LOS is the term used to denote the different operating conditions which occur on a given roadway segment under various traffic volume loads. It is a qualitative measure used to describe a quantitative analysis taking into account factors such as roadway geometries, signal phasing, speed, travel delay, freedom to maneuver, and safety. LOS provides an index to the operational qualities of a roadway segment or an intersection, and designations range from A to F, with LOS A representing the best operating conditions and LOS F representing the worst operating conditions. LOS designation is reported differently for signalized and unsignalized intersections, as well as for roadway segments (Appendix L).

4.15.1.2 Traffic Study Area

The following study area was developed based on the anticipated assignment of proposed project traffic and locations which will carry the most project traffic, per City of Oceanside staff coordination and scoping meetings (Appendix L). The study area meets and exceeds the trip-based criteria from the City's guidelines, which state that:

- All signalized intersections and project driveways shall be analyzed if the project will add 50 or more new peak hour trips in either direction.
- All unsignalized intersections and project driveways shall be analyzed if the project will add 50 or more new peak hour trips in either direction.
- All freeway ramp intersections and signalized ramp meters shall be analyzed if the project will add 20 or more new peak hour trips in either direction.

The following intersections and street segments were analyzed in the LTS:

Intersections

1. North Melrose Drive / Meadowbrook Drive
2. Catalina Circle / Oceanside Boulevard
3. North Melrose Drive / Oceanside Boulevard (West Bobier Drive)
4. Sports Park Way (Future Project Driveway) / West Bobier Drive
5. North Santa Fe Avenue / West Bobier Drive
6. North Melrose Drive / North Avenue

Street Segments

1. Melrose Drive
   - North of Meadowbrook Drive
   - Meadowbrook Drive to Oceanside Boulevard
   - Oceanside Boulevard to North Avenue
   - South of North Avenue
2. Oceanside Boulevard
   - West of Catalina Circle
   - Catalina Circle to North Melrose Drive
3. West Bobier Drive
   - North Melrose Drive to Sports Park Way
   - Sports Park Way to North Santa Fe Avenue
   - East of North Santa Fe Avenue

The LTS analyzed the following scenarios:

- Existing Conditions
- Existing Conditions Plus Project

- Existing Conditions Plus Near-Term Cumulative Projects
- Existing Conditions Plus Near-Term Cumulative Projects Plus Project
- Buildout Conditions (2030)
- Buildout Conditions Plus Project

Intersections

Intersections were analyzed under AM and PM peak hour conditions. Average vehicle delay was determined utilizing the methodology found in Chapter 18 of the Highway Capacity Manual, with the assistance of the Synchro (version 10) computer software (Appendix L). The delay values (represented in seconds) were qualified with a corresponding intersection LOS.

Street Segments

The street segment analysis is based on the comparison of daily traffic volumes (ADT), per the City's Circulation Element Roadway Classification LOS and Capacity Table (Table 12 in the City's Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment, August 2020). This table is also included as part of Appendix L, and provides segment capacities for different street classifications, based on traffic volumes and roadway characteristics.

Thresholds for the Determination of the Need for Roadway Improvements

Based on information contained in the City's Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment, Table 4.15-1 indicates when a project's effect on the roadway system is considered to justify the need for roadway improvements. That is, if a project's traffic impact causes the values in the table to be exceeded, roadway improvements should be considered as follows on a case-by-case basis:

- Improvements should be consistent with the City's General Plan.
- Improvements for transit, bicycle and pedestrian facilities should be given priority in Transit Priority Areas or Smart Growth Opportunity Areas as identified by SANDAG.
- Projects in Transit Priority Areas or Smart Growth Opportunity Areas as identified by SANDAG that are consistent with the General Plan at the time of project application, should not be denied due to the inability to provide roadway improvements (i.e., existing right-of-way is constrained).

Table 4.15-1. City of Oceanside Determination of the Need for Roadway Improvements

Level of Service with Project[a]	Allowable Change due to Project Effect					
	Freeways		Roadway Segments		Intersections	Ramp Metering
	V/C	Speed (MPH)	V/C	Speed (MPH)	Delay (Sec.)	Delay (Min.)
E and F	0.01	1	0.02	1	2	2

Source: Table 13, Determination of the Need for Roadway Improvements, *Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment* (City of Oceanside April 2020).

General Notes:

1 V/C = Volume to Capacity Ratio

4.15.1.3 Existing Transportation System

Existing Roadway Circulation System

The following is a description of the existing street network in the study area. The roadway classifications are based on field observations and the Oceanside Circulation Element.

Oceanside Boulevard is classified as a Major Arterial from College Boulevard to Bobier Drive in the City of Oceanside Circulation Element. It is currently constructed as a four-lane divided roadway. The curb-to-curb distance is about 85 feet, and the posted speed limit is 50 mph. Sidewalks are provided on both sides of the roadway measuring about 6 feet wide. Bike lanes are provided on both sides of the roadway. Curbside parking is not permitted, and bicycle lanes are striped along both sides of the street.

West Bobier Drive is classified as a Major Arterial east of Sports Park in the City of Vista Circulation Element (City of Vista 2011). It is currently constructed as a four-lane undivided roadway with a two-way left turn lane. The curb-to-curb distance is about 80 feet and the posted speed limit is 40 mph. Sidewalks are provided on both sides of the roadway measuring about 5 feet wide. Bike lanes are provided on both sides of the roadway. Curbside parking is permitted on both sides of the roadway between Sports Park Way and North Santa Fe Avenue.

North Melrose Drive is classified as a Major Arterial between Meadowbrook Drive and Oceanside Boulevard and as an Urban Major roadway between Oceanside Boulevard and North Avenue in the City of Vista Circulation Element in the project vicinity. A section of the segment between Meadowbrook Drive and Oceanside Boulevard is currently constructed as a two-lane divided roadway. This section is being widened by the Melrose Heights Project to a four-lane roadway, matching the remaining portion of this segment. Between Oceanside Boulevard and North Avenue, North Melrose Drive is built as a six-lane undivided roadway with two way left-turn lanes. North of Oceanside Boulevard, the curb-to-curb distance is about 60 feet. South of Oceanside Boulevard, the curb-to-curb distance is about 90 feet. The posted speed limit is 45 mph. Sidewalks are provided on both sides of the roadway measuring about 5 feet. Curbside parking is not permitted, and bicycle lanes are striped along both sides of the street within the study area.

Existing Bicycle Network

As identified by the California Department of Transportation (Caltrans), the following classes are used to identify bicycle facilities within the City of Oceanside:

Class I Bike Paths are hard-surface routes within an exclusive right-of-way physically separated from vehicular roadways and intended specifically for non-motorized use.

Class II Bike Lanes are marked bicycle lanes within roadways adjacent to the curb lane, delineated by appropriate striping and signage.

Class III Bike Routes are marked by a series of signs designating a preferred route between destinations such as residential neighborhoods and shopping areas. These routes share the right-of-way with on-road vehicles.

There are currently Class II Bike Lanes in each direction of travel on North Melrose Drive, Oceanside Boulevard, and West Bobier Drive in the vicinity of the project site. An existing bicycle trail near the project begins at the southeast corner of the intersection of Oceanside Boulevard and Melrose Drive.

Existing Transit Conditions

The project area is provided transit service via the NCTD, which operates 12 bus routes in Oceanside. The route that operates near the project area is Route 318. The closest bus stop is located 950 feet away from the project driveway on West Bobier Drive, east of Marabou Lane. NCTD's Sprinter light rail line is also located within the project vicinity. A summary of bus Route 318 and the Sprinter are detailed below.

Route 318 has endpoints at the Vista Transit Center and the Oceanside Transit Center. Route 318 serves the following major corridors: Oceanside Boulevard, West Bobier Drive and North Melrose Drive, south of Oceanside Boulevard.

Sprinter operates east/west between the endpoints at Escondido Transit Center and the Oceanside Transit Center on all weekdays, except holidays. The nearest trolley stop is located at North Melrose Drive, south of Oceanside Boulevard, within a walking distance of 1,500 feet from the project driveway.

4.15.1.4 Existing Traffic Volumes

Daily segment counts and peak hour (7:00 to 9:00 AM and 4:00 to 6:00 PM) intersection turning movement counts were conducted on August 31, 2021 within the project study area. Due to the Covid-19 pandemic, which had altered traffic patterns, a growth rate of 5% was applied to the August 2021 traffic counts in order to replicate pre-pandemic levels. This growth rate is based on historical traffic data on State Route 78 since historical data was not available on the study area surface streets. Daily traffic counts were compared between the pre-Covid and post-Covid-shutdown time frames to assist in determining the proper factor. Additional information on how this rate was calculated is included in Appendix L. Additionally, Figure 4-2 in Appendix L shows the Existing Traffic Volumes.

Intersections

An intersection LOS analysis was prepared for the existing conditions. Table 4.15-2 shows the results of the existing conditions LOS analysis. As shown in the table, all the study area intersections are calculated to currently operate acceptably at LOS D or better during the AM and PM peak hours, except North Melrose Drive/Oceanside Boulevard (West Bobier Drive), which operates at LOS F during the AM peak and PM peak hours.

Table 4.15-2. Existing Conditions Intersection Operations

No.	Intersection	Control Type	AM Peak		PM Peak	
			Delay[a]	LOS[b]	Delay[a]	LOS[b]
1	N Melrose Drive/ Meadowbrook Drive	Signal	43.7	D	50.5	D
2	Catalina Circle/ Oceanside Boulevard	Signal	10.6	B	11.0	B
3	North Melrose Drive/ Oceanside Boulevard (West Bobier Drive.)	Signal	142.0	F	97.4	F
4	Sports Park Way (Future Project Driveway)/ West Bobier Drive[c]	Signal	27.8	C	21.9	C
5	North Santa Fe Avenue/ West Bobier Drive	Signal	52.8	D	37.6	D
6	North Melrose Drive/ North Avenue	Signal	43.8	D	33.2	C

Source: Appendix L.
Notes:
[a] Average delay expressed in seconds per vehicle
[b] LOS = Level of Service

[c] Currently a signalized T-Intersection with no south leg. The project driveway forms the south leg.

Roadway Segments

A roadway segment LOS analysis was prepared for the existing conditions. As shown in Table 4.15-3, all the study area roadway segments are calculated to currently operate acceptably at LOS D or better.

Table 4.15-3. Existing Conditions Street Segment Operations

Street Segment	Jurisdiction	Functional Classification	Capacity (LOS E)[a]	Existing		
				ADT[b]	LOS[c]	V/C[d]
North Melrose Drive						
North of Meadow Brook Drive	Oceanside	4- Lane Major	40,000	20,830	B	0.521
Meadow Brook Drive to Oceanside Boulevard	Oceanside	4- Lane Majore	30,000	21,340	C	0.711
Oceanside Boulevard to North Avenue	Oceanside/ Vista	4- Lane Majorf	40,000	31,190	D	0.780
South of North Avenue	Vista	6- Lane Urban Major	50,000	34,290	B	0.686
Oceanside Boulevard						
West of Cataline Circle	Oceanside	4- Lane Major	40,000	20,600	B	0.515
Catalina Circle to North Melrose Drive	Oceanside	4- Lane Major	40,000	20,920	B	0.523
West Bobier Way						
North Melrose Drive to Sports Park Way	Oceanside	4- Lane Major	40,000	22,650	C	0.566
Sports Park Way to North Santa Fe Avenue	Vista	4- Lane Major	40,000	20,640	A	0.516
East of Santa Fe Avenue	Vista	4- Lane Major	40,000	23,940	A	0.599

Source: Appendix L
Notes:
[a] Capacities based on City of Oceanside *Circulation Element Roadway Classification LOS* and *Capacity* table
[b] ADT – Average Daily Trips
[c] LOS – Level of Service
[d] V/C – volume to capacity ratio
[e] A short section of this roadway is not built to the width of a 4-Lane Major Street. Therefore, 75% of the capacity of a 4-Lane Major Road isassumed
[f] A section of this roadway at the boundary between the City of Oceanside and City of Vista is not widened to a 6-Lane Major Road. Hence, thecapacity of City of Oceanside 4-Lane Major Road is assumed.

Cumulative Projects

Cumulative projects are other projects in the study area that would add traffic to the local circulation system in the near future. Based on information from City of Oceanside staff, seven cumulative projects were initially identified to be considered for inclusion in the analysis, including North River Farm, Ocean Kamp, El Corazon Mixed-Use, Warehouse Project, and Melrose Heights Project. However, only one cumulative project, the Melrose Heights Project (File No GPA 13-00003) was included in the near-term cumulative analysis for traffic, as this project is currently under construction and is scheduled to be occupied by 2022 (Appendix L). Table 4.15-4 provides project details for the Melrose Heights Project, which is considered in the near-term

cumulative analysis. Additionally, Figure 6-1 in Appendix L shows the Cumulative Projects only traffic volumes on the existing street network.

Table 4.15-4. Cumulative Projects

Project Name	Type of Development	Project Size	ADT
Melrose Height Project	Multi-Family Residential, Commercial/Retail	313 Residential Dwelling Units, 20,00 SF of commercial/retail	2,270

Source: Appendix L

This cumulative project is currently under construction and is conditioned to implement the following improvements at the North Melrose Drive / Oceanside Boulevard intersection by the first occupancy, in Year 2022:

- North Melrose Drive / Oceanside Boulevard Intersection:
  - A second south-bound left-turn lane
  - A third south-bound thru lane
  - A Right-Turn Overlap phase for the NB approach
  - Prohibit west-bound U-turn movement with a R3-4 (No U-Turn) sign,
  - Upgrade and relocate the affected existing signal hardware, conduit, fiber optic connections and pedestrian count down timer as appropriate.
- North Melrose Drive Segment: Meadowbrook Drive to Oceanside Boulevard:
  - Construct the west side of North Melrose Drive between Meadowbrook Drive and Oceanside Boulevard to 4-Lane Major Arterial standards with dedication to 6-Lane Prime Arterial standards with the development of PA-1.
  - Construct the east side of North Melrose Drive between Meadowbrook Drive and Oceanside Boulevard to 4-Lane Major Arterial standards with dedication to 6-Lane Prime Arterial standards with the development of PA-2 or PA-3.

As outlined in Appendix L to this EIR, it has been ascertained that these improvements are currently built, and are therefore assumed as the base condition for all scenarios with project traffic.

4.15.2 Regulatory Setting

State

California Department of Transportation

Caltrans is the primary state agency responsible for transportation issues. One of its duties is the construction and maintenance of the state highway system. Caltrans has established standards for roadway traffic flow and has developed procedures to determine if intersections require improvements. For projects that may physically affect facilities under its administration, Caltrans requires encroachment permits before any construction work may be undertaken. For projects that would not physically affect facilities but may influence traffic flow and LOS at such facilities, Caltrans may recommend measures to mitigate the traffic impacts.

Assembly Bill 1358 – California Complete Streets Act of 2008

The California Complete Streets Act of 2008 (Assembly Bill 1358) requires circulation elements as of January 1, 2011 to accommodate the transportation system from a multi-modal perspective, including public transit, walking and biking, which have traditionally been marginalized in comparison to autos in contemporary American urban planning.

Senate Bill 743, California Environmental Quality Act Guidelines Update

In December 2018, the California Natural Resources Agency certified and adopted the CEQA Guidelines update package, including Guidelines Section 15063.4, which implements SB 743. SB 743 required new metrics for analyzing transportation impacts under CEQA to provide an alternative to LOS. Measurements of transportation impacts may include VMT,[1] 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.[2]

The justification for this paradigm shift is that when significant impacts are identified under LOS and delay-based analyses, the mitigation is often to provide road improvements, which increase roadway capacity that inherently accommodates more vehicular traffic resulting in additional greenhouse gas emissions. In contrast, under a VMT-based analysis, mitigation typically takes the form of strategies intended to reduce rather than accommodate traffic, thereby reducing vehicle emissions. Lead agencies were tasked to transition to the new guidelines and establish thresholds for transportation impacts no later than July 1, 2020.

Local

City of Oceanside General Plan Circulation Element and Master Transportation Roadway Plan

As required by state law, the City has included and adopted a Master Transportation Roadway Plan as part of its General Plan. In tandem with the other elements of the City's General Plan, the Master Transportation Roadway Plan creates and addresses goals and policies as they related to the City's transportation system. The Master Transportation Roadway Plan, a subsection of the Circulation Element, focuses on maintaining and improving the City's roadways that compose the transportation network by providing service standards, objectives, and policies (City of Oceanside 2012). Applicable General Plan goals and their corresponding policies are outlined in Table 4.10-1 in Section 4.10 of this EIR.

SANDAG's San Diego Forward: The Regional Plan

SANDAG's San Diego Forward: The Regional Plan (Regional Plan) combines the region's two most important existing planning documents—the Regional Comprehensive Plan and the Regional Transportation Plan and its Sustainable Communities Strategy (RTP/SCS). The Regional Comprehensive Plan, 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 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 RTP/SCS and are now fully integrated into the Regional Plan.

1 VMT refers to the amount and distance of automobile travel attributable to a project.
2 SB 743 also amends congestion management law to allow cities and counties to opt out of LOS standards within certain infill areas (Governor's Office of Planning and Research 2019).

The SANDAG Board of Directors adopted the 2021 Regional Plan on December 10, 2021. The 2021 Regional Plan is a 30-year plan that considers growth, movement, and residential location around the region. The 2021 Regional Plan combines the RTP/SCS and Regional Comprehensive Plan. As such, the 2021 Regional Plan must comply with specific state and federal mandates. These include an SCS, per California SB 375, that achieves greenhouse gas emissions reduction targets set by the California Air Resources Board, compliance with federal civil rights requirements (Title VI); environmental justice considerations; air quality conformity; and public participation (SANDAG 2021).

Congestion Management Program

The 2008 Congestion Management Program for San Diego County was developed to meet the requirements of Section 65089 of the California Government Code. Since that time, the local agencies within San Diego County elected to opt out of the Congestion Management Program requirements, as allowed within the Government Code. As such, there are no Congestion Management Program-specific requirements associated with this project. However, to ensure the region's continued compliance with the federal congestion management process, SANDAG has prepared San Diego Forward: The 2021 Regional Plan in compliance with 23 Code of Federal Regulations 450.320. The Regional Plan incorporates performance monitoring and measurement of the regional transportation system, multimodal alternatives to single-occupancy vehicles, land use impact analysis, congestion management tools, and Integration with the Regional Transportation Improvement Program process.

City of Oceanside General Plan – Circulation Element

The City's General Plan contains a Circulation Element that is intended to guide the development of the local circulation system in a manner that is compatible with the General Plan Land Use Element. To help meet traffic demands and achieve balanced growth, the City has the following goals related to traffic:

- A multimodal transportation system, which allows for the efficient and safe movement of all people and goods and which meets current demands and future needs of the population and projected land uses with minimal impact to the environment;
- Alternative modes of transportation to reduce the dependence on the automobile;
- Alternative transportation strategies designed to reduce traffic volumes and improve traffic flow;
- A citywide transportation system that integrates with the regional transportation system; and
- A multimodal transportation system that creates a balance with preserving community values and maintaining public acceptance.

City of Oceanside Bicycle Master Plan

The City created a Bicycle Master Plan which was approved in December 2008 and updated in 2017. The Oceanside Bicycle Master Plan is included as a sub-element of the City's General Plan Circulation Element and Recreational Trails Element. The Bicycle Master Plan intends to establish facilities for the City's bikeway system that could integrate with the existing San Diego County bikeway system and maximize efficiency between mass transit and bikeways. The City of Oceanside developed the following goal categories to create fundamental criteria for the City's bikeway system, including: (1) Popular, (2) Systemic, (3) Destination-Oriented, (4) Safe, (5) Designed to Standards, (6) Maintained, (7) Minimize Liability Exposure, (8) Minimize Cost, (9) Environmentally Sensitive, and (10) Educational (City of Oceanside 2017).

4.15.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to traffic and circulation are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to traffic and circulation would occur if the proposed project would:

1. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.
2. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).
3. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
4. Result in inadequate emergency access.

In accordance with the above significance criteria, this analysis uses the following standards to evaluate traffic impacts.

Vehicle Level of Service

The City's Circulation Element (City of Oceanside 2012) has an objective to: "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." Therefore, if a project causes a facility to operate from LOS D or better, to LOS E or F, the project would have a significant impact. Furthermore, based on the City's Significance Determination Thresholds, impacts related to street system traffic load and capacity would be significant if any intersection, roadway segment, or freeway segment affected by the project would operate at LOS E or F under either direct or cumulative conditions.

As described above, the City of Oceanside uses the San Diego Traffic Engineers' Council/Institute of Transportation Engineers guidelines (SANTEC/ITE 2019) for the determination of significance of vehicular traffic impacts. Per these guidelines, LOS D or better is considered acceptable. Significance thresholds are shown in Table 4.15-1. If the project's traffic impact causes the value in this table to be exceeded, it is determined to be a significant project impact.

Multi-modal Plan Consistency

The multi-modal consistency analysis shall be based on consistency with the Circulation Element. The Circulation Element goals and polices are aimed at incorporating complete streets throughout the Oceanside 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 the Circulation Element, then further review would be necessary to determine if a potential physical significant impact would result.

CEQA Consistency

An assessment was conducted to determine the impacts on VMT for the project. This assessment utilizes methodologies presented within the OPR Technical Advisory developed to assist with implementation of SB 743, which resulted in a shift in the measure of effectiveness for determining transportation impacts from LOS and vehicular delay to VMT. VMT analyses are required in all CEQA documents as of July 1, 2020.

The City of Oceanside utilizes the SANTEC/ITE San Diego Regional Guidelines (SANTEC/ITE 2019) to establish thresholds and methodology for VMT analysis. Based on the recommendations of the ITE for the San Diego region, a VMT analysis for CEQA is not required for projects consistent with the City's adopted General Plan and calculated to generate less than 1,000 ADT. This is based on keeping consistent with the thresholds previously used and SANDAG's (Not So) Brief Guide Trip Generation (2002). These thresholds are based on the understanding that SANDAG trip generation rates differ from ITE trip generation rates which OPR's recommendations are based on.

The City's adopted General Plan represents the vision and goals the City has for the community. VMT analysis is not needed for projects that support these goals and generate fewer than 1,000 ADT, as noted in Table 3 of the City of Oceanside Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment (August 2020). The project is consistent with the City's adopted General Plan and is calculated to generate more than 1,000 ADT, as further discussed in Section 4.15.4. Therefore, a Transportation VMT CEQA Analysis is required and is discussed below.

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 address roadway 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.

4.15.4 Impacts Analysis

Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

The project site is located on a vacant infill site, with numerous existing bicycle, pedestrian, and transit facilities in the immediate project area. As described in Chapter 3 of this EIR, the project would construct 323 multi-family residential units and ground-level commercial space on the 7.4-acre project site. The entrance to the project site is located at the corner of West Bobier Drive and Melrose Drive. The proposed mixed-use and residential buildings would be connected by a private loop road within the project site. West Bobier Drive would provide vehicular access to the project at the northeastern corner of the project site. Access from West Bobier Drive would lead to the private road with frontage for residences and guest parking. Circulation and emergency access drives have been designed in consultation with Oceanside Fire Department staff to provide 28-foot minimum widths with designated truck turnarounds and key staging areas throughout the project site.

The development would include a total of 526 parking spaces for residents and guests, which is well over the required 170 parking spaces per the City's Mixed-Use Development Standard. Of the proposed 526 parking spaces, the project would provide 381 surface parking spaces and 145 below-grade parking spaces. Incorporated into the 381 surface parking spaces, the project would include 39 garages with 39 associated tandem parking spaces.

Pedestrian access would be provided by pathways throughout the project site connecting the proposed buildings. The project would link to the existing sidewalk system within the area to provide pedestrian connections to surrounding properties.

There are currently Class II bicycle lanes in each direction of travel along North Melrose Drive, Oceanside Boulevard, and West Bobier Drive in the vicinity of the project site. The closest public access point to an existing bicycle trail from the project site is located at the southeast corner of Oceanside Boulevard/ Melrose Drive intersection. The project would maintain access to these bicycle lanes from the project site. A section of the Inland Rail Trail is directly adjacent along the project's southern and western boundaries connecting to bicycle trails and lanes on the north side of West Bobier Drive and along Sports Park Way.

The project area is provided transit service via the NCTD, which operates 12 bus routes in Oceanside. The route that operates near the project area is Route 318. The closest bus stop is located 950 feet away from the project driveway on West Bobier Drive, east of Marabou Lane. The Sprinter light rail line is also located within the project vicinity; the nearest stop is located at North Melrose Drive, south of Oceanside Boulevard, a 1,500-foot-walk from the project driveway.

Construction of the proposed project would have the potential to create temporary traffic impacts by the generation of construction-related traffic (construction workers, and vendor and haul trucks) to and from the project site; however, traffic generated by the construction phase would be removed from the street network once the project is completed. All construction-related traffic would access the project site via the proposed entrance along West Bobier Drive on the northeastern boundary of the project site. Most of the construction activities would occur on the project site. For any potential construction related activities in the public right-of-way during the construction period, applicable City regulations and policies require two-way traffic to be maintained.

As described in Section 4.15.1 above, a project-specific LTS was prepared for the project that analyzes automobile delay and LOS. The LOS analysis was conducted to identify project effects on the roadway operations in the project study area and to recommend project improvements that would address noted deficiencies; however, the CEQA impact significance determination for the proposed project is based only on VMT and LOS. The proposed project is within a TPA/Smart Growth Opportunity Area and is consistent with the City's General Plan land use, and therefore would be screened out of requiring a Transportation VMT Analysis. Therefore, a LTS was prepared consistent with City guidelines. The findings of the LTS prepared for the project are described herein.

Proposed Project Trip Generation

Trip generation estimates for the proposed project are based on daily and AM and PM peak hour trip generation rates obtained from the SANDAG (Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region (SANDAG 2002), which are the generation rates used for traffic analysis in the City and elsewhere in the region. The "Residential, Apartment (average 6 ADT/dwelling unit] DU)" trip rate was used to estimate the project trip generation for the residential component of the project and the "Strip Commercial (40 ADT/ KSF)" trip rate was used to estimate the project trip generation for the commercial component of the project. As shown in Table 4.15-5, the project is calculated to generate 2,038 average daily trips with 159 trips during the AM peak hour (33 inbound/ 126 outbound trips) and 183 trips during PM peak hour (127 inbound/ 56 outbound trips) (Appendix L).

Table 4.15-5. Project Trip Generation

Use	Quantity	Daily Trip Ends (ADT)		AM Peak Hour					PM Peak Hour				
						Volume					Volume		
		Rate[a]	Volume	% of ADT	In:Out Split	In	Out	Total	% of ADT	In:Out Split	In	Out	Total
Residential – Apartments	324 DU	6/DU[b]	1,994	8%	2:8	31	125	156	9%	7:3	123	52	175
Retail	2,338 SF	40/ KSF[c]	94	3%	6:4	2	1	3	9%	5:5	4	4	8
		Total	**2,038**			**33**	**126**	**159**			**127**	**56**	**183**

Source: Appendix L
Notes: ADT = Average Daily Trips;
[a] Trip Generation Rate from the SANDAG's *(Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region*, (SANDAG 2002)
[b] Trip Rates for Apartments used.
[c] Trip rates for Strip Commercial.

Proposed Project Trip Distribution/Assignment

Project traffic was distributed to the street system based on existing traffic patterns in the area, and the project's proximity to freeways and arterials, locations of retail, places of employment, schools, and other shopping opportunities. Figures 7-1, 7-2, and 7-3 in Appendix L show the distribution of the project trips, project traffic volumes, and the Existing Plus Project scenario traffic volumes, respectively.

Existing Plus Project Conditions

Intersections

Table 4.15-6 summarizes the peak hour intersection operations under the Existing Plus Project scenario conditions in the study area. As shown, the study area intersections are calculated to continue to operate acceptably at LOS D or better during the AM and PM peak hours with the addition of project trips, and therefore, based on the City's traffic thresholds and methodology summarized in Section 4.15.1.1 above, roadway improvements are not required. It should be noted that the conditioned improvements associated with the cumulative Melrose Heights Project listed in Section 4.15.1.4 above, at the Oceanside Boulevard / North Melrose Drive intersection, are assumed for the Existing Plus Project condition, and therefore the delays decrease with the addition of proposed project traffic at this intersection.

Table 4.15-6. Existing with Project Intersection Operations

Intersection	Control Type	Peak Hour	Existing		Existing with Project		Change in Delay[c]	Improvement Required?
			Delay[a]	LOS[b]	Delay	LOS		
1. North Melrose Drive/ Meadowbrook Drive	Signal	AM	43.7	D	43.9	D	0.2	No
		PM	50.5	D	50.5	D	0.0	
2. Catalina Circle/ Oceanside Boulevard	Signal	AM	10.6	B	11.1	B	0.5	No
		PM	11.0	B	11.4	B	0.4	

Table 4.15-6. Existing with Project Intersection Operations

Intersection	Control Type	Peak Hour	Existing		Existing with Project		Change in Delay[c]	Improvement Required?
			Delay[a]	LOS[b]	Delay	LOS		
3. North Melrose Drive/ Oceanside Boulevard (West Bobier Drive)	Signal	AM	124.0	F	52.1	D	[d]	No
		PM	97.4	F	47.9	D	[d]	
4. Sports Park Way (Future Project Driveway)/ West Bobier Drive	Signal	AM	27.8	C	26.8	C	[e]	No
		PM	21.9	C	14.4	B	[e]	
5. North Santa Fe Avenue/ West Bobier Drive	Signal	AM	52.8	D	53.3	D	0.5	No
		PM	37.6	D	37.8	D	0.2	
6. North Melrose Drive/ North Avenue	Signal	AM	43.8	D	44.2	D	0.4	No
		PM	33.2	C	33.6	C	0.4	

Source: Appendix N
Notes:
[a] Average delay expressed in seconds per vehicle
[b] Level of Service
[c] Increase in delay due to project
[d] Improvements by the Melrose Heights Project are assumed to be implemented by the time the project is built. Hence, the delay decreases with the addition of the project traffic
[e] Currently a signalized T-Intersection with no south leg. The project driveway forms the south leg. The fourth leg is assumed for the Existing Plus Project condition only

Street Segments

Table 4.15-7 summarized the Existing Plus Project scenario street segment operations along the study area roadways. As shown, the study area street segments are calculated to continue to operate acceptably at LOS D or better with the addition of project trips. Based on the City of Oceanside's traffic thresholds and methodology, roadway improvements are not required.

It should be noted that the conditioned improvements associated with the cumulative Melrose Heights Project listed in Section 4.15.1.4 above, on the segment of North Melrose Drive between Meadowbrook Drive and Oceanside Boulevard, are assumed for the Existing Plus Project condition, and therefore the delays decrease with the addition of proposed project traffic at this intersection.

Table 4.15-7. Existing with Project Street Segment Operations

Street Segment	Jurisdiction	Functional Capacity	Capacity (LOS E)[a]	Existing			Existing with Project			Change in V/C [Δd]	Improvement Required?
				ADT[b]	LOS[c]	V/C	ADT	LOS	V/C		
North Melrose Drive											
1. North of Meadow Brook Drive	Oceanside	4-Lane Major	40,000	20,830	B	0.521	20,830	C	0.533	0.012	No
2. Meadow Brook Drive to Oceanside Boulevard	Oceanside	4-Lane Major [f]	30,000	21,340	C	0.711	21,870	C	0.729	0.018	No
3. Oceanside Boulevard to North Avenue	Oceanside/ Vista	4-Lane Major [g]	40,000	31,190	D	0.780	31,760	D	0.794	0.014	No
4. South of North Avenue	Vista	6-Lane Urban Major	50,000	34,290	B	0.686	34,780	B	0.696	0.010	No
Oceanside Boulevard											
5. West of Catalina Circle	Oceanside	4-Lane Major	40,000	20,600	B	0.515	20,970	B	0.524	0.009	No
6. Catalina Circle to North Melrose Drive	Oceanside	4-Lane Major	40,000	20,920	B	0.523	21,410	C	0.535	0.012	No
West Bobier Way											
7. North Melrose Drive to Sports Park Way	Oceanside	4-Lane Major	40,000	22,650	C	0.566	24,240	C	0.606	0.040	No
8. Sports Park Way, to North Santa Fe Avenue	Vista	4-Lane Major	40,000	20,640	A	0.516	21,050	A	0.526	0.010	No
9. East of North Santa Fe Avenue	Vista	4-Lane Major	40,000	23,940	A	0.599	24,140	B	0.604	0.005	No

Source: Appendix L

Notes: ADT – Average Daily Traffic Volumes, LOS – Level of Service, V/C – Volumes to Capacity Ratio

[a] Capacities based on City of Oceanside *Circulation Element Roadway Classification LOS & Capacity* table (See *Appendix B*).

[b] Average Daily Traffic Volumes.

[c] Level of Service

[d] Δ denotes the increase in V/C due to project.

[f] A short section of this roadway is not built to the width of a 4-Lane Major Street. Therefore, 75% of the capacity of a 4-Lane Major Road is assumed

[g] A section of this roadway at the boundary between the City of Oceanside and City of Vista is not widened to a 6-Lane Major Road. Hence, the capacity of City of Oceanside 4-Lane Major Road is assumed.

Near-Term Conditions

The analysis of study area intersections and street segments under Near-Term conditions without and with the proposed project is outlined below. Near-Term Without Project scenario traffic volumes were calculated by adding the cumulative projects traffic volumes onto the Existing traffic volumes. Near-Term Plus Project traffic volumes were calculated by then adding the project traffic volumes.

Near-Term without Project Conditions

Intersections

Table 4.15-8 summarizes the peak hour intersection operations under Near-Term and Near-Term Plus Project conditions. As shown, the study area intersections are calculated to operate acceptably at LOS D or better during the AM and PM peak hours without the addition of project trips.

Table 4.15-8. Near-Term Intersection Operations

Intersection	Control Type	Peak Hour	Near-Term		Near-Term with Project		Change in Delay[c]	Improvement Required?
			Delay[a]	LOS[b]	Delay	LOS		
1. North Melrose Drive/ Meadowbrook Drive	Signal	AM	43.7	D	43.9	D	0.2	No
		PM	50.5	D	50.5	D	0.0	
2. Catalina Circle/ Oceanside Boulevard	Signal	AM	10.6	B	11.1	B	0.5	No
		PM	11.0	B	11.4	B	0.4	
3. North Melrose Drive/ Oceanside Boulevard (West Bobier Drive)	Signal	AM	142.0	F	52.1	D	[d]	No
		PM	97.4	F	47.9	D	[d]	
4. Sports Park Way (Future Project Driveway)/ West Bobier Drive	Signal	AM	27.8	C	26.8	C	[e]	No
		PM	21.9	C	14.4	B	[e]	
5. North Santa Fe Avenue/ West Bobier Drive	Signal	AM	52.8	D	53.3	D	0.5	No
		PM	37.6	D	37.8	D	0.2	
6. North Melrose Drive/ North Avenue	Signal	AM	43.8	D	44.2	D	0.4	No
		PM	33.2	C	33.6	C	0.4	

Source: Appendix L
Notes:
[a] Average delay expressed in seconds per vehicle
[b] Level of Service
[c] Increase in delay due to project
[d] Improvements by the Melrose Heights Project are assumed to be implemented by the time the project is built. Hence, the delay decreases with the addition of the project traffic
[e] Currently a signalized T-Intersection with no south leg. The project driveway forms the south leg. The fourth leg is assumed for the Existing Plus Project condition only

Street Segments

Table 4.15-9 summarizes the Near-Term street segment operations along the study area roadways. As shown, the study area street segments are calculated to operate acceptably at LOS D or better without the addition of project trips.

Table 4.15-9. Near-Term Street Segment Operations

Street Segment	Functional Capacity	Capacity (LOS C)[a]	Near-Term			Near-Term with Project			Change in V/C Δ [e]	Improvement Required?
			ADT [b]	LOS [c]	V/C [d]	ADT	LOS	V/C		
North Melrose Drive										
1. North of Meadow Brook Drive	4-Lane Major	40,000	20,830	B	0.521	21,320	C	0.533	0.012	No
2. Meadow Brook Drive to Oceanside Boulevard	4-Lane Major	40,000	21,340	C	0.711	21,870	C	0.729	0.018	No
3. Oceanside Boulevard to North Avenue	4-Lane Major[f]	40,000	31,190	D	0.780	31,760	D	0.794	0.014	No
4. South of North Avenue	6-Lane Urban Major	50,000	34,290	B	0.686	34,780	B	0.696	0.010	No
Oceanside Boulevard										
1. West of Catalina Circle	4-Lane Major	40,000	21,740	C	0.544	22,110	C	0.553	0.010	No
2. Catalina Circle to North Melrose Drive	4-Lane Major	40,000	23,640	C	0.591	24,130	C	0.603	0.012	No
West Bobier Way										
7. North Melrose Drive to Sports Park Way	4-Lane Major	40,000	24,260	C	0.607	25,850	C	0.646	0.040	No
8. Sports Park Way to North Santa Fe Avenue	4-Lane Major	40,000	21,050	A	0.526	21,460	A	0.537	0.011	No
9. East of North Santa Fe Avenue	4-Lane Major	40,000	24,040	B	0.601	24,240	B	0.606	0.005	No

Source: Appendix L

Note:

[a] Capacity at which the roadway currently functions and based on City of Oceanside and City of Vista Roadway Classification Tables as appropriate.

[b] Average Daily Traffic Volumes.

[c] Level of Service

[d] Volume to Capacity ratio.

[e] Δ denotes the increase in V/C due to project.

[f] A section of this roadway at the boundary between the City of Oceanside and City of Vista is not widened to a 6-Lane Major Road. Hence, the capacity of City of Oceanside 4-Lane Major Road is assumed.

Near-Term with Project Conditions

Intersections

As shown in Table 4.15-8 above, the study area intersections are calculated to operate acceptably at LOS D or better during the AM and PM peak hours with and without the addition of project trips; and therefore, based on the City of Oceanside's traffic thresholds and methodology, roadway improvements are not required.

Street Segments

As shown in Table 4.15-9 above, the study area street segments are calculated to operate acceptably at LOS D or better with and without the addition of project trips; and therefore, based on the City of Oceanside's traffic thresholds and methodology, roadway improvements are not required.

In conclusion, the project site is located near existing roadway infrastructure, and existing bicycle, pedestrian, and transit opportunities as described in this section and throughout this EIR. The project's consistency with the City's General Plan Circulation Element goals and policies is outlined in Table 4.10-1 in Section 4.10, Land Use, of this EIR. The project would be consistent with all General Plan Circulation Element goals and policies. Based on the City's traffic thresholds and methodology summarized in Section 4.15.1 and the analysis outlined above, roadway improvements would not be required due to project implementation, as the increase in project-related traffic delay would not exceed the allowable threshold. Additionally, the project was determined to be screened out of VMT analysis because the project is located in a Smart Growth Opportunity Area as designated by SANDAG. Therefore, based on the findings above, and the design features to be implemented by the project, implementation of the project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, and impacts are determined to be **less than significant**.

Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

As described in Section 4.15.3 above, an assessment was conducted to determine the impacts on VMT for the project. This assessment utilizes methodologies presented within the OPR Technical Advisory developed to assist with implementation of SB 743, which resulted in a shift in the measure of effectiveness for determining transportation impacts from LOS and vehicular delay to VMT. VMT analyses are required in all CEQA documents as of July 1, 2020.

The City of Oceanside utilizes the ITE San Diego Regional Guidelines (May 2019) to establish thresholds and methodology for VMT analysis. Per the City guidelines, a VMT analysis is not required for General Plan conforming projects located in a TPA or Smart Growth Opportunity Area as identified in the most recent SANDAG San Diego Forward Regional Plan. Projects located in a TPA must be able to access the transit station (within 0.5 miles walking distance or 6-minute walk continuously) without discontinuity of sidewalk or obstructions to the route. Qualifying transit stops includes a site containing an existing rail transit station served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. A high-quality transit corridor may also be considered if a corridor with fixed route bus service has service intervals no longer than 15 minutes during peak commute hours.

The project site is located approximately 0.07 miles from the Melrose Drive Sprinter Station and include Bus Route 318 stops at Oceanside Boulevard west of North Melrose Drive and on Oceanside Boulevard east of Marabou Lane, which are adjacent to the project site.

Based on the recommendations of the ITE for the San Diego region, a VMT analysis for CEQA is required for projects that are calculated to generate more than 1,000 average daily trips (ADT). However, a VMT analysis is not needed for projects that are consistent with the adopted General Plan and within a TPA or Smart Growth Opportunity Area, as noted in the City of Oceanside Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment (August 2020). The project is consistent with the City's adopted General Plan and is within a Smart Growth Opportunity Area, as outlined in response to Threshold 1 above. Therefore, although the project would generate more than 1,000 ADT, a Transportation VMT CEQA Analysis is not required, as outlined in Appendix K to this EIR. For these reasons, impacts are determined to be **less than significant**.

Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

As described above and in Chapter 3 of this EIR, the project site is located south of West Bobier Drive and east of Melrose. The entrance to the project site is located at the corner of West Bobier Drive and Melrose Drive. The proposed mixed-use and residential buildings would be connected by a private loop road within the project site. West Bobier Drive would provide vehicular access to the project at the northeastern corner of the project site. Access from West Bobier Drive would lead to the private road with frontage for resident and guest parking. Circulation and emergency access drives have been designed in consultation with Oceanside Fire staff to provide 28-foot minimum widths with designated truck turnarounds and key staging areas throughout the project site.

Pedestrian access would be provided by pathways throughout the project site to connect the proposed buildings. The project would link to the existing sidewalk system within the area to provide pedestrian connections to surrounding properties. The project proposes sidewalk improvements along the project frontage on Melrose Drive and Oceanside Boulevard. The existing sidewalk ramp at the southwest corner of the project site will be upgraded to be compliant with ADA standards.

The project does not propose any sharp curves or dangerous intersections that could result in the potential for increased hazards. All proposed circulation and vehicle use on-site would be typical of a mixed-use residential development. Additionally, final project plans would be subject to City review to ensure adequate access points and mobility. For these reasons, impacts are determined to be **less than significant**.

Would the project result in inadequate emergency access?

The project would provide one access point for emergency responders at the northeast corner of the project site from West Bobier Drive. Circulation and emergency access drives have been designed in consultation with Oceanside Fire Department staff to provide 28-foot minimum widths with designated truck turnarounds and key staging areas throughout the project site. The proposed project would not require the full closure of any public or private streets or roadways during construction or operations and would not impede access of emergency vehicles to the project or any surrounding areas. During the proposed sidewalk improvements to Melrose Drive and Oceanside Boulevard, the project would implement a traffic control plan to ensure continued access through the area. This traffic control plan is a standard City requirement and a condition of approval required for projects that involve improvements within a right-of-way or access easement and would be subject to approval by the City Traffic Engineer.

The project would not conflict with regional or City emergency response plans, and the project site would have adequate emergency access. Final site plans for the project would be subject to review by the Oceanside Fire Department, prior to project development. Therefore, the proposed project would not result in inadequate emergency access and impacts would be **less than significant**.

4.15.5 Mitigation Measures

Impacts related to traffic and circulation as a result of project implementation are determined to be less than significant, and therefore no mitigation measures are required.

4.15.6 Level of Significance After Mitigation

No substantial impacts related to traffic and circulation were identified; therefore, no mitigation measures are required. Impacts related to traffic and circulation would be **less than significant**.

INTENTIONALLY LEFT BLANK

4.16 Tribal Cultural Resources

This section describes the existing setting for tribal cultural resources, identifies associated regulatory requirements, evaluates potential impacts, and establishes mitigation measures related to implementation of the Modera Melrose Mixed-Used Development Project (proposed project or project). This analysis is based on the Negative Cultural Resources Inventory Report prepared for the proposed project (Appendix D), as well as Assembly Bill 52 consultation between the City of Oceanside (City) and interested tribes.

4.16.1 Existing Conditions

The 7.4-acre project site lies within the City, at the southeast corner of Melrose Drive and West Bobier Drive. The project site is undeveloped and vacant with no existing structures. The project site features a slight slope from north to south and elevations range from 424 to 450 feet above mean sea level. As described in Section 4.4, Cultural Resources, of this environmental impact report (EIR), there are multiple large granite bedrock boulders located in the remains of a natural seasonal drainage along the south-central edge of the project area of potential effect (APE), all heavily exfoliated and damaged on outer surfaces. Vegetation within the project APE includes primarily non-native grasslands and disturbed areas. Ornamental plantings occur along the southeastern edge of the site, bordering an existing residential development, and small isolated patches of coastal sage scrub exist in the western and northwestern portions of the project APE.

The project APE is underlain by weathered plutonic igneous rocks mapped as the Cretaceous-age Bonsall Tonalite, overlain by sedimentary rocks of the Eocene-age Santiago Formation (Deméré et al. 2013). Soils consist of Diablo clay, 2 to 9 percent slopes within the northwestern corner and eastern section of the project APE, and Tujunga Sand, 0 to 5 percent slopes throughout the rest of the project APE (Appendix D).

South Coastal Information Center Records Search Results

As described in Section 4.4 Cultural Resources of this EIR, a records search of the project APE and the surrounding 1-mile radius around the project was conducted by Dudek staff at the South Coastal Information Center (SCIC) to identify previously discovered archaeological sites in the project area, and a Sacred Lands File search was requested from the Native American Heritage Commission (NAHC) to list potentially sacred or ceremonial sites or landforms on or near the project site. In addition to a review of previously prepared site records and reports, the records search also involved review of historical maps of the project site and vicinity; ethnographies; the National Register of Historic Places (NRHP); the Office of Historical Preservation Built Environmental Resources Directory; and land patent records, held by the Bureau of Land Management and accessible through the Bureau of Land Management's General Land Office website, were also reviewed for pertinent project information.

The SCIC records indicate that a portion of one site, CA-SDI-5345/P-37-005345, is located within the northeastern portion of the project APE. This site includes two bedrock milling features, two marine shells, and a piece of metavolcanic angular waste. The records search results identified a total of 21 cultural resources previously recorded within 1-mile of the project APE. Of the total 21 resources identified in the 1-mile buffer, 16 are prehistoric resources, 4 are historic resources, and 1 is a multicomponent site.

Native American Heritage Commission and Tribal Correspondence

As described in Section 4.4 Cultural Resources of this EIR, a search of the NAHC Sacred Lands File was requested by Dudek on February 21, 2022 for the project APE and a 1-mile buffer. The Sacred Lands File consists of a database of known Native American resources. These resources may not be included in the SCIC database. The NAHC replied on April 12, 2022 with positive results; however, the response does not state if tribal cultural resources (TCRs) are located within the project APE or the search buffer. The NAHC also recommended contacting the La Jolla Band of Luiseño Indians, Pechanga Band of Mission Indians, and the San Luis Rey Band of Mission Indians for more information (Appendix D). The NAHC additionally provided a list of Native American tribes and individuals/organizations with traditional geographic associations that might have knowledge of cultural resources in this area.

Outreach letters were mailed on April 13, 2022, to all Native American group representatives included on the NAHC contact list (Appendix D). The purpose of these letters is to solicit additional information relating to Native American resources that may be impacted by the project. Native American representatives were requested to define a general area where known resources intersect the project APE. Four responses have been received to date. A response was received from the Pechanga Band of Mission Indians on April 15, 2022 stating that the project area is located within their Ancestral Territory, located in proximity to two Luiseño Traditional Cultural Properties, located near five Ancestral Placename locations and two ceremonial locations, and believes the possibility for recovering subsurface artifacts during ground-disturbing activities is extremely high. A response was received from the San Luis Rey Band of Mission Indians on April 26, 2022, stating that they are aware of cultural resources within close proximity to the proposed project and recommends including a Luiseño Native American monitor during all ground disturbing activities. A response was received from the Barona Band of Mission Indians on April 29, 2022, requesting to consult under Assembly Bill 52 with the City. A response was received from the Rincon Band of Luiseño Indians on May 3, 2022, stating the project is located within their Area of Historic Interest, and the project may impact tangible TCRs, Traditional Cultural Landscapes, and potential Traditional Cultural Properties. They recommended conducting a cultural resources study including a records search and survey of the property. The letters have been forwarded to the City and included in the report. No other communications between Dudek and the tribes has occurred since then. The NAHC correspondence is included in Appendix D.

In compliance with Assembly Bill 52, the City, as lead agency, is responsible for conducting government to government consultation with pertinent tribal entities. The City has conducted consultation with San Luis Rey Band of Mission Indians, Pechanga Band of Mission Indians, and Rincon Band of Luiseño Indians. Consultation included phone calls with all three Tribes, follow-up email coordination, and a site visit with Cheryl Madrigal who is the representative Cultural Resources Manager for Rincon Band of Luiseño Indians. Consultation has been deemed complete with Rincon Band of Luiseño Indians and San Luis Rey Band of Mission Indians. After initial consultation with Pechanga Band of Mission Indians, no responses have been received after multiple follow-up requests from the City.

Intensive Pedestrian Survey

As described in Section 4.4 Cultural Resources of this EIR, the current intensive pedestrian field survey was conducted by Dudek archaeologist on March 18, 2022. A Saving Sacred Sites Native American monitor participated in the survey. All survey work was conducted employing standard archaeological procedures and techniques consistent with Secretary of the Interior Standards. Five-meter interval survey transects were conducted. Exposed ground surface areas, such as vegetation clearings, cut banks, and rodent burrows/spoils were inspected for potential subsurface deposits and sediment conditions.

The project APE had moderate to poor ground surface visibility due to various levels of ground covering surface vegetation. Vegetation covered approximately 75% of the ground surface. The general level of previous ground disturbance is very high, as noted by evidence of grading excavations and various dirt berms, as well as several dispersed locations of construction waste dumping piles. Small mammal burrows were noted on the property, offering a brief glimpse at immediate sub-surface sediments. The rodent spoils were searched for potential subsurface artifacts or other cultural materials and no artifacts were identified.

The project APE has a discernable south-facing slope, with the lowest elevation along the southern edge of the project APE. There are multiple large granite bedrock boulders located in the remains of a natural seasonal drainage along the south-central edge of the project APE, all heavily exfoliated and damaged on outer surfaces. No milling surfaces were identified on these boulders. Additionally, three granite bedrock boulders are located along the southeastern corner of the project APE. These boulders were inspected for cultural features, and none were identified. It strongly appears that the boulders are not in situ and have been placed in their current location.

No new artifacts of features were identified during the pedestrian survey. The previously recorded displaced milling feature identified during the 2007 ASM Affiliates survey of the project APE is now missing and was not relocated during the current survey. In 2007-2008, this feature was presumed to have been displaced from the immediately adjacent site, CA-SDI-5345.

No artifacts or features were identified within the previously recorded site boundaries of CA-SDI-5345 or in the vicinity associated with CA-SDI-5345. CA-SDI-5345 was not relocated within the project APE. No artifacts or features were identified during this survey and no structures are present in the project APE; therefore, there are no historical resources are located within the project APE (Appendix D).

4.16.2 Regulatory Setting

Federal

National Historic Preservation Act

The National Historic Preservation Act (16 USC 470 et seq.) 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 (e.g., historic properties) prior to undertakings.

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of projects on historic properties (resources included in or eligible for the NRHP). It also gives the Advisory Council on Historic Preservation and the state historic preservation offices an opportunity to consult.

Executive Order 11593, Protection and Enhancement of the Cultural Environment

Executive Order 11593 (36 Federal Register 8921) (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 (16 USC 470-1).

National Register of Historic Places

The 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 or more of the following four criteria at the national, state, or local level to ensure integrity and obtain official designation:

- The property is associated with events that have made a significant contribution to the broad patterns of our history.
- The property is associated with the lives of persons significant to our past. Eligible properties based on this criterion are generally those associated with the productive life of the individual in the field in which the person achieved significance.
- The property embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic value, or represents a significant and distinguishable entity whose components lack individual distinction.
- The property has yielded, or is likely to yield, information important to prehistory or history.

In addition to meeting at least one of these four criteria, listed properties must also retain sufficient physical integrity of those features necessary to convey historic significance. The register has identified the following seven aspects of integrity: (1) location, (2) design, (3) setting, (4) materials, (5) workmanship, (6) feeling, and (7) association.

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 national standards used by every state. Once a property is listed in the NRHP, it becomes searchable in the NRHP database of research information. Documentation of a property's historic significance helps encourage preservation of the resource.

State

California Register of Historical Resources

Under the California Environmental Quality Act (CEQA), the term "historical resource" includes but is not limited to "any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California" (California Public Resources Code section 5020.1[j]). In 1992, the California legislature established the California Register of Historical Resources (CRHR) "to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change" (California Public Resources Code section 5024.1[a]). A resource is eligible for listing in the CRHR if the State Historical Resources Commission determines that it is a significant resource and that it meets any of the following NRHP criteria:

- Associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- Associated with the lives of persons important in our past.

- 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.
- Has yielded, or may be likely to yield, information important in prehistory or history (California Public Resources Code section 5024.1[c]).

Resources less than 50 years old are not considered for listing in the CRHR, but may be considered if it can be demonstrated that sufficient time has passed to understand the historical importance of the resource (see 14 CCR, section 4852[d][2]).

The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR are nearly identical to those for the NRHP, and properties listed or formally designated as eligible for listing on the NRHP are automatically listed on the CRHR, as are the state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys. The State Historic Preservation Officer maintains the CRHR.

California Environmental Quality Act

As described further below, the following CEQA statutes and CEQA Guidelines are of relevance to the analysis of archaeological and historic resources:

1. California Public Resources Code section 21083.2(g): Defines "unique archaeological resource."
2. California Public Resources Code section 21084.1 and CEQA Guidelines section 15064.5(a): Define historical resources. In addition, CEQA Guidelines section 15064.5(b) defines the phrase "substantial adverse change in the significance of an historical resource;" it also defines the circumstances when a project would materially impair the significance of a historical resource.
3. California Public Resources Code section 5097.98 and CEQA Guidelines section 15064.5(e): Set forth standards and steps to be employed following the accidental discovery of human remains in any location other than a dedicated ceremony.
4. California Public Resources Code sections 21083.2(b)-(c) and CEQA Guidelines section 15126.4: Provide information regarding the mitigation framework for archaeological and historic resources, including options of preservation-in-place mitigation measures; preservation-in-place is the preferred manner of mitigating impacts to significant archaeological sites because it maintains the relationship between artifacts and the archaeological context, and may also help avoid conflict with religious or cultural values of groups associated with the archaeological site(s).

Under CEQA, a project may have a significant effect on the environment if it may cause "a substantial adverse change in the significance of an historical resource" (California Public Resources Code section 21084.1; CEQA Guidelines section 15064.5[b]). If a site is either listed or eligible for listing in the CRHR, or if it is included in a local register of historic resources or identified as significant in a historical resources survey (meeting the requirements of California Public Resources Code section 5024.1[q]), it is a "historical resource" and is presumed to be historically or culturally significant for purposes of CEQA (California Public Resources Code section 21084.1; CEQA Guidelines section 15064.5[a]). The lead agency is not precluded from determining that a resource is a historical resource even if it does not fall within this presumption (California Public Resources Code section 21084.1; CEQA Guidelines section 15064.5[a]).

A "substantial adverse change in the significance of an historical resource" reflecting a significant effect under CEQA means "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired" (CEQA Guidelines section 15064.5[b][1]; California Public Resources Code section 5020.1[q]). In turn, the significance of a historical resource is materially impaired when a project:

1. Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register; or
2. Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
3. Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register as determined by a lead agency for purposes of CEQA.

Native American Historic Cultural Sites (California Public Resources Code Section 5097 et seq.)

California Public Resources Code Sections 5097–5097.6, identify that the unauthorized disturbance or removal of archaeological or historical resources located on public lands is a misdemeanor. It prohibits the knowing destruction of objects of antiquity without a permit (express permission) on public lands, and it provides for criminal sanctions. This section was amended in 1987 to require consultation with the NAHC whenever Native American graves are found. Violations that involve taking or possessing remains or artifacts are felonies.

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

California Assembly Bill 52, which took effect July 1, 2015, establishes 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 resources" (TCRs). Public Resources Code section 21074(a) defines TCRs and states that a project that has the potential to cause a substantial adverse change to a TCR is a project that may have an adverse effect on the environment. A TCR is defined as a site, feature, place, cultural landscape, sacred place, and 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 historical resources, or
2. determined by a lead agency to be a TCR.

California Native American Graves Protection and Repatriation Act

The California Native American Graves Protection and Repatriation Act (California Repatriation Act) (25 U.S.C., Chapter 32), 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, as defined, to complete an inventory and summary of these remains and items on or before January 1, 2003, with certain exceptions. The California Repatriation Act also provides a process for the identification and repatriation of these items to the appropriate tribes.

California Health and Safety Code Section 7050.5

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 (Section 7050.5b). 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 (Section 7050.5c). The NAHC will notify the most likely descendant, and with the permission of the landowner, the most likely descendant may inspect the site of discovery. The inspection must be completed within 24 hours of notification of the most likely descendant by the NAHC. The most likely descendant may recommend means of treating or disposing of, with appropriate dignity, the human remains, and items associated with Native Americans.

Local

City of Oceanside General Plan

Cultural resources are addressed in the Environmental Resources Management Element and the Land Use Element. The Environmental Resources Management Element identifies several important cultural sites, including the nearby Mission San Luis Rey, and encourages preservation of such sites when planning development. Specifically, the Environmental Resource Management Element has the following objective for 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 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 areas and to forward this information to appropriate County agencies for inclusion in the San Diego County Natural Resources Inventory.

The Land Use Element provides designations for historic areas in order to preserve cultural resources. The Land Use Element states the following policy relevant to historic sites:

> 1.33 Historic Areas and Sites, Policy A: The City shall utilize adopted criteria, such as the "Mission San Luis Rey Historic Area Development Program and Design Guidelines," to preserve and further enhance designated historic or cultural resources.

The Land Use Element further contains the following policies regarding cultural resources:

3.2A: The City shall encourage open space land use designations and open space land use designations and open space zoning or open space easements for the preservation of cultural resources.

3.2B: The City shall encourage the acquisition, restoration, and/or maintenance of significant cultural resources by private organizations.

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.

3.2D: An archaeological survey report shall be prepared by a 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.

City of Oceanside Historic Preservation Ordinance

Chapter 14A of the City's Municipal Code, referred to as the Historic Preservation Ordinance, identifies evaluation criteria under which a historical site or area may be designated in Section 14A.6, as follows (City of Oceanside 2018):

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.

4.16.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to tribal cultural resources are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to tribal cultural resources would occur if the proposed project would:

1. 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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

4.16.4 Impacts 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), 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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Under California's Assembly Bill 52, TCRs are defined as archaeological resources that are eligible for or listed in the CRHR, or resources that the lead agency determines to be a TCR with a substantial burden of evidence. To date, no tribal cultural resources have been identified that would be impacted by project implementation. However, tribal consultation with the City is ongoing, and this EIR will be updated upon conclusion of tribal consultation.

As described above, outreach letters were mailed on April 13, 2022, to all Native American group representatives included on the NAHC contact list (Appendix D). The purpose of these letters is to solicit additional information relating to Native American resources that may be impacted by the project. Native American representatives were requested to define a general area where known resources intersect the project APE. Four responses have been received to date. A response was received from the Pechanga Band of Mission Indians on April 15, 2022 stating that the project area is located within their Ancestral Territory, located in proximity to two Luiseño Traditional Cultural Properties, located near five Ancestral Placename locations and two ceremonial locations, and believes the possibility for recovering subsurface artifacts during ground-disturbing activities is extremely high. A response was received from the San Luis Rey Band of Mission Indians on April 26, 2022, stating that they are aware of cultural resources within close proximity to the proposed project and recommends including a Luiseño Native American monitor during all ground disturbing activities. A response was received from the Barona Band of Mission Indians on April 29, 2022, requesting to consult under AB52 with the City. A response was received from the Rincon Band of Luiseño Indians on May 3, 2022, stating the project is located within their Area of Historic Interest, and the project may impact tangible TCRs, Traditional Cultural Landscapes, and potential Traditional Cultural Properties. They recommended conducing a cultural resources study including a records search and survey of the property. The letters have been forwarded to the City and included in the report. No other communications between Dudek and the tribes has occurred since then. The NAHC correspondence is included in Appendix D.

While considered unlikely based on the SCIC record's search, the current disturbed state of the project site, and other information received by the City to date, there remains the potential for the project to encounter previously unknown and unanticipated TCRs during construction of the proposed project. As described in Section 4.4 of this EIR, Dudek's Phase I cultural resources inventory of the project indicates there is moderate to high sensitivity for identifying intact subsurface archaeological deposits during project implementation. The SCIC records search did identify CA-SDI-5345 within the northeastern corner of the project APE; however, the pedestrian survey did not relocate CA-SDI-5345 or any resources within the project APE. CA-SDI-5345 was previously determined as ineligible for listing for the CRHR and NRHP and is not significant under CEQA or the City of Oceanside Guidelines.

As there are no cultural resources in the APE, no historical resources, as defined under CEQA will be impacted by the project. This includes no direct, indirect, or cumulative impacts. The portion of CA-SDI-5345 within the project APE has been destroyed. The site is not a significant archaeological resource under CEQA; however, the project APE is located in close proximity to culturally sensitive areas such as village sites and ceremonial aeras, numerous cultural resources have been noted to be within proximity to the project APE, and the project APE is in close proximity to a drainage. Given the sensitivity of the area, there is potential for subsurface cultural resources, therefore, it is recommended that a qualified archaeologist and TCA Native American Monitor representing a TCA Luiseño Tribe are present during all ground-disturbing activities.

Despite no significant archaeological resources being identified within the project site, the project area is of importance to the Luiseño People, and significant resources are noted within the area surrounding the project site. Therefore, as recommended in the Negative Cultural Resources Inventory Report (Appendix D), in the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist meeting the Secretary of the Interior's Professional Qualification Standards can evaluate the significance of the find. Construction activities may continue in other areas but should be redirected a safe distance from the find. If the new discovery is evaluated and found to be significant under CEQA and avoidance is not feasible, additional work such as data recovery may be warranted. In such an event, a data recovery plan should be developed by the qualified archaeologist in consultation with the City and Native American representatives, if applicable. Ground disturbing work can continue in the area of the find only after impacts to the resources have been mitigated and with City approval.

Additionally, although no evidence of human remains was discovered within the project site during the field surveys, and the project site is not used as a cemetery nor otherwise known to contain human remains; this does not preclude finding human remains during project excavation and grading activities. As a standard construction practice, and in accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the County Coroner shall be immediately notified of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are, or are believed to be, Native American, he or she shall notify the NAHC in Sacramento within 24 hours. In accordance with California Public Resources Code Section 5097.98, the NAHC must immediately notify the person or persons it believes to be the MLD from the deceased Native American. The

MLD shall complete inspection within 48 hours of being granted access to the site and make recommendations for the treatment and disposition, in consultation with the property owner, of the human remains.

Furthermore, to ensure project development would not result in potential impacts to cultural resources or tribal cultural resources, the project would implement the City's standard cultural mitigation measures, **MM-CUL-1** through **MM-CUL-9**, outlined in Section 4.4 of this EIR. project implementation of the recommendations in the Negative Cultural Resources Inventory Report (Appendix D) as well as implementation of the City's cultural mitigation measures would ensure that potential impacts to tribal cultural resources would remain **less than significant**.

4.16.5 Mitigation Measures

Although impacts to tribal cultural resources are not anticipated, to ensure project development would not result in potential impacts to cultural resources or tribal cultural resources, the project would implement the City's standard cultural mitigation measures **MM-CUL-1** through **MM-CUL-9**, outlined in Section 4.4 of this EIR.

4.16.6 Level of Significance After Mitigation

Project implementation of the recommendations in the Negative Cultural Resources Inventory Report (Appendix D), as well as implementation of the City's cultural mitigation measures **MM-CUL-1** through **MM-CUL-9**, would ensure that potential impacts to tribal cultural resources, including human remains, would remain **less than significant**.

INTENTIONALLY LEFT BLANK

4.17 Utilities and Service Systems

This section describes the existing utilities and service system conditions of the project site, identifies associated regulatory requirements, evaluates potential impacts to utilities and service systems, and identifies mitigation measures related to implementation of the Modera Melrose Mixed-Use Development Project (project or proposed project) in the City of Oceanside (City). This section analyzes the proposed project's potential impacts on public utilities, including wastewater, water, storm drains, and solid waste disposal.

The following analysis is based on the Drainage Study (Appendix H), Storm Water Quality Management Plan (Appendix I), Water Service Analysis (Appendix M), and Sewer Service Analysis (Appendix N) that were prepared for the project by Kimley-Horn and Associates in 2021, 2016, and 2022 respectively.

Please refer to Section 4.5, Energy, of this environmental impact report (EIR) for detailed project analysis of electric power, natural gas, and telecommunications facilities.

4.17.1 Existing Conditions

Domestic Water Supply

The City's Water Utilities Department Water Division provides potable water services to the City through operating and maintaining water treatment, distribution, and metering facilities. The Water Division purchases approximately 85% of the City's water supply from the San Diego County Water Authority (SDCWA) and treats it at the Robert A. Weese Filtration Plant (Weese Plant) which is in the process of being upgraded from a capacity of 25 million gallons per day (mgd) to 37.5 mgd. Mission Basin provides for the remaining water supply through extraction and treatment at the Mission Basin Groundwater Purification Facility with a capacity of 6.4 mgd (City of Oceanside 2021a).

For potable water service, the project site is located in an area served by the Peacock Hills 626 Pressure Zone. The City of Oceanside considers this to be a subzone of the Guajome 511 Pressure Zone. Generally, the water supply to the 626 Pressure Zone comes from the 800 Pressure Zone aqueduct piping in North Santa Fe Avenue. The water supply originates at the City of Oceanside (Weese Plant) off of Gopher Canyon Road, west of Interstate 15. At Mesa Drive and North Santa Fe Avenue, a 24-inch 800 Pressure Zone pipeline extends west and south in Mesa Drive to Old Grove Road. At Old Grove Road, the 24-inch pipeline turns south and east to just south of Ocean Ranch Boulevard terminating at a pressure regulating station. This pressure regulating station breaks the 800 Pressure Zone down to the 626 Pressure Zone. The station includes a 6-inch and a 12-inch pressure regulating valve.

A second source of supply to the 626 Pressure Zone is a pressure regulating station located at the intersection of Crestview Drive and Darwin Drive. At the intersection, there is a 24-inch 800 Pressure Zone pipeline. The pipeline is the main supply to the two Guajome Tanks located at the intersection of Peacock Boulevard and Temple Heights Drive. This pressure regulating station includes a 4-inch and a 10-inch pressure reducing valve.

In addition to potable water requirements, the project area also requires certain levels for fire hydrant flows. The requirements for fire hydrant flows are detailed in the City's Design and Construction Manual. The City's Design and Construction Manual identifies the fire flow requirement for multi-family residential development to be 3,000 gallons per minute (gpm) at 20 pounds per square inch (psi) residual and for commercial development to be 4,000 gallons per day (gpd) at 20 psi residual for water system planning purposes.

Under existing conditions, the project site is undeveloped and does not use any potable water. Water service would be provided via the existing water connections to the existing public water system. Water service for the project would be provided by the City via connections to the existing developments adjacent to the project site.

Wastewater Treatment

In the City of Oceanside, wastewater is collected and treated by the City's Water Utilities Department, Wastewater Division. The Wastewater Division provides wastewater collection, treatment, and disposal services of sewage for the City in accordance with applicable laws and standards. Staff is responsible for operating and maintaining over 450 miles of pipelines and 34 lift stations. The division also owns, operates, and maintains the San Luis Rey Wastewater Reclamation Facility (SLRWRF; originally called the San Luis Rey Wastewater Treatment Plant) and the La Salina Wastewater Treatment Plant. The SLRWRF is currently being expanded (secondary treatment capacity expanding from 13.5 million mgd in 2020 to 17.4 mgd in 2045). The City is currently in the process of decommissioning the La Salina Wastewater Treatment Plant (secondary treatment is 5.5 mgd) (City of Oceanside 2021a). The proposed project lies in the service area of the SLRWRF which also provides service for Rainbow Metropolitan Water District and a portion of the City of Vista. The SLRWRF has a current treatment capacity of 3.0 mgd and will eventually be increased to 6.0 mgd (City of Oceanside 2021a).

Sewer service would be provided to the project site by the City of Oceanside Water Utilities Department via existing public sewer lines, including the existing 8-inch diameter to 15-inch diameter gravity sewer in West Bobier Drive, Oceanside Boulevard, and in easements within commercial shopping centers along Loma Alta Creek. The project site does not currently feature sewer facilities on site.

Storm Drain Facilities

In the San Diego County, storm water discharges from any development to municipal storm drain systems are regulated by the San Diego Regional Water Quality Control Board. The City is responsible for local administration of storm water management requirements and has developed a Best Management Plan (BMP) Design Manual as a resource document, which is designed to facilitate the implementation of the requirements of the Regional Water Quality Control Board Municipal Separate Storm Sewer System (MS4) Permit (City of Oceanside 2021c).

In existing conditions, the project site has been previously graded and is currently vacant. Overland runoff flows from the northeast corner of the project site to the southwest towards the existing bike path and North County Transit District Sprinter light rail line where runoff enters the existing storm drain system by culverts and headwalls south of the bike path (Appendix H).

Solid Waste and Recycling

Waste Management and Agri Service Inc. provide solid waste and recycling services to the City of Oceanside. Waste Management disposes of solid waste collected in the City of Oceanside at the El Sobrante Landfill located at 10910 Dawson Canyon Road, Corona, California 92883 (City of Oceanside 2012). The El Sobrante Landfill has a maximum permitted throughput of 16,054 tons per day with estimated remaining capacity of 143,977,170 tons and projected closure date of January 1, 2051 (CalRecycle 2019). The City adopted and enacted the Zero Waste Strategic Resource Management Plan, which established methods to reach the goal of diverting 75% of solid waste by 2020, working in conjunction with the goals of City Council's adoption of Resolution No. 10-R0636-1, the State of California Assembly Bill (AB) 341 (City of Oceanside 2012).

4.17.2 Regulatory Setting

Federal

Federal Clean Water Act

The Federal Water Pollution Control Act (also known as the Clean Water Act [CWA]) is the principal federal statute that addresses water resources. The statute employs a variety of regulatory and non-regulatory tools to reduce direct pollutant discharges into waterways, finance municipal wastewater treatment facilities, and manage polluted runoff. The broad goal is to restore and maintain the chemical, physical, and biological integrity of the nation's waters so that they can support "the protection and propagation of fish, shellfish, and wildlife and recreation in and on the water." Section 402 of the CWA authorizes the National Pollutant Discharge Elimination System (NPDES) permit program that covers point sources of pollution discharging to a water body. The NPDES program also requires operators of construction sites one acre or larger to prepare a Storm Water Pollution Prevention Plan for construction activities and obtain authorization to discharge storm water under a NPDES construction storm water permit.

Federal Safe Drinking Water Act

The Safe Drinking Water Act authorizes the United States Environmental Protection Agency to set national health-based standards for drinking water. The purpose of this is to protect against both naturally-occurring and man-made contaminants that may be found in drinking water. The Environmental Protection Agency, states, and water systems work in collaboration to ensure the standards are met.

National Pollutant Discharge Elimination System Permit Program

The NPDES permit program was established in the CWA to regulate municipal and industrial discharges to surface waters of the United States. Discharge from any point source is unlawful unless the discharge is in compliance with an NPDES permit. Federal NPDES permit regulations have been established for broad categories of discharges, including point-source municipal waste discharges and nonpoint-source stormwater runoff. NPDES permits generally identify effluent and receiving water limits on allowable concentrations and/or mass emissions of pollutants contained in the discharge; prohibitions on discharges not specifically allowed under the permit; and provisions that describe required actions by the discharger, including industrial pretreatment, pollution prevention, self-monitoring, and other activities.

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (Code of Federal Regulations, Title 40, Section 268, Subpart D), contains regulations for municipal solid waste landfills and requires states to implement their own permitting programs that include federal landfill criteria. The federal regulations address the location, operation, design, and closure of landfills, as well as groundwater monitoring requirements.

State

California Code of Regulations, Titles 14 and 27

Title 14 (Natural Resources, Division 7) and Title 27 (Environmental Protection, Division 2 [Solid Waste]) of the California Code of Regulations govern the handling and disposal of solid waste and operation of landfills, transfer stations, and recycling facilities.

Assembly Bills 939 and 341: Solid Waste Reduction

The California Integrated Waste Management (CIWM) Act of 1989 (AB 939) was enacted as a result of a national crisis in landfill capacity, as well as a broad acceptance of a desired approach to solid waste management of reducing, reusing, and recycling. AB 939 mandated local jurisdictions to meet waste diversion goals of 25% by 1995 and 50% by 2020, and established an integrated framework for program implementation, solid waste planning, and solid waste facility and landfill compliance. AB 939 requires cities and counties to prepare, adopt, and submit to the California Department of Resources Recycling and Recovery (CalRecycle) a source reduction and recycling element to demonstrate how the jurisdiction will meet the diversion goals. Other elements include encouraging resource conservation and considering the effects of waste management operations. The diversion goals and program requirements are implemented through a disposal-based reporting system by local jurisdictions under CIWM board (CIWMB) regulatory oversight. Since the adoption of AB 939, landfill capacity is no longer considered a statewide crisis. AB 939 has achieved substantial progress in waste diversion, program implementation, solid waste planning, and protection of public health, safety, and the environment from landfills operations and solid waste facilities.

In 2011, AB 341 was passed, making a legislative declaration that it is the policy goal of the state that not less than 75% of solid waste generated be source reduced, recycled, or composted by the year 2020. AB 341 requires that local agencies adopt strategies that will enable 75% diversion of all solid waste by 2020. This bill requires all commercial businesses and public entities that generate 4 cubic yards or more of waste per week to have a recycling program in place. In addition, multifamily apartments with five or more units are also required to form a recycling program. At least one of the following actions are required:

- Source separate recyclable and/or compostable material from solid waste and either self-haul, subscribe to a recycling program through a waste hauler, and/or otherwise arrange for pick-up of the recyclable and/or compostable materials separately from the solid waste to divert them from disposal.
- Subscribe to a service that includes mixed waste processing alone or in combination with other programs, activities, or processes that divert recyclable and/or compostable materials from disposal and yield diversion results comparable to source separation.
- Property owners of commercial or multi-family complexes may require tenants to source separate their recyclable materials. Tenants must source separate their recyclable materials if required to by property owners of commercial or multi-family complexes.

Senate Bill 1374: Construction and Demolition Waste Reduction

Senate Bill (SB) 1374 requires that annual reports submitted by local jurisdictions to CIWMB include a summary of the progress made in the diversion of construction and demolition waste materials. In addition, SB 1374 requires the CIWMB to adopt a model ordinance suitable for adoption by any local agency that required 50% to 75% diversion of construction and demolition waste materials from landfills. Local jurisdictions are not required to adopt their own construction and demolition ordinances, nor are they required to adopt CIWMB's model by default.

Assembly Bill 1327: California Solid Waste Reuse and Recycling Access Act of 1991

AB 1327, which was established in 1991, required CalRecycle to develop a model ordinance for the use of recyclable materials in development projects. Local agencies were then required to adopt the model ordinance, or an ordinance of their own, governing adequate areas for collection and loading of recyclable materials in development projects.

Assembly Bill 1826: Mandatory Commercial Organics Recycling

In October 2014, Governor Brown signed AB 1826 Chesbro (Chapter 727, Statutes of 2014) requiring businesses to recycle their organic waste on and after April 1, 2016, depending on the amount of waste generated per week (organic waste is defined as food waste, green waste, landscape, and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste.) This law also requires local jurisdictions across the state to implement an organic waste recycling program to divert organic waste generated by businesses, including multifamily residential dwellings that consist of five or more units. This law phases in the mandatory recycling of commercial organics over time. In particular, the minimum threshold of organic waste generation by businesses decreases over time, which means an increasingly greater proportion of the commercial sector will be required to recycle organic waste.

Sustainable Groundwater Management Act

On September 16, 2014, Governor Jerry Brown signed into law a three-bill legislative package—AB 1739 (Dickinson), SB 1168 (Pavley), and SB 1319 (Pavley)—collectively known as SGMA. This act requires governments and water agencies of high- and medium-priority basins to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. Under SGMA, these basins should reach sustainability within 20 years of implementing their sustainability plans. For critically over-drafted basins, sustainability should be achieved by 2040. For the remaining high- and medium-priority basins, 2042 is the deadline. Through SGMA, the California Department of Water Resources provides ongoing support to local agencies through guidance, financial assistance, and technical assistance. SGMA empowers local agencies to form Groundwater Sustainability Agencies to manage basins sustainably, and requires those Groundwater Sustainability Agencies to adopt Groundwater Sustainability Plans for crucial groundwater basins in California.

Sanitary Sewer General Waste Discharge Requirements

On May 2, 2006, the State Water Resources Control Board adopted a General Waste Discharge Requirement (Order No. 2006-0003) for all publicly owned sanitary sewer collection systems in California with more than 1.0 mile of sewer pipe. The order provides a consistent statewide approach to reducing sanitary sewer overflows by requiring public sewer system operators to take all feasible steps to control the volume of waste discharges into the system in order to prevent sanitary sewer waste from entering the storm sewer system, and to develop a Sewer System Management Plan. The General Waste Discharge Requirement also requires that storm sewer overflows be reported to the State Water Resources Control Board using an online reporting system.

California Code of Regulations Title 24, Part 11

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 referred to as CALGreen and establishes minimum mandatory standards as well as voluntary standards pertaining to the planning and design of sustainable site development, energy efficiency, water conservation, material conservation, and interior air quality. The CALGreen standards took effect in January 2011 and instituted mandatory minimum environmental performance standards for all new construction of residential and non-residential buildings. CALGreen standards are updated periodically. The latest version (CALGreen 2019) became effective on January 1, 2020. The Mandatory CALGreen standards pertaining to utilities and service systems include the following (24 CCR Part 11):

- Mandatory reduction in indoor water use through compliance with specified flow rates for plumbing fixtures and fittings.

- Mandatory reduction in outdoor water use through compliance with a local water-efficient landscaping ordinance or the California Department of Water Resources' Model Water Efficient Landscape Ordinance.
- Diversion of 65% of construction and demolition waste from landfills.
- Mandatory inspections of energy systems to ensure optimal working efficiency
- Inclusion of electric vehicle charging stations or designated spaces capable of supporting future charging stations

The CALGreen standards also include voluntary efficiency measures that are provided at two separate tiers and implemented at the discretion of local agencies and applicants. CALGreen's Tier 1 standards call for a 15% improvement in energy requirements; stricter water conservation, 65% diversion of construction and demolition waste, 10% recycled content in building materials, 20% permeable paving, 20% cement reduction, and cool/solar-reflective roofs. CALGreen's more rigorous Tier 2 standards call for a 30% improvement in energy requirements, stricter water conservation, 75% diversion of construction and demolition waste, 15% recycled content in building materials, 30% permeable paving, 25% cement reduction, and cool/solar-reflective roofs.

Local

City of Oceanside General Plan

The relevant elements of the Oceanside General Plan to utilities and service systems are the Environmental Resource Management Element and the Hazardous Waste Management Element. All other specific plans and programs adopted by the City of Oceanside are consistent with the General Plan and its elements.

Environmental Resource Management Element

The Environmental Resource Management Element is designed to conserve natural resources and enforce the principles of conservation, which are the preservation, planned management, and wise utilization of natural resources (City of Oceanside 2002). The General Plan Environmental Resources Management Element contains the following goals, policies, objectives that are relevant to the project.

Natural Resource Preservation

Goal: Evaluate the state of the environment and formulate a program of planned management, wise utilization, and preservation of our natural resources to ensure the health, safety, and welfare of present and future generations.

To implement the goal set forth for Natural Resource Preservation, the Environmental Resources Management Element identifies several objectives and associated policies related to utilities for the project:

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.

Community Facilities Element

The City's General Plan Community Facilities Element contains goals, policies, and objectives related to the community's need for utilities and service systems.

Water and Sewer Systems

Objective: To provide an adequate water supply, storage and distribution system, and an adequate sanitary sewer collection and treatment system to serve Oceanside's existing and future growth requirements in an efficient and cost effective manner, while encouraging a more compact and sequenced development pattern through the phased extension of water and sewer systems and while meeting all Federal and State mandated programs.

Sanitary Sewer Policies

Policy 5.4 New development shall be responsible for on-site facility improvements required by that development.

Water Supply Policies

Policy 5.11 New development shall be responsible for on-site water facilities improvements required by that development.

Stormwater Management System

Objective: To provide adequate stormwater management facilities and services for the entire community in a timely and cost effective manner, while mitigation the environmental impacts of construction of the storm drainage system as well as stormwater runoff.

Stormwater Management Policies

Policy 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.

Policy 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.

Hazardous Waste Management Element

The Hazardous Waste Management Element provides overall policy guidance for safe and effective managing of hazardous waste within the City of Oceanside. Items within this element's scope include hazardous waste facilities, pollution prevention, and waste reduction and elimination. There are no formal policies within this element that are applicable to the proposed project.

Urban Water Management Plan

As required by California Water Code Section 10617, the City of Oceanside is required to complete an Urban Water Management Plan (UWMP) every 5 years as an "Urban Water Supplier" (City of Oceanside 2016a). The City of Oceanside adopted the 2015 UWMP in June 2016, and just recently adopted the 2020 UWMP in July 2021. The UWMP describes current water system services, facilities, supplies, and demands and provides planning guidelines for future projections for water use (City of Oceanside 2021a).

Water Conservation Master Plan

The 2011 Water Conservation Master Plan makes recommendations for specific water conservation measures to help the City achieve conservation goals set by the Water Conservation Act of 2009 and a reduction of 34 gallons per capita per day by 2020 (City of Oceanside 2016b). The Water Conservation Master Plan is consistent with the UWMP.

Zero Waste Strategic Resource Management Plan

In response to the adoption of Resolution No. 10-R0636-1 (City of Oceanside 2010) by the City of Oceanside City Council on August 25, 2010, to divert 75% of waste by 2020 (also aligned with AB 341), 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 drafting of the Zero Waste Plan, the City of Oceanside had already reached 67% waste diversion, as previously described under the solid waste and recycling subsection (City of Oceanside 2012). The private companies contracted to provide solid waste and recycling services, Waste Management and Agri Service Inc., are also working in support of the City of Oceanside to achieve this goal.

City of Oceanside Municipal Code

The City of Oceanside Municipal Code provides various chapters that define requirements for public facilities impact fees as a condition of approval of building permits for development projects. Specifically, Chapter 32C, Section 32C.3, states that "prior to the issuance of a building permit for new construction, including residential and nonresidential development, on any property within the citywide area of benefit established pursuant to this chapter, the applicant for such permit shall pay or cause to be paid any fees established and apportioned pursuant to this chapter for the purpose of defraying the actual or estimated cost of constructing the city's public facilities" (City of Oceanside 2021b). Public facilities, as defined by the City of Oceanside Municipal Code, are all governmental facilities within the City's General Plan, including water, sewer, and stormwater systems.

4.17.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to utilities and service systems are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to utilities and service systems would occur if the proposed project would:

1. 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 could cause significant environmental effects.
2. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.

3. Result 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 demand in addition to the provider's existing commitments.
4. 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.
5. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

4.17.4 Impacts Analysis

Would the Project 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 could cause significant environmental effects?

Water

As described in Section 4.17.1 above, the City's Water Utilities Department Water Division provides potable water services to the City through operating and maintaining water treatment, distribution, and metering facilities. The Water Division purchases approximately 85% of the City's water supply from the SDCWA and treats it at the Weese Plant which has a current capacity of 25 mgd. Mission Basin provides for the remaining water supply through extraction and treatment at the Mission Basin Groundwater Purification Facility with a capacity of 6.4 mgd (City of Oceanside 2021a).

Water facilities within the area surrounding the project adequately serve existing development. The proposed on-site water system would consist of a 10-inch looped fire main with two points of connection to the existing 12-inch water main in Oceanside Boulevard. The fire main would connect to six building points of connection and include four on-site fire hydrants. The on-site fire hydrants would connect to the main line via 10-inch fire hydrant laterals. Additionally, there would be six potable water service connections from each proposed building to the existing 12-inch main in Oceanside Boulevard (Appendix M).

As outlined in Appendix M to this EIR, the proposed project's water demand would not require additional improvements to the existing water system. The project would connect to available existing water utilities with on-site systems to serve the project. The proposed connections to existing water facilities would be designed and constructed in accordance with the guidelines, standards, and approved materials of the City of Oceanside. No relocation or construction of new or expanded water facilities would be required to provide adequate service to the project, and therefore, impacts related to water demand and service would be **less than significant**.

Wastewater Treatment

As described under Section 4.17.1 above, wastewater is collected and treated by the City's Water Utilities Department, Wastewater Division. The division owns and operates the SLRWRF, which is currently being expanded (secondary treatment capacity expanding from 13.5 mgd to 17.4 mgd in 2045), and the La Salina Wastewater Treatment Plant (secondary treatment is 5.5 mgd) which is in the processes of being decommissioned (City of Oceanside 2021a). The project lies in the services area of the SLRWRF which also provides service for Rainbow Metropolitan Water District and a portion of the City of Vista (City of Oceanside 2021a). The San Luis Rey Water Reclamation Facility has a current treatment capacity of 3.0 mgd.

Section 3 of the City's Design and Construction Manual (revised August 1, 2017) was used to calculate sewer generation rates and peaking factor for the project. For residential developments with a population of 500 to 1,000 (904 residents are estimated for the project), the City's Design and Construction Manual requires a peaking factor of 2.75 to convert average dry weather flow to peak wet weather flow. Using the City's design criteria, the peak daily flow for the project is determined to be 26,235 gallons per day. As described in Appendix N, it is determined that with the addition of sewer flows generated by the proposed project, the existing sewer system would still operate within the City's standards.

The proposed on-site sanitary sewer would convey sewage from each proposed building into a private 6-inch PVC sewer mainline, which would convey sewage to a proposed manhole located at the right-of-way on Oceanside Boulevard. An 8-inch PVC sewer mainline would discharge from the proposed manhole to an existing sanitary sewer manhole located in Oceanside Boulevard. All on-site sewer facilities for the project are proposed to be private. The minimum sewer lateral size per the City's Design and Construction Manual is 4 inches. The maximum capacity of a 4-inch service lateral at a 2% slope per the 2019 CPC is 216 drainage fixture units. The proposed sewer lines within the project site would be sufficient, and the project would not require any off-site pipeline improvements to accommodate the additional sewer flows.

The proposed sewer system would be designed and constructed in accordance with the guidelines, standards, and approved materials of the City, and no relocation or construction of new or expanded wastewater facilities would be required as a result of project implementation. Therefore, impacts related to wastewater demand and service would be **less than significant**.

Storm Water Drainage

In operational conditions, the project would be composed of approximately 74% impervious area and 26% landscape area. The project would have two discharge locations, which would remain the same as they are in existing conditions. The two discharge locations, or Points of Compliance (POC), consist of POC 1 and POC 2. POC 2 would collect runoff from the northern landscaped slope that flows into the existing gutter in Oceanside Boulevard and Melrose Drive, where it enters the public storm drain system by the existing curb inlet at the southeast corner of Oceanside Boulevard and Melrose Drive. The storm drain flows north and discharges in the East Channel Creek where it flows north to the San Luis Rey River where it ultimately discharges into the Pacific Ocean. POC 1 collects the rest of the project site's runoff where it enters the City of Vista's public storm drain system by the existing headwall. The public storm system conveys flows south and discharges into Loma Alta Creek which flows west to ultimately discharge into the Pacific Ocean (Appendix H). The project's source control measures would include prevention of illicit discharges, storm drain stenciling, and protection of outdoor materials storage areas, and trash storage areas. Biofiltration raised planter areas and Modular Wetland Systems are proposed throughout the project site to provide stormwater treatment for the pollutants discharged from the development. The project would be required to provide for ongoing implementation and maintenance of these features in accordance with the Storm Water Quality Management Plan.

The existing municipal storm drain system has sufficient conveyance capacity to accept the proposed runoff from the site that would be reduced by the proposed underground detention basin. The Drainage Study calculates existing and proposed stormwater runoff conditions by reviewing time of concentration, peak intensity, and peak flowrate of stormwater. Although there would be an overall increase in runoff from the project site due to project development, with implementation of the proposed underground detention basin, on-site runoff would be less than the existing rate at POC 1 (Appendix H). Implementation of the proposed underground detention basin would reduce peak runoff flowrate to below existing condition and no negative effects to downstream waterways are anticipated as a result of

the increased flow during the peak of the 100-year storm (Appendix I). Therefore, the project would not contribute runoff which would exceed existing capacity of storm drain facilities and impacts would be **less than significant**.

Please refer to Section 4.5, Energy, of this EIR for detailed project analysis of electric power, natural gas, and telecommunications facilities.

Would the project have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years?

As previously stated, the City's Water Utilities Department Water Division purchases approximately 85% of the City's water supply from the SDCWA and treats it at the Weese Plant which has a current capacity of 25 mgd. Mission Basin provides for the remaining water supply through extraction and treatment at the Mission Basin Groundwater Purification Facility with a capacity of 6.4 mgd (City of Oceanside 2021a).

The existing public water system would provide the necessary flow and pressure for the proposed mixed-use development project and for fire flow available to the project site, as proposed uses are consistent with the City's General Plan land use designation. Considering the capacity of the City's existing facilities, water demand generated by project implementation is expected to be adequately served.

Citywide water supply planning is completed via the UWMP (City of Oceanside 2016a, 2021a). The project would be in compliance with the General Plan and Zoning code, and therefore water demand of the project has been considered in the City and Regional water supply documents that are based on the buildout of the City. The City has also developed the Oceanside Water Conservation Master Plan (City of Oceanside 2016b), that further ensures water availability to the City during drought years. Additionally, the project would include water conserving landscaping along with efficient irrigation design consistent with the City's water planning efforts. Additionally, the SDCWA has developed a Water Shortage Contingency Plan (SDCWA 2021) as well that identifies ways in which the region can reduce water consumption during catastrophic events and in drought years. As part of the Water Shortage Contingency Plan, the Drought Ordinance established six drought stages of actions that can be taken to reduce water demand up to 50% or more. As the project is located within the City's service area, the project would adhere to water conservation measures imposed by the City.

It has been determined that sufficient water supply would be available to serve the project during normal, dry, and multiple dry years, and therefore, impacts related to water supply are considered to be **less than significant**.

Would the Project result 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 demand in addition to the provider's existing commitments?

As described above, wastewater is collected and treated by the City's Water Utilities Department, Wastewater Division who own and operate the SLRWRF, which is currently being expanded (secondary treatment capacity expanding from 13.5 to 17.4 mgd in 2045), and the La Salina Wastewater Treatment Plant (secondary treatment is 5.5 mgd) which is currently being decommissioned (City of Oceanside 2021a). The project lies in the services area of the SLRWRF which has a current treatment capacity of 3.0 mgd (City of Oceanside 2021a).

The project site is surrounded by existing sewer facilities that adequately serve existing development within the area. The peak daily flow for the project is determined to be 26,235 gallons per day. As described in Appendix N, it is determined that with the addition of sewer flows generated by the proposed project, the existing sewer system would still operate

within the City's standards. As such, the proposed sewer system connection would adequately serve the project. Based on existing facility capacity, estimated sewer generation from the project is expected to be adequately accommodated by the San Luis Rey Water Reclamation Facility in addition to their existing commitments. Construction of new facilities would not be required, and impacts related to wastewater service would be **less than significant**.

Would the Project 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?

Solid waste collection and disposal is provided by the City through Waste Management of North County, a private company under franchise agreement with the City. Solid waste collected in the City goes through Palomar Transfer Station in Carlsbad, which is owned and operated by Republic Industries, before traveling to the final destination of El Sobrante Landfill in Riverside County. The El Sobrante Landfill is located east of I-15 and south of the City of Corona, at 10910 Dawon Canyon Road in unincorporated Riverside County. The El Sobrante Landfill has a maximum permitted throughput of 16,054 tons per day with an estimated remaining capacity of 143,977,170 tons and projected closure date of January 1, 2051 (CalRecycle 2019).

The solid waste generated during construction would primarily consist of discarded materials and packaging generated by the construction process. The proposed project would adhere to California Green Building Standards Code (CALGreen) Section 5.408.1, which requires a minimum of 65% of non-hazardous construction waste to be recycled or salvaged for reuse. Additionally, the project site is currently vacant, and no buildings would be demolished during construction, further minimizing waste generated during construction. Therefore, construction of the proposed project would not generate solid waste in excess of applicable standards or in excess of the capacity of local infrastructure.

Operation of the proposed project would result in ongoing solid waste generation at the site. As previously stated, waste from the project would be transported to the El Sobrante Landfill. The proposed project includes 323 multi-family residential units, which would have the potential to house approximately 904 people. The anticipated operational solid waste generation from the proposed project was estimated using CalRecycle's Estimated Solid Waste Generation Rates (CalRecycle 2019). It is estimated that the project (323 units) would generate approximately 3,950 pounds of solid waste per day (12.23 pounds per household). This does not consider any waste diversion through recycling. The project would be required to comply with applicable state and local regulations related to solid waste, waste diversion and recycling at the time of development. No demolition activities are required prior to construction that would generate additional construction-related waste. El Sobrante Landfill's daily throughput and estimated remaining capacity is expected to sufficiently serve the proposed project's estimated daily waste. Additionally, the project would participate in the City's recycling programs, which would further reduce solid waste sent to El Sobrante Landfill. For these reasons, it is determined that the project would result in **less than significant** impacts related to solid waste.

Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

As previously stated, implementation of the project would not generate solid waste in excess of the capacity of local infrastructure. The project would comply with Chapter 13 of the City Municipal Code requiring residents and businesses to separate all recyclable material from other solid waste. The project would also comply with California AB 341 directing mandatory recycling for all business generating four or more cubic yards of waste and multi-family projects with five or more units. Additionally, the project would comply with California AB 1826 which requires public entities and multi-family projects to recycle organic waste. The proposed project commercial and residential areas

would comply with the state and City regulations, providing enclosures with adequate space for collection, storage, and separation of all recyclable materials in full compliance with City standards. This includes food waste, food-solid paper, green waste, landscaping and pruning waste, as well as non-hazardous wood waste. Therefore, the proposed project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste and project impacts related to solid waste would be **less than significant**.

4.17.5 Mitigation Measures

Impacts related to utilities and service systems as a result of project implementation are determined to be less than significant, and therefore no mitigation measures are required.

4.17.6 Level of Significance After Mitigation

No substantial impacts related to utilities and service systems were identified; therefore, no mitigation measures are required. Impacts related to utilities and service systems would be **less than significant**.

INTENTIONALLY LEFT BLANK

4.18 Wildfire

This section describes the existing conditions, identifies associated regulatory framework, evaluates potential impacts related to wildfire and establishes mitigation measures related to the implementation of the Modera Melrose Mixed-Use Development Project (project or proposed project). Fire protection services for the project have been addressed in Section 4.13, Public Services.

4.18.1 Existing Conditions

Wildfire is a continuous threat in Southern California and is particularly concerning in the wildland-urban interface, the geographic area where urban development either abuts or intermingles with wildland or vegetative fuels. During the summer season, dry vegetation, prolonged periods of drought, and Santa Ana wind conditions can combine to increase the risk of wildfires in San Diego County (County).

Fire History

The project area, like all of the County, is subject to seasonal weather conditions that can heighten the likelihood of fire ignition and spread. Fire history is an important component of wildfire analysis. Wildfire history information can provide an understanding of fire frequency, fire type, most vulnerable project areas, and significant ignition sources, amongst others. The California Department of Forestry and Fire Protection (CAL FIRE) maintains the Fire and Resource Assessment Program database, which was used to evaluate the project site's fire history to determine whether large fires have occurred in the project area, and thus the likelihood of future fires. Per the recorded fire history database, the project site has not been subject to wildfire (CAL FIRE 2022). Fires recorded within 10 miles of the project site range from 167 acres (River fire in 2014) to 15,186 acres (Pulgas-Basoline Complex fire in 2014).

Fire Hazard Mapping

CAL FIRE's Fire and Resource Assessment Program database also includes map data documenting areas of significant fire hazards in the state. These maps categorize geographic areas of the state into different Fire Hazard Severity Zones (FHSZs), ranging from moderate to very high. CAL FIRE uses FHSZs to classify anticipated fire-related hazards for the entire state, and includes classifications for State Responsibility Areas, Local Responsibility Areas, and Federal Responsibility Areas. Fire hazard severity classifications take into account vegetation, topography, weather, crown fire production, and ember production and movement. The project site is not within a Very High Fire Hazard Severity Zone (VHFHSZ). The closest VHFHSZ is located approximately 2.6 miles east of the project site (CAL FIRE 2022).

Vegetation Communities and Land Covers

Variations in vegetative cover type and species composition have a direct effect on fire behavior. Some plant communities and their associated plant species have increased flammability based on plant physiology (resin content), biological function (flowering, retention of dead plant material), physical structure (leaf size, branching patterns), and overall fuel loading.

A critical factor to consider is the dynamic nature of vegetation communities. Fire presence and absence at varying cycles or regimes affect plant community succession. Succession of plant communities, most notably the gradual conversion of shrublands to grasslands with high frequency fires and grasslands to shrublands with fire exclusion,

is highly dependent on the fire regime. Further, biomass and associated fuel loading will increase over time if disturbance or fuel reduction effects are not diligently implemented.

The vegetation types and land covers in the project area were identified during field assessments conducted for the project site. As detailed in Section 4.3, Biological Resources, the project site is currently disturbed and vacant land that primarily supports non-native grasslands and disturbed areas. Ornamental plantings occur along the southeastern edge of the site, which borders an existing residential development. Small and isolated patches of coastal sage scrub occur in the western and northwestern portions of the site.

Topography/Terrain

Topography influences fire risk by affecting fire spread rates. Typically, steep terrain results in faster fire spread up-slope and slower spread down-slope. Terrain that forms a funneling effect, such as chimneys, chutes, or saddles on the landscape can result in especially intense fire behavior, including faster spread and higher intensity. Conversely, flat terrain tends to have little effect on fire spread, resulting in fires that are driven by vegetation and wind. The project site is relatively flat, but features a slight slope from north to south and elevations range from 424 to 450 feet above mean sea level. The entirety of the project site has been previously disturbed by adjacent development.

Climate, Weather and Wind

In the City of Oceanside, the summers are warm, arid, and clear and the winters are long, cool, and partly cloudy. During summer months (early July through October), the average daily high temperature is above 74°F, and during the cooler, winter months (November through April), the average daily high temperature is below 67°F. The temperature varies throughout the year but is rarely below 38°F or above 83°F. Like much of Southern California, the City experience seasonal variation in monthly rainfall throughout the year, with the wetter months lasting from November through April.

The project site, like much of Southern California, is influenced by prevailing wind patterns. Prevailing winds are winds that blow from a single direction over a specific area of the Earth. The predominant average hourly wind speed and direction in the City varies throughout the year. The prevailing wind pattern is from the west (on-shore), but the presence of the Pacific Ocean causes a diurnal wind pattern known as the land/sea breeze system. During the day, winds are from the west–southwest (sea) and at night, winds are from the northeast (land). During the summer season, the diurnal winds may average slightly higher than the winds during the winter season due to greater pressure gradient forces. Surface winds can also be influenced locally by topography and slope variations. The highest wind velocities are associated with downslope, canyon, and Santa Ana winds. The project site does not include topography or slope variations that would create unusual weather conditions, such as high wind velocities, which would lead to increased fire risk. However, the site is subject to seasonally strong winds, such as Santa Ana winds, which can result in periodic extreme fire weather conditions that occur throughout the City.

4.18.2 Regulatory Setting

Federal

National Fire Protection Association Codes, Standards, Practices, and Guides

National Fire Protection Association codes, standards, recommended practices, and guides (“NFPA Documents”) are developed through a consensus standards development process approved by the American National Standards

Institute. This process brings together professionals representing varied viewpoints and interests to achieve consensus on fire and other safety issues. National Fire Protection Association standards are recommended guidelines and nationally accepted good practices in fire protection but are not law or "codes" unless adopted or referenced as such by the California Fire Code (CFC) or local fire agency.

International Fire Code

Created by the International Code Council, the International Fire Code addresses a wide array of conditions hazardous to life and property, including fire, explosions, and hazardous materials handling or usage.[1] The International Fire Code places an emphasis on prescriptive and performance-based approaches to fire prevention and fire protection systems. Updated every 3 years, the International Fire Code uses a hazards classification system to determine the appropriate measures to be incorporated to protect life and property (often times these measures include construction standards and specialized equipment). The International Fire Code uses a permit system (based on hazard classification) to ensure that required measures are instituted where applicable (International Code Council 2018). The International Fire Code provides recommended guidelines and accepted good practices in fire protection; however, these do not constitute binding laws or codes unless adopted as such or referenced as such by the California Fire Code or the local fire agency.

International Wildland–Urban Interface Code

The International Wildland–Urban Interface Code is published by the International Code Council and is a model code addressing wildfire issues. The International Wildland–Urban Interface Code provides recommended guidelines and accepted good practices in fire protection; however, these do not constitute binding laws or codes unless adopted as such or referenced as such by the California Fire Code or the local fire agency.

Uniform Fire Code

The Uniform Fire Code contains regulations relating to construction, maintenance, and use of buildings. Topics addressed in the code include fire department access, fire hydrants, automatic storage and use, provisions intended to protect and assist fire responders, industrial processes, and many other general and specialized fire-safety requirements for new and existing buildings and the surrounding premises. The code contains specialized technical regulations related to fire and life safety.

State

California Government Code

California Government Code Sections 51175 through 51189 provide guidance for classifying lands in California as fire hazard areas and provide requirements for management of property within those lands. CAL FIRE is responsible for classifying FHSZs based on statewide criteria and makes the information available for public review. Further, local agencies must designate, by ordinance, Very High FHSZs within their jurisdiction based on the recommendations of CAL FIRE.

Section 51182 sets forth requirements for maintaining property within fire hazard areas, such as defensible space, vegetative fuels management, and building materials and standards. Among other requirements, defensible space

[1] The International Fire Code is not a federal regulation, but rather a system of international requirements set by the International Code Council.

consisting of 100 feet of fuel modification must be maintained on each side of a structure, but not beyond the property line unless findings conclude that the clearing is necessary to significantly reduce the risk of structure ignition in the event of a wildfire. Clearance on adjacent property shall only be conducted following written consent by the adjacent owner. Further, trees must be trimmed from within 10 feet of the outlet of a chimney or stovepipe, vegetation near buildings must be maintained, and roofs of structures must be cleared of vegetative materials. Exemptions may apply for buildings with an exterior constructed entirely of nonflammable materials.

California Fire Code

The CFC is Chapter 9 of Title 24 of the California Code of Regulations. It was created by the California Building Standards Commission and is based on the International Fire Code created by the International Code Council. It 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 California Building Code use a hazards classification system to determine what protective measures are required to protect fire and life safety. These measures may include construction standards, separations from property lines, and specialized equipment. To ensure these safety measures are met, the CFC employs a permit system based on hazard classification. The CFC is updated every 3 years. Chapter 11, Article II (Fire Prevention) of the City's Municipal Code provide the City's adopted amendments to the 2019 CFC.

California Department of Forestry and Fire Protection

CAL FIRE is tasked with reducing wildfire-related impacts and enhancing California's resources. CAL FIRE responds to all types of emergencies including wildland fires and residential/commercial structure fires. In addition, CAL FIRE is responsible for the protection of approximately 31 million acres of private land within the state and, at the local level, is responsible for inspecting defensible space around private residences. CAL FIRE is responsible for enforcing State of California fire safety codes included in the California Code of Regulations and the California Public Resources Code.

California Strategic Fire Plan

The 2018 Strategic Fire Plan for California reflects CAL FIRE's focus on (1) fire prevention and suppression activities to protect lives, property, and ecosystem services, and (2) natural resource management to maintain the state's forests as a resilient carbon sink to meet California's climate change goals and to serve as important habitat for adaptation and mitigation. The Strategic Fire Plan for California provides a vision for a natural environment that is more fire resilient; buildings and infrastructure that are more fire resistant; and a society that is more aware of and responsive to the benefits and threats of wildland fire; all achieved through local, state, federal, tribal, and private partnerships (CAL FIRE 2018). Plan goals include the following:

1. Identify and evaluate wildland fire hazards and recognize life, property and natural resource assets at risk, including watershed, habitat, social and other values of functioning ecosystems. Facilitate the collaborative development and sharing of all analyses and data collection across all ownerships for consistency in type and kind.
2. Promote and support local land use planning processes as they relate to: (a) protection of life, property, and natural resources from risks associated with wildland fire, and (b) individual landowner objectives and responsibilities.

3. Support and participate in the collaborative development and implementation of local, county and regional plans that address fire protection and landowner objectives.
4. Increase fire prevention awareness, knowledge and actions implemented by individuals and communities to reduce human loss, property damage and impacts to natural resources from wildland fires.
5. Integrate fire and fuels management practices with landowner/land manager priorities across jurisdictions.
6. Determine the level of resources necessary to effectively identify, plan and implement fire prevention using adaptive management strategies.
7. Determine the level of fire suppression resources necessary to protect the values and assets at risk identified during planning processes.
8. Implement post-fire assessments and programs for the protection of life, property, and natural resource recovery.

California Emergency Services Act

The California Emergency Services Act was adopted to establish the state's roles and responsibilities during human-caused or natural emergencies that result in conditions of disaster and/or extreme peril to life, property, or resources of the state. This act is intended to protect health and safety by preserving the lives and property of the people of the state.

California Natural Disaster Assistance Act

The California Natural Disaster Assistance Act provides financial aid to local agencies to assist in the permanent restoration of public real property, other than facilities used solely for recreational purposes, when such real property has been damaged or destroyed by a natural disaster. The California Natural Disaster Assistance Act is activated after a local declaration of emergency and the California Emergency Management Agency gives concurrence with the local declaration, or after the governor issues a proclamation of a state emergency. Once the act is activated, the local government is eligible for certain types of assistance, depending on the specific declaration or proclamation issued.

California Disaster and Civil Defense Master Mutual Aid Agreement

The California Disaster and Civil Defense Master Mutual Aid Agreement, as provided by the California Emergency Services Act, provides statewide mutual aid between and among local jurisdictions and the state. The statewide mutual aid system exists to ensure that adequate resources, facilities, and other supports are provided to jurisdictions whenever local resources prove to be inadequate for a given situation. Each jurisdiction controls its own personnel and facilities but can give and receive help whenever needed. The OFD participates in these mutual aid, automatic aid and other agreements with CAL FIRE and surrounding fire departments. In some instances, the closest available resource may come from another fire department. San Diego County is located in Mutual Aid Region 6 of the state system, which also includes Imperial, Riverside, San Bernardino, Inyo, and Mono counties.

Local

San Diego County Emergency Plan

The San Diego County Emergency 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 plan also identifies the source 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

Public Safety Element

The Public Safety Element identifies hazards, such as earthquakes, fires, and tsunamis, and provides guidance for proper mitigation measures, such as evacuation routes, to ensure safety. Along with long range policies regarding seismic, flooding, and fire hazards, this element also includes a Public Safety Plan. The Public Safety Plan includes maps of indicating areas that have increased susceptibility to these hazards and relocation routes during emergency evacuations. There are no formal policies within this element that are applicable to the proposed project.

4.18.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to wildfire are based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to wildfire would occur if:

1. 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.

4.18.4 Impacts Analysis

Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?

The project site is not located within or adjacent to a State Responsibility Area or Local Responsibility Area VHFHSZ (CAL FIRE 2022). The nearest VHRHSZ is a Local Responsibility Area located approximately 2.6 miles east of the proposed project site (CAL FIRE 2022). As discussed in Section 4.8, Hazards and Hazardous Materials, the project would not

conflict with regional or City emergency response plans, and the project site would have adequate emergency access. Final site plans for the project would be subject to review by the Oceanside Fire Department, prior to project development. The project would provide one access point for emergency responders at the northeast corner of the project site from West Bobier Drive. The project would not require the full closure of any public or private streets or roadways during construction or operations and would not impede access of emergency vehicles to the project site or any surrounding areas. Further, the project would provide all required emergency access in accordance with the requirements of the Oceanside Fire Department, as detailed in Section 4.13, Public Services and Chapter 4.15, Traffic and Circulation. The project would not substantially impair an adopted emergency response plan or emergency evacuation plan and, therefore, impacts are determined to be **less than significant**.

Due to slope, prevailing winds, and other factors, would the project 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 and located in an urban and developed area of the City and is not located within or adjacent to a FHSZ. Due to existing development in the vicinity, the area surrounding the project site is relatively flat and does not feature factors that would exacerbate wildfire risks. The preliminary site plans and emergency access for the project have been reviewed by the Oceanside Fire Department and would be in compliance with the applicable Fire Code. It has been determined that the project would not exacerbate wildfire risks, exposing occupants to pollutants, and therefore, impacts would be **less than significant**.

Would the Project 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 require the installation of water sources and other underground utilities typical of a new mixed-use residential development. The project would not require installation of new roads, emergency water sources, power lines, or any overhead utility lines. Due to the project location surrounded by existing development and roads, fuel breaks are not required. Project development and associated on-site infrastructure would not exacerbate fire risks. As described previously, the project is not located within or adjacent to a FHSZ. Additionally, these improvements would be constructed within an existing right-of-way or within the project site boundary. The project would not require the installation or maintenance of such infrastructure which would exacerbate fire risk, and therefore, impacts are determined to be **less than significant**.

Would the Project 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 previously discussed, the project is not located in a FHSZ and risk of wildfire is considered low. Due to the project site location and topography, the project would not be subject to downhill flooding or landslides resulting from a fire in the project area. The Geotechnical Investigation (Appendix E) also does not note any significant landslide risks based on the soil types within the project area. The 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. Therefore, impacts are determined to be **less than significant**.

4.18.5 Mitigation Measures

No significant impacts related to wildfire were identified; thus, no mitigation measures are required.

4.18.6 Level of Significance After Mitigation

As analyzed above, no significant impacts related to wildfire were identified; thus, no mitigation measures are required. Impacts related to wildfire as a result of project implementation would be **less than significant**.

5 Effects Found Not to Be Significant

Section 15128 of the California Environmental Quality Act (CEQA) Guidelines requires that an environmental impact report (EIR) briefly describe potential environmental effects that were determined not to be significant and therefore were not discussed in detail in the EIR. The environmental issues discussed in the following sections are considered less than significant and do not require mitigation. The reasons for the conclusion of less than significant are discussed below.

5.1 Agriculture and Forestry Resources

A significant impact related to agriculture and forestry resources would occur 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 forest land 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.

A) Would the project 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?

The project site does not include and is not adjacent to Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (DOC 2022). As such, the proposed project would have **no impact** to Farmland resources.

B) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

The project site consists of 7.4 acres of primarily undeveloped, vacant land in the urbanized area of the City that is zoned Neighborhood Commercial and is not used for agricultural purposes. According to the State Farmland Mapping and Monitoring Program, the site is designated as Urban and Built-up Land (DOC 2022). In addition, the City of Oceanside General Plan does not identify any active Williamson Act contracts (City of Oceanside 2002). Therefore, the Project would result in **no impact**.

C) Would the project 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 project site does not contain any timber or forest resources and does not meet the criteria for forest land or timberland. The project site is surrounded by residential, open space, and commercial uses, in an area that has

no timberland zoning. Additionally, the U.S. Department of Agriculture's Forest Service Forest Finder does not identify any forest lands within the project site or surrounding areas (USDA 2022). Therefore, the proposed project would not conflict with existing zoning for forest land or timberland, and **no impact** would occur.

D) Would the project result in the loss of forest land or conversion of forest land to non- forest use?

Please refer to response to Threshold (c) above. There are no designated forest lands within the project vicinity, and therefore **no impact** would occur.

E) Would the project 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?

Please refer to response to Thresholds (a) through (d) above. As no agricultural farmland or forest land resources are located on or in the vicinity of the project site, and the proposed project would not involve other changes in the existing environment that, 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, the proposed project would have **no impact** related to the conversion of agricultural or forest land.

5.2 Mineral Resources

A significant impact related to mineral resources would occur 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.

A) Would the project 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?

As mandated by the Surface Mining and Reclamation Act of 1975, the California State Mining and Geology Board classifies the state's mineral resources with the Mineral Resource Zone (MRZ) system. This system includes identification of presence/absence conditions for meaningful sand and gravel deposits. The project site is located within MRZ-3, which is designated as areas containing mineral deposits, the significance of which cannot be evaluated from available data.

According to the City of Oceanside General Plan – Land Use Element, the project site is not within a designated mineral resource area (City of Oceanside 2002) and therefore 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. Thus, the proposed project would have **no impact** on mineral resources.

B) Would the project 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?

Please refer to the response to Threshold (a) above. The project site is not within a designated mineral resource area (City of Oceanside 2002) and 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. Therefore, **no impact** would occur.

6 Cumulative Effects

6.1 Introduction

The California Environmental Quality Act (CEQA) requires an environmental impact report (EIR) include an analysis of 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 Modera Melrose Mixed-Use Development Project (project or proposed 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 "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.

6.2 Methodology

According to Section 15130(b)(1) of the CEQA Guidelines, a cumulative impact analysis may be conducted and presented by either of two methods:

(A) a list of past, present, and probable activities producing related or cumulative impacts; or

(B) a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document that has been adopted or certified, which described or evaluated regional or area-wide conditions contributing to the cumulative impact.

Due to the differing nature of cumulative effects and the associated cumulative study areas for each environmental topic, the approach method utilized is discussed in each section below.

6.3 Cumulative Projects

Based on information provided by the City of Oceanside (City) and the cumulative projects used in the Local Transportation Analysis prepared by Linscott Law & Greenspan Engineers (Appendix L), a list of cumulative projects under consideration for this analysis is presented in Table 6-1.

Table 6-1. Cumulative Projects

Project Name	Type of Development	Project Size	Status
Melrose Heights (GPA 13-00003)	Multi-Family Residential, Commercial/Retail	313 Residential Dwelling Units, 20,00 square feet of commercial/retail	Under Construction
North River Farm (GPA16-00002)	Planned Development, Mixed-Use Residential	This project is approved and consists of 395 residential units, commercial and restaurant uses, a local farm, and a hotel	Approved
Ocean Kamp (T19-00004)	Mixed-Use Resort	300-key resort hotel and 126,400 square feet of office/retail/restaurants on 36 acres, 700 multi-family residential dwelling units on 36 acres, 20 acres of preserved open space	Approved
El Corazon Mixed-Use (D19-00018)	Mixed-Use	212 acres of parks and recreation, 164 acres of habitat, 34 acres of civic services, 25 acres of commercial on Oceanside Boulevard, 19 acres of village commercial, and 11 acre-hotel	Approved
Warehouse Project (ADP21-00004)	Mixed-Use	50,000 square-foot warehouse building (with 1,500 square feet of office space) located at the southeast corner of North Avenue and Vista Pacific Drive in Oceanside	Under Review

Source: Appendix L

6.4 Cumulative Impact Analysis

6.4.1 Aesthetics

Projects contributing to a cumulative aesthetic impact include those within the project viewshed. The viewshed encompasses the geographic area within which the viewer is most likely to observe the proposed project and surrounding uses. Typically, this is delineated based on topography, as elevated vantage points, such as from scenic vistas, offer unobstructed views of expansive visible landscapes. Cumulative aesthetic impacts would occur if projects combine to result in substantial adverse impacts to the visual quality of the environment and/or increase sources of substantial lighting and glare.

The proposed project would contribute to the changing visual character of the area with the incorporation of six new four- and five-story residential and mixed-use buildings. These visual changes would be most evident for residents in the neighboring residential development to the east. However, the entirety of the immediate project vicinity is developed, and the proposed project would be consistent with adjacent land uses, the General Plan and Zoning designation for the project site, and the Smart Growth Opportunity Area. As described in Section 4.1, Aesthetics, of this EIR, the project site is not located within the public viewshed of any of the identified visual open space areas listed in the City's General Plan. Direct views of the project site are limited to adjacent residences to

the east, and users of the bike and pedestrian trail along the project site's southern boundary. Due to existing topography and slopes up to the project site from West Bobier Drive and Melrose Drive, direct views of the project site and past the project site are limited for motorists on Melrose Drive and West Bobier Drive. In proposed conditions, the project would be visible from adjacent parcels, and may be visible from some distant public viewpoints due to the proposed height of the buildings. However, due to the relatively flat nature of the project site and surrounding area, the lack of scenic viewpoints or scenic vistas in the immediate area, and the developed nature of the vicinity, development of the project site is expected to blend with the surrounding uses.

Cumulative projects outlined in Table 6-1 would be located on parcels far greater in size than the proposed project. Visual change related to the cumulative projects would be greater in scale due to the size of the projects and associated land uses, such as the hotels associated with the Ocean Kamp and El Corazon Mixed-Use cumulative projects. Unlike the proposed project, some of the cumulative projects are located in the Guajome Regional Park Sphere of Influence and/or within the Scenic Park Overlay Zone as designed by the City. The Melrose Heights project is the closest cumulative project to the proposed project site, located directly north and northwest across West Bobier Drive/Oceanside Boulevard. The development of the Melrose Heights cumulative project and the proposed project would result in a visual change to the immediate area with the increase in housing on currently vacant sites. However, both the Melrose Heights cumulative project and the proposed project are surrounded by existing residential and commercial developments, and the proposed land uses would be visually consistent with the surrounding. Similar to the proposed project, all cumulative projects are required to participate in the City of Oceanside's design review process, which includes review of the proposed landscaping plan as well as a consistency finding with regard to proposed building design, mass, bulk, and height in the context of the existing landscaping.

The project would introduce a new source of light and glare to the project area in comparison to existing conditions. 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 Section 4.1, Aesthetics, the project site is surrounded by existing transportation corridors, residential uses, and commercial uses. In addition, the project would not be anticipated to result in substantial light and glare because proposed architecture does not include the use of reflective building materials and finishes, reflective lighting structures, metallic surfaces, nor overhead street lighting. In addition, the proposed project and each cumulative project would be required to comply with the City of Oceanside Municipal Code Chapter 39 Light Pollution Regulations.

The proposed project would have no substantial impact on a scenic vista or City protected scenic resource, would not adversely impact the visual character of the area, and would not introduce a substantial new source of lighting or glare. Therefore, cumulative impacts related to aesthetics would be **less than significant**.

6.4.2 Air Quality

Air pollution is largely a cumulative impact and is cumulatively evaluated based on the air basin. The nonattainment status of regional pollutants is a result of past and present development, and San Diego Air Pollution Control District (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 on air quality. The San Diego Air Basin has been designated as a federal nonattainment area for ozone,

and a state nonattainment area for ozone and particulate matter (PM_{10} and $PM_{2.5}$). PM_{10} and $PM_{2.5}$ emissions associated with construction generally result in near-field impacts.

As described in Section 4.2, Air Quality, construction of the proposed project would result in the temporary addition of pollutants to the local San Diego Air Basin caused by on-site sources (i.e., off-road construction equipment, soil disturbance, and volatile organic chemical [VOC] off-gassing) and off-site sources (i.e., on-road haul trucks, vendor trucks, and worker vehicle trips). The proposed project's construction emissions were estimated using CalEEMod and compared to the SDAPCD Thresholds of Significance. It was determined that daily construction emissions for the proposed project would exceed SDAPCD's significance thresholds for VOCs during the application of architectural coatings. As such, the proposed project would have a potentially significant impact related to criteria air pollutant emissions during construction. The project would implement Mitigation Measure MM-AQ-1, which would require use of low-VOC coatings during construction, thereby reducing VOCs to below the SDPACD threshold.

Regarding air quality plan consistency and anticipation of cumulative air quality impacts in local air quality planning, the Regional Air Quality Strategy relies on San Diego Association of Governments (SANDAG) growth projections based on population, vehicle trends, and land use plans developed by the cities and by the County of San Diego as part of the development of their general plans. As such, projects involving development that is consistent with the growth anticipated by local plans would be consistent with the Regional Air Quality Strategy. However, if a project involves development that is greater than that anticipated in the local plan and SANDAG's growth projections, the project might conflict with the Regional Air Quality Strategy and may contribute to a potentially significant cumulative impact on air quality. The proposed project would be consistent with the existing General Plan land use designation and zoning for the site (City of Oceanside 1986); therefore, the proposed project would be consistent with the Regional Air Quality Strategy.

As discussed in Section 4.2, Air Quality, the potential for a project to result in a cumulatively considerable impact (per the SDAPCD guidance and thresholds) is based on the project's potential to exceed the project-specific daily thresholds. Because maximum construction and operational emissions would not exceed the SDAPCD significance thresholds for VOCs, oxides of nitrogen, carbon monoxide, oxides of sulfur, PM_{10}, or $PM_{2.5}$, the project would not result in a cumulatively considerable increase in criteria air pollutants.

Similar to the proposed project, cumulative projects would be required to prepare an Air Quality Assessment to determine potential impacts related to air quality. As the proposed project would not exceed SDAPCD's mass daily significance thresholds during construction or operation, cumulative impacts related to air quality would be **less than significant**.

6.4.3 Biological Resources

The cumulative biological study area is the area covered by the Oceanside Subarea Plan (City of Oceanside 2010). Direct impacts to special-status plant species and special-status wildlife could occur due to project implementation but would be mitigated per the Oceanside Subarea Plan, and therefore would not contribute to any cumulative sensitive species impacts. In addition to mitigation measures MM-BIO-1 through MM-BIO-5, the project would implement standard best management practices, which would avoid contributions toward a cumulative indirect impact to special-status wildlife species and sensitive habitats. As with all other projects, the proposed project would be required to comply with the California Fish and Game Code and the federal Migratory Bird Treaty Act to avoid impacts to nesting birds. Therefore, the project is not anticipated to result in significant

cumulative impacts to regional biological resources. Cumulative impacts related to biological resources would be **less than significant**.

6.4.4 Cultural Resources

According to CEQA, the importance of cultural resources comes from the research value and the information they contain, as well as the loss of recognized cultural landmarks and vestiges of our community cultural history. The cumulative study area includes the project area of potential effect (APE) and cumulative project sites.

As identified in Section 4.4, Cultural Resources, no historic resources exist at the project site. Thus, no impact to historic resources would occur with implementation of the proposed project. It is expected that cultural resources studies would be prepared for all cumulative projects to assess potential impacts, and that these projects would avoid or mitigate impacts to historic resources, as required by local jurisdictions and state law.

As identified in Section 4.4, Cultural Resources, there is moderate to high sensitivity for identifying intact subsurface archaeological deposits during project implementation. The SCIC records search identified CA-SDI-5345 within the northeastern corner of the project APE; however, the pedestrian survey did not relocate CA-SDI-5345 nor any resources within the project APE. CA-SDI-5345 was previously determined as ineligible for listing for the California Register of Historical Resources from an archaeological perspective and National Register of Historic Places and is not significant under CEQA or the City of Oceanside Guidelines. As no ethnography and ethnobotanical studies have been conducted, overall eligibility for listing for the California Register of Historical Resources and National Register of Historic Places remains undetermined.

As there are no cultural resources in the APE, no historical resources, as defined under CEQA will be impacted by the project. This includes no direct, indirect, or cumulative impacts. The portion of CA-SDI-5345 within the project APE has been destroyed. The site is not a significant archaeological resource under CEQA; however, the project APE is located in close proximity to culturally sensitive areas such as village sites and ceremonial areas, numerous cultural resources have been noted to be within proximity to the project APE, and the project APE is in close proximity to a drainage. Given the sensitivity of the area, there is potential for subsurface cultural resources, therefore, it is recommended that a qualified archaeologist and a Traditionally and Culturally Affiliated Native American Monitor representing a Traditionally and Culturally Affiliated Luiseño Tribe be present during all ground-disturbing activities.

Despite no significant archaeological resources being identified within the project site, the project area is of importance to the Luiseño People, and significant resources are noted within the area surrounding the project site. Therefore, as recommended in the Cultural Resources Inventory Report (Appendix D), in the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist meeting the Secretary of the Interior's Professional Qualification Standards can evaluate the significance of the find. Construction activities may continue in other areas but should be redirected a safe distance from the find. If the new discovery is evaluated and found to be significant under CEQA and avoidance is not feasible, additional work such as data recovery may be warranted. In such an event, a data recovery plan should be developed by the qualified archaeologist in consultation with the City and Native American representatives, if applicable. Ground disturbing work can continue in the area of the find only after impacts to the resources have been mitigated and with City approval.

To further ensure project development would not result in potential impacts to cultural resources, the proposed project would implement the City's standard cultural mitigation measures, MM-CUL-1 through MM-CUL-9, outlined in Section 4.4, Cultural Resources, of this EIR.

It is expected that cultural resources studies would be prepared for all other cumulative projects to assess potential impacts, and that these projects would similarly avoid or mitigate impacts to cultural resources, as required by local jurisdictions and state law.

All significant cultural resource-related impacts associated with cumulative projects would be mitigated on a project-by-project basis. Therefore, cumulative impacts related to cultural resources are determined to be **less than significant**.

6.4.5 Energy

Potential cumulative impacts on 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 within the San Diego region. 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; this includes existing aging structures that are energy inefficient. 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.

As described in Section 4.5, Energy, of this EIR, the proposed project would not result in significant environmental impacts due to wasteful, inefficient, or unnecessary use of energy due to various design features, including installing electric vehicle charging stations, installing solar panels on buildings, implementing a Transportation Demand Management plan, reducing landscaping water use, and planting trees that would be required of the proposed project. The project site is located in an area that is served by existing utilities and public services. The project would result in an increase in local consumption of both electricity and natural gas. However, the proposed project's energy demands would be consistent with the anticipated level of economic development and growth in the region, and San Diego Gas and Electric would have sufficient available capacity to serve the proposed project.

Like the project, cumulative projects would be subject to California Green Building Standards, which provides energy efficiency standards for commercial and residential buildings. Over time, California Green Building Standards would implement increasingly stringent energy efficiency standards that would require the project, and the cumulative projects, to minimize the wasteful and inefficient use of energy. In addition, cumulative projects would be required—at a minimum—to meet Title 24 building standards, further avoiding the inefficient use of energy. Furthermore, various federal and state regulations, including the Low Carbon Fuel Standard, Pavley Clean Car Standards, and Low Emission Vehicle Program, would serve to reduce the transportation fuel demand of cumulative projects.

In summary, the proposed project contains energy-efficiency design features, would comply with applicable regulatory standards for the enhancement of energy efficiency, and would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Thus, the proposed project would not contribute to a cumulative impact to the wasteful or inefficient use of energy and would not result in a cumulatively considerable contribution to a potential cumulative impact. Cumulative impacts related to energy would be **less than significant**.

6.4.6 Geology and Soils

Due to the localized nature of geology and soils, cumulative projects would address potential impacts to geology and soils on a project-by-project basis, as potential geologic hazards and soil composition vary by site. Each cumulative project would be required to assess individual and site-specific geologic conditions, which would inform construction and development of each site. All cumulative development would be subject to similar requirements to those imposed and implemented for the proposed project and would be required to adhere to applicable regulations, standards, and procedures.

As described in Section 4.6, Geology and Soils, of this EIR, a Geotechnical Investigation and a Paleontological Resource Assessment were prepared for the proposed project and are included as Appendix E and Appendix F to this EIR. As analyzed in Section 4.6, project impacts related to earthquakes, seismic related ground shaking and ground failure, liquefaction, landslides, erosion, lateral spreading, expansive soils, and water disposal systems were determined to be less than significant.

Although the paleontological record search completed for the site failed to report any previously recorded paleontological sites within the project site, and none were observed during the pedestrian survey, Quaternary Terrace Deposits and Santiago Formation identified on site have a high paleontological resource potential. Development of the proposed project would require excavations for building foundations and utilities, and any excavations into the potentially fossil-bearing strata within the Quaternary terrace deposits and/or Santiago Formation could result in potentially significant impacts to paleontological resources. However, with implementation of proposed mitigation measures MM-GEO-1 through MM-GEO-6, potential impacts to paleontological resources would be reduced to a level of less-than-significant.

While some of the projects on the cumulative list are located in areas that may contain paleontological resources, the presence of these resources is typically unknown prior to construction, and it is expected that mitigation measures would be included with approval of cumulative projects to ensure that impacts to paleontological resources are minimized.

As implementation of the proposed project would not result in any significant impacts to geology and soils on the project site, and all cumulative projects would be required to analyze site-specific conditions and implement recommendations or mitigation, cumulative impacts related to geology and soils would be **less than significant**.

6.4.7 Greenhouse Gas Emissions

A “cumulative impact” refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental effects. Pursuant to CEQA Guidelines Section 15130(b)(1)(A)(B), an adequate discussion of a project’s significant cumulative impact, in combination with other closely related projects, can be based on either: (1) a list of past, present, and probable future producing related impacts; or (2) a summary of projections contained in an adopted local, regional, or statewide plan, or a related planning document that describes conditions contributing to the cumulative effect.

Due to the global nature of the assessment of GHG emissions and the effects of global climate change, GHG emissions analysis, by its nature, is a cumulative impact analysis. Therefore, the information and analysis provided in Section 4.7, Greenhouse Gas Emissions, of this EIR, to determine project-level impacts applies here.

Based on the results of that analysis, the project's contribution to global climate change would not be cumulatively considerable.

This approach is consistent with the supporting documentation published by the California Natural Resources Agency when promulgating the Senate Bill 97-related CEQA amendments, which indicated that the impact of GHG emissions should be considered in the context of a cumulative impact, rather than a project-level impact (CNRA 2009a). The Resources Agency similarly advised that an environmental document must analyze the incremental contribution of a project to GHG levels and determine whether those emissions are cumulatively considerable (CNRA 2009). The adopted CEQA Guideline (14 CCR 15064.4) confirms that the analysis of climate change impacts is cumulative and, in the most recent update to the Guidelines, text was added to Section 15064.4 to clarify as much (CNRA 2019). Section 15064.4 now states: "In determining the significance of a project's greenhouse gas emissions, the lead agency should focus its analysis on the reasonably foreseeable incremental contribution of the project's emissions to the effects of climate change."

The project would not contribute to a significant cumulative impact by generating GHG emissions, either directly or indirectly, that may have a significant impact on the environment or by conflicting with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Cumulative impacts related to greenhouse gas emissions would be **less than significant**.

6.4.8 Hazards and Hazardous Materials

Past, current, and reasonably foreseeable projects in the region will result in the use and transport of incrementally more oils, greases, and petroleum products for operation purposes. Although these could be subject to accidental spillage, there is no quantifiable cumulative effect since accidents are indiscriminate events, not related or contributory to one another. Provided that individual projects adhere to current laws governing storage, transportation, and handling of hazardous materials, no significant cumulative hazards or threats to human health and safety are anticipated. In addition, any cumulative project would be required to identify existing hazardous materials on site and comply with existing regulations related to use, transport, and disposal of hazardous materials. Similarly, all cumulative projects would be required to analyze and properly mitigate any impacts to the existing evacuation plan if impacts are identified.

During construction of the proposed project, there is potential for release of hazardous materials related to storage, transport, use, and disposal from construction debris, landscaping, and commercial products. However, the proposed project would be required to adhere to federal, state, and local laws, such as California's Occupational Safety and Health Administration requirements, Hazardous Waste Control Act, California Accidental Release Prevention, and the California Health and Safety Code, which regulate the management and use of hazardous materials, which are intended to minimize risk to public health associated with hazardous materials. The project proposes residential and commercial development, which is not typically considered a source of substantial hazardous materials. Cumulative projects outlined in Table 6-1 similarly consist of mixed-use residential/commercial development. As analyzed in Section 4.8, Hazards and Hazardous Materials, of this EIR, it was determined that the project would not result in significant impacts related to hazards and hazardous materials.

With regard to wildfire hazards, any of the cumulative projects proposed within a Fire Hazard Severity Zone as designed by the California Department of Forestry and Fire (CAL FIRE) would be required to meet minimum fire fuel modification and/or clearing requirements in addition to meeting whatever standards of the various fire codes in effect at the time of building permit issuance. For projects within the City, these requirements are

implemented through preparation of and compliance with a Fire Protection Plan, which is reviewed and approved by the Fire Marshal.

Similar to the proposed project, cumulative projects would be required to analyze specific impacts related to hazards and hazardous materials as well as remediate any hazardous conditions that could occur. Project impacts related to hazards and hazardous materials were determined to be less than significant, and therefore the project would not combine within any cumulative projects in a manner that would increase potential exposure to hazards. Therefore, cumulative impacts related to hazards and hazardous materials would be **less than significant**.

6.4.9 Hydrology and Water Quality

The proposed project and cumulative projects would result in an increase of impervious surfaces in the area. More specifically, other large development projects nearby would result in conversion of large pervious areas to impervious areas. This would potentially result in increased surface runoff, alteration of the regional drainage pattern, and flooding. However, like the proposed project, each individual project applicant would be required to hydrologically engineer the respective cumulative project sites to ensure that post-development surface runoff flows can be accommodated by the regional drainage system.

The project is located within the San Luis Rey Hydrologic Unit (903), within the Lower San Luis Hydrologic Area (903.1) and the Mission Hydrologic Sub-Area (903.11) of the Water Quality Control Plan for the San Diego Basin (California Regional Water Quality Control Board 2016). Within this Hydrologic Sub-Area, downstream impaired 303(d) listed water bodies include the Loma Alta Creek, Loma Alta Slough, Pacific Ocean Shoreline, East Channel Lake, Guajome Lake, and the San Luis Rey River Mouth. Total Maximum Daily Loads have been established to address these pollutants for the Pacific Ocean Shoreline and San Luis Rey River mouth. Considering the downstream waters are impaired by pollutants, the potential pollutants of concern that may be generated by the proposed project and cumulative project based on the proposed/approved residential and commercial uses are, sediment, nutrients, organic compounds, trash and debris, oxygen demanding substances, bacteria and viruses, and pesticides.

The proposed project, in conjunction with other future projects, may affect water quality on a cumulative scale; however, future projects are required to comply with applicable federal, state, and city regulations for stormwater and construction discharges, including the implementation of Best Management Practices (BMPs), which would reduce cumulative impacts to water quality to a level below significance. As outlined in Section 4.9, Hydrology, implementation of the project would not result in impacts related to water quality, drainage and stormwater capacity, flooding, or groundwater. The proposed project would implement BMPs and project-specific measures outlined in the project-specific Storm Water Quality Management Plan and Drainage Report to reduce potential effects. The proposed project would be in compliance with state and city water quality standards. All cumulatively considered projects would be subject to the same federal water quality standards and state waste discharge requirements as the proposed project. This includes preparation of project-specific Stormwater Pollution Prevention Plans per the National Pollutant Discharge Elimination System permit program and implementation of associated BMPs to prevent construction-related runoff from polluting receiving waters.

By incorporating proposed BMPs and recommendations of the project-specific Storm Water Quality Management Plan, Drainage Plan, and Stormwater Pollution Prevention Plan into the project design, the proposed project would not substantially contribute to a significant cumulative impact to water quality. Therefore, cumulative impacts related to hydrology and water quality would be **less than significant.**

6.4.10 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 proposed project may have the potential to work in concert with other past, present, or future projects to either cause unintended land use impacts, such as reducing available open space or to accommodate increased growth that may result in more intensive land uses. Therefore, the geographic context for cumulative analysis is the policy area, which in this case is the City.

The proposed project and related cumulative projects in the immediate vicinity are subject to the goals and policies of the City's General Plan and other planning documents, as applicable. The project site is zoned Neighborhood Commercial (CN), corresponding with the City of Oceanside's General Plan designation of Neighborhood Commercial (NC). Proposed development would be consistent with the City's land use and zoning designations for the site, which allows for mixed-use development including various residential uses.

As described in Section 4.10, Land Use and Planning, of this EIR, the project proposes a request for approval of a Development Plan and Density Bonus to allow the construction of 323 residential apartment units; 290 units are proposed as market rate and 33 units are proposed as low-income affordable. The project would also include 2,336 square feet of ground-level commercial space, 1,745 square feet of leasing office space, open space, and amenity areas on the 7.4-acre project site. The project is subject to State Density Bonus Law (Government Code Section 65915) and local Density Bonus provisions (Section 3032 of the Zoning Ordinance). Per Density Bonus Law, the project is requesting waivers to the following development standards for a housing development: parking width, Floor Area Ration, setbacks, lot front landscaping requirements, building and retaining wall height, and usable open space. Any cumulative project incorporating affordable housing and requesting Density Bonus would similarly be afforded incentives/concessions and unlimited waivers per Density Bonus Law and City requirements, if approved.

The project site is located within a Smart Growth Opportunity Area (Community Center OC-7) as designated by SANDAG. Smart growth areas are identified to promote higher density development in key areas near public transit, such as the project site located directly east of the North County Transit District Melrose Sprinter Station. Existing transit options adjacent to the project site include the Melrose Sprinter Station located approximately 0.07 miles west of the project site, and bus stops within a 1-mile radius of the project site include the stops located at Oceanside Boulevard, Melrose Drive, West Bobier Drive, and North Avenue. These transit options would provide future residents of the project with direct connections to the surrounding community and regional area. This available public transit adjacent to the project site would provide community benefits through reductions in the amount of vehicle trips associated with project development. Additionally, there are currently bicycle trails and lanes located on the north side of West Bobier and along Sports Park Way. The project would maintain access to the to these bike lanes from the project site. As outlined in Table 4.10-1 in Section 4.10, Land Use and Planning, of this EIR, the proposed project would be consistent with the overarching goals of the City's General Plan, with approval of the request for Density Bonus. In addition to the City's General Plan, the proposed project would also be consistent with the City's Zoning Ordinance, Municipal Code, SANDAG's 2050 Regional Transportation Plan/Sustainable Communities Strategy, and applicable plans and polices described in the impact analysis of Section 4.10. The proposed project would not result in any significant unavoidable impacts that could further impact land use.

All cumulative projects would be subject to similar criteria as the proposed project, which would ensure compliance with existing applicable land use plans with jurisdiction over the project area. Any cumulative projects

that propose amendments to the General Plan or Zoning Ordinance would be required to show that proposed uses would not result in significant environmental impacts due to a conflict with applicable policies in a similar way as the proposed project. Consistency with the City's applicable General Plan policies (and any other applicable planning documents) would ensure compliance and orderly development of the proposed project and other related cumulative projects. Similar to the proposed project, final site plans of all cumulative projects would be subject to review and approval by the City. Since all current and future projects would be analyzed for compatibility and compliance with land use regulations prior to approval, cumulative impacts related to land use and planning are determined to be **less than significant**.

6.4.11 Noise

Noise levels tend to diminish quickly with distance from a source. Therefore, the geographic scope of the analysis of cumulative impacts related to noise is limited to locations immediately surrounding and in close proximity to the project site. Aside from roadway traffic noise scenario predictions and impact assessments as presented in Section 4.11, Noise, of this EIR, that include cumulative projects and buildout year (2030) conditions, this section addresses cumulative noise impacts, which consist of the noise generated by the project in combination with cumulative projects. The cumulative project in the immediate vicinity of the project is the Trumark Homes, Melrose Heights residential development on the north side of West Bobier Drive. This is the only cumulative project that has potential to cumulatively combine construction noise impacts with the proposed project. Although construction of Melrose Heights is expected to be completed prior to the start of construction for the proposed project, construction schedules and activities for potential future projects near the project site are subject to change; therefore, potential construction noise impacts associated with two simultaneous projects are discussed only in the worst-case analysis context in Section 4.11 of this EIR.

Project site construction activity (e.g., site preparation near the eastern boundary) could be as close as 30 feet to the nearest adjacent residential façade. The nearest Melrose Heights construction activity would be a minimum of approximately 415 feet away from the same residences adjacent to the east side of the proposed project site. Assuming (for purposes of this analysis) that the construction activities for the proposed project and the Melrose Heights are similar and thus have essentially comparable noise emission levels, due to the greater distance of the Melrose Heights from the receiver, the Melrose Heights construction activities would result in a less than 3 dB contribution to concurrent project construction noise levels and that change would not be perceivable by the human ear.

As presented in Table 4.11-6 in Section 4.11, Noise, the estimated construction noise levels are predicted to be as high as 89 dBA L_{eq} over an 8-hour period at the nearest existing residences (as close as 20 feet away) when site preparation activities take place near the eastern project boundaries. Based on the noise reductions per doubling distance characteristics of noise and an approximate distance of 100 feet, building construction noise at the adjacent residences would be up to 69 dBA L_{eq} over an 8-hour period. These estimated noise levels at these source-to-receiver distance would only occur when noted pieces of heavy equipment would each operate for a cumulative period from one to three hours a day. Nonetheless, it is determined that the project would potentially exceed construction noise limits on occasion at residential receivers. Implementation of mitigation measure MM-NOI-1 would ensure that noise impacts during construction are reduced to below a level of significance.

Although, the proposed project would have a direct construction noise impact to adjacent residences as identified above, project construction would not result in a cumulative construction noise impact. As

operational noise is measured at the property line of receiving locations and is based on on-site noise generation only, operational noise impacts would not be cumulative in nature.

As shown in Table 4.11-8 in Section 4.11, the proposed project's traffic-related impacts would result in a 0.3 dB or less increase along area roadways. Therefore, the increase in operational noise associated with cumulative traffic or operational on-site noise would not be cumulatively considerable.

Similar to the proposed project, cumulative projects would include construction and operation noise reduction measures to reduce any potentially significant noise impacts to a level below significance, where feasible. Development plans for cumulative projects would be required to outline mitigation measures, design features, and required regulatory compliance. Implementation of project-specific mitigation and design features would ensure cumulative noise impacts would remain at a **less than significant** level.

6.4.12 Population and Housing

The geographic context for the analysis of cumulative impacts associated with population and housing consists of the City, which is consistent with how population is addressed and planned for by the City of Oceanside General Plan and Regional Housing Needs Assessments. Cumulative projects in addition to the proposed project could result in both direct and indirect cumulative impacts to population and housing in the City. Projects that include residential development could result in direct impacts to population growth in the City, and non-residential projects located on undeveloped land could result in indirect growth due to the need for new roads and/or utilities, or expansion of existing infrastructure.

Cumulative projects outlined in Table 6-1 include both residential and mixed-use development projects. The introduction of a new population is not, in and of itself, a significant impact. As with a project-level analysis, the significance of a cumulative population impact is determined by whether the population growth resulting from the combined cumulative projects would be considered to induce substantial unplanned population growth in the area. Similar to the City, the neighboring jurisdictions manage population growth and housing stock to meet their Regional Housing Needs Assessment requirements. All cumulative projects would be required to prepare an environmental document addressing potential impacts to population and housing and would be required to comply with the City's General Plan Housing Element, City Ordinances related to housing, and would be subject to applicable development fees. Compliance with City regulations and fees would ensure that cumulative impacts related to population and housing are adequately addressed.

As discussed in Section 4.12, Population and Housing, the project would construct 323 multi-family residential units, which would have the potential to house approximately 904 people, based on the City's Housing Element of an average household size of 2.8 persons per dwelling unit (City of Oceanside 2021). The City's General Plan and Zoning has designated the project site as Neighborhood Commercial. The proposed project would be consistent with the designated land use and zoning for the site.

As described in Section 4.12, the most recent Regional Housing Needs Assessment from SANDAG stated that Oceanside needs to build 5,443 units from 2021 through 2029 (SANDAG 2020). The City has a projected deficit of 1,268 very low, 718 low-income units, 883 moderate and 2,574 above-moderate income units (SANDAG 2020). The project is expected to bring 323 units to market in 2023/2024, including 33 low-income units and 290 market rate units, which would be within SANDAG's growth projection for housing during the 6th Cycle planning horizon (i.e., April 2021–April 2029). All cumulative projects listed in Table 6-1 include a residential and/or a hotel component. Development of residential units under the cumulative projects would further assist

the City in addressing the City's housing deficit. It is unlikely that all occupants of approved and proposed housing in the City would be new residents to the City.

Although the project would directly lead to additional growth within the City as a result of 323 new residential units generating approximately 904 residents, the increase in population growth at the project site is accounted for in the City's Housing Element and General Plan and meets the General Plan goals and policies, specifically Policy 3.5, which encourages development of low and moderate housing opportunities and Policy 3.7, which encourages disbursement of low- and moderate-income housing throughout the City. The project would not lead to indirect growth, as the project does not propose substantial infrastructure improvements that would allow for additional unplanned growth in the area. It is noted that the surrounding area already includes land developed or designated for residential uses, and land that has not been developed is designated as Open Space, limiting further substantial development of the area. For these reasons, cumulative impacts related to population and housing are determined to be **less than significant**.

6.4.13 Public Services

As detailed in Section 4.13, Public Services and Facilities, the proposed project would involve an incremental increase in demand for public services. As analyzed in Section 4.12, Population and Housing, the project would be adequately served by existing police and fire protection services, as well as existing school and park facilities, and would not require new or expanded facilities to serve the site that would cause physical environmental impacts.

The projects in the cumulative project list would contribute to a cumulatively considerable use of public services, including land development projects that will allow considerable growth in the City. However, these projects would be required to analyze such project-specific impacts to public services, availability of services, and be provided will-serve letters as required. In addition, the cumulative projects and the proposed project would each be required to pay development impact fees, school facilities fees, and in-lieu park fees, as stipulated by the City of Oceanside Municipal Code and California Government Code Section 65996. These regulations would ensure that impacts would remain below a level of significance. Therefore, the proposed project, in combination with the cumulative projects, would not result in a cumulative considerable impact related to public services and facilities and cumulative impacts would be **less than significant**.

6.4.14 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. The proposed project would contribute a direct permanent increase to the population of the City and would increase the demand on recreational uses. However, it is unlikely that all occupants of approved and proposed housing in the City would be new residents to the City and thus, new users of existing recreational facilities.

As described in Chapter 3 of this EIR, a total of approximately 31,635 square feet of common open space is proposed as part of the project, which consists of green space, landscaped areas, and the proposed pool and spa area. Each residence would have a private patio or balcony, which would provide an additional 19,848 square feet of private open space within the project site. Overall, a total of 51,483 square feet of usable open space would be provided by the proposed project. Three hundred (300) square feet of open space per unit is required by the City, and the project proposes approximately 159 square feet of open space per unit. Thus, under the density bonus, the proposed project would apply for a waiver to reduce usable open space per unit to accommodate the proposed density of the proposed project.

According to the City's General Plan – Community Facilities Element, the City's goal is to provide a minimum of 5 acres of developed "community parks" per 1,000 residents within the City (City of Oceanside 1990). As described above, the City currently has a total of 797.7-acres of existing parkland. As of 2020, the population within the City of Oceanside was 174,068 resulting in a parkland service ratio of 4.6 acres per 1,000 residents. While this is below the current standard of 5 acres per 1,000 residents, the existing inventory includes only 2 acres of the 465-acre El Corazon Specific Plan area. Planned development of El Corazon Park will result in an additional 210 acres of parkland. With completion of El Corazon Park, the parkland service ratio will increase to 5.7 acres per 1,000 residents (City of Oceanside 2019).

Although the project would potentially increase the utilization of existing parks and recreational facilities within the City, it is determined that the combination of proposed open space amenities on site, existing park and recreational facilities in the area, and proposed future recreational facilities within the City would adequately serve future residents of the project site. Additionally, the project developer would be responsible for applicable Development Services Department Impact Fees.

In accordance with the City's Municipal Code, Chapter 32D, cumulative projects would be required to either (1) create dedicated park land within or partly within the project site, whose acreage would be determined by the City, (2) dedicate land usable for recreation purposes in addition to paying a portion of the park impact fee, or (3) pay the entire park impact fee. Furthermore, any substantial expansion or development of new recreational facilities would be subject to the appropriate CEQA environmental review, which would identify and address any site-specific impacts. Therefore, with payment of the City's Development Impact Fees and project-specific environmental review, cumulative impacts to recreational facilities would be **less than significant**.

6.4.15 Transportation

Future potential development of the project site in addition to cumulative projects in the study area could result in cumulative impacts related to transportation and circulation. The Local Transportation Study prepared for the proposed project analyzed cumulative projects in the study area that would add traffic to the local circulation system in the near future, in combination with the proposed project. Cumulative impacts considered in the Local Transportation Study included the Melrose Height Project included in Table 6-1. The cumulative Melrose Heights project is currently under construction and is conditioned to implement the following improvements at the North Melrose Drive/Oceanside Boulevard intersection by the first occupancy, in Year 2022:

North Melrose Drive/Oceanside Boulevard Intersection:

- A second south-bound left-turn lane.
- A third south-bound thru lane.
- A Right-Turn Overlap phase for the north-bound approach.
- Prohibit west-bound U-turn movement with a R3-4 (No U-Turn) sign, and upgrade and relocate the affected existing signal hardware, conduit, fiber optic connections and pedestrian count down timer as appropriate.

North Melrose Drive Segment: Meadowbrook Drive to Oceanside Boulevard:

- Construct the west side of North Melrose Drive between Meadowbrook Drive and Oceanside Boulevard to 4-Lane Major Arterial standards with dedication to 6-Lane Prime Arterial standards with the development of PA-1. Construct the east side of North Melrose Drive between Meadowbrook Drive and Oceanside

Boulevard to 4-Lane Major Arterial standards with dedication to 6-Lane Prime Arterial standards with the development of PA-2 or PA-3.

These cumulative project improvements would be completed prior to the opening of the proposed project. As analyzed in Section 4.15, Traffic and Circulation, implementation of the proposed project would not result in any significant project or cumulative impacts to transportation and circulation in the study area.

It is expected that traffic reports fully analyzing project-specific impacts on-site and within their respective study areas would be prepared for all cumulative projects consistent with City Guidelines. These reports would be expected to provide mitigation measures, design features, or improvements recommendations to address any potentially significant impacts. Furthermore, all cumulative projects would be required to comply with applicable City regulations related to transportation and circulation, as the proposed project does. Therefore, it is determined that cumulative impacts to transportation as a result of project implementation would be **less than significant**.

6.4.16 Tribal Cultural Resources

Each cumulative project subject to Assembly Bill 52 would require tribal consultation on a case-by-case basis to identify any potential tribal cultural resources affected by each cumulative project. As discussed in Section 4.16, Tribal Cultural Resources, the discovery of tribal cultural resources within the project site is not anticipated and mitigation is not required. However, to further ensure project development would not result in potential impacts to tribal cultural resources, the proposed project would implement the City's standard cultural mitigation measures, MM-CUL-1 through MM-CUL-9, outlined in Section 4.4 of this EIR. It is anticipated that each cumulative project would require mitigation to reduce potentially significant impacts to tribal cultural resources to a level below significance. With implementation of project-specific mitigation and compliance with applicable regulations related to tribal cultural resources, cumulative impacts would be **less than significant**.

6.4.17 Utilities and Service Systems

As with public services, cumulative impacts to utilities and services systems would result when projects combine to increase demand for utilities and service systems such that additional facilities must be provided or expanded. As with many other environmental issue areas, impacts to utilities may be less than significant at a project level, but when combined with other projects, effects could lead to a cumulative impact. The proposed project, in combination with cumulative projects, would result in an increase in water demand, wastewater generation, and solid waste generation. As discussed in Section 4.17, Utilities and Service Systems, the City of Oceanside, as the provider of wastewater facilities, would confirm availability of adequate wastewater treatment capacity, prior to approval of the proposed project and cumulative projects. This, in conjunction with provision of any required developer impact fees proportionate to the increase in demand, would minimize impacts to utilities and service systems. Each cumulative project would be required to provide developer impact fees and undergo similar approval at the discretion of the City of Oceanside. As analyzed in Section 4.17, Utilities and Service Systems, implementation of the proposed project would not result in significant impacts related to water or wastewater supply or capacity, nor to storm drainage, nor to solid waste capacity. The proposed development would be adequately served by existing City facilities and would not require expansion of water, wastewater, storm drain, or solid waste facilities. Therefore, it is determined that cumulative impacts related to utilities and service systems would be **less than significant**.

6.4.18 Wildfire

The project area, like all of San Diego County, is subject to seasonal weather conditions that can heighten the likelihood of fire ignition and spread. Fire history is an important component of wildfire analysis. Wildfire history information can provide an understanding of fire frequency, fire type, most vulnerable project areas, and significant ignition sources, amongst others. The CAL FIRE maintain the Fire and Resource Assessment Program database, which was used to evaluate the project site's fire history to determine whether large fires have occurred in the project area, and thus the likelihood of future fires. Per the recorded fire history database, the site has not been subject to wildfire (CAL FIRE 2022). Recorded wildfires within 10 miles of the project site range from 167 acres (River fire in 2014) to 15,186 acres (Pulgas-Basoline Complex fire in 2014).

The project site is not located within or adjacent to a State Responsibility Area or Local Responsibility Area Very High Fire Hazard Severity Zone (CAL FIRE 2009). The project site is located within an urbanized and developed area of the City. The nearest Very High Fire Hazard Severity Zone is a Local Responsibility Area located approximately 2.6 miles east of the proposed project site (CAL FIRE 2022). As discussed in Section 4.8, Hazards, the proposed project would not conflict with the regional or city emergency response plans, and the Oceanside Fire Department has determined the site would have adequate emergency access.

Final site plans for the proposed project and all cumulative projects would be subject to review and approval by the Oceanside Fire Department prior to project development. All cumulative projects would be required to assess wildfire risk at the development site and in the surrounding area and provide mitigation as necessary. As the proposed project would not result in significant impacts related to wildfire, cumulative impacts are determined to be **less than significant**.

7 Other CEQA Considerations

This chapter includes the following other considerations that are required in an environmental impact report (EIR):

- Growth inducement (Section 7.1)
- Significant and irreversible environmental effects (Section 7.2)
- Significant and unavoidable environmental impacts (Section 7.3)

7.1 Growth Inducement

Section 15126.2(e) of the California Environmental Quality Act (CEQA) Guidelines mandates that the growth-inducing nature of the proposed Modera Melrose Mixed-Use Development Project (project or proposed project) be discussed. This CEQA Guideline states the growth-inducing analysis is intended to address the potential for a project to "foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." Further, the CEQA Appendix G Checklist (Population and Housing) also mandates that a CEQA document speak to a 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 relating 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. This section contains a discussion of the growth-inducing factors related to the proposed project as defined under CEQA Guidelines Section 15126.2(e). A project is defined as growth inducing when it directly or indirectly does any of the following:

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
6. Encourages or facilitates other activities that could significantly affect the environments, either individually or cumulatively

Pursuant to CEQA Guidelines Section 15126.2(e), it must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

As discussed in Section 4.12, the proposed project would directly facilitate growth through development of 323 residential units, which would introduce new residents or relocate residents within the area. The project's service population is based on City of Oceanside's Housing Element, which estimates an average household size of 2.8 persons per dwelling unit (City of Oceanside 2013). The project's service population, defined as the number of residents, is approximately 904 people. Construction of the proposed project would generate an economic stimulus from activities such as the use of building materials, employment of construction workers, and the

introduction of new or relocated consumer demand in the area. The proposed project would not introduce a population beyond what is planned for the City and the region.

Based on the most recent Regional Housing Needs Assessment from SANDAG, the City of Oceanside needs to build 5,443 units from 2021 through 2029 (SANDAG 2020). The City has a projected deficit of 1,268 very low-income units, 718 low-income units, 883 moderate units, and 2,574 above-moderate income units (SANDAG 2020). The project is expected to bring 323 units to market in 2023, including 33 low-income units and 290 above moderate-income units, which would be within SANDAG's growth projection for housing during the 6th Cycle planning horizon (i.e., April 2021–April 2029). Therefore, the project would not conflict with SANDAG's regional growth forecast for the City (Appendix B). The proposed project would construct additional housing at the project site as well as commercial space, but that growth is authorized by the City's General Plan and Zoning Code and applicable laws such as the State's Density Bonus provisions.

The project would not lead to indirect growth, as the project would not provide for additional infrastructure improvements that would allow for additional unplanned growth in the area. The project does not remove obstacles to growth by extending infrastructure to new areas, nor would it result in significant adverse environmental impacts beyond those analyzed in this EIR due to the expansion of infrastructure such as water supply facilities, wastewater treatment plants, roads, or freeways. The project would include utility improvements; however, these upgrades would only be to the proposed project connection points and would only be upgraded to serve the project. Refer to Section 4.12, Population and Housing, of this EIR for a full discussion of potential growth inducing impacts.

7.2 Significant Irreversible Effects

CEQA Guidelines Section 15126.2(d) requires that an EIR identify any significant irreversible environmental changes associated with a proposed project. That section describes irreversible effects as:

> 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. (See Public Resources Code section 21100.1 and Title 14, California Code of Regulations, section 15127 for limitations to applicability of this requirement.)

Per Section 15127, irreversible changes are only required to be addressed in EIRs when connected with the adoption amendment of a local plan, policy or ordinance; adoption by a local agency formation commission of a resolution making determinations; or when the project is subject to National Environmental Policy Act and requires an environmental impact statement. This project does not involve any of those activities and as such this analysis is not required and is appropriately not provided herein.

7.3 Significant and Unavoidable Impacts

CEQA Guidelines Section 15126.2(c) requires that an EIR describe any significant impacts that cannot be avoided, including those impacts that can be mitigated but not reduced to a less-than-significant level. Chapter 5,

Effects Found Not To Be Significant, analyzes and discusses the CEQA topic areas where the project will not have a significant impact. Chapter 4, Environmental Analysis, of this EIR describes the potential environmental impacts of the proposed project, and recommends mitigation measures to reduce impacts, where feasible. As discussed in this EIR, implementation of the proposed project would result in potentially significant impacts to air quality, biological resources, cultural resources, geology and soils, and noise before mitigation. These impacts would be reduced to below a level of significance through mitigation. Implementation of the proposed project would not result in any significant and unavoidable impacts.

INTENTIONALLY LEFT BLANK

8 Alternatives

8.1 Scope and Purpose

Section 15126.6 of the California Environmental Quality Act (CEQA) Guidelines states that the Environmental Impact Report (EIR) shall "describe a range of reasonable alternatives to the 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 and evaluate the comparative merits of the alternatives." The comparative merits of the alternatives evaluated, including the No Project Alternative, shall also be discussed.

The range of alternatives evaluated in an EIR is governed by the "rule of reason," which requires the EIR set forth alternatives adequate to permit a reasoned choice by decisionmakers and limited to alternatives that "would avoid or substantially lessen any of the significant effects of the project". An EIR need not consider an alternative whose effects cannot be reasonably ascertained and whose implementation is remote and speculative (Section 15126.6(a) of the CEQA Guidelines).

Other than the No Project Alternative, the EIR needs to examine only those alternatives that could feasibly obtain most of the basic objectives of the proposed project even if the alternative would impede to some degree the attainment of project objectives.

Factors that may influence feasibility of an alternative also 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 the alternative site (or the site is already owned by the proponent)" (CEQA Guidelines, Section 15126.6[f][1]). The ultimate determination as to whether an alternative is feasible or infeasible is made by the lead agency's decision-making body, the Oceanside City Council (see PRC Section 21081[a] [3].)

This section presents several alternatives to the proposed project, which were considered pursuant to CEQA and evaluated for their ability to meet the basic objectives of the project, while reducing or avoiding the environmental impacts of the project identified in Chapter 4, Environmental Analysis, of the EIR. Those alternatives include: (1) No Project/No Development Alternative (Section 8.4.1) and (2) Revised Neighborhood Commercial Alternative (Section 8.4.2). Other alternatives were considered but rejected, as summarized in Section 4.4.

8.2 Criteria for Selection and Analysis of Alternatives

The Modera Melrose Mixed Use Development Project (project or proposed project) would not result in any significant and unavoidable impacts. The proposed project would result in potentially significant impacts that would be reduced to a level below significant with implementation of mitigation, related to the following: air quality, biological resources, cultural resources, geology and soils, and noise. The proposed project would result in no impact or less-than-significant impacts to the following: aesthetics, cultural resources, energy, greenhouse gases, hazards and hazardous materials, hydrology and water quality, land use and planning, population and housing, public services, recreation, traffic and circulation, tribal cultural resources, utilities and service systems, and wildfire.

For each of the alternatives identified, this EIR conducts the following assessment:

- Describe the alternative
- Determine if the alternative would meet most of the basic project objectives
- Assess potential feasibility of the alternative
- Determine if the alternative would potentially eliminate or reduce a potentially significant impact of the project

If the alternative meets the above criteria and provides a meaningful CEQA analysis, then the EIR analysis will address the potential impacts of the alternative relative to those potentially significant impacts of the project. An environmentally superior alternative will then be identified based on the alternative's ability to reduce environmental impacts.

Based on the identified potentially significant environmental impacts above, the objectives established for the project (refer to Section 8.2.1, Project Objectives, below), consideration of local plans and zoning designations, and consideration of public input, this EIR evaluates two alternatives to the proposed project:

1. No Project Alternative
2. Reduced Density Alternative

8.2.1 Project Objectives

The following objectives of the proposed project are described as follows:

1. Ensure both visual and functional compatibility with other nearby land uses.
2. Provide new, quality residential units on an infill development site that will serve to activate the street frontage along Bobier Drive and provide improvements along Melrose Drive.
3. Develop on a site that can be served by existing utilities, services, and street access, and within close proximity to public transportation and shopping centers.
4. Provide new market rate and affordable housing on a site that is consistent with the City's General Plan, Housing Element, and Zoning Ordinance, Density Bonus Law, and affordable housing objectives to help satisfy the City's Regional Housing Needs Assessment (RHNA) current and future demand for housing.
5. Assist with implementation of the City's Smart and Sustainable Corridors Plan (SCCP) by providing future housing and employment growth into the City's commercial corridors while maintaining the integrity of adjacent residential.
6. Design buildings, spaces, site layout, and uses that enhance and respect the character of the surrounding area in a manner typical to residential developments and planning principles and to enhance connectivity.

8.2.2 Feasibility

CEQA Guidelines, Section 15126.6(f)(1), identifies the factors to be taken into account to determine the feasibility of alternatives. The factors include site suitability; economic viability; availability of infrastructure; general plan consistency; other plans or regulatory limitations; jurisdictional boundaries; and whether the applicant can reasonably acquire, control, or otherwise have access to the alternative site. No one of these factors establishes a fixed limit on the

scope of reasonable alternatives. An alternative does not need to be considered if its environmental effects cannot be reasonably ascertained and if implementation of such an alternative is remote or speculative.

It has been recognized that, for purposes of CEQA, "feasibility" encompasses "desirability" to the extent that the latter is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors (*California Native Plant Society v. City of Santa Cruz* [2009] 177 Cal.App.4th 957, 1001). This balancing is harmonized with CEQA's fundamental recognition that policy considerations may render alternatives impractical or undesirable (California Public Resources Code Section 21081; CEQA Guidelines Section 15126.6[c] and 15364).

8.2.3 Evaluation of Significant Impacts

According to CEQA Guidelines, Section 15126.6(b), the alternatives discussion should focus on those alternatives that, if implemented, could eliminate or reduce any of the significant environmental impacts of the proposed project. The significant effects of the project impacts are considered to be those that are identified to be potentially significant prior to the incorporation or implementation of any mitigation measures.

8.2.4 Rationale for the Selection of Alternatives

As part of an alternatives analysis, CEQA requires an EIR to address a No Project Alternative. The purpose of describing and analyzing a No Project Alternative is to allow decision makers to compare the impacts of approving a proposed project with the impacts of not approving the proposed project.

EIRs should also identify any alternatives that were considered by the Lead Agency but rejected, and briefly explain the reasons why the Lead Agency made such a determination. Among the factors that may be used in an EIR to eliminate alternatives from detailed consideration are (i) failure to meet most of the basic project objectives, (ii) infeasibility, and/or (iii) inability to avoid significant environmental impacts.

In accordance with these requirements and based on comments received during the CEQA Notice of Preparation and scoping process for the proposed project, alternatives to the proposed project were considered and analyzed compared to the proposed project.

8.3 Alternatives Considered But Rejected

This EIR considered two additional alternatives that are not carried forward for detailed analysis. These alternatives are described below.

8.3.1 Alternative Location

In accordance with CEQA Guidelines 15126.6(f)(2), an EIR may consider an alternative location for the proposed project but is only required to do so if significant project effects would be avoided or substantially lessened by moving the project to another site. As the project impacts are all site specific, this Alternative Location Alternative was considered as a potential alternative. The intent would be to locate an alternative site within an urban area of the City with the same General Plan and Zoning designation, that would avoid or substantially lessen one or more of the following impacts: air quality, biological resources, cultural resources, geology and soils, and noise impacts. This Alternative is assumed to include the same components as the project and would require a site similar to the project's 7.4-acre site.

There may be sites within the City of an approximately equivalent size to the project site that could be redeveloped with a mixed-use development project; however, the project applicant does not own another site within the City of comparable land area that is available for development of the project. One of the factors for feasibility of an alternative is "whether the proponent can reasonably acquire, control or otherwise have access to the alternative site." It is unlikely and speculative to assume the feasibility of assembling another site similar to the proposed project that meets most of the project objectives and avoids or substantially lessens the project's potential significant impacts. The Alternate Location Alternative was considered but rejected due to infeasibility. As an independent basis, the Alternate Location Alternative was considered but rejected due to the project's proposed development being consistent with the General Plan, Zoning, and other applicable land use plans and regulations. As a result of that consistency with the adopted land use policy documents, and this EIR's inclusion of a reasonable range of alternatives, CEQA does not require consideration of an off-site alternative that may not even be feasible to identify let alone acquired.

8.3.2 Enhanced Pedestrian Access Alternative

This Alternative was considered in response to community recommendations during the NOP process. Under the Enhanced Pedestrian Access Alternative, the development as proposed would remain the same, but pedestrian access to the development would be included on the west side of the development off Melrose Drive for direct access to the adjacent Melrose Sprinter station. In comparison, the proposed project design has future tenants walking out of the primary entrance on the far east side of the project site off of West Bobier Drive, adjacent to Sports Park Way, in order to exit the community and then reverse course along West Bobier Drive/Oceanside Boulevard going west to get to the Sprinter station.

This alternative was considered by the City and Applicant, however after review of design options, it was agreed that the site grading and retaining wall design required for the project make a pedestrian stair connection to the sidewalk/street level infeasible. There would be a significant design conflict with the stair access having to directly cross the bike path before connecting to the Melrose sidewalk. There would also be issues with construction and liability in the bike path easement. Furthermore, the project would need to incorporate a density bonus waiver to address the 17-foot-high retaining wall along the west boundary. The justification for the waiver being that the wall design responds to the existing site and grading conditions along the adjacent street frontages and is necessary to support the required grading and storm drainage for the site and to provide the development pad area necessary for the project as proposed. Providing an ADA path of travel would not be feasible due to the necessary retaining wall system.

After consideration and review of design options, it was determined that this Alternative would not be feasible due to the grade change from the existing Melrose sidewalk to the project site pad. Additionally, this Enhanced Pedestrian Access Alternative would not reduce any of the significant air quality, biological resources, cultural resources, geology and soils, or noise impacts as a result of the proposed project. For these reasons, this alternative was considered but rejected.

8.4 Alternatives Under Consideration

8.4.1 No Project Alternative

8.4.1.1 Alternative Description

Under the No Project Alternative, the proposed project and associated improvements would not be implemented, and the project site would remain undeveloped. However, this alternative does not preclude future development on site, as uses allowed under the Neighborhood Commercial (CN) zone would still be allowed under the current land use designation for the site.

8.4.1.2 Comparison of Significant Effects

Air Quality

Under the No Project Alternative, air pollutant emissions associated with construction, including emissions associated with grading, site preparation, site finishing and building finishing, would not occur. This alternative would therefore avoid significant but mitigable emissions related to construction Volatile Organic Compound (VOC) emissions (Impact AQ-1), and TAC exposure from construction diesel exhaust emissions (Impact AQ-2), because no construction air pollutant emissions would occur. Implementation of this alternative would not introduce any uses that would generate operational air pollutant emissions. Thus, compared to the proposed project, the No Project Alternative would reduce air quality impacts because no impacts to air quality would occur.

Biological Resources

The No Project Alternative would not require any ground-disturbing activities. As such, this alternative would not result in potential direct and/or indirect significant impacts to vegetation communities, special-status wildlife species, potential jurisdictional resources, and/or wildlife corridors/habitat linkages. This Alternative would not require implementation of MM-BIO-1 through MM-BIO-5, as proposed for the project. Therefore, as no development would occur under this alternative, compared to the proposed project, this alternative would result in reduced impacts to biological resources.

Cultural Resources

The No Project Alternative would not require any ground-disturbing activities. As such, this alternative would not result in potential direct and/or indirect significant impacts to cultural resources. This Alternative would not require implementation of MM-CUL-1 through MM-CUL-9, as proposed for the project. Therefore, as no development would occur under this alternative, compared to the proposed project, this alternative would result in reduced impacts to cultural resources. Geology and Soils

Under the No Project Alternative, the project site would remain in its current state. Existing topography and on-site soils would not be disturbed by any development. Although the project site would still be subject to potential seismic hazards such as seismic ground shaking, under this alternative, no structures would be present on site. Paleontological resources would be avoided under this Alternative since no excavation or grading would be required. Under the proposed project, development would require excavations for building foundations and utilities, and any excavations into the potentially fossil-bearing strata within the Quaternary terrace deposits

and/or Santiago Formation which could result in potentially significant impacts to paleontological resources (Impact GEO-1), and mitigation would be required to reduce impacts to below a level of significance. Therefore, when compared to the proposed project, the No Project Alternative would reduce impacts related to geology and soils because no impacts to geology and soils would occur.

Noise

The project site is currently vacant and does not generate any noise. Under the No Project Alternative, the project site would remain undeveloped and would not create any new sources of construction or operational noise. Additionally, this alternative would not generate any groundborne vibration. As described in Section 4.11 of this EIR, the proposed project would result in significant noise impacts during construction (Impact NOI-1), and mitigation would be required to reduce impacts to below a level of significance. Therefore, when compared to the proposed project, the No Project Alternative would reduce impacts related to noise because no noise related impacts would occur.

8.4.1.3 Relation to Project Objectives

Since the No Project/No Development Alternative would not provide any development, overall impacts would be reduced compared to the proposed project. However, certain benefits would not be realized under this alternative, including the provision of housing units as identified in the General Plan in an infill area, and enhanced uses and connectivity in the surrounding area. Furthermore, as the No Project Alternative would not develop the site or allow for housing, this alternative would not fulfill any of the proposed project objectives.

8.4.2 Reduced Density Alternative

8.4.2.1 Alternative Description

Reducing the proposed density was considered in response to community concerns associated with the number of units proposed to be developed on site. Under the Reduced Density Alternative, the project would be developed consistent with the allowed maximum density of up to 29 units per acre under the General Plan designation of Neighborhood Commercial (NC) and a consistent Zoning designation of Neighborhood Commercial (CN), with approval of a mixed-use development plan. The number of units allowed under the Reduced Density Alternative would be calculated by multiplying the gross site acreage (7.4 acres) by the maximum density allowed under the general plan and zoning land use designation (29 units per acre), for a total of 215 units (rounded up from 214.6). Development of 215 units under the Reduced Density Alternative would be a reduction of 108 residential units when compared to the proposed project's 323 units. A site plan has not been generated for this Alternative; however, it is assumed that under this Alternative, the design would be reconfigured to reduce the number of proposed buildings from six to five, removing the building closest to the existing residential development to the east (building number 2 as proposed under the project) to increase the buffer area and reduce potential air quality and noise-related impacts. It is also assumed under this Alternative that parking and on-site amenities would be reduced to scale to comply with the minimum required for this 215-unit count. Site access would remain the same as the proposed project. Under this Alternative, a request for Density Bonus would not be applied, as no affordable housing would be proposed, and the applicant would be required to pay a fee in-lieu of providing inclusionary/low-income housing.

8.4.2.2 Comparison of Significant Effects

Air Quality

The Reduced Density Alternative would be located within the same site as the proposed project, and the disturbance area would remain the same, or slightly reduced as a result of the decreased unit and building count. Air pollutant emissions associated with Alternative project construction including emissions associated with grading, site preparation, site finishing and building finishing would occur, which would be similar or slightly reduced in comparison to the proposed project. Mitigation, similar to MM-AQ-1 and MM-AQ-2 proposed for the project, to address potentially significant impacts related to emissions of criteria air pollutant emissions during construction is still anticipated under this Alternative.

Under the Reduced Density Alternative, mobile source operational emissions from light vehicle trips would be lower than the proposed project due to the reduction in unit count from 323 to 215, and the reduction in generation of residents on-site from 904 to 602 people; and therefore, would likely result in reduced stationary source operational air pollutant emissions compared to the proposed project. As such, this Alternative would likely result in reduced impacts to air quality compared to the proposed project but is still expected to require mitigation to reduce potential impacts related to construction emissions.

Biological Resources

The Reduced Density Alternative would result in a reduced ground disturbance area on the project site based upon the reduced development footprint layout. Because reduced ground disturbance would occur under this alternative, there would be less potential to impact existing biological resources on-site. However, although this alternative layout would potentially reduce impacts to biological resources on-site, impacts would still occur and this alternative is expected to require mitigation measures similar to MM-BIO-1 through MM-BIO-5 proposed for the project, in order to reduce significant impacts to biological resources. With implementation of mitigation measures similar to those proposed for the project, this alternative would result in similar impacts to biological resources compared to the project with mitigation incorporated.

Cultural Resources

The Reduced Density Alternative would result in a reduced ground disturbance area on the project site based upon the reduced development footprint layout. Because reduced ground disturbance would occur under this alternative, there would be less potential to impact existing cultural resources on-site. However, although this alternative layout would potentially reduce impacts to cultural resources on-site, impacts would still occur and this alternative is expected to require implementation of the City's standard cultural mitigation measures MM-CUL-1 through MM-CUL-9 in order to reduce significant impacts to cultural resources. With implementation of mitigation measures similar to those proposed for the project, this alternative would result in similar impacts to cultural resources compared to the project with mitigation incorporated.

Geology and Soils

The Reduced Density Alternative would be located within the same site as the proposed project, however, the disturbance and grading area would likely be reduced as a result of the reduced building count on-site. However, ground disturbance including grading would still occur under this Alternative, and the potential for impacts to paleontological resources would still be considered potentially significant. This alternative is expected to require

implementation of mitigation measures similar to MM-GEO-1 through MM-GEO-6 under the proposed project, in order to reduce potentially significant impacts to paleontological resources. Therefore, this alternative would result in similar paleontological resource impacts compared to the proposed project.

Noise

The Reduced Density Alternative would require ground-disturbance of a slightly reduced development footprint on-site as a result of the reduced density under this Alternative. As analyzed in Section 4.11 of this EIR, noise impacts associated with the proposed project were determined to be less than significant, with the exception of short-term construction noise during site preparation phases. Estimated construction noise levels associated with the proposed project are predicted to be as high as 89 dBA L_{eq} over an eight-hour period at the nearest existing residences (as close as 20 feet away) when site preparation activities take place near the eastern project boundaries. As a result, the proposed project would potentially exceed construction noise limits on occasion at residential receivers and result in potentially significant impacts.

A site plan has not been prepared for the Reduced Density Alternative; however, it is assumed that under this Alternative, the site layout would be reconfigured to reduce the number of proposed buildings from six to five, removing the building closest to the existing residential development to the east (building number 2 as proposed under the project) to increase the buffer area and reduce potential noise-related impacts. By removing building number 2 under this Alternative, the distance from the closest sensitive receptor (existing residents to the east) to the construction site boundary is expected to increase from as close as 20 feet under the proposed project to over 150 feet for this Alternative. The substantial increase in distance from the nearest noise-sensitive receptor to the Alternative construction site boundary would result in construction noise levels predicted to be no higher than 72 dBA L_{eq} over an eight-hour period, which would remain below the 80 dBA L_{eq} threshold. Therefore, as compared to the proposed project, this Alternative would result in reduced noise impacts, and implementation of mitigation is not anticipated.

8.4.2.3 Relation to Project Objectives

The Reduced Density Alternative would meet all proposed project objectives with the exception of meeting objective 4 (provide new market rate and affordable housing on a site that is consistent with the City's General Plan and Zoning Ordinance, Density Bonus Law, and affordable housing objectives to help satisfy the City's current and future demand for housing).

While this alternative would develop infill housing on an urbanized site and assist the City to implement its housing goals, it would implement less housing compared to the proposed project and less efficiently promote infill development. This alternative would also provide less varied housing compared to the proposed project, including no affordable housing. This alternative would also not maximize housing density near existing transit.

Furthermore, While the Reduced Density Alternative would pay inclusionary housing fees, this alternative would not provide affordable housing on-site to help satisfy the City's current housing deficit within an area designated by SANDAG as a Smart Growth Opportunity Area. Additionally, the developer may acquire the right to develop at a specific density under State of California Density Bonus Law (Government Code Section 65915-65918). The State of California's Density Bonus Law was established to promote the construction of affordable housing units and allows projects to exceed the maximum designated density and to use development standard waivers, reductions or incentives and concessions in exchange for providing affordable housing units in compliance with all current density bonus regulations. The City implements these state requirements.

Because the project qualifies for a density bonus due to its provision of affordable housing, the City may not refuse to grant a density bonus for the proposed project allowing it to develop the proposed 323 multi-family units. The Reduced Density Alternative would not further the Density Bonus Law's legislative intent and public policy goals of providing additional housing units, including affordable housing, through density bonuses. The Reduced Density Alternative would also conflict with goals and policies of the City's General Plan Housing Element and the Smart Growth Opportunity Area location as designated by SANDAG. Additionally, without the requested density bonus, the project would not provide affordable housing on-site to help satisfy the City's current and future demand for housing.

Lastly, although the Reduced Density Alternative would meet most of the project objectives and potentially reduce the severity of impacts related to air quality, cultural resources and noise in comparison to the proposed project due to the reduced unit count and reduced development footprint; such impacts to air quality, biological resources, cultural resources, and geology and soils under this alternative would remain as less than significant with mitigation incorporated, similar to the proposed project.

8.5 Environmentally Superior Alternative

Table 8-1 provides a qualitative comparison of the impacts for each Alternative compared to the proposed project. As shown in Table 8-1, the No Project Alternative would eliminate all of the significant impacts identified for the project. However, the No Project Alternative would not meet any of the project objectives. *CEQA Guidelines* Section 15126.6(e)(2) states that if the No Project alternative is identified as the environmentally superior alternative, then an environmentally superior alternative should be identified among the other alternatives.

Among the other alternatives, not including the proposed project, the Reduced Density Alternative would be considered the environmentally superior alternative because it would potentially provide a reduced level of impact in some environmental analysis areas including air quality, cultural resources, and noise. However, under this alternative, impacts to air quality, biological resources, cultural resources and geology and soils would still remain as less than significant with mitigation incorporated, similar to the proposed project. Noise impacts under this alternative would likely be reduced to less than significant without mitigation.

The Reduced Density Alternative would meet all proposed project objectives with the exception of meeting objective 4 (provide new market rate and affordable housing on a site that is consistent with the City's General Plan and Zoning Ordinance, Density Bonus Law, and affordable housing objectives to help satisfy the City's current and future demand for housing). Under this Alternative, a request for Density Bonus would not be applied, as no affordable housing would be proposed, and the applicant would be required to pay a fee in-lieu of providing inclusionary/low-income housing.

While this alternative would develop infill housing on an urbanized site and assist the City to implement its housing goals, it would implement less housing compared to the proposed project and less efficiently promote infill development. This alternative would also provide less varied housing compared to the proposed project, including no on-site affordable housing. This alternative would also not maximize housing density near existing transit.

Nevertheless, because this alternative would slightly reduce potentially significant impacts in comparison to the project, this alternative is considered the environmentally superior alternative.

Table 8-1. Comparative Summary of Alternatives Under Consideration and Proposed Project

Environmental Topic	Proposed Project	No Project Alternative	Reduced Density Alternative
Air Quality	LTSM	No Impact (Reduced)	LTSM (Same)
Biological Resources	LTSM	No Impact (Reduced)	LTSM (Same)
Cultural Resources	LTSM	No Impact (Reduced)	LTSM (Same)
Geology and Soils	LTSM	No Impact (Reduced)	LTSM (Same)
Noise	LTSM	No Impact (Reduced)	LTS (Reduced)

Notes: Impact Status: LTS = Less Than Significant Impact; LTSM = Less Than Significant with Mitigation; SU = Significant and Unavoidable

9 List of Preparers

City of Oceanside

Sergio Madera, City Planner
Patricia Anders, Contract Planner

Dudek

Brian Grover, AICP, Principal
Vanessa Currie, Environmental Planner
Madison Brown, Environmental Analyst
Sarah Halterman, Air Quality and Greenhouse Gas Emissions Specialist
Jonathan Leech, Environmental Technical Practice Director
Keshia Montifolca, Archaeologist
Amy Seals, Hannah Werthheimer, and Scott Graff, Technical Editors

Lightfoot Planning Group

Dan Niebaum, AICP, Planner

AO Architects – Residential Architect

Serafin Maranan

Urban Arena – Landscape Architect

Keith Mittemeyer
Phillip Barnes

Kimley-Horn and Associates

Erin L. Lee, PE
John Boarman, Principal Engineer
Narasimha Prasad, Senior Transportation Engineer

GEOCON

Trevor E. Myers, PE
David B. Evans, PG

Weis Environmental

Daniel Weis, R.E.H.S

INTENTIONALLY LEFT BLANK

10 References

2 Environmental Setting

California Regional Water Quality Control Board. 2021. San Diego Region – The Basin Plan. https://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/

City of Oceanside. 2002. City of Oceanside General Plan Land Use Element. Adopted September 10, 1986. Text updated 2002. Accessed October 3, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=25117.

City of Oceanside. 2010. Final Oceanside Subarea Habitat Conservation Plan/Natural Communities Conservation Plan (HCP/NCCP). http://www.ci.oceanside.ca.us/gov/dev/planning/subarea.asp.

City of Oceanside. 2021a. Onward Oceanside. Accessed July 13, 2021. https://onwardoceanside.com/.

City of Oceanside. 2021b. City of Oceanside Land Use and Zoning Map Viewer. Accessed July 14, 2021. https://oceanside.maps.arcgis.com/apps/webappviewer/index.html?id=b3f0000402044ca1a724f84dda988d0e&extent=-13069787.2898%2C3915650.637%2C-13046856.1813%2C3933919.0868%2C102100.

City of Oceanside, City of Vista, County of San Diego, and California Department of Transportation. 2016. San Luis Rey River Watershed Area Water Quality Improvement Plan. Prepared by Larry Walker Associates and AMEC. Modeled by Geosyntec Consultants. September 2015; revised March 2016. Accessed June 2019. https://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/docs/wqip/san_luis_rey_river/2016-0318_ACCEPTED_SLRRWMA_WQIP.pdf.

SANDAG (San Diego Association of Governments). 2003. Final MHCP Plan. Vol. 1. Prepared for the Multiple Habitat Conservation Program. Administered by SANDAG. March 2003.

SANDAG. 2017a. Series 13: 2050 Regional Growth Forecast. Accessed March 2021. http://www.sandag.org/index.asp?classid=12&subclassid=84&projectid=503&fuseaction=projects.detail.

SANDAG. 2017b. 2050 Regional Transportation Plan. Accessed March 2021. http://www.sandag.org/index.asp?projectid=349&fuseaction=projects.detail.

SANDAG. 2021. San Diego Forward: The Regional Plan. December 2021. https://sdforward.com/mobility-planning/2021-regional-plan

SDAPCD (San Diego Air Pollution Control District). 2016. 2016 Revision of the Regional Air Quality Strategy for San Diego County. December. https://www.sandiegocounty.gov/content/dam/sdc/apcd/PDF/Air%20Quality%20Planning/2016_RAQS_Draft.pdf.

WRCC (Western Regional Climate Center). 2021. Local Climatological Data: San Diego Accessed April 2021. https://www.ncdc.noaa.gov/IPS/lcd/lcd.html;jsessionid=6BF7BAF3353B075C733A1A282B75F5C5?_page=1&state=CA&stationID=23188&_target2=Next+%3E

3 Project Description

City of Oceanside. 2019. City of Oceanside Code of Ordinances, Section 6.25. – Construction hour limitations. Ordinance No. 19-OR0757-1. https://library.municode.com/ca/oceanside/ordinances/code_of_ordinances?nodeId=1007929.

4 Environmental Impact Analysis

4.1 Aesthetics

Caltrans (California Department of Transportation). 2022. "California State Scenic Highways." September 7, 2011. https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways

Caltrans. 2019. California State Scenic Highway System Map. Accessed April 2022. https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa

City of Oceanside. 2002a. City of Oceanside General Plan Environmental Resources Management Element. Adopted September 24, 1975. Text updated 2002. Accessed October 3, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=24756.

City of Oceanside. 2002b. City of Oceanside General Plan Land Use Element. Adopted September 10, 1986. Text updated 2002. Accessed October 3, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=25117.

City of Oceanside. 2022. "Oceanside at a Glance." Accessed October 3, 2022. https://www.ci.oceanside.ca.us/about/city.asp.

SANDAG (San Diego Association of Governments). 2016. Smart Growth in the San Diego Region. May 2016. https://www.sandag.org/index.asp?projectid=296&fuseaction=projects.detail.

U.S. Census Bureau. 2022. Quick Facts City of Oceanside, California. Population, Census, April 1, 2020. https://www.census.gov/quickfacts/fact/chart/oceansidecitycalifornia/POP010220#POP010220.

4.2 Air Quality

CARB (California Air Resources Board). 2000. *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*. CARB, Stationary Source Division, Mobile Source Control Division. October 2000. Accessed May 2022.http://www.arb.ca.gov/diesel/documents/rrpfinal.pdf.

CARB. 2016. "Ambient Air Quality Standards." May 5, 2016. Accessed May 2022.http://www.arb.ca.gov/research/aaqs/aaqs2.pdf.

City of Oceanside. 2002. City of Oceanside General Plan Land Use Element. Adopted September 10, 1986. Text updated 2002. Accessed October 3, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=25117.

City of Oceanside. 2012. Oceanside General Plan Circulation Element. September 2012. Access October 4, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=29697.

City of Oceanside. 2019. Oceanside Climate Action Plan. Prepared by RECON. January 2019. Accessed April 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=48919.

County of San Diego. 2007. Guidelines for Determining Significance and Report Format and Content Requirements: Air Quality. Land Use and Environment Group, Department of Planning and Land Use, Department of Public Works. March 19, 2007. Accessed October 4, 2022. https://www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/docs/AQ-Guidelines.pdf.

SANDAG (San Diego Association of Governments). 2015. San Diego Forward: The Regional Plan. October 2015. Accessed May 2022. https://sdforward.com/pdfs/Final_PDFs/The_Plan_combined.pdf .

SANDAG. 2020. Final 6th Cycle Regional Housing Needs Assessment Plan. July 10, 2020. Accessed April 2022. https://www.sandag.org/uploads/projectid/projectid_189_27782.pdf.

SDAPCD (San Diego Air Pollution Control District). 1976. Regulation IV: Prohibitions; Rule 51: Nuisance. Effective November 8, 1976. Accessed May 2022. https://www.sdapcd.org/content/dam/sdapcd/documents/rules/current-rules/Rule-51.pdf.

SDAPCD. 1997. Regulation IV: Prohibitions; Rule 50: Visible Emissions. Effective August 13, 1997. Accessed June 2017. http://www.sandiegocounty.gov/content/dam/sdc/apcd/PDF/Rules_and_Regulations/Prohibitions/APCD_R50.pdf.

SDAPCD. 2005. Measures to Reduce Particulate Matter in San Diego County. December 2005. Accessed May 2022. http://sntbberry.cityofsanteeca.gov/sites/FanitaRanch/Public/Remainder%20of%20the%20Record/(2)%20Reference%20Documents%20from%20EIR%20&%20Technical%20Reports/Tab%20203%20-%202005-12%20SDAPCD_Measures%20to%20Reduce%20Particulate%20Matter.pdf.

SDAPCD. 2009. Regulation IV: Prohibitions; Rule 55: Fugitive Dust. Adopted June 24, 2009; effective December 24, 2009. Accessed May 2022.https://www.sdapcd.org/content/dam/sdapcd/documents/rules/current-rules/Rule-55.pdf.

SDAPCD. 2015. Regulation IV: Prohibitions; Rule 67.0.1: Architectural Coatings. Revised June 24, 2015. Accessed May 2022. https://www.sdapcd.org/content/dam/sdapcd/documents/rules/rule-archive/2021/Rule-67.0.1.pdf.

SDAPCD. 2016a. Regulation II: Permits; Rule 20.2: New Source Review—Non-Major Sources. January 29, 2016. Accessed May 2022. https://www.sdapcd.org/content/dam/sdapcd/documents/rules/current-rules/Rule-20.2.pdf.

SDAPCD. 2016b. 2008 Eight-Hour Ozone Attainment Plan for San Diego County. Updated December 2016. http://www.sdapcd.org/content/dam/sdc/apcd/PDF/Air%20Quality%20Planning/8-Hr-03%20Attain%20Plan-08%20Std.pdf.

SDAPCD. 2022. "Supplemental Guidelines for Submission of Air Toxics "Hot Spots" Program Health Risk Assessments (HRAs)." July 2022. Accessed May 2022. https://www.sdapcd.org/content/dam/sdapcd/documents/permits/air-toxics/Hot-Spots-Guidelines.pdf.

4.3 Biological Resources

Bossard, C.C., J.M. Randall, and M.C. Hoshovsky, eds. 2000. Invasive Plants of California's Wildlands. Berkeley, Los Angeles, and London: University of California Press.

CaliforniaHerps.com. 2022. "California Herps: A Guide to the Amphibians and Reptiles of California." Accessed July 2022. http://californiaherps.com/.

CDFG (California Department of Fish and Game). 2000. Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities. December 1983, revised May 8, 2000.

CDFW (California Department of Fish and Wildlife). 2022a. RareFind, Version 5. California Natural Diversity Database (Commercial Subscription). Sacramento: CDFW, Biogeographic Data Branch. Accessed July 2022. https://www.wildlife.ca.gov/Data/CNDDB/Maps-and-Data.

CDFW. 2022b. "State and Federally Listed Endangered, Threatened, and Rare Plants of California. California Natural Diversity Database. Sacramento: CDFW, Biogeographic Branch. July 2022. https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109390&inline

CDFW. 2022c. "Special Animals List." California Natural Diversity Database. Sacramento: CDFW, Biogeographic Branch. July 2022. https://www.dfg.ca.gov/wildlife/nongame/list.html.

City of Oceanside. 2002a. City of Oceanside General Plan Land Use Element. Adopted July 7, 1986. Text updated 2002. Accessed October 3, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=45194.

City of Oceanside. 2002b. City of Oceanside General Plan Environmental Resources Management Element. Adopted September 24, 1975. Text updated 2002. Accessed October 3, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=24756.

City of Oceanside. 2010. Final Oceanside Subarea Plan. Accessed July 2022. https://www.ci.oceanside.ca.us/gov/dev/planning/subarea.asp.

CNPS (California Native Plant Society). 2001. Botanical Survey Guidelines.

CNPS. 2022. Inventory of Rare and Endangered Plants of California (online edition, v9-01 1.5). Accessed July 2022. http://www.rareplants.cnps.org.

Cypher, E.A. 2002. "General Rare Plant Survey Guidelines." Bakersfield, California: California State University, Stanislaus, Endangered Species Recovery Program. Revised July 2002. http://www.fws.gov/sacramento/ES/Survey-Protocols-Guidelines/Documents/rare_plant_protocol.pdf.

Google Earth. 2022. Accessed October 2022. earth.google.com.

Holland, R.F. 1986. *Preliminary Descriptions of the Terrestrial Natural Communities of California*. Nongame-Heritage Program, California Department of Fish and Game. October 1986.

SanGIS (San Diego Geographic Information Source). 2022. San Diego Geographic Information Source. Accessed July 2022. http://www.sangis.org/.

Stebbins, R.C. 2018. A Field Guide to Western Reptiles and Amphibians. 4th ed. Peterson Field Guide Series. Boston, Massachusetts: Houghton Mifflin Company.

Tremor, S., ed. 2017. San Diego County Mammal Atlas. Illustrated by J. Zee. San Diego, California: San Diego Natural History Museum.

Unitt, P. 2004. San Diego County Bird Atlas. San Diego, California: San Diego Natural History Museum.

USDA (U.S. Department of Agriculture). 2022. Web Soil Survey. USDA Natural Resources Conservation Service, Soil Survey Staff. Accessed July 2022. https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx.

USFWS (U.S. Fish and Wildlife Service). 2021. "Birds of Conservation Concern 2021, Migratory Bird Program." Accessed July 2022. https://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php.

USFWS. 2022a. "Critical Habitat and Occurrence Data" [map]. USFWS Geospatial Services. Accessed July 2022. http://www.fws.gov/data.

USFWS. 2022b. "National Wetlands Inventory (NWI) Wetlands Mapper." Accessed July 2022. https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper.

4.4 Cultural Resources

City of Oceanside. 2002a. City of Oceanside General Plan Environmental Resources Management Element. Adopted September 24, 1975. Text updated 2002. Accessed October 3, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=24756.

City of Oceanside. 2002b. City of Oceanside General Plan Land Use Element. Adopted September 10, 1986. Text updated 2002. Accessed October 3, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=25117.

City of Oceanside. 2017. Chapter 14A Municipal Code, Historic Preservation Ordinance [PDF]. Accessed October 25, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=21643

4.5 Energy

CEC (California Energy Commission). 2015. California Energy Demand Updated Forecast, 2015–2025. CEC-200-2014-009-CMF. February 2015. Accessed December 2017. http://www.energy.ca.gov/2014publications/CEC-200-2014-009/CEC-200-2014-009-CMF.pdf.

CEC. 2016. 2015 Integrated Energy Policy Report. CEC-100-2015-001-CMF. June 29, 2016. Accessed February 18, 2019. http://docketpublic.energy.ca.gov/PublicDocuments/15-IEPR-01/TN212017_20160629T154354_2015_Integrated_Energy_ Policy_Report_Small_File_Size.pdf.

CEC. 2018a. "2019 Building Energy Efficiency Standards Fact Sheet." March 2018. https://www.energy.ca.gov/default/files/2020-03/Title_24_2019_Building_Standards_FAQ_ada.pdf.

CEC. 2018b. 2018 Integrated Energy Policy Report Update. August 2018. Accessed October 6, 2022. https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2018-integrated-energy-policy-report-update.

CEC. 2020. "Electricity Consumption by County" [webpage]. Accessed May 2022. http://www.ecdms.energy.ca.gov/elecbycounty.aspx.

CEC. 2022a. "Gas Consumption by Entity" [webpage]. Accessed May 2022. http://www.ecdms.energy.ca.gov/gasbyutil.aspx.

CEC. 2022b. "Gas Consumption by County" [webpage]. Accessed May 2022. http://www.ecdms.energy.ca.gov/gasbycounty.aspx.

City of Oceanside. 2019a. City of Oceanside General Plan, Energy Climate Action Element. May 2019. Accessed October 6, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=50300.

City of Oceanside. 2019b. Oceanside Climate Action Plan. Prepared by RECON. January 2019. Accessed April 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=48919.

CPUC (California Public Utilities Commission). 2016. CPUC Biennial RPS Program Update: In Compliance with Public Utilities Code Section 913.6. January 1, 2016. Accessed October 4, 2019. https://www.cpuc.ca.gov/-/media/cpuc-website/files/uploadedfiles/cpuc_website/content/utilities_and_industries/energy/reports_and_white_papers/final12302015section913-6report.pdf.

CPUC. 2017. Renewable Portfolio Standard Annual Report. November 2017. Accessed February 2018. http://www.cpuc.ca.gov/uploadedFiles/CPUC_Website/Content/Utilities_and_Industries/Energy/Reports_and_White_Papers/Nov%202017%20-%20RPS%20Annual%20Report.pdf.

CPUC. 2022. "Natural Gas and California" [webpage]. Accessed September 2022. https://www.cpuc.ca.gov/natural_gas/

DMV (California Department of Motor Vehicles). 2022. "Vehicles Registered by County in 2021" [webpage]. https://www.dmv.ca.gov/portal/dmv-research-reports/research-development-data-dashboards/vehicles-registered-by-county/.

EIA (U.S. Energy Information Administration). 2018. "California State Profile and Energy Estimates – Table F15: Total Petroleum Consumption Estimates, 2016." http://www.eia.gov/state/seds/data.cfm?incfile=/state/seds/sep_fuel/html/fuel_use_pa.html&sid=US&sid=CA.

EIA. 2019. "California State Energy Profile." Last updated November 15, 2018. https://www.eia.gov/state/print.php?sid=CA.

EIA. 2020a. "California Electricity Profile 2019." EIA, Electricity. Released November 2, 2020. https://www.eia.gov/electricity/state/california/index.cfm.

EIA. 2020b. "California State Energy Profile." Last updated January 16, 2020. https://www.eia.gov/state/print.php?sid=CA.

EIA. 2021. "Natural Gas Consumption by End Use (California, 2019)." EIA, Natural Gas. Released February 26, 2021. https://www.eia.gov/dnav/ng/ng_cons_sum_dcu_SCA_a.htm.

EPA (U.S. Environmental Protection Agency). 2022. "Energy Independence and Security Act of 2007" [webpage]. Updated June 29, 2022. Accessed October 13, 2022. https://www.epa.gov/greeningepa/energy-independence-and-security-act-2007.

SDG&E (San Diego Gas & Electric). 2019. "Energy Data Access." Accessed July 2019. https://energydata.sdge.com/.

SDG&E. 2020a. Supplier Diversity—Partnering to Build a Better Business, 2019 Year in Review. Diverse Business Enterprises 2019 Annual Report, 2020 Annual Plan. March 1, 2020. Accessed October 6, 2022. https://www.sdge.com/sites/default/files/documents/SDG%26E_Annual_Report_Partnering_to_Build_a_Better_Business-2019.pdf.

SDG&E. 2022. "About Us" [webpage]. Accessed October 13, 2022. https://www.sdge.com/more-information/our-company/about-us.

The Climate Registry. 2019. "Default Emission Factors." May 1, 2019. Accessed June 2019. https://www.theclimateregistry.org/wp-content/uploads/2019/05/The-Climate-Registry-2019-Default-Emission-Factor-Document.pdf.

4.6 Geology and Soils

California Building Standards Commission. 2019. 2019 California Building Code. 2 vols. California Code of Regulations, Title 24, Part 2. Sacramento, California: CBSC. July 1. 2019.

CGS (California Geologic Survey). 2008. Guidelines for Evaluating and Mitigating Seismic Hazards in California. Special Publication 117A. Accessed October 5, 2022. http://www.conservation.ca.gov/cgs/shzp/webdocs/Documents/SP117.pdf.

City of Oceanside. 1992. Grading Regulations Manual. Ordinance No. 92-15. Adopted May 27, 1992. Accessed April 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=22825.

City of Oceanside. 2002a. City of Oceanside General Plan Public Safety Element. Adopted September 9, 1975. Text updated 2002. Accessed April 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=24949.

City of Oceanside. 2002b. City of Oceanside General Plan Environmental Resources Management Element. Adopted September 24, 1975. Text updated 2002. Accessed October 3, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=24756.

City of Oceanside. 2002c. City of Oceanside General Plan Land Use Element. Adopted September 10, 1986. Text updated 2002. Accessed October 3, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=25117.

FEMA. 2022. "FEMA Flood Map Service Center" [web-based map]. Accessed October 13, 2022. https://msc.fema.gov/portal/search?AddressQuery=Oceanside%2C%20California#searchresultsanchor.

4.7 Greenhouse Gas

CalRecycle (California Department of Resources Recycling and Recovery). 2015. AB 341 Report to the Legislature. Publication # DRRR-2015-1538. August 2015.

CARB (California Air Resources Board). 2014. First Update to the Climate Change Scoping Plan Building on the Framework Pursuant to AB 32 – The California Global Warming Solutions Act of 2006. May 2014. http://www.arb.ca.gov/cc/scopingplan/2013_update/first_update_climate_change_scoping_plan.pdf.

CARB. 2015. "Glossary of Air Pollution Terms." CARB website. Accessed October 2022. http://www.arb.ca.gov/html/gloss.htm.

CARB. 2017. The 2017 Climate Change Scoping Plan Update: The Proposed Strategy for Achieving California's 2030 Greenhouse Gas Target. Accessed October 13, 2022. https://www.arb.ca.gov/cc/scopingplan/2030sp_pp_final.pdf.

CARB 2020. California's 2000-2018 Greenhouse Gas Emissions Inventory 2020 Edition: Inventory Updates Since the 2019 Edition of the Inventory (Supplement to the Technical Support Document). Accessed October 2022. https://ww3.arb.ca.gov/cc/inventory/pubs/reports/2000_2018/ghg_inventory_00-18_method_update_document.pdf

CARB. 2022. Current California GHG Emission Inventory Data 2000-2019 GHG Inventory (2021 Edition). April 1. Accessed May 2022. https://ww2.arb.ca.gov/ghg-inventory-data.

CEC. 2018. 2019 Building Energy Efficiency Standards. Accessed May 2022. https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency.

City of Oceanside. 2012. Oceanside General Plan Circulation Element. September 2012. Accessed October 4, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=29697.

City of Oceanside. 2019. Oceanside Climate Action Plan. Accessed April 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=48919.

CNRA (California Natural Resources Agency). 2009a. Final Statement of Reasons for Regulatory Action. Accessed May 2022. https://resources.ca.gov/CNRALegacyFiles/ceqa/docs/Final_Statement_of_Reasons.pdf.

CNRA. 2009b. 2009 California Climate Adaptation Strategy: A Report to the Governor of the State of California in Response to Executive Order S-13-2008. Accessed May 2022. http://www.climatechange.ca.gov/adaptation/.

CNRA. 2014. Safeguarding California: Reducing Climate Risk. Accessed May 2022. https://cawaterlibrary.net/document/safeguarding-california-reducing-climate-risk-an-update-to-the-2009-california-climate-adaptation-strategy/.

CNRA. 2019. California's Fourth Climate Change Assessment: San Diego Region Report. March 2019. Accessed April 2022. https://www.energy.ca.gov/sites/default/files/2019-11/Reg_Report-SUM-CCCA4-2018-009_SanDiego_ADA.pdf.

EPA (U.S. Environmental Protection Agency). 2007. Energy Independence and Security Act of 2007. Accessed October 2022. https://www.gpo.gov/fdsys/pkg/BILLS-110hr6enr/pdf/BILLS-110hr6enr.pdf.

EPA. 2017. "Glossary of Climate Change Terms" [webpage]. January 19, 2017. Accessed October 2022. https://19january2017snapshot.epa.gov/climatechange/glossary-climate-change-terms_.html. EPA. 2021. Inventory of U.S. Greenhouse Gas Emissions and Sinks 1990–2019. https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks-1990-2019.

EPA. 2022a. Basics of Climate Change. February 23. Accessed May 2022. https://www.epa.gov/climatechange-science/basics-climate-change.

EPA. 2022b. Midterm Evaluation of Light-Duty Vehicle Greenhouse Gas Emissions Standards for Model Years 2022-2025. Accessed May 2022. https://www.epa.gov/regulations-emissions-vehicles-and-engines/midterm-evaluation-light-duty-vehicle-greenhouse-gas.

EPA and NHTSA (National Highway Transportation Safety Administration). 2016. "EPA and NHTSA Adopt Standards to Reduce Greenhouse Gas Emissions and Improve Fuel Efficiency of Medium- and Heavy-Duty Vehicles for Model Year 2018 and Beyond." EPA-420-F-16-044. Regulatory Announcement. EPA, Office of Transportation and Air Quality. August 2016.

EPA and NHTSA. 2018. The Safer Affordable Fuel-Efficient 'SAFE' Vehicles Rule for Model Years 2021-2026 Passenger Vehicles and Light Trucks. Proposed Rule August 2018. Accessed May 2019. https://www.govinfo.gov/content/pkg/FR-2018-08-24/pdf/2018-16820.pdf.

IPCC (Intergovernmental Panel on Climate Change). 2007. IPCC Second Assessment: Climate Change 1995. Accessed October 2022. https://www.ipcc.ch/site/assets/uploads/2018/05/2nd-assessment-en-1.pdf

IPCC. 2007. IPCC Fourth Assessment Synthesis of Scientific-Technical Information Relevant to Interpreting Article 2 of the U.N. Framework Convention on Climate Change. Accessed October 2022. https://www.ipcc.ch/report/ar4/syr/

IPCC. 2014. Climate Change 2014 Synthesis Report: A Report of the Intergovernmental Panel on Climate Change. Contribution of Working Groups I, II and III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change. Accessed May 2019. http://www.ipcc.ch/report/ar5/syr/.

IPCC. 2018. "Summary for Policymakers." In Global Warming of 1.5°C. An IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty. Accessed October 2022. https://www.ipcc.ch/site/assets/uploads/sites/2/2019/05/SR15_SPM_version_report_LR.pdf

Massachusetts (Massachusetts et al., Petitioners) v. EPA (U.S. Environmental Protection Agency et al.), 549 U.S. 497 (2007); No. 05-1120. Accessed October 2022. http://www.supremecourtus.gov/opinions/06pdf/05-1120.pdf.

OEHHA (Office of Environmental Health Hazard Assessment). 2018. "Indicators of Climate Change in California" [PDF]. May 9, 2018. Accessed October 2022. https://oehha.ca.gov/media/downloads/climate-change/report/2018caindicatorsreportmay2018.pdf

4.8 Hazards and Hazardous Materials

ALUC (Airport Land Use Commission). 2010. Oceanside Municipal Airport Land Use Compatibility Plan. Adopted January 25, 2010. Amended December 20, 2010. https://www.san.org/DesktopModules/Bring2mind/DMX/API/Entries/Download?Command=Core_Download&EntryId=2988&language=en-US&PortalId=0&TabId=225

CAL FIRE (California Department of Forestry and Fire Protection). 2022. Fire Hazard Severity Zone Viewer Map. Accessed March 2022. https://egis.fire.ca.gov/FHSZ/

City of Oceanside. 2002a. City of Oceanside General Plan Public Safety Element. Adopted September 9, 1975. Text updated 2002. Accessed April 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=24949.

City of Oceanside. 2016. "Emergency Operations Plan" [PDF]. Accessed October 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=56172

City of Oceanside. n.d. "Oceanside Tsunami Map" [PDF]. Accessed October 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=31894

County of San Diego. 2018a. Multi-Jurisdictional Hazard Mitigation Plan. October 2017. Revised in 2018. https://www.sandiegocounty.gov/content/dam/sdc/oes/emergency_management/HazMit/2018/2018%20Hazard%20Mitigation%20Plan.pdf

County of San Diego. 2018b. Operational Area Emergency Operations Plan. September 2018. https://www.sandiegocounty.gov/content/dam/sdc/oes/emergency_management/plans/op-area-plan/2018/2018-EOP-BasicPlan.pdf#:~:text=The%20San%20Diego%20County%20Operational%20Area%20Emergency%20Operations,incidents.%20It%20delineates%20operational%20concepts%20relating%20to%20various

FEMA (Federal Emergency Management Agency). 1999. "Federal Response Plan of 1999" [PDF]. https://biotech.law.lsu.edu/blaw/FEMA/frpfull.pdf

ICC (International Code Council). 2020. 2021 International Fire Code. https://codes.iccsafe.org/content/IFC2021P1

4.9 Hydrology

California Regional Water Quality Control Board. 2016. Water Quality Control Plan for the San Diego Basin. Accessed March 2022. https://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/

Cal EMA (California Emergency Management Agency). 2009. "Tsunami Inundation Map for Emergency Planning" [PDF]. Accessed April 2022. https://www.conservation.ca.gov/cgs/Documents/Publications/Tsunami-Maps/Tsunami_Inundation_OceansideSanLuisRey_Quads_SanDiego.pdf

City of Oceanside. 2016. "San Luis Rey Water Quality Improvement Plan" [webpage]. Accessed October 2022. https://projectcleanwater.org/download/san-luis-rey-slr-water-quality-improvement-plan-wqip/

City of Oceanside. 2021. "Chapter 40 Municipal Code. Urban Runoff and Discharge Control" [webpage]. Accessed October 2022. https://library.municode.com/ca/oceanside/codes/code_of_ordinances?nodeId=CH40URRUDICO

City of Oceanside. 2022. "San Luis Rey River" [webpage]. Accessed April 2022. https://www.ci.oceanside.ca.us/gov/water/services_programs/clean/mass/sanluis.asp

FEMA. 2022. "FEMA Flood Map Service Center" [web-based map]. Accessed October 13, 2022. https://msc.fema.gov/portal/search?AddressQuery=Oceanside%2C%20California#searchresultsanchor.

SWRCB (State Water Resources Control Board). 2018. San Diego Region- Clean Water Act Section 305(b) and 303(d). Accessed October 2022. https://www.waterboards.ca.gov/rwqcb9/water_issues/programs/303d_list/index.html

4.10 Land Use

ALUC (Airport Land Use Commission). 2010. Oceanside Municipal Airport Land Use Compatibility Plan. Adopted January 25, 2010. Amended December 20, 2010. https://www.san.org/DesktopModules/Bring2mind/DMX/API/Entries/Download?Command=Core_Download&EntryId=2988&language=en-US&PortalId=0&TabId=225

City of Oceanside. 2002. City of Oceanside General Plan Noise Element. Adopted September 25, 1974. Text updated June 2002. Accessed October 3, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=24756.

City of Oceanside. 2002. City of Oceanside General Plan Environmental Resource Management Element. Adopted September 24, 1975. Text updated June 2002. Accessed October 3, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=24756.

City of Oceanside. 2002. City of Oceanside General Plan Public Safety Element. Adopted September 9, 1975. Text updated June 2002. Accessed April 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=24949.

City of Oceanside. 2002. City of Oceanside General Plan Military Reservation Element. Adopted December 16, 1981. Text updated June 2002. Accessed April 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=25118

City of Oceanside. 2002. City of Oceanside General Plan Land Use Element. Adopted September 10, 1986. Text updated 2002. Accessed October 3, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=25117.

City of Oceanside. 2002. City of Oceanside General Plan Community Facilities Element. Adopted June 27, 1990. Text updated 2002. Accessed October 3, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=24755

City of Oceanside. 2002. City of Oceanside General Plan Hazardous Waste Management Element. Adopted September 12, 1990. Text updated 2002. Accessed October 3, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=24948

City of Oceanside. 1992. City of Oceanside Comprehensive Zoning Ordinance. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=26024

City of Oceanside. 2002. City of Oceanside General Plan Recreational Trails Element (Sub-element of the Circulation Element). Adopted January 24, 1996. Text updated June 2002. Accessed October 3, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=24757

City of Oceanside. 2010. Final Oceanside Subarea Plan. Accessed July 2022. https://www.ci.oceanside.ca.us/gov/dev/planning/subarea.asp.

City of Oceanside. 2012. Oceanside General Plan Circulation Element. September 2012. Accessed October 4, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=29697.

City of Oceanside. 2013. Oceanside General Plan 2013-2021 Housing Element. April 17, 2013. Accessed October 4, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=24784

City of Oceanside 2019a. City of Oceanside General Plan Economic Development Element. April 2019. Accessed October 4, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=50299.

City of Oceanside 2019b. City of Oceanside General Plan Energy Climate Action Element. May 2019. Accessed October 4, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=50278.

City of Oceanside. 2019c. Oceanside Climate Action Plan. Prepared by RECON. January 2019. Accessed April 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=48919.

City of Oceanside. 2022. Land Use and Zoning Map Viewer. https://oceanside.maps.arcgis.com/apps/webappviewer/index.html?id=b3f0000402044caa724f84dda988d0e&extent=-13069787.2898%2C3915650.637%2C-13046856.1813%2C3933919.0868%2C102100

Project Clean Water. 2022. “San Luis Rey Watershed” [webpage]. Accessed March 2022. http://www.projectcleanwater.org/watersheds/san-luis-rey-wma/.

SANDAG (San Diego Association of Governments). 2003. Final MHCP Plan. Vol. 1. Prepared for the Multiple Habitat Conservation Program. Administered by SANDAG. March 2003.

SANDAG. 2020. Final 6th Cycle Regional Housing Needs Assessment Plan. July 10, 2020. Accessed April 2022. https://www.sandag.org/uploads/projectid/projectid_189_27782.pdf.

SANDAG. 2021. "San Diego Forward: The Regional Plan" [webpage]. December 2021. Accessed September 2022. https://sdforward.com/mobility-planning/2021-regional-plan

4.11 Noise

Caltrans (California Department of Transportation). 2020. "Transportation and Construction Vibration Guidance Manual" [PDF]. Accessed October 17, 2022. https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tcvgm-apr2020-a11y.pdf

City of Oceanside. 1991. "Engineers Design and Processing Manual" [PDF]. Adopted February 13, 1991; revised August 26, 1992; reformatted June 2004. Accessed October 17, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=25502

City of Oceanside. 2002. "General Plan Noise Element" [PDF]. Adopted August 25, 1974; text reformatted 2002. Accessed October 17, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=24786

City of Oceanside. 2019. Municipal Code Chapter 38 – Noise Control. Accessed October 17, 2022. https://library.municode.com/ca/oceanside/codes/code_of_ordinances?nodeId=CH38NOCO_ARTIINGE

City of Vista. 2011. "General Plan 2030: Chapter 6, Noise Element" [website]. Accessed October 17, 2022. https://records.cityofvista.com/weblink/DocView.aspx?id=712585&cr=1

City of Vista. 2014. "Municipal Code Chapter 8.32 – Noise Control" [website]. Accessed October 17, 2022. https://records.cityofvista.com/WebLink/0/doc/1044354/Page1.aspx

FHWA (Federal Highway Administration). 2004. FHWA Traffic Noise Model Version 2.5.

FHWA. 2008. Roadway Construction Noise Model (RCNM), Software Version 1.1. U.S. Department of Transportation, Research and Innovative Technology Administration, John A. Volpe National Transportation Systems Center, Environmental Measurement and Modeling Division. Washington, D.C.

FHWA. 2011. "Highway Traffic Noise: Analysis and Abatement Guidance" [PDF]. Accessed October 17, 2022. https://www.fhwa.dot.gov/environment/noise/regulations_and_guidance/analysis_and_abatement_guidance/revguidance.pdf

FTA (Federal Transit Administration). 2006. *Transit Noise and Vibration Impact Assessment*. FTA-VA-90-1003-06. Washington, DC: FTA, Office of Planning and Environment. May 2006.

ISO (International Organization of Standardization). 1996. "Standard 9613-2: 'Attenuation of Sound During Propagation Outdoors, Part 2: General Method of Calculation'"

San Diego County Regional Airport Authority. 2010. "Oceanside Municipal Airport Land Use Compatibility Plan" [PDF]. Accessed October 17, 2022. https://www.san.org/DesktopModules/Bring2mind/DMX/API/Entries/Download?Command=Core_Download&EntryId=2988&language=en-US&PortalId=0&TabId=225

4.12 Population and Housing

City of Oceanside. 2021. City of Oceanside General Plan Housing Element. March 2021. Accessed October 13, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=55409

SANDAG (San Diego Association of Governments). 2019. Regional Growth Forecast. https://sdforward.com/docs/default-source/2019federalrtp/draftfinal/app-j---regional-growth-forecast.pdf?sfvrsn=3b47ff65_2

SANDAG. 2019b. 6th Cycle Regional Housing Needs Assessment. November 22, 2019. https://www.sandag.org/uploads/projectid/projectid_189_27782.pdf

SANDAG. 2020. Final 6th Cycle Regional Housing Needs Assessment Plan. July 10, 2020. Accessed April 2022. https://www.sandag.org/uploads/projectid/projectid_189_27782.pdf.

USCB (U.S. Census Bureau). 2000. Profile of General Demographic Characteristics: 2000. https://data.census.gov/cedsci/table?q=Oceanside%202000&tid=DECENNIALDPSF42000.DP1&hidePreview=false

USCB. 2010. Quick Facts: Oceanside, California. Total Population. https://www.census.gov/quickfacts/fact/table/oceansidecitycalifornia/POP010210

USCB. 2020. Quick Facts: Oceanside, California. Total Population. https://www.census.gov/quickfacts/fact/table/oceansidecitycalifornia/POP010220

USCB. 2021. Quick Facts: San Diego County, California; Oceanside California. Total Population. https://www.census.gov/quickfacts/fact/table/sandiegocountycalifornia,oceansidecitycalifornia/PST045221

4.13 Public Services

City of Oceanside. 2002. City of Oceanside General Plan Community Facilities Element. Adopted June 27, 1990. Text updated 2002. Accessed October 3, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=24755

City of Oceanside. 2019. City of Oceanside Parks and Recreation Master Plan. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=50602.

City of Oceanside. 2021a. Onward Oceanside, Background Report #2: Land Use & Community Resources. Accessed March 2022. https://www.dropbox.com/s/c4bl7tygz81wp8m/Oceanside%20Background%20Report%202%20Land%20Use%20and%20Community%20Resources.pdf?dl=0.

City of Oceanside 2021b. City of Oceanside Municipal Code. Accessed March 2022. https://library.municode.com/ca/oceanside/codes/code_of_ordinances?nodeId=THCOOCCA.

City of Oceanside. 2022. Oceanside Public Library Hours and Locations. https://www.ci.oceanside.ca.us/gov/lib/about/hrslocations.asp.

City of Vista. 2011. Vista General Plan 2030 Update, Draft Program Environmental Impact Report. Public Services and Recreation. https://www.cityofvista.com/home/showpublisheddocument/15646/636692520420130000.

OFD (Oceanside Fire Department). 2022. Fire Department Overview. Accessed March, 2022. https://www.ci.oceanside.ca.us/gov/fire/about/overview.asp.

Oceanside Police Department. 2022a. About Us. Accessed March 2022. https://www.ci.oceanside.ca.us/gov/police/about/default.asp.

Oceanside Police Department. 2022b. Patrol Division. Accessed March 2021. https://www.ci.oceanside.ca.us/gov/police/about/divisions/fieldopps/patrol.asp.

OUSD (Oceanside Unified School District). 2022. "Our Schools" [webpage]. Accessed May 2022. https://www.oside.us/domain/42.

VUSD (Vista Unified School District). 2022a. "VUSD at a Glance" [webpage]. Accessed March 2022. https://vistausd.ss19.sharpschool.com/cms/One.aspx?portalId=3644979&pageId=13342173.

VUSD. 2022b. "Facilities" [webpage]. Accessed March 2022. https://vistausd.ss19.sharpschool.com/cms/one.aspx?portalId=3644979&pageId=17388004.

4.14 Recreation

City of Oceanside. 2002. *City of Oceanside General Plan Community Facilities Element*. Adopted June 27, 1990. Text updated 2002. Accessed October 3, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=24755

City of Oceanside. 2002. City of Oceanside General Plan Recreational Trails Element (Sub-element of the Circulation Element). Adopted January 24, 1996. Text updated June 2002. Accessed October 3, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=24757

City of Oceanside. 2019. City of Oceanside Parks and Recreation Master Plan. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=50602.

City of Oceanside. 2021. "Onward Oceanside, Background Report #2: Land Use & Community Resources" [PDF]. Accessed March 2022. https://www.dropbox.com/s/c4bl7tygz81wp8m/Oceanside%20Background%20Report%202%20Land%20Use%20and%20Community%20Resources.pdf?dl=0.

City of Oceanside. 2022. "Impact Fees for New Development" [PDF]. Revised August 8, 2022. Accessed October 25, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=53301.

4.15 Traffic and Circulation

City of Oceanside. 2012. Oceanside General Plan Circulation Element. September 2012. Access October 4, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=29697.

City of Oceanside. 2017. "Bicycle Master Plan" [PDF]. Approved December 2008; updated 2017. Accessed October 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=48589

City of Oceanside. 2020. "Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment" [PDF]. August 2020. Accessed October 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=52999

City of Vista. 2011. "General Plan 2030: Circulation Element" [webpage]. Accessed October 2022. https://records.cityofvista.com/WebLink/0/doc/712582/Page1.aspx

SANDAG (San Diego Association of Governments). 2002. (Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region. April 2002.

SANDAG. 2021. "San Diego Forward: The Regional Plan" [webpage]. December 2021. Accessed September 2022. https://sdforward.com/mobility-planning/2021-regional-plan

SANTEC/ITE (San Diego Traffic Engineers' Council/Institute of Transportation Engineers). 2019. "SANTEC/ITE Guidelines for Traffic Impact Studies in the San Diego Region" [PDF]. May 2019. Accessed October 2022. http://sntbberry.cityofsanteeca.gov/sites/FanitaRanch/Public/Remainder%20of%20the%20Record/(2)%20Reference%20Documents%20from%20EIR%20&%20Technical%20Reports/Tab%20532%20-%202019-05%20-%2021%20ITE%20San%20Diego%20SB%20743%20Guidelines%20Update%20(May%202019).pdf

4.16 Tribal Cultural Resources

Deméré, T.A., K.A. Randall, B.O. Riney, and S.A. Siren. 2013. "Discovery of remains of an extinct giant bison (Bison latifrons) in upper Pleistocene (Rancholabrean) fluvial strata in the San Luis Rey River Valley, San Diego County, California, USA." In B.J. Olson (ed.) San Luis Rey on Display: geoscience in northern San Diego County. San Diego Association of Geologists 2013 Field Trip Guidebook. Sunbelt Publications, San Diego. pp. 123-144.

4.17 Utilities and Service Systems

CalGREEN (California Green Building Standards). 2019. 2019 California Green Building Standards Code, California Code of Regulations, Title 24, Part 11. July 2019. Accessed October 25, 2022. https://codes.iccsafe.org/content/CAGBSC2019

CalRecycle (California Department of Resources Recycling and Recovery). 2019. El Sobrante Landfill. https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2280?siteID=2402

City of Oceanside. 2002a. City of Oceanside General Plan Environmental Resources Management Element. Adopted September 24, 1975. Text updated 2002. Accessed October 3, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=24756.

City of Oceanside. 2010. Resolution No. 10-R0636-1, A Resolution of the City Council of the City of Oceanside Adopting Zero Waste as a Goal in Order to Eliminate Waste and Pollution in the Manufacturing, Use, Storage, and Recycling of Materials. Passed and Adopted by the City Council August 25, 2010.

City of Oceanside. 2012. Approval of the City of Oceanside Zero Waste Strategic Resource Management Plan. June 20, 2012. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=30148

City of Oceanside. 2016a. City of Oceanside 2015 Urban Water Management Plan. June 2016. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=42188

City of Oceanside. 2016b. Water Conservation Master Plan Update. June 9, 2016. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=42630

City of Oceanside. 2021a. 2020 Urban Water Management Plan (Final). June 2021. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=55590

City of Oceanside. 2021b. City of Oceanside Municipal Code. August 31, 2021. https://library.municode.com/ca/oceanside/codes/code_of_ordinances

City of Oceanside. 2021c. City of Oceanside Storm Water Management. Accessed April 2022. https://www.ci.oceanside.ca.us/gov/dev/eng/stormwater/default.asp.

SDCWA (San Diego County Water Authority). 2021. 2020 Water Shortage Contingency Plan Draft. March 2021. Accessed October 2022. https://www.sdcwa.org/wp-content/uploads/2021/03/Draft-2020-WSCP.pdf

4.18 Wildfire

CAL FIRE (California Department of Forestry and Fire Protection). 2018. 2018 Strategic Fire Plan for California. August 22, 2018. https://osfm.fire.ca.gov/media/5590/2018-strategic-fire-plan-approved-08_22_18.pdf.

CAL FIRE. 2022. Fire Hazard Severity Zone Viewer Map. Accessed March 2022. https://egis.fire.ca.gov/FHSZ/

5 Effects Found Not to Be Significant

City of Oceanside. 2002. City of Oceanside General Plan Environmental Resource Management Element. Adopted September 24, 1975. Text updated June 2002. Accessed October 3, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=24756.

DOC (California Department of Conservation). 2022. “California Important Farmland Finder” [digital interactive map]. Scale not given. Accessed March 2022. https://maps.conservation.ca.gov/DLRP/CIFF/.

USDA (U.S. Department of Agriculture). 2022. “Forest Service Interactive Visitor Map.” Scale not given. Accessed March 2022. https://www.fs.usda.gov/ivm/.

6 Cumulative Analysis

CAL FIRE (California Department of Forestry and Fire Protection. 2009. Very High Fire Hazard Severity Zones in LRA: Oceanside. https://osfm.fire.ca.gov/media/5965/oceanside.pdf

CAL FIRE. 2022. Fire Hazard Severity Zone Viewer Map. Accessed March 2022. https://egis.fire.ca.gov/FHSZ/

California Regional Water Quality Control Board. 2016. Water Quality Control Plan for the San Diego Basin. https://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/

City of Oceanside. 2002. City of Oceanside General Plan Land Use Element. Adopted September 10, 1986. Text updated 2002. Accessed October 3, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=25117.

City of Oceanside. 2002. City of Oceanside General Plan Community Facilities Element. Adopted June 27, 1990. Text updated 2002. Accessed October 3, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=24755

City of Oceanside. 2019. City of Oceanside Parks and Recreation Master Plan. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=50602

City of Oceanside. 2021. City of Oceanside General Plan Housing Element. March 2021. Accessed October 13, 2022. https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=55409

CNRA (California Natural Resources Agency). 2009a. 2009 California Climate Adaptation Strategy: A Report to the Governor of the State of California in Response to Executive Order S-13-2008. Accessed July 26, 2010. http://www.climatechange.ca.gov/adaptation/.

CNRA. 2009. Final Statement of Reasons for Regulatory Action: Amendments to the State CEQA Guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB97. December 2009. Accessed November 30, 2017. http://resources.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf.

CNRA. 2019. California’s Fourth Climate Change Assessment: San Diego Region Report. March 2019. Accessed April 2022 at https://www.energy.ca.gov/sites/default/files/2019-11/Reg_Report-SUM-CCCA4-2018-009_SanDiego_ADA.pdf.

SANDAG. 2020. Final 6th Cycle Regional Housing Needs Assessment Plan. July 10, 2020. Accessed April 2022. https://www.sandag.org/uploads/projectid/projectid_189_27782.pdf.

7 Other CEQA Considerations

SANDAG. 2020. Final 6th Cycle Regional Housing Needs Assessment Plan. July 10, 2020. Accessed April 2022. https://www.sandag.org/uploads/projectid/projectid_189_27782.pdf.