FINAL

Final Environmental Impact Report

Olive Park Apartments Project

STATE CLEARINGHOUSE NO. 2024040851

JANUARY 2025

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Acronyms and Abbreviations

Acronym/Abbreviation	Definition
AB	Assembly Bill
ACC	Advanced Clean Cars
ALUCP	Airport Land Use Compatibility Plan
ANSI	American National Standards Institute
ASTM	American Society for Testing and Materials International
BGEPA	Bald and Golden Eagle Protection Act
BMP	best management practice
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAL FIRE	California Department of Forestry and Fire Protection
CalARP	California Accidental Release Prevention
CalEEMod	California Emissions Estimator Model
CALGreen	California Green Building Standards
CalOSHA	California Division of Occupational Safety and Health
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CARB	California Air Resources Board
CBC	California Building Code
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act of 1980
CESA	California Endangered Species Act
CFC	California Fire Code
CFC	chlorofluorocarbon
CFR	Code of Federal Regulations
CH_4	methane
City	City of Oceanside
CIWM	California Integrated Waste Management
CNEL	community noise equivalent level
CNRA	California Natural Resources Agency
CO	carbon monoxide
CO_2	carbon dioxide
CO_2e	carbon dioxide equivalent
County	County of San Diego
CPUC	California Public Utilities Commission
CRHR	California Register of Historical Resources
CRPR	California Rare Plant Rank

Acronym/Abbreviation	Definition
CWA	Clean Water Act
dB	decibel
dBA	A-weighted decibel
DPM	diesel particulate matter
EIR	Environmental Impact Report
EISA	Energy Independence and Security Act of 2007
EO	Executive Order
EOP	Emergency Operations Plan
EPA	U.S. Environmental Protection Agency
ESA	Environmental Site Assessment
EV	electric vehicle
FEMA	Federal Emergency Management Agency
FHSZ	Fire Hazard Severity Zone
FIRM	Flood Insurance Rate Map
FR	Federal Register
FTA	Federal Transit Administration
GHG	greenhouse gas
gpd	gallons per day
GWP	global warming potential
HAP	hazardous air pollutant
HCFC	hydrochlorofluorocarbon
HFC	hydrofluorocarbon
HRA	Health Risk Assessment
HVAC	heating, ventilation, and air conditioning
IBC	International Building Code
IFC	International Fire Code
IPCC	Intergovernmental Panel on Climate Change
ips	inches per second
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
L_{eq}	energy-equivalent sound level
LOS	level of service
LTS	Local Transportation Study
MBTA	Migratory Bird Treaty Act
mgd	million gallons per day
MHCP	Multiple Habitat Conservation Program
MM	Mitigation Measure
MMT	million metric tons
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

Acronym/Abbreviation	Definition
NAHC	Native American Heritage Commission
NCTD	North County Transit District
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
O_3	ozone
OFD	Oceanside Fire Department
OPR	California Governor's Office of Planning and Research
OSHA	Occupational Safety and Health Administration
OUSD	Oceanside Unified School District
PDF	Project Design Feature
PFC	perfluorocarbon
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
ppm	parts per million
PPV	peak particle velocity
PRC	California Public Resources Code
project	Olive Park Apartments Project
psi	pounds per square inch
RAQS	Regional Air Quality Strategy
RCNM	Roadway Construction Noise Model
RCRA	Resource Conservation and Recovery Act
REC	recognized environmental condition
RFS	Renewable Fuel Standard
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SANDAG	San Diego Association of Governments
SB	Senate Bill
SCAQMD	South Coast Air Quality Management District
SCIC	South Coastal Information Center
SCS	Sustainable Communities Strategy
SDAB	San Diego Air Basin
SDAPCD	San Diego Air Pollution Control District
SDCWA	San Diego County Water Authority
SDG&E	San Diego Gas & Electric
SF_6	sulfur hexafluoride
SGMA	Sustainable Groundwater Management Act
SIP	State Implementation Plan

Acronym/Abbreviation	Definition
SLM	sound-level meter
SLRWRF	San Luis Rey Wastewater Reclamation Facility
SO_2	sulfur dioxide
SOx	sulfur oxides
SPL	sound pressure level
SWPPP	Stormwater Pollution Prevention Plan
SWQMP	Storm Water Quality Management Plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminant
TCR	tribal cultural resource
TIA	Traffic Impact Analysis
TMDL	total maximum daily load
USACE	U.S. Army Corps of Engineers
USC	United States Code
USFWS	U.S. Fish and Wildlife Service
UWMP	Urban Water Management Plan
VdB	velocity decibel
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	vehicle miles traveled
VOC	volatile organic compound
WMA	Watershed Management Area
WQIP	Water Quality Improvement Plan
ZEV	zero-emissions vehicle

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 Section 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 proposed Olive Park Apartments Project (project).

This EIR is an informational document intended for use by the City, 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 how the project's significant impacts can be reduced or avoided through mitigation measures or feasible alternatives to the project. In accordance with CEQA Guidelines Section 15130, 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 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 or analysis found throughout the individual chapters within this 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 and Existing Land Uses

The project is the proposed development of a previously disturbed portion of a vacant parcel (Assessor's Parcel Number 162-111-04) that covers approximately 43.50 acres (i.e., Parcel Area), located in the Mira Costa neighborhood in Oceanside, California (see Figure 3-1, Project Location, and Figure 3-2, Project Vicinity, in Chapter 3, Project Description). The Parcel Area is south of Oceanside Boulevard and west of College Boulevard; more specifically, it is west of the terminus of Olive Drive and south of the North County Transit District (NCTD) rail line and the College Boulevard Sprinter Station. The Parcel Area is approximately 1.5 miles north of State Route 78.

On-Site Land Uses

The 10.87 acres of On-Site Impact Area is currently disturbed, vacant land. The Parcel Area does not feature any existing legal uses.

Surrounding Land Uses

Uses in the vicinity of the Parcel Area primarily include residential development, open space, and commercial/industrial uses. The Parcel Area abuts existing residential developments to the east and south,

commercial/industrial uses to the north, and undeveloped land to the west. Areas surrounding the Parcel Area are zoned commercial (north and west of the Parcel Area) and residential (south and east of the Parcel Area). The NCTD rail line and College Boulevard Sprinter Station are 50 feet north of the Parcel Area.

ES.2.2 Project Description

Development of the project would disturb an on-site area of approximately 10.87 acres (On-Site Impact Area). The final pad on which the project would sit would be approximately 6.11 acres (Net Developable Pad). Project development would disturb approximately 0.88 acres outside of the Parcel Area (Off-Site Impact Area) for a Total Impact Area of 11.75 acres.

The Parcel Area has a General Plan designation of Medium Density Residential (MDA-R) with a maximum density of 9.9 dwelling units per acre (City of Oceanside 2002). The Parcel Area has a zoning designation of RS-Single Family Residential with a maximum density of 5.9 dwelling units per acre (City of Oceanside 2021). The State Density Bonus Law requires the City to determine the allowed number of dwelling units based on the greater of the density authorized by the General Plan or by zoning. Thus, the permitted density for the Parcel Area is determined based on the General Plan's 9.9 dwelling units per acre, and the Parcel Area would be allowed a maximum of 342 dwelling units.

The project would involve development of a maximum of 260 multi-family residential units (Option A), with an option to build 282 dwelling units (Option B) with a different unit mix (Figure 3-3, Site Plan). All of the dwelling units would be affordable to low, very-low, and extremely low income households and would be one- to three-bedroom/two-bath units. Access to the completed project would be provided via Olive Drive at the eastern side of the Parcel Area. An emergency only ingress/egress road would be provided adjacent to the NCTD rail line. The development would comply with the minimum parking standards for a 100% affordable project. The project would voluntarily provide 346 parking spaces regardless of the option chosen.

The project development would include two separate residential buildings that may be developed in one or two phases. As outlined in Table ES-1, Proposed Building Summary, both proposed buildings would be four stories. The buildings would include a mix of one-, two-, and three-bedroom units. A floor plan summary for the proposed development is outlined in Table ES-1.

Table ES-1. Proposed Building Summary

Building Number	Building Type	Number of Units	Floor Plan Type (Number of Each)
1	Residential four-story	172	1 bed/1 bath (78 units) 2 bed/1 bath (51 units) 3 bed/2 bath (43 units)
2 (Option A)	Residential four-story	88	1 bed/1 bath (42 units) 2 bed/1 bath (24 units) 3 bed/2 bath (22 units)
2 (Option B)	Residential four-story	110	1 bed/1 bath (86 units) 2 bed/1 bath (24 units)
	Total with Option A	**260**	N/A
	Total with Option B	**282**	N/A

The proposed project would also include an open space area that would be maintained and managed by the project owner. In addition, an all-weather, accessible pedestrian/bicycle connection for project and neighboring residents would be provided to the adjacent NCTD College Boulevard Sprinter Station.

The approvals required for the project include a Development Plan, a Tentative Parcel Map, and a request for a Density Bonus with waivers/incentives for development standards, such as hillside development standards, retaining wall height, and usable open space. The State of California's Density Bonus Law requires the City to grant up to four incentives and unlimited waivers. Approvals and requested Density Bonus waivers for development standards are further outlined in Section 3.3, Discretionary Actions and Other Approvals. Project development standards and requested waivers/incentives are outlined in Table 3-2.

ES.2.3 Project Objectives

CEQA Guidelines Section 15124(b) 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. Support the housing needs of the City of Oceanside by developing high-quality multi-family housing.
2. Help promote vehicle miles traveled and greenhouse gas (GHG) emission reduction goals through development of a substantial amount of housing on a site located in close proximity to a major transit stop.
3. Develop a property with previously disturbed areas and existing utilities and infrastructure located proximate to the development area.
4. Develop substantial new housing on a site while still preserving the majority of the project site for open space conservation.
5. Provide new affordable housing on a site that is General Plan designated and zoned for residential development, that will be consistent with Density Bonus Law and the City's affordable housing objectives, to help satisfy the City's obligation under the Regional Housing Needs Assessment.
6. Promote residential development in an area that is not designated by the State of California as a Very High Fire Severity Zone.
7. Develop a previously disturbed property with a quality building design, site layout, and open space uses that enhance the property and create a positive environment for future residents.
8. Maximize the leveraging of available public financing for affordable housing by developing a project that attempts to minimize the required subsidy per unit provided by the City.

ES.2.4 Discretionary Actions

Consistent with the City's General Plan and Zoning Ordinance, certain entitlements must be submitted, reviewed, and approved by the City. The requested entitlements include a request for a Development Plan, a Tentative Parcel Map, and Density Bonus waivers/incentives. The project includes a request for the approval of the project with two options for the total number of units/unit mix. The design of those options is expected to largely include the same building/site improvement footprint. To accommodate the 100% affordable housing project, the project design relies on the following Density Bonus waivers/incentives:

- Building type (multiple unit structure)
- Usable open space requirements

- Increase retaining wall height
- Grading (manufactured slopes)
- Grading (hillsides)
- Grading (topographical features)
- Hillside regulations related to building design, building wall offsets, and roof plane area

A summary of the development standards and requested Density Bonus waivers/incentives are outlined in Table 3-2. Development standards for the project are also described in detail in Chapter 4.10, Land Use and Planning, 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 CEQA Guidelines Section 15082, the City circulated a Notice of Preparation (NOP), published on April 19, 2024, 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. 2024040851) to this EIR.

A public scoping meeting was held on May 9, 2024, at 6:00 p.m. at the El Corazon Event Center: 3306 Senior Center Drive, Oceanside, CA 92056, in the City of Oceanside to gather additional public input. The initial 30-day public scoping period ended on May 20, 2024, and was subsequently extended.

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, traffic generation and roadway improvements, tribal cultural resources, air quality, growth inducement, open space and recreation, noise, and parking. 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 and other relevant sections of this EIR.

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, GHG emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, traffic and circulation, 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 CEQA Guidelines Section 15123(b)(1). Impacts associated with air quality, biological resources, cultural resources, tribal cultural resources, and geology and soils were identified as potentially 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 and Mitigation Measures

Impact	Mitigation Measures		Level of Significance After Mitigation
Air Quality			
The project would result in significant impacts related to TAC exposure during construction from construction diesel exhaust emissions.	MM-AQ-~~2~~1	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			
The project would result in direct and indirect impacts to habitat and vegetation communities, and special-status wildlife species.	MM-BIO-1	Designation of Open Space. Mitigation shall be provided as follows to mitigate the project impacts to sensitive vegetation communities to a less than significant level through preservation of the requisite habitat in perpetuity: ~~Mitigation for the proposed project's impacts to sensitive vegetation communities shall consist of the following:~~ a. The applicant shall offset permanent impacts to Diegan coastal sage scrub (1.26 acres), disturbed southern mixed chaparral (2.45 acres), and non-native grassland (4.33 acres) through the conservation of 32.63 acres containing 14.72 acres of Diegan coastal sage scrub, 1.99 acres of disturbed Diegan coastal sage scrub, 7.12 acres of southern mixed chaparral, 2.15 acres of disturbed southern mixed chaparral, 0.60 acres of freshwater marsh, and 1.37 acres of disturbed southern	Less than significant

Table ES-2. Summary of Significant Environmental Impacts and Mitigation Measures

Impact	Mitigation Measures	Level of Significance After Mitigation
	willow scrub in a conservation easement. The conserved area also contains 3.69 acres of disturbed habitat and 0.92 acres of eucalyptus woodland, which could provide restoration or enhancement opportunities in the future. b. The open space easement shall be managed, maintained, and monitored through implementation of a habitat management plan. The habitat management plan shall include tasks that outline invasive species control, trash removal, access control, biological monitoring, and fencing. The habitat management plan will include performance standards for assessing the habitat quality of each sensitive vegetation community conserved per the SAP management guidelines. The satisfaction of these performance criteria shall be verified by a Qualified Biologist via a biological survey and an associated letter documenting the survey results. A "Qualified Biologist" is a professional with 5 years of experience in biological resource evaluation in San Diego County, with qualifications to be verified to the satisfaction of the City Planner. c. The open space easement shall include all habitat that is not a manufactured slope and/or not under an existing easement and shall (1) be protected by a conservation easement or other City of Oceanside approved mechanism that provides preservation in perpetuity, (2) have a permanent responsible party clearly designated, and (3) be managed in accordance with a habitat management plan in perpetuity. The habitat management plan shall be prepared by a qualified biologist pursuant to the performance criteria and the 2010 City of Oceanside Multiple Habitat Conservation Program Subarea Plan's Preserve management guidelines. The habitat management plan shall also include Property Analysis Report (PAR) analysis verified by a Qualified Biologist and approved by the City to identify yearly maintenance and monitoring costs required to satisfy the performance criteria, as well as identify an initial management fund endowment to provide for management in perpetuity. d. The open space easement will be in favor of an agency, non-profit organization, or other entity approved by the USFWS and CDFW. The USFWS and CDFW will be named as a third-party beneficiaries. The open space easement will be approved by the USFWS and CDFW prior to its execution. There should be no active trails in the open space area. The project applicant will submit a draft easement to the USFWS and CDFW for review and approval. The project applicant will submit the final open space	

Table ES-2. Summary of Significant Environmental Impacts and Mitigation Measures

Impact	Mitigation Measures	Level of Significance After Mitigation
	easement and evidence of its recordation to the USFWS and CDFW within 60 days of receiving approval of the draft open space easement. ~~d.~~e. The applicant shall submit a draft habitat management plan, including (1) a description of perpetual management, maintenance, and monitoring actions and the Property Analysis Record or other cost estimation results for the non-wasting endowment, and (2) a description of any restoration and/or enhancement proposed for the open space easement. The applicant shall submit the plan to the City of Oceanside, CDFW, and USFWS. f. The applicant shall establish a non-wasting endowment or other financial instrument in a form and an amount approved by the City of Oceanside, CDFW, and USFWS based on the Property Analysis Record or similar cost estimation method to secure the ongoing funding for the perpetual management, maintenance and monitoring of the conservation easement by an agency, non-profit organization, or other entity approved by the City of Oceanside, CDFW, and USFWS. The non-wasting endowment or other financial instrument shall be held by a non-profit conservation entity approved by the City of Oceanside, CDFW, and USFWS. The Property Analysis Record shall recognize that the grantor shall be permitted to allocate mitigation credits to itself or others for habitat preserved by the conservation easement that is in excess of what is required for the project in accordance with applicable permitting and regulatory requirements. **DOCUMENTATION:** The applicant shall prepare the habitat management plan, draft plats, and legal descriptions of the easements, then submit them for preparation and recordation with the City of Oceanside. **TIMING:** Prior to issuance of any grading permit, the applicant shall provide evidence to the City of Oceanside Planning Division that the required compensatory mitigation has been provided to the satisfaction of the City of Oceanside. In addition, (1) a resource manager shall be selected and evidence provided by the applicant as to the acceptance of this responsibility by the proposed resource manager, and (2) the easement shall be recorded. **MONITORING:** Upon final review of the habitat management plan, resource manager selected, endowment funded, and recordation and verification of the easements, the condition shall be satisfied.	

Table ES-2. Summary of Significant Environmental Impacts and Mitigation Measures

Impact	Mitigation Measures	Level of Significance After Mitigation
	MM-BIO-2 To protect the proposed conservation easement from entry and disturbance, permanent fencing and signage shall be installed. Fencing shall have no gates except to allow access for maintenance and monitoring of the conservation easement area, and shall be designed to prevent intrusion by pets, especially domestic cats. Open space fencing or walls shall be placed along the biological open space boundary as indicated on the approved plans. In addition, evidence shall be provided in the form of site photos and a statement from a California Registered Engineer or licensed surveyor that the permanent walls or fences, and open space signs have been installed. The sign must be corrosion resistant, a minimum of 6 by 9 inches, on posts not less than 3 feet in height from the ground surface, and must state the following: "**Sensitive Environmental Resources Area Restricted by Easement** Entry without express written permission from the City of Oceanside is prohibited. To report a violation or for more information about easement restrictions and exceptions, contact the City of Oceanside, Development Services Department." **DOCUMENTATION:** The applicant shall install the signage and fencing as indicated above and provide site photos and a statement from a California Registered Engineer or licensed surveyor that the open space fencing has been installed at the conservation easement boundary. **TIMING:** Prior to any occupancy or use of the premises following completion of construction in reliance of this permit, the fencing and signage shall be placed**. MONITORING**: The City of Oceanside shall review the photos and statement for compliance with this condition.	
	MM-BIO-3 Nesting Bird Surveys. Construction-related ground-disturbing activities (e.g., clearing/grubbing, grading, and other intensive activities) that occur during the avian breeding season (typically February 1 through September 15) shall require a one-time biological survey for nesting bird species to be conducted within the limits of grading and a 500-foot buffer (where feasible) within 72 hours prior to construction. This survey is necessary to ensure avoidance of impacts to nesting raptors and other birds protected by the federal Migratory Bird Treaty Act and California Fish and Game Code Sections	

Table ES-2. Summary of Significant Environmental Impacts and Mitigation Measures

Impact	Mitigation Measures		Level of Significance After Mitigation
		3503 and 3513. If any active nests are detected, the area shall be flagged and mapped on the construction plans or a biological resources figure, and the information provided to the construction supervisor and any personnel working near the nest buffer. Active nests shall have avoidance buffers established around them (e.g., 250 feet for passerines to 500 feet for raptors) by the project biologist in the field with brightly colored flagging tape, conspicuous fencing, or other appropriate barriers or signage. The project biologist shall serve as a construction monitor during those periods when construction activities occur near active nest areas to avoid inadvertent impacts to these nests. The project biologist may adjust the 250-foot or 500-foot buffer at their discretion depending on the species and the location of the nest (e.g., if the nest is well protected in an area buffered by dense vegetation). However, if needed, additional qualified monitor(s) shall be provided to monitor active nest(s) or other project activities in order to ensure all of the project biologist's duties are completed. Once the nest is determined by a qualified monitor to be no longer occupied for the season, construction may proceed in the buffer 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 work area and a 500-foot buffer, where feasible. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition to the City of Oceanside. **TIMING:** Prior to pre-construction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading, compliance with this condition is mandatory unless the requirement is waived by the City of Oceanside upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The City of Oceanside shall review the concurrence letter.	
	MM-BIO-4	Biological Monitoring. To prevent inadvertent disturbance to areas outside the limits of grading, 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	

Table ES-2. Summary of Significant Environmental Impacts and Mitigation Measures

Impact	Mitigation Measures	Level of Significance After Mitigation
	grubbing activities and periodic monitoring during and after grading when recommended by a Qualified Biologist. The project biologist(s) also shall do the following: 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. The Qualified Biologist shall conduct a training session for all project personnel prior to any grading/construction activities. At a minimum the training shall include a description of the target species of concern, its habitats, the general provisions of the Endangered Species Act (Act) and the MHCP, the need to adhere to the provision of the Act and the MHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the target species of concern as they relate to the project, and the access routes to and project site boundaries within which the project activities must be accomplished. Prior to 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. 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 construction activities weekly to ensure against direct and indirect impacts to biological resources that are intended to be protected and preserved and to document that protective fencing is intact. e. Flush wildlife species (e.g., reptiles, mammals, avian, and other mobile species) from occupied habitat areas immediately prior to brush-clearing activities. This does not include disturbance to nesting birds (see MM-BIO-3) or "flushing" of federally listed species (i.e., coastal California gnatcatcher). f. Periodically monitor the construction site to verify that the project is implementing the following stormwater pollution prevention plan best management practices: dust control, silt fencing, removal of construction debris and a clean work area, covered	

Table ES-2. Summary of Significant Environmental Impacts and Mitigation Measures

Impact	Mitigation Measures	Level of Significance After Mitigation
	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. Periodically monitor the construction site after grading is completed and during the construction phase to see that artificial security light fixtures are directed away from open space and are shielded, and to document that no unauthorized impacts have occurred. h. If dead or injured federally and/or state-listed species are found onsite, the City, CDFW, and/or USFWS will be notified in compliance with applicable laws and regulations. ~~h.~~i. Keep monitoring notes for the duration of project construction for submittal in a final report to substantiate the biological supervision of the vegetation clearing and grading activities and the protection of biological resources. ~~i.~~j. Prepare a monitoring report after 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. ~~j.~~k. Halt work, if necessary, and confer with the City of Oceanside to ensure the proper implementation of special-status species and sensitive resource protection measures. ~~f.~~l. Submit a final report to the City of Oceanside within 60 days of project completion that includes as-built construction drawings with an overlay of habitat that was impacted and avoided, photographs of habitat areas that were to be avoided, and other relevant summary information documenting that authorized impacts were not exceeded and that compliance with all measures was achieved. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition to the City of Oceanside. **TIMING:** Prior to final grading release. **MONITORING:** The City of Oceanside shall review the concurrence letter.	

Table ES-2. Summary of Significant Environmental Impacts and Mitigation Measures

Impact	Mitigation Measures	Level of Significance After Mitigation
	MM-BIO-5 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. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition to the City of Oceanside. **TIMING:** Prior to final grading release. **MONITORING:** The City of Oceanside shall review the concurrence letter. MM-BIO-6 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. In addition, any planting stock to be brought onto the Parcel Area, including Off-Site Impact Area, for landscape or habitat creation/restoration/enhancement, if such activities occur, shall be first inspected by a qualified pest inspector to ensure it is free of pest species that could invade natural areas, including, but not limited to, Argentine ants (*Linepithema humile*), fire ants (*Solenopsis invicta*), and other insect pests. Any planting stock found to be infested with such pests shall not be allowed in the Parcel Area or within 300 feet of natural habitats unless documentation is provided to the City of Oceanside that these pests already occur in natural areas around the Parcel Area. The stock shall be quarantined, treated, or disposed of according to best management principles by qualified experts in a manner that precludes invasions into natural habitats. The applicant shall ensure that all temporary irrigation shall be for the shortest duration possible, and that no permanent irrigation shall be used for landscape adjacent to the conservation easement. **DOCUMENTATION:** The applicant shall provide documentation to the City of Oceanside that this condition has been met. **TIMING:** Prior to final grading release. **MONITORING:** The City of Oceanside shall review the documentation. MM-BIO-7 Resident Education Program. The applicant shall develop a resident education program in coordination with the City of Oceanside (City). The program shall advise residents of the potential impacts to listed species and the potential penalties for harming such species. The program shall include information pamphlets and signage on	

Table ES-2. Summary of Significant Environmental Impacts and Mitigation Measures

Impact	Mitigation Measures		Level of Significance After Mitigation
		the fencing between the development and the conservation easement. Pamphlets shall be distributed to all residences. At a minimum, the program shall discuss how to prevent the spreading of non-native ants and other insect pests from developed areas into the conservation easement, impacts from free-roaming pets (particularly cats) on native wildlife populations, and the importance of keeping cats indoors and keeping pet food indoors and in a secured location. **DOCUMENTATION AND TIMING:** The applicant shall submit the program to the City at least 30 days prior to Certificate of Occupancy ~~completion of project grading~~. The applicant shall submit to the City the final program within 60 days of receiving approval of the draft program from the City.	
	MM-BIO-8	Crotch's Bumble Bee Pre-Construction Survey. A pre-construction survey for Crotch's bumble bee shall be conducted within the construction footprint prior to the start of ground-disturbing construction activities occurring during the Crotch's bumble bee nesting period (February 1 through October 31). The survey shall ensure that no nests for Crotch's bumble bee are within the construction area. The pre-construction survey shall include a habitat assessment and focused surveys, both of which shall be based on recommendations described in the Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species, released by the California Department of Fish and Wildlife (CDFW) on June 6, 2023, or the most current version at the time of construction. The habitat assessment shall, at a minimum, include historical and current species occurrences; document potential habitat in the Parcel Area, including foraging, nesting, and/or overwintering resources; and identify which plant species are present. For the purposes of this mitigation measure, nest resources are defined as abandoned small mammal burrows, bunch grasses with a duff layer, thatch, hollow trees, brush piles, and human-made structures that may support bumble bee colonies such as rock walls, rubble, and furniture. The habitat assessment shall be repeated prior to February 1 in each year ground-disturbing activities occur to determine if nesting resources are present	

Table ES-2. Summary of Significant Environmental Impacts and Mitigation Measures

Impact	Mitigation Measures	Level of Significance After Mitigation
	within the On-Site and/or Off-Site Impact Areas. If nesting resources are present in the On-Site and/or Off-Site Impact Areas, focused surveys shall be conducted. The focused survey shall be performed by a biologist with expertise in surveying for bumble bees and include at least three survey passes that are not on sequential days or in the same week, preferably spaced 2 to 4 weeks apart. The timing of these surveys shall coincide with the colony active period (April 1 through August 31 for Crotch's bumble bee). Surveys may occur between 1 hour after sunrise and 2 hours before sunset. Surveys shall not be conducted during wet conditions (e.g., foggy, raining, or drizzling), and surveyors shall wait at least 1 hour following rain. Optimal surveys are when there are sunny to partly sunny skies and a temperature greater than 60°F. Surveys may be conducted earlier if other bees or butterflies are flying. Surveys shall not be conducted when it is windy (i.e., sustained winds greater than 8 miles per hour). Within non-developed habitats, the biologist shall look for nest resources suitable for bumble bee use. Ensuring that all nest resources receive 100% visual coverage, the biologist shall watch the nest resources for up to 5 minutes, looking for exiting or entering worker bumble bees. Worker bees should arrive and exit an active nest site with frequency, such that their presence would be apparent after 5 minutes of observation. If a bumble bee worker is detected, then a representative shall be identified to species. Biologists should be able to view several burrows at one time to sufficiently determine if bees are entering/exiting them, depending on their proximity to one another. It is up to the discretion of the biologist regarding the actual survey viewshed limits from the chosen vantage point to determine which would provide 100% visual coverage; this could include a 30- to 50-foot-wide area. If a nest is suspected, the surveyor can block the entrance of the possible nest with a sterile vial or jar until nest activity is confirmed (no longer than 30 minutes). Identification shall include trained biologists netting/capturing the representative bumble bee in appropriate insect nets, per the protocol in U.S. National Protocol Framework for the Inventory and Monitoring of Bees. The bee shall be placed in a clear container for observation and photographic documentation, if able. The bee shall be photographed using a macro lens from various angles to ensure recordation of key identifying characteristics. If bumble bee-identifying characteristics cannot be adequately	

Table ES-2. Summary of Significant Environmental Impacts and Mitigation Measures

Impact	Mitigation Measures	Level of Significance After Mitigation
	captured in the container due to movement, the container shall be placed in a cooler with ice until the bumble bee becomes inactive (generally within 15 minutes). Once inert, the bumble bee shall be removed from the container and placed on a white sheet of paper or card for examination and photographic documentation. The bumble bee shall be released into the same area from which it was captured upon completion of identification. Based on implementation of this method on a variety of other bumble bee species, they become active shortly after removal from the cold environment, so photography must be performed quickly. If Crotch's bumble bee nests are not detected, no further mitigation would be required. The mere presence of foraging Crotch's bumble bees would not require implementation of additional minimization measures because they can forage up to 10 kilometers from their nests. If nest resources occupied by Crotch's bumble bee are detected within the construction area, no construction activities shall occur within 100 feet of the nest, or as determined by a qualified biologist through evaluation of topographic features or distribution of floral resources. The nest resources shall be avoided for the duration of the Crotch's bumble bee nesting period (February 1 through October 31). Outside of the nesting season, it is assumed that no live individuals would be present within the nest because the daughter queens (gynes) usually leave by September, and all other individuals (original queen, workers, males) die. The gyne is highly mobile and can independently disperse to outside of the construction footprint to surrounding open space areas that support suitable hibernacula resources. A written survey report shall be submitted to the City of Oceanside and CDFW within 30 days of the pre-construction survey. The report shall include survey methods, weather conditions, and survey results, including a list of insect species observed and a figure showing the locations of any Crotch's bumble bee nest sites or individuals observed. The survey report shall include the qualifications/resumes of the surveyor(s) and approved biologist(s) for identification of photo vouchers and a detailed habitat assessment. If Crotch's bumble bee nests are observed, the survey report shall also include recommendations for avoidance, and the location information shall be submitted to the	

Table ES-2. Summary of Significant Environmental Impacts and Mitigation Measures

Impact	Mitigation Measures	Level of Significance After Mitigation
	California Natural Diversity Database at the time of, or prior to, submittal of the survey report. ~~If the above measures are followed, the applicant would not need to obtain authorization from CDFW through the CESA Incidental Take Permit process. If nest resources cannot be avoided, as outlined in this measure,~~ If Crotch's bumble bee is detected within the project area, the project applicant shall consult with CDFW regarding the need to obtain an Incidental Take Permit. Any measures determined to be necessary through the Incidental Take Permit process to offset impacts to Crotch's bumble bee may supersede measures provided in this document and shall be incorporated into the habitat mitigation and monitoring plan. In the event that an Incidental Take Permit is needed, mitigation for direct impacts to Crotch's bumble bee shall be fulfilled through compensatory mitigation at a minimum 1:1 nesting habitat replacement of equal or better functions and values to those impacted by the project, or as otherwise determined through the Incidental Take Permit process. Mitigation shall be accomplished through on-site preservation of suitable habitat and/or in accordance with CDFW guidance for off-site locations. The funding source shall be in the form of an endowment to help the qualified natural lands management entity that is ultimately selected to hold the conservation easement(s). The endowment amount shall be established following the completion of a project-specific Property Analysis Record to calculate the costs of in-perpetuity land management. The Property Analysis Record shall take into account all management activities required in the Incidental Take Permit to fulfill the requirements of the conservation easement. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition to the City of Oceanside. **TIMING:** Prior to issuance of grading permits. **MONITORING:** The City of Oceanside shall review the concurrence letter	
The project would result in direct impacts to riparian habitat or other sensitive community.	See MM-BIO-4, MM-BIO-5, and MM-BIO-6 above.	Less than significant

Table ES-2. Summary of Significant Environmental Impacts and Mitigation Measures

Impact	Mitigation Measures	Level of Significance After Mitigation
The project would result short-term and long-term indirect impacts to federally protected wetlands.	See MM-BIO-2, MM-BIO-4, MM-BIO-5, and MM-BIO-6 above.	Less than significant
The project would result in potential short-term and long-term indirect impacts to migratory wildlife.	See MM-BIO-2, MM-BIO-4, MM-BIO-5, and MM-BIO-6 above.	Less than significant
Cultural Resources		
Despite no significant archaeological resources being identified within the Parcel Area, 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-TCR/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 Rincon Band of Luiseño Indians and the San Luis Rey Band of Mission Indians. ~~"Traditionally and Culturally Affiliated (TCA) Native American monitor associated with a TCA Luiseno Tribe."~~ A copy of the agreement shall be included in the grading plan submittals for the grading permit. The purpose of this agreement shall be to formalize protocols and procedures between the applicant/owner and the TCA Native American monitor associated with a TCA Luiseño~~Luiseno~~ Tribe for the protection and treatment of Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas, and tribal cultural resources located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground-disturbing activities. At the discretion of the Luiseño~~Luiseno~~ Native American monitor, artifacts may be made available for 3D scanning/printing, with scanned/printed materials to be curated at a local repository meeting the Code of Federal Regulations (CFR) standards of 36 CFR 79. MM-TCR/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~~Luiseno~~ Native American	Less than significant

Table ES-2. Summary of Significant Environmental Impacts and Mitigation Measures

Impact	Mitigation Measures	Level of Significance After Mitigation
	monitor have been retained at the applicant/owner's or grading contractor's expense to implement the monitoring program, as described in the pre-excavation agreement. A "Qualified Archeologist" is a professional with degree in archeology or relevant area of study and at leas 5 years of experience, with qualifications to be verified to the satisfaction of the City Planner. MM-TCR/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, and other relevant documents. 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-TCR/CUL-4 The qualified archaeologist and LuiseñoLuiseno 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, or an archeological monitor working under the direction of the qualified archeologist, and LuiseñoLuiseno Native American monitor shall be present on site full-time during grubbing, grading, and/or other initial ground-altering activities, including the placement of imported fill materials or fill used from other areas of the Parcel Area, to identify any evidence of potential archaeological or tribal cultural resources. All fill materials shall be absent of any and all tribal cultural resources. The Qualified Archaeologist and LuiseñoLuiseno Native American Monitor shall conclude monitoring when concurrence is reached by the Qualified Archaeologist and LuiseñoLuiseno Native American monitor that ground disturbing activities will no longer affect potential tribal cultural resources. MM-TCR/CUL-5 For potentially significant archaeological artifact deposits and/or cultural resources to be readily detected during mitigation monitoring, a written Controlled Grade Procedure shall be prepared by a qualified archaeologist, in consultation with the Luiseno Native American monitorRincon Band of Luiseño Indians and, other Traditionally and Culturally Affiliated Luiseno tribes that have participated in the state-prescribed process for this project, and the applicant/owner, subject to the approval of City of Oceanside	

Table ES-2. Summary of Significant Environmental Impacts and Mitigation Measures

Impact	Mitigation Measures	Level of Significance After Mitigation
	representatives. The Controlled Grade Procedure shall establish requirements for any ground-disturbing work with machinery occurring in and around areas the ~~qualified archaeologist~~Qualified Archeologist and Luiseño~~Luiseno~~ 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, and 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-TCR/CUL-6 The ~~qualified archaeologist~~ Qualified Archeologist or ~~Luiseno~~ the Luiseño Native American monitor may halt ground-disturbing activities if unknown tribal cultural resources, or non-Tribal unique archaeological resources as defined in CEQA Guidelines section 15064.5 (artifact deposits, or cultural features or artifacts) 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 shall ~~will~~ be minimally documented in the field, and before grading proceeds, these items shall be secured until they can be repatriated for later reburial on the project site outside of the development area. If items cannot be securely stored on the project site ~~Parcel Area~~, they may be stored in off-site facilities located in San Diego County and agreed upon by the Rincon Band of Luiseño Indians. If the Qualified Archeologist ~~qualified archaeologist~~ and Luiseño Native American monitor determine that the unearthed tribal cultural resource, or non-Tribal unique archeological resources (artifact deposits, or cultural features or artifacts) are ~~is~~ considered potentially significant, Traditionally and Culturally Affiliated (TCA) ~~Luiseno tribes~~ 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 of Oceanside (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~~ Lead Agency under CEQA, TCA ~~Luiseno tribes~~ 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, or non-Tribal unique archeological	

Table ES-2. Summary of Significant Environmental Impacts and Mitigation Measures

Impact	Mitigation Measures	Level of Significance After Mitigation
	resources (artifact deposits, or cultural features or artifacts) that are part of a data recovery plan, no invasive or non-invasive testing of cultural materials is permitted without prior permission of the affiliated Tribes. The data recovery plan for the tribal cultural resources shall also incorporate and reflect the tribal values of the TCA ~~Luiseno tribes~~ Luiseño Tribes that have participated in the state-prescribed consultation process for this project. If the Qualified Archeologist ~~qualified archaeologist~~ collects such resources, the ~~Luiseno~~ Luiseño Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archeologist ~~qualified archaeologist~~ does not collect the tribal cultural resources that are unearthed during the ground-disturbing activities, the Luiseño ~~Luiseno~~ Native American monitor may, at their discretion, collect said resources for later reburial on the project site outside of the development pad and provide them to the Rincon Band of Luiseño Indians for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Ground-disturbing activities shall not resume until the Qualified Archeologist ~~qualified archaeologist~~, in consultation with the Luiseño Native American Monitor ~~monitor~~, deems that the cultural resource or feature has been appropriately documented and/or protected. Non-Tribal unique archaeological resource materials shall be collected and stored by the Qualified Archaeologist in offsite facilities located in San Diego County until the non-Tribal unique archaeological resources are curated at an appropriate qualified repository in San Diego County that meets federal standards per 36 CRF Part 79. MM-TCR/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 Parcel Area, to the consulting Tribes for reburial on the project site at a location agreed upon by the Tribes outside of the development pad. All cultural materials that are associated with burial and/or funerary goods shall 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-TCR/CUL-8 Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, that describes the results, analysis, and conclusions of the	

Table ES-2. Summary of Significant Environmental Impacts and Mitigation Measures

Impact	Mitigation Measures	Level of Significance After Mitigation
	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-TCR/CUL-9 As specified by California Health and Safety Code Section 7050.5, if human remains are found on the Parcel Area during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the County of San Diego 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 California Public Resources Code Section 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 is protected, and consultation and treatment shall occur as prescribed by law. If suspected Native American remains are discovered, the remains shall be kept inside, 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 shall determine within 2 working days of being notified if the remains are subject to his or her authority. If the medical examiner identifies the remains to be of Native American ancestry, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC shall make a determination as to the most likely descendent.	
In order to prevent disturbance of unidentified human remains, the project would implement the City's standard mitigation measures.	See MM-TCR/CUL-1 through MM-TCR/CUL-9 above.	Less than significant
Tribal Cultural Resources		
Development of the proposed project	See MM-TCR/CUL-1 through MM-TCR/CUL-9 above.	Less than significant

Table ES-2. Summary of Significant Environmental Impacts and Mitigation Measures

Impact	Mitigation Measures		Level of Significance After Mitigation
would require ground-disturbing activities that have the potential to result in an adverse change in the significance of a tribal cultural resource, as defined in Public Resources Code Section 21074			
Geology and Soils			
Development of the proposed project would require excavations for building foundations and utilities, and any excavations into the potentially fossil-bearing strata which could result in potentially significant impacts to paleontological resources	MM-GEO-1	Paleontological Monitor. Prior to the issuance of grading permits, the Project Applicant shall submit to and receive approval from the City of a Paleontological Resources Mitigation and Monitoring Plan (PRMMP). The PRMMP shall include the provision of a trained paleontological monitor during onsite soil disturbance activities. The PRMMP shall include the provision of a trained paleontological monitor during onsite soil disturbance activities. The monitoring for paleontological resources shall be conducted on a full-time basis during the rough grading phases of the Project site within native soils that have the potential to harbor paleontological resources. The paleontological monitor shall be equipped to rapidly remove any large fossil specimens encountered during excavation. During monitoring, samples of soil shall be collected and processed to recover micro-vertebrate fossils. Processing shall include wet screen washing and microscopic examination of the residual materials to identify small vertebrate remains. If paleontological resources are unearthed or discovered during grading activities, the following recovery processes shall apply: ▪ Upon encountering a large deposit of bone, salvage of all bone in the area shall be conducted with additional field staff and in accordance with modern paleontological techniques.	Less than significant

Table ES-2. Summary of Significant Environmental Impacts and Mitigation Measures

Impact	Mitigation Measures	Level of Significance After Mitigation
	▪ All fossils collected during the project shall be prepared to a reasonable point of identification. Excess sediment or matrix shall be removed from the specimens to reduce the bulk and cost of storage. Itemized catalogs of all material collected and identified shall be provided to the museum repository along with the specimens. ▪ A report documenting the results of the monitoring and salvage activities and the significance of the fossils shall be prepared. ▪ All fossils collected during this work, along with the itemized inventory of these specimens, shall be deposited in a museum repository (such as the San Diego Natural History Museum, or the Natural History Museum of Los Angeles County) for permanent curation and storage	

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 Alternative, the proposed project and associated improvements would not be implemented, and the Parcel Area would remain as a partially disturbed site without a conservation easement and endowment to protect sensitive habitat and species. This alternative does not preclude future development on site, as uses and an intensity of development permitted under the Single Family Residential (RS) zone and Medium Density Residential (MDA-R) General Plan designation, as well as State Density Bonus Law, would still be allowed.

ES.7.2 Reduced Density Alternative

An alternative that reduced the proposed density was considered in response to community comments. Under the Reduced Density Alternative, a total of 199 units would be constructed as opposed to the proposed project's 260 or 282 units. The Reduced Density Alternative would generate approximately 557 people compared to 790 people generated by the proposed project, which is a reduction of approximately 30%. The density would be reduced to 5.77 dwelling units per acre, which is less than the maximum density allowed under the zoning designation (5.9 dwelling units per acre) and much below the maximum General Plan density that applies to State Density Bonus projects, compared to the proposed project's 8.2 dwelling units per acre. A site plan has been generated for this alternative (Figure 8-1, Reduced Density Alternative Site Plan). As illustrated in Figure 8-1, the Reduced Density Alternative would have two buildings, similar to the proposed project, but they would be reoriented to provide all surface parking and to increase the number of parking spaces (~~360~~ 382 spaces compared to 346 spaces). The total square footage of the building footprint would be reduced to ~~220,450~~ 221,740 square feet compared to the proposed project's 261,000 square feet. The height of the building would be less than that of the proposed project, with a maximum of up to 50 feet. In addition, all the same discretionary actions and approvals would be required, and the same Project Design Features (PDFs) as identified in Chapter 3, Project Description, would be incorporated into this alternative.

The revised site plan would also set back the building closest to the existing residences 125 feet compared to the proposed project, which would be set back 115 feet. Site access from Olive Drive would remain the same as the proposed project, and similar Density Bonus Law waivers/incentives would be requested. Like the project, the Reduced Density Alternative would provide a direct connection from the Parcel Area to the College Boulevard

Sprinter Station for residents and the surrounding community. This alternative would have a smaller Total Impact Area, because 199 units would not require the off-site secondary emergency only ingress/egress road required by the project, which would in turn reduce the amount of impacted Diegan coastal sage scrub from 1.26 acres to 0.99 ~~92~~ acres compared to the proposed project.

The Reduced Density Alternative would have a reduction in average daily vehicle trips of 31% compared to the proposed project. This alternative would continue to screen out of vehicle miles traveled analysis due to its location in a Transit Priority Area.

This alternative would result in an average water demand of approximately 33,568 gallons per day (gpd) (a reduction of 9,441 gpd), a maximum day water demand of 67,136 gpd (a reduction of 18,882 gpd), and maximum peak-hour demand of 100,704 gpd (a reduction of 28,323 gpd). This alternative would also result in an average sewer generation flow of 27,860 gpd (a reduction of 11,620 gpd) and a peak sewer flow generation of 97,510 gpd (a reduction of 11,060 gpd).

The estimated total GHG emissions from construction of the proposed project would be 1,334 metric tons of carbon dioxide equivalent (MT CO_2e). When amortized over 20 years, the estimated annual GHG emissions from construction of the proposed project would be approximately 67 MT CO_2e per year. By comparison, the estimated total GHG emissions from construction of the Reduced Density Alternative would be 955.87 MT CO_2e. When amortized over 20 years, the estimated annual GHG emissions from construction of the Reduced Density Alternative would be approximately 48 MT CO_2e per year.

Implementation of the proposed project would result in approximately 1,671 MT CO_2e per year during operation, including amortized construction emissions, which would exceed the City's bright-line screening of 900 MT CO_2e per year. By comparison, implementation of the Reduced Density Alternative would reduce emissions by approximately 35% compared to the project (approximately 1,082 MT CO_2e per year, including amortized construction emissions), which would still exceed the City's bright-line screening of 900 MT CO_2e per year. As shown in Appendix L, the Reduced Density Alternative is consistent with the Climate Action Plan Consistency Checklist adopted by the City to ensure that the emission reduction targets identified in the Climate Action Plan are achieved.

ES.7.3 Reduced Footprint Alternative

The Reduced Footprint Alternative would be constructed in one phase, and it would reduce the Total Project Impact area to approximately 6.50 acres, compared to 10.87 acres the project would disturb. The reduction in Total Impact Area would reduce the amount of impacted Diegan coastal sage scrub and disturbed southern mixed chaparral from 1.26 acres to 0.80 acres, and from 2.45 acres to 0 acres, respectively; Under the Reduced Footprint Alternative, the project would be developed with the same number of units as the proposed project (a maximum of 282 units), but instead of two four-story buildings (57 feet max height), the alternative would include one six-story building (77 feet max height), thereby reducing the overall footprint compared to the project. The number of parking spaces would be significantly reduced by (approximately 200 spaces) because State law does not require a development with the Parcel Area's proximity to a major transit stop to have any parking. The western parking lot and the podium parking on building No. 1, proposed as part of the project, would be eliminated under this alternative. This alternative would have substantially less private and common open space and the amount of solar power facilities would have to decrease with the smaller building and development footprint. The Reduced Footprint Alternative would increase the amount of the Parcel Area to be placed in a conservation easement and site access would remain the same as the project. As with the project, the secondary emergency only ingress/egress road would

be required and included as part of this alternative and the connection to the NCTD College Boulevard Sprinter Station would still occur.

Noise impacts would be increased during construction because all units would be built closer to the existing homes in order to avoid impacts to disturbed southern mixed chaparral and reduce impacts to Diegan coastal sage scrub.

ES.7.3 Environmentally Superior Alternative

Chapter 8, Alternatives, Table 8-5 provides a qualitative comparison of the impacts for each Alternative compared to the proposed project. As shown in Table 8-5, the No Project Alternative would eliminate all of the potentially 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 two Alternatives, the Reduced Density Alternative would be considered the environmentally superior alternative because it would potentially substantially lessen the potentially significant impacts in most environmental analysis areas compared to the project. In addition, the Reduced Density Alternative would meet all proposed project objectives. As stated above, in addition to the reduced impacts described in Section 8.4.2, a majority of other impact areas that were determined to have a less-than-significant impact as a result of the proposed project, would be further reduced as a result of the Reduced Density Alternative. Water demand, wastewater generation, GHG emissions, and energy consumption would all be reduced under the Reduced Density Alternative compared to the project. In addition, noise, population and housing, public services, recreation, and transportation would remain less-than-significant due to 61 or 83 fewer units, a reduction of 31% of daily trips, and the generation of 233 fewer people under the Reduced Density Alternative compared to the project. Aesthetics, hazards, hydrology and water quality, land use, and wildfire would all result in similarly less than significant impacts when compared to the proposed project because this alternative would have the similar architectural features, would occur on the same Parcel Area, and would be required to comply with all applicable water quality/drainage, engineering, and municipal code regulations.

For all of these reasons, the Reduced Density Alternative is considered the Environmentally Superior Alternative.

ES.8 Issues to be Resolved by Lead Agency

- The City must review the project and this EIR and determine if the project or one of the alternatives presented in the alternatives analysis should be approved and implemented. If the project or one of the alternatives is selected for approval, the City will be required to certify the EIR, determine whether and how to mitigate significant impacts, and adopt associated Findings of Fact pursuant to CEQA Guidelines Section 15091.

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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 Olive Park Apartments Project (project) under CEQA. The proposed project would require approval of certain discretionary actions by the City of Oceanside (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, 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.

This 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 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 the following:

> 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 was prepared to identify and disclose the significant environmental effects of the proposed project, identify mitigation measures to minimize significant effects, and consider a reasonable range of 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 use the information presented in this EIR, along with other factors, when 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 a proposed project and the extent and types of impacts that the proposed project and alternatives would have on the environment should the proposed project or an alternative be implemented. Pursuant to CEQA Guidelines Section 15082, the City circulated a Notice of Preparation (NOP), published April 19, 2024, 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. 2024040851) 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 May 9, 2024, at 6:00 p.m. at the El Corazon Events Center (3306 Senior Center Drive) in the City of Oceanside to gather additional public input. The 30-day public scoping period ended on July 26, 2024.

Comments received during the NOP public scoping period were considered during preparation of this EIR. The NOP and written comments are included as 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 ingress/egress, 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 preparation of this EIR. Consistent with CEQA requirements that an alternative must reduce or avoid a potentially significant project impact and that 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 Shannon Vitale, Senior Planner, or emailed at svitale@oceansideca.org. Comments on the Draft EIR must be received by 5:00 p.m. on December 9, 2024, 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 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, if applicable, 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 the 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 why various possible significant effects of the 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 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 chapter of the EIR.
- **Appendices.** The appendices include various technical studies and correspondence prepared for the proposed project, as listed in the table of contents.

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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 Olive Park Apartments 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 serves 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 project is the proposed development of a previously disturbed portion of a vacant parcel (Assessor's Parcel Number 162-111-04) that covers approximately 43.50 acres (i.e., Parcel Area), located in the Mira Costa neighborhood in Oceanside, California (see Figure 3-1, Project Location, and Figure 3-2, Project Vicinity, in Chapter 3, Project Description). The Parcel Area is south of Oceanside Boulevard and west of College Boulevard; more specifically, it is west of the terminus of Olive Drive and south of the North County Transit District (NCTD) rail line and College Boulevard Sprinter Station. The Parcel Area is approximately 1.5 miles north of State Route 78.

2.1.2 Site Background

The entire Parcel Area shows signs of disturbances related to previous activities, including clearing, illegal trails, human activity, evidence of illegal dumping, and evidence of encampment activities.

2.1.3 Existing Land Uses

On-Site Land Uses

The 10.87 acres of On-Site Impact Area is currently disturbed, vacant land. The Parcel Area does not feature any existing legal uses.

Surrounding Land Uses

Uses in the vicinity of the Parcel Area primarily include residential development, open space, and commercial/industrial uses. The Parcel Area abuts existing residential developments to the east and south, commercial/industrial uses to the north, and undeveloped land to the west. Areas surrounding the Parcel Area are zoned commercial (north and west of the Parcel Area) and residential (south and east of the Parcel Area). The North County Transit District rail line and College Boulevard Sprinter Station are 50 feet north of the Parcel Area.

2.1.4 Existing Zoning Designations

The Parcel Area has a zoning designation of RS-Single Family Residential. Surrounding properties are zoned by the City of Oceanside as IL-Limited Industrial to the north and west, RS-Single Family Residential to the south, and Planned Development 1 (PD-1, Commercial) to the northeast (City of Oceanside 2021a). These zoning designations are described in detail in Section 4.10, Land Use and Planning, of this EIR.

2.1.5 Existing General Plan Land Use Designations

The Parcel Area has a General Plan designation of Medium Density Residential (MDA-R). Areas surrounding the Parcel Area are designated as commercial and industrial (north of the Parcel Area), and residential (south and east of the Parcel Area) (City of Oceanside 2002).

2.2 Regional Setting

2.2.1 Climate

The local climate 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 from July through September. The average wintertime low temperature is approximately 50.4°F, reaching as low as 48.5°F on average from 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 Parcel Area is in the San Diego Air Basin (SDAB) and is subject to San Diego Air Pollution Control District 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 (WRCC 2021). 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 and California Ambient Air Quality Standards. 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 (SDAPCD 2022). 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

The three largest primary soil types at the Parcel Area are Gaviota fine sandy loam with a 0% to 50% slope that is well drained; Las Flores loamy fine sand with a 9% to 15% slope that is eroded and moderately well drained and eroded; and Salinas clay loam with a 0% to 2% slope that is well drained. Soils in the Parcel Area are made up of five surficial soil units and two geologic units. The five surficial soil units consist of undocumented fill, previously placed fill, topsoil, alluvium, and landslide deposits. The two geologic units consist of Santiago Formation and granitic rock (USDA 2022). Refer to Section 4.3, Biological Resources, and Section 4.6, Geology and Soils, for additional information.

The Parcel Area is underlain by a series of landslides which have occurred within the Santiago Formation. Landslide deposits were encountered underlying the majority of the central and eastern portions of the Parcel Area, including the On-Site Impact Area. The deepest landslide debris encountered was approximately 56 feet thick, but is likely thicker in some areas. The landslide debris is up to approximately 40 feet thick in the vicinity of the On-Site Impact Area. Debris within the larger landslides consists of highly disturbed to relatively intact blocks of sandstone, siltstone, and claystone. Bedding orientations display evidence of displacement and rotation. The debris composing the smaller, more recent landslides generally consist of loose, moist, olive gray to grayish brown, silty and clayey sands, sandy and clayey silts, and silty to sandy clays. Recent landslide debris typically contains highly disturbed and jumbled bedding, numerous fractures, roots, and sheared and remolded clays (Appendix E1).

2.2.4 Terrain

The Parcel Area's topography is generally steeper to the south and flat toward the northern portion. The Parcel Area primarily consists of undeveloped land and native vegetation. Elevations range from approximately 185 feet above mean sea level at Loma Alta Creek in the northwest corner of the Parcel Area to 460 feet above mean sea level at the top of the southeast slope (Appendix E1).

2.2.5 Watersheds and Hydrology

The Parcel Area is in the Carlsbad Hydrologic Unit (400), within the Loma Alta Hydrologic Area (4.10) of the Water Quality Control Plan for the San Diego Basin (California Regional Water Quality Control Board 2021). Loma Alta Creek flows east to west through the western portion of the Parcel Area. Loma Alta Creek begins approximately 2 miles east of the Parcel Area and flows approximately 5 miles to the west until its confluence with the Pacific Ocean. Downstream impaired 303(d) listed water bodies include the Pacific Ocean shoreline. The technical analysis identified potential groundwater at a depth of 9 to 45 feet below the ground surface. Refer to Section 4.9, Hydrology and Water Quality, for additional details.

2.2.6 Vegetation and Habitats

The 6.11-acre Net Developable Pad supports primarily non-native grasslands, disturbed southern mixed chaparral, Diegan coastal sage scrub, and disturbed habitat. Refer to Section 4.3, Biological Resources, 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 must 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 of Oceanside's (City) General Plan is the primary source of long-range planning and policy direction that is used to guide development within Oceanside, and serves as a policy guide for determining the appropriate physical development and character of Oceanside. 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 (2021–2029 Housing Element adopted in November 2023), 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 Oceanside. Objectives and policies established for each land use designation are described within the 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 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 2021b). 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 that 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 Oceanside. 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 Oceanside (City of Oceanside 2021a).

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

The Parcel Area is 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 (draft 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 Oceanside (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 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. In recent years, the state has made numerous changes to the Density Bonus Law, including the following:

- **Assembly Bill 1763** (Density Bonus for 100 Percent Affordable Housing) – Density bonus and increased incentives for 100% affordable housing projects for lower-income households.
- **Assembly Bill 2345** (Increase Maximum Allowable Density) – Revised the requirements for receiving concessions and incentives, and the maximum density bonus provided.

2.3.5 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 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: urban form, transportation, housing, healthy environment, economic prosperity, public facilities, borders, and social equity. These policy areas were addressed in the 2050 RTP/SCS and are now fully integrated into the Regional Plan (SANDAG 2017a, 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 Regional Comprehensive Plan. As such, the 2021 Regional Plan must comply with specific federal and state mandates. These include an SCS, per California Senate Bill 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 Section 4.2, Air Quality; Section 4.7, Greenhouse Gas Emissions; Section 4.10, Land Use and Planning; and Section 4.15, Transportation.

Regional Air Quality Plan

The San Diego Air Pollution Control District and SANDAG are responsible for developing and implementing the clean air plan for attainment and maintenance of the ambient air quality standards in the SDAB. The Regional Air Quality Strategy for the SDAB was initially adopted in 1991 and is updated on a triennial basis, most recently in 2022 (SDAPCD 2022). As discussed under Section 2.2.2, Air Basin, the SDAB is in non-attainment for O_3. The Regional Air Quality Strategy outlines San Diego Air Pollution Control District's plans and control measures designed to attain the state air quality standards for O_3. The Regional Air Quality Strategy relies on information from the California Air Resources Board and SANDAG, including mobile and area source emissions, as well as information regarding projected growth in San Diego County and the cities in San Diego County, to forecast future emissions and then determine from that the strategies necessary for the reduction of emissions through regulatory controls. The California Air Resources Board's mobile source emission projections and SANDAG growth projections are based on population, vehicle trends, and land use plans developed by the County of San Diego and the cities in San Diego County as part of the development of the General Plans (SANDAG 2017a, 2017b). For additional information regarding air quality plans, refer to Section 4.2, Air Quality, of this EIR.

3 Project Description

As required by Section 15124 of the California Environmental Quality Act (CEQA) Guidelines, this chapter describes the Olive Park Apartments Project (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

CEQA Guidelines Section 15124(b) requires that an environmental impact report (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. Support the housing needs of the City of Oceanside (City) by developing high-quality multi-family housing.
2. Help promote vehicle miles travelled and GHG reduction goals through development of a substantial amount of housing on a site located in close proximity to a major transit stop.
3. Develop a property with previously disturbed areas and existing utilities and infrastructure located proximate to the development area.
4. Develop substantial new housing on a site while still preserving the majority of the project site for open space conservation.
5. Provide new affordable housing on a site that is General Plan designated and zoned for residential development, that will be consistent with Density Bonus Law and the City's affordable housing objectives, to help satisfy the City's obligation under the Regional Housing Needs Assessment (RHNA).
6. Promote residential development in an area that is not designated by the State of California as a Very High Fire Severity Zone.
7. Develop a previously disturbed property with a quality building design, site layout, and open space uses that enhance the property and create a positive environment for future residents.
8. Maximize the leveraging of available public financing for affordable housing by developing a project that attempts to minimize the required subsidy per unit provided by the City.

3.2 Project Overview and Major Components

The project would involve development of a previously disturbed portion of a vacant parcel (Assessor's Parcel Number 162-111-04) that covers approximately 43.50 acres (i.e., Parcel Area), located in the Mira Costa neighborhood area in Oceanside, California (Figure 3-1, Project Location; Figure 3-2a, Project Vicinity; and Figure 3-2b, Project Site). The Parcel Area is generally located south of Oceanside Boulevard and west of College Boulevard; more specifically, it is west of the terminus of Olive Drive and south of the North County Transit District (NCTD) rail line and College Boulevard Sprinter Station. The Parcel Area is approximately 1.5 miles north of State Route 78.

Development of the project would disturb an on-site area of approximately 10.87 acres (On-Site Impact Area). The final pad on which the project would sit would be approximately 6.11 acres (Net Developable Pad). Project development would disturb approximately 0.88 acres outside of the Parcel Area (Off-Site Impact Area) for a Total Impact Area of 11.75 acres.

Uses in the vicinity of the Parcel Area primarily include residential development, open space, and commercial/industrial uses. The Parcel Area abuts existing residential developments to the east and south, commercial/industrial uses to the north, and undeveloped land to the west. Areas surrounding the Parcel Area are zoned commercial (north and west of the Parcel Area) and residential (south and east of the Parcel Area) (City of Oceanside 2021). The NCTD rail line and College Boulevard Sprinter Station and the rail line for the same are 50 feet north of the Parcel Area.

The Parcel Area has a General Plan designation of Medium Density Residential (MDA-R) with a maximum density of 9.9 dwelling units per acre (City of Oceanside 2002). The Parcel Area has a zoning designation of RS-Single Family Residential with a maximum density of 5.9 dwelling units per acre (City of Oceanside 2021).

The project would involve development of a maximum of 260 multi-family residential units (Option A) with an option to build 282 dwelling units (Option B) with a different unit mix (Figure 3-3, Site Plan). All of the dwelling units would be affordable to low, very-low, and extremely low income households and would be one- to three-bedroom/two-bath units. Access to the completed project would be provided via Olive Drive at the eastern side of the Parcel Area. An emergency only ingress/egress road would be provided adjacent to the NCTD rail line. The development would comply with the minimum parking standards for a 100% affordable project. The project would voluntarily provide 346 parking spaces regardless of the option chosen.

The project development would include two separate residential buildings that may be developed in one or two phases. As outlined in Table 3-1, Proposed Building Summary, both proposed buildings would be four stories. The buildings would include a mix of one-, two-, and three-bedroom 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	Floor Plan Type (Number of Each)
1	Residential four-story	172	1 bed/1 bath (78 units) 2 bed/1 bath (51 units) 3 bed/2 bath (43 units)
2 (Option A)	Residential four-story	88	1 bed/1 bath (42 units) 2 bed/1 bath (24 units) 3 bed/2 bath (22 units)
2 (Option B)	Residential four-story	110	1 bed/1 bath (86 units) 2 bed/1 bath (24 units)
	Total with Option A	**260**	**N/A**
	Total with Option B	**282**	**N/A**

The proposed project would also include an open space area that would be maintained and managed by the project owner. In addition, an all-weather, accessible pedestrian/bicycle connection for project and neighboring residents would be provided to the adjacent NCTD College Boulevard Sprinter Station.

The approvals required for the project include a Development Plan, a Tentative Parcel Map, and a request for a Density Bonus with waivers/incentives for development standards, such as hillside development standards, retaining wall height, and usable open space. The State of California's Density Bonus Law requires the City of Oceanside (City) to grant up to four incentives and unlimited waivers. Approvals and requested Density Bonus

waivers for development standards are further outlined in Section 3.3, Discretionary Actions and Other Approvals. Project development standards and requested waivers/incentives are outlined in Table 3-2.

3.2.1 Residential Units

The Parcel Area has a General Plan designation of Medium Density Residential (MDA-R) that authorizes a maximum density of 9.9 dwelling units per acre (City of Oceanside 2002). The Parcel Area has a zoning designation of RS-Single Family Residential. That designation allows for up to 5.9 dwelling units per acre (City of Oceanside 2021). As described further below, the proposed project is not requesting an increase in density.

The State's Density Bonus Law (Government Code Sections 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 mandatory state requirements. The Density Bonus Law requires the City to determine the allowed number of dwelling units based on the greater of the density authorized by the General Plan or by zoning. Thus, the density for the Parcel Area is determined based on the General Plan's 9.9 dwelling units per acre. Dwelling unit distribution and density bonus calculations for the proposed project are outlined below.

Under the Density Bonus Law, where a density range is provided, the base number of units permitted is determined by multiplying the developable acreage, which is 34.5 acres (43.50-acre site – 1.98 acres of wetland/riparian – 7.01 acres of steep slope [slopes greater than 40% with more than a 25-foot change in elevation] = 34.5 acres), by the maximum density for the specific zoning range and General Plan Land Use Element (9.9 units per acre). Using this methodology, the base number of units allowed at the Parcel Area is 341.8 (rounded up to 342 units as base allowable). Therefore, no density bonus to increase the allowable number of units is being requested because the project would involve construction of either 260 units (with Option A for building No. 2) or 282 units (with Option B for building No. 2).

The proposed 100% affordable dwelling unit project satisfies the City's Inclusionary Housing Ordinance requirements and complies with the provisions of the Density Bonus Law regarding affordable housing.

3.2.2 Useable Open Space

Approximately 50,375 square feet (1.2 acres) of common open space is proposed, which would consist of common areas for each building, including courtyards, a paseo area, a community garden, and a dog run. A total of 50,375 square feet (1.2 acres) of usable space would be provided, which breaks down to 178 square feet per unit. The proposed project is requesting a density bonus incentive/waiver because the Zoning Code requires useable open space at a rate of 300 square feet per unit (see Table 3-2).

3.2.3 Natural Open Space

The remaining approximately 32.63 acres of the Parcel Area, west of the On-Site Impact Area, would remain as natural open space. That natural open space area would be placed in a conservation easement as part of the proposed project.

3.2.4 Grading, Landscaping, and Walls

- Grading as a result of the proposed project would require 116,900 cubic yards of cut, 146,900 cubic yards of fill, and 30,000 cubic yards of import.
- Proposed landscaping is designed to provide a distinct visual character. The preliminary landscaping plan is shown in Figures 3-4a and 3-4b, Conceptual Landscape Plan. Landscaping would take advantage of the existing slopes, which are most prominent at the eastern and southern portions of the Parcel Area, with a plant palette consisting of drought-tolerant plants that would help stabilize the slopes over the long term. The entrance at Olive Drive would include trees and vegetation. Additional landscape opportunities are provided throughout the Net Developable Pad 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 to provide a minimum tree canopy area of 12% and a minimum permeable surface area of 22%. As shown in Figures 3-4a and 3-4b, the proposed project would comply with both requirements, providing tree canopy coverage of 37% and permeable surface area of 24%.
- Retaining walls would be located at the north boundary of the On-Site Impact Area to support the required grading and storm drainage. The wall along the north boundary would be approximately 32 feet in height. The hillside along the southern boundary would be stabilized with shear pins and buttressing.

3.2.5 Architectural Design

Building No. 1 would be approximately 57 feet in height and building No. 2 would be approximately 51 feet in height. The maximum height allowed per the City's Zoning Ordinance (Section 3.39[e]) is 30 feet; however, a development providing affordable units, without requesting a waiver or incentive, allows an increase in height of up to three additional stories, or 33 feet for projects within 0.5 miles of a major transit stop (see Table 3-2). The project would have a traditional Spanish architectural style. Building exteriors would feature arcades, canopies, tower elements, roof gables, rafter details, and ground-level arches to create transitional breezeways. Proposed building material finishes would include a stucco finish, decorative railing features, and vinyl windows. Pedestrian-friendly pathways would be designed throughout to promote connectivity between the proposed buildings. Additional details and analysis related to architectural design can be found in Section 4.1, Aesthetics.

All outdoor lighting would meet Chapter 39 of the City's Municipal Code (Light Pollution Ordinance) and would be shielded appropriately. Lighting throughout would be appropriately shielded to reduce lighting impacts to the surrounding open space areas and improve dark sky regulation compliance.

3.2.6 Circulation, Access, and Parking

3.2.6.1 Vehicular Circulation and Access

The entrance to the Parcel Area is at the terminus of Olive Drive. The proposed residential buildings would be connected by a private driveway within the Net Developable Pad. Resident and guest access from Olive Drive would lead to internal access driveways for residents and guest parking. An emergency only ingress/egress road is proposed south of the NCTD rail line with an exit/entry at College Boulevard in the location conceptually depicted in Figure 3-5. This emergency only ingress/egress road would be paved and secured (lock boxes on either end), and would include emergency lighting. Circulation and the emergency only ingress/egress road have been designed

in consultation with Oceanside Fire staff to provide designated truck turnaround and key staging areas throughout the Net Developable Pad.

3.2.6.2 Pedestrian Circulation and Access

Pedestrian access would be provided by pathways throughout the Net Developable Pad to create connectivity to the proposed buildings. The project would link to the existing and newly constructed sidewalk system off Olive Drive to provide pedestrian connections to surrounding properties.

3.2.6.3 Bicycle Circulation and Access

Olive Drive provides access to the existing Class 2 bicycle lane on College Boulevard, as indicated in the Oceanside Bicycle Master Plan (City of Oceanside 2017). The existing bicycle lane on College Boulevard occurs on both sides of the roadway in both north and south directions.

3.2.6.4 Public Transit Access

The Parcel Area is provided transit service via the NCTD, which operates the College Boulevard Sprinter Station located immediately adjacent to the northeast corner of the Parcel Area. The Parcel Area is within a Smart Growth Opportunity Area – Community Center (OC-6), as designated by the San Diego Association of Governments (SANDAG 2021). Smart growth areas are identified to promote higher-density development in key areas near public transit. The project would provide access to light rail transit via an off-site pedestrian path and new direct connection to the south platform of the NCTD College Boulevard Sprinter Station in the approximate location depicted in Figure 3-5. Bus stops within a 1-mile radius of the Parcel Area include the stops at Oceanside Boulevard/College Boulevard, Oceanside Boulevard/Avenida Del Oro, Avenida Del Oro and Avenida De La Plata, and Thunder Drive/College Boulevard (NCTD 2024).

3.2.6.5 Parking

The project would provide 346 parking spaces for Option A and for Option B. These spaces would consist of 192 standard stalls, 14 accessible stalls, 87 electric-vehicle-ready stalls (25% of all spaces), 35 electric-vehicle-capable stalls (10% of all spaces), and 18 electric vehicle installed stalls (5% of all spaces). Bicycle and motorcycle parking would also be provided but are not included in overall parking count.

3.2.6.6 Off-Site Improvements

Off-site improvements are shown in Figure 3-5. Off-site improvements would consist of (1) utility and access connections within and adjacent to Olive Drive extending into the Net Developable Pad; (2) pedestrian connection to the NCTD College Boulevard Sprinter Station; (3) extending the gravity sewer in Olive Drive to connect to the existing 8-inch sewer in College Boulevard; and (4) the emergency only ingress/egress road proposed south of the NCTD rail line with an exit/entry at College Boulevard in the location conceptually depicted in Figure 3-5, Off-Site Impact Area. The total of the Off-Site Impact Area is 0.88 acres.

3.2.7 Public Utilities

Water Facilities

Water supply in the project area comes from two reservoirs that are both 5 million gallons (Guajome Reservoir 1 and 2). Water service would be provided via the City. The project's primary connection would be to the nearest public water supply line, which consists of an 8-inch-diameter line in Olive Drive. A second connection is proposed to the existing 10-inch-diameter water main in College Boulevard. A new 10-inch-diameter water main would be extended from College Boulevard to the project by way of the emergency only ingress/egress road paralleling the south side of the NCTD right-of-way. The project would extend the 8-inch-diameter main from Olive Drive and the new 10-inch-diameter main into the Net Developable Pad area, and would construct an on-site 8-inch-diameter loop main around the proposed buildings. Refer to Section 4.17, Utilities and Services Systems, for a detailed description of water service and connection (City of Oceanside, pers. comm. 2024).

Sewer Facilities

Wastewater generated by the project would, with the extension of a sewer lateral into the Net Developable Pad, flow to the existing 8-inch-diameter gravity sewer in Olive Drive. The existing 8-inch-diameter gravity sewer in Olive Drive flows east to Bradley Street. At the end of Bradley Street the 8-inch-diameter sewer goes east in an easement and connects to an existing 8-inch-diameter sewer in College Boulevard; however, the City of Oceanside Water Utilities Department has indicated that the sewer in the easement is not suitable for the project's flows. The proposed solution is to extend a new sewer in Olive Drive from the Bradley Street intersection to College Boulevard. Because the sewer in College Boulevard at the Olive Drive intersection would be too shallow to accept the flow, a new sewer would be constructed in College Boulevard parallel to the existing sewer and would flow north until the new sewer connects to the existing sewer. In College Boulevard, the 8-inch-diameter sewer extends north across the NCTD rail tracks and connects to a 12-inch-diameter trunk sewer (City of Oceanside, pers. comm. 2024). Refer to Section 4.17, Utilities and Services Systems, for a detailed description of sewer service and connections.

Site Drainage

The proposed drainage facilities would include curb inlets, storm drains, and flow control and detention facilities. Conveyance of stormwater through the Net Developable Pad would require a dual storm drain system consisting of two volume-based proprietary biofiltration BMPs with two underground storage facilities to address water quality, hydromodification, peak flow attenuation, and water quality requirements. For the section of the emergency only ingress/egress road draining to the west, a flow-based proprietary biofiltration BMP is proposed to meet water quality requirements before merging with the treated onsite flows and being discharged into the unlined drainage north of the site. Water would then outlet into an existing drainage south of the railroad tracks and move westward to Loma Alta Creek's existing natural channel. A flow-based proprietary biofiltration BMP, along with an underground storage facility, is proposed for the portion of the emergency only ingress/egress road that drains east toward College Boulevard. This will address water quality, hydromodification and peak flow attenuation requirements for this area before connecting to the existing storm drain, which discharges into Loma Alta Creek. Here, flows would travel westerly to merge with the treated and mitigated flows from the project, then westerly to Loma Alta Creek. All proposed drainage facilities would comply with County of San Diego and City of Oceanside standards. Refer to Section 4.9, Hydrology and Water Quality, for a detailed description of project drainage.

Dry Utilities

Electricity would be provided by the applicable utility provider. The project would connect to existing electrical, telecommunication, and cable/TV lines within Olive Drive adjacent to the Parcel Area.

3.2.8 Project Design Features

The following project design features have been incorporated into project design. Although part of the project design, these features would also be memorialized in the conditions of approval and/or imposed by applicable regulations.

Biological Resources Project Design Features

Section 5.2.8 of the Oceanside Subarea Habitat Conservation Plan/Natural Communities Conservation Plan includes minimization measures that would be required to be implemented by the project. These minimization measures, as follows, would reduce construction-related edge effects and are required of all projects that may impact biological resources within Oceanside (City of Oceanside 2010):

PDF-BIO-1: Biological Resource Minimization Measures

Section 5.2.8 of the Oceanside Subarea Plan includes minimization measures that will be required to be implemented by the project. These minimization measures, as follows, will reduce construction-related edge effects and are required of all projects that may impact biological resources within Oceanside (City of Oceanside 2010):

1. The project applicant shall temporarily fence (with silt barriers) the limits of project impacts (including construction staging areas and access routes) to prevent unauthorized habitat impacts and prevent the spread of silt from the construction zone into adjacent native habitats to be preserved. Fencing shall be installed in a manner that does not impact habitats to be preserved. If work occurs beyond the fenced or demarcated limits of impact, all work shall cease until the problem has been remedied to the satisfaction of the City, including compensatory mitigation if required by the City. Temporary construction fencing shall be removed upon project completion.
2. Any necessary localized security-related lighting shall be of the lowest illumination necessary for human safety, selectively placed, shielded, and directed away from natural habitats.
3. The biological monitor shall prepare periodic construction monitoring reports and a post-construction report to document compliance.
4. The project applicant shall ensure that the following conditions are implemented during project construction:
    a. Employees shall strictly limit their activities, construction staging areas (including stockpiling), vehicles, equipment, and construction materials to the fenced project footprint.
    b. To avoid attracting predators of covered species, the project site including off-site work areas shall be kept as clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site.
    c. Pets of project personnel shall not be allowed on the project site including off-site work areas.
    d. Disposal or temporary placement of excess fill, brush, or other debris shall not be allowed in waters of the State or United States or their banks, except as authorized by the applicable regulatory agencies.

e. All equipment maintenance, staging, and dispensing of fuel, oil, coolant, or any other such activities shall occur in designated areas outside of waters of the State or United States within the fenced project impact limits. These designated areas shall be located in previously compacted and disturbed areas to the maximum extent practicable in such a manner as to prevent any runoff from entering waters of the State or United States and shall be shown on the construction plans. Fueling of equipment shall take place within existing paved areas greater than 100 feet from waters of the State or United States. Contractor equipment shall be checked for leaks prior to operation and repaired as necessary. "No-fueling zones" shall be designated on construction plans.

PDF-BIO-2: General Order for Waste Discharge Requirements

The project has been designed to avoid and minimize impacts to waters of the state to the maximum extent practicable. Two potential non-federal wetlands/waters of the state aquatic features within the Parcel Area would be filled by the project, with a total area of disturbance of 0.01 acres, 400 linear feet, and approximately 14 cubic yards. The applicant would obtain authorization from the San Diego Regional Water Quality Control Board (RWQCB) under the Porter–Cologne Water Quality Control Act in accordance with the General Order for Waste Discharge Requirements. The project would implement the following measures:

- Prior to the issuance of grading or other construction permits that would disturb aquatic features, the project shall (i) secure non-federal wetlands/waters of the state credits at a ratio of 1 to 1 for the filling of aquatic features; and (ii) submit evidence of the same to the RWQCB and the City.
- The credits shall be secured from the Wildlands San Luis Rey Mitigation Bank, another agency-approved mitigation bank with a service territory in the Northern Valley ecoregion in North San Diego County, a different agency-approved mitigation bank, or through an agency-approved in-lieu fee program to achieve no net loss of aquatic features.
- If no credits are available for purchase, no net loss may be achieved through either off-site permittee responsible mitigation at a resource-agency approved location or on-site permittee responsible mitigation consisting of the creation of 0.01 acres/400 linear feet of ephemeral aquatic resources. The project's current proposal consists of creating an ephemeral swale along the along the southwest portion of the development area bordering a proposed parking lot. The ephemeral swale will consist of a soft bottom rock and cobble lined earthen drainage swale that conveys storm water runoff from the southern hillside. No urban runoff will be conveyed to the ephemeral mitigation swale. The hillside storm water flows from south to north and will be conveyed to the eastern side of the mitigation swale by a series of concrete brow ditches and storm drain structures. The storm water will flow from east to west within the swale at velocities under 5 feet per second to avoid scour within the swale. The swale will be a minimum of 400 lineal feet with a 1-foot minimum bottom area. At the west end of the mitigation area the water will enter a concrete brow ditch due to vertical grade change and be conveyed west then northerly to the proposed storm drain outfall riprap.
- The applicant shall provide a copy of the issued General Order for Waste Discharge Requirements and proof of mitigation to the City prior to issuance of grading permits that would disturb aquatic features.

PDF-BIO-3: Glare Reduction

Windows on the buildings shall comply with State of California Green Building Standards Code, Section A5.107, as follows:

Glazing

1. Glazing with visual markers shall include, but is not limited to, the following:
   a. Etched or fritted glass with patterns of elements on the exterior having minimum dimensions of 1/4" (.64 cm [centimeters]) diameter for dots or 1/8" (.32 cm) width for stripes in a density of 2 inches (5.1 cm) maximum horizontally and vertically (the "2 × 2 Rule"). Note: If the visual markers are on glass surface 2, they can be effective if visible behind an exterior surface with reflectivity of 15 percent or less.
   b. Interior or exterior glazing film with 2 × 2 visual markers.
   c. Laminated glass with 2 × 2 visual markers, patterned ultraviolet (UV) coating or use of contrasting patterned UV-absorbing and UV-reflecting films. Note: Low-e coatings shall be behind the visual markers.
   d. Glass block or channel glass.
   e. Developed glazing technologies documented to reduce bird strikes, as tested by an independent third party and approved by the authority having jurisdiction; OR

Slats, Screens, Netting, Louvers

2. Glazing protected by exterior features that create a visible barrier in front of the glazing, may include, but not be limited to:
   f. Horizontal or vertical slats of 1/8" (.32 cm) minimum face width with minimum 2" (5.1 cm) spacing that obscure 85 percent or more of glass when viewed from all feasible angles.
   g. Grilles, screens or 1/8" (.32 cm) dia. welded wire mesh with openings no more than 2" (5.1 cm) maximum horizontally and vertically installed parallel to and no more than 3 1/4 ft (1 m) from the first surface of glass (glass surface 1).
   h. Netting with 1" (2.5 cm) maximum openings, installed taut at least 6" (15 cm) away from the first surface of glass; or
   i. Sunshades or louvers 9" (22.5 cm) deep vertically spaced a maximum 9" (22.5 cm) or 6" (15 cm) deep horizontally at maximum 6" (15 cm) spacing and parallel or angled to the glass surfaces.

Air Quality Project Design Features

PDF-AQ-1: Standard construction practices that would be employed to reduce fugitive dust emissions include the following:

- A minimum of two applications of water shall be applied during grading between dozer/grader passes.
- Paving, chip sealing, or chemical stabilization of internal roadways shall be applied after completion of grading.
- Grading shall be terminated if winds exceed 25 miles per hour (mph).
- All exposed surfaces shall maintain a minimum soil moisture of 12 percent.

- Dirt storage piles shall be stabilized by chemical binders, tarps, fencing, or other erosion control.
- Vehicle speeds shall be limited to 15 mph on unpaved roads.

The above measures are consistent with SDAPCD [San Diego County Air Pollution Control District] Rule 55 – Fugitive Dust Control, which seeks to limit fugitive dust that may be generated during grading and construction activities.

PDF-AQ-2: Require the installation of only electric fireplaces in future residential construction. Future residential units are prohibited from having wood-burning fireplaces or stoves.

PDF-AQ-3: The project will provide temporary electricity to the project site during the building construction phases and prohibit the use of diesel-fueled/natural gas fueled generators during the building construction phases.

PDF-AQ-4: The project will limit air compressors used during the architectural coating/painting phases to equipment that is electric-powered.

Greenhouse Gas Project Design Features

PDF-GHG-1: The project shall include the following sustainability measures:

- Electric vehicle parking and charging
- Bicycle parking
- Photo-voltaic (PV) systems installed on each building
- Drought-tolerant landscaping and water efficient irrigation system
- Connection to the North County Transit District Sprinter Station

Geology and Soils Project Design Features

PDF-GEO-1 The project shall implement all recommendations per the Geotechnical Report (Appendix E1).

Noise Project Design Features

PDF-NOI-1 Construction Noise Reduction Features

- All construction equipment must have appropriate sound muffling devices, which shall be properly maintained and used at all times such equipment is in operation.
- The project contractor shall place stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
- The construction contractor shall locate on-site equipment staging areas so as to maximize the distance between construction-related noise sources and noise-sensitive receptors nearest the project site during the construction period.
- All noise producing construction activities, including warming-up or servicing equipment and any preparation for construction, shall be limited to the hours between 7:00 a.m. and 6:00 p.m.

- An eight (8) foot tall, temporary noise barrier shall be erected along the applicable portion of the property line where the property line is adjacent to the nearest noise-sensitive receptor during the site preparation phase when site preparation activity occurs within 45 feet of the property line, the grading phase when grading activity occurs within 50 feet of the property line, and when paving activity occurs within 55 feet of the property line.
- The temporary solid noise barriers shall be constructed of 3/4-inch Medium Density Overlay (MDO) plywood sheeting, or other material of equivalent utility and appearance having a surface weight of 2 pounds per square foot or greater. There shall be no gaps in the barrier, and the barrier shall block the line of sight between the construction equipment and the noise sensitive receptor.

3.2.9 Construction Phasing

It is anticipated that development of the project would occur in two phases over approximately 11 months. For purposes of the CEQA analysis, construction is anticipated to begin in January 2026 and be completed in November ~~2026~~ 2027. The anticipated sequence of construction is as follows. Note that construction of some of the components and the phases may overlap:

- Phase 1
  - Site Preparation
  - Rough Grading of On-Site Impact Areas
  - Building Construction and Construction of On-Site and Off-Site Improvements
  - Architectural Coating
  - Paving
- Phase 2
  - Minor Grading
  - Building Construction and Construction of On-Site and Off-Site Improvements
  - Architectural Coating
  - Paving

Construction is proposed to occur Monday through Saturday, between 7:00 a.m. and 6:00 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, certain entitlements must be submitted, reviewed, and approved by the City. The requested entitlements include a Request for a Development Plan, a Tentative Parcel Map, and a request for Density Bonus waivers/incentives. The project includes a request for the approval of the project with two options for the total number of units/unit mix. The design of those options is expected to largely include the same building/site improvement footprint. To accommodate the 100% affordable housing project, the project design relies on the following Density Bonus waivers/incentives:

- Building Type (multiple unit structure)

- Usable open space requirements
- Increase retaining wall height
- Grading (manufactured slopes)
- Grading (hillsides)
- Grading (topographical features)
- Hillside regulations related to building design, building wall offsets, and roof plane area

A summary of the development standards and requested Density Bonus waivers/incentives are outlined in Table 3-2. Development standards for the project are also described in detail in Chapter 4.10, Land Use and Planning, of this EIR.

Table 3-2. Project Development Standards and Required Waivers/Incentives

Development Standard	Regulation Per City of Oceanside Standards	Proposed Project (Based on 43.50-acre Parcel)	Notes
Minimum Area	6,000 square feet	43.50 acres, or 1,895,731 square feet	Complies with Code
Density (MDA-R GP Land Use and per SDBL)	9.9 du/ac – SDBL	8.2 du/ac – SDBL Based on 282 unit max	Complies with Code
Building Type Multiple Unit Structure (MUS) (OZO 1030 and GP Section 2.33)	Limits on MUS in RS zone and MDA-R land use designation	Project proposes two MUS buildings to accommodate the affordable units	Waiver/incentive to accommodate development at density and design as proposed
Lot Width (OZO 1040 – RS Zone)	65 feet (minimum)	1,150 feet	Complies with Code
Setback—Front	20 feet (minimum)	95 feet	Complies with Code
Setback—Side	7.5 feet (minimum)	104 feet	
Setback—Corner Side	10 feet (minimum)	N/A	
Setback—Rear	15 feet (minimum)	1,990 feet	
Building Height (OZO 3039(E); Maximum Height (F))	50 feet (maximum)	Building One Building Height: Varies up to 57 feet Building Two Building Height: Varies up to 51 feet	Per SDBL Section 65915(d)(2)(D), a project is allowed a height increase of up to 3 additional stories or 33 additional feet when located within 0.5 miles of a major transit stop without using an SDBL waiver or incentive

Table 3-2. Project Development Standards and Required Waivers/Incentives

Development Standard	Regulation Per City of Oceanside Standards	Proposed Project (Based on 43.50-acre Parcel)	Notes
Parking Government Code Section 65863.2 No parking required when within 0.5 miles of a major transit stop	No parking minimum required	346 Parking Spaces: ▪ 205 surface spaces ▪ 141 podium spaces	Complies with Code
Open Space (total per unit)	300 square feet per unit (minimum) per multi-family standards	178 square feet per unit	Waiver/incentive to accommodate development at density proposed
Fences and Walls (OZO 1040 (U) and 3040 – RS Zone)	**Decorative Walls and Fencing** 5 feet in front yards if 75% open 6 feet solid in other yards	Ornamental view fence provided along front boundary, entry gates, and open space areas	Complies with Code
	Retaining Walls Maximum height of 6 feet, with walls above 4 feet to be planted and irrigated	Retaining wall along north boundary varying up to 32 feet in height, and as a non-plantable, non-irrigated wall	Waiver/incentive to accommodate development at density and design as proposed
Urban Forestry (OZC 3049)	**Tree Canopy** Minimum 12% of site area; Permeable surface area minimum on sites 1 acre or more – 22% of site area	Tree Canopy – approximately 37% of Net Developable Pad. Permeable Surface Area – approximately 24% of Net Developable Pad.	Complies with Code Complies with Code
Renewable Energy Facilities (OZC 3047)	Residential projects with 25 or more units shall install and maintain renewable energy facilities that supply at least 50% of forecasted electricity demand except as otherwise provided by Code	Photovoltaic system would be installed on each building to meet 50% of forecasted electricity demand except as otherwise allowed by Code	Complies with Code
Electric Vehicle Parking (OZC 3048)	15% of total parking spaces (82 spaces required)	87 EV-ready stalls (25% of all spaces); 18 EV-installed (5% of all spaces); and 35 EV-capable stalls (10% of all spaces)	Complies with Code
Hillside Development Regulation (OZO 3039(E); Grading Limitations (J))	No manufactured slope shall exceed 30 feet in height, nor 400 feet in length	Manufactured slopes designed around perimeter of Net Developable Pad exceed 400 feet in length and	Waiver/incentive to accommodate development at density and design as proposed

Table 3-2. Project Development Standards and Required Waivers/Incentives

Development Standard	Regulation Per City of Oceanside Standards	Proposed Project (Based on 43.50-acre Parcel)	Notes
		extend up to 60 feet in height. Retaining wall along north boundary varies up to 32 feet in height and approximately 950 feet in length.	
Hillside Development Regulation (OZO 3039(E); Grading Limitations (Q))	The amount of hillside grading shall be limited to 7,500 cubic yards or less (larger of total cut or fill volume divided by total graded area)	146,900 cubic yards fill / 10.88 acres (limits of impact) = 13,502 cubic yards per acre	Waiver/incentive to accommodate development at density and design as proposed
Hillside Development Regulation OZO 3039(E); Grading Limitations (R))	Lands considered to possess significant natural topographical features greater than 20% with a minimum elevation differential of 50 feet, as defined by this Section and Section 1.24 of the Land Use Element, shall be preserved and integrated into project designs	Project is located on small areas of +20% slopes, but avoids more significant steep slopes of 40% and greater than 25 feet in elevation differential	Waiver/incentive to accommodate development at density and design as proposed
Hillside Development Regulation (OZO 3039(E); Building Design (L)(1)): Applies to buildings on slopes equal or greater than 20% with a minimum elevation differential of 25 feet	Conventional flatland building styles should be avoided on portions of any site with slopes of 20% or greater unless approved by the Planning Commission in conjunction with an HD	Project is located on small areas of 20% slopes, but avoids more significant steep slopes of 40% and greater than 25 feet in elevation differential	Waiver/incentive to accommodate development at density and design as proposed
Hillside Development Regulation OZO 3039(E); Visible Bulk (M)(1)): Applies to buildings on slopes equal or greater than 20% with a minimum elevation differential of 25 feet	No visible portion of a structure shall exceed 40 feet in length measured parallel to the surface of the structure, unless there is an off-set of 4 feet or more in depth and 6 feet or more in width	Project design incorporates many design elements, variations, and offsets in wall planes to reduce visible bulk, but does not meet the 4-foot minimum depth requirement	Waiver/incentive to accommodate development at density and design as proposed
Hillside Dev. Regulation OZO 3039(E); Visible Bulk (M)(2)): Applies to buildings on slopes equal or greater than 20% with a minimum	No roof plane shall exceed 600 square feet in area, measured parallel to the roof plane, and a change in pitch of 3 in 12 or greater, or a vertical offset of 2 feet or	Project design incorporates many design elements and variations in roof planes to reduce visible bulk, including multiple gable roof	Waiver/incentive to accommodate development at density and design as proposed

Table 3-2. Project Development Standards and Required Waivers/Incentives

Development Standard	Regulation Per City of Oceanside Standards	Proposed Project (Based on 43.50-acre Parcel)	Notes
elevation differential of 25 feet	more shall separate each roof plane. The area of an offset roof plane or change in pitch satisfying this standard for a change in roof plane shall not be less than 150 square feet.	sections and elevation off-sets. However, as an affordable multi-family project, flat roof areas are incorporated that cannot meet these criteria. Such roof areas would not be visible from ground level viewpoints.	

Notes:
GP = General Plan; SDBL = State Density Bonus Law; du/ac = dwelling units per acre; N/A = not applicable; EV = electric vehicle

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, such as NCTD, the State Water Resources Control Board can use this EIR and supporting documentation in their decision-making process to issue additional approvals.

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SOURCE: SanGIS 2023

DUDEK

0 500 1,000 2,000 Feet

FIGURE 3-1

Project Location

Olive Park Apartments

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SOURCE: SanGIS 2023

DUDEK

0 500 1,000 Feet

FIGURE 3-2a

Project Vicinity

Olive Park Apartments

INTENTIONALLY LEFT BLANK

SOURCE: SanGIS 2023

DUDEK

0 195 390 Feet

FIGURE 3-2b

Project Site

Olive Park Apartments

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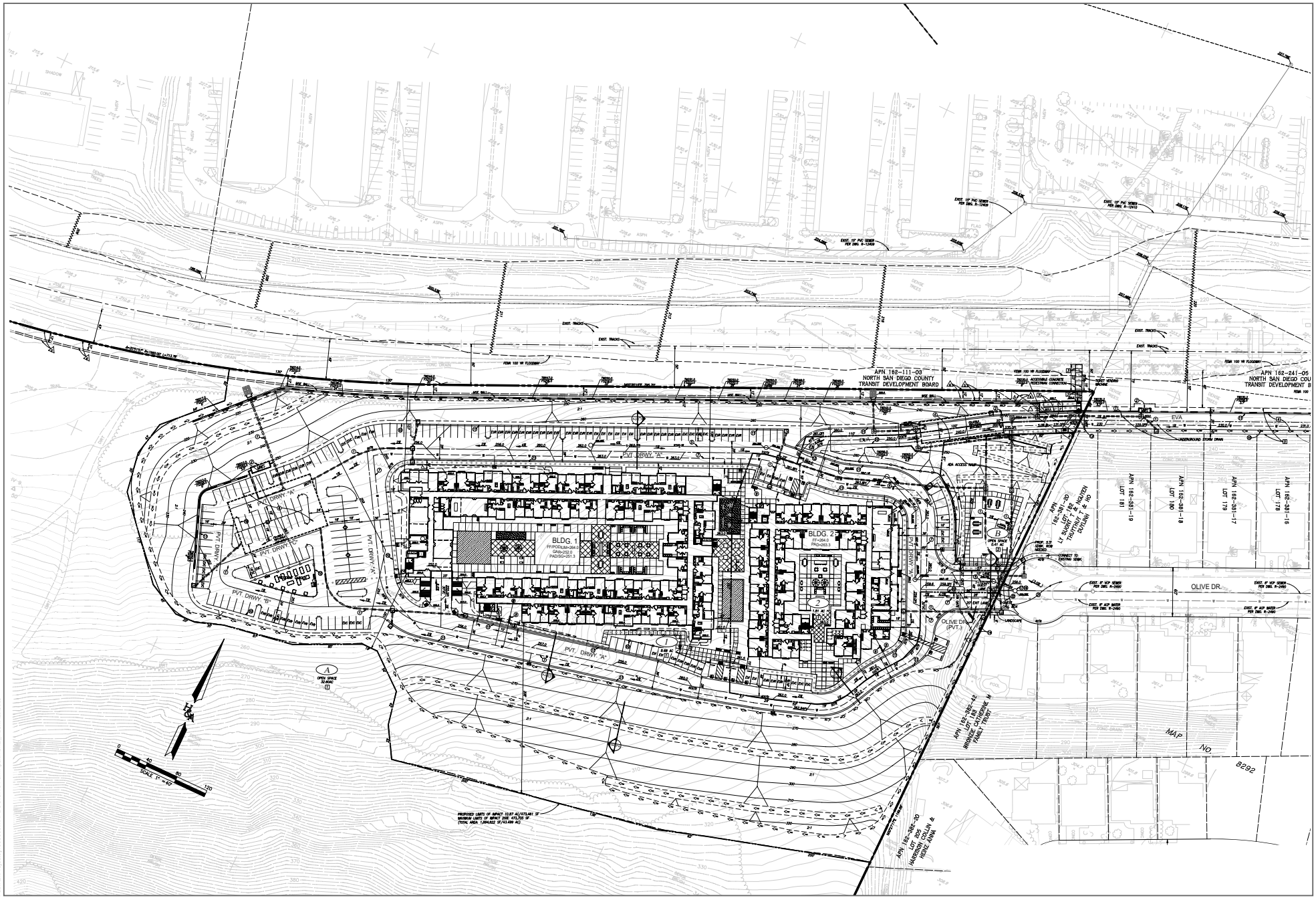

SOURCE: Hunsaker & Associates 2024

FIGURE 3-3

Site Plan

Olive Park Apartments

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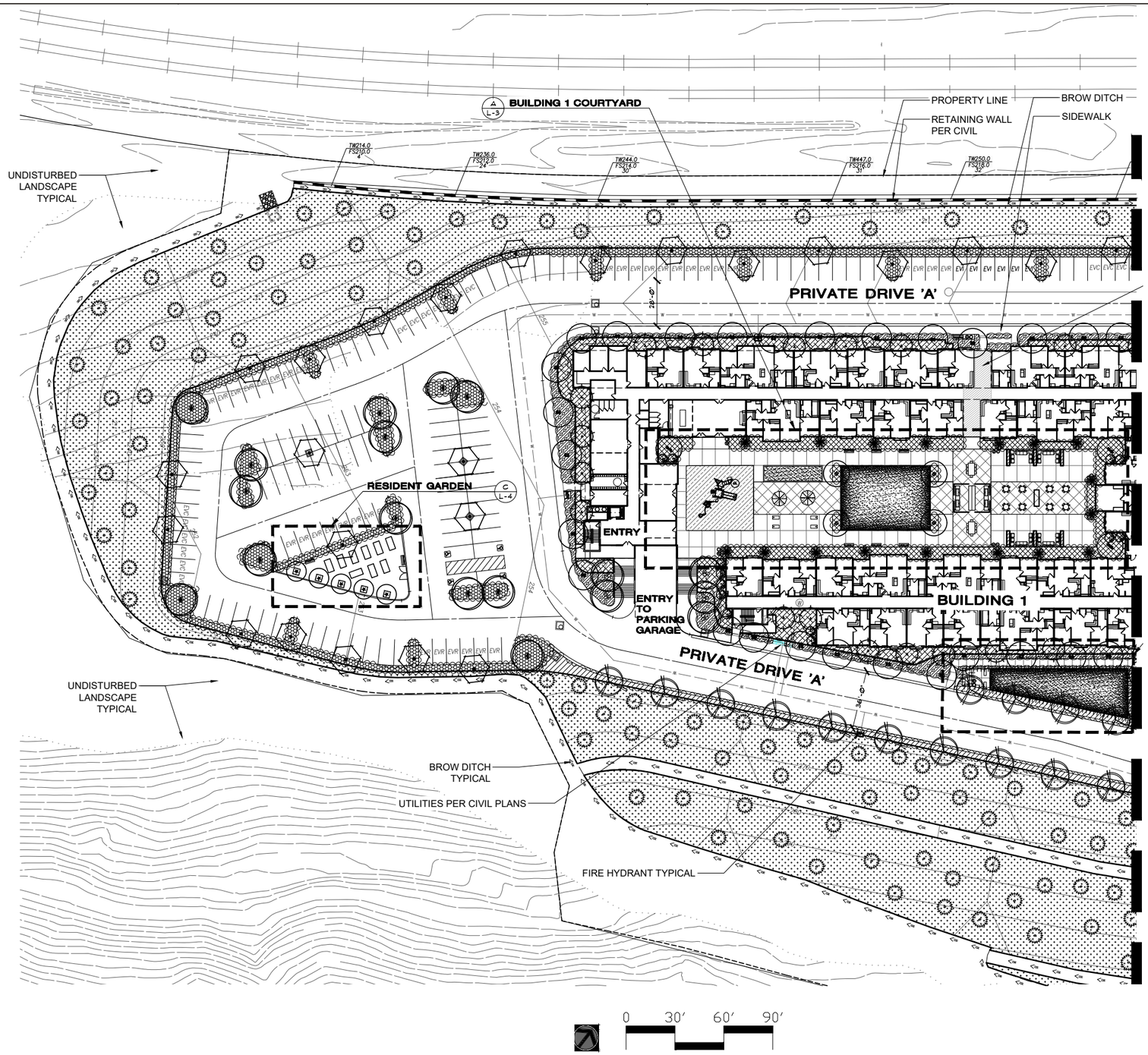

SOURCE: STK Architecture 2024

FIGURE 3-4a

Landscape Plan (West)

Olive Park Apartments

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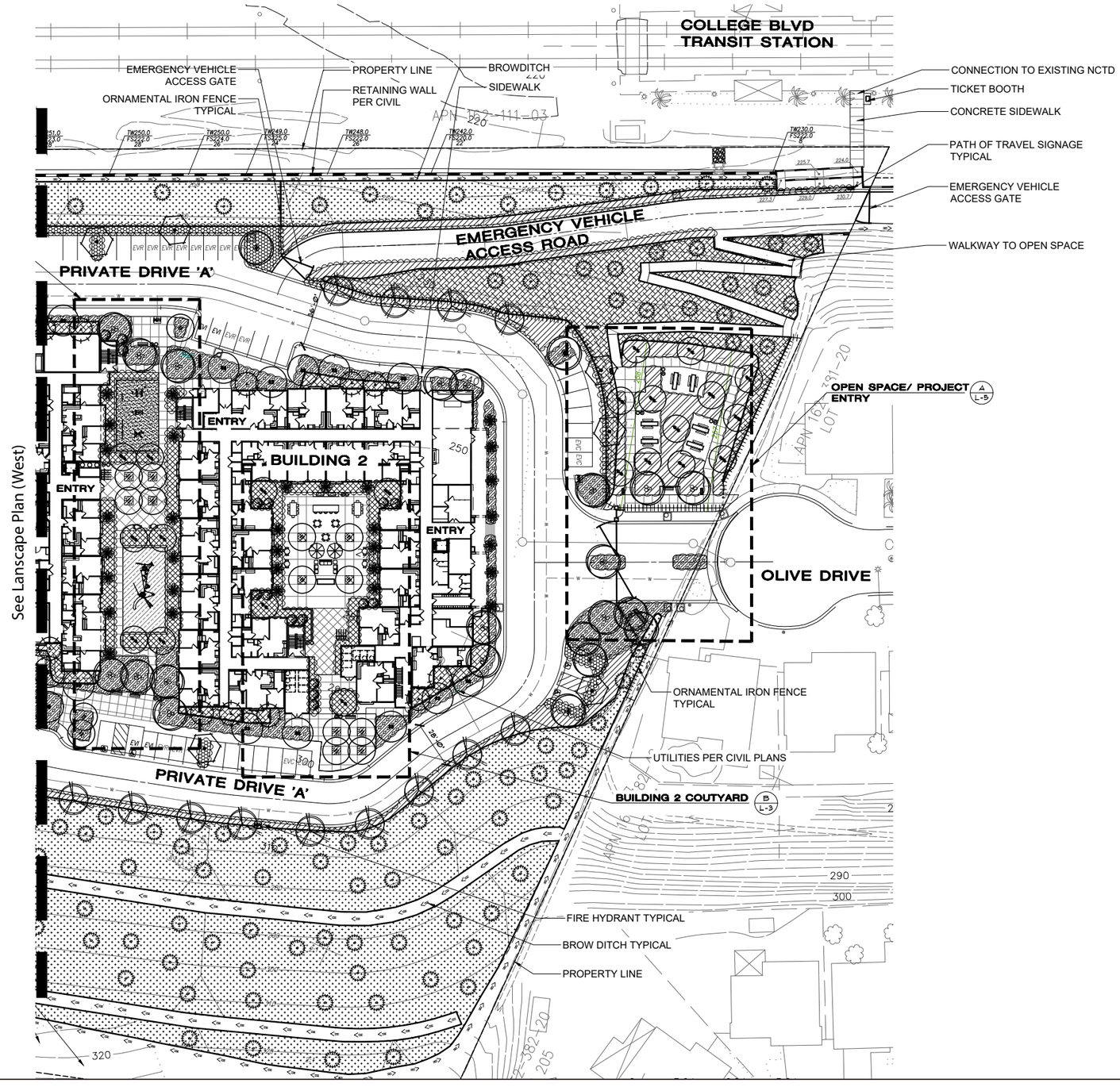

SOURCE: STK Architecture 2024

FIGURE 3-4b

Landscape Plan (East)

Olive Park Apartments

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SOURCE: SanGIS 2023

DUDEK

0 40 80 Feet

FIGURE 3-5

Offsite Improvements

Olive Park Apartments

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4 Environmental Impact Analysis

4.1 Aesthetics

This section describes the existing visual conditions, identifies associated regulatory requirements, evaluates potential impacts related to aesthetics, and identifies whether mitigation measures related to implementation of the Olive Park Apartments Project (project) are required.

4.1.1 Existing Conditions

Regional Setting

The Parcel Area is in northern San Diego County within Oceanside, California. Oceanside 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. Most of Oceanside is developed, with some areas available for infill development, including the Parcel Area.

Project Setting

The project would involve development of a previously disturbed portion of a vacant parcel (Assessor's Parcel Number 162-111-04) that covers approximately 43.50 acres (i.e., Parcel Area), located in the Mira Costa neighborhood area of Oceanside, California (see Figure 3-1, Project Location, and Figure 3-2, Project Site, in Chapter 3, Project Description). The Parcel Area is generally south of Oceanside Boulevard and west of College Boulevard; more specifically, it is west of the terminus of Olive Drive and south of the North County Transit District (NCTD) rail line and College Boulevard Sprinter Station. The Parcel Area is approximately 1.5 miles north of State Route 78.

Development of the project would disturb an on-site area of approximately 10.87 acres (On-Site Impact Area). The final pad on which the project would sit would be approximately 6.11 acres (Net Developable Pad). Project development would disturb approximately 0.88 acres outside of the Parcel Area (Off-Site Impact Area) for a Total Impact Area of 11.75 acres.

The Parcel Area is a partially fenced, vacant parcel that was previously developed in some areas. It is located west of Olive Drive and south of the NCTD Sprinter track (see Figure 3-2, Project Site). The Parcel Area is bound by single-family residential development to the east and south; undeveloped, mostly flat terrain to the west; and NCTD Sprinter track to the north. The densely vegetated Loma Alta Creek corridor, tan-colored and rectangular single-story retail and business center buildings within the Rancho Del Oro Business Center development, and Oceanside Boulevard are farther north of the referenced Sprinter track. The College Boulevard Sprinter Station is north of the northeastern corner of the Parcel Area.

Topographically, the Parcel Area ranges in elevations from approximately 185 feet to 460 feet above mean sea level in the northeast corner of the Parcel Area at the top of the southeast slope. The On-Site Impact Area has been previously graded, is heavily disturbed with dirt paths, and contains scattered and sparse to dense vegetation consisting of grasses and shrubs. Trash, debris, and old straw wattles are present in the On-Site Impact Area, particularly in the southwest portions. As described in Section 4.3, Biological Resources, two potential aquatic features (non-federal wetlands/waters of the state) occur within the On-Site Impact Area. The remainder of the

Parcel Area, which is not proposed for development by the project, include a portion of Loma Alta Creek and disturbed and undisturbed habitat. Due to relatively steep slopes along the southern portion of the Parcel Area (and private residences at the top of the slope), the presence of residential development to the east and business center development to the north, and occasionally bermed and vegetated terrain along the eastbound Oceanside Boulevard corridor, views to the Parcel Area from public rights-of-way are generally limited and restricted to portions of Olive Drive, southbound Avenida del Oro (north of Oceanside Boulevard), and the nearby segment of the NCTD Sprinter track.

Figure 4.1-1, Existing Conditions: Project Site, presents four photographs showing existing conditions observed during a site visit completed in February 2024.

Scenic Vistas

A scenic vista is typically defined as a panoramic view or vista from a formally designated public view/vista point, public road, public trail, public recreational area, or scenic highway. Potential scenic views from private properties are not a proper consideration in this analysis because those views are not required by the City of Oceanside (City) or other applicable laws. The City of Oceanside General Plan Environmental Resource Management Element (City of Oceanside 2002a) identifies certain natural scenic open space areas as a valuable scenic resource that contributes to the visual landscape and should be preserved. Such resources include the Pacific Ocean, Buena Vista Lagoon, San Luis Rey River, and Guajome Regional Park. None of those resources are visible from the Parcel Area nor is the Parcel Area visible from any of those locations. Relative to the Parcel Area, the Pacific Ocean is approximately 5.3 miles to the west, Buena Vista Lagoon is approximately 3.1 miles to the southwest, San Luis Rey River is approximately 3 miles north, and Guajome Regional Park is approximately 3.1 miles northeast. No designated scenic vistas are within the Parcel Area or its vicinity.

Scenic Routes

According to the California Department of Transportation Scenic Highway Mapping System, the Parcel Area is not located adjacent to, or in the vicinity of, a designated state scenic highway (Caltrans 2019). 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 approximately 28 miles southeast of the Parcel Area. Interstate 5, approximately 4 miles west of the Parcel Area, and State Route 76, approximately 2.3 miles north of the Parcel Area, are the nearest eligible state scenic highways to the Parcel Area (Caltrans 2019). Due to distance and intervening terrain, the Parcel Area is not visible from Interstate 5, State Highway 76, or any state scenic highway in San Diego County.

Light and Glare

The Parcel Area does not currently support any existing sources of light or glare because it is undeveloped. Lighting in the immediate area consists of streetlights and other artificial lighting from existing residential developments to the east and south, as well as parking lots, the Sprinter Station, and business park and retail uses to the north.

4.1.2 Regulatory Setting

Federal

There are no federal regulations concerning aesthetics relevant to the proposed project.

State

California Scenic Highway Program

California's Scenic Highway Program was created by the State Legislature in 1963. Its purpose is to preserve and protect scenic highway corridors from change that would diminish the aesthetic value. 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. 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 Corridor Protection Program (Caltrans 2024). 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.

Local

City of Oceanside General Plan

The City of Oceanside General Plan does not include any specific elements related to aesthetics or visual resources. However, the City's General Plan 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 the Environmental Resources Management Element, including Guajome Regional Park; schools with their adjacent playgrounds and athletic fields; golf courses, including Goat Hill Park/Center City Golf Course; cemeteries; churches with extensive grounds; and visual elements such as the Pacific Ocean and portions of Camp Pendleton (Goat Hill Park is identified as "4. Oceanside Community Park" in Table ERM-2 and Figure ERM-8 of the Environmental Resources Management Element) (City of Oceanside 2002a). Visual open space identified in Table ERM-2 of the Environmental Resources Management Element are listed below:

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

Additionally, the City's General Plan Land Use Element includes policies related to land use compatibility, neighborhood character, site design, and architecture. The Land Use Element addresses the relationship between development and community enhancement. Applicable policies of the Land Use Element include the following (City of Oceanside 2002b):

- **1.2 Site Design – Policy A:** The placement of all proposed structural components, landscaping, accessways, etc. shall be oriented on the site in such a manner to maximize: (3) the quality of views and vistas from the site to the surrounding environment; and (4) the quality of views and vistas of the site from surrounding land uses.
- **1.2.3 Architecture – Policy A:** Architectural form, treatments, and materials shall serve to significantly improvement on the visual impact of the surrounding neighborhood.
- **2.3 Architecture – Policy B:** Structures shall work in harmony with landscaping and adjacent urban and/or topographic from to create an attractive line, dimension, scale, and/or pattern.

City of Oceanside Municipal Code

Chapter 39 – Light Pollution Regulations

Chapter 39 of the City of Oceanside Municipal Code restricts the 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 must be fully shielded where feasible and partially shielded in all other cases, and must 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 must be off between 11:00 p.m. and sunrise.

City of Oceanside Comprehensive Zoning Ordinance

The following standards from Article 30 Site Regulations, Section 3003, Exterior Materials in Residential Districts; Section 3024, Performance Standards; and Section 3117, Lighting, of the Comprehensive Zoning Ordinance relate to glare and are applicable to the project. Note that the omission of D. Glare, Item 2 is intentional because the standards apply to properties along the shorefront, Buena Vista Lagoon, or San Luis Rey River.

Section 3003 – Exterior Materials in Residential Districts

In all residential districts, the exterior walls of all structures, other than accessory structures, shall have a nonmetallic finish, with the exception of aluminum siding, which may be allowed on approval by the City Planner. If located in the Coastal Zone, residential structures shall be subordinate to the natural environment and exterior materials shall be restricted to colors compatible with the surrounding environment (earth tones) such as shades of green, brown, and grey, with no white or light shades and no bright tones except as minor accents to the maximum extent practicable.

Section 3024 – Performance Standards

D. Glare

1. From Glass. Mirror or highly reflective glass shall not cover more than 20 percent of a building surface visible from a street unless an applicant submits information demonstrating to the satisfaction of the City Planner that use of such glass would not significantly increase glare visible from adjacent streets or pose a hazard for moving vehicles.

3. From Outdoor Lighting. Parking lot lighting shall comply with Article 31. Security lighting in any district may be indirect or diffused, or shall be shielded or directed away from residential district within 100 feet. Lighting for outdoor court or field games within 300 feet of residential district shall require approval of a use permit, unless included as part of an approved Master Plan.

Section 3117 – Lighting

Outdoor parking area lighting shall not employ a light source higher than 25 feet. Building plans submitted for building permit shall include provisions indicating that lighting is properly shielded and directed so as to prevent glare on surrounding properties or onto an adjacent street. Lighting shall comply with all City codes and ordinances in effect at the time of building permit issuance including any light pollution control measures.

4.1.3 Thresholds of Significance

The significance criteria used to evaluate the project's 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 Parcel Area and Total Impact Area are not within the public viewshed of any of the identified visual open space areas listed in City General Plan Table ERM-2. Clear views of the Parcel Area from public vantage points are limited to riders of the NCTD Sprinter segment to the immediate north of the Parcel Area as the Sprinter travels to/from the College Avenue Sprinter Station. However, there are no scenic vistas visible through the Parcel Area as experienced from the nearby segment of the NCTD Sprinter.

From most public vantage points in the surrounding area, the Parcel Area is partially to mostly obscured from view. For example, limited visibility of the Net Developable Pad would exist from select public roads, including Olive Drive (western terminus) and Oceanside Boulevard, and views toward the project from these roads have not been designated as scenic vistas (and vistas through the Parcel Area are not available from these roads).

Due to the Parcel Area's location within a narrow valley, the lack of scenic vistas in the vicinity or scenic vistas that are visible through the Parcel Area from public vantage points, and the developed nature and topography of the vicinity, development of the Net Developable Pad would not have a substantial adverse effect on a designated scenic vista. Therefore, project 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, Existing Conditions, the Parcel Area is not adjacent to or in the vicinity of a designated state scenic highway (Caltrans 2019). Therefore, the project would not substantially damage scenic resources, including trees, rock outcroppings, or 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?

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 2023, the City of Oceanside had an estimated population of 171,063 (State of California Department of Finance 2024), which is more than the 100,000-person threshold. Thus, the City of Oceanside is considered an urbanized area per CEQA.

The applicable City General Plan policies and Zoning Code provisions related to scenic quality are discussed in Section 4.1.2, Regulatory Setting. In addition, a robust consistency evaluation with all applicable City General Plan objectives and policies is presented in EIR Section 4.10, Land Use and Planning (see Table 4.10-2, City of Oceanside General Plan Consistency Evaluation). As discussed in Section 4.1.2, Chapter 39 Light Pollution Regulations of the City's Municipal Code, Sections 3003 and 3024 (D) of the City's Comprehensive Zoning Ordinance, and three policies from the City's General Plan Land Use Element were identified as relevant to an analysis of whether the project conflicts with applicable zoning and other regulations governing scenic quality. A consistency evaluation with identified regulations, standards, and policies is presented below.

Municipal Code Chapter 39 Light Pollution Regulations. Chapter 39 of the City's 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 use 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.

- **Consistent.** All outdoor lighting installed on the Parcel Area would be energy efficient, fully shielded, and directed downward to minimize light trespass onto surrounding properties, consistent with City regulations and the California Building Code's limits on light generation. All outdoor lighting installed on the Parcel Area would meet requirements outlined in Chapter 39 of the City's Municipal Code (light pollution ordinance) and the California Building Code.

Comprehensive Zoning Ordinance Section 3003 Exterior Materials In Residential Districts. In all residential districts, the exterior walls of all structures, other than accessory structures, shall have a nonmetallic finish, with the exception of aluminum siding, which may be allowed on approval by the City Planner. If located in the Coastal Zone, residential structures shall be subordinate to the natural environment and exterior materials shall be restricted to colors compatible with the surrounding environment (earth tones) such as shades of green, brown, and grey, with no white or light shades and no bright tones except as minor accents to the maximum extent practicable.

- **Consistent.** The Parcel Area is not located in the Coastal Zone. As proposed, exterior walls of all structures would include a nonmetallic, stucco finish and would also feature decorative railing features and vinyl windows.

Comprehensive Zoning Ordinance Section 3024 Performance Standards. D. Glare. 1. From Glass. Mirror or highly reflective glass shall not cover more than 20 percent of a building surface visible from a street unless an applicant submits information demonstrating to the satisfaction of the City Planner that use of such glass would not significantly increase glare visible from adjacent streets or pose a hazard for moving vehicles.

- **Consistent.** The proposed residential development would present a traditional Spanish architectural style and would feature vinyl windows. Mirror or highly reflective glass are not proposed for installation in proposed buildings.

D. Glare. 3. From Outdoor Lighting. Parking lot lighting shall comply with Article 31. Security lighting in any district may be indirect or diffused, or shall be shielded or directed away from residential district within 100 feet. Lighting for outdoor court or field games within 300 feet of residential district shall require approval of a use permit, unless included as part of an approved Master Plan.

- **Consistent.** Parking lot lighting would comply with Article 31, Off-Street Parking and Loading Requirements (specifically, Section 3117 Lighting – see consistency evaluation below). Security lighting would be fully shielded and directed downward (and away from off-site residential uses) to minimize light trespass onto surrounding properties, consistent with City regulations and the California Building Code's limits on light generation. No outdoor courts or lighted playfields are included as part of the project.

Comprehensive Zoning Ordinance Section 3117 Lighting. Outdoor parking area lighting shall not employ a light source higher than 25 feet. Building plans submitted for building permit shall include provisions indicating that lighting is properly shielded and directed so as to prevent glare on surrounding properties or onto an adjacent street. Lighting shall comply with all City codes and ordinances in effect at the time of building permit issuance including any light pollution control measures.

- **Consistent.** Parking lot lighting would be fully compliant with Section 3117 regulations. Specifically, parking lot lighting would not feature light fixtures higher than 25 feet above adjacent ground level. Parking lot lighting would be fully shielded and directed downward (and away from off-site residential uses) to minimize light trespass onto surrounding properties, consistent with City regulations.

1.2 Site Design – Policy A: The placement of all proposed structural components, landscaping, accessways, etc. shall be oriented on the site in such a manner to maximize: (3) the quality of views and vistas from the site to the surrounding environment; and (4) the quality of views and vistas of the site from surrounding land uses.

- **Consistent.** Vistas are not available from the Parcel Area due to the presence of higher-elevation terrain (i.e., slopes) to the immediate south and to the north (i.e., north of Oceanside Boulevard). In addition, the distance, presence of existing development, and intervening elevated terrain west of the Parcel Area block potential views to designated views and vistas, such as the Pacific Ocean. Existing views from the Parcel Area are limited to some hillsides to the south and north (i.e., north of Oceanside Boulevard and adjacent commercial uses) with urban uses, such as homes, businesses, and the rail line. Residents and visitors to the project would still have views to the surrounding environment, and the project would preserve a significant portion of the Parcel Area (i.e., 32.63 acres of the total 43.50-acre Parcel Area; see Chapter 3, Project Description, for additional detail) through recordation of a conservation easement.

  No designated public views or vistas exist through the Parcel Area. Further, the Total Impact Area is a combination of disturbed and natural areas. As described in the discussion below, the project would introduce native vegetation planted along the slopes, other quality landscaping, and architecture in place of the largely disturbed Net Developable Pad. Because the vacant Parcel Area is near the bottom of a narrow valley and in an urbanized area that is not designated by the City as visual open space or an important natural aesthetic resource, the project is consistent with this policy.

1.2.3 Architecture – Policy A: Architectural form, treatments, and materials shall serve to significantly improvement on the visual impact of the surrounding neighborhood.

- **Consistent.** The proposed residential development would present a traditional Spanish architectural style and would integrate quality materials and treatments to create a cohesive built environment. Specifically, proposed building material finishes would include a stucco finish, decorative railing features, and vinyl windows. See Figure 4.1-2, Material and Color Board. The two-building development would feature building heights of 57 and 51 feet high. The buildings would be set back more than 100 feet from nearby residential property lines and structures to the east. Further, building scale and massing would be broken up through the installation of landscaping, including large trees, and with regular breaks in building plane via recessed and projected wall sections along the exterior. The avoidance of continuous roof planes, variability of rooflines and parapets, variability of window sizes, and use of three primary exterior colors would also contribute to the quality of the design (see Figure 4.1-3, Building 1 Elevations, and Figure 4.1-4, Building 2 Elevations). Replacement of the vacant site that lacks designated scenic resources with an architecturally attractive and visually cohesive residential project that conforms to the applicable regulatory requirements would improve the visual quality of the Parcel Area and surrounding neighborhood that includes residential, commercial, industrial, and transit uses. Therefore, the project is consistent with this policy.

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

- **Consistent**. The Parcel Area abuts a relatively steep, vegetated slope to the south and primarily single-story residences to the south and east. Development to the immediate north (i.e., south of Oceanside Boulevard) generally consists of single-story buildings (business park and industrial uses), with larger logistics warehouses located north of Oceanside Boulevard.

  Construction of four-story buildings displaying generally cool exterior colors and brown and green accents against the backdrop of a vegetated slope would work in harmony with the existing topography, landscaping, and adjacent urban uses. The incorporation of a climate-appropriate plant palate that would include large box trees and accent shrubs and groundcovers, in conjunction with the project's Spanish architecture and the planting of native vegetation adjacent to the open space areas that the project would preserve through recordation of a conservation easement, would create an interesting and attractive line, scale, dimension, and pattern of development in harmony with landscaping and adjacent urban and topographic forms.

  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 conflicts with the Zoning Ordinance or General Plan policies governing scenic quality. For the reasons analyzed above, impacts would 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?

Although vacant and undeveloped, the Parcel Area is in a largely urbanized area where night lighting is a common feature. Lighting in the immediate area consists of streetlights and other artificial lighting from the existing residential developments to the east and south, as well as parking lots, the Sprinter Station, and business park and retail uses to the north. Development of the Net Developable Pad with residential buildings would create new light sources. Lighting for the project would be provided throughout the Total Impact Area affixed to building façades, along pedestrian walkways, in surface parking areas, and in project common areas. Lighting that is only activated in the event of an emergency would also be installed along the emergency only ingress/egress road connecting the Net Developable Pad to College Boulevard. All outdoor lighting would be energy efficient, fully shielded, and directed downward to minimize light trespass onto surrounding properties, consistent with City regulations and the California Building Code's limits on light generation.

Specifically, all outdoor lighting would meet requirements outlined in Chapter 39 of the City's Municipal Code (Light Pollution Ordinance) and the California Building Code, and would be shielded appropriately. Exterior lighting would be turned off during daylight hours. Through the project's design, compliance with the regulatory requirements, and standard City conditions of approval, proposed outdoor lighting would not substantially affect day or nighttime views in the area. Therefore, the proposed project would not create any new sources of substantial light or glare that would adversely affect day or nighttime views in the area, and 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 were 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**.

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FIGURE 4.1-1

Existing Conditions: Project Site

Olive Park Apartments

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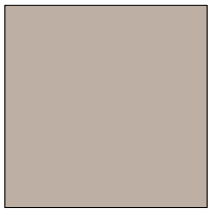
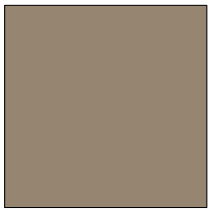
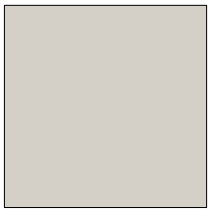


1 STUCCO 1:



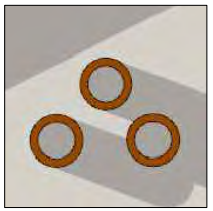
2 STUCCO 2:



3 STUCCO 3:

4 IRON:
RAILING

5 ROOF:
CERAMIC ROOF TILES



6 CERAMIC VENT

7 DECORATIVE FOAM

8 STUCCO 4:

9 IRON:
IRON WROUGHT CROSS DETAIL

10 WINDOWS:
VINLY WINDOWS

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SOURCE: STK Architecture 2024

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FIGURE 4.1-2
Material and Color Board
Olive Park Apartments

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BUILDING 1 - NORTH ELEVATION

BUILDING 1 - EAST ELEVATION

BUILDING 1 - WEST ELEVATION

BUILDING 1 - SOUTH ELEVATION

SOURCE: STK Architecture 2024

FIGURE 4.1-3
Building 1 Elevations
Olive Park Apartments

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BUILDING 2 - EAST ELEVATION

BUILDING 2 - NORTH ELEVATION

BUILDING 2 - WEST ELEVATION

BUILDING 2 - SOUTH ELEVATION

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SOURCE: STK Architecture 2024

FIGURE 4.1-4

Building 2 Elevations

Olive Park Apartments

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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 Olive Park Apartments Project (project). The following analysis is based on the Air Quality, Greenhouse Gas Emissions, and Energy Technical Report prepared by Dudek in May 2024, which is included as Appendix B to this Environmental Impact Report.

4.2.1 Existing Conditions

Environmental Setting

The Parcel Area is 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 weather of the San Diego region, as in most of Southern California, is influenced by the Pacific Ocean and its semi-permanent high-pressure systems that result in dry, warm summers and mild, occasionally wet winters. The average temperature ranges (in degrees Fahrenheit) from the mid-40s to the high 90s. 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 (WRCC 2016).

The topography in the San Diego region varies greatly, from beaches on the west to mountains and desert on the east; along with local meteorology, it influences the dispersal and movement of pollutants in the basin. The mountains to the east prohibit 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.

San Diego Air Basin Climatology

The Parcel Area is within the SDAB and is subject to the SDAPCD guidelines and regulations. The SDAB is one of 15 air basins that geographically divide the State of California. The SDAB is currently classified as a federal nonattainment area for ozone (O_3) and a state nonattainment area for particulate matter less than 10 microns in diameter (PM_{10}), particulate matter less than 2.5 microns in diameter ($PM_{2.5}$), and O_3.

The SDAB, which 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. The other 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, which contributes to the formation of smog. Smog is a combination of smoke and other particulates, O_3, hydrocarbons, oxides of nitrogen (NO_x) and other chemically reactive compounds which, under certain conditions of weather and sunlight, may result in a murky brown haze that causes adverse health effects (CARB 2024a).

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 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. Because 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 San Diego County. The transport of air pollutants from Los Angeles to San Diego has also occurred within the stable layer of the elevated subsidence inversion, where high levels of O_3 are transported.

Sensitive Receptors

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.

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, older adults, and people with cardiovascular and chronic respiratory diseases. According to the SDAPCD, sensitive receptors are those who are especially susceptible to adverse health effects from exposure to toxic air contaminants, such as children, the elderly, and the ill. Sensitive receptors include residences, schools (grades Kindergarten through 12), libraries, day care centers, nursing homes, retirement homes, health clinics, and hospitals within 2 kilometers of the facility (SDAPCD 2022). The closest sensitive receptors to the On-Site Impact Area are single-family residences immediately adjacent to eastern project boundary on Olive Drive.

Pollutants and Effects

Criteria Air Pollutants

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 are discussed in the following paragraphs.[1] In California, sulfates, vinyl chloride, hydrogen sulfide, and visibility-reducing particles are also regulated as criteria air pollutants.

Ozone (O_3). O_3 is a strong-smelling, pale blue, reactive, toxic chemical gas consisting of three oxygen atoms. It is a secondary pollutant formed in the atmosphere by a photochemical process involving the sun's energy and O_3 precursors. These precursors are mainly NO_x and volatile organic compounds (VOCs). The maximum effects of precursor emissions on O_3 concentrations usually occur several hours after they are emitted and many miles from the source. Meteorology and terrain play major roles in O_3 formation, and ideal conditions occur during summer and early autumn on days with low wind speeds or stagnant air, warm temperatures, and cloudless skies. O_3 exists in the upper atmosphere O_3 layer (stratospheric O_3) and at the Earth's surface in the troposphere.[2] The O_3 that the U.S. Environmental Protection Agency (EPA) and the CARB regulate as a criteria air pollutant is produced close to the ground level, where people live, exercise, and breathe. Ground-level O_3 is a harmful air pollutant that causes numerous adverse health effects and is thus considered "bad" O_3. Stratospheric, or "good," O_3 occurs naturally in the upper atmosphere, where it reduces the amount of ultraviolet light (i.e., solar radiation) entering the Earth's atmosphere. Without the protection of the beneficial stratospheric O_3 layer, plant and animal life would be seriously harmed.

O_3 in the troposphere causes numerous adverse health effects; short-term exposures (lasting for a few hours) to O_3 at levels typically observed in Southern California can result in breathing pattern changes, reduction of breathing capacity, increased susceptibility to infections, inflammation of the lung tissue, and some immunological changes (EPA 2013).

Inhalation of O_3 causes inflammation and irritation of the tissues lining human airways, causing and worsening a variety of symptoms. Exposure to O_3 can reduce the volume of air that the lungs breathe in, thereby causing shortness of breath. O_3 in sufficient doses increases the permeability of lung cells, rendering them more susceptible to toxins and microorganisms. The occurrence and severity of health effects from O_3 exposure vary widely among individuals, even when the dose and the duration of exposure are the same. Research shows adults and children who spend more time outdoors participating in vigorous physical activities are at greater risk from the harmful health effects of O_3 exposure. Although there are relatively few studies on the effects of O_3 on children, the available studies show that children are no more or less likely to suffer harmful effects than adults. However, there are a number of reasons why children may be more susceptible to O_3 and other pollutants. Children and teens spend nearly twice as much time outdoors and engaged in vigorous activities as adults. Children breathe more rapidly than adults and inhale more pollution per pound of their body weight than adults. Also, children are less likely than adults to notice their own symptoms and avoid harmful exposures. Further research may be able to better distinguish between health effects in children and adults. Children, adolescents and adults who exercise or work outdoors, where O_3 concentrations are the highest, are at the greatest risk of harm from this pollutant (CARB 2024a).

Nitrogen Dioxide (NO_2). NO_2 is a brownish, highly reactive gas that is present in all urban atmospheres. The major mechanism for the formation of NO_2 in the atmosphere is the oxidation of the primary air pollutant nitric oxide (NO), which is a colorless, odorless gas. NO_x plays a major role, together with VOCs, in the atmospheric reactions that

1 The following descriptions of health effects for each of the criteria air pollutants associated with project construction and operations are based on the U.S. Environmental Protection Agency's "Criteria Air Pollutants" (EPA 2024a) and the California Air Resources Board's "Glossary of Air Pollutant Terms" (CARB 2024b) published information.

2 The troposphere is the layer of the Earth's atmosphere nearest to the surface of the Earth. The troposphere extends outward about 5 miles at the poles and about 10 miles at the equator.

produce O_3. NO_x is formed from fuel combustion under high temperature or pressure. In addition, NO_x is an important precursor to acid rain and may affect both terrestrial and aquatic ecosystems. The two major emissions sources are transportation and stationary fuel combustion sources such as electric utility and industrial boilers.

NO_2 can irritate the lungs, cause bronchitis and pneumonia, and lower resistance to respiratory infections (EPA 2024a). A large body of health science literature indicates that exposure to NO_2 can induce adverse health effects. The strongest health evidence, and the health basis for the ambient air quality standards for NO_2, results from controlled human exposure studies that show that NO_2 exposure can intensify responses to allergens in allergic asthmatics. In addition, a number of epidemiological studies have demonstrated associations between NO_2 exposure and premature death, cardiopulmonary effects, decreased lung function growth in children, respiratory symptoms, emergency room visits for asthma, and intensified allergic responses. Infants and children are particularly at risk because they have disproportionately higher exposure to NO_2 than adults due to their greater breathing rate for their body weight and their typically greater outdoor exposure duration. Several studies have shown that long-term NO_2 exposure during childhood, the period of rapid lung growth, can lead to smaller lungs at maturity in children with higher levels of exposure compared to children with lower exposure levels. In addition, children with asthma have a greater degree of airway responsiveness compared with adult asthmatics. In adults, the greatest risk is to people who have chronic respiratory diseases, such as asthma and chronic obstructive pulmonary disease (CARB 2024c).

Carbon Monoxide (CO). CO is a colorless, odorless gas formed by the incomplete combustion of hydrocarbon, or fossil fuels. CO is emitted almost exclusively from motor vehicles, power plants, refineries, industrial boilers, ships, aircraft, and trains. In urban areas, such as the project location, automobile exhaust accounts for the majority of CO emissions. CO is a non-reactive air pollutant that dissipates relatively quickly; therefore, ambient CO concentrations generally follow the spatial and temporal distributions of vehicular traffic. CO concentrations are influenced by local meteorological conditions—primarily wind speed, topography, and atmospheric stability. CO from motor vehicle exhaust can become locally concentrated when surface-based temperature inversions are combined with calm atmospheric conditions, which is a typical situation at dusk in urban areas from November to February. The highest levels of CO typically occur during the colder months of the year, when inversion conditions are more frequent.

CO is harmful because it binds to hemoglobin in the blood, reducing the ability of blood to carry oxygen. This interferes with oxygen delivery to the body's organs. The most common effects of CO exposure are fatigue, headaches, confusion and reduced mental alertness, light-headedness, and dizziness due to inadequate oxygen delivery to the brain. For people with cardiovascular disease, short-term CO exposure can further reduce their body's already compromised ability to respond to the increased oxygen demands of exercise, exertion, or stress. Inadequate oxygen delivery to the heart muscle leads to chest pain and decreased exercise tolerance. Unborn babies whose mothers experience high levels of CO exposure during pregnancy are at risk of adverse developmental effects. Unborn babies, infants, elderly people, and people with anemia or with a history of heart or respiratory disease are most likely to experience health effects with exposure to elevated levels of CO (CARB 2024d).

Sulfur Dioxide (SO_2). SO_2 is a colorless, pungent gas formed primarily from incomplete combustion of sulfur-containing fossil fuels. The main sources of SO_2 are coal and oil used in power plants and industries; as such, the highest levels of SO_2 are generally found near large industrial complexes. In recent years, SO_2 concentrations have been reduced by the increasingly stringent controls placed on stationary source emissions of SO_2 and limits on the sulfur content of fuels.

Controlled human exposure and epidemiological studies show that children and adults with asthma are more likely to experience adverse responses with SO_2 exposure, compared with the non-asthmatic population. Effects at levels near the 1-hour standard are those of asthma exacerbation, including bronchoconstriction accompanied by symptoms of respiratory irritation such as wheezing, shortness of breath, and chest tightness, especially during exercise or physical activity. Also, exposure at elevated levels of SO_2 (above 1 parts per million [ppm]) results in increased incidence of pulmonary symptoms and disease, decreased pulmonary function, and increased risk of mortality. Older people and people with cardiovascular disease or chronic lung disease (such as bronchitis or emphysema) are most likely to experience these adverse effects (CARB 2024e).

SO_2 is of concern both because it is a direct respiratory irritant and because it contributes to the formation of sulfate and sulfuric acid in particulate matter (NRC 2005). People with asthma are of particular concern, both because they have increased baseline airflow resistance and because their SO_2-induced increase in airflow resistance is greater than in healthy people, and it increases with the severity of their asthma. SO_2 is thought to induce airway constriction via neural reflexes involving irritant receptors in the airways (NRC 2005).

Particulate Matter (PM). Particulate matter pollution consists of very small liquid and solid particles floating in the air, which can include smoke, soot, dust, salts, acids, and metals. Particulate matter can form when gases emitted from industries and motor vehicles undergo chemical reactions in the atmosphere. $PM_{2.5}$ and PM_{10} represent fractions of particulate matter. Coarse particulate matter (PM_{10}) consists of particulate matter that is 10 microns or less in diameter and is about 1/7 the thickness of a human hair. Major sources of PM_{10} include crushing or grinding operations; dust stirred up by vehicles traveling on roads; wood-burning stoves and fireplaces; dust from construction, landfills, and agriculture; wildfires and brush/waste burning; industrial sources; windblown dust from open lands; and atmospheric chemical and photochemical reactions. Fine particulate matter ($PM_{2.5}$) consists of particulate matter that is 2.5 microns or less in diameter and is roughly 1/28 the diameter of a human hair. $PM_{2.5}$ results from fuel combustion (e.g., from motor vehicles and power generation and industrial facilities), residential fireplaces, and woodstoves. In addition, $PM_{2.5}$ can be formed in the atmosphere from gases such as sulfur oxides (SO_x), NO_x, and VOCs.

$PM_{2.5}$ and PM_{10} pose a greater health risk than larger-size particles. When inhaled, these tiny particles can penetrate the human respiratory system's natural defenses and damage the respiratory tract. $PM_{2.5}$ and PM_{10} can increase the number and severity of asthma attacks, cause or aggravate bronchitis and other lung diseases, and reduce the body's ability to fight infections. Very small particles of substances such as lead, sulfates, and nitrates can cause lung damage directly or be absorbed into the blood stream, causing damage elsewhere in the body. Additionally, these substances can transport adsorbed gases such as chlorides or ammonium into the lungs, also causing injury. Whereas PM_{10} tends to collect in the upper portion of the respiratory system, $PM_{2.5}$ is so tiny that it can penetrate deeper into the lungs and damage lung tissue. Suspended particulates also damage and discolor surfaces on which they settle and produce haze and reduce regional visibility.

A number of adverse health effects have been associated with exposure to both $PM_{2.5}$ and PM_{10}. For $PM_{2.5}$, short-term exposures (up to 24-hour duration) have been associated with premature mortality, increased hospital admissions for heart or lung causes, acute and chronic bronchitis, asthma attacks, emergency room visits, respiratory symptoms, and restricted activity days. These adverse health effects have been reported primarily in infants, children, and older adults with preexisting heart or lung diseases. In addition, of all of the common air pollutants, $PM_{2.5}$ is associated with the greatest proportion of adverse health effects related to air pollution, both in the United States and worldwide based on the World Health Organization's Global Burden of Disease Project. Short-term exposures to PM_{10} have been associated primarily with worsening of respiratory diseases, including

asthma and chronic obstructive pulmonary disease, leading to hospitalization and emergency department visits (CARB 2024f).

Long-term exposure (months to years) to $PM_{2.5}$ has been linked to premature death, particularly in people who have chronic heart or lung diseases, and reduced lung function growth in children. The effects of long-term exposure to PM_{10} are less clear, although several studies suggest a link between long-term PM_{10} exposure and respiratory mortality. The International Agency for Research on Cancer published a review in 2015 that concluded that particulate matter in outdoor air pollution causes lung cancer (CARB 2024f).

Lead. Lead in the atmosphere occurs as particulate matter. Sources of lead include leaded gasoline; the manufacturing of batteries, paints, ink, ceramics, and ammunition; and secondary lead smelters. Prior to 1978, mobile emissions were the primary source of atmospheric lead. Between 1978 and 1987, the phaseout of leaded gasoline reduced the overall inventory of airborne lead by nearly 95%. With the phaseout of leaded gasoline, secondary lead smelters, battery recycling, and manufacturing facilities are becoming lead-emissions sources of greater concern.

Prolonged exposure to atmospheric lead poses a serious threat to human health. Health effects associated with exposure to lead include gastrointestinal disturbances, anemia, kidney disease, and in severe cases, neuromuscular and neurological dysfunction. Of particular concern are low-level lead exposures during infancy and childhood. Such exposures are associated with decrements in neurobehavioral performance, including intelligence quotient performance, psychomotor performance, reaction time, and growth. Children are highly susceptible to the effects of lead.

Volatile Organic Compounds (VOCs). Hydrocarbons are organic gases that are formed from hydrogen and carbon and sometimes other elements. Hydrocarbons that contribute to formation of O_3 are referred to and regulated as VOCs (also referred to as reactive organic gases). Combustion engine exhaust, oil refineries, and fossil-fueled power plants are the sources of hydrocarbons. Other sources of hydrocarbons include evaporation from petroleum fuels, solvents, dry-cleaning solutions, and paint.

The primary health effects of VOCs result from the formation of O_3 and its related health effects. High levels of VOCs in the atmosphere can interfere with oxygen intake by reducing the amount of available oxygen through displacement. Carcinogenic forms of hydrocarbons, such as benzene, are considered toxic air contaminants (TACs).

Sulfates. Sulfates are the fully oxidized form of sulfur, which typically occur in combination with metals or hydrogen ions. Sulfates are produced from reactions of SO_2 in the atmosphere and can result in respiratory impairment, as well as reduced visibility.

Vinyl Chloride. Vinyl chloride is a colorless gas with a mild, sweet odor, which has been detected near landfills, sewage plants, and hazardous waste sites, due to the microbial breakdown of chlorinated solvents. Short-term exposure to high levels of vinyl chloride in air can cause nervous system effects, such as dizziness, drowsiness, and headaches. Long-term exposure through inhalation can cause liver damage, including liver cancer.

Hydrogen Sulfide. Hydrogen sulfide is 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.

Visibility-Reducing Particles. Visibility-reducing particles are any particles in the air that obstruct the range of visibility. Effects of reduced visibility can include obscuring the viewshed of natural scenery, reducing airport safety, and discouraging tourism. Sources of visibility-reducing particles are the same as for $PM_{2.5}$.

Non-Criteria Air Pollutants

Toxic Air Contaminants (TACs). 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 noncancer health effects. A toxic substance released into the air is considered a TAC. TACs are identified by federal and state agencies based on a review of available scientific evidence. In the State of California, TACs are identified through a two-step process that was established in 1983 under the Toxic Air Contaminant Identification and Control Act. This two-step process of risk identification and risk management and reduction was designed to protect residents from the health effects of toxic substances in the air. In addition, the California Air Toxics "Hot Spots" Information and Assessment Act, Assembly Bill (AB) 2588, was enacted by the legislature in 1987 to address public concern over the release of TACs into the atmosphere. The law requires stationary sources to report the types and quantities of certain substances routinely released into the air. The goals of the Air Toxics "Hot Spots" Act are to collect emission data, to identify facilities having localized impacts, to ascertain health risks, to notify nearby residents of significant risks, and to reduce those significant risks to acceptable levels.

Examples include certain aromatic and chlorinated hydrocarbons, certain metals, and asbestos. TACs are generated by several 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 noncarcinogenic effects. Noncarcinogenic effects typically affect one or more target organ systems and may be experienced on either short-term (acute) or long-term (chronic) exposure to a given TAC.

Diesel Particulate Matter (DPM). 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. More than 90% of DPM is less than 1 micrometer in diameter (about 1/70th the diameter of a human hair), and thus is a subset of $PM_{2.5}$ (CARB 2024g). DPM is typically composed of carbon particles ("soot," also called black carbon) and numerous organic compounds, including over 40 known cancer-causing organic substances. Examples of these chemicals include polycyclic aromatic hydrocarbons, benzene, formaldehyde, acetaldehyde, acrolein, and 1,3-butadiene (CARB 2024g). CARB classified "particulate emissions from diesel-fueled engines" (i.e., DPM) as a TAC in August 1998 (17 CCR 93000). 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). To reduce the cancer risk associated with DPM, CARB adopted a diesel risk reduction plan in 2000 (CARB 2000). Because it is part of $PM_{2.5}$, DPM also contributes to the same non-cancer health effects as $PM_{2.5}$ exposure. These effects include premature death; hospitalizations and emergency department visits for exacerbated chronic heart and lung disease, including asthma; increased respiratory symptoms; and decreased lung function in children. Several studies suggest that exposure to DPM may also facilitate development of new allergies (CARB 2023f). Those most vulnerable to non-cancer health effects are children whose lungs are still developing and the elderly who often have chronic health problems.

Odorous Compounds. Odors are generally regarded as an annoyance rather than a health hazard. Manifestations of a person's reaction to odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting and headache). The ability to detect odors varies

considerably among the population and overall is quite subjective. People may have different reactions to the same odor. An odor that is offensive to one person may be perfectly acceptable to another (e.g., coffee roaster). An unfamiliar odor is more easily detected and is more likely to cause complaints than a familiar one. In a phenomenon known as odor fatigue, a person can become desensitized to almost any odor, and recognition may only occur with an alteration in the intensity. The occurrence and severity of odor impacts depend on the nature, frequency, and intensity of the source; wind speed and direction; and the sensitivity of receptors.

Valley Fever. Coccidioidomycosis, more commonly known as "Valley Fever," is an infection caused by inhalation of the spores of the *Coccidioides immitis* fungus, which grows in the soils of the southwestern United States.

San Diego County is not considered a highly endemic region for Valley Fever. The latest report from the County of San Diego Health and Human Services Agency Public Health Services indicated San Diego County has 13.5 cases per 100,000 people (County of San Diego 2023). In the zip code area of the Parcel Area (92056), the case rate is reported as 3.7 cases per 100,000 people (County of San Diego 2021). In contrast, in 2021 the statewide annual incident rate was 20.1 per 100,000 people. The California counties considered highly endemic for Valley Fever include Kern (306.2 per 100,000), Kings (108.3 per 100,000), Tulare (65.8 per 100,000), San Luis Obispo (61.0 per 100,000), Fresno (39.8 per 100,000), Merced (28.3 per 100,000), and Monterey (27.0 per 100,000), which accounted for 52.1% of the reported cases in 2021 (CDPH 2021).

4.2.2 Regulatory Setting

Federal

Criteria Pollutants

The federal Clean Air Act (CAA), passed in 1970 and last amended in 1990, forms the basis for the national air pollution control effort. The EPA is responsible for implementing most aspects of the CAA, including the setting of National Ambient Air Quality Standards (NAAQS) for major air pollutants, hazardous air pollutant (HAP) standards, approval of state attainment plans, motor vehicle emission standards, stationary source emission standards and permits, acid rain control measures, stratospheric O_3 protection, and enforcement provisions.

NAAQS are established by the EPA for criteria pollutants under the CAA, which are O_3, CO, NO_2, SO_2, PM_{10}, $PM_{2.5}$, and lead. The NAAQS describe acceptable air quality conditions designed to protect the health and welfare of the citizens of the nation. The CAA requires the 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.

Hazardous Air Pollutants

The 1977 CAA Amendments required the EPA to identify national emission standards for hazardous air pollutants to protect the public health and welfare. HAPs include certain volatile organic chemicals, pesticides, herbicides, and radionuclides that present a tangible hazard, based on scientific studies of exposure to humans and other mammals. Under the 1990 CAA Amendments, which expanded the control program for HAPs, 189 substances and chemical families were identified as HAPs.

State

Criteria Pollutants

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

Under the California CAA, 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 CAA, responding to the federal CAA, 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.

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

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	Same as Primary Standard
	Annual Arithmetic Mean	20 µg/m³	—	
$PM_{2.5}$[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	—	—

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]
	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.

Ambient Air Quality Monitoring Data

The 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. Representative ambient concentrations of pollutants from 2020 through 2022 are presented in Table 4.2-2. The Camp Pendleton monitoring station is the closest monitoring station to the Parcel Area for concentrations for O_3 and NO_2. The San Diego-Rancho Carmel Drive monitoring station is the closest station with monitoring data for the selected years for CO and $PM_{2.5}$. Because the SDABP is in attainment for CO, ambient CO concentrations are only monitored at two locations in the SDAB. The closest monitoring station for PM_{10} and SO_2 is the El Cajon monitoring station. Notably, the monitoring stations for all pollutants have been selected because they meet the necessary monitoring criteria according to the Code of Federal Regulations and are representative of the SDAB.

Table 4.2-2. Local Ambient Air Quality Data

Averaging Time	Unit	Agency/ Method	Ambient Air Quality Standard	Measured Concentration by Year			Exceedances by Year		
				2020	2021	2022	2020	2021	2022
Ozone (O_3) (Camp Pendleton)									
Maximum 1-hour concentration	ppm	California	0.09	0.094	0.074	0.076	0	0	0
Maximum 8-hour concentration	ppm	California	0.070	0.074	0.059	0.067	3	0	0
		National	0.070	0.074	0.059	0.067	3	0	0
Nitrogen Dioxide (NO_2) (Camp Pendleton)									
Maximum 1-hour concentration	ppm	California	0.18	0.058	0.059	0.050	0	0	0
		National	0.100	0.058	0.059	0.050	0	0	0
Annual concentration	ppm	California	0.030	0.006	ND	0.005	—	—	—
		National	0.053	0.006	0.006	0.005	—	—	—
Carbon Monoxide (CO) (San Diego – Rancho Carmel Drive)									
Maximum 1-hour concentration	ppm	California	20	ND	ND	ND	ND	ND	ND
		National	35	3.3	3.0	2.2	0	0	0
Maximum 8-hour concentration	ppm	California	9.0	ND	ND	ND	ND	ND	ND
		National	9	1.7	1.8	1.2	0	0	0
Sulfur Dioxide (SO_2) (El Cajon)									
Maximum 1-hour concentration	ppm	National	0.075	0.0017	0.0016	0.0008	0	0	0
Maximum 24-hour concentration	ppm	National	0.14	0.0004	0.0003	0.0003	0	0	0
Annual concentration	ppm	National	0.030	0.00009	0.00006	0.00006	—	—	—

Table 4.2-2. Local Ambient Air Quality Data

Averaging Time	Unit	Agency/ Method	Ambient Air Quality Standard	Measured Concentration by Year			Exceedances by Year		
				2020	2021	2022	2020	2021	2022
Coarse Particulate Matter (PM_{10}) (El Cajon)[a]									
Maximum 24-hour concentration	µg/m³	California	50	ND	ND	ND	ND (ND)	ND (ND)	ND (ND)
		National	150	55.0	40.0	44.0	0.0 (0)	0.0 (0)	0.0 (0)
Annual concentration	µg/m³	California	20	ND	ND	ND	—	—	—
Fine Particulate Matter ($PM_{2.5}$) (San Diego – Rancho Carmel Drive)[a]									
Maximum 24-hour concentration	µg/m³	National	35	40.2	23.5	14.9	3.0 (1)	0.0 (0)	0.0 (0)
Annual concentration	µg/m³	California	12	ND	ND	ND	—	—	—
		National	12.0	9.2	8.5	7.6	—	—	—

Sources: CARB 2024h; EPA 2024b. Monitoring station represented for each source noted in parentheses following the pollutant monitored.

Notes: ppm = parts per million by volume; — = not available; µg/m³ = micrograms per cubic meter; ND = insufficient data available to determine the value.

The Camp Pendleton monitoring station is located at 21441-W B Street, Oceanside, California.

The El Cajon monitoring station is located at 10537 Floyd Smith Drive, El Cajon, California.

The San Diego – Rancho Carmel Drive monitoring station is located at 11403 Rancho Carmel Drive, San Diego, California.

Data taken from CARB and EPA represent the highest concentrations experienced over a given year.

Exceedances of national and California 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 national or California standards during the years shown. There is no national standard for 1-hour O_3, annual PM_{10}, or 24-hour SO_2, nor is there a California 24-hour standard for $PM_{2.5}$.

[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.

San Digo Air Basin Attainment Designation

Pursuant to the 1990 federal CAA Amendments, 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. As previously discussed, these standards are set by 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. 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 CAA, like its federal counterpart, called for the designation of areas as "attainment" or "nonattainment," but based on the CAAQS rather than the NAAQS.

Table 4.2-3 summarizes SDAB's federal and state attainment designations for each of the criteria pollutants.

Table 4.2-3. San Diego Air Basin Attainment Designation

Pollutant	Federal Designation	State Designation
O_3 (8-hour)	**Nonattainment**	**Nonattainment**
O_3 (1-hour)	Attainment[a]	**Nonattainment**
CO	Attainment	Attainment
PM_{10}	Unclassifiable[b]	**Nonattainment**
$PM_{2.5}$	Attainment	**Nonattainment**[c]
NO_2	Attainment	Attainment
SO_2	Attainment	Attainment
Lead	Attainment	Attainment
Sulfates	(No federal standard)	Attainment
Hydrogen sulfide	(No federal standard)	Unclassified
Visibility-reducing particles	(No federal standard)	Unclassified
Vinyl chloride	(No federal standard)	No designation

Sources: CARB 2024i; SDAPCD 2024.
Definitions: attainment = meets the standards; nonattainment = does not meet the standards; unclassified or unclassifiable = insufficient data to classify
Notes: O_3 = ozone; CO = carbon monoxide; PM_{10} = coarse particulate matter; $PM_{2.5}$ = fine particulate matter; NO_2 = nitrogen dioxide; SO_2 = sulfur dioxide.

[a] The federal 1-hour standard of 0.12 parts per million (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.

[b] At the time of designation, if the available data does not support a designation of attainment or nonattainment, the area is designated as unclassifiable.

[c] CARB has not reclassified the region to attainment yet due to (1) incomplete data, and (2) the use of non-California Approved Samplers (CAS). While data collected does meet the requirements for designation of attainment with federal PM2.5 standards, the data completeness requirements for state $PM_{2.5}$ standards substantially exceed federal requirements and mandates, and have historically not been feasible for most air districts to adhere to given local resources. APCD has begun replacing most regional filter-based PM2.5 monitors as they reach the end of their useful life with continuous $PM_{2.5}$ air monitors to ensure collected data meets stringent completeness requirements in the future. APCD anticipates these new monitors will be approved as "CAS" monitors once CARB review the list of approved monitors, which has not been updated since 2013.

Toxic Air Contaminants

The state Air Toxics Program was established in 1983 under AB 1807 (Tanner). The California TAC list identifies more than 200 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) HAPs. In 1987, the Legislature enacted the Air Toxics "Hot Spots" Information and Assessment Act of 1987 (AB 2588) to address public concern over the release of TACs into the atmosphere. AB 2588 law requires facilities emitting toxic substances to provide local air pollution control districts with information that will allow an assessment of the air toxics problem, identification of air toxics emissions sources, location of resulting hotspots, notification of the public exposed to significant risk, and development of effective strategies to reduce potential risks to the public over 5 years. 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, the facility operator is required to communicate the results to the public in the form of notices and public meetings.

In 2000, CARB approved a comprehensive Diesel Risk Reduction Plan to reduce diesel emissions from both new and existing diesel-fueled vehicles and engines (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. These regulations and programs have timetables by which manufacturers must comply and existing operators must upgrade their diesel-powered equipment. There are several Airborne Toxic Control Measures that 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).

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

CARB is responsible for the regulation of mobile emission sources within the state, and local air quality management districts and air pollution control districts are responsible for enforcing standards and regulating stationary sources. The Parcel Area is located within the SDAB, which is under the jurisdiction of the SDAPCD, and is therefore, subject to the guidelines and regulations of the SDAPCD. Federal and state attainment plans adopted by the SDAPCD are summarized below.

Federal Attainment Plans

The SDAPCD has prepared the 2020 Plan for Attaining the National Ambient Air Quality Standards for Ozone in San Diego County (2020 Attainment Plan) that demonstrates how the region will further reduce air pollutant emissions to attain the current NAAQS for O_3. The 2020 Attainment Plan was approved by the SDAPCD on October 14, 2020. On November 19, 2020, CARB adopted the 2020 Attainment Plan for attaining the federal 8-hour 75 parts per billion and 70 parts per billion O_3 standards and projects attainment for the standards by 2026 and 2032, respectively (SDAPCD 2020). The 2020 Attainment Plan will be submitted to the EPA as a revision to the California SIP for attaining the O_3 NAAQS.

In December 2016, the SDAPCD adopted an update to the Eight-Hour Ozone Attainment Plan for San Diego County (2008 O_3 NAAQS). The 2016 Final Eight-Hour Ozone Attainment Plan for San Diego County indicates that local controls and state programs would allow the region to reach attainment of the federal 8-hour O_3 standard (1997 O_3 NAAQS) by 2018 (SDAPCD 2016). In this plan, the SDAPCD relies on the Regional Air Quality Strategy (RAQS) to demonstrate how the region will comply with the federal O_3 standard. The RAQS details how the region will manage and reduce O_3 precursors (NO_x and VOCs) by identifying measures and regulations intended to reduce these pollutants. The control measures identified in the RAQS generally focus on stationary sources; however, the emissions inventories and projections in the RAQS address all potential sources, including those under the authority of CARB and EPA. Incentive programs for reduction of emissions from heavy-duty diesel vehicles, off-road equipment, and school buses are also established in the RAQS.

Currently, San Diego County is designated as moderate nonattainment for the 2008 O_3 NAAQS and maintenance for the 1997 O_3 NAAQS. As documented in the 2016 Final Eight-Hour Ozone Attainment Plan for San Diego County, San Diego County has a likely chance of obtaining attainment due to the transition to low emission cars, stricter new source review rules, and continuing the requirement of general conformity for military growth and the San Diego International Airport. The SDAPCD will also continue emission control measures including ongoing implementation of existing regulations in O_3 precursor reduction to stationary and area-wide sources, subsequent inspections of facilities and sources, and the adoption of laws requiring Best Available Retrofit Control Technology for control of emissions (SDAPCD 2016).

State Attainment Plans

The SDAPCD and San Diego Association of Governments (SANDAG) are responsible for developing and implementing the clean air plan for attainment and maintenance of the ambient air quality standards in the SDAB. The RAQS for the SDAB was initially adopted in 1991 and is updated every 3 years. The RAQS outlines SDAPCD's plans and control measures designed to attain the CAAQS for O_3. The RAQS relies on information from CARB and SANDAG, including mobile and area source emissions, as well as information regarding projected growth in San Diego County and the cities in San Diego 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 of San Diego (County) and the cities in the County as part of the development of their general plans (SANDAG 2021).

On March 9, 2023, the SDAPCD adopted the 2022 Regional Air Quality Strategy (RAQS). The RAQS plan demonstrates how the San Diego region will further reduce air pollution emissions to meet state health-based standards for ground-level O_3. The 2022 RAQS guides the SDAPCD in deploying tools, strategies, and resources to continue reducing pollutants that are precursors to ground-level O_3, including NO_x and VOC. The 2022 RAQS emphasizes O_3 control measures but also identifies complementary measures and strategies that can reduce emissions of greenhouse gases and particulate matter. It also includes new analyses exploring O_3 and its relationship to public health, mobile sources, under-resourced communities, and greenhouse gases and climate change (SDAPCD 2023). Further, the 2022 RAQS identifies strategies to expand SDAPCD regional partnerships, identify more opportunities to engage the public and communities of concern, and integrate environmental justice and equity across all proposed measures and strategies.

Regarding particulate matter emissions reduction efforts, in December 2005, SDAPCD prepared Measures to Reduce Particulate Matter in San Diego County to address implementation of Senate Bill 656 in San Diego County (Senate Bill 656 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 (SDAPCD 2005).

SDAPCD Rules and Regulations

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

- **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).
- **SDAPCD Regulation IV: Prohibitions; Rule 67.7: Cutback and Emulsified Asphalts.** This rule prohibits manufacturers, distributors, and end users of cutback and emulsified asphalt materials for the paving, construction or maintenance of parking lots, driveways, streets and highways from applying asphalt material or road oils which contain more than 0.5 percent by volume VOC which evaporate at 260ºC (500º F) or less (SDAPCD 1979).

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 of San Diego. 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 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. The Regional Plan was updated in 2021, which was the result of years of planning, data analysis, and community engagement to reimagine the San Diego region with a transformative transportation system, a sustainable pattern of growth and development, and innovative demand and management strategies (SANDAG 2021). The 2021 Regional Plan includes a Sustainable Communities Strategy, which describes coordinated transportation and land use planning that exceeds the state's target for reducing per-capita greenhouse gas emissions set by CARB. The state-mandated target is a 19% reduction—compared with 2005—in per capita greenhouse gas emissions from cars and light-duty trucks by 2035. The 2021 Regional Plan achieves a

20% reduction by then. The 2021 Regional Plan also puts forth a forecasted development pattern that is driven by regional goals for sustainability, mobility, housing affordability, and economic prosperity.

City of Oceanside General Plan

The City of Oceanside's (City) General Plan includes various policies related to improving air quality (both directly and indirectly) in the Land Use Element (2002), Circulation Element (2012), and Energy Climate Action Element (2019). Policies applicable to the project include those provided below.

Land Use Element

Land Use Compatibility

Policy C. 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.

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:

- Development shall provide short-term bicycle parking and long-term bicycle storage facilities such as bicycle racks, pedestal posts, and rental bicycle lockers.
- 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.

Circulation Element

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.

Transportation Demand Management

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.

Energy Climate Action Element

Renewable Energy and Energy Efficiency

Policy ECAE-1c-1. Explore possible incentives for LEED (Leadership in Energy and Environmental Design)-certified and zero net energy development, including permit streamlining and fee reductions or waivers.

Policy ECAE-1c-7. As an alternative to natural gas, encourage building electrification, including electric heat pump appliances, space heaters, and water heaters.

Smart Growth and Multimodal Transportation

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.

Policy ECAE-2a-2. In the City's commercial corridors, promote a mix of land uses that contributes to a sense of place, creates synergies between local businesses, and affords residents the opportunity to live, work, and play within a walkable radius.

Policy ECAE-2a-4. Streamline the review and approval process for transit-oriented development within the City's designated Smart Growth Opportunity Areas.

Policy ECAE-2a-8. Prioritize capital improvements in areas suitable for mixed-use development.

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.

Appendix G of the CEQA Guidelines (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 project would have a significant impact on air quality. As part of its air quality permitting process, the SDAPCD has established thresholds in Rule 20.2 requiring the preparation of Air Quality Impact Assessments for permitted stationary sources. The SDAPCD sets forth quantitative emission thresholds below which a stationary source would not have a significant impact on ambient air quality. Project-related air quality impacts estimated in this environmental analysis would be considered significant if any of the applicable significance thresholds presented in Table 4.2-4 are exceeded.

For CEQA purposes, these screening criteria can be used as numeric methods to demonstrate that the Project's total emissions would or would not result in a significant impact to air quality.

Table 4.2-4. SDAPCD Air Quality Significance Thresholds

Construction Emissions			
Pollutant	**Total Emissions (Pounds per Day)**		
Coarse particulate matter (PM_{10})	100		
Fine particulate matter ($PM_{2.5}$)	55		
Oxides of nitrogen (NO_x)	250		
Sulfur oxides (SO_x)	250		
Carbon monoxide (CO)	550		
Volatile organic compounds (VOCs)	75[a]		
Operational Emissions			
	Total Emissions		
Pollutant	**Pounds per Hour**	**Pounds per Day**	**Tons per Year**
Coarse particulate matter (PM_{10})	—	100	15
Fine particulate matter ($PM_{2.5}$)	—	55	10
Oxides of nitrogen (NO_x)	25	250	40
Sulfur oxides (SO_x)	25	250	40
Carbon monoxide (CO)	100	550	100
Lead and lead compounds	—	3.2	0.6
Volatile organic compounds (VOCs)	—	75[a]	13.7

Source: SDAPCD 2016.
Notes: SDAPCD = San Diego Air Pollution Control District.
[a] VOC threshold based on the threshold of significance for VOCs from the South Coast Air Quality Management District (SCAQMD) for the Coachella Valley as stated in the San Diego County Guidelines for Determining Significance.

The thresholds listed in Table 4.2-4 represent screening-level thresholds that can be used to evaluate whether Project-related emissions would cause a significant impact on air quality. Emissions below the screening-level thresholds would not cause a significant impact. In the event that emissions exceed these thresholds, modeling would be required to demonstrate that the Project's total air quality impacts result in ground-level concentrations that are below the CAAQS and NAAQS, including appropriate background levels. For non-attainment pollutants, if

emissions exceed the thresholds shown in Table 4.2-4, the 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.

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 (SDAPCD 1976). A project that proposes 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?

Local, SDAPCD and SANDAG are responsible for developing and implementing the clean air plans for attainment and maintenance of the NAAQS and CAAQS in the SDAB; specifically, the SIP and RAQS.[3] 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 2022). The RAQS outlines SDAPCD's plans and control measures designed to attain the CAAQS 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 San Diego County and the cities in San Diego County, to project future emissions and then determine from that 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 of San Diego and the cities in San Diego County as part of the development of their general plans.

A project proposing development that is consistent with the growth anticipated in the local plan and SANDAG's growth projections, that project would not conflict with or obstruct implementation of the SIP and RAQS.

The Parcel Area has a General Plan designation of Medium Density Residential (MDA-R) that authorizes a maximum density of 9.9 dwelling units per acre. As described further below, the proposed project is not requesting an increase in density beyond that allowed by the General Plan.

The State of California's Density Bonus Law (Government Code Sections 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 mandatory state requirements. Density Bonus law requires the City to determine the allowed number of dwelling units based on the greater of the density authorized by the General Plan or the zoning. Thus, the density for the Parcel Area is determined based on the General Plan's 9.9 dwelling units per acre. Dwelling unit distribution and density bonus calculations for the proposed project are outlined below.

[3] For the purpose of this discussion, the relevant federal air quality plan is the O_3 maintenance plan (SDAPCD 2016). The RAQS is the applicable plan for purposes of state air quality planning. Both plans reflect growth projections in the SDAB.

Under the Density Bonus Law, where a density range is provided, the base number of units permitted is determined by multiplying the developable acreage, which is 34.5 acres (43.5 acre site – 1.98 acres of wetland/riparian – 7.01 acres of steep slope [slopes greater than 40% with more than a 25-foot change in elevation] = 34.5), by the maximum density for the specific zoning range and land use element of the general plan applicable to the project (9.9 units per acre). Using this methodology, the base number of units allowed at the Parcel Area would be 341.8 (rounded up to 342 units as base allowable). Therefore, no density bonus to increase the allowable number of units is being requested as the project would construct a total of either 260 units (with Option A for building No. 2) or 282 units (with Option B for building No. 2).

The proposed 100% affordable dwelling unit project satisfies the City of Oceanside Inclusionary Housing Ordinance requirements and complies with the provisions of Density Bonus Law regarding affordable housing.

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 year 2022 marked the second year of the current Regional Housing Needs Assessment production period. Oceanside has been able to meet 25% of its total Regional Housing Needs Assessment goal thus far, including 7% percent of its lower-income housing goals. For 2022, the City stated in its Housing Element Annual Performance Report that 626 housing units were permitted, with 26 units targeting very low-income and low-income households. The project would bring up to 282 units to market in 2028, all of which would be affordable, which would be within SANDAG's growth projection for housing during the 6th Cycle planning horizon (i.e., April 2021-April 2029) and below the maximum density allowed by the General Plan. Therefore, the project is within the SANDAG regional growth forecast for the City that serves as the basis for the applicable air quality plan.

The project's increase in housing units and associated vehicle source emissions is within the growth projections for the City and region. Based on the analysis above, implementation of the project would not result in development in excess of that anticipated in local plans or increases in population/housing growth beyond those contemplated by SANDAG and utilized in the development of the SIP and RAQS. Because the proposed land uses and development intensity are consistent at the regional and City level with underlying the local air quality plans, the project would not obstruct or impede implementation of local air quality plans 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

Construction of the proposed project would result in the temporary addition of pollutants to the local airshed caused by on-site sources (i.e., off-road construction equipment, soil disturbance, and VOC off-gassing) and off-site sources (vendor and haul truck trips, and worker vehicle trips). Construction emissions can vary substantially day to day, depending on the level of activity, the specific type of operation, and for dust, the prevailing weather conditions.

Criteria air pollutant emissions associated with construction activities were quantified using the California Emissions Estimator Model (CalEEMod). Default values provided by the program were used where detailed

proposed project information was not available. A detailed depiction of the construction schedule—including information regarding phasing, equipment used during each phase, haul trucks, vendor trucks, and worker vehicles—is included in Appendix B.

Development of the proposed project would generate air pollutant emissions from entrained dust, off-road equipment, vehicle emissions, asphalt pavement application, and architectural coatings. As described previously, fugitive dust would be limited through compliance with SDAPCD Rule 55, which requires the restriction of visible emissions of fugitive dust beyond the property line. This measure is incorporated into the project as Project Design Feature PDF-AQ-1 (see Chapter 3, Project Description).

Table 4.2-5 shows the estimated maximum unmitigated daily construction emissions associated with the construction phases of the project. Complete details of the emissions calculations are provided in Appendix A, Air Quality and Greenhouse Gas Emissions CalEEMod Output Files, to Appendix B.

Table 4.2-5. Estimated Maximum Daily Construction Criteria Air Pollutant Emissions – Unmitigated

Year	VOC	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
	Pounds Per Day					
Summer						
2026	3.40	25.72	38.32	0.06	3.41	1.44
2027	1.30	9.46	16.80	0.03	1.29	0.52
Winter						
2026	4.69	55.63	51.20	0.17	9.75	5.34
2027	57.72	20.06	22.57	0.04	4.18	2.18
Maximum Daily Emissions	**57.72**	**55.63**	**51.20**	**0.17**	**9.75**	**5.34**
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.
See Appendix A to Appendix B for complete results.
Emissions estimates for the proposed project include implementation of PDF-AQ-1, PDF-AQ-3, and PDF-AQ-4.

As shown in Table 4.2-5, daily construction emissions for the project would not exceed SDAPCD's significance thresholds, accordingly, the project's construction emissions would be **less than significant**.

Operational Emissions

Operation of the proposed project would generate VOC, NO_x, CO, SO_x, PM_{10}, and $PM_{2.5}$ emissions from mobile sources (vehicle trips), area sources (consumer products, landscape maintenance equipment), and energy sources. Pollutant emissions associated with long-term operations were quantified using CalEEMod. Project-generated mobile source emissions were estimated in CalEEMod based on project-specific trip rates. CalEEMod default values were used to estimate emissions from the project and energy sources. The project includes a Project Design Feature that prohibits wood-burning. As such, CalEEMod area source

emissions were adjusted to ensure that only electric fireplaces are installed and used in residential development. The air quality analysis conservatively estimated emissions assuming all electric fireplaces.

Table 4.2-6 presents the unmitigated maximum daily emissions associated with the operation of the project in 2028 after all phases of construction have been completed. Complete details of the emissions calculations are provided in Appendix A to Appendix B. "Summer" emissions are representative of the conditions that may occur during the O_3 season (May 1 through October 31), and "winter" emissions are representative of the conditions that may occur during the balance of the year (November 1 through April 30).

As shown in Table 4.2-6, daily operational emissions for the project would not exceed SDAPCD's significance thresholds for any criteria air pollutant. Therefore, the project would result in a **less-than-significant impact** related to emissions of criteria air pollutant emissions during operation.

Table 4.2-6. Estimated Maximum Daily Operational Criteria Air Pollutant Emissions

Source	VOC	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
	Pounds per Day					
Summer						
Mobile	4.87	2.88	30.91	0.07	6.74	1.75
Area	8.20	0.18	19.16	<0.01	0.01	0.01
Energy	0.04	0.61	0.31	<0.01	0.05	0.05
Total	*13.11*	*3.68*	*50.38*	*0.08*	*6.80*	*1.81*
Winter						
Mobile	4.77	3.17	29.63	0.07	6.74	1.75
Area	6.29	0.00	0.00	0.00	0.00	0.00
Energy	0.04	0.61	0.31	0.00	0.05	0.05
Total	*11.10*	*3.78*	*29.93*	*0.07*	*6.79*	*1.80*
Maximum Daily Emissions	**13.11**	**3.78**	**50.38**	**0.08**	**6.80**	**1.81**
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.
Emissions estimates include implementation of PDF-AQ-2.
See Appendix B for complete results.

In analyzing cumulative impacts from a project, the analysis must specifically evaluate the project's contribution to the cumulative increase in pollutants for which the SDAB is designated as nonattainment for the CAAQS and NAAQS. If the project does not exceed thresholds and is determined to have less-than-significant project-specific impacts, it may still contribute to a significant cumulative impact on air quality if the emissions from the project components, in combination with the emissions from other proposed or reasonably foreseeable future projects, are in excess of established thresholds. However, the project would only be considered to have a significant cumulative impact if its contribution accounts for a significant proportion of the cumulative total emissions (i.e., it represents a "cumulatively considerable contribution" to the cumulative air quality impact).

Additionally, for the SDAB, the RAQS serves as the long-term regional air quality planning document for the purpose of assessing cumulative operational emissions within the basin to ensure the SDAB continues to make progress toward NAAQS and CAAQS attainment status. As such, cumulative projects located in the San Diego region would have the potential to result in a cumulative impact to air quality if, in combination, they would conflict with or obstruct implementation of the RAQS. Similarly, individual projects that are inconsistent with the regional planning documents on which the RAQS is based would have the potential to result in cumulative impacts if they represent development beyond regional projections.

The SDAB has been designated as a federal nonattainment area for O_3 and a state nonattainment area for O_3, PM_{10}, and $PM_{2.5}$. PM_{10} and $PM_{2.5}$ emissions associated with construction generally result in localized impacts. The nonattainment status is the result of cumulative emissions from all sources of these air pollutants and their precursors within the SDAB. As shown in Table 4.2-6, the emissions of all criteria pollutants from the project's construction would be below the significance levels. Construction would be short term, temporary in nature, and activities would be considered typical of a residential project. Once construction is completed, construction-related emissions would cease. Operational emissions generated by the project would also not result in emissions that exceed significance thresholds for any criteria air pollutant. As such, the project would result in less than significant impacts to air quality.

Regarding long-term cumulative operational emissions in relation to consistency with local air quality plans, the SIP and RAQS serve as the primary air quality planning documents for the state and SDAB, respectively. The SIP and RAQS rely on SANDAG growth projections based on population, vehicle trends, and land use plans developed by the cities and by the County as part of the development of their general plans. Therefore, projects that propose development that is consistent with the growth anticipated by local plans would be consistent with the SIP and RAQS and would not be considered to result in cumulatively considerable impacts from operational emissions. As discussed above, the project is consistent at a regional and City level with the underlying growth forecasts in the SIP and RAQS.

Based on the preceding, the project's construction and operations would not result in a cumulatively considerable net increase of O_3 concentrations, the only criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard, Cumulative impacts for construction and operation would be **less than significant**.

Would the project expose sensitive receptors to substantial pollutant concentrations?

Carbon Monoxide Hotspots

Mobile-source impacts occur on two basic scales of motion. Regionally, project-related travel would add to regional trip generation and increase the vehicle miles traveled within the local airshed and the SDAB. Locally, project traffic would be added to the City's roadway system. If such traffic occurs during periods of poor atmospheric ventilation, consists of many vehicles "cold-started" and operating at pollution-inefficient speeds, and operates on roadways already crowded with non-project traffic, there is a potential for the formation of microscale CO "hotspots" in the area immediately around points of congested traffic. Because of continued improvement in mobile emissions at a rate faster than the rate of vehicle growth and/or congestion, the potential for CO hotspots in the basin is steadily decreasing.

Projects contributing to adverse traffic impacts may result in the formation of CO hotspots. To verify that the 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 of San Diego's Guidelines for Determining Significance includes CO hotspot screening guidance (County of San Diego 2007) was followed to determine whether the project would require a site-specific hotspot analysis. Per guidance, any project that would place sensitive receptors within 500 feet of a signalized intersection operating at or below level of service (LOS) E (peak-hour trips exceeding 3,000 trips) may require 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 Olive Drive and College Boulevard (greater than 1,000 feet), which is currently operating at LOS D and with the project it would continue to operate at LOS D with the project (LOS Engineering 2024). In the near-term plus cumulative conditions with the project, the intersection would still operate at LOS D. This LOS is not below the County's screening criteria of LOS E. In the 2050-year cumulative conditions with project the intersection of Olive Drive and College Boulevard would operate at LOS F and E, in the AM and PM peak hour, respectively. Although this intersection would operate in excess of the screening threshold, a CO hotspots that would expose sensitive receptors to substantial pollutant concentrations would not result for the following reasons.

Ambient CO levels are monitored at the San Diego-Ranch Carmel Drive air quality monitoring station, which is approximately 25 miles south of the Parcel Area. Because the SDAB is in attainment for CO, only two locations are monitored in the County and are considered to be representative of the entire air basin. Ambient CO levels monitored at this monitoring station indicate that the highest recorded 1-hour concentration of CO is 3.3 ppm (the State standard is 20 ppm) and highest 8-hour concentration is 1.8 ppm (the State standard is 9 ppm) during the past 3 years of available data (EPA 2024b). As discussed above, the highest CO concentrations typically occur during peak traffic hours, so CO impacts calculated under peak traffic conditions represent a worst-case analysis.

Since the last update of the County of San Diego's Guidelines for Determining Significance (2007), the County has evaluated the potential for the growth anticipated under its General Plan Update to result in CO hotspots throughout San Diego County (County of San Diego 2009). To do this, the County reviewed the CO hotspot analysis conducted by the South Coast Air Quality Management District (SCAQMD) for their request to the EPA for redesignation as a CO attainment area (SCAQMD 2003). In SCAQMD's analysis, they modeled the four most congested intersections identified in their basin (South Coast Air Basin), which included the following:

- Long Beach Boulevard and Imperial Highway – proximity to the Lynwood monitoring station, which consistently records the highest 8-hour CO concentrations in the South Coast Air Basin each year.
- Wilshire Boulevard and Veteran Avenue – the most congested intersection in Los Angeles County, with an average daily traffic volume of 100,000 vehicles per day.
- Highland Avenue and Sunset Boulevard – one of the most congested intersections in the City of Los Angeles.
- Century Boulevard and La Cienega Boulevard – one of the most congested intersections in the City of Los Angeles.

The SCAQMD's analysis found that these intersections had an average 7.7 ppm 1-hour CO concentrations predicted by the models, which is only 38.5% of the 1-hour CO CAAQS of 20 ppm. Therefore, even the most congested intersections in SCAQMD's air basin, which have traffic volumes many multiples higher than those at Olive Drive and College Boulevard, would not experience a CO hotspot.

As further support, the air quality monitoring station closest to the most congested intersection in Los Angeles County (Wilshire Boulevard/Veteran Avenue) is the VA Hospital, West Los Angeles Station (Site ID 060370113) located at Wilshire Boulevard and Sawtelle Boulevard, approximately 0.5 miles to the southwest. Ambient CO levels monitored at this representative monitoring station were 1.5 ppm for 1-hour CO and 1.0 ppm for 8-hour CO in 2021, down from 4.3 ppm for 1-hour and 2.7 ppm for 8-hour CO in 2002, indicating a noticeable improvement in background COD levels since the SCAQMD's regional hotspot analysis.

Given that traffic levels at Olive Drive and College Boulevard are a small fraction of those in the SCAQMD study that demonstrates that CO hotspots would not result, coupled with the considerably low level of CO concentrations in the project area, and continued improvements in vehicle emissions, the project would not result in CO hotspots. Consequently, implementation of the project would not result in CO concentrations in excess of the health protective CAAQS or NAAQS, and as such, would not expose sensitive receptors to substantial pollutant concentrations. Therefore, the project would result in a **less-than-significant** impact to air quality with regard to potential CO hotspots.

Toxic Air Contaminants

In addition to impacts from criteria pollutants, project impacts may include emissions of pollutants identified by the state and federal government as TACs or HAPs. 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 23 months and following completion of construction activities, project-related TAC emissions would cease. The closest sensitive receptors to the On-Site Impact Area are single-family residences immediately adjacent to eastern project boundary on Olive Drive. Because construction would continue while portions of the On-Site Impact Area are occupied with on-site residents in Building 1, construction TACs would also impact onsite residents. Accordingly, a construction health risk analysis was performed for the project to evaluate impacts both to offsite and onsite sensitive receptors (residents) as discussed below.

Based on results from the HRA, the closest exposed individual resident offsite would be located at the single-family residence immediately adjacent to the project's eastern boundary on the north side of the Olive Drive cul de sac. The closest exposed individual resident onsite would be located on the eastern side of Building 1. Table 4.2-7 summarizes the results of the HRA for proposed project construction, and detailed results are provided in Appendix B, Health Risk Assessment Output Files, to Appendix B.

Table 4.2-7. Construction Activity Health Risk Assessment Results Prior to Mitigation

Impact Parameter	Units	Project Impact	CEQA Threshold	Level of Significance
Off-Site				
Cancer Risk	Per Million	63.96	10.0	**Potentially Significant**
HIC	Not Applicable	0.04	1.0	Less than Significant
On-Site				
Cancer Risk	Per Million	32.93	10	**Potentially Significant**
HIC	Not Applicable	0.04	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 at both the closest exposed offsite and onsite residential receptors. Therefore, TAC emissions from construction of the project would result in a **potentially significant** impact and mitigation (MM-AQ-1) is required.

Valley Fever

Coccidioidomycosis, more commonly known as Valley Fever, is an infection caused by inhalation of the spores of the *Coccidioides immitis* fungus, which grows in the soils of the southwestern United States. The County is not considered a highly endemic region for Valley Fever with a reported 13.5 cases per 100,000 people (County of San Diego 2023), which is lower than the statewide and national rates of 20.1 per 100,000 and 14.3 per 100,000, respectively. In addition, the case rate in the project area is even lower with a reported 3.7 cases per 100,000 people (County of San Diego 2021). Nevertheless, the project would be required to comply with SDAPCD Regulation IV: Prohibitions; Rule 55: Fugitive Dust, which regulates fugitive dust emissions from any commercial construction or demolition activity. The project has incorporated fugitive dust control measures into the project as PDF-AQ-1. Implementation of PDF-AQ-1 would reduce fugitive dust impacts to less than significant for project construction, which would also minimize the potential release of the *Coccidioides immitis* fungus from construction activities. Based on the low incidence rate of Valley Fever in San Diego County and project area and the implementation of fugitive dust control measures, the project's impact would be **less than significant** with respect to Valley Fever exposure for sensitive receptors.

Health Effects of 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 project. The following provides a general discussion of criteria air pollutants and their health effects.

Regarding VOCs, some VOCs would be associated with motor vehicles and construction equipment, while others are associated with architectural coatings and asphalt off-gassing, the emissions of which would not result in exceedances of SDAPCD's thresholds. Generally, the VOCs in architectural coatings and asphalt are of relatively low toxicity. Additionally, SDAPCD Rule 67.0.1 restricts the VOC content of coatings for both construction and operational applications.

In addition, VOCs and NO_x are precursors to O_3, for which the SDAB is designated as nonattainment with respect to the NAAQS and CAAQS (the SDAB is designated by EPA as an attainment area for the 1-hour O_3 NAAQS standard and 1997 8-hour NAAQS standard). The health effects associated with O_3 and criteria air pollutants are generally associated with reduced lung function. The contribution of VOCs and NO_x to regional ambient O_3 concentrations is the result of complex photochemistry. The increases in O_3 concentrations in the SDAB due to O_3 precursor emissions tend to be found downwind from the source location to allow time for the photochemical reactions to occur. However, the potential for exacerbating excessive O_3 concentrations would also depend on the time of year that the VOC emissions would occur because exceedances of the O_3 NAAQS and CAAQS tend to occur between April and October when solar radiation is highest. The holistic effect of a single project's emissions of O_3 precursors is speculative due to the lack of reliable and meaningful methods to assess this impact. Nonetheless, the VOC and NO_x emissions associated with project construction and operations could minimally contribute to regional O_3 concentrations and the associated health impacts. Due to the minimal contribution during construction and

operation, as well as the existing good air quality in coastal San Diego areas, health impacts would be less than significant.

Similar to O_3, construction of the project would not exceed thresholds for PM_{10} or $PM_{2.5}$ and would not contribute to exceedances of the NAAQS and CAAQS for particulate matter. Due to the minimal contribution of particulate matter during construction and operation, health impacts would be less than significant.

Regarding NO_2, which is a constituent of NO_x, construction and operations of the project would not contribute to exceedances of the NAAQS and CAAQS for NO_2 because NO_x emissions would be less than the applicable SDAPCD threshold. NO_2 health impacts are associated with respiratory irritation. However, construction would be relatively short term, and the off-road construction equipment would be operating on various portions of the Parcel Area and would not be concentrated in one portion of the site at any one time. Construction and operation of the project would not require any stationary emission sources that would create substantial, localized NO_2 impacts.

Based on the preceding considerations, health impacts from project-related criteria air pollutant emissions would be **less than significant**.

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

Construction

Odors would be generated from vehicles and/or equipment exhaust emissions during construction of the project. Odors produced during construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment and architectural coatings. Such odors are temporary and for the types of construction activities anticipated for project components, would generally occur at magnitudes that would not affect substantial numbers of people given the project's location and the limited number of onsite and offsite persons who could be potentially exposed to the limited odors project construction would generate. Therefore, project construction would not result in other emissions adversely affecting a substantial number of people and impacts would be **less than significant**.

Operation

Land use operations typically associated with odor complaints include industrial uses, agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, certain restaurants and fiberglass molding. The project does not propose and would not engage in any of these activities or other potential activities that would generate operational odors at a level that could produce odors or other emissions that would adversely affect a substantial number of people. The project is a residential development, located in an area with a relatively limited number of people in the vicinity, project operation would not result in other emissions adversely affecting a substantial number of people and impacts would be **less than significant.**

Indoor Air Quality

Indoor air quality can be impacted by various factors and poor indoor air quality may have significant consequences for health, comfort, and productivity. Indoor air pollutants can include VOCs from paints, solvents, cleaning agents, and furnishings, and formaldehyde from furniture and building materials.

The City's CEQA Guidelines, State CEQA Guidelines, and California's air district guidelines, including the SDAPCD guidelines do not require an analysis of indoor air quality which could result in potential impacts to future residents associated with new construction. California air districts, including the SDAPCD, develop CEQA thresholds of significance based on scientific and factual data specific to what the air basin can accommodate without affecting the attainment date for state and federal ambient air quality standards. Ambient air quality standards are based on maximum pollutant levels for outdoor air quality that would not result in harm to the public's health. Furthermore, building materials are required to reduce exposure to toxic substances through compliance with the EPA and CARB regulations, such as 40 CFR Part 770, Formaldehyde Emission Standards for Composite Wood Products. These regulations apply to manufacturers, distributors, importers, fabricators, and retailers of the products. All building materials used to construct the project would be required to comply with the applicable federal and state standards.

In addition, the project is required to comply with the 2022 CALGreen budling code, which specifies VOC limits for adhesives, sealants, paints, and coatings (see Section 4.504, Pollutant Control, Chapter 4 in the 2022 CALGreen building code). In addition, the CALGreen building code requires that composite wood products (such as hardwood plywood and particleboard) meet the specifications for formaldehyde as outlined in CARB's Air Toxic Control Measures (see Section 4.504.4, Chapter 4 in the 2022 CALGreen building code). The exact types of interior building materials would not be known until the building permit stage; however, these materials would be typical of multifamily residential construction and would be required to comply with CARB regulations and the 2022 CALGreen building code. Accordingly, through compliance with laws, the project would not involve use of materials that contain formaldehyde, VOCs or chemicals in levels that expose sensitive receptors to substantial pollutant concentrations.

Rail Line Exposure

CEQA mandates that any proposed project undergo a comprehensive analysis of its potential impacts on the environment. This requirement underscores CEQA's focus on evaluating the effects of human activities on the natural world. Notably, CEQA directs attention to the project's influence on factors such as air rather than examining how the environment might affect the project itself. This approach was reinforced by the *California Building Industry Association v Bay Area Air Quality Management District* court case, where the California Supreme Court emphasized that CEQA primarily concerns the project's environmental impacts, rather than potential impediments the environment might pose to the project. The Court held that "agencies subject to CEQA generally are not required to analyze the impact of existing environmental conditions on a project's future users or residents. But when a proposed project risks exacerbating those environmental hazards or conditions that already exist, an agency must analyze the potential impact of such hazards on future residents or users. In those specific instances, it is the project's impact on the environment and not the environment's impact on the project that compels an evaluation of how future residents or users could be affected by exacerbated conditions."

CARB's 2005 Land Use Handbook provides guidance and recommendations for the siting of sensitive land uses, such as residences, near sources of air pollution. These recommendations aim to safeguard public

health by minimizing exposure to harmful pollutants emitted from industrial facilities, transportation infrastructure, and other sources. The handbook emphasizes the importance of considering air quality impacts during the planning and development of new projects, especially in areas with high levels of pollution or where vulnerable populations reside (CARB 2005).

The proposed project would involve the development of a residential project and is not itself a source of TACs that would exacerbate existing conditions. The nearest source of TACs is the rail line to the north of the Parcel Area that carries Sprinter commuter trains and BNSF freight trains. An HRA was prepared for the project to evaluate the potential health risks from the trains to the new residents. Section 2.3.2.4 of Appendix B outlines the methodology used to estimate health risks to the new residents. Based on results from the rail HRA, the closest exposed individual resident would be located on the north side of Building 1. Table 4.2-8 summarizes the results of the roadway HRA for the proposed project, and detailed results are provided in Appendix B of Appendix B, Health Risk Assessment Output Files.

Table 4.2-8. Summary of Maximum Rail Cancer and Chronic Health Risks

Impact Parameter	Units	Project Impact	CEQA Threshold	Level of Significance
Offsite				
Cancer Risk	Per Million	6.67	10	Less than Significant
HIC	Not Applicable	0.002	1	Less than Significant

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

The results of the rail HRA demonstrate that the TAC exposure from train diesel exhaust emissions would result in a cancer risk of 6.67 in a million and a chronic hazard index of 0.002, which would not exceed the cancer risk threshold of 10 in 1 million nor would the chronic hazard index exceed the 1.0 significance threshold. In addition, since 2019 the CalGreen building code have required the use of Minimum Efficiency Reporting Value (MERV) 13 filters, which reduce PM_{10} emissions by 90%, which would further reduce the risk noted above. As a conservative basis, the risk was assessed without reducing PM emissions.

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.

MM-AQ-1 Require Use of Tier 4 Off-Road Equipment During Construction. Prior to the commencement of construction activities for the project, the Applicant shall require its construction contractor to demonstrate that all 75-horsepower or greater diesel-powered equipment is powered with California Air Resources Board–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 (for example, another piece of equipment can be replaced with a zero-emission equipment to offset the emissions associated with using a piece of equipment that does not meet Tier 4 Interim standards). 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 the California Emissions Estimator Model (CalEEMod) or other industry standard emission estimation method and documentation provided to the City of Oceanside to confirm that necessary project-generated emissions reductions are achieved.

4.2.6 Level of Significance After Mitigation

Table 4.2-9 summarizes the results of the HRA after implementation of MM-AQ-1 for construction of the proposed project. As shown, after mitigation, 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 threshold after implementation of mitigation at the closest exposed offsite and onsite residential receptors. The project would result in a **less-than-significant** impact with mitigation related to exposure to TAC emissions during construction.

Table 4.2-9. Construction Activity Health Risk Assessment Results After Mitigation

Impact Parameter	Units	Project Impact	CEQA Threshold	Level of Significance
Off-Site				
Cancer Risk	Per Million	7.94	10.0	Less than Significant
HIC	Not Applicable	0.005	1.0	Less than Significant
On-Site				
Cancer Risk	Per Million	4.45	10	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.

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4.3 Biological Resources

This section describes the existing biological resources of the Parcel Area, On-Site Impact Area, and Off-Site Impact Area; identifies associated regulatory requirements, evaluates potential impacts; and identifies mitigation measures related to implementation of the Olive Park Apartments Project (project). The following analysis is based on the Biological Technical Report prepared for the proposed project by Dudek in August 2024. The Biological Technical Report is included as Appendix C of this Environmental Impact Report (EIR).

4.3.1 Existing Conditions

The Parcel Area is currently disturbed, vacant land. Several dirt trails and disturbed openings exist throughout the Parcel Area that appear to be used frequently by trespassing individuals. Several itinerant encampments and litter/debris piles were observed during surveys in various locations throughout the Parcel Area, suggesting frequent human access and use.

The Parcel Area supports primarily native vegetation on the southern slope and western upland areas, and more naturalized vegetation and an increase in disturbed habitat in the eastern, previously disturbed and flatter areas, although these disturbed areas still contain patches of native vegetation. The Off-Site Impact Area contains a mix of developed areas, disturbed habitat, native coastal sage scrub vegetation, and some ornamental species.

Elevations in the Parcel Area range from approximately 185 feet above mean sea level to 460 feet above mean sea level. Generally, the southern half of the Parcel Area is a steep vegetated area sloping to the northwest, representing the northwest side of Loma Alta Mountain. The north side of the Parcel Area is more level, gently sloping down to the west, following the flow of Loma Alta Creek.

Nearly the entire Parcel Area is within the San Luis Rey–Escondido Hydrologic Unit, within the San Marcos Creek–Frontal Gulf of Santa Catalina Hydrologic Area, and within the Loma Alta Creek–Frontal Gulf of Santa Catalina Hydrologic Sub-Area of the Water Quality Control Plan for the San Diego Basin (Appendix G1). The major surface waterbody in the vicinity of the project is Loma Alta Creek, which flows east to west. Loma Alta Creek crosses under the railroad tracks into the Parcel Area and passes through the northwestern part of the Parcel Area, continuing approximately 5 miles until its confluence with the Pacific Ocean. Within this hydrologic subarea, downstream impaired Section 303(d) listed water bodies include the Pacific Ocean shoreline and San Luis Rey River mouth. There are no additional features mapped within the Parcel Area by the National Wetlands Inventory (Appendix G1). Sources of hydrology in the Parcel Area include annual precipitation and runoff from surrounding developed areas.

4.3.1.1 Methodology

The biological report (Appendix C) 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 California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CDFW 2024a), California Native Plant Society's Inventory of Rare and Endangered Plants (CNPS 2024), Google Earth (2024), U.S. Department of Agriculture Natural Resources Conservation Service Web Soil Survey (USDA 2024), U.S. Fish and Wildlife Service (USFWS) Critical Habitat and Occurrence Database (USFWS 2024a), USFWS National Wetlands Inventory (USFWS 2024b), U.S. Geological Survey National Hydrography

Dataset (USGS 2024), and the San Diego County Bird Atlas (Unitt 2004) to evaluate the environmental setting of the Parcel Area and identify potential special-status biological resources that may be found in the Parcel Area.

General information regarding wildlife species present in the region was obtained from Unitt (2004) for birds, Tremor (2017) for mammals, and Stebbins (2003) for reptiles and amphibians (Appendix C).

Vegetation Mapping, Jurisdictional Delineation, and Focused Surveys

The 2022 through 2024 surveys and site conditions are presented in Table 4.3-1.

Table 4.3-1. Survey Details and Conditions

Date	Time	Survey Type	Personnel	Survey Conditions
Vegetation Mapping, Jurisdictional Delineation, and Rare Plant Surveys				
11/17/2022	7:08 a.m.–12:42 p.m.	Vegetation mapping	OK, EC	51°F–72°F; 0%–10% cloud cover, 1–4 mph winds
12/1/2023	Not recorded	Vegetation mapping	PL	Not recorded
1/19/2024	10:00 a.m.–2:45 p.m.	JD, vegetation mapping	CA, KD	62°F–70°F; 50%–80% cloud cover; 0–1 mph wind
4/3/2024	9:30 a.m.–12:15 p.m.	Rare plants	OK	63°F–72°F; 0% cloud cover; 0–4 mph wind
5/15/2024	7:07 a.m.–12:31 p.m.	Rare plants	KD	58°F–66°F; 100% cloud cover; 0–2 mph wind
7/8/2024	7:04 a.m.–11:06 p.m.	Rare plants	KD	65°F–75°F; 100% cloud cover; 0–3 mph wind
Coastal California Gnatcatcher Focused Surveys				
12/21/2023	9:00 a.m.–11:00 a.m.	CAGN	PL	57°F–67°F; 80%–90% cloud cover, 0–2 mph winds
1/5/2024	8:30 a.m.–10:40 a.m.	CAGN	PL	55°F–57°F; 60%–80% cloud cover; 0–2 mph winds
1/19/2024	8:30 a.m.–10:30 a.m.	CAGN	PL	54°F–57°F; 90% cloud cover; 0–2 mph winds
2/18/2024	9:00 a.m.–11:00 a.m.	CAGN	PL	57°F–59°F; 90% cloud cover; 0 mph winds
3/3/2024	9:00 a.m.–11:00 a.m.	CAGN	PL	55°F–58°F; 90%–100% cloud cover; 1 mph winds
3/17/2024	8:30 a.m.–10:30 a.m.	CAGN	PL	55°F–64°F; 30%–60% cloud cover; 0–2 mph winds
3/31/2024	8:30 a.m.–10:30 a.m.	CAGN	PL	55°F–56°F; 10% cloud cover; 2–7 mph winds
4/14/2024	10:00 a.m.–12:00 p.m.	CAGN	PL	63°F–70°F; 0% cloud cover; 1 mph wind
4/28/2024	10:00 a.m.–12:00 p.m.	CAGN	PL	63°F–70°F; 0% cloud cover; 1–4 mph wind
Least Bell's Vireo and Southwestern Willow Flycatcher Focused Surveys				
4/14/2024	8:00 a.m.–10:00 a.m.	LBVI	PL	55°F–63°F; 0% cloud cover; 1 mph wind

Table 4.3-1. Survey Details and Conditions

Date	Time	Survey Type	Personnel	Survey Conditions
4/28/2024	8:00 a.m.–10:00 a.m.	LBVI	PL	59°F–67°F; 0% cloud cover; 0–2 mph winds
5/8/2024	8:00 a.m.–10:00 a.m.	LBVI	PL	60°F–68°F; 10 – 100% cloud cover; 0–3 mph winds
5/19/2024	8:00 a.m.–11:00 a.m.	LBVI, SWFL	PL	61°F–68°F; 40 – 90% cloud cover; 1–3 mph winds
5/29/2024	8:00 a.m.–10:20 a.m.	LBVI	PL	63°F–69°F; 20 – 100% cloud cover; 0–3 mph winds
6/8/2024	6:40 a.m.–10:00 a.m.	LBVI, SWFL	PL	63–66°F; 100% cc; 0–4 mph wind
6/19/2024	7:00 a.m.–10:30 a.m.	LBVI, SWFL	PL	62–68°F; 100–90% cc; 0–3 mph wind
6/29/2024	7:00 a.m.–10:30 a.m.	LBVI, SWFL	PL	64–74°F; 100–10% cc; 1–4 mph wind
7/5/2024	7:00 a.m.–10:30 a.m.	SWFL	PL	67–75°F; 0% cc; 1–3 mph wind

Notes: mph = miles per hour; JD = jurisdictional delineation; CAGN = coastal California gnatcatcher; LBVI = least Bell's vireo; SWFL = southwestern willow flycatcher
Personnel: EC = Erin Coltharp; CA = Callie Amoaku; KD = Kathleen Dayton; OK = Olivia Koziel; PL = Paul Lemons.

Survey Methods

Vegetation communities and land covers within the survey area were mapped in the field based on general physiognomy and species composition. Data was recorded using the Field Maps Mobile Application over aerial base map imagery of the Parcel Area, and a geographic information system (GIS) coverage was created by Dudek GIS technicians using ArcGIS software.

The vegetation community and land cover mapping follow the Draft Vegetation Communities of San Diego County, which is based on the Preliminary Descriptions of the Terrestrial Natural Communities of California. Communities were given additional descriptions to represent existing conditions and community composition more accurately. Vegetation communities were classified as a "disturbed" form of the community when native shrub cover comprised 20% to 50% of the relative cover and non-native species comprised approximately 50% or more of the relative cover (Appendix C).

The specific methods used for jurisdictional delineation, special-status plant surveys, coastal California gnatcatcher surveys, least Bell's vireo surveys, and southwestern willow flycatcher surveys followed appropriate guidelines and protocols and are described in further detail in Appendix C.

Special-Status Plants

Field survey methods conformed to the California Native Plant Society's 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). Surveys were conducted by walking meandering transects throughout the study area to detect special-status species.

Special-status plant species considered in this report are those that are (1) species listed by federal and/or state agencies, proposed for listing as threatened or endangered, or are candidate species (CDFW 2024b); (2) species with a CRPR of 1 through 3 (CNPS 2024); or (3) species listed on the Oceanside Subarea Plan Proposed Covered Species list (City of Oceanside 2010).

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 or 10×50 magnification) were used to aid in the identification of observed wildlife.

Special-status wildlife species considered in this report are those that are listed by federal and/or state agencies, proposed for listing as threatened or endangered, or are candidate species; Species of Special Concern; fully protected species (CDFW 2024b); or listed on the Oceanside Subarea Plan Proposed Covered Species list (City of Oceanside 2010).

4.3.1.2 Existing Biological Resources

Vegetation Communities

Dudek biologists mapped seven vegetation communities and two land covers within the Parcel Area: Diegan coastal sage scrub (including disturbed form), southern mixed chaparral (including disturbed form), non-native grassland, freshwater marsh, non-vegetated channel, southern willow scrub (disturbed form), eucalyptus woodland, disturbed habitat, and urban/developed. Table 4.3-2 outlines the acreage of each vegetation community and land cover identified in the Parcel Area.

Table 4.3-2. Vegetation Communities and Land Covers

Vegetation Community or Land Cover Type	Mapping Unit Code	Existing Acreage in the Parcel Area	Existing Acreage in Off-Site Portions of the Biological Study Area	Total Existing Acreage in the Biological Study Area (Parcel Area plus Off-Site Portions of Biological Study Area)
Disturbed Habitat	11000	6.72	0.57	7.29
Urban/Developed	12000	0.19	0.11	0.30
Diegan Coastal Sage Scrub[2]	32500	15.64	1.18	16.82
Diegan Coastal Sage Scrub (Disturbed) [2]	32500	1.99	0.00	1.99
Southern Mixed Chaparral[2]	37120	7.12	0.00	7.12
Southern Mixed Chaparral (Disturbed) [2]	37120	4.60	0.00	4.60
Non-Native Grassland[2]	42200	4.33	0.00	4.33
Freshwater Marsh[2]	52400	0.05	0.00	0.05

Table 4.3-2. Vegetation Communities and Land Covers

Vegetation Community or Land Cover Type	Mapping Unit Code	Existing Acreage in the Parcel Area	Existing Acreage in Off-Site Portions of the Biological Study Area	Total Existing Acreage in the Biological Study Area (Parcel Area plus Off-Site Portions of Biological Study Area)
Southern Willow Scrub (Disturbed)[2]	63320	1.37	0.00	1.37
Non-Vegetated Channel[2]	64200	0.55	0.00	0.55
Eucalyptus Woodland	79100	0.92	0.00	0.92
	Total Acres[1]	**43.50**	**1.86**	**45.36**

Source: Appendix C

1 May not total due to rounding.

2 Vegetation communities are considered sensitive, in that impacts require mitigation per Table 5-2, Mitigation Standards for Impacts to Natural Vegetation and Habitat, in the Oceanside Subarea Plan (City of Oceanside 2010).

Disturbed Habitat

Disturbed habitat refers to areas where soils have been recently or repeatedly disturbed by grading, compaction, or clearing of vegetation. Within the Parcel Area, the easternmost side of the Parcel Area is highly disturbed. Areas mapped as disturbed habitat throughout the Parcel Area include ~~fuel modification~~ areas adjacent to housing that are cleared of most woody vegetation and contain patches of non-native iceplant (Carpobrotus edulis) in some areas, and primarily invasive broad leaf filaree (Erodium botrys) or bare ground in other areas, generally with a low cover of invasive, apparently periodically mowed grasses. Disturbed habitat also includes compacted trails, encampments or otherwise cleared areas, and access roads that support minimal vegetation.

Urban/Developed

Urban/developed refers to areas that have been constructed on or disturbed so severely that native vegetation is no longer supported. Developed land includes areas with permanent or semi-permanent structures, pavement or hardscape, landscaped areas, and areas with a large amount of debris or other materials (Oberbauer et al. 2008).

Urban/developed land associated with residential development adjacent to the Parcel Area occurs in a small amount along the eastern boundary of the Parcel Area.

Diegan Coastal Sage Scrub and Southern Mixed Chaparral

Diegan coastal sage scrub (coastal sage scrub) and southern mixed chaparral occupy the majority of the slope on the southern side of the Parcel Area, as well as in patches throughout the flatter parts of mostly the central, western, and Off-Site Impact Area. Coastal sage scrub and southern mixed chaparral are denser on the western half of the Parcel Area, and denser and generally more mature on the steeper slope area.

In areas mapped as Diegan coastal sage scrub, California sagebrush (*Artemisia californica*) and lemonadeberry (*Rhus integrifolia*) are dominant, with associated species including toyon (*Heteromeles arbutifolia*), coastal

goldenbush (*Isocoma menziesii*), and coyote brush (*Baccharis pilularis*). In coastal sage scrub present along the northern boundary of the Parcel Area, coyote brush is codominant with lemonadeberry and toyon.

Although lemonadeberry is one of the species also characteristic of coastal sage scrub, areas where relatively large lemonadeberry and toyon shrubs were codominant and smaller shrub cover was minimal were mapped as southern mixed chaparral to best represent the habitat structure. Areas with a higher cover of shorter shrub species, such as California sagebrush and goldenrod, were mapped as coastal sage scrub.

Disturbed coastal sage scrub and disturbed southern mixed chaparral occur in the central and eastern portions of the Parcel Area and represent areas with approximately 20% to 25% native shrub cover, with disturbed bare ground or primarily non-native grass and herb cover between shrubs. Encampments of people experiencing homelessness are present scattered throughout the Parcel Area, and these contribute to the amount of site disturbance.

Non-Native Grassland

Non-native grassland consists of dense to sparse cover of annual grasses with flowering culms 0.5 to 3 feet in height (Oberbauer et al. 2008). In San Diego County, the presence of wild oat (*Avena fatua*), bromes, stork's bill (*Erodium cicutarium*), and mustard are common indicators. In some areas, depending on past disturbance and annual rainfall, annual forbs may be the dominant species; however, it is presumed that grasses will dominate.

Areas of non-native grassland are present in the eastern portion of the Parcel Area, and these areas are dominated by invasive grasses such as red brome (*Bromus rubens*), with associated invasive annual herbs such as broad leaf filaree; there is a low cover of native species.

Freshwater Marsh

Coastal and valley freshwater marsh is a wetland habitat type that develops where the water table is at or just above the ground surface, such as around the margins of lakes, ponds, slow-moving streams, ditches, and seepages. Due to being permanently flooded by fresh water, there is an accumulation of deep, peaty soils. It typically is dominated by species such as cattail (*Typha* sp.), wooly sedge (*Carex lanuginosa*), yellow nutsedge (*Cyperus esculentus*), and bulrush (*Scirpus* sp.) (Oberbauer et al. 2008).

A small amount of freshwater marsh occurs along the center of Loma Alta Creek. In the Parcel Area, this wetland habitat is dominated by species such as southern cattail (*Typha domingensis*).

Southern Willow Scrub (Disturbed)

Southern willow scrub is a dense, broad-leafed, winter-deciduous riparian thicket dominated by several willow species (*Salix* spp.), with scattered emergent Fremont cottonwood (*Populus fremontii*) and California sycamore (*Platanus racemosa*). This community was formerly extensive along the major rivers of coastal Southern California, but currently occupies a smaller area (Oberbauer et al. 2008).

Disturbed southern willow scrub is present along the edges of most of the segment of Loma Alta Creek that passes through the Parcel Area, except in the westernmost part of the Parcel Area. This vegetation community is dominated by small to medium-sized willows (*Salix* spp.) with associated non-native Pampas grass (*Cortaderia selloana*). It is considered a "disturbed" form of southern willow scrub based on the high percent cover of non-native species combined with the low percent cover of native riparian species. Encampments are scattered throughout the Parcel

Area contribute to the amount of site disturbance. During the initial vegetation mapping site visit, an individual was observed cutting down vegetation, including Pampas grass, south of Loma Alta Creek.

Non-Vegetated Channel

Non-vegetated floodplain or channel is the sandy, gravelly, or rocky fringe of waterways or flood channels that is unvegetated on a relatively permanent basis. Vegetation may be present but is usually less than 10% total cover and grows on the outer edge of the channel (Oberbauer et al. 2008).

Non-vegetated channel occurs along Loma Alta Creek in the northwestern part of the Parcel Area (which would not be impacted) where there is open water with minimal marsh vegetation.

Eucalyptus Woodland

Eucalyptus woodland is a "naturalized" vegetation community that is fairly widespread in Southern California and is considered a woodland habitat. It typically consists of monotypic stands of introduced Australian eucalyptus trees, such as bluegum (*Eucalyptus globulus*) and redgum (*Eucalyptus camaldulensis*). The understory is either depauperate (i.e., lacking species variety) or absent, owing to high leaf litter. Although eucalyptus woodlands are of limited value to most native plants and animals, they frequently provide nesting and perching sites for several raptor species.

Eucalyptus woodland is present in patches primarily near Loma Alta Creek, with a few individual trees near the northern Parcel Area boundary in the eastern part of the Parcel Area.

Flora and Fauna

A total of 164 species of native or naturalized plants were observed during vegetation mapping and other site visits conducted in 2022, 2023, and 2024, and focused rare plant surveys conducted in 2024, consisting of 86 native (52%) and 78 non-native (48%) species. A cumulative list of plant species observed by Dudek during all surveys is presented in Appendix C. Latin and common names for plant species with a California Rare Plant Rank (CRPR) follow the California Native Plant Society's On-Line Inventory of Rare, Threatened, and Endangered Plants of California (CNPS 2024). For plant species without a CRPR, Latin names follow the Jepson Interchange List of Currently Accepted Names of Native and Naturalized Plants of California (Jepson Flora Project 2024) and common names follow the California Natural Communities list or the U.S. Department of Agriculture Natural Resources Conservation Service Plants Database (Appendix C).

A total of 46 wildlife species were observed during surveys in 2023 and 2024, consisting of 43 native species and 3 non-native or domestic species. Mammals that were observed are common species adapted to urban areas, such as desert cottontail (*Sylvilagus audubonii*) and northern raccoon (*Procyon lotor*). All wildlife species observed or detected during the surveys were recorded and are presented in Appendix B, Wildlife Species List, to Appendix C. Latin and common names of animals follow Crother (2017) for reptiles and amphibians, American Ornithological Society (AOS 2024) for birds, Wilson and Reeder (2005) for mammals, and the North American Butterfly Association (NABA 2016) or San Diego Natural History Museum (SDNHM 2002) for butterflies (Appendix C).

Special-Status Plants

Two plant species with a CRPR were observed and mapped in the biological study area during rare plant surveys. San Diego marsh-elder (*Iva hayesiana*; CRPR 2B.2) is present along the northern boundary of the biological study

area near Loma Alta Creek. The occurrences of San Diego marsh-elder are located within the 100-foot wetland buffer surrounding Loma Alta Creek and are not near the On-Site Impact Area or Off-Site Impact Area.

Multiple small patches of ashy spike-moss (*Selaginella cinerascens*; CRPR 4.1) are located near the southern boundary of the On-Site Impact Area, and two additional patches are located more than 300 feet southwest of the On-Site Impact Area. Of the small patches located near the southern On-Site Impact Area boundary, one patch overlaps the southern On-Site Impact Area boundary, and the remainder are located outside of the On-Site Impact Area. Plant species with a CRPR of 4 (i.e., ashy spike-moss) are considered limited distribution or watchlist species and less sensitive/rare than plant species with a CRPR of 1 through 3 (CNPS 2024).

Special-status plants occurring or with the potential to occur in the biological study area are described in Appendix C1, Special-Status Plant Species Occurring or With Potential to Occur within the Biological Study Area, to Appendix C. Special-status plants evaluated but are not expected to occur are described in Appendix C2, Special-Status Plant Species Not Expected to Occur within the Biological Study Area, to Appendix C.

Special-Status Wildlife

No coastal California gnatcatcher, least Bell's vireo, or southwestern willow flycatcher were detected in the Parcel Area and focused survey results were negative for those species. Three special-status species were detected in or adjacent to the Parcel Area or Off-Site Impact Area such as the Cooper's hawk (*Accipiter cooperii*), yellow warbler (*Setophaga petechia*), and monarch (*Danaus plexippus plexippus*). Six additional species, Southern California legless lizard (*Anniella stebbinsi*), red diamondback rattlesnake (*Crotalus ruber*), San Diegan tiger whiptail (*Aspidoscelis tigris stejnegeri*), coast patch-nosed snake (*Salvadora hexalepis virgultea*), south coast garter snake (*Thamnophis sirtalis* ssp.), and Crotch's bumble bee (*Bombus crotchii*) have a moderate potential to occur. Southern California legless lizard and south coast garter snake have a low potential to occur in the On-Site Impact Area or Off-Site Impact Areas and are more likely to occur in the northwestern part of the Parcel Area near Loma Alta Creek. Yellow warbler has a low potential to nest in the On-Site Impact Area or Off-Site Impact Areas and has a higher potential to nest near Loma Alta Creek.

Jurisdictional Resources

The USFWS National Wetlands Inventory and U.S. Geological Survey's National Hydrography Dataset do not identify any features within the Parcel Area besides Loma Alta Creek (Appendix C). Loma Alta Creek crosses under the railroad tracks into the Parcel Area and passes through the northwestern part of the Parcel Area, continuing approximately 5 miles until its confluence with the Pacific Ocean. Vegetation mapped as disturbed southern willow scrub surrounding the creek would likely be regulated by CDFW as riparian habitat, and the creek below the ordinary high-water mark would be regulated by the U.S. Army Corps of Engineers (USACE), the Regional Water Quality Control Board (RWQCB), and CDFW. Per Section 5.2.4 of the Draft Oceanside Subarea Plan (City of Oceanside 2010), this riparian habitat would likely require a biological and planning buffer if development is proposed adjacent to Loma Alta Creek. Project impacts would completely avoid Loma Alta Creek and a 100-foot wetland buffer, thus it was excluded from the jurisdictional review area discussed in Appendix G of Appendix C. The jurisdictional review area focused on the eastern side of the Parcel Area, where impacts are proposed. The jurisdictional delineation within the Net Developable Pad is in the process of being verified by the USACE and RWQCB.

Two isolated aquatic features were also found within the Parcel Area during the Jurisdictional Delineation that exhibit topographical relief or bed and bank. Both of these features originate and terminate within the study area and do not have a surface connection to any features, including a traditionally navigable water.

Wildlife Corridors/Habitat Linkages

The Parcel Area is outside of the Wildlife Corridor Planning Zone designated by the Oceanside Subarea Plan (City of Oceanside 2010). The Parcel Area is surrounded by development to the immediate north, east, and south, which limits movement of larger mammals. Although relatively isolated from large undeveloped areas and other Preserves, native vegetation communities present, including Diegan coastal sage scrub, southern mixed chaparral, and disturbed southern willow scrub, likely serve as a stepping-stone for dispersing or migrating birds. The various vegetation communities support a variety of birds, reptiles, invertebrates, and small mammals commonly found in upland scrub.

The Parcel Area supports use by local urban-adapted species such as northern raccoon (*Procyon lotor*), desert cottontail, and most likely, coyote (*Canis latrans*).

4.3.2 Regulatory Setting

Federal

Endangered Species Act

The federal Endangered Species Act 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 federal Endangered Species Act 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 federal Endangered Species Act, it is unlawful to take any listed species, and "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 federal Endangered Species Act allows for the issuance of incidental take authorization for federally listed threatened or endangered species under Section 7, which is generally available for projects that also require other federal agency permits or federal funding, and incidental take permits under Section 10(a)(1)(B), which provides for the approval of habitat conservation plans on private property without any other federal agency involvement. Upon approval of a habitat conservation plan, USFWS can issue incidental take permits for the take of federally listed species.

Clean Water Act

Pursuant to Section 404 of the Clean Water Act, USACE 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 (CFR), 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 USACE jurisdiction in non-tidal waters, such as intermittent streams, extend to the ordinary high-water mark, which is defined in CFR Title 33, 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."

Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act (BGEPA) (16 USC 668 et seq.) provides for the protection of bald eagles (*Haliaeetus leucocephalus*) and golden eagles (*Aquila chrysaetos*), and prohibits the take, possession, and transportation of these species except pursuant to federal regulations. The BGEPA defines "take" as any action that would "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, destroy, molest, or disturb" bald and golden eagles, including parts, nests, or eggs. Under the CFR, the term "disturb" is defined as "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior" (50 CFR 22.6). Under the BGEPA, it is also illegal to "sell, purchase, barter, trade, import, or export, or offer for sale, purchase, barter, or trade, at any time or in any manner, any bald eagle or any golden eagle, or the parts, nests, or eggs" of these birds (50 CFR 22.12).

Pursuant to 50 CFR 22.26, an amendment to the BGEPA was published in December 2016, allowing for a permit to be obtained that authorizes take of bald eagles and golden eagles where the take is "compatible with the preservation of the bald eagle and the golden eagle; is necessary to protect an interest in a particular locality; is associated with, but not the purpose of, the activity; and cannot practicably be avoided." In February 2024, the latest amendment to the BGEPA (89 FR 9920–9965) revised the regulations for the issuance of permits for eagle incidental take and eagle nest take. These regulations provided a number of revisions, including creating general permit options for qualifying wind-energy generation projects, power line infrastructure, activities that may disturb breeding bald eagles, and bald eagle nest take. The general permit options are intended to "simplify and expedite the permitting process for activities that have relatively consistent and low risk to eagles and well-established avoidance, minimization, and compensatory mitigation measures." Projects that do not meet the eligibility criteria for general permits may still apply for specific permits. The revised regulations created a tier structure within specific permits, with tier levels related to the complexity of the project. In addition, the regulations provide allowances for fulfilling compensatory mitigation requirements through the purchase of "eagle credits" from USFWS approved in-lieu fee programs and conservation banks that will be authorized for particular Eagle Management Units. Other revisions include narrowing the definition of "eagle nest" to exclude nest structures on nesting substrates that fail due to natural circumstances, such as a fallen tree, which result in a nest structure that will no longer and never again be functional or used by eagles; revising the definition for "in-use nest" to clarify that the eggs in an "in-use nest" must be viable and do not include non-viable eggs that are present, for example, in an alternate nest outside of the breeding season; and revising the permit fees.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) regulates or prohibits taking, killing, possession of, or harm to migratory bird species listed in 50 CFR 10.13. The MBTA is an international treaty for the conservation and management of bird species that migrate through more than one country; it is enforced in the United States by USFWS. Hunting of specific migratory game birds is permitted under the regulations listed in 50 CFR 20. The MBTA was amended in 1972 to include protection for migratory birds of prey (raptors). On December 22, 2017, the Department of Interior issued a legal opinion (M-Opinion 37050) that interpreted the above prohibitions as only applying to direct and purposeful actions of which the intent is to kill, take, or harm migratory birds; their eggs; or their active nests. Incidental take of birds, eggs, or nests that are not the purpose of such an action, even if there are direct and

foreseeable results, was not prohibited. On January 7, 2021, USFWS published a final rule (the January 7th rule) that codified the previous administration's interpretation, which after further review was determined to be inconsistent with the majority of relevant court decisions and readings of the MBTA's text, purpose, and history. On May 7, 2021, USFWS published a proposed rule to revoke the January 7th rule, which would result in a return to implementing the statute as prohibiting incidental take. On July 19, 2021, USFWS announced the availability of two revised economic analysis documents for public review that evaluated the potential for the proposed rule to impact small entities, including businesses, governmental jurisdictions, and other organizations. The public review period on these documents ended on August 19, 2021. A final rule revoking the January 7th rule was published on October 4, 2021, and went into effect on December 3, 2021. In its summary of the October 4, 2021, final rule, USFWS explained that "the immediate effect of this final rule is to return to implementing the MBTA as prohibiting incidental take and applying enforcement discretion, consistent with judicial precedent and longstanding agency practice prior to 2017" (86 FR 54642).

State

California Department of Fish and Game Code

Sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), and 5515 (fish) of the California Fish and Game Code outline protection for fully protected species of mammals, birds, reptiles, amphibians, and fish. Species that are fully protected by these sections may not be taken or possessed at any time. CDFW cannot issue permits or licenses that authorize the "take" of any fully protected species, except under certain circumstances, such as scientific research and live capture and relocation of such species pursuant to a permit for the protection of livestock. On July 10, 2023, Senate Bill 147 was signed into law and amends the California Fish and Game Code to allow a 10-year permitting mechanism for a defined set of projects within the renewable energy, transportation, and water infrastructure sectors. Furthermore, it is the responsibility of CDFW to maintain viable populations of all native species. Toward that end, CDFW has designated certain vertebrate species as Species of Special Concern, because declining population levels, limited ranges, and/or continuing threats have made them vulnerable to extinction.

Pursuant to California Fish and Game Code Section 1602, CDFW regulates all diversions, obstructions, or 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 California Fish and Game Code Section 1602.

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 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 an 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 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 RWQCBs develop regional basin plans that identify beneficial uses, water quality objectives, and implementation plans. The RWQCBs 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 USACE. RWQCBs regulate discharging waste, or proposing to discharge waste, within any region that could affect a water 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 a project, the RWQCB may still require the issuance of an order for Waste Discharge Requirements 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 to less than significant. 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" (14 CCR 15000 et seq.). 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 (CCR), Section 1.72 (14 CCR 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 14 CCR 1.56, CDFW's definition of "lake" includes "natural lakes or [hu]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 California Fish and Game Code Section 1602.

Plants ranked as CRPR 1A, 1B, 2A, or 2B may qualify as endangered, rare, or threatened species within the definition of CEQA Guidelines Section 15380. CDFW recommends that potential impacts to CRPR 1 and 2 species be evaluated in CEQA review documents. In general, CRPR 3 and 4 species do not meet the definition of endangered, rare, or threatened pursuant to CEQA Guidelines Section 15380, but these species may be evaluated on a case-by-case basis.

For purposes of this report, animals considered "rare" under CEQA include endangered or threatened species, California Species of Special Concern, fully protected species, and species proposed for coverage in the Oceanside Subarea Plan (City of Oceanside 2010).

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 Game [now CDFW] or the 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, Thresholds of Significance.

Local

North County Multiple Habitat Conservation Program

The North County Multiple Habitat Conservation Program (MHCP) is a long-term regional conservation program established to protect sensitive species and habitats in northern San Diego County through the MHCP Plan (SANDAG 2003). The MHCP area is divided into seven subareas, each with its own Subarea Plan; the subareas 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 City of 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, and 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 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 would 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 (City) from USFWS and CDFW (the wildlife agencies).

The Oceanside Subarea Plan identifies undeveloped lands within Oceanside where conservation and management will achieve the Subarea Plan's biological goals while minimizing adverse effects on lands uses, economics, and private property rights. In addition, the Subarea Plan establishes Preserve planning zones, the existing biological conditions and goals of which were used as foundations for their designation (City of Oceanside 2010). 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 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 Parcel Area is outside of 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's Parcel Area is not located within a Pre-Approved Mitigation Area.
- **Agricultural Exclusion Zone.** This zone includes lands north of the 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 Parcel Area is not located 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, Agriculture Exclusion Zone, and Coastal Zone. The Off-Site Mitigation Zone includes several Pre-Approved Mitigation Areas. The Parcel Area is located within an Off-Site Mitigation Zone and is mapped as a softline Preserve area.
- **Coastal Zone.** This zone includes all areas within the City's Coastal Zone where the federal Coastal Zone Management Act and California Coastal Act policies apply. The Parcel Area is not located within the Coastal Zone.

In addition to Preserve planning zones, the Subarea Plan also identifies specific "hardline" and "softline" Preserves. Generally, hardline Preserves are areas that are already preserved to Subarea Plan standards, and softline Preserves are areas specifically targeted for preservation through application of Subarea Plan standards and policies. The Parcel Area is designated as a softline Preserve (City of Oceanside 2010). Hardline Preserve areas are located immediately west of the Parcel Area and in an area along the railroad tracks north of the eastern part of the Parcel Area (City of Oceanside 2010). The southern and western parts of the Parcel Area would be conserved as part of this project and would be contiguous with the hardline Preserve area to the west. The Oceanside Subarea Plan describes hardline Preserves as areas specifically targeted for future preservation through the application of the Subarea Plan standards and policies. Hardline Preserves are also considered part of Focused Planning Areas. Preserve areas within the Subarea Plan area prohibit the following land uses: all forms of development, agricultural uses, active recreation, mineral extraction, landfills, itinerant worker camps, roads or other transportation facilities, most flood control projects, and brush control or fuel management, except for existing firebreaks that must be maintained for safety reasons within 100 feet of existing buildings (City of Oceanside 2010). Any implementation of these prohibited land uses within a Preserve would require written concurrence from the City, CDFW, and USFWS through an amendment process. Conditionally allowed land uses in Preserve areas include passive recreation (e.g., hiking, birdwatching, and fishing); utility projects that include full restoration of temporarily impacted habitat, flood control, or siltation basins that support natural vegetation and habitat value; and maintenance of existing firebreaks adjacent to existing buildings (City of Oceanside 2010).

Wetland Buffers

A wetland buffer generally refers to an area that extends perpendicularly into upland areas from the delineated edge of a wetland or riparian area. Wetland buffer areas establish an upland zone adjacent to wetlands and are designed to avoid and minimize indirect effects on wetland functions (e.g., species habitat, water quality maintenance, flood capacity). Section 5.2.4 of the Subarea Plan states the following (City of Oceanside 2010):

> Wherever development or other discretionary actions are proposed in or adjacent to riparian habitats (not including the San Luis Rey River), the riparian area and other wetlands or associated natural habitats shall be designated as biological open space and incorporated into the Preserve. In addition, a minimum 50-foot biological buffer, plus a minimum 50-foot planning buffer (total width of both equals 100 feet) shall be established for upland habitats, beginning at the outer edge of riparian vegetation. The planning buffer serves as an area of transition between the biological buffer and specified land uses on adjoining uplands. Foot paths, bikeways, and passive recreational uses may be incorporated into planning buffers, but buildings, roads, or other intensive uses are prohibited. The following uses are prohibited in the 50-foot biological buffer: (1) new development, (2) foot paths, bikeways, and passive recreational uses not already planned, and (3) fuel modification activities for new development. In the event that natural habitats do not currently (at the time of proposed action) cover the 50-foot buffer area, native habitats appropriate to the location and soils shall be restored as a condition of project approval. In most cases, coastal sage scrub vegetation shall be the preferred habitat to restore within the biological buffer.

However, because the Subarea Plan has not been approved by the City, these buffers and setbacks are subject to reduction based on approval from the City and the wildlife agencies.

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:

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

C. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
D. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

4.3.4 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 permanent impacts that consist of the on-site grading and development of the proposed project, and off-site impacts from the extension of Olive Drive, the pedestrian connection to the Sprinter Station, and construction of an emergency only ingress/egress road from College Boulevard to the Parcel Area. As shown in Figure 6, Impacts to Biological Resources, in Appendix C.
- 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.

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?

The proposed project would result in permanent direct impacts to disturbed habitat (3.45 acres), urban/developed (0.14 acres), Diegan coastal sage scrub (1.26 acres), disturbed southern mixed chaparral (2.45 acres), and non-native grassland (4.33 acres). These impacts are summarized in Table 4.3-3.

Direct Impacts

Habitats and Vegetation Communities

Table 4.3-3. Permanent Impacts to and Proposed Mitigation for Vegetation Communities and Land Covers

Vegetation Community /Land Cover Type	Proposed Impacts (Acres)		Total Impacts (Acres)[a]	Mitigation		Conservation Easement (Acres)	Mitigation Excess or (Deficit) (Acres)
	On Site	Off Site		Mitigation Ratio[b]	Mitigation Required (Acres)		
Disturbed Habitat	3.03	0.43	3.45	None	0	3.69	+0.24
Urban/ Developed	0.14	0.11	0.25	None	0	0.06	0
Diegan Coastal Sage Scrub	0.92	0.34	1.26	2:1[c]	2.52	14.72	+12.20
Diegan Coastal Sage Scrub (Disturbed)	0	0	0	2:1[c]	0	1.99	+1.99
Southern Mixed Chaparral	0	0	0	1:1	0	7.12	+4.66 acres excess after 0.30-acre deficit for southern mixed chaparral (disturbed) and 2.16-acre deficit for non-native grassland is applied
Southern Mixed Chaparral (Disturbed)	2.45	0	2.45	1:1	2.45	2.15	0 (see southern mixed chaparral, above)
Non-Native Grassland	4.33	0	4.33	0.5:1	2.16	0	0 (see southern mixed chaparral)
Freshwater Marsh	0	0	0	4:1	0	0.05	+0.05
Southern Willow Scrub (Disturbed)	0	0	0	3:1	0	1.37	+1.37
Non-Vegetated Channel	0	0	0	4:1	0	0.55	+0.55

Table 4.3-3. Permanent Impacts to and Proposed Mitigation for Vegetation Communities and Land Covers

Vegetation Community /Land Cover Type	Proposed Impacts (Acres)		Total Impacts (Acres)[a]	Mitigation		Conservation Easement (Acres)	Mitigation Excess or (Deficit) (Acres)
	On Site	Off Site		Mitigation Ratio[b]	Mitigation Required (Acres)		
Eucalyptus Woodland	0	0	0	None	0	0.92	+0.92
Total[a]	**10.87**	**0.88**	**11.75**	**N/A**	**7.13**	**32.63**	**+21.98**

Source: Appendix C

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

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

[c] Per the Subarea Plan, "impacts to coastal sage scrub in the Coastal Zone and Agency approved areas of the Offsite Mitigation Zone shall be mitigated at a 2:1 ratio" (City of Oceanside 2010). The Parcel Area is within the "Offsite Mitigation Zone."

Impacts to Diegan coastal sage scrub, disturbed southern mixed chaparral, and non-native grassland require mitigation, per Table 5-2, Mitigation Standards for Impacts to Natural Vegetation and Habitat, in the Oceanside Subarea Plan (City of Oceanside 2010). Permanent impacts to Diegan coastal sage scrub, disturbed southern mixed chaparral, and non-native grassland are considered a potentially significant impact. The permanent loss of these vegetation communities would be mitigated to less than significant through the on-site conservation of the remainder of the Parcel Area that is not proposed to be impacted, as described in Mitigation Measure (MM-) BIO-1 (Designation of Open Space), provided in Section 4.3.5, Minimization and Mitigation Measures. A portion (2.46 acres) of the excess 7.12 acres of southern mixed chaparral would be used to mitigate for the 0.30-acre deficit of disturbed southern mixed chapparal (compared to what is in the conservation easement area) and the 2.16-acre impact to non-native grassland (the conservation easement area does not contain non-native grassland). The non-native grassland that the project would disturb does not support any grassland-exclusive species, such as burrowing owl (*Athene cunicularia*) or *Brodiaea*, but rather provides general habitat for the species commonly found throughout the biological study area. The southern mixed chaparral provides habitat for the species that have been observed in the grassland, such as California towhee (*Melozone crissalis*), white-crowned sparrow (*Zonotrichia leucophrys*), and desert cottontail, as well as providing potential habitat to support some of the special-status species that have potential to occur, such as red diamondback rattlesnake, San Diegan tiger whiptail, coast patch-nosed snake, and potential foraging habitat for Crotch's bumble bee. Therefore, the various habitats included in the conservation easement area would provide a similar biological function and value as the habitat being impacted.

Permanent impacts to disturbed habitat totaling 3.45 acres and to urban/developed totaling 0.25 acres that would result from the proposed project would be less than significant and no mitigation is required.

Coast live oak (*Quercus agrifolia*) individual(s) are present in the northern part of the northern off-site parcel, outside of the Off-Site Impact Area. All existing coast live oak trees would remain and impacts to the species would be avoided.

Direct impacts to sensitive vegetation communities would be mitigated to a level below significant with implementation of MM-BIO-1 (Designation of Open Space), and potentially significant direct impacts to

sensitive vegetation would be avoided through implementation of Project Design Feature (PDF-)BIO-1 (Biological Resource Minimization Measures), MM-BIO-5 (Temporary Fencing), and MM-BIO-4 (Biological Monitoring).

Special-Status Plant Species

Special-status plants observed in the biological study area during the site visit with a CRPR of 1 or 2 (San Diego marsh elder) are located near Loma Alta Creek and over 300 feet from the limits of the proposed project and would not be directly impacted by the proposed project. Plant species with a CRPR of 4 (i.e., ashy spike-moss) are considered limited distribution or watchlist species and less sensitive/rare than plant species with a CRPR of 1 through 3 (CNPS 2024). A small amount of ashy spike-moss overlaps the southern boundary of the On-Site Impact Area and may be impacted by the proposed project.

The California Native Plant Society specifies that plants with a CRPR of 4 are species that warrant population monitoring in general, but currently seem to have a low level of vulnerability to threat of extinction statewide (CNPS 2020). Furthermore, CRPR 4 species "generally do not currently appear to meet the criteria for listing as threatened or endangered", and thus typically are not required to have impacts assessed according to CEQA guidelines (CNPS 2020). Certain CRPR 4 species under specific population and geographic range-related circumstances may meet CEQA Section 15380 definitions which would qualify the species for impact assessment, including if the species is included in sensitive species lists maintained by the U.S. Bureau of Land Management, USFWS, or U.S. Forest Service (CNPS 2020). Ashy spike-moss is not included on U.S. Bureau of Land Management, USFWS, or U.S. Forest Service sensitive plant species lists (BLM 2024; USFS 2024; USFWS 2024c).

Because San Diego marsh elder would not be impacted, there would be no direct impacts to special-status plant species with a CRPR of 1 or 2, and therefore direct impacts to special-status plants as a result of the proposed project would be less than significant.

Special-Status Wildlife Species

If special-status wildlife is present within the On-Site Impact Area or Off-Site Impact Area during ground-disturbing activities, such as grubbing or grading, or during other construction activities involving machinery, wildlife individuals could be killed or injured. Direct impacts to special-status wildlife that could occur within the Parcel Area and Off-Site Impact Area during construction of the proposed project would be avoided through implementation of PDF-BIO-1 (Biological Resource Minimization Measures), MM-BIO-3 (Nesting Bird Surveys), MM-BIO-4 (Biological Monitoring), and MM-BIO-8 (Crotch's Bumble Bee Pre-Construction Survey). Mitigation for loss of suitable habitat for special-status wildlife species with potential to occur in the biological study area would be accomplished through on-site preservation of suitable habitat per MM-BIO-1 (Designation of Open Space) and/or in accordance with CDFW guidance, and thus impacts would be less than significant.

Coastal California Gnatcatcher and Critical Habitat

The parcel to the west of the project Parcel Area and a small area (0.37 acres) within the western boundary of the Parcel Area are designated as critical habitat for coastal California gnatcatcher (see Figure 5 in Appendix C). It appears likely that the critical habitat mapping was intended to end along the boundary of the Parcel Area and not continue into the Parcel Area. Nonetheless, proposed project impacts would occur

entirely in the easternmost part of the biological study area and would not impact or occur near any designated critical habitat. Thus, there would be no direct impacts to designated critical habitat. Coastal California gnatcatchers were not detected within the biological study area during focused surveys conducted from 2023 into 2024, and thus are not expected to occur in the biological study area during construction of the proposed project. Direct impacts to all nesting birds, which would include coastal California gnatcatcher if the species were present, would be avoided through implementation of MM-BIO-3 (Nesting Bird Surveys). Thus, there would be no direct impacts to coastal California gnatcatcher.

Least Bell's Vireo

This species is typically found in more extensive and denser riparian habitat than is found in the biological study area. Due to the presence of riparian habitat in the biological study area and records of occurrence within 0.5 miles of the biological study area (CDFW 2024a), focused surveys for this species were in 2024. There is one known California Natural Diversity Database occurrence of this species roughly 0.25 miles west of the Parcel Area from 2001, in a wider area of riparian habitat along Loma Alta Creek (CDFW 2024a). There is no designated critical habitat for least Bell's vireo in the biological study area. There would be no direct impacts to disturbed southern willow scrub.

Least Bell's vireo was not detected in the biological study area during focused surveys conducted in 2024, and thus is not expected to occur in the biological study area during construction of the proposed project. Direct impacts to all nesting birds, which would include least Bell's vireo if the species were present, would be avoided through implementation of MM-BIO-3 (Nesting Bird Surveys). Additionally, the most suitable habitat present for the species is disturbed southern willow scrub, which is present along the portion of Loma Alta Creek in the northwestern part of the Parcel Area, and direct impacts would occur entirely in the eastern part of the biological study area. Thus, there would be no direct impacts to least Bell's vireo.

Southwestern Willow Flycatcher

This species is typically found in more extensive and denser riparian habitat than is found in the biological study area, and it has become increasingly rare in the region. Due to the presence of riparian habitat in the biological study area, focused surveys for this species were in 2024. There are no known California Natural Diversity Database occurrences within 1 mile of the biological study area, but there are multiple occurrences within 5 miles of the biological study area (CDFW 2024a). There is no designated critical habitat for southwestern willow flycatcher in the biological study area, and there would be no direct impacts to disturbed southern willow scrub.

Southwestern willow flycatcher was not detected within the biological study area during focused surveys conducted in 2024**,** and thus they are not expected to occur in the biological study area during construction of the proposed project. Direct impacts to all nesting birds, which would include southwestern willow flycatcher if the species were present, would be avoided through implementation of MM-BIO-3 (Nesting Bird Surveys). Additionally, the most suitable habitat present for the species is disturbed southern willow scrub, which is present along the portion of Loma Alta Creek in the northwestern part of the Parcel Area, and direct impacts would occur entirely in the eastern part of the biological study area. Thus, there would be no direct impacts to southwestern willow flycatcher.

Crotch's Bumble Bee

If Crotch's bumble bees were nesting in the On-Site Impact Area or Off-Site Impact Area during ground-disturbing activities, such as grubbing or grading, individuals could be killed or injured. This direct impact would be avoided and mitigated to a less-than-significant level with implementation of MM-BIO-8 (Crotch's Bumble Bee Pre-Construction Survey).

Other Special-Status Species

Additional special-status species detected or with a moderate or high potential to occur are listed in Appendix C and include Cooper's hawk, Southern California legless lizard, red diamondback rattlesnake, San Diegan tiger whiptail, coast patch-nosed snake, south coast garter snake, yellow warbler, and monarch butterfly. Monarch butterfly is only expected to forage or pass through the biological study area on occasion, and thus no direct impacts to an overwintering population of the species would be expected to result from implementation of the proposed project. Of these, Southern California legless lizard, south coast garter snake, and yellow warbler have a low potential to occur in the On-Site Impact Area and Off-Site Impact Area and are more likely to occur in the northwestern part of the biological study area near Loma Alta Creek. Impacts to 3.45 acres of disturbed habitat, 1.26 acres of Diegan coastal sage scrub, 2.45 acres of disturbed southern mixed chaparral, and 4.33 acres of non-native grassland are not likely to result in loss of breeding or nesting habitat for Cooper's hawk or yellow warbler, but could result in loss of foraging and/or breeding habitat for red diamondback rattlesnake, San Diegan tiger whiptail, and coast patch-nosed snake, a potentially significant impact. The permanent loss of habitat would be mitigated to less than significant through the preservation of 8.19 acres of the 32.63-acre conservation easement area. As shown in Table 4, the remaining 24.44 acres of conservation easement is available for mitigation unrelated to project impacts. See MM-BIO-1 (Designation of Open Space).

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 potentially significant. This impact would be mitigated to less than significant through nesting bird surveys and establishment of appropriate buffers, as described in MM-BIO-3 (Nesting Bird Surveys).

Overall, direct impacts to special-status wildlife species would be **potentially significant** prior to mitigation. Direct impacts to special-status wildlife that could occur within the On-Site and Off-Site Impact Areas during construction of the proposed project would be avoided through implementation of PDF-BIO-1 (Biological Resource Minimization Measures), MM-BIO-3 (Nesting Bird Surveys), MM-BIO-4 (Biological Monitoring), and MM-BIO-8 (Crotch's Bumble Bee Pre-Construction Survey). Mitigation for loss of suitable habitat for special-status wildlife species with potential to occur in the Parcel Area would be accomplished through on-site preservation of suitable habitat per MM-BIO-1 (Designation of Open Space) and/or in accordance with CDFW guidance, and thus impacts would be less than significant.

Indirect Impacts

Vegetation Communities and/or Special-Status Plant Species

Potential short-term or temporary indirect impacts to special-status vegetation communities and special-status plants in the Parcel Area could 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; increased human activity; and the introduction of chemical pollutants (including herbicides). Potential short-term indirect impacts could affect special-status vegetation communities within the Parcel Area and any special-status plants that have a moderate to high potential to occur in the Parcel Area. These potential impacts are described in detail in the following paragraphs and would be reduced to less than significant through implementation of PDF-BIO-1 (Biological Resource Minimization Measures), PDF-AQ-1 (Dust Control and Air Quality Measures), MM-BIO-4 (Biological Monitoring), and MM-BIO-5 (Temporary Installation of Fencing).

Generation of Fugitive Dust. 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. Dust is only expected to be a potential impact in the area immediately surrounding the On-Site and Off-Site Impact Areas. Short-term potential indirect impacts from dust would be minimized to less than significant through implementation of PDF-AQ-1 (Dust Control and Air Quality Measures), and implementation would be ensured and documented through MM-BIO-4 (Biological Monitoring).

Changes in Hydrology and Chemical Pollutants. Construction could result in hydrologic impacts adjacent to and downstream of the limits of grading. 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. However, all proposed project grading would be subject to restrictions and requirements that address erosion and runoff, including the federal Clean Water Act and the National Pollutant Discharge Elimination System, and preparation of a Stormwater Pollution Prevention Plan and Standard Urban Stormwater Management Plan. These programs would reduce any proposed project impacts with respect to erosion/runoff and potential impacts from chemical pollutants to less than significant.

Increased Human Activity. Increased human activity during construction could result in the potential for trampling of vegetation and soil compaction outside of the On-Site and Off-Site Impact Areas, 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. The area proposed for development is either ~~subject to fuel modification~~ previously disturbed and mostly lacks native woody vegetation, and/or is already frequently traversed by trespassing individuals. Increased human activity within the On-Site and Off-Site Impact Areas can lead to the generation of trash and debris, which could affect viability of sensitive vegetation if discarded outside of the On-Site and Off-Site Impact Areas. Some localized security related lighting, on-site security personnel, and/or a remotely monitored alarm system may be required during construction. Potential impacts from additional human activity during project construction would be minimal and would

not result in significant impacts to species using the adjacent areas. Short-term indirect impacts to sensitive vegetation and plants would be less than significant with implementation of MM-BIO5 (Temporary Installation of Fencing), which would prevent construction personnel from accessing areas outside of the approved On-Site and OffSite Impact Areas; PDF-BIO-1 (Biological Resource Minimization Measures); and MM-BIO-4 (Biological Monitoring).

Short-term indirect impacts to sensitive vegetation and plants would be **potentially significant** prior to mitigation. These potential impacts are described in detail in the following paragraphs and would be reduced to less than significant through implementation of PDF-BIO-1 (Biological Resource Minimization Measures), PDF-AQ-1 (Dust Control and Air Quality Measures), MM-BIO-4 (Biological Monitoring), and MM-BIO-5 (Temporary Installation of Fencing).

Special-Status Wildlife Species

Short-term, construction-related, or temporary indirect impacts to special-status wildlife species that occur or have a moderate or high potential to occur within the biological study area (e.g., Cooper's hawk, Southern California legless lizard, red diamondback rattlesnake, San Diegan tiger whiptail, coast patch-nosed snake, south coast garter snake, yellow warbler, Crotch's bumble bee, and monarch) would primarily result from construction activities. Potential temporary indirect impacts could occur as a result of generation of fugitive dust, noise, chemical pollutants, lighting, increased human activity, and invasive predators and non-native animal species. These impacts are described in detail in the following paragraphs. Impacts would be mitigated to less than significant through implementation of PDF-BIO-1 (Biological Resource Minimization Measures), PDF-AQ-1 (Dust Control and Air Quality Measures), MM-BIO-3 (Nesting Bird Surveys), MM-BIO-4 (Biological Monitoring), and MM-BIO-5 (Temporary Installation of Fencing).

Generation of Fugitive Dust. Dust and applications for fugitive dust control can impact vegetation surrounding the limits of grading, resulting in changes in the community structure and function. These changes could result in impacts to suitable habitat for special-status wildlife species. Dust is only expected to be a potential impact in the area immediately surrounding the On-Site and Off-Site Impact Areas. Short-term potential indirect impacts from dust would be minimized to less than significant through implementation of PDF-AQ-1 (Dust Control and Air Quality Measures), and implementation would be ensured and documented through MM-BIO-4 (Biological Monitoring).

Noise. Construction-related noise could occur from equipment used during vegetation clearing and construction of the residences and associated infrastructure. Noise impacts can have a variety of indirect impacts on wildlife species, including increased stress, weakened immune systems, altered foraging behavior, displacement due to startle, degraded communication with conspecifics (e.g., masking), damaged hearing from extremely loud noises, and increased vulnerability to predators (Lovich and Ennen 2011; Brattstrom and Bondello 1983, as cited in Lovich and Ennen 2011). Suitable native habitat is present west of the On-Site Impact Area, which would provide refuge for wildlife, including preservation of the ability to move temporarily to avoid loud construction noises. Additionally, the Parcel Area is already subject to a baseline level of noise from the nearby trains, roads, and human disturbance. Potential noise impacts to nesting birds would be avoided and minimized through implementation of MM-BIO-3 (Nesting Bird Surveys), appropriate disturbance avoidance buffers would be implemented for any active nests, and monitoring would ensure avoidance and minimization of impacts through implementation of MM-BIO-4 (Biological Monitoring). Therefore, short-term indirect impacts due to noise would be less than significant.

Chemical Pollutants. Accidental spills of hazardous chemicals could contaminate nearby surface waters and groundwater and indirectly impact wildlife species through poisoning or altering suitable habitat. 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 On-Site and Off-Site Impact Areas; therefore, impacts associated with chemical pollutants would be less than significant.

Lighting. Night lighting during construction could alter natural behavior of wildlife. Night work is not proposed for this project, and the Parcel Area is in an urban area subject to light pollution. Any localized security-related lighting necessary during construction would be directed downward and away from the open space easement where wildlife occurs in more abundance, per PDF-BIO-1 (Biological Resource Minimization Measures). Therefore, short-term lighting impacts would be less than significant.

Increased Human Activity. Construction activities can deter wildlife from using habitat near impact areas and increase the potential for vehicle collisions. Because the On-Site and Off-Site Impact Areas are already illegally used by people, the proposed project would result in a removal of all illegal use of the area and allow wildlife to better use the areas outside of the On-Site and Off-Site Impact Areas. Nighttime work is not proposed. Some localized security-related lighting, on-site security personnel, and/or a remotely monitored alarm system may be required during construction. Potential impacts from human activity would be minimal and not result in significant impacts to species using the adjacent areas. Additionally, MM-BIO5 (Temporary Installation of Fencing) would prevent construction personnel from accessing areas outside of the approved On-Site and Off-Site Impact Areas. Thus, this impact would be less than significant.

Invasive Predators and Non-Native Animal Species. Trash from construction-related activities could attract predators, such as ravens and raccoons, in higher numbers than occur naturally in the area; this increase in predators could negatively affect the wildlife species in the areas adjacent to the On-Site and Off-Site Impact Areas. Pets such as dogs brought to the construction site would also negatively impact wildlife using habitat adjacent to the On-Site and Off-Site Impact Areas. This impact would be reduced to less than significant through implementation of PDF-BIO-1 (Biological Resource Minimization Measures) and MM-BIO-4 (Biological Monitoring), which would ensure that all trash is removed from the Parcel Area, including off-site work areas, each day.

Short-term indirect impacts to special-status wildlife species would be **potentially significant** prior to mitigation. These impacts are described in detail in the following paragraphs. Impacts would be mitigated to less than significant through implementation of PDF-BIO-1 (Biological Resource Minimization Measures), PDF-AQ-1 (Dust Control and Air Quality Measures), MM-BIO-3 (Nesting Bird Surveys), MM-BIO-4 (Biological Monitoring), and MM-BIO-5 (Temporary Installation of Fencing).

Long-Term Indirect Impacts

Vegetation Communities and/or Special-Status Plant Species

Long-term (operation-related) or permanent indirect impacts could result from the proximity of the project to special-status vegetation communities and/or special-status plants after construction. Potential permanent indirect impacts that could affect special-status vegetation communities include chemical pollutants, altered hydrology, non-native invasive species, and increased human activity. There is currently a relatively high level of human disturbance in the Parcel Area, and each of the potential indirect impacts

is discussed in the following paragraphs. These would be mitigated through implementation of MM-BIO-1 (Designation of Open Space), MM-BIO-2 (Permanent Fencing and Signage), and MM-BIO-6 (Invasive Species Prohibition).

Chemical Pollutants. 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 On-Site and Off-Site Impact Areas; therefore, no significant impacts associated with chemical pollutants would occur.

Altered Hydrology. 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 On-Site and Off-Site Impact Areas, and long-term indirect impacts associated with altered hydrology are not expected.

Non-Native, Invasive Plant and Animal Species. 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 of or seed dispersal agents for plants within vegetation communities and special-status plant populations. However, the proposed development is situated in an area already disturbed by non-native species and human activity, and all landscaping associated with the proposed project would exclude invasive species listed on the California Invasive Plant Council's Inventory, per MM-BIO-6 (Invasive Species Prohibition). The remainder of the Parcel Area not proposed for development would be placed within an open space easement and managed to reduce the number of non-native species in those areas and the potential for disturbance of native and protected plant species, per MM-BIO-1 (Designation of Open Space) and MM BIO-2 (Permanent Fencing and Signage).

Increased Human Activity. The project proposes to develop a maximum of 260 multi-family residential units under Option A or 287 dwelling units under Option B with a different unit mix. Increased human activity could result in the potential for trampling of vegetation, an increase in trash and debris, and soil compaction, and could affect the viability of plant communities. Trampling can alter the ecosystem, creating gaps in vegetation and allowing 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 increases the risk for damage to vegetation communities and/or special-status plants. The area proposed for development is either previously disturbed and mostly lacks native woody vegetation, ~~subject to fuel modification~~ and/or is already frequently traversed by trespassing individuals. With the designation of open space (MM-BIO-1) and construction of permanent fencing (MM-BIO-2), this impact would be mitigated to less than significant.

Long-term indirect impacts to sensitive vegetation and plants would be **potentially significant** prior to mitigation.

These would be mitigated through implementation of MM-BIO-1 (Designation of Open Space), MM-BIO-2 (Permanent Fencing and Signage), and MM-BIO-6 (Invasive Species Prohibition).

Special-Status Wildlife Species

Potential long-term or permanent indirect impacts to special-status wildlife species that could occur within the Parcel Area include non-native, invasive plant and animal species; increased human activity; lighting; and window collisions. The building windows would comply with the California Green Building Standards Code, Section A5.107, which provides recommendations on how to incorporate bird-friendly designs into the building by reducing glare on windows (see PDF-BIO-3). These impacts are described in detail in the following paragraphs and would be mitigated to less than significant through implementation of MM-BIO-2 (Permanent Fencing and Signage), MM-BIO-6 (Invasive Species Prohibition), and MM-BIO-7 (Resident Education Program).

Non-Native, Invasive Plant and Animal Species. Invasive plant species that thrive in edge habitats are a well-documented problem in Southern California and throughout the United States. Development could also fragment native plant populations, which may increase the likelihood of invasion by exotic plants due to the increased interface between natural habitats and developed areas. Bossard et al. (2000) list several adverse effects of non-native species in natural open areas, including that exotic plants compete for light, water, and nutrients, and can create a thatch that blocks 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 subsequently suitable habitat for special-status wildlife species. Invasive species would be prohibited through MM-BIO-6. The intrusion of pets such as domestic cats into sensitive habitat adjacent to the On-Site and Off-Site Impact Areas could negatively affect populations of native wildlife. However, the proposed development is situated in an area already disturbed by non-native species and human activity. Additionally, residents would be educated about invasive species and the importance of keeping cat food and pet cats indoors, per MM-BIO-7 (Invasive Species Prohibition). The remainder of the Parcel Area not proposed for development would be placed within an open space easement and managed to reduce the number of non-native species and to protect those areas per MM-BIO-1 (Designation of Open Space), which would have permanent fencing and signage per MM-BIO-2. This impact would be mitigated to less than significant through implementation of MM-BIO-1 (Designation of Open Space), MM-BIO-2 (Permanent Fencing and Signage), MM-BIO-6 (Invasive Species Prohibition), and MM-BIO-7 (Resident Education Program).

Increased Human Activity. The project proposes to develop a maximum of 260 multi-family residential units under Option A or 282 dwelling units under Option B with a different unit mix. Increased human activity could result in an increase in trash and debris adjacent to the developed area, causing habitat degradation. The project would also increase the potential for trampling of vegetation and soil compaction, which could affect the viability and function of suitable habitat for wildlife species. An increased human population increases the risk for damage to suitable habitat for wildlife species. In addition, increased human activity can deter wildlife from using habitat areas. However, the proposed development is situated in a previously graded area with existing human disturbance. Because the On-Site and Off-Site Impact Areas are already illegally used by people, the proposed project would result in removal of all illegal use of the site and allow wildlife to better use the areas outside of the On-Site and Off-Site Impact Areas. The parts of the Parcel

Area not proposed to be impacted would be placed within an open space easement and managed to minimize human activity in those areas. With the designation of open space (MM-BIO-1), construction of permanent fencing (MM-BIO-2), and educating residents (MM-BIO-7, Resident Education Program), this impact would be mitigated to less than significant.

Lighting. As required by the Oceanside Municipal Code and building codes, lighting would be directed downward and away from the open space easement where wildlife would occur. The buildings and parking areas would include lighting designed to minimize light pollution and preserve dark skies. Therefore, long-term lighting impacts would be less than significant.

Collision. The building windows would comply with the California Green Building Standards Code, Section A5.107, which provides recommendations on how to incorporate bird-friendly designs by reducing glare on windows (see PDF-BIO-3). The design of the proposed development would include standard, non-reflective glass windows used in residential developments of this type to minimize the potential bird collisions with windows. Additionally, as reflected on the project plans, the windows proposed for the building are minimal in comparison to the building scale. Windows are proposed at the entryways, and standard sized windows would be placed along the exterior of the building with wide, solid spaces between them to break up the glass. There would be no floor-to-ceiling windows around the building facades.

Long-term indirect impacts to special-status wildlife species would be **potentially significant** prior to mitigation.

These impacts are described in detail in the following paragraphs and would be mitigated to less than significant through implementation of MM-BIO-2 (Permanent Fencing and Signage), MM-BIO-6 (Invasive Species Prohibition), and MM-BIO-7 (Resident Education Program).

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?

Loma Alta Creek is a small riparian corridor that may provide habitat for a variety of avian species, some fish species, common amphibians such as chorus frogs (Pseudacris sp.), raccoons, and other urban-adapted mammals. The On-Site and Off-Site Impact Areas are more than 300 feet from Loma Alta Creek and largely disturbed with dirt paths regularly used by people and some illegal encampments that limit use of the area by larger animals. There would be no direct impacts to Loma Alta Creek or its associated 100-foot wetland buffer. Therefore, project implementation would not result in substantial adverse effects on any riparian habitat, and impacts would be less than significant.

As mentioned above, impacts to Diegan coastal sage scrub, disturbed southern mixed chaparral, and non-native grassland require mitigation, per Table 5-2, Mitigation Standards for Impacts to Natural Vegetation and Habitat, in the Oceanside Subarea Plan (City of Oceanside 2010). Impacts to Diegan coastal sage scrub, disturbed southern mixed chaparral, and non-native grassland would be a potentially significant impact. Direct and indirect impacts to sensitive vegetation communities would be mitigated to a level below significant with implementation of MM-BIO-1 (Designation of Open Space), PDF-AQ-1 (Dust Control and Air Quality Measures), MM-BIO-2 (Permanent Fencing and Signage), and potentially significant direct impacts to sensitive vegetation would be avoided through implementation of Project Design Feature (PDF-)BIO-1

(Biological Resource Minimization Measures), MM-BIO-5 (Temporary Fencing), MM-BIO-4 (Biological Monitoring), and MM-BIO-6 (Invasive Species Prohibition).

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?

Direct Impacts

There would be no direct impacts to Loma Alta Creek or its associated 100-foot wetland buffer.

The project has been designed to avoid and minimize impacts to waters of the state to the extent feasible. However, two jurisdictional aquatic features occur in the eastern portion of the Parcel Area, and project development would result in the fill of both features for a total of 0.01 acres, 400 linear feet, and approximately 14 cubic yards. The applicant would obtain authorization from the San Diego RWQCB under the Porter–Cologne Act in accordance with the General Order for Waste Discharge Requirements. The General Order requires a minimum of one-to-one mitigation ratio, measured as area or length, to compensate for wetland or stream losses. This direct impact would be addressed consistent with the Waste Discharge Requirements through implementation of PDF-BIO-2 (General Order for Waste Discharge Requirements) to achieve no net loss of wetlands. The project shall secure non-federal wetlands/waters of the state credits at a ratio of 1 to 1 for the filling of aquatic features, or if no credits are available for purchase, no net loss may be achieved through either off-site permittee-responsible mitigation at a resource agency-approved location or on-site permittee responsible mitigation consisting of the creation of 0.01 acres/400 linear feet of ephemeral aquatic resources within the proposed project limits assessed in this report, to be achieved as described in PDF-BIO-2. Therefore, this impact would be **less than significant**.

Short-Term Indirect Impacts

Generation of Fugitive Dust. As stated above, excessive dust can decrease the vigor and productivity of vegetation through effects on light, penetration, photosynthesis, respiration, and transpiration, as well as increased penetration of phytotoxic gaseous pollutants and increased incidence of pests and diseases. Dust from project construction would be controlled per PDF-AQ-1 (Dust Control and Air Quality Measures). Dust is only expected to be a potential impact in the area immediately surrounding the On-Site and Off-Site Impact Areas, and therefore would not impact Loma Alta Creek, which is approximately 300 feet from the On-Site and Off-Site Impact Areas. Indirect impacts would be less than significant.

Changes in Hydrology and Chemical Pollutants. Construction could result in hydrologic impacts adjacent to and downstream of the limits of grading. 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. Loma Alta Creek is approximately 300 feet from the On-Site Impact Area, with a variety of upland habitats providing a natural buffer. Additionally, all proposed project grading would be subject to restrictions and requirements that address erosion and runoff, including the federal Clean Water Act and the National Pollutant Discharge Elimination System, and preparation of a Stormwater Pollution Prevention Plan and Standard Urban Stormwater Management Plan. These programs are expected to minimize proposed project impacts to less than significant with respect to erosion/runoff, and potential impacts from chemical pollutants.

Increased Human Activity. Increased human activity during construction could result in potential degradation of aquatic resources outside of the On-Site and Off-Site Impact Areas. Increased human activity within areas can lead to the generation of trash and debris, which could find its way into aquatic resources if not properly contained and discarded appropriately. Potential impacts from additional human activity during project construction would be minimal and not result in significant impacts to species using the adjacent areas. Implementation of MM-BIO-5 (Temporary Installation of Fencing), which would prevent construction personnel from accessing areas outside of the approved On-Site and Off-Site Impact Areas, as well as implementation of PDF-BIO-1 (Biological Resource Minimization Measures) and MM-BIO-4 (Biological Monitoring), would ensure that impacts would be less than significant.

Short-term indirect impacts to jurisdictional features would be **potentially significant** prior to mitigation.

PDF-AQ-1 (Dust Control and Air Quality Measures), MM-BIO-4 (Biological Monitoring), and MM-BIO-5 (Temporary Installation of Fencing) would ensure that potential short-term indirect impacts would be less than significant.

Long-Term Indirect Impacts

Long-term (operation-related) or permanent indirect impacts could result from the proximity of the project to jurisdictional aquatic resources after construction. However, Loma Alta Creek is approximately 300 feet from the On-Site Impact Area, with a variety of upland habitats providing a natural buffer. In addition, the final completed developed footprint (Net Developable Pad) of the proposed project would be even smaller than the On-Site Impact Area (approximately 6 acres); thus, indirect impacts to jurisdictional aquatic resources would be less than significant. Permanent indirect impacts that could affect jurisdictional aquatic resources include chemical pollutants, altered hydrology, non-native invasive species, and increased human activity. Each of these potential indirect impacts is discussed in detail in the following paragraphs and would be less than significant with implementation of MM-BIO-2 (Permanent Fencing and Signage) and MM-BIO-6 (Invasive Species Prohibition).

Chemical Pollutants. The effects of chemical pollutants on jurisdictional resources are the same as for short-term indirect impacts described above.

Altered Hydrology. Water used for landscaping purposes may alter the adjacent hydrologic regime. These hydrologic alterations may affect nearby jurisdictional resources. Water and associated runoff associated with landscaping activities would be contained within the On-Site and Off-Site Impact Areas, and long-term indirect impacts associated with altered hydrology are not expected.

Non-Native, Invasive Plant and Animal Species. The effects of non-native, invasive plant and animal species would be similar to those described above for vegetation communities. The introduction of non-native, invasive animal species could negatively affect native species that may be pollinators of or seed dispersal agents for plants within nearby jurisdictional resources. However, the proposed development is situated in a previously graded area already disturbed by non-native species and human activity. Native habitats within the open space easement would be managed to reduce the number of non-native species in those areas per MM-BIO-1 (Designation of Open Space). MM-BIO-2 (Permanent Fencing and Signage) and MM-BIO-6 (Invasive Species Prohibition) would further ensure that impacts would be less than significant.

Increased Human Activity. The potential long-term indirect effects of increased human activity would be similar to those described above for vegetation communities. An increased human population increases the risk for damage to jurisdictional resources; however, the Parcel Area is already subject to a high level of human disturbance, including near Loma Alta Creek. MM-BIO-2 provides for installation of fencing and signage to prevent easy access into the open space area. The portion of Loma Alta Creek that is within the Parcel Area is completely within the open space easement and would be managed in perpetuity.

Long-term indirect impacts to jurisdictional features would be **potentially significant** prior to mitigation.

Short-term indirect impacts would be reduced to less than significant with implementation of MM-BIO-2 (Permanent Fencing and Signage) and MM-BIO-6 (Invasive Species Prohibition).

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?

Direct Impacts

The Parcel Area is outside of the Wildlife Corridor Planning Zone designated by the Oceanside Subarea Plan (City of Oceanside 2010). The Parcel Area is surrounded by development to the north (including the railroad tracks), east, west, and south, which limits movement of larger mammals. The habitats in the Parcel Area likely serve as a stepping-stone for dispersing and migrating avian individuals, as well as habitat for resident wildlife species. Loma Alta Creek is a small riparian corridor that may provide habitat for a variety of avian species, some fish species, common amphibians such as chorus frogs (*Pseudacris* sp.), raccoons, and other urban-adapted mammals. The On-Site and Off-Site Impact Areas are more than 300 feet from Loma Alta Creek and largely disturbed with dirt paths regularly used by people and some illegal encampments that limit use of the area by larger animals. The primary species in the Parcel Area include commonly found birds, lizards, snakes, small mammals, and invertebrates. Therefore, the development of approximately 11.75 acres concentrated in the eastern portion of the Parcel Area and Off-Site Impact Area would not result in significant impacts to wildlife corridors or habitat linkages. Further, as shown in Table 4.3-3, the western portion of the Parcel Area, including the portion of Loma Alta Creek located in the Parcel Area, would be preserved as a conservation easement area. Therefore, no significant impacts to wildlife corridors or habitat linkages would occur as a result of the proposed project, and impacts would be **less than significant**.

Short-Term Indirect Impacts

Short-term indirect impacts to habitat connectivity and wildlife corridors could result from increased human activity, construction noise, and lighting. These impacts are described in detail in the following paragraphs and would be mitigated to less than significant through implementation of PDF-BIO-1 (Biological Resource Minimization Measures), MM-BIO-4 (Biological Monitoring), and MM-BIO-5 (Temporary Installation of Fencing).

Increased Human Activity. Project construction would occur during the daytime and would not affect wildlife species such as most mammals that are most active in evenings and at night. 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 within and adjacent to the Parcel Area for wildlife movement. The proposed project would result

in removal of the existing unpermitted use of the Parcel Area as a location for dumping trash and other unauthorized activities, and construction fencing would protect the Parcel Area, including off-site work areas, from unanticipated impacts. Nighttime work is not proposed. Potential impacts from additional human activity during construction would be minimal and not result in significant impacts to species using adjacent areas. Additionally, MM-BIO5 (Temporary Installation of Fencing) would prevent construction personnel and equipment from accessing areas outside of the approved On-Site and Off-Site Impact Areas. This impact would be less than significant with implementation of PDF-BIO-1 (Biological Resource Minimization Measures), MM-BIO-5, and MM-BIO-4 (Biological Monitoring).

Noise. Construction-related noise could occur from equipment used during vegetation clearing and construction of the residences and associated infrastructure. Noise impacts can have a variety of indirect impacts on wildlife species, including effects on their movement patterns. Suitable native habitat is present west of the On-Site Impact Area, which would provide refuge for wildlife, including preservation of the ability to safely move temporarily to avoid loud construction noises. Additionally, the Parcel Area is already subject to a baseline level of noise from the nearby trains, roads, and human disturbance. Thus, short term indirect impacts due to noise to wildlife using adjacent habitat for movement would be less than significant.

Lighting. Night lighting during construction could alter natural behavior of wildlife. Night work is not proposed for this project, and the Parcel Area is located in an urban area subject to light pollution. Some localized security-related lighting, on-site security personnel, and/or a remotely monitored alarm system may be required during construction. Any localized security-related lighting necessary during construction would be directed downward and away from the open space easement where wildlife occurs in more abundance, per PDF-BIO-1 (Biological Resource Minimization Measures). Therefore, short-term lighting impacts would be less than significant.

Short-term indirect impacts to wildlife corridors would be **potentially significant** prior to mitigation.

These impacts are described in detail in the following paragraphs and would be mitigated to less than significant through implementation of PDF-BIO-1 (Biological Resource Minimization Measures), MM-BIO-4 (Biological Monitoring), and MM-BIO-5 (Temporary Installation of Fencing).

Long-Term Indirect Impacts

Long-term indirect impacts include increased human activity and lighting. These impacts are described in detail below and would be mitigated to less than significant through implementation of PDF-BIO-1 (Biological Resource Minimization Measures), MM-BIO-1 (Designation of Open Space), MM-BIO-2 (Permanent Fencing and Signage), MM-BIO-4 (Biological Monitoring), and MM-BIO-6 (Invasive Species Prohibition).

Increased Human Activity. The project proposes to develop a maximum of 260 multi-family residential units (Option A) with an option to build 282 dwelling units (Option B) with a different unit mix. Increased human activity can deter wildlife from using habitat areas near the proposed project. However, the project is situated in an area with a high level of existing human disturbance, and animals that currently use the area are likely tolerant of urbanized settings. Additionally, because the On-Site and Off-Site Impact Areas are already illegally used by people, the proposed project would result in a removal of all illegal use of the site and allow wildlife to better use the areas outside of proposed On-Site and Off-Site Impact Areas. The parts of the Parcel Area not proposed to be impacted would be located within an open space easement and

managed to minimize human activity in those areas. With the designation of open space (MM-BIO-1) construction of permanent fencing (MM-BIO-2), and provision of a resident education program (MM-BIO-7), this impact would be mitigated to less than significant.

Lighting. Per PDF-BIO-1 and compliance with applicable laws, lighting would be directed downward and away from the open space easement where wildlife occurs in more abundance. The buildings and parking areas would include lighting designed to minimize light pollution and preserve dark skies. Therefore, lighting impacts would be less than significant.

Non-Native, Invasive Plant and Animal Species. Invasive plant and animal species that thrive in edge habitats could have similar potential long-term indirect impacts to wildlife species moving through the Parcel Area as described above for special-status wildlife species. The remainder of the Parcel Area not proposed for development would be placed within an open space easement and managed to reduce the number of non-native species and to protect that area, per MM-BIO-1 (Designation of Open Space) and MM-BIO-2 (Permanent Fencing and Signage). This impact would be mitigated to less than significant through MM-BIO-1 (Designation of Open Space), MM-BIO-2 (Permanent Fencing and Signage), MM-BIO-6 (Invasive Species Prohibition), and MM-BIO-7 (Resident Education Program).

Long-term indirect impacts to wildlife corridors would be **potentially significant** prior to mitigation.

These impacts are described in detail below and would be mitigated to less than significant through implementation of PDF-BIO-1 (Biological Resource Minimization Measures), MM-BIO-1 (Designation of Open Space), MM-BIO-2 (Permanent Fencing and Signage), MM-BIO-4 (Biological Monitoring), and MM-BIO-6 (Invasive Species Prohibition).

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. With implementation of MM-BIO-1 through MM-BIO-8 outlined in Section 4.3.5, 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.

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.

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 Parcel Area would not encroach into the 50-foot wetland buffer or the additional 50-foot planning buffer from Loma Alta Creek. The 32.63 acres of the Parcel Area that would not be permanently impacted ~~and~~ ,which equates to more than 75% of the Parcel Area and nearly 95% of the coastal sage scrub onsite, would be included in an open space easement and managed in perpetuity. The overall open space easement, which will preserve, restore and/or enhance more than 18 acres of coastal sage scrub, would include contiguous areas of coastal sage scrub and chaparral habitat, resulting in a cohesive conservation easement that is contiguous with additional habitat to the west of the Parcel Area. The combination of preservation and restoration/enhancement on-site comports with the corrective action goals in Section 5.4 of the draft Oceanside Subarea Plan related to prior unlawful habitat removal that occurred under previous ownership of the Parcel Area. Lighting along the open space conservation easement would be low level and facing away from the open space areas, consistent with the Oceanside Subarea Plan (City of Oceanside 2010). Impacts to any coast live oak tree individuals (present in the Off-Site Impact Area) would be avoided. However, impacts would be potentially significant prior to mitigation. With implementation of the MM-BIO-1 through MM-BIO-8 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 shall be implemented to reduce potential direct and indirect impacts to less than significant.

MM-BIO-1 Designation of Open Space. Mitigation shall be provided as follows to mitigate the project impacts to sensitive vegetation communities to a less than significant level through preservation of the requisite habitat in perpetuity: ~~Mitigation for the proposed project's impacts to sensitive vegetation communities shall consist of the following:~~

a. The applicant shall offset permanent impacts to Diegan coastal sage scrub (1.26 acres), disturbed southern mixed chaparral (2.45 acres), and non-native grassland (4.33 acres) through the conservation of 32.63 acres containing approximately 14.72 acres of Diegan coastal sage scrub, 1.99 acres of disturbed Diegan coastal sage scrub, 7.12 acres of southern mixed chaparral, 2.15 acres of disturbed southern mixed chaparral, 0.60 acres of freshwater

marsh, and 1.37 acres of disturbed southern willow scrub in a conservation easement. The conserved area also contains 3.69 acres of disturbed habitat and 0.92 acres of eucalyptus woodland, which could provide restoration or enhancement opportunities in the future.

b. The open space easement shall be managed, maintained, and monitored through implementation of a habitat management plan. The habitat management plan shall include tasks that outline invasive species control, trash removal, access control, biological monitoring, and fencing. The habitat management plan will include performance standards for assessing the habitat quality of each sensitive vegetation community conserved per the SAP management guidelines. The satisfaction of these performance criteria shall be verified by a Qualified Biologist via a biological survey and an associated letter documenting the survey results. A "Qualified Biologist" is a professional with 5 years of experience in biological resource evaluation in San Diego County, with qualifications to be verified to the satisfaction of the City Planner.

c. The open space easement shall include all habitat that is not a manufactured slope and/or not under an existing easement and shall (1) be protected by a conservation easement or other City of Oceanside approved mechanism that provides preservation in perpetuity, (2) have a permanent responsible party clearly designated, and (3) be managed in accordance with a habitat management plan in perpetuity. The habitat management plan shall be prepared by a qualified biologist pursuant to the performance criteria and the 2010 City of Oceanside Multiple Habitat Conservation Program Subarea Plan's Preserve management guidelines. The habitat management plan shall also include Property Analysis Report (PAR) analysis verified by a Qualified Biologist and approved by the City to identify yearly maintenance and monitoring costs required to satisfy the performance criteria, as well as identify an initial management fund endowment to provide for management in perpetuity.

d. The open space easement will be in favor of an agency, non-profit organization, or other entity approved by the USFWS and CDFW. The USFWS and CDFW will be named as a third-party beneficiaries. The open space easement will be approved by the USFWS and CDFW prior to its execution. There ~~should~~ shall be no active trails in the open space area. The project applicant will submit a draft easement to the USFWS and CDFW for review and approval. The project applicant will submit the final open space easement and evidence of its recordation to the USFWS and CDFW within 60 days of receiving approval of the draft open space easement.

e. The applicant shall submit a draft habitat management plan, including (1) a description of perpetual management, maintenance, and monitoring actions and the Property Analysis Record or other cost estimation results for the non-wasting endowment, and (2) a description of any restoration and/or enhancement proposed for the open space easement. The applicant shall submit the plan to the City of Oceanside, CDFW, and USFWS.

f. The applicant shall establish a non-wasting endowment or other financial instrument in a form and an amount approved by the City of Oceanside, CDFW and USFWS based on the Property Analysis Record or similar cost estimation method to secure the ongoing funding for the perpetual management, maintenance and monitoring of the conservation easement by an agency, non-profit organization, or other entity approved by the City of Oceanside, CDFW and USFWS. The non-wasting endowment or other financial instrument shall be held by a non-profit conservation entity approved by the City of Oceanside, CDFW and USFWS. The Property Analysis Record shall recognize that the grantor shall be permitted to allocate mitigation credits to itself or others for habitat preserved by the conservation easement that is in excess of what is required for the project in accordance with applicable permitting and regulatory requirements.

DOCUMENTATION: The applicant shall prepare the habitat management plan, draft plats, and legal descriptions of the easements, then submit them for preparation and recordation with the City of Oceanside. **TIMING:** Prior to issuance of any grading permit, the applicant shall provide evidence to the City of Oceanside Planning Division that the required compensatory mitigation has been provided to the satisfaction of the City of Oceanside. In addition, (1) a resource manager shall be selected and evidence provided by the applicant as to the acceptance of this responsibility by the proposed resource manager, and (2) the easement shall be recorded. **MONITORING:** Upon final review of the habitat management plan, resource manager selected, endowment funded, and recordation and verification of the easements, the condition shall be satisfied.

MM-BIO-2 To protect the proposed conservation easement from entry and disturbance, permanent fencing and signage shall be installed. Fencing shall have no gates except to allow access for maintenance and monitoring of the conservation easement area, and shall be designed to prevent intrusion by pets, especially domestic cats. Open space fencing or walls shall be placed along the biological open space boundary as indicated on the approved plans. In addition, evidence shall be provided in the form of site photos and a statement from a California Registered Engineer or licensed surveyor that the permanent walls or fences, and open space signs have been installed. The sign must be corrosion resistant, a minimum of 6 by 9 inches, on posts not less than 3 feet in height from the ground surface, and must state the following:

> "**Sensitive Environmental Resources Area Restricted by Easement"**
>
> "Entry without express written permission from the City of Oceanside is prohibited. To report a violation or for more information about easement restrictions and exceptions, contact the City of Oceanside, Development Services Department."

DOCUMENTATION: The applicant shall install the signage and fencing as indicated above and provide site photos and a statement from a California Registered Engineer or licensed surveyor that the open space fencing has been installed at the conservation easement boundary. **TIMING:** Prior to any occupancy or use of the premises following completion of construction in reliance of this permit, the fencing and signage shall be placed**. MONITORING**: The City of Oceanside shall review the photos and statement for compliance with this condition.

MM-BIO-3 Nesting Bird Surveys. Construction-related ground-disturbing activities (e.g., clearing/grubbing, grading, and other intensive activities) that occur during the avian breeding season (typically February 1 through September 15) shall require a one-time biological survey for nesting bird species to be conducted within the limits of grading and a 500-foot buffer (where feasible) within 72 hours prior to construction. This survey is necessary to ensure avoidance of impacts to nesting raptors and other birds protected by the federal Migratory Bird Treaty Act and California Fish and Game Code Sections 3503 and 3513. If any active nests are detected, the area shall be flagged and mapped on the construction plans or a biological resources figure, and the information provided to the construction supervisor and any personnel working near the nest buffer. Active nests shall have avoidance buffers established around them (e.g., 250 feet for passerines to 500 feet for raptors) by the project biologist in the field with brightly colored flagging tape, conspicuous fencing, or other appropriate barriers or signage. The project biologist shall serve as a construction monitor during those periods when construction activities occur near active nest areas to avoid inadvertent impacts to these nests. The project biologist may adjust the 250-foot or

500-foot buffer at their discretion depending on the species and the location of the nest (e.g., if the nest is well protected in an area buffered by dense vegetation). However, if needed, additional qualified monitor(s) shall be provided to monitor active nest(s) or other project activities in order to ensure all of the project biologist's duties are completed. Once the nest is determined by a qualified monitor to be no longer occupied for the season, construction may proceed in the buffer 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 work area and a 500-foot buffer, where feasible.

DOCUMENTATION: The applicant shall provide a letter of agreement with this condition to the City of Oceanside. **TIMING:** Prior to pre-construction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading, compliance with this condition is mandatory unless the requirement is waived by the City of Oceanside upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The City of Oceanside shall review the concurrence letter.

MM-BIO-4 Biological Monitoring. To prevent inadvertent disturbance to areas outside the limits of grading, 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 and periodic monitoring during and after grading when recommended by a Qualified Biologist. The project biologist(s) also shall do the following:

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. The Qualified Biologist shall conduct a training session for all project personnel prior to any grading/construction activities. At a minimum the training shall include a description of the target species of concern, its habitats, the general provisions of the Endangered Species Act (Act) and the MHCP, the need to adhere to the provision of the Act and the MHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the target species of concern as they relate to the project, and the access routes to and project site boundaries within which the project activities must be accomplished. Prior to 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.
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 construction activities weekly to ensure against direct and indirect impacts to biological resources that are intended to be protected and preserved and to document that protective fencing is intact.
e. Flush wildlife species (e.g., reptiles, mammals, avian, and other mobile species) from occupied habitat areas immediately prior to brush-clearing activities. This does not include disturbance

to nesting birds (see MM-BIO-3) or "flushing" of federally listed species (i.e., coastal California gnatcatcher).

f. Periodically monitor the construction site to verify that the project is implementing the following stormwater pollution prevention plan best management practices: 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. Periodically monitor the construction site after grading is completed and during the construction phase to see that artificial security light fixtures are directed away from open space and are shielded, and to document that no unauthorized impacts have occurred.

h. If dead or injured federally and/or state-listed species are found onsite, the City, CDFW, and/or USFWS will be notified in compliance with applicable laws and regulations.

i. Keep monitoring notes for the duration of project construction for submittal in a final report to substantiate the biological supervision of the vegetation clearing and grading activities and the protection of biological resources.

j. Prepare a monitoring report after 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.

k. Halt work, if necessary, and confer with the City of Oceanside to ensure the proper implementation of special-status species and sensitive resource protection measures.

~~f.~~l. Submit a final report to the City of Oceanside within 60 days of project completion that includes as-built construction drawings with an overlay of habitat that was impacted and avoided, photographs of habitat areas that were to be avoided, and other relevant summary information documenting that authorized impacts were not exceeded and that compliance with all measures was achieved.

DOCUMENTATION: The applicant shall provide a letter of agreement with this condition to the City of Oceanside. **TIMING:** Prior to final grading release. **MONITORING:** The City of Oceanside shall review the concurrence letter.

MM-BIO-5 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.

DOCUMENTATION: The applicant shall provide a letter of agreement with this condition to the City of Oceanside. **TIMING:** Prior to final grading release. **MONITORING:** The City of Oceanside shall review the concurrence letter.

MM-BIO-6 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. In addition, any planting stock to be brought onto the Parcel Area, including Off-Site Impact Area, for landscape or habitat creation/restoration/enhancement, if such activities occur, shall be first inspected by a qualified pest inspector to ensure it is free of pest species that could invade natural areas, including, but not limited to, Argentine ants (*Linepithema humile*), fire ants (*Solenopsis invicta*),

and other insect pests. Any planting stock found to be infested with such pests shall not be allowed in the Parcel Area or within 300 feet of natural habitats unless documentation is provided to the City of Oceanside that these pests already occur in natural areas around the Parcel Area. The stock shall be quarantined, treated, or disposed of according to best management principles by qualified experts in a manner that precludes invasions into natural habitats. The applicant shall ensure that all temporary irrigation shall be for the shortest duration possible, and that no permanent irrigation shall be used for landscape adjacent to the conservation easement.

DOCUMENTATION: The applicant shall provide documentation to the City of Oceanside that this condition has been met. **TIMING:** Prior to final grading release. **MONITORING:** The City of Oceanside shall review the documentation.

MM-BIO-7 Resident Education Program. The applicant shall develop a resident education program in coordination with the City of Oceanside (City). The program shall advise residents of the potential impacts to listed species and the potential penalties for harming such species. The program shall include information pamphlets and signage on the fencing between the development and the conservation easement. Pamphlets shall be distributed to all residences. At a minimum, the program shall discuss how to prevent the spreading of non-native ants and other insect pests from developed areas into the conservation easement, impacts from free-roaming pets (particularly cats) on native wildlife populations, and the importance of keeping cats indoors and keeping pet food indoors and in a secured location.

DOCUMENTATION AND TIMING: The applicant shall submit the program to the City at least 30 days prior to Certificate of Occupancy ~~completion of project grading~~. The applicant shall submit to the City the final program within 60 days of receiving approval of the draft program from the City.

MM-BIO-8 Crotch's Bumble Bee Pre-Construction Survey. A pre-construction survey for Crotch's bumble bee shall be conducted within the construction footprint prior to the start of ground-disturbing construction activities occurring during the Crotch's bumble bee nesting period (February 1 through October 31). The survey shall ensure that no nests for Crotch's bumble bee are within the construction area. The pre-construction survey shall include a habitat assessment and focused surveys, both of which shall be based on recommendations described in the Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species, released by the California Department of Fish and Wildlife (CDFW) on June 6, 2023, or the most current version at the time of construction.

The habitat assessment shall, at a minimum, include historical and current species occurrences; document potential habitat in the Parcel Area, including foraging, nesting, and/or overwintering resources; and identify which plant species are present. For the purposes of this mitigation measure, nest resources are defined as abandoned small mammal burrows, bunch grasses with a duff layer, thatch, hollow trees, brush piles, and human-made structures that may support bumble bee colonies such as rock walls, rubble, and furniture. The habitat assessment shall be repeated prior to February 1 in each year ground-disturbing activities occur to determine if nesting resources are present within the On-Site and/or Off-Site Impact Areas. If nesting resources are present in the On-Site and/or Off-Site Impact Areas, focused surveys shall be conducted.

The focused survey shall be performed by a biologist with expertise in surveying for bumble bees and include at least three survey passes that are not on sequential days or in the same week, preferably spaced 2 to 4 weeks apart. The timing of these surveys shall coincide with the colony active period (April 1 through August 31 for Crotch's bumble bee). Surveys may occur between 1 hour after sunrise and 2 hours before sunset. Surveys shall not be conducted during wet conditions (e.g., foggy, raining, or drizzling), and surveyors shall wait at least 1 hour following rain. Optimal surveys are when there are sunny to partly sunny skies and a temperature greater than 60°F. Surveys may be conducted earlier if other bees or butterflies are flying. Surveys shall not be conducted when it is windy (i.e., sustained winds greater than 8 miles per hour). Within non-developed habitats, the biologist shall look for nest resources suitable for bumble bee use. Ensuring that all nest resources receive 100% visual coverage, the biologist shall watch the nest resources for up to 5 minutes, looking for exiting or entering worker bumble bees. Worker bees should arrive and exit an active nest site with frequency, such that their presence would be apparent after 5 minutes of observation. If a bumble bee worker is detected, then a representative shall be identified to species. Biologists should be able to view several burrows at one time to sufficiently determine if bees are entering/exiting them, depending on their proximity to one another. It is up to the discretion of the biologist regarding the actual survey viewshed limits from the chosen vantage point to determine which would provide 100% visual coverage; this could include a 30- to 50-foot-wide area. If a nest is suspected, the surveyor can block the entrance of the possible nest with a sterile vial or jar until nest activity is confirmed (no longer than 30 minutes).

Identification shall include trained biologists netting/capturing the representative bumble bee in appropriate insect nets, per the protocol in U.S. National Protocol Framework for the Inventory and Monitoring of Bees. The bee shall be placed in a clear container for observation and photographic documentation, if able. The bee shall be photographed using a macro lens from various angles to ensure recordation of key identifying characteristics. If bumble bee-identifying characteristics cannot be adequately captured in the container due to movement, the container shall be placed in a cooler with ice until the bumble bee becomes inactive (generally within 15 minutes). Once inert, the bumble bee shall be removed from the container and placed on a white sheet of paper or card for examination and photographic documentation. The bumble bee shall be released into the same area from which it was captured upon completion of identification. Based on implementation of this method on a variety of other bumble bee species, they become active shortly after removal from the cold environment, so photography must be performed quickly.

If Crotch's bumble bee nests are not detected, no further mitigation would be required. The mere presence of foraging Crotch's bumble bees would not require implementation of additional minimization measures because they can forage up to 10 kilometers from their nests. If nest resources occupied by Crotch's bumble bee are detected within the construction area, no construction activities shall occur within 100 feet of the nest, or as determined by a qualified biologist through evaluation of topographic features or distribution of floral resources. The nest resources shall be avoided for the duration of the Crotch's bumble bee nesting period (February 1 through October 31). Outside of the nesting season, it is assumed that no live individuals would be present within the nest because the daughter queens (gynes) usually leave by September, and all other individuals (original queen, workers, males) die. The gyne is highly mobile and can independently disperse to outside of the construction footprint to surrounding open space areas that support suitable hibernacula resources.

A written survey report shall be submitted to the City of Oceanside and CDFW within 30 days of the pre-construction survey. The report shall include survey methods, weather conditions, and survey results, including a list of insect species observed and a figure showing the locations of any Crotch's bumble bee nest sites or individuals observed. The survey report shall include the qualifications/resumes of the surveyor(s) and approved biologist(s) for identification of photo vouchers and a detailed habitat assessment. If Crotch's bumble bee nests are observed, the survey report shall also include recommendations for avoidance, and the location information shall be submitted to the California Natural Diversity Database at the time of, or prior to, submittal of the survey report.

~~If the above measures are followed, the applicant would not need to obtain authorization from CDFW through the CESA Incidental Take Permit process. If nest resources cannot be avoided, as outlined in this measure, I~~If Crotch's bumble bee is detected within the project area, the project applicant shall consult with CDFW regarding the need to obtain an Incidental Take Permit. Any measures determined to be necessary through the Incidental Take Permit process to offset impacts to Crotch's bumble bee may supersede measures provided in this document and shall be incorporated into the habitat mitigation and monitoring plan.

In the event that an Incidental Take Permit is needed, mitigation for direct impacts to Crotch's bumble bee shall be fulfilled through compensatory mitigation at a minimum 1:1 nesting habitat replacement of equal or better functions and values to those impacted by the project, or as otherwise determined through the Incidental Take Permit process. Mitigation shall be accomplished through on-site preservation of suitable habitat and/or in accordance with CDFW guidance for off-site locations. The funding source shall be in the form of an endowment to help the qualified natural lands management entity that is ultimately selected to hold the conservation easement(s). The endowment amount shall be established following the completion of a project-specific Property Analysis Record to calculate the costs of in-perpetuity land management. The Property Analysis Record shall take into account all management activities required in the Incidental Take Permit to fulfill the requirements of the conservation easement.

DOCUMENTATION: The applicant shall provide a letter of agreement with this condition to the City of Oceanside. **TIMING:** Prior to issuance of grading permits. **MONITORING:** The City of Oceanside shall review the concurrence letter.

4.3.6 Level of Significance After Mitigation

With incorporation of MM-BIO-1 through MM-BIO-8 outlined above, potentially significant impacts to biological resources would be reduced to a level of **less than significant**.

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4.4 Cultural Resources

This section describes the existing cultural resources of the Parcel Area, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures as necessary related to implementation of the proposed Olive Park Apartments Project (project). The following analysis is based on the Cultural Resources Inventory Report prepared for the proposed project by Dudek in April 2024, which is included as Appendix D to this Environmental Impact Report.

4.4.1 Existing Conditions

The Parcel Area is currently an undisturbed, vacant property with no existing structures. The cultural study area includes the Parcel Area, which consists of 43.50 acres of a vacant parcel (Assessor's Parcel Number 162-111-04), and the Total Impact Area, which consists of 11.75 acres within the On-Site Impact Area and Off-Site Impact Area. The area outside of the Total Impact Area would be designated as open space and would be placed in a conservation easement. The Total Impact Area has never been developed, but the topography is relatively flat in the western and northern portions of the Parcel Area, and hilly in the center, southern, and eastern portions of the Parcel Area. Seven vegetation communities and land cover types were identified in the Parcel Area: Diegan coastal sage scrub, southern mixed chapparal, urban/developed land, freshwater marsh, southern willow scrub, eucalyptus woodland, and non-native grassland (see Appendix C, Biological Technical Report). Additionally, Loma Alta Creek crosses the northwest portion of the Parcel Area and is not proposed for development by the project.

4.4.1.1 Methodology

Records Search

Dudek conducted a records search at the South Coastal Information Center (SCIC) for the Parcel Area and a 1-mile radius buffer around the Parcel Area on February 9, 2024 (Confidential Appendix A to Appendix D of this Environmental Impact Report). The records search results indicate 53 previous cultural resource studies have been performed within the 1-mile radius surrounding the Parcel Area. Of the 53 previous studies, nine intersect the Parcel Area (see Table 4.4-1). The entirety of the Parcel Area (100%) has been previously studied, which has resulted in two previously recorded cultural resources, CA-SDI-10445 and CA-SDI-10446, in the Parcel Area, which are listed in Table 4.4-1. These searches included review of mapped prehistoric, historical, and built-environment resources; DPR site records; technical reports; archival resources; and ethnographic references. Additional consulted sources included historical maps of the Parcel Area; the National Register of Historic Places (NRHP); the California Register of Historical Resources (CRHR); the California Historic Property Data File; and the lists of California State Historical Landmarks, California Points of Historical Interest, and the Archaeological Determinations of Eligibility. Additional information, such as previous cultural resources reports intersecting the Parcel Area, were requested and obtained from the SCIC.

Table 4.4-1 summarizes the nine studies that intersect the Parcel Area within the scope of the 1-mile records search area. Below the table are brief summaries of the studies with information relevant to the project. The remaining previous studies within the 1-mile radius are included in Confidential Appendix A to Appendix D.

Table 4.4-1. Cultural Studies within the Parcel Area

Report I.D.	Title	Author	Year
SD-00577	Map for highway alternatives study 11-SD-76 0.012.9 11821-159021	Caltrans	1982
SD-00595	Archeological testing and site significance assessment at SDI-5508, W-1778, W-2248, Rancho Del Oro Development Oceanside, California	Westec Services, Inc.	1988
SD-01320	Archeological Survey of the Rancho Del Oro Property, Oceanside, California	Westec Services Inc.	1979
SD-01677	A Cultural Resources Evaluation for the Loma Alta Creek Improvement Plan Area	Recon	1989
SD-01734	Cultural Resource Survey and Archaeological Test at sites SDI-10445 and SDI-10446, Americana Westwind Project, Oceanside, California	Westec Services Inc.	1986
SD-06112	Archaeological Reconnaissance of approximately 185+/- Acres in Oceanside, California, Appendices D and E	Christopher Drover	1978
SD-08733	Mission Wells Draft Appendices, Cultural Resources Survey and Assessment of the Mission Wells Project, Oceanside, California	Westec Services Inc.	1986
SD-12039	Cultural Resources Monitoring Report for the North County Transit District (NCTD) Sprinter Rail Project, Oceanside to Escondido, California	Gallegos & Associates	2007
SD-14069	Cultural and Historical Resources Study for the City of Oceanside General Plan Circulation Element Update Program Environmental Impact Report (PEIR)	ASM Affiliates Inc.	2011

Source: Appendix D

SD-01734

Westec Services Inc. prepared a report in 1986 that covers the entire Parcel Area titled Cultural Resource Survey and Archaeological Test at Sites CA-SDI-10445 and CA-SDI-10446 for the American Westwind Project, Oceanside, California. The study consisted of a field survey and subsurface testing for CA-SDI-10445 and CA-SDI-10446. CA-SDI-10445 is a small prehistoric habitation site; 13 potholes and three 1- by 1-meter units were excavated and the results were negative. CA-SDI-10446 is a prehistoric temporary campsite; 16 potholes and a single 1- by 1-meter unit were excavated and the results were negative. Both resources were evaluated for significance under the California Environmental Quality Act (CEQA) and do not qualify as significant archaeological resources under CEQA. This study concluded that these sites could be considered mitigated through the pedestrian survey, site identification/recordation, surface collection, site mapping, and subsurface testing, and no additional mitigation was recommended (Appendix D).

Previously Recorded Cultural Resources

The SCIC records search also identified 17 previously recorded cultural resources within 1 mile of the Parcel Area (Table 4.4-2). Of the 17 cultural resources, two are within the Parcel Area, CA-SDI-10445 (habitation site) and CA-SDI-10446 (temporary campsite). The remaining resources within 1 mile of the Parcel Area consist of six historic-era buildings; eight prehistoric resources consisting of two artifact scatters, two lithic scatters, two lithic and shell scatters, and two shell scatters; and one prehistoric isolate consisting of two pieces of debitage. One historic address is within 1 mile of the Parcel Area and is not within the Parcel Area.

Table 4.4-2. Cultural Resources within 1 Mile of the Parcel Area

Primary Number	Trinomial	Era	Resource Type	Eligibility
Resources Within the Parcel Area				
P-37-010445	CA-SDI-10445	Prehistoric	Habitation site	Not significant
P-37-010446	CA-SDI-10446	Prehistoric	Temporary campsite	Not significant
Resources Outside the Parcel Area				
P-37-004979	CA-SDI-04979	Prehistoric	Lithic scatter, shell scatter	Not evaluated
P-37-004981	CA-SDI-04981	Prehistoric	Artifact scatter	Not evaluated
P-37-004982	CA-SDI-04982	Prehistoric	Artifact scatter	Not evaluated
P-37-004993	CA-SDI-04993	Prehistoric	Shell scatter	Not evaluated
P-37-008090	CA-SDI-08090	Prehistoric	Lithic scatter	Not evaluated
P-37-009898	CA-SDI-09898	Prehistoric	Lithic scatter	Not evaluated
P-37-025144	—	Historic	Building	Not eligible for listing on the NRHP
P-37-025145	—	Historic	Building	Not eligible for listing on the NRHP
P-37-025146	—	Historic	Building	Not eligible for listing on the NRHP
P-37-025147	—	Historic	Building	Not eligible for listing on the NRHP
P-37-027373	CA-SDI-17894	Prehistoric	Lithic scatter and shell scatter	Not evaluated
P-37-027374	CA-SDI-17895	Prehistoric	Shell scatter	Not evaluated
P-37-036288	—	Historic	Building and historic refuse	Not eligible for listing on the NRHP
P-37-038561	—	Historic	Buildings	Not eligible for listing on the NRHP
P-37-036287	—	Prehistoric	Isolate: Lithic	Not evaluated

Source: Appendix D
NRHP = National Register of Historic Places

CA-SDI-10445/P-37-010445/W-3659

CA-SDI-10445 is a small prehistoric habitation site originally recorded by Westec Services Inc. in 1986 (Appendix D). The habitation site consists of an artifact scatter covering a 50- by 50-meter area. Westec revisited the site in 1986 to conduct a survey and subsurface testing to determine if intact subsurface deposits were present. The testing program consisted of a surface collection, and 38 artifacts were collected consisting of flaked stone tools, percussion tools, handstone fragments, debitage, angular waste, groundstone fragments, and a ceramic sherd. The testing program consisted of 13 potholes and three 1- by 1-meter units and yielded negative results. CA-SDI-10445 was evaluated for significance under CEQA and does not qualify as a significant archaeological resource under CEQA nor is it eligible for listing on the CRHR as the resource lacked a deposit, had a limited surface nature and lack of unique qualities, and does not have the potential to provide information important to the history of the state or region (Criterion 4) (Appendix D). The site was revisited by James & Briggs Archaeological Services in 2004, and the site was found to be in the same condition as when it was originally recorded in 1986; it was updated to include an additional 10 artifacts on the surface (Appendix D).

CA-SDI-10446/P-37-010446/W-3660

CA-SDI-10446 is a prehistoric temporary campsite originally recorded by Westec Services Inc. in 1986 (Appendix D). The temporary campsite consists of a light artifact scatter covering a 60- by 50-meter area. Westec revisited the site in 1986 to conduct a survey and subsurface testing to determine if intact subsurface deposits were present. The testing program consisted of a surface collection, and a total of 16 artifacts were collected consisting of flaked stone tools, percussion tools, handstone fragments, debitage, and angular waste. The testing program consisted of 16 potholes and one 1- by 1-meter unit and yielded negative results. CA-SDI-10446 was evaluated for significance under CEQA and determined to not be a significant archaeological resource under CEQA nor is it eligible for listing on the CRHR as the resource lacked a deposit, had a limited surface nature and lack of unique qualities, and does not have the potential to provide information important to the history of the state or region (Criterion 4) (Appendix D). The site was revisited by James & Briggs Archaeological Services in 2004 and the site was found to be in the same condition as it was when originally recorded in 1986; it was updated to include an additional four artifacts on the surface (Appendix D).

Archival Research

In addition to the SCIC records search, Dudek conducted an online review of historical aerial photographs of the Parcel Area and general vicinity to help determine the possible development and land use of the Parcel Area in the past. Historical aerial photographs of the Parcel Area were available from 1938 to 2020 (Appendix D). The 1938 aerial imagery reveals the entirety of the Parcel Area as largely undeveloped, but a small orchard is within the northwestern section of the Parcel Area but outside of the Total Impact Area. Additionally, the aerial photograph from 1938 shows the Parcel Area is bounded by Southern California Railroad tracks (now North County Transit District Sprinter rail line) to the north, a dirt pedestrian trail trending east/west to the south, and the Loma Alta Creek to the northwest. The 1946 aerial photograph reveals that the orchard is no longer visible. The aerial imagery from 1953 shows the Parcel Area with less vegetation present. There are no substantial changes revealed in the aerial imagery from 1964. Between 1967 and 1978 the aerial imagery reveals a steady increase of pedestrian trails throughout the Parcel Area. The 1978 aerial photograph shows residential development south and east of the Parcel Area, and grading activity north of the Parcel Area. The 1980 aerial photography reveals commercial development northwest of the Parcel Area. From 1981 to 1988 there were no substantial changes within the Parcel Area, but there was a steady increase of commercial and residential development within the general vicinity of the Parcel Area. The aerial imagery from 1989 shows a steady increase of pedestrian trails within the Parcel Area. From 1989 to 1997 there are no substantial changes within the Parcel Area. The aerial imagery from 1997 reveals the Parcel Area contains less vegetation. By 1998, the aerial photograph shows a few drainages trending north to south on the eastern portion of the Parcel Area. From 1999 to 2005 there were no substantial changes within the Parcel Area. The 2005 aerial imagery reveals the North County Transit District Sprinter rail line right-of-way has expanded. The current condition of the Parcel Area and surrounding areas are the same as seen in the 2010 aerial photograph. Approximately 10% of the Parcel Area has been previously disturbed. A review of the aerial photographs reveals that no historic-age structures are within the Parcel Area (Appendix D).

Historical topographic maps of the Parcel Area were reviewed (earliest map available is 1893). The historical topographic map from 1893 revealed the presence of a rail line immediately north of the Parcel Area. Also observed on the 1893 topographic map is Loma Alta Creek along the northwestern portion of the Parcel Area. A review of the topographic maps reveals that there are no historic age structures within the Parcel Area (Appendix D).

Native American Heritage Commission and Tribal Correspondence

Dudek requested a search of the Native American Heritage Commission (NAHC) Sacred Lands File for the Parcel Area and a 1-mile buffer on February 12, 2024 (Appendix D). 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 responded on February 13, 2024, with positive results, but did not provide details on what the resource(s) are or where they are located (Appendix D). The NAHC response letter advised Dudek to contact Native American representatives who may have information about cultural resources within the Parcel Area. Dudek mailed outreach letters on February 14, 2024, to all Native American group representatives included on the NAHC contact list. These letters attempted to solicit additional information relating to resources that may be impacted by the project. The Rincon Band of Luiseño Indians responded on March 6, 2024, stating that they would like to consult with the lead agency to review any potential impacts of the project. No other responses from the tribes have been received to date. Any additional responses received will be included in the final draft of Appendix D.

In compliance with Assembly Bill 52, the City of Oceanside (City), as lead agency, is responsible for conducting government-to-government consultation with pertinent tribal entities in order to address tribal concerns regarding potential project impacts and mitigation to "tribal cultural resources" (TCR). Public Resources Code section 21074(a) defines TCRs 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. TCRs are addressed in Section 4.16 of this EIR.

Intensive Pedestrian Survey

Dudek conducted an intensive cultural pedestrian survey of the entire Parcel Area on February 23, 2024. During the survey, the two previously recorded resources, CA-SDI-10445 and CA-SDI-10446, were revisited and cultural materials were identified within the previously recorded boundaries for both resources. CA-SDI-10446 is within the Total Impact Area and would be directly impacted by project implementation; CA-SDI-10445 would be avoided by the project and left in open space.

Due to the known presence of cultural resources (CA-SDI-10445 and CA-SDI-10446) within the Parcel Area, the presence of Loma Alta Creek within the northwestern section of the Parcel Area, the presence of alluvial soils that are suited to contain subsurface archaeological deposits, and the number of known cultural resources proximity of the Parcel Area, there is a high potential for encountering subsurface cultural resources during project implementation. Dudek recommends that an archaeological monitor and Luiseño Native American monitor be present full time during initial ground disturbance. Should cultural resources or subsurface cultural deposits be identified, monitoring may need to be increased, as recommended by the archaeologist, the monitoring tribe, and the City. If disturbed sediments (e.g., fill) or other sediments and formations are identified during monitoring that do not have the potential to contain cultural resources, then monitoring may be reduced or terminated (Appendix D).

4.4.2 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 ensure 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 NRHP is overseen by the National Park Service and requires that a property or resource eligible for listing in the NRHP 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 NRHP identifies 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 NRHP 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.)

The Native American Historic Resources Protection Act (PRC Section 5097 et seq.) addresses the disposition of Native American burials in archaeological sites, and protects such remains from disturbance, vandalism, and inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and establishes the NAHC to resolve disputes regarding the disposition of such remains. In addition, the Native American Historic Resource Protection Act makes it a misdemeanor punishable by up to 1 year in jail to deface or destroy a Native American historic or cultural site that is listed or may be eligible for listing in the CRHR.

California Native American Graves Protection and Repatriation Act

The California Native American Graves Protection and 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 those remains and items on or before January 1, 2003, with certain exceptions. The California Native American Graves Protection and Repatriation Act also provides a process for the identification and repatriation of these items to the appropriate tribes.

California Register of Historical Resources

In California, per the California Public Resources Code (PRC) the term "cultural resource" includes "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" (PRC Section 5020.1[j]). In 1992, the California legislature established the CRHR "to be used by state and local agencies, private groups, and citizens to identify the state's cultural resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change" (PRC Section 5024.1[a]). A resource is eligible for listing in the CRHR if the State Cultural Resources Commission determines that it is a significant resource and that it meets any of the following criteria (PRC Section 5024.1[c]):

1. Associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
2. Associated with the lives of persons important in our past.
3. 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.
4. Has yielded, or may be likely to yield, information important in prehistory or history.

Per the California Code of Regulations (CCR), 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 in the NRHP are automatically listed in the CRHR, as are state landmarks and

points of interest. The CRHR also includes properties designated under local ordinances or identified through local cultural resource surveys. The State Historic Preservation Office maintains the CRHR.

California Environmental Quality Act

As described further below, the following CEQA statutes and CEQA Guidelines (14 CCR 15000 et seq.) are of relevance to the analysis of archaeological, historic, and tribal cultural resources:

- PRC Section 21083.2(g) defines "unique archaeological resource."
- PRC 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 an historical resource.
- PRC Section 21074(a) defines "tribal cultural resources."
- PRC 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.
- PRC Sections 21083.2(b)-(c) and CEQA Guidelines Section 15126.4 provide information regarding the mitigation framework for archaeological and historic resources, including examples 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" (PRC 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 PRC Section 5024.1[q]), it is a "historical resource" and is presumed to be historically or culturally significant for the purposes of CEQA (PRC 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 (PRC 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]; PRC Section 5020.1[q]). In turn, the significance of a historical resource is materially impaired when a project does any of the following (CEQA Guidelines Section 15064.5[b][2]):

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 CRHR.
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 PRC Section 5020.1(k) or its identification in an historical resources survey meeting the requirements of PRC Section 5024.1(g), 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.

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 CRHR as determined by a lead agency for purposes of CEQA.

Pursuant to these sections, the CEQA inquiry begins with evaluating whether a project site contains any "historical resources," then evaluates whether that project will cause a substantial adverse change in the significance of a historical resource such that the resource's historical significance is materially impaired. If it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that they cannot be left undisturbed, mitigation measures are required (PRC Section 21083.2[a], [b], and [c]).

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). PRC 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, or object with cultural value to a California Native American tribe that is either of the following:

1. Listed or eligible for listing in the CRHR or a local register of historical resources.
2. Determined by a lead agency to be a TCR.

Local

City of Oceanside General Plan

Cultural resources are addressed in the City's General Plan 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.

To achieve this objective, the City will do the following (City of Oceanside 2002a):

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 (e.g., 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 (City of Oceanside 2002b):

> 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 (City of Oceanside 2002b):

> 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's 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:

6. Cause a substantial adverse change in the significance of a historical resource pursuant to in CEQA Guidelines Section ~~15064.2~~15064.5.
7. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section ~~15064.2~~15064.5.
8. 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 the resources' 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" (PRC 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~~15064.5?

Based on archival research and aerial photographs, the Parcel Area had been disturbed and undeveloped from 1938 to 2020. Aerial photographs from 1938 to 1953 show that there were no substantial changes on the Parcel Area. The aerial imagery from 1953 shows the Parcel Area with less vegetation present. There are no substantial changes revealed in the aerial imagery from 1964. From 1967 to 1978, the aerial

imagery reveals a steady increase of pedestrian trails throughout the Parcel Area. Additionally, approximately 10% of the Parcel Area has been disturbed by mass grading and residential development adjacent to the Parcel Area (Appendix D). There are no historical-era structures present on the Parcel Area, as described in Section 4.4.1. The SCIC records search did not identify any historic addresses recorded within the Parcel Area (Appendix D). For these reasons, 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~~15064.5, 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~~ 15064.5?

Dudek's cultural resources inventory of the project indicates that there is high sensitivity for identifying intact subsurface cultural deposits during project implementation. The SCIC records search identified 17 previously recorded cultural resources within 1 mile of the Parcel Area (Table 4.4-2). Of the 17 cultural resources, two are within the Parcel Area: CA-SDI-10445 (habitation site) and CA-SDI-10446 (temporary campsite). The remaining resources within 1 mile of the Parcel Area consists of six historic-era buildings; eight prehistoric resources consisting of two artifact scatters, two lithic scatters, two lithic and shell scatters, and two shell scatters; and one prehistoric isolate consisting of two pieces of debitage. One historic address is within 1 mile of the Parcel Area and is not within the Parcel Area. Both CA-SDI-10445 and CA-SDI-10446 were evaluated for significance under CEQA and determined to not be a significant archaeological resource under CEQA ~~determined as ineligible~~ nor eligible for listing on the CRHR under Criterion 4 (Appendix D).

Despite no significant archaeological resources being identified in the Parcel Area, the Parcel Area is of importance to the Luiseño People, and significant resources are noted within the area surrounding the Parcel Area. 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 would 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 would 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 and tribal mitigation measures (MMs), MM-TCR/CUL-1 through MM-TCR/CUL-9, outlined in Section 4.4.5 below. P~~p~~roject implementation of the recommendations in the Cultural Resources Inventory Report (Appendix D), as well as implementation of the City's cultural and tribal mitigation measures, would ensure that potential impacts to archaeological resources would be **less than significant**.

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

Based on archival research, record searches, and pedestrian survey, the Parcel Area was not used as a cemetery and is not otherwise known to contain human remains (Appendix D). Additionally, no evidence of

human remains was discovered within the Parcel Area 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 California Health and Safety Code Section 7050.5, if human remains are found, the county coroner would be immediately notified of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains would 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, they would notify the NAHC in Sacramento within 24 hours. In accordance with PRC 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 would complete their inspection and provide their recommendation regarding the treatment and disposition of the human remains within 48 hours of being granted access to the site, in consultation with the property owner.

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

4.4.5 Mitigation Measures

Despite no significant archaeological resources being identified within the Parcel Area, to further ensure project development would not result in potential impacts to cultural resources, the project would implement the City's standard cultural and tribal mitigation measures (MM-TCR/CUL-1 through MM-TCR/CUL-9), provided below.

MM-TCR/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 Rincon Band of Luiseño Indians and the San Luis Rey Band of Mission Indians. ~~"Traditionally and Culturally Affiliated (TCA) Native American monitor associated with a TCA Luiseno Tribe."~~ A copy of the agreement shall be included in the grading plan submittals for the grading permit. The purpose of this agreement shall be to formalize protocols and procedures between the applicant/owner and the TCA Native American monitor associated with a TCA Luiseño~~Luiseno~~ Tribe for the protection and treatment of Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas, and tribal cultural resources located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground-disturbing activities. At the discretion of the Luiseño~~Luiseno~~ Native American monitor, artifacts may be made available for 3D scanning/printing, with scanned/printed materials to be curated at a local repository meeting the Code of Federal Regulations (CFR) standards of 36 CFR 79.

MM-TCR/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~~Luiseno~~ Native American monitor have been retained at the applicant/owner's or grading contractor's expense to implement the monitoring program, as described in the pre-excavation agreement. A "Qualified Archeologist" is a professional with degree

in archeology or relevant area of study and at least 5 years of experience, with qualifications to be verified to the satisfaction of the City Planner.

MM-TCR/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, and other relevant documents. 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-TCR/CUL-4 The qualified archaeologist and LuiseñoLuiseno 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, or an archeological monitor working under the direction of the qualified archeologist, and LuiseñoLuiseno Native American monitor shall be present on site full-time during grubbing, grading, and/or other initial ground-altering activities, including the placement of imported fill materials or fill used from other areas of the Parcel Area, to identify any evidence of potential archaeological or tribal cultural resources. All fill materials shall be absent of any and all tribal cultural resources. The Qualified Archaeologist and LuiseñoLuiseno Native American Monitor shall conclude monitoring when concurrence is reached by the Qualified Archaeologist and LuiseñoLuiseno Native American monitor that ground disturbing activities will no longer affect potential tribal cultural resources.

MM-TCR/CUL-5 For potentially significant archaeological artifact deposits and/or cultural resources to be readily detected during mitigation monitoring, a written Controlled Grade Procedure shall be prepared by a qualified archaeologist, in consultation with the Luiseno Native American monitor,Rincon Band of Luiseño Indians and other Traditionally and Culturally Affiliated Luiseño Tribes Luiseno tribes that have participated in the state-prescribed process for this project, and the applicant/owner, subject to the approval of City of Oceanside representatives. The Controlled Grade Procedure shall establish requirements for any ground-disturbing work with machinery occurring in and around areas the qualified archaeologist Qualified Archaeologist and LuiseñoLuiseno 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, and 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-TCR/CUL-6 The qualified archaeologistQualified Archaeologist or Luiseno the Luiseño Native American monitor may halt ground-disturbing activities if unknown tribal cultural resources, or non-Tribal unique archaeological resources as defined in CEQA Guidelines section 15064.5 (artifact deposits, or cultural features or artifacts) 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 shall be minimally documented in the field, and before grading proceeds, these items shall be secured until they can be repatriated for later reburial on the project site outside of the development area. If items cannot be securely stored on the Parcel Areaproject site, they may be stored in off-site facilities located in San Diego County and agreed upon by Rincon Band of Luiseño Indians. If the qualified archaeologistQualified Archaeologist and Luiseño Native American monitor determine that the unearthed tribal cultural resource, or non-Tribal unique archaeological resources (artifact deposit, or cultural features or artifacts) is are considered

potentially significant, Traditionally and Culturally Affiliated (TCA) ~~Luiseno tribes~~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 of Oceanside (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~~Lead Agency under CEQA, TCA ~~Luiseno tribes~~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, or non-Tribal unique archaeological resources (artifact deposits, or cultural features or artifacts) that are part of a data recovery plan, no invasive or non-invasive testing of cultural materials is permitted without prior permission of the affiliated Tribes. The data recovery plan for the tribal cultural resources shall also incorporate and reflect the tribal values of the TCA ~~Luiseno tribes~~Luiseño Tribes that have participated in the state-prescribed consultation process for this project. If the ~~qualified archaeologist~~Qualified Archaeologist collects such resources, the ~~Luiseno~~ Luiseño Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the ~~qualified archaeologist~~Qualified Archaeologist does not collect the tribal cultural resources that are unearthed during the ground-disturbing activities, the ~~Luiseno~~ Luiseño Native American monitor may, at their discretion, collect said resources for later reburial on the project site outside of the development pad and provide them to the Rincon Band of Luiseño Indians 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~~Qualified Archaeologist, in consultation with the Luiseño Native American ~~monitor~~Monitor, deems that the cultural resource or feature has been appropriately documented and/or protected. Non-Tribal unique archaeological resource materials shall be collected and stored by the Qualified Archaeologist in offsite facilities located in San Diego County until the non-Tribal unique archaeological resources are curated at an appropriate qualified repository in San Diego County that meets federal standards per 36 CRF Part 79.

MM-TCR/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 Parcel Area, to the consulting Tribes for reburial on the project site at a location agreed upon by the Tribes outside of the development pad. All cultural materials that are associated with burial and/or funerary goods shall 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-TCR/CUL-8 Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, that 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-TCR/CUL-9 As specified by California Health and Safety Code Section 7050.5, if human remains are found on the Parcel Area during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the County of

San Diego 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 California Public Resources Code Section 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 is protected, and consultation and treatment shall occur as prescribed by law. If suspected Native American remains are discovered, the remains shall be kept inside, 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 shall determine within 2 working days of being notified if the remains are subject to his or her authority. If the medical examiner identifies the remains to be of Native American ancestry, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC shall make a determination as to the most likely descendent.

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 and tribal mitigation measures (MM-TCR/CUL-1 through MM-TCR/CUL-9), would ensure that potential impacts to archaeological resources and human remains would be **less than significant**.

4.5 Energy

This section describes the existing energy conditions of the Parcel Area, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the Olive Park Apartments Project (project) in Oceanside, California. The following analysis is based on the Air Quality, Greenhouse Gas Emissions, and Energy Technical Report, provided as Appendix B of this Environmental Impact Report, prepared by Dudek in May 2024.

4.5.1 Existing Conditions

Electricity

According to the U.S. Energy Information Administration, California used approximately 247,249,865 megawatt-hours of electricity in 2021 (EIA 2023a). 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. Due to the state's energy efficiency building standards and efficiency and conservation programs, California's electricity use per capita in the residential and commercial sector is lower than any other state except Hawaii (EIA 2023b).

San Diego Gas & Electric (SDG&E) would provide electricity to the project. SDG&E supplies power to 3.6 million people through 1.4 million electric meters across a 4,100-square-mile service area that includes San Diego County and southern Orange County (SDG&E 2022). According to the California Energy Commission (CEC), demand forecasts anticipate that approximately 22.7 billion kilowatt hours of electricity will be used in SDG&E's service area in 2024 (CEC 2023a).

Within San Diego County, annual electricity use in 2022 was approximately 20.2 billion kilowatt hours per year (CEC 2023b). SDG&E receives electric power from a variety of sources. According to the 2022 SDG&E Power Content Label, eligible renewable energy accounts for 44.5% of SDG&E's overall energy resources, with biomass and biowaste at 2.9%, solar at 28.0%, wind power at 13.9%, unspecified power[1] 0.8%, and natural gas at 54.4% (CEC 2023c).

Natural Gas

Natural gas is a combustible mixture of hydrocarbon compounds (primarily methane) used as a fuel source. The majority of the natural gas consumed in California is obtained from sources located outside the state and delivered through high-pressure transmission pipelines. Natural gas provides almost one-third of the state's total energy requirements and is used in electricity generation, space heating, cooking, water heating, industrial processes, and as a transportation fuel. Natural gas is measured in terms of cubic feet or therms.

According to the U.S. Energy Information Administration, California used approximately 2,092,612 million cubic feet of natural gas in 2021 (EIA 2023c). Most California's natural gas customers are residential and small commercial customers (core customers). These customers account for approximately 35% of the natural gas delivered by California utilities (CPUC 2022). Large consumers, such as electric generators and industrial customers (noncore customers), account for approximately 65% of the natural gas delivered by California utilities (CPUC 2022).

[1] Unspecified power is electricity that has been purchased through open market transactions and is not traceable to a specific generation source.

California Public Utilities Commission (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. Biogas (e.g., from wastewater treatment facilities or dairy farms) is just beginning to be delivered into the gas utility pipeline systems; however, the state has adopted regulations requiring its development to reduce statewide emissions of methane by 40% below 2013 levels by 2030 (CPUC 2022).

SDG&E provides San Diego County and southern Orange County with natural gas service, encompassing approximately 4,100 square miles. Within San Diego County, gas consumption in 2022 was approximately 522 million therms, with 281 million therms for residential use and 241 million therms for non-residential use (CEC 2023d).

Petroleum

According to the U.S. Energy Information Administration, California used approximately 605 million barrels of petroleum in 2021, with the majority (511 million barrels) used for the transportation sector (EIA 2023d). There is 42 U.S. gallons in a barrel, so this equates to a total daily use of approximately 14.4 million gallons of petroleum among all sectors and 12.2 million gallons for the transportation sector. Petroleum usage in California includes petroleum products such as motor gasoline, distillate fuel, liquefied petroleum gases, and jet fuel. 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 greenhouse gas (GHG) emissions, and reduce vehicle miles traveled (VMT). 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.

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 Parcel Area.

4.5.2 Regulatory Setting

Federal

Federal Energy Policy and Conservation Act and Corporate Average Fuel Economy Standards

In 1975, Congress enacted the federal Energy Policy and Conservation Act, which established the first fuel economy standards, known as the Corporate Average 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 Corporate Average 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.

Energy Policy and Conservation Act of 1992 and 2005

The Energy Policy Act of 1992 was passed to reduce the country's dependence on foreign petroleum and improve air quality. The act includes several parts intended to build an inventory of alternative fuel vehicles in large, centrally

fueled fleets in metropolitan areas. The act requires certain federal, state, and local government and private fleets to purchase a percentage of light-duty alternative fuel vehicles capable of running on alternative fuels each year. In addition, financial incentives are also included in the act. Federal tax deductions are allowed for businesses and individuals to cover the incremental cost of alternative fuel vehicles. The Energy Policy Act also requires states to consider a variety of incentive programs to help promote alternative fuel vehicles. The Energy Policy Act provides renewed and expanded tax credits for electricity generated by qualified energy sources, such as landfill gas; provides bond financing, tax incentives, grants, and loan guarantees for clean renewable energy and rural community electrification; and establishes a federal purchase requirement for renewable energy.

In January 2005, the new Energy Policy Act was signed into law. It addresses energy production in the United States, including energy efficiency, renewable energy, oil and gas, coal, Tribal energy, nuclear matters and security, vehicles and motor fuels, including ethanol, hydrogen, electricity, energy tax incentives, hydropower and geothermal energy, and climate change technology. The Energy Policy Act provides loan guarantees for entities that develop or use innovative technologies that avoid the by-production of GHGs. Another provision of the Energy Policy Act is the Renewable Fuel Standard (RFS), which increases the amount of biofuel that must be mixed with gasoline sold in the United States.

Intermodal Surface Transportation Efficiency Act of 1991

The Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 promoted the development of intermodal transportation systems to maximize mobility and address national and local interests in air quality and energy. ISTEA contained factors for metropolitan planning organizations 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 (previously discussed). The Transportation Equity 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 Transportation Equity 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 facilitates the reduction of national GHG emissions by requiring the following:

- Increasing the supply of alternative fuel sources by setting a mandatory RFS that requires fuel producers to use at least 36 billion gallons of biofuel in 2022.

- Prescribing or revising standards affecting regional efficiency for heating and cooling products, procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances.
- Requiring approximately 25% greater efficiency for light bulbs by phasing out incandescent light bulbs between 2012 and 2014; requiring approximately 200% greater efficiency for light bulbs, or similar energy savings, by 2020.
- Although superseded by the U.S. Environmental Protection Agency and National Highway Traffic Safety Administration actions described previously, establishing miles per gallon targets for cars and light trucks and directing the National Highway Traffic Safety Administration to establish a fuel economy program for medium-and heavy-duty trucks and created a separate fuel economy standard for trucks.

This federal legislation requires ever-increasing levels of renewable fuels (the RFS) to replace petroleum (EPA 2024). The U.S. Environmental Protection Agency is responsible for developing and implementing regulations to ensure that transportation fuel sold in the United States contains at least a minimum volume of renewable fuel.

The RFS program was created under the Energy Policy Act and established the first renewable fuel volume mandate in the United States. As required under the Energy Policy Act, the original RFS program 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 ways that laid the foundation for achieving significant reductions in 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:

- The EISA expanded the RFS program to include diesel, in addition to gasoline.
- The 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.
- The EISA established new categories of renewable fuel and set separate volume requirements for each one.
- The 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 (environmentally beneficial) jobs.

State

Many of the regulations adopted to reduce GHG emissions also serve to reduce energy use. Refer to Section 3.2.3 of Appendix B for additional details on the following regulations:

- Assembly Bill 32 and Senate Bill (SB) 32
- SB 1078 (2002), SB 107 (2006), SB X1-2 (2011), SB 350 (2015), SB 100 (2018), and SB 1020 (2022)
- California Building Standards
- State Vehicle Standards including the Advanced Clean Car Program and Advanced Clean Truck Program

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:

- The act directed the CEC to formulate and adopt the nation's first energy conservation standards for buildings constructed and appliances sold in California.
- The act removed the responsibility of electricity demand forecasting from the 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 Energy Action Plan established shared goals and specific actions to support 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, the CEC and CPUC adopted a second Energy Action Plan to reflect various policy changes and actions of the preceding 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 32, the California Global Warming Solutions Act of 2006. 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.

Assembly Bill 1007 (2005)

Assembly Bill 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 other state agencies, plus federal and local agencies. The State Alternative Fuels 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.

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 2023 Integrated Energy Policy Report discusses the state's policy goals of decarbonizing buildings, ensuring energy reliability, decarbonizing the state's gas system, the state's energy demand forecast, and quantifying the benefits of the clean transportation program (CEC 2023e). SB 100 calls for California's electricity system to become 100% zero-carbon by 2045. CEC, CPUC, and CARB are working together to identify pathways to deeply decarbonize the state's electricity system in response to SB 100. The aim is to leverage California's clean electricity system to decarbonize, or remove carbon from, other portions of the state's energy system. Over time these policies and

trends would serve to beneficially reduce the Project's GHG emissions profile and energy consumption as they are implemented.

State Vehicle Standards

In response to the transportation sector accounting for more than half of California's carbon dioxide (CO_2) emissions, Assembly Bill 1493 was enacted in 2002. Assembly Bill 493 required CARB to set GHG emissions standards for passenger vehicles, light-duty trucks, and other vehicles determined by the state board to be vehicles whose primary use is noncommercial personal transportation in the state. The bill required that CARB set GHG emissions standards for motor vehicles manufactured in 2009 and all subsequent model years. The 2009–2012 standards resulted in a reduction in approximately 22% of GHG emissions compared to emissions from the 2002 fleet, and the 2013–2016 standards resulted in a reduction of approximately 30%.

In 2012, CARB approved a new emissions-control program for model years 2017 through 2025. The program combines the control of smog, soot, and global-warming gases with requirements for greater numbers of zero-emissions vehicles into a single package of standards called Advanced Clean Cars. By 2025, when the rules would be fully implemented, new automobiles would emit 34% fewer global-warming gases and 75% fewer smog-forming emissions.

Although the focus of the state's vehicle standards is on the reduction of air pollutants and GHG emissions, one co-benefit of implementation of these standards is a reduced demand for 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 2021). 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 Renewables Portfolio Standard targets—in 2018, approximately 45% of its energy mix came from delivering renewable resources (compared to a Renewables Portfolio Standard requirement of 29%), it has aggressively adopted energy storage, and does not use coal resources. SDG&E is fully compliant with Renewables Portfolio Standard 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 Renewables Portfolio Standard compliance purposes until after 2030 (SDG&E 2020).

City of Oceanside General Plan

The City of Oceanside's General Plan includes various policies related to reducing energy (both directly and indirectly) in the Land Use Element (City of Oceanside 2002) and the Energy Climate Action Element (City of Oceanside 2019a).

City of Oceanside Climate Action Plan

The City of Oceanside (City) adopted a Climate Action Plan in May 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 mirrors what the Energy Climate Action Element themes

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

4.5.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to energy are based on California Environmental Quality Act (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.

Appendix F, Energy Conservation, of the CEQA Guidelines provides the following six criteria to evaluate energy impacts:

1. The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project including construction, operation, maintenance and/or removal. If appropriate, the energy intensiveness of materials maybe discussed.
2. The effects of the project on local and regional energy supplies and on requirements for additional capacity.
3. The effects of the project on peak and base period demands for electricity and other forms of energy.
4. The degree to which the project complies with existing energy standards.
5. The effects of the project on energy resources.
6. The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

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

Electricity Usage

Temporary electric power for as-necessary lighting and electronic equipment, such as computers inside temporary construction trailers, would be provided by SDG&E or Clean Energy Alliance, the new community choice energy provider that began services in April 2024.

Similarly, pursuant to project design features PDF-AQ-3 and PDF-AQ-4, some construction equipment would be electrified instead of diesel-fueled. California Emissions Estimator Model (CalEEMod) results show that electricity during construction would result in 0.21 metric tons of CO_2 equivalent, which represents less than 1% of the total operational GHG emissions associated with electricity (Appendix B). Accordingly, the electricity used for such construction would be temporary, would be substantially less than that required

for project operation, and would therefore have a negligible contribution to the project's overall energy consumption.

Natural Gas Usage

Natural gas is not anticipated to be required during construction of the project. Fuels used for construction would primarily consist of diesel and gasoline, which are discussed under the subsection "Petroleum Usage," below. Any minor amounts of natural gas that may be consumed as a result of project construction would be temporary and negligible, and would not have an adverse effect; therefore, impacts would be less than significant.

Petroleum Usage

Petroleum would be consumed throughout construction of the project. Fuel consumed by construction equipment would be the primary energy resource expended over the course of construction, and VMT associated with the transportation of construction materials and construction worker commutes would also result in petroleum consumption. Heavy-duty construction equipment associated with construction activities and haul trucks involved in relocating dirt around the On-Site Impact Area are assumed to use diesel fuel. Construction workers would travel to and from the Parcel Area throughout the duration of construction. It is assumed that construction workers would travel to and from the Parcel Area in gasoline-powered vehicles. CalEEMod vehicle emission factors are aggregated across fuel types (e.g., gasoline, diesel, and electric) based on average EMFAC 2021 emission rates for each vehicle type, weighted according to annual VMT, annual trips, or vehicle population. For operational year 2028, EMFAC assumes 92% of the passenger-type vehicles, which includes passenger cars, motorcycles, light-duty trucks up 5,750 pounds, and medium-duty trucks up to 8,500 pounds are gasoline powered, less than 1% are diesel-fueled, 5% are electric, and 3% are hybrid. Assuming 100% gasoline would present a conservative result of fuel use as any potential diesel-fueled vehicles would be offset by the electric vehicle portion of the fleet (Appendix B).

Heavy-duty construction equipment of various types would be used during project construction. CalEEMod was used to estimate construction equipment usage; results are included in Appendix B. Fuel consumption from construction equipment was estimated by converting the total CO_2 emissions from each construction phase to gallons using conversion factors for CO_2 to gallons of gasoline or diesel. The conversion factor for gasoline is 8.78 kilograms per metric ton of CO_2 per gallon, and the conversion factor for diesel is 10.21 kilograms per metric ton of CO_2 per gallon (TCR 2023). The estimated diesel fuel usage from construction equipment and vendor trucks, as well as estimated gasoline fuel usage from worker vehicles, is shown in Table 4.5-1.

Table 4.5-1. Construction Petroleum Demand

Project	Off-Road Equipment (diesel)	Vendor Trucks (diesel)	Haul Trucks (Diesel)	Worker Vehicles (gasoline)
	Gallons			
2026	63,813	6,555	11,760	16,590
2027	20,942	4,136	0	8,711
Total	**84,755**	**10,691**	**11,760**	**25,301**

Source: Appendix B

In summary, construction of the project is conservatively anticipated to consume 25,301 gallons of gasoline and 107,206 gallons of diesel. Project construction would represent a "single-event" petroleum demand and would not require ongoing or permanent commitment of petroleum resources for this purpose.

There are no unusual project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities, or equipment that would not conform to current emissions standards (and related fuel efficiencies). Equipment employed in construction of the proposed project would therefore not result in inefficient, wasteful, or unnecessary consumption of fuel. Additionally, PDF-AQ-3 and PDF-AQ-4 require the use of electric powered generators and air compressors. However, fuel reduction from PDF-AQ-3 and PDF-AQ-4 cannot be quantified and are not included in the analysis.

Construction contractors would be required to comply with applicable CARB regulations regarding retrofitting, repowering, or replacement of diesel off-road construction equipment. Compliance with anti-idling and emissions regulations would result in a more efficient use of construction-related energy and the minimization or elimination of wasteful or unnecessary consumption of energy. Idling restrictions and the use of newer engines and equipment would result in less fuel combustion and energy consumption.

Additional construction-source energy efficiencies would occur due to required California regulations and best available control measures. For example, California Code of Regulations (CCR) Title 13, Motor Vehicles, Section 2449(d)(2), Idling, limits idling times of construction vehicles to no more than 5 minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. CCR Section 2449(d)(2) requires medium and large fleets to adopt a written idling policy informing operators that idling is limited to 5 consecutive minutes or less. Equipment rental agreements must also inform renters/lessees of this idling restriction. In this manner, construction equipment operators are required to be informed that engines are to be turned off at or prior to 5 minutes of idling. Enforcement of idling limitations is realized through periodic site inspections conducted by county building officials and/or in response to citizen complaints.

In general, construction processes promote conservation and efficient use of energy by reducing raw material demands, with related reduction in energy demand associated with raw materials extraction, transportation, processing, and refinement. Use of materials in bulk reduces energy demands associated with preparation and transport of construction materials, as well as the transport and disposal of construction waste and solid waste in general, with corollary reduced demands on area landfill capacities and energy consumed by waste transport and landfill operations. For these reasons and those noted above, construction of the project would not result in the wasteful or inefficient use of fuel, and the project would result in **less-than-significant** impacts during project construction regarding the potential for wasteful, inefficient, or unnecessary consumption of energy resources**.**

Operational Use

Electricity

The operational phase would require electricity for multiple purposes, including building heating and cooling, lighting, and electronics. CalEEMod was used to estimate project emissions from electricity uses (see Appendix B). Default electricity generation rates in CalEEMod were used based on the proposed land use and climate zone.

The project is anticipated to consume approximately 642,875 kilowatt hours of electricity per year with the incorporation of 50% renewable energy. The most recent energy data from the CEC shows that in 2022, the County of San Diego consumed 20,242 gigawatt hours (CEC 2023b). The project would represent a less than 0.01% increase in the total demand for electricity. The project would not represent a significant demand on electricity supplies that would require additional capacity. The project's electricity demand would also not result in peak and base period demands that would affect energy supplies or require additional capacity.

The project proposes residential uses reflecting contemporary energy efficient/energy conserving designs and operational programs. The residences proposed by the project are not inherently energy intensive, and the project electricity demands in total would be comparable to other projects of similar scale and configuration. Additionally, the project would be required to comply with the applicable Title 24 standards and PDF-GHG-1, which requires the provision of solar photovoltaics, electric vehicle parking and charging, and drought-tolerant landscaping (reduces energy use associated with water supply), which would further ensure that the project energy demands would not be inefficient, wasteful, or otherwise unnecessary, and impacts would be **less than significant.**

Natural Gas Usage

Natural gas consumption during operation would be required for various purposes, including building heating and cooling. Default natural gas generation rates in CalEEMod for the proposed land use and climate zone were used. The project is estimated to have a total natural gas demand of 2,402,183 one thousand British Thermal Units (kBTU) per year or 24,021 therms per year. The most recent energy data from the CEC shows that in 2022 the County of San Diego consumed 522.3 million therms (CEC 2023d). The project would represent a less than 0.01% increase in the total demand for natural gas.

The project proposes conventional residential uses reflecting contemporary energy efficient/energy conserving designs and operational programs. The residences proposed by the project are not inherently energy intensive, and the project's natural gas demands in total would be comparable to other projects of similar scale and configuration. Additionally, the project is subject to statewide mandatory energy requirements as outlined in CCR Title 24, Part 6. Prior to project construction, the applicant would ensure that the project would meet Title 24 requirements applicable at that time, as required by state regulations through their plan review process. Thus, the natural gas consumption of the project would not be considered inefficient, wasteful, or otherwise unnecessary energy consumption, and impacts would be **less than significant.**

Petroleum Usage

During operations, most of the fuel consumption resulting from the project would involve the use of motor vehicles traveling to and from the Parcel Area, as well as fuels used for alternative modes of transportation that may be used by residents and visitors of the project.

Petroleum fuel consumption associated with motor vehicles traveling to and from the Parcel Area is a function of VMT as a result of project operation. Similar to construction, fuel consumption from transportation was estimated by converting the total CO_2 emissions to gallons using conversion factors for CO_2 to gallons of gasoline or diesel. Fuel demand estimates for the project are provided in Table 4.5-2.

Table 4.5-2. Total Project-generated Transportation Annual Fuel Demand

Vehicle Type	Metric Tons of Carbon Dioxide	Kilograms of Carbon Dioxide per Gallon	Estimated Annual Fuel Consumption (gallons)
Gasoline	925.71	8.78	105,433
Diesel	224.50	10.21	21,988
		Total	**127,422**

Source: Appendix B.
Note: Numbers may not add due to rounding.

As summarized in Table 4.5-2, the project would result in an estimated annual transportation fuel demand of 127,421 gallons of fuel. San Diego County was estimated to consume 248,717,737 gallons of diesel fuel in 2023 from light heavy-duty trucks, medium heavy-duty trucks, and heavy heavy-duty trucks (Appendix B), and the project would represent a less than 0.01% increase in diesel fuel demand. In addition, San Diego County was estimated to consume 1.3 billion gallons of gasoline in 2023 from light-duty passenger vehicles (Appendix B), and the project would represent a less than 0.01% increase in gasoline. Fuel would be provided by current and future commercial vendors. Trip generation and VMT generated by the project are consistent with residential uses of similar scale and configuration. That is, the project does not propose uses or operations that would inherently result in excessive and wasteful vehicle trips and VMT, nor associated excess and wasteful vehicle energy consumption.

Enhanced fuel economies realized pursuant to federal and state regulatory actions, and related transition of vehicles to alternative energy sources (e.g., electricity, natural gas, biofuels, hydrogen cells) would likely decrease future gasoline fuel demands per VMT. Location of the project proximate to regional and local roadway systems tends to reduce VMT within the region, acting to reduce regional vehicle energy demands. In addition, the project is located within walking distance to the College Boulevard Sprinter Station and is in a transit priority area. As supported by the preceding discussions, project transportation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary, 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 be subject to and would comply with, at a minimum, the California Building Energy Efficiency Standards (24 CCR Part 6). CCR Part 6 of Title 24 establishes energy efficiency standards for residential and nonresidential buildings constructed in California in order to reduce energy demand and consumption. As such, the project would comply with the CCR requirements for energy efficiency.

CCR Part 11 of Title 24 sets forth voluntary and mandatory energy measures that are applicable to the project under the California Green Building Standards (CALGreen). CALGreen institutes mandatory minimum environmental performance standards for all ground-up, new construction of commercial, low-rise residential, high-rise residential, state-owned buildings, schools, and hospitals, as well as certain residential and nonresidential additions and alterations. Additionally, energy consumed by the project's operation would be comparable to energy consumed by other residential uses of similar scale and intensity that are constructed and operating in California.

CalGreen was adopted into the City's building design criteria, which the project would comply with. Further, the project would be consistent with the City's Climate Action Plan Consistency Checklist measures through its implementation of renewable energy facilities, electric vehicle charging, and urban forestry that would

serve to reduce operational energy use. The project would include on-site solar photovoltaic to supply 50% of the electricity needed by the Oceanside Municipal Code or alternatively comply with the requirement to purchase of an energy portfolio that is composed of at least 75% renewable, emissions-free energy. The remaining electricity would be provided by SDG&E, which in 2022, reported a 44.5% renewable energy content mix (CEC 2023c), resulting in a project-level renewable content of 72.3%. This would support the state's SB 100 goal of 60% renewable resources by 2030. SDG&E is required to meet the renewable portfolio standard set by SB 100; as such, the renewables content of the project's power mix will increase along with SDG&E's power mix.

As discussed previously, as part of the City's preparation and adoption of its Climate Action Plan in May 2019 (City of Oceanside 2019b), the City also adopted its Energy Climate Action Element as part of its General Plan. The Energy Climate Action Element addresses energy consumption and other activities that may contribute to adverse environmental impacts, with particular emphasis on those activities associated with human-induced climate change. The organizing themes of the Energy Climate Action Element are centered around energy efficient and renewable energy, smart growth and multi-modal transportation, zero waste, water conservation, urban greening, local agriculture, and sustainable consumption (City of Oceanside 2019a). Many of the goals and policies around these themes are implemented at the City level, but the project would be consistent with applicable goals and policies. For example, the project would develop within a smart growth location, it would incorporate renewable energy, and it would support urban greening in the form of landscaping.

Regarding petroleum, fuel economy and use of alternative modes of transportation are expected to increase over time. The project's location near the Sprinter Station offers easily accessible alternative transportation for the new residents of the project. The Low Carbon Fuel Standard is designed to decrease the carbon intensity of California's transportation fuel and provide an increasing range of low-carbon and renewable alternative, which reduces petroleum dependency and encourages the use of cleaner, low-carbon transportation. The project would assist with the transition to cleaner fuels by complying with the City's Municipal Code requirement for the installation of electric vehicle charging stations. Per Section 3048, the project would reserve 15% of parking spaces (50) for electric vehicles, and provide charging facilities in 50% of the required electric vehicle parking spaces (25).

Based on the preceding, 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 would 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 relevant to the project, identifies associated regulatory requirements, evaluates potential impacts, and identifies whether mitigation measures related to implementation of the Olive Park Apartments Project (project) are required with respect to geology and soils.

The following analysis is based on the Update Geotechnical Investigation that was prepared for the project by Geocon Incorporated in March 2024, included in this environmental impact report (EIR) as Appendix E1. The Paleontological Resource Assessment was prepared by Dudek in May 2024 and the records search is included as Appendix E2 in this EIR.

4.6.1 Existing Conditions

4.6.1.1 Regional Geologic Setting

The Parcel Area is in the Peninsular Ranges geomorphic province of California. The geomorphic province is bounded by the Transverse Ranges to the north, the San Jacinto Fault Zone on the east, the Pacific Ocean coastline on the west, and the Baja California on the south. This geomorphic province area extends approximately 930 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 consists of northwest-trending mountains underlain by Tertiary sedimentary rocks, Mesozoic meta-volcanic and metasedimentary rocks, and Cretaceous igneous rocks of the Southern California Batholith. Most of the coastal region of the County of San Diego, including the Parcel Area, occurs within this coastal region and is underlain by sedimentary units (Appendix E1).

Locally, the Parcel Area is within the coastal plain of San Diego County. The coastal plain is underlain by a thick sequence of relatively undisturbed and non-conformable sedimentary bedrock units that thicken to the west and range in age from Upper Cretaceous age through the Pleistocene age which have been deposited on Cretaceous to Jurassic age igneous and volcanic bedrock. Geomorphically, the coastal plain is characterized by a series of 21, stair-stepped marine terraces (younger to the west) that have been dissected by west flowing rivers. The coastal plain is a relatively stable block that is dissected by relatively few faults consisting of the potentially active La Nacion Fault Zone and the active Rose Canyon Fault Zone (Appendix E1).

4.6.1.2 Site Geology

Topography

Topographically, the Parcel Area includes slopes that descend northwest to Loma Alta Creek along the north boundary of a portion of the Parcel Area, west of the On-Site Impact Area. The Parcel Area has ascending natural slopes to the south with a maximum height of approximately 200 feet. The Parcel Area is stepper on the south and becomes flatter to the north. The gentle-gradient creek has a general west-flowing meandering orientation and has locally incised vertical embankments up to 10 feet high at the stream margins. A fill berm related to railroad improvements has been constructed along the northeast portion of the Parcel Area. Elevations on the Parcel Area vary from a low of approximately 185 feet above mean sea level at Loma Alta Creek in the northwest corner of the Parcel Area to 460 feet above mean sea level at the top of the southeast slope (Appendix E1).

Soil and Geologic Conditions

Based on site reconnaissance, aerial photographic analysis, and review of pertinent geologic literature and maps, Appendix E1 documented five surficial soil units and two geologic units. The surficial soil units underlying the Parcel Area consists of localized undocumented artificial fill, previously placed fill, topsoil, alluvium, and landslide deposits. The two geologic units underlying the Parcel Area consist of Santiago formation and granitic rock (Appendix E1). A brief description of the geologic units encountered on the Parcel Area are presented below. As documented in the Geotechnical Investigation, per the definition in the County of San Diego's (2007) guidelines for determining significance for unique geologic features the Parcel Area does not contain unique geologic features as the Parcel Area does not represent a geologic feature that is exclusive or the best example of its kind locally or regionally; does not embody distinctive characteristics of a geologic principle that is exclusive local or regionally; does not provide a key piece of geologic information important to geologic history; does not contain minerals that are not known elsewhere in the County; and is not used repeatedly as a teaching tool.

Undocumented Fill (Qudf)

Undocumented fill material was encountered underlying the northern and western portions of the Parcel Area. The undocumented fill material located in the northern portions are associated with a berm that was graded to control water flow in Loma Alta Creek and support the existing rail line. Additionally, the undocumented fill material located in the western portion is associated with waterline backfill that traverses the Parcel Area in a north/south direction. The undocumented fill material generally consists of soft, fine to medium, sandy clay with silt and is approximately 10 feet in depth (Appendix E1).

Previously Placed Fill (Qpf)

Previously placed fill was encountered on the south and northeast portions of the Parcel Area. The previously placed fill underlies the Off-Site Impact Area that bound the southern margin of the property along Wooster Drive. Previously placed fill also underlies the Off-Site Impact Area along Olive Drive adjacent to the northeaster corner of the Parcel Area. The previously place fill consists of loose, moist, clayey sand and is underlain by relatively thick topsoil and it approximately 25 feet in depth located on the top of the slope (Appendix E1).

Topsoil (Unmapped)

Topsoil was present on the Parcel Area and consists of brown, sandy clay to sandy silt, and are approximately 1 to 4 feet thick, however, localized areas greater in-depth may exist (Appendix E1).

Alluvium (Qal)

Alluvium soil was encountered on the northern portion of the Parcel Area in the Loma Alta Creek drainage. Alluvium soil consists of soft, sandy to silty clay and loose silty to clayey sand. The encountered alluvium soil is approximately 15.5 feet in depth and most likely to extend deeper toward the north. Additionally, shallow groundwater is likely to exist approximately 3 to 5 feet in depth below existing grade located at the streambed on the northern portion of the Parcel Area and not within the On-Site Impact Area (Appendix E1).

Landslide Deposits (Qls and Qsls)

The Parcel Area is underlain by a series of landslides which have occurred within the Santiago Formation. Landslide deposits were encountered underlying the majority of the central and eastern portions of the Parcel Area, including

the On-Site Impact Area. The deepest landslide debris encountered was approximately 56 feet thick, but is likely thicker in some areas. The landslide debris is up to approximately 40 feet thick in the vicinity of the On-Site Impact Area. Debris within the larger landslides consists of highly disturbed to relatively intact blocks of sandstone, siltstone, and claystone. Bedding orientations display evidence of displacement and rotation. The debris composing the smaller, more recent landslides generally consist of loose, moist, olive gray to grayish brown, silty and clayey sands, sandy and clayey silts, and silty to sandy clays. Recent landslide debris typically contains highly disturbed and jumbled bedding, numerous fractures, roots, and sheared and remolded clays (Appendix E1).

Santiago Formation (Tsa)

The middle Eocene-age Santiago Formation was encountered in the majority of the steep slope areas located in the southern portion of the Parcel Area. The Santiago Formation consists of light-colored, massive to poorly bedded, fine- to medium-grained sandstone interbedded with weak siltstone and claystone layers (Appendix E1).

Cretaceous-Age Granitic Rock (Kgr)

Cretaceous-age granitic rock was encountered in the borings and trenches. Granitic rock consists of yellowish brown to gray, moderately weak to moderately strong, highly to moderately weathered, and displayed a fine-to coarse-grained crystalline texture (Appendix E1).

Geologic Hazards

Faulting and Seismicity

The Parcel Area can be considered to lie within a seismically active region, as can all of Southern California. The California Geological Survey defines an active fault as a fault which has had shown surface displacement within approximately the last 11,700 years (Appendix E1). 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 Parcel Area (Appendix E1). The Parcel Area is not within a State of California Earthquake Fault Zone (Appendix E1). The nearest active fault zones are the Rose Canyon and Newport Inglewood Faults located approximately 9 miles west of the Parcel Area (DOC 2015).

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. The alluvium found within the Loma Alta Creek drainage is compressible, possesses a “very low” to “high” expansion potential (expansion index of 130 or less), possibly subject to liquefaction, and may have low to high permeability.

Landslides

The majority of the northern half of the Parcel Area is underlain by landslides. In addition, the Santiago Formation found south of the On-Site Impact Area possesses weak claystone beds that can create slope instability.

Storm Surge, Tsunamis, and Seiches

Storm surges are a result of atmospheric pressure changes and wind associated to storms. Storm surges can cause inundation, severe erosion, and backwater flooding along the waterfront; however, the Parcel Area is more than 5 miles from the Pacific Ocean and is at an elevation of approximately 185 feet or greater above mean sea level, therefore, due to the distance between the Parcel Area and Pacific Ocean, the potential of storm surges affecting the Parcel Area is considered low.

Tsunamis are a series of long period waves generated in the ocean by sudden displacement of large volumes of water. The potential of a tsunami affecting the Parcel Area is negligible due to the distance of the Pacific Ocean and Parcel Area elevation.

Seiches are run-ups of water within a lake or embayment triggered by fault or landslide-induced ground displacement. The Parcel Area is not within or downstream of a lake or embayment; therefore, the potential for seiches affecting the Parcel Area is minimal.

Flood Hazard

According to the Federal Emergency Management Agency flood insurance rate map that includes the Parcel Area (Map ID. 06073C0758G), the On-Site Impact Area is not located within a floodplain identified as part of a Special Flood Hazard Area (FEMA 2022). However, the portion containing Loma Alta Creek in the northern portion of the Parcel Area is designated a Regulatory Floodway as part of a Special Flood Hazard Area.

Debris Flows

Debris flows are rapid downslope movements of surficial soil resulting from the failure of unconsolidated sediments along steep slopes. Debris flows generally occur within colluvial deposits and may be triggered by over-filling during heavy rainfall or due to seismic shaking. During the geologic reconnaissance, colluvium within the landslide debris was encountered along the shallower intermediate slopes in the central portion of the Parcel Area.

Groundwater

Groundwater was encountered ranging at depths from 9 feet to 45 feet below existing grade at several exploratory borings on the Parcel Area, but no groundwater was encountered within the On-Site Impact Area. However, it is not uncommon from groundwater or seepage conditions to develop where none previously existed. Groundwater and seepage is dependent on seasonal precipitation, irrigation, land use, among other factors, and varies as a result (Appendix E1).

4.6.1.3 Paleoenvironment

The Parcel Area is located within the northernmost Peninsular Ranges geomorphic province (Norris and Webb 1990; CGS 2002). This geomorphic province is characterized by northwest trending mountain ranges and valleys that extend over 900 miles from the tip of the Baja Peninsula to the Transverse Ranges (i.e., the San Bernardino and San Gabriel Mountains in southern California). Regionally, the Peninsular Ranges are bounded to the east by the Colorado Desert

and the west by the continental shelf and offshore islands (Santa Catalina, Santa Barbara, San Nicholas, and San Clemente) (Norris and Webb 1990; CGS 2002). Regional mountain ranges in the Peninsular Ranges geomorphic province include the Santa Ana, San Jacinto, and Santa Rosa Mountains. Geologically, these mountains are dominated by Mesozoic, plutonic igneous and metamorphic rocks that are part of the Peninsular Ranges batholith (Southern California batholith) (Jahns 1954).

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 Occupational Safety and Health Administration (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 Occupational Safety and Health Administration (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. The law requires the State Geologist to establish regulatory zones known as earthquake fault zones (previously called Special Studies Zones and Fault-Rupture Hazard Zones) around the surface traces of active faults and to distribute maps of these zones to all affected cities, countries, and state agencies. 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 Parcel Area is not identified on an Alquist–Priolo Earthquake Fault Zoning Map (Appendix E1).

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 Parcel Area is not identified on a seismic hazards map (Appendix E1).

CEQA Paleontological Resources

Paleontological resources are limited, nonrenewable resources of scientific, cultural, and educational value and are afforded protection under state laws and regulations (California Environmental Quality Act [CEQA]). 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.

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 (City of Oceanside 2002a):

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 Oceanside (City of Oceanside 2002a).

Environmental Resource Management Element

The Environmental Resource Management Element includes the following policy for soil, erosion, and drainage (City of Oceanside 2002b):

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 Oceanside (see Figure ERM-3, Soil and Land Forms, in City of Oceanside 2002b).

Land Use Element

The Land Use Element contains the following objectives and policies regarding geology and soils (City of Oceanside 2002c):

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 of Oceanside's (City) 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 Parcel Area is within a seismically active region, as is all of Southern California. However, the Parcel Area 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 Parcel Area (Appendix E1). The nearest active faults are the Rose Canyon and Newport Inglewood Faults, located approximately 9 miles west of the Parcel Area. Given the lack of known active faults on or within proximity to the Parcel Area and the City requirement, per the Grading Regulations Manual, that the project implement the recommendations outlined in the geotechnical investigation (Section 8 of Appendix E1) and adhere to the CBC requirement of specific performance standards to address geologic hazards, the project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving the rupture of a known earthquake fault as delineated in the most recent Alquist–Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; impacts would be **less than significant**.

(b) Due to regional proximity to major known active fault zones such as the Rose Canyon Fault and Newport-Inglewood Fault (located approximately 9 miles west of the Parcel Area), the Parcel Area lies in a seismically active region. The Parcel Area 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 E1), the project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking; project impacts related to strong seismic ground shaking would be **less than significant**.

(c) As described in the Geotechnical Report (Appendix E1), due to the absence of groundwater under the On-Site Impact Area, the potential for liquefaction to occur is considered very low. Additionally, during project construction as required by the Geotechnical Report and the CBC's specific performance standards, 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

disclosed above, given the geology of the Total Impact Area, seismically induced settlement is also not anticipated to occur. Therefore, the project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction and impacts would be **less than significant**.

(d) The Geotechnical Report prepared for the project (Appendix E1) encountered landslides or instability on the northern and western portion of the Parcel Area. The field reconnaissance and the local geologic maps indicate the Parcel Area 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. Pursuant to the Geotechnical Report and the CBC's specific performance standards, the project must remove landslide debris and recompact with remedial grading during project construction. Therefore, the project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslide and impacts would be **less than significant**.

Overall, the project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving (a) the rupture of a known earthquake fault as delineated in 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; (b) strong seismic ground shaking; (c) seismic-related ground failure, including liquefaction; or (d) landslides. With implementation of the Geotechnical Investigation Report (Appendix E1) recommendations and compliance with CBC regulations, impacts of the project would be **less than significant**.

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. These sources of potential substantial soil erosion or loss of topsoil would be addressed through 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 using measures such as minimizing exposed soils, silt fencing, soil binders, street sweeping, hydroseeding soils, and using sandbags, check dams, or berms during rain events to direct flows. Additionally, all recommendations outlined in the Geotechnical Report (Appendix E1), including those related to grading activities, must be implemented as discussed previously. Potential erosion impacts would also 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 On-Site Impact Area and along the boundaries of the On-Site Impact Area. The proposed landscaping features covering vacant land within the On-Site Impact Area would inhibit erosion, and proposed landscaping would stabilize soils, thereby reducing erosion potential on the On-Site Impact Area. Therefore, the project would not result in substantial soil erosion or the loss of topsoil, and impacts would 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. Regarding landslides, as stated in Appendix E1, the Parcel Area is underlain by a series of landslides that have occurred within the Santiago Formation. Landslide deposits were encountered underlying the majority of the central and eastern portions of the Parcel Area, including the On-Site Impact Area. Landslide deposits are typically unstable within cut slopes and may be susceptible to significant settlement. In addition, the Santiago Formation is considered suitable for foundation and/or fill support. However, the claystone and siltstone units may be susceptible to landslides and slope instability. Some sandstone units of the Santiago Formation are poorly cemented and susceptible to erosion. Therefore, landsliding on site will be alleviated by a combination of remedial grading (including removal of the landslide debris within the proposed building areas), installing shear pins (on the southern portion of the slope to increase the slope's factor of safety) and structural integration (including incorporating settlement values into the design of retaining walls and improvements). In general, landslide debris is suitable for reuse as compacted fill provided potentially expansive clay is properly mixed with sandy material where located within about 5 feet of proposed grade (per PDF-GEO-1).

Regarding subsidence, the Parcel Area is not located in an area of known subsidence associated with fluid withdrawal (groundwater or petroleum); therefore, the potential for subsidence due to extraction of fluids is considered negligible.

Regarding liquefaction, the groundwater table was not encountered underlying the On-Site Impact Area; however, alluvium was encountered underlain and interfingered with landslide deposits in the northern portion of the Parcel Area. The alluvium is compressible, possesses a "very low" to "high" expansion potential, possibly subject to liquefaction, and may have low to high permeability. The alluvium is not considered suitable for support of Parcel Area development in its present condition and would require remedial grading in accordance with Appendix E1.

Therefore, the project would not 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. With implementation of all recommendations outlined in the Geotechnical Report (Appendix E1) and adherence to the IBC and CBC specific performance standards, 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 alluvium materials under the On-Site Impact Area possess a "very low" to "high" expansion potential as defined by the CBC Section 1803.5.3. To accommodate conventional foundation design, the upper 5 feet of materials within the Net Developable Pad and 5 feet outside the limits of the building foundation should have a "very low" to "low" expansion potential (Appendix E1). With implementation of the recommendations outlined in Section 8 of the Geotechnical Report (Appendix E1), compliance with the CBC~~, and implementation of MM-GEO-1~~, expansive soils would not create substantial risks to life or property and project impacts 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, the project would have **no impact** related to the use of septic tanks or alternative wastewater.

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

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. The Santiago Formation has produced significant invertebrate and vertebrate fossils in northern San Diego County (Mihlbachler and Deméré 2009). Per the County of San Diego's (2009) guidelines for determining significance for paleontological resources and the Society of Vertebrate Paleontology (SVP 2010) paleontological mitigation guidelines, middle Cretaceous gabbro has no paleontological sensitivity, the middle Eocene Santiago Formation has high paleontological sensitivity, and artificial fill/residual soils have low paleontological sensitivity. Due to the required grading and trenching for utilities of the project and the presence of the Santiago Formation on the surface and at depth within the On-Site Impact Area, there is a potential for significant paleontological resources to be unearthed during project related ground disturbance.

Based on the records search and survey results, map and literature review, review of the City of Oceanside guidelines for cultural and paleontological resources, and planned excavation depths and anticipated sediment removal amounts, the project site has low potential to produce paleontological resources on the surface that increases with depth. In the event that intact paleontological resources are discovered on the project site, ground-disturbing activities associated with construction of the project, such as grading and large diameter drilling (two-feet or greater) during site preparation and trenching for utilities, have the potential to destroy a unique paleontological resource or site. Without mitigation, the potential damage to paleontological resources during construction would be a **potentially significant** impact.

4.1.5 Mitigation Measures

Impacts related to geology and soils as a result of project implementation are determined to be less than significant. Implementation of MM-GEO-1, outlined below, would ensure that potential impacts to paleontological resources are reduced to less than significant.

MM-GEO-1 Paleontological Monitor. Prior to the issuance of grading permits, the Project Applicant shall submit to and receive approval from the City of a Paleontological Resources Mitigation and Monitoring Plan (PRMMP). The PRMMP shall include the provision of a trained paleontological monitor during onsite soil disturbance activities. The PRMMP shall include the provision of a trained paleontological monitor during onsite soil disturbance activities. The monitoring for paleontological resources shall be conducted on a full-time basis during the rough grading phases of the Project site within native soils that have the potential to harbor paleontological resources. The paleontological monitor shall be equipped to rapidly remove any large fossil specimens

encountered during excavation. During monitoring, samples of soil shall be collected and processed to recover micro-vertebrate fossils. Processing shall include wet screen washing and microscopic examination of the residual materials to identify small vertebrate remains. If paleontological resources are unearthed or discovered during grading activities, the following recovery processes shall apply:

- Upon encountering a large deposit of bone, salvage of all bone in the area shall be conducted with additional field staff and in accordance with modern paleontological techniques.
- All fossils collected during the project shall be prepared to a reasonable point of identification. Excess sediment or matrix shall be removed from the specimens to reduce the bulk and cost of storage. Itemized catalogs of all material collected and identified shall be provided to the museum repository along with the specimens.
- A report documenting the results of the monitoring and salvage activities and the significance of the fossils shall be prepared.
- All fossils collected during this work, along with the itemized inventory of these specimens, shall be deposited in a museum repository (such as the San Diego Natural History Museum, or the Natural History Museum of Los Angeles County) for permanent curation and storage.

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 MM-GEO-1 and MM-GEO-2 would ensure that potential impacts to ~~geology and soils, and~~ 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**.

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4.7 Greenhouse Gases

This section describes the existing greenhouse gas (GHG) conditions, identifies associated regulatory requirements, evaluates potential impacts, and establishes mitigation measures related to implementation of the Olive Park Apartments Project (project). The following analysis is based on the Air Quality, Greenhouse Gas Emissions, and Energy Technical Report, prepared by Dudek in May 2024, which is included as Appendix B of this Environmental Impact Report.

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 (i.e., 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 2023a).

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 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 (EPA 2023a).

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 2013; EPA 2023a). 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 2013). 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 2013). Continued emissions of GHGs will cause further warming and changes in all components of the climate system, which is discussed further below.

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 emission 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 California Environmental Quality Act [CEQA] Guidelines Section 15364.5). Some GHGs, such as CO_2, CH_4, and N_2O, occur naturally and 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.[1]

Carbon Dioxide. CO_2 is a naturally occurring gas and a by-product of human activities and is the principal anthropogenic (i.e., caused by human activity) 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 are the 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 (e.g., rockets, racecars, 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 (O_3)-depleting substances (e.g., chlorofluorocarbons [CFCs], hydrochlorofluorocarbons [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 O_3-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 O_3-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 soluble in alcohol and ether and 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] The descriptions of GHGs are summarized from the Intergovernmental Panel on Climate Change (IPCC) Second Assessment Report (1995), IPCC Fourth Assessment Report (2007), California Air Resources Board's "GHG Inventory Glossary" (CARB 2024a), and the Environmental Protection Agency's "Glossary of Climate Change Terms" (EPA 2024a).

- **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 it difficult to quantify the global warming potential (GWP). 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 (CARB) regulations pertaining to diesel engines, diesel fuels, and burning activities, CARB estimates that annual black carbon emissions in California have 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 maintains a climate necessary for 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 2023b). The Intergovernmental Panel on Climate Change (IPCC) developed the 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 (MT) of CO_2 equivalent (CO_2e).

The current version of the California Emissions Estimator Model (CalEEMod) (version 2022) 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 IPCC Fourth Assessment Report (IPCC 2007). The GWP values identified in CalEEMod were applied to the project.

Sources of Greenhouse Gas Emissions

Global Inventory

Anthropogenic GHG emissions worldwide in 2020 (the most recent year for which data is available) totaled approximately 49,800 million metric tons (MMT) of CO_2e, excluding land use change and forestry (PBL 2022). The top six GHG emitters include China, the United States, the Russian Federation, India, Japan, and the European Union, which accounted for approximately 60% of the total global emissions, or approximately 30,270 MMT CO_2e (PBL 2022). Table 4.7-1 presents the top GHG-emissions-producing countries.

Table 4.7-1. Top Greenhouse-Gas-Producer Countries

Country	2020 GHG Emissions (MMT CO_2e)[a]
China	14,300
United States	5,640
European Union	3,440
India	3,520
Russian Federation	2,210
Japan	1,160
Total	**30,270**

Source: PBL 2022.
Notes: GHG = greenhouse gas; MMT CO_2e = million metric tons of carbon dioxide equivalent.
[a] Column may not add due to rounding.

National Inventory

Per the U.S. Environmental Protection Agency's (EPA) Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2022, total United States GHG emissions were approximately 6,343.2 MMT CO_2e in 2022 (EPA 2024b). Total U.S. emissions have decreased by 3.0% from 1990 to 2022, down from a high of 15.2% above 1990 levels in 2007. Gross emissions increased from 2021 to 2022 by 0.2% (14.4 MMT CO_2e). Net emissions (i.e., including sinks) were 5,489.0 MMT CO_2e in 2022. Overall, net emissions increased 1.3% from 2021 to 2022 and decreased 16.7% from 2005 levels. Between 2021 and 2022, the increase in total GHG emissions was driven largely by an increase in CO_2 emissions from fossil fuel combustion due to the continued economic activity rebounding after the height of the COVID-19 pandemic. The CO_2 emissions from fossil fuel combustion increased by 1% from 2021 to 2022, including a 5% increase in residential sector emissions, 8.9% increase in commercial sector emissions, 2.6% increase in industrial emissions, a 0.1% decrease in transportation sector emissions and a 0.6% decrease in electric power sector emissions. Carbon sequestration in the Land Use, Land-Use Change, and Forestry sector offset 14.5% of total emissions in 2022 (EPA 2024c).

State Inventory

According to California's 2000–2021 GHG emissions inventory (2023 edition), California emitted approximately 381.3 MMT CO_2e in 2021, including emissions resulting from out-of-state electrical generation (CARB 2023). 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 4.7-2 presents California GHG emission source categories and their relative contributions to the emissions inventory in 2021.

Table 4.7-2. Greenhouse Gas Emissions Sources in California

Source Category	Annual GHG Emissions (MMT CO2e)	Percent of Total
Transportation	145.6	38.2%
Industrial uses	73.9	19.4%
Electricity generation[a]	62.4	16.4%
Residential and commercial uses	38.8	10.2%
Agriculture and forestry	30.9	8.1%
High-GWP substances	21.3	5.6%
Recycling and waste	8.4	2.2%
Totals	**381.3**	**100%**

Source: CARB 2023.
Notes: GHG = greenhouse gas; GWP = global warming potential; MMT CO_2e = million metric tons of carbon dioxide equivalent. Emissions reflect 2020 California GHG inventory. Totals may not sum due to rounding.
[a] Includes emissions associated with imported electricity, which account for 19.82 MMT CO_2e.

Per-capita GHG emissions in California have dropped from a 2001 peak of 13.8 MT per person to 9.7 MT per person in 2021, a 30% decrease. In 2016, statewide GHG emissions dropped below the 2020 GHG limit of 431 MMT CO_2e and have remained below that level since that time (CARB 2023).

Local Inventories

According to the GHG inventory data compiled by the Energy Policy Initiative Center for the 2021 Regional Plan, in 2016, San Diego County (as defined to include all cities therein and unincorporated San Diego County areas) emitted approximately 26 MMT CO_2e (SANDAG 2021). As outlined in Table 4.7-3, passenger cars and light-duty trucks generated about 40% of these emissions.

Table 4.7-3. San Diego County Greenhouse Gas Emissions by Sectors

Source Category	Annual Greenhouse Gas Emissions (MMT CO_2e)	Percent of Total
Passenger Cars and Light Duty Trucks	10.4	40.33%
Electricity	5.3	20.55%
Natural Gas	3.1	12.02%
Industrial	2.1	8.14%
Heavy-Duty Trucks and Vehicles	1.8	6.98%
Other Fuels	1.1	4.27%
Off-Road Transportation	0.62	2.40%

Table 4.7-3. San Diego County Greenhouse Gas Emissions by Sectors

Source Category	Annual Greenhouse Gas Emissions (MMT CO_2e)	Percent of Total
Solid Waste	0.59	2.29%
Water	0.24	0.93%
Aviation	0.21	0.81%
Rail	0.11	0.43%
Wastewater	0.07	0.27%
Agriculture	0.05	0.19%
Marine Vessels	0.05	0.19%
Soil Management	0.05	0.19%
Total	**25.79**	**100%**

Source: SANDAG 2021.
Notes: MMT CO_2e = million metric tons of carbon dioxide equivalent per year

The most recent Oceanside community emissions is from the 2013 emissions inventory prepared for the 2019 Climate Action Plan (CAP), as shown in Table 4.7-4.

Table 4.7-4. City of Oceanside Greenhouse Gas Emissions by Sectors for 2013

Source Category	Annual Greenhouse Gas 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%
Water[a]	27,420	2.8%
Municipal Operations	24,828	2.5%
Total	**984,012**	**100%**

Source: City of Oceanside 2019a.
Notes: MT CO_2e = metric tons of carbon dioxide equivalent per year
Greenhouse gas emissions for each category are rounded. Sums may not add up to totals due to rounding.
a Emissions associated with water and wastewater treatment at City of Oceanside–operated facilities were accounted for as Municipal emissions. Water emissions include upstream emissions from import of water to Oceanside.

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 IPCC 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. Global surface temperature in the first two decades of the twenty-first century (2001–2020) was 0.99 [0.84 to 1.10]°C

higher than 1850–1900 (IPCC 2023). Global surface temperature has increased faster since 1970 than in any other 50-year period over at least the last 2000 years (IPCC 2023). 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, principally through emissions of GHGs, have unequivocally caused global warming, with global surface temperature reaching 1.1°C above 1850–1900 in 2011–2020 (IPCC 2023).

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 California 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, 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 2022).

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 spring 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 2022).

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 been increasing.

The California Natural Resources Agency (CNRA) has released four California Climate Change Assessments (in 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. To address local and regional governments' need for information to support action in their communities, the Fourth Assessment (CNRA 2019a) includes reports for nine regions of the state. Key highlights for the San Diego Region include the following (CNRA 2019b):

- 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 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 ruled that CO_2 was a pollutant and 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 making these decisions, the EPA administrator is required to follow the language of Section 202(a) of the Clean Air Act. On December 7, 2009, the administrator signed a final rule with two distinct findings regarding GHGs under Section 202(a) of the Clean Air Act:

- **Endangerment Finding:** The 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 referred to as the "endangerment finding."
- **Cause or Contribute Finding:** 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 referred to as 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

The Energy Independence and Security Act of 2007 (Public Law 110-140), among other key measures, would do the following in aiding the reduction of national GHG emissions:

- 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 direct National Highway Traffic Safety Administration (NHTSA) to establish a fuel economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for work trucks.

- 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 2007, in response to the Massachusetts v. EPA decision, the Bush Administration issued Executive Order (EO) 13432 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 the NHTSA issued a final rule regulating cars and light-duty trucks for model years 2012 through 2016 (75 FR 25324–25728).

In 2010, President Obama issued a memorandum directing the Department of Transportation, the Department of Energy, the EPA, and the NHTSA to establish additional standards regarding fuel efficiency and GHG reduction, clean fuels, and advanced vehicle infrastructure. In response to this directive, the EPA and the NHTSA proposed stringent, coordinated federal GHG and fuel economy standards for model years 2017 through 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 through 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.

In 2011, in addition to the regulations applicable to cars and light-duty trucks described above, the EPA and the NHTSA announced fuel economy and GHG standards for medium- and heavy-duty trucks for model years 2014 through 2018. 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% to 23% over the 2010 baselines (76 FR 57106–57513).

In August 2016, the EPA and the 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 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).

On April 2, 2018, the EPA, under administrator Scott Pruitt, reconsidered the final determination for light-duty vehicles and withdrew its previous 2017 determination, stating that the current standards may be too stringent and therefore should be revised as appropriate (83 FR 16077–16087).

In August 2018, the EPA and the NHTSA proposed to amend certain fuel economy and GHG standards for passenger cars and light trucks and to establish new standards for model years 2021 through 2026. Compared to maintaining the post-2020 standards then 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 impact the global climate by 3/1000th of 1°C by 2100 (EPA and NHTSA 2018).

In 2019, the EPA and the NHTSA published the Safer Affordable Fuel-Efficient Vehicles Rule Part One: One National Program (SAFE-1) (84 FR 51310), which revoked California's authority to set its own GHG emissions standards and set zero-emission vehicle (ZEV) mandates in California. In March 2020, Part Two was issued, which set CO_2 emissions standards and Corporate Average Fuel Economy standards for passenger vehicles and light-duty trucks for model years 2021 through 2026.

In response to EO 13990, on December 21, 2021, the NHTSA finalized the Corporate Average Fuel Economy Preemption rule to withdraw its portions of the Part One Rule. The final rule concluded that the Part One Rule overstepped the agency's legal authority and established overly broad prohibitions that did not account for a variety of important state and local interests.

In March 2022, the NHTSA established new fuel economy standards that would require an industry-wide fleet average of approximately 49 miles per gallon for passenger cars and light trucks in model year 2026, by increasing fuel efficiency by 8% annually for model years 2024 and 2025, and 10% annually for model year 2026.

Inflation Reduction Act of 2022

The Inflation Reduction Act was signed into law by President Biden in August 2022. The Act includes specific investment in energy and climate reform and is projected to reduce GHG emissions within the United States by 40% as compared to 2005 levels by 2030. The Act allocates funds to boost renewable energy infrastructure (e.g., solar panels and wind turbines), includes tax credits for the purchase of electric vehicles, and includes measures that will make homes more energy efficient.

The Inflation Reduction Act authorized the EPA to implement the Greenhouse Gas Reduction Fund program, which is a historic, $27 billion investment to mobilize financing and private capital to combat the climate crisis and ensure American economic competitiveness. The Greenhouse Gas Reduction Fund will be designed to achieve the following program objectives: reduce GHG emissions and other air pollutants; deliver the benefits of GHG- and air-pollution-reducing projects to American communities, particularly low-income and disadvantaged communities; and mobilize financing and private capital to stimulate additional deployment of GHG and air pollution reducing projects.

The Inflation Reduction Act confirms that reduction of GHGs is a core goal of the Clean Air Act and that the funding provided should allow the EPA to increase the scope of its Clean Air Act rulemakings. The Act also confirms applicability of the Inflation Reduction Act to GHGs in three specific areas: (1) California's ability to regulate GHG emissions from vehicles; (2) the EPA's authority to regulate CH_4 emissions from oil and gas facilities; and (3) the EPA's authority to regulate GHG emissions from power plants.

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-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 Climate Change Scoping Plan (Scoping Plan) to express the 2030 target in terms of millions of metric tons (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.

Senate Bill 32 and AB 197. 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 Climate Change Scoping Plan (Scoping Plan) to express the 2030 target in terms of millions of metric tons (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.

EO B-55-18. EO B-55-18 (September 2018) identified a policy for the state to achieve carbon neutrality as soon as possible (no later than 2045) and achieve and maintain net negative emissions thereafter. The goal is in 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.

AB 1279. The Legislature enacted AB 1279, the California Climate Crisis Act, in September 2022. The bill declares the policy of the state to achieve net zero GHG emissions as soon as possible, but no later than 2045, and achieve and maintain net negative GHG emissions thereafter. Additionally, the bill requires that by 2045, statewide anthropogenic GHG emissions be reduced to at least 85% below 1990 levels.

CARB's Climate Change Scoping Plan. One specific requirement of AB 32 is for CARB to prepare a scoping plan to help achieve 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 Proposed Scoping Plan: A Framework for Change (Scoping Plan) (CARB 2008). The 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.

In 2014, CARB approved the first update to the Scoping Plan. The First Update to the Climate Change Scoping Plan: Building on the Framework (2014 Scoping Plan 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 EO S-3-05 and EO B-16-2012 (CARB 2014). The 2014 Scoping Plan Update concluded that California was on track to meet the 2020 target but recommended that a 2030 mid-term GHG reduction target be established to ensure a continuum of action to reduce emissions. The 2014 Scoping Plan 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.

In December 2017, CARB released the 2017 Climate Change Scoping Plan Update (2017 Scoping Plan Update) for public review and comment (CARB 2017). The 2017 Scoping Plan Update builds on the successful framework established in the initial Scoping Plan and 2014 Scoping Plan 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 Senate Bill [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, the 2017 Scoping Plan Update recommends continuing the Cap-and-Trade Program and a measure to reduce GHGs from refineries by 20%.

CARB adopted the 2022 Scoping Plan Update in December 2022. The 2022 CARB Scoping Plan Update outlines the state's plan to reach carbon neutrality by 2045 or earlier, while also assessing the progress the state is making toward achieving GHG reduction goals by 2030. Per the Legislative Analyst's Office, the 2022 CARB Scoping Plan identifies a more aggressive 2030 GHG goal. As it relates to the 2030 goal, perhaps the most significant change in the 2022 plan (as compared to previous Scoping Plans) is that it identifies a new GHG target of 48% below the 1990 level, compared to the current statutory goal of 40% below. Current law requires the state to reduce GHG emissions by at least 40% below the 1990 level by 2030 but does not specify an alternative goal. According to CARB, a focus on the lower target is needed to put the state on a path to meeting the newly established 2045 goal, consistent with the overall path to 2045 carbon neutrality. The carbon neutrality goal requires CARB to expand proposed actions from only the reduction of anthropogenic sources of GHG emissions to also include those that capture and store carbon (e.g., through natural and working lands, or mechanical technologies). The carbon reduction programs build on and accelerate those currently in place, including moving to zero-emission transportation; phasing out use of fossil gas use for heating homes and buildings; reducing chemical and refrigerants with high GWP; providing communities with sustainable options for walking, biking, and public transit; displacement of fossil-fuel fired electrical generation through use of renewable energy alternatives (e.g., solar arrays and wind turbines); and scaling up new options such as green hydrogen (CARB 2022).

The 2022 CARB Scoping Plan Update also emphasizes that there is no realistic path to carbon neutrality without carbon removal and sequestration, and to achieve the state's carbon neutrality goal, carbon reduction programs must be supplemented by strategies to remove and sequester carbon. Strategies for carbon removal and

sequestration include carbon capture and storage from anthropogenic point sources, where CO_2 is captured as it leaves a facility's smokestack and is injected into geologic formations or used in industrial materials (e.g., concrete); and CO_2 removal from ambient air, through mechanical (e.g., direct air capture with sequestration) or nature-based (e.g., management of natural and working lands) applications.

The 2022 CARB Scoping Plan Update details "Local Actions" in Appendix D. The Scoping Plan Appendix D Local Actions include recommendations to build momentum for local government actions that align with the state's climate goals, with a focus on local GHG reduction strategies (commonly referred to as climate action planning) and approval of new land use development projects, including through environmental review under CEQA. The recommendations provided in 2022 CARB Scoping Plan Appendix D are non-binding (i.e., not regulatory) and should not be interpreted as a directive to local governments, but rather as evidence-based analytical tools to assist local governments with their role as essential partners in achieving California's climate goals.

2022 CARB Scoping Plan Appendix D recognizes consistency with a CEQA-qualified GHG reduction plan such as a CAP as a first option for evaluating potential GHG emission impacts under CEQA. Absent a qualified GHG reduction plan, for residential and mixed-use projects, 2022 CARB Scoping Plan Appendix D provides a second option for evaluating project consistency with recommendations for key attributes that projects should achieve that would align with the state's climate goals. These key attributes include electric vehicle charging infrastructure, infill location, no loss or conversion of natural and working lands, transit-supportive densities or proximity to transit stops, reducing parking requirements, provision of affordable housing (at least 20% of units), no net loss of existing affordable units, and all-electric appliances with no natural gas connection (CARB 2022). Projects that achieve all key attributes are considered "clearly consistent" with the state's climate and housing goals, since these attributes address the largest sources of operational emissions for residential and mixed-use projects. According to the 2022 CARB Scoping Plan Update, in general, residential and mixed-use projects that incorporate all these attributes are aligned with the state's priority GHG reduction strategies for local climate action as shown on Table 1 of the 2022 CARB Scoping Plan Update, and with the state's climate and housing goals. Such projects are considered consistent with the Scoping Plan; and therefore, the GHG emissions associated with such projects generally result in a less-than-significant GHG impact under CEQA (CARB 2022). Additionally, the 2022 CARB Scoping Plan Update states that lead agencies under CEQA "may determine, with adequate additional supporting evidence, that projects that incorporate some, but not all, of the key project attributes are consistent with the State's climate goals" (CARB 2022).

The above is CARB's recommended approach for evaluating significance of GHG impacts for residential and mixed-use development projects (CARB 2022). However, alternative approaches to evaluating project-level alignment with state climate goals are also provided in the 2022 CARB Scoping Plan Appendix D. Lead agencies under CEQA can make a significance determination based on whether the project would result in net-zero GHG emissions and whether the project is consistent with a significance determination/threshold recommended by the applicable air district or other lead agencies (CARB 2022). The 2022 CARB Scoping Plan Appendix D acknowledges, however, that net zero may not be feasible or appropriate for every project (CARB 2022).

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 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.

Executive Order B-18-12. EO B-18-12 (April 2012) directed state agencies, departments, and other entities under the Governor's executive authority to take action to reduce entity-wide GHG emissions by at least 10% by 2015 and 20% by 2020, as measured against a 2010 baseline. EO B-18-12 also identified goals for existing state buildings for reducing grid-based energy purchases and water use.

Assembly Bill 1757. AB 1757 (September 2022) requires the CNRA to determine a range of targets for natural carbon sequestration, and for nature-based climate solutions that reduce GHG emissions for future years 2030, 2038, and 2045. These targets are to be determined by no later than January 1, 2024, and are established to support the state's goals to achieve carbon neutrality and foster climate adaptation and resilience.

Building Energy

Title 24, Part 6. The California Building Standards Code 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 that new and existing buildings in California achieve energy efficiency and preserve outdoor and indoor environmental quality. These energy efficiency standards are reviewed every 3 years by the Building Standards Commission and the California Energy Commission (CEC) and revised if necessary (California Public Resources Code [PRC] Section 25402[b][1]). The regulations receive input from members of industry, as well as the public, to "reduce the wasteful, uneconomic, inefficient, or unnecessary consumption of energy" (PRC Section 25402). These regulations are carefully scrutinized and analyzed for technological and economic feasibility (PRC Section 25402[d]) and cost effectiveness (PRC Section 25402[b][2–3]). 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 current Title 24, Part 6 standards, referred to as the 2022 Title 24 Building Energy Efficiency Standards, became effective on January 1, 2023. The 2022 Energy Code focuses on four key areas in newly constructed homes and businesses quality (CEC 2021):

- 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 vehicles charging options whenever they choose to adopt those technologies.
- Expanding solar PV system and battery storage standards to make clean energy available on site 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 CEC's efforts, in 2008, the California Building Standards Commission adopted the nation's first green building standards. The California Green Building Standards Code (24 CCR Part 11), which is commonly referred to as California Green Building Standards (CALGreen), 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 2022 CALGreen standards are the current applicable standards.

Title 20. Title 20 of the California Code of Regulations (CCR) requires manufacturers of appliances to meet state and federal standards for energy and water efficiency (20 CCR 1401–1410). 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; dishwaters; 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.

AB 1109. Enacted in 2007, AB 1109 required 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 (PRC Section 25402.5.4).

SB 1. SB 1 (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 (PRC Sections 25780–25784). 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. This bill established the Solar Water Heating and Efficiency Act of 2007 (PRC Sections 2851–2869). 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.

Senate Bill 1078, Senate Bill 1368, Executive Order S-14-08, Executive Order S-21-09 and Senate Bill X1-2, and Senate Bill 1020

SB 1078 (2002) (California Public Utilities Code Section 399.11 et seq.) established the Renewables Portfolio Standard program, which required an annual increase in renewable generation by the utilities equivalent to at least 1% of sales, with an aggregate goal of 20% by 2017. This goal was subsequently accelerated, requiring utilities to obtain 20% of their power from renewable sources by 2010 (see SB 107, EO S-14-08, and EO S-21-09).

SB 1368 (2006) required the CEC to develop and adopt regulations for GHG emission performance standards for the long-term procurement of electricity by local publicly owned utilities (California Public Utilities Code Sections 8340–8341). These standards must be consistent with the standards adopted by the California Public Utilities Commission.

EO S-14-08 (2008) focused on the contribution of renewable energy sources to meet the electrical needs of California while reducing the GHG emissions from the electrical sector. This EO required that all retail suppliers of electricity in California serve 33% of their load with renewable energy by 2020. Furthermore, the EO directed state agencies to take appropriate actions to facilitate reaching this target. CNRA, in collaboration with CEC and the California Department of Fish and Wildlife, was directed to lead this effort.

EO S-21-09 (2009) directed CARB to adopt a regulation consistent with the goal of EO S-14-08 by July 31, 2010. CARB was further directed to work with the California Public Utilities Commission and CEC to ensure that the regulation builds upon the Renewables Portfolio Standard program and was applicable to investor-owned utilities, publicly owned utilities, direct access providers, and community choice providers. Under this order, CARB was to give the highest priority to those renewable resources that provide the greatest environmental benefits with the least environmental costs and impacts on public health, and those that can be developed the most quickly in support of reliable, efficient, cost-effective electricity system operations. On September 23, 2010, CARB initially approved regulations to implement a Renewable Electricity Standard; however, this regulation was not finalized because of subsequent legislation (SB X1-2) signed by Governor Brown in April 2011.

SB X1-2 (April 2011) expanded the Renewables Portfolio Standard by establishing a renewable energy target of 20% of the total electricity sold to retail customers in California per year by December 31, 2013, and 33% by December 31, 2020, and in subsequent years. Under the bill, a renewable electrical generation facility is one that uses biomass, solar thermal, photovoltaic, wind, geothermal, fuel cells using renewable fuels, small hydroelectric generation (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 X1-2 applies to all electricity retailers in the state, including publicly owned utilities, investor-owned utilities, electricity service providers, and community choice aggregators. All these entities must meet the renewable energy goals listed above.

SB 350 (2015) further expanded the Renewables Portfolio Standard program 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 (such as 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 California Public Utilities Commission, in consultation with CEC, to establish efficiency targets for electrical and gas corporations consistent with this goal.

SB 100 (2018) increased the standards set forth in SB 350, 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 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 do not increase the carbon emissions elsewhere in the western grid and that the achievement not be achieved through resource shuffling.

SB 1020 (September 2022) revises the standards from SB 100, requiring the following percentage of retail sales of electricity to California end-use customers to come from eligible renewable energy resources and zero-carbon resources: 90% by December 31, 2035; 95% by December 31, 2040; and 100% by December 31, 2045.

Mobile Sources

State Vehicle Standards (Assembly Bill 1493 and Executive Order B-16-12)

AB 1493 (July 2002) was enacted in response to the transportation sector accounting for a large share 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 CARB to be vehicles that are primarily used for noncommercial personal transportation in the state. The bill 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 ZEVs. 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 benchmark goals by 2015, 2020, and 2025. On a statewide basis, EO B-16-12 identified 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. As explained under the "Federal Vehicle Standards" description in Appendix B Section 3.2.2, Federal Regulations, EPA and NHTSA approved the SAFE Vehicles Rule Part One and Two, which revoked California's authority to set its own GHG emissions standards and set ZEV mandates in California.

As also explained in Appendix B Section 3.2.2, in March 2022, EPA reinstated California's authority under the Clean Air Act to implement its own GHG emission standards and ZEV sales mandate. EPA's 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.

Heavy-Duty Diesel

CARB adopted the final Heavy-Duty Truck and Bus Regulation on December 31, 2014, to reduce diesel particulate matter, a major source of black carbon, and NO_x emissions from heavy-duty diesel vehicles (13 CCR 2025). The rule requires that diesel particulate matter filters be applied to newer heavier trucks and buses by January 1, 2012, with older vehicles required to comply by January 1, 2015. The rule will require nearly all diesel trucks and buses to be compliant with the 2010 model year engine requirement by January 1, 2023. CARB also adopted an Airborne Toxics Control Measure to limit idling of diesel-fueled commercial vehicles on December 12, 2013. This rule requires diesel-fueled vehicles with gross vehicle weights greater than 10,000 pounds to idle no more than 5 minutes at any location (13 CCR 2485).

Executive Order 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 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.

Senate Bill 375

SB 375 (California Government Code Section 65080) 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 metropolitan planning organizations (MPOs) to prepare a Sustainable Communities Strategy (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.

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's or county's land use policies and regulations, including those in a general plan, be consistent with it (California Government Code Section 65080[b][2][K]). 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. Unlike AB 32, the California Global Warming Solutions Act of 2006, with its market mechanisms that generate cap-and-trade auction proceeds to the state for reinvestment, SB 375 does not provide any new financial resources to make the production and preservation of affordable homes near transit feasible (California Housing Partnership Corporation and TransForm 2014).

Advanced Clean Cars Program and Zero-Emissions Vehicle Program

The Advanced Clean Cars (ACC) I 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 of regulations: the low-emission-vehicle regulation for criteria air pollutant and GHG emissions and a technology forcing regulation for ZEVs that contributes to both types of emission reductions (CARB 2024b). The package includes elements to reduce smog-forming pollution, reduce GHG emissions, promote clean cars, and provide the fuels for clean cars. 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 in 2015. The ZEV program will act as the focused technology of the ACC I program by requiring manufacturers to produce increasing numbers of ZEVs and plug-in hybrid electric vehicles in the 2018 to 2025 model years.

The ACC II program, which was adopted in August 2022, established the next set of low-emission vehicle and ZEV requirements for model years after 2025 to contribute to meeting federal ambient air quality O_3 standards and California's carbon neutrality standards (CARB 2024b). The main objectives of ACC II are as follows:

- Maximize criteria and GHG emission reductions through increased stringency and real-world reductions.
- Accelerate the transition to ZEVs through both increased stringency of requirements and associated actions to support wide-scale adoption and use.

The ACC II rulemaking package also considers technological feasibility, environmental impacts, equity, economic impacts, and consumer impacts.

Executive Order N-79-20

EO N-79-20 (September 2020) requires CARB to develop regulations as follows: (1) Passenger vehicle and truck regulations requiring increasing volumes of new ZEVs sold in the state toward the target of 100% of in-state sales by 2035; (2) medium- and heavy-duty vehicle regulations requiring increasing volumes of new zero-emission trucks and buses sold and operated in the state toward the target of 100% of the fleet transitioning to ZEVs by 2045 everywhere feasible and for all drayage trucks to be zero emission by 2035; and (3) strategies, in coordination with other state agencies, the EPA, and local air districts, to achieve 100% zero emissions from off-road vehicles and equipment operations in the state by 2035. EO N-79-20 called for the development of a ZEV Market Development Strategy, which was released February 2021, to be updated every 3 years, that ensures coordination and implementation of the EO and outlines actions to support new and used ZEV markets. In addition, the EO specifies identification of near-term actions, and investment strategies, to improve clean transportation, sustainable freight, and transit options; and calls for development of strategies, recommendations, and actions by July 15, 2021, to manage and expedite the responsible closure and remediation of former oil extraction sites as the state transitions to a carbon-neutral economy.

Advanced Clean Trucks Regulation

The Advanced Clean Trucks Regulation was also approved by CARB in 2020. The purpose of the Advanced Clean Trucks Regulation is to accelerate the market for ZEVs in the medium- and heavy-duty truck sector and to reduce air pollutant emissions generated from on-road mobile sources (CARB 2024c). The regulation has two components, (1) a manufacturer sales requirement and (2) a reporting requirement:

- **Zero-emission truck sales:** Manufacturers who certify Class 2b–8 chassis or complete vehicles with combustion engines will be required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales would need to be 55% of Class 2b–3 truck sales, 75% of Class 4–8 straight truck sales, and 40% of truck tractor sales.

Company and fleet reporting: Large employers including retailers, manufacturers, brokers, and others will be required to report information about shipments and shuttle services. Fleet owners with 50 or more trucks will be required to report about their existing fleet operations. This information will help identify future strategies to ensure that fleets purchase available zero-emission trucks and place them in service where suitable to meet their needs.

Water

Senate Bill X7-7

SB X7-7, or the Water Conservation Act of 2009, required that all water suppliers increase their water use efficiency with an overall goal of reducing per capita urban water use by 20% by December 31, 2020. Each urban water supplier was required to develop water use targets to meet this goal.

Executive Order 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.

Executive Order N-10-21

In response to a state of emergency due to severe drought conditions, EO N-10-21 (July 2021) called on all Californians to voluntarily reduce their water use by 15% from their 2020 levels. Actions suggested in EO N-10-21 include reducing landscape irrigation, running dishwashers and washing machines only when full, finding and fixing leaks, installing water-efficient showerheads, taking shorter showers, using a shut-off nozzle on hoses, and taking cars to commercial car washes that use recycled water.

Solid Waste

Assembly Bill 939, Assembly Bill 341, Assembly Bill 1826, and Senate Bill 1383

In 1989, AB 939, known as the Integrated Waste Management Act (PRC Section 40000 et seq.), was passed because of the increase in waste stream and the decrease in landfill capacity. The statute established the California Integrated Waste Management Board (replaced in 2010 by the California Department of Resources Recycling and Recovery [CalRecycle]), which oversees a disposal reporting system. AB 939 mandated a reduction of waste being disposed where jurisdictions were required to meet diversion goals of all solid waste through source reduction, recycling, and composting activities of 25% by 1995 and 50% by 2000.

AB 341 (2011) 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 the year 2020, and annually thereafter. In addition, AB 341 required CalRecycle to develop strategies to achieve the state's policy goal. CalRecycle has conducted multiple workshops and published documents that identify priority strategies that it believes would assist the state in reaching the 75% goal by 2020.

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 multifamily 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.

SB 1383 (2016) requires a 50% reduction in organic waste disposal from 2014 levels by 2020 and a 75% reduction by 2025—essentially requiring the diversion of up to 27 million tons of organic waste—to reduce GHG emissions. SB 1383 also requires that not less than 20% of edible food that is currently disposed be recovered for human consumption by 2025.

Other State Actions

Senate Bill 97

SB 97 (2007) directed the Governor's Office of Planning and Research and CNRA to develop guidelines under CEQA for the mitigation of GHG emissions. 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 (14 CCR 15126.4[c]). 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. CNRA also acknowledged that a lead agency could consider compliance with regulations or requirements implementing AB 32 in determining the significance of a project's GHG emissions (CNRA 2009).

With respect to GHG emissions, CEQA Guidelines Section 15064.4(a), as subsequently amended in 2018, states that lead agencies "shall make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate" GHG emissions. The CEQA Guidelines now note that an agency "shall have discretion to determine, in the context of a particular project, whether to (1) quantify greenhouse gas emissions resulting from a project and/or (2) rely on a qualitative analysis or 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 to which 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]).

Executive Order S-13-08

EO 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 EO 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, and an update, Safeguarding California: Reducing Climate Risk, followed in July 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. Issuance of Safeguarding California: Implementation Action Plans followed in March 2016. In January 2018, CNRA released the Safeguarding California Plan: 2018 Update, which communicates current and needed actions that state government should take to build climate change resiliency.

Local

Regional Transportation Plan/Sustainable Communities Strategy

The passage of SB 375 requires MPOs to prepare an SCS in their RTP. The San Diego Association of Governments (SANDAG) serves as the MPO for the San Diego region and is responsible for developing and adopting a SCS that integrates transportation, land use, and housing to meet GHG reduction targets set by CARB. The RTP/SCS is updated every 4 years in collaboration the 18 cities and unincorporated County of San Diego, in addition to regional, state, and federal partners. The most recent, San Diego Forward: The 2021 Regional Plan was adopted in 2021 and provides guidance on meeting or exceed GHG targets through implementation of five key transportation strategies, including complete corridors, high-speed transit services, mobility hubs, flexible fleets, and a digital platform to tie the transportation system together. Through these strategies, the 2021 Regional Plan is projected to reduce per capita GHG emissions from cars and light-duty trucks to 20% below 2005 levels by 2035, exceeding the regions state-mandated target of 19% (SANDAG 2021).

City of Oceanside General Plan

The City of Oceanside's (City) General Plan includes various policies related to reducing GHGs (both directly and indirectly) in the Land Use Element (2002), Circulation Element (2012), and Energy Climate Action Element (2019b). Policies that would reduce GHGs include, but are not limited to, the following:

Land Use Element

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.

Circulation Element

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.

Energy Climate Action Element

Renewable Energy and Energy Efficiency

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.

Policy ECAE-1c-2. Encourage passive solar building design in new development.

Policy ECAE-1d-3. Encourage the use of locally-produced construction materials, including salvaged lumber.

Smart Growth and Multimodal Transportation

Policy ECAE-2a-2. Continue to enhance organics waste recycling opportunities for both the commercial and residential sector in accordance with the City's Zero Waste goals, and State Organics mandates.

Policy ECAE-4a-3. Enforce mandatory water use efficiency measures and State prohibitions on wasteful water use practices.

Policy ECAE-5a-7. Encourage new development to incorporate shade trees, to the extent practical and financially feasible.

City of Oceanside Climate Action Plan

The City adopted its Climate Action Plan (CAP) on May 8, 2019 (City of Oceanside 2019a). 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 toward 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
- 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 is considered a qualified GHG reduction strategy.

City of Oceanside Municipal Code

The City's Municipal Code includes the following measures that help to implement the CAP.

3047 Renewable Energy Facilities

Certain types of new development shall install and maintain renewable energy facilities (e.g. solar photovoltaic systems). Additions to existing development meeting the threshold established in Subsection B shall render such development "solar ready" per the current versions of the California Energy Code and California Green Building Standards Code. In the event that state requirements for renewable energy facilities and solar ready design exceed those outlined in this section, state requirements shall prevail.

A. As specified below, the following types of development shall install and maintain renewable energy facilities that supply at least 50 percent of forecasted electricity demand:
   - Residential projects that include 25 or more units
   - Industrial projects larger than 25,000 square feet

- Commercial and institutional projects larger than 12,500 square feet
- Mixed-use development (consisting of residential and commercial uses) larger than 12,500 square feet
- In the event that installing a renewable energy facility is not feasible, applicants can purchase an energy portfolio comprising at least 75% renewable, emissions-free energy.

B. Additions to all existing development over 1,500 square feet shall be rendered "solar ready," as defined above.

3048 Electric Vehicle Parking and Charging Facilities

Multi-family residential and non-residential development of a certain scale is required to provide preferential parking and charging facilities for electric vehicles. The standards for preferential parking and electric vehicle charging facilities outlined in this section are intended to exceed those established by state law. In the event state standards exceed those outlined in this section, state standards shall apply.

Electric vehicle charging facilities installed in accordance with this section shall comply with Article 625 of the California Electrical Code and subsequent iterations thereof.

Single-family residential developments are subject to the CalGreen Building Code requirements and therefore exempt from the standards outlined in this section.

As specified in Tables 1 and 2, new multi-family residential and nonresidential developments that include five or more parking spaces shall reserve 15 percent of parking spaces for zero-emission vehicles and equip 50 percent of these reserved spaces with Level 2 electric vehicle charging facilities.

The standards outlined in Table 1 shall apply to multi-family residential development featuring common parking facilities, with "common parking facilities" defined as those where parking spaces are not separated from one another by walls or doors but rather assembled in open and shared spaces. Multi-family residential development with non-common parking facilities (e.g., private garages) shall provide at least one 240-volt/16-ampere electrical outlet in each compartmentalized parking area to accommodate "Level 2" electric vehicle charging.

Multi-family development that includes dedicated visitor parking shall provide at least one visitor-serving electric vehicle parking space equipped with charging facilities.

Table 1
Multi-Family Residential Electric Vehicle (EV)
Parking Space and Charging Facility Requirements

Total Required Parking Spaces	Required Reserved EV Spaces*	Required Charger Equipped Facilities
5-9	1	0
10-19	2	1
20-29	3	1
30-46	4-6	2-3
47-79	7-11	3-5
80-106	12-15	6-7
107-153	16-22	8-11
154-200	23-30	12-15
201+	15% of Total Required Parking Spaces*	50% of Required EV Parking Spaces

* The minimum number of required EV parking spaces and charging facilities shall be rounded down to the next whole number.

Table 2
Non-Residential Electric Vehicle (EV) Parking Space and Charging Facility Requirements

Total Required Parking Spaces	Required Reserved EV Spaces*	Required Charger Equipped Facilities
5-13	1	0
14-19	2	1
20-33	3-4	2
34-46	5-6	2-3
47-66	7-9	3-4
67-86	10-12	5-6
87-119	13-17	6-8
120+	15% of Total Required Parking Spaces*	50% of Required EV Parking Spaces

* The minimum number of required EV parking spaces and charging facilities shall be rounded down to the next whole number.

3049 Urban Forestry Program

All new development that requires administrative or discretionary review shall comply with the urban forestry standards outlined in Table 1.

Table 1
Minimum Tree Canopy and Permeable Surface Area Requirements

Project Site Area	Minimum Tree Canopy Area	Minimum Permeable Surface Area
1 acre or more	12%	22%
1/3 acre to 1 acre	9%	16%
Less than 1/3 acre	7%	10%

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.

Tree canopy area shall be measured using the projected maximum growth of selected tree species, based on planting location.

Projects must also provide a Landscape and Tree Canopy Management Plan (LTCMP). The LTCMP shall include information regarding regular, seasonal, and emergency maintenance, trash abatement, irrigation, tree/plant care, tree replacement, insect and disease infestation prevention, integrated pest management, and appropriate response process etc. Projects that do not maintain landscape in a manner consistent with the approved LTCMP shall be subject to code enforcement action.

In the event a project site cannot feasibly accommodate the minimum permeable surface area required, additional tree canopy, in excess of the minimum requirement, can be credited to meet the minimum permeable surface area requirement.

In the event a project site cannot feasibly accommodate the minimum tree canopy area, the project may plant in the public right-of-way (e.g., parkway) adjacent to the project site or on an alternative site within the City, as approved by the Director of the Public Works Department. Should the City establish a Tree Fund or similar in-lieu fee program, projects that cannot meet minimum requirements may contribute to said program as an alternative means of compliance.

4.7.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to GHGs are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to GHGs 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.

The Appendix G thresholds for GHGs do not prescribe specific methodologies for performing an assessment, do not establish specific 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. Additional guidance regarding assessment of GHGs is discussed below.

Global climate change is a cumulative impact; a project participates in this potential impact through its incremental contribution combined with the cumulative increase of all other sources of GHGs. There are currently no established thresholds for assessing whether the GHG emissions of a project, such as the Project, would be considered a cumulatively considerable contribution to global climate change; however, all reasonable efforts should be made to minimize a project's contribution to global climate change. In addition, although GHG impacts are recognized exclusively as cumulative impacts (CAPCOA 2008), GHG emissions impacts must also be evaluated on a project-level under CEQA.

CEQA Guidelines

With respect to GHG emissions, the CEQA Guidelines Section 15064.4(a) states that lead agencies "shall make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate" GHG emissions resulting from a project. The CEQA Guidelines note that an agency has the discretion to either quantify a project's GHG emissions or rely on a "qualitative analysis or performance-based standards" (14 CCR 15064.4[a]). A lead agency may use a "model or methodology" to estimate GHG emissions and has the discretion to select the model or methodology it considers "most appropriate to enable decision makers to intelligently take into account the project's incremental contribution to climate change" (14 CCR 15064.4[c]). The CEQA Guidelines provide that the lead agency should consider the following when determining the significance of impacts from GHG emissions on the environment (14 CCR 15064.4[b]):

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.
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.

In addition, the CEQA Guidelines specify that "[w]hen adopting or using thresholds of significance, a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies, or

recommended by experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence" (14 CCR 15064.7[c]).

The extent to which a project increases or decreases GHG emissions in the existing environmental setting should be estimated in accordance with Section 15064.4, Determining the Significance of Impacts from Greenhouse Gas Emissions, of the State CEQA Guidelines. The State CEQA Guidelines indicate that when calculating GHG emissions resulting from a project, lead agencies shall make a good-faith effort based on scientific and factual data (Section 15064.4[a]), and lead agencies have discretion to select the model or methodology deemed most appropriate for enabling decision makers to intelligently assess the project's incremental contribution to climate change (Section 15064.4[c]).

The State CEQA Guidelines do not indicate an amount of GHG emissions that constitutes a significant impact on the environment. Instead, they authorize the lead agency to consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence (State CEQA Guidelines Sections 15064.4[a] and 15064.7[c]). Several agencies throughout the state have drafted and/or adopted numerical threshold approaches and guidelines for analyzing the significance of project-related GHG emissions; however, no numerical thresholds have been formally adopted by an air district or lead agency for use in the San Diego region.

Governor's Office of Planning and Research Guidance

The Governor's Office of Planning and Research's Technical Advisory, titled Discussion Draft CEQA and Climate Change Advisory (OPR 2018), states the following:

> [N]either the CEQA statute nor the CEQA Guidelines prescribe thresholds of significance or particular methodologies for performing an impact analysis. This is left to lead agency judgment and discretion, based upon factual data and guidance from regulatory agencies and other sources where available and applicable. … Even in the absence of clearly defined thresholds for GHG emissions, such emissions 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.

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." Section 15064.7(c) of the CEQA Guidelines specifies that "when adopting thresholds of significance, a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies, or recommended by experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence."

Approaches to Determining Significance

The significance of the project-related GHG emissions can be determined by evaluating the project's compliance with regulations or requirements adopted to implement statewide, regional, or local plans for the reduction or mitigation of GHG emissions. The state's 2030 target (reduce GHG emissions to 40% below 1990 levels by 2030) has been codified in law through SB 32 and the 2017 Scoping Plan (CARB 2017). Therefore, 2030 marks the next statutory statewide milestone target applicable to the project.

The City's 2019 CAP is a qualified GHG emissions reduction plan in accordance with State CEQA Guidelines Section 15183.5. CEQA Guidelines 15183.5(a) states that Lead Agencies may analyze and mitigate the significant effects of GHG emissions at a programmatic level, such as in a general plan, a long-range development plan, or a separate plan to reduce GHG emissions. Later project-specific environmental documents may tier from and/or incorporate by reference the existing programmatic review. 15183.5(b) states that public agencies may choose to analyze and mitigate significant GHG emissions in a plan for the reduction of GHG emissions. Pursuant to CEQA Guidelines Sections 15064(h)(3), 15130(d), and 15183(b), a project's incremental contribution to a cumulative GHG emissions effect may be determined not to be cumulatively considerable if it complies with the requirements of a CAP.

The City's CAP seeks to align with state efforts to reduce GHG emissions while balancing a variety of community interests: e.g., quality of life, economic development, and social equity. The City of Oceanside's 2019 CAP quantified baseline and projected future GHG emissions from activities within the City. State GHG reduction efforts were first initiated by EO S-3-05 in 2005, which established a 2050 emissions target to stabilize the climate (CARB 2008). EO S-3-05 also established a 2020 GHG emissions target goal, which was later codified by the State Legislature as AB 32. EO B-30-15 then established an additional interim 2030 GHG emissions target, which was also codified by the State Legislature. Proposed City-specific measures and strategies were developed to reduce GHG emissions in accordance with 2020 and 2030 targets codified by the State Legislature. On a per-capita basis, the 2020 GHG emissions target requires that emissions be reduced to "about 10 tons per person by 2020" (CARB 2008) and the subsequent targets require that emissions be reduced to "no more than 6 MT CO_2e per capita by 2030 and no more than 2 MT CO_2e per capita by 2050" (CARB 2017). The City's CAP established GHG reduction targets for 2030 that are more rigorous than the State's 6 MT CO_2e per capita goal. The City's goal is to achieve GHG emission levels of 4 MT CO_2e per capita by 2030 and 3.0 MT CO_2e per capita by 2040. A 2050 target of 2.0 MT CO_2e per capita is established for the City consistent with recommendations of the 2017 Scoping Plan and international agreements, such as the "Under 2 MOU," which requires that all "signatories agree to reduce their GHG emissions to two metric tons CO_2E per capita by 2050." This is the most commonly agreed upon 2050 target and directly relates to the long-term target of EO-S-05.

As discussed in the CAP, to ensure the City remains on track to achieve the long-term reduction goals of the State, the City has implemented GHG reduction measures proactively. The CAP measures outline how the City will reduce its near-term GHG emissions and establish infrastructure to support continued reductions beyond 2030. The City is already projected to meet state-aligned per capita near-term emissions targets (2020 and 2030), and as such, reduction measures in the CAP (Chapter 3 of the CAP) were selected based on their ability to achieve long-term GHG emission reductions. Measures were focused on energy, water, solid waste, transportation and land use, and agriculture and forestry (City of Oceanside 2019a). Although the City's CAP predates CARB's 2022 Scoping Plan, the City's measures are consistent with CARB's recommendations for Local Actions focused on transportation electrification, vehicle miles traveled reduction, and building decarbonization (CARB 2022).

GHG emissions are by nature a cumulative impact, therefore, project's may rely on the City's CAP to determine a project's impact on a project-level/cumulative-level basis. Chapter 4 Implementation, of the City's CAP outlines how the CAP reduction measures will be implemented and establishes a mechanism for individual development project's to evaluate their consistency with the CAP through completion of a checklist.

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 the California Air Pollution Control Officers Association's CEQA and Climate Change document (CAPCOA 2008), the City has established a screening threshold of significance for GHG emissions impacts: 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 strategies, and would be determined to not conflict with the CAP. The 900 MT CO_2e screening threshold represents a market capture rate of 90% of all development projects (CAPCOA 2008). The objective of the bright-line screening is to set the emissions low enough to capture a substantial fraction of future residential and non-residential development that will be constructed to accommodate future statewide population and job growth, while setting the emission threshold high enough to exclude small development projects that will contribute a relatively small fraction of the cumulative statewide GHG emissions (CAPCOA 2008). The 90% capture rate of new development establishes a strong basis for demonstrating that cumulative reductions are being achieved across the state. Projects greater than 900 MT CO_2e would be required to show CAP Checklist consistency, which can be used to determine that the project would be consistent with the CAP. Essentially, to demonstrate that a project would comply with the CAP, requires a two-step process: the first step is a screening-level bright line screening which if exceeded, would require the second step, which is a CAP measures consistency analysis.

CEQA Guidelines Section 15183.5(2) states that an environmental document that relies on a GHG reduction plan for a cumulative impact analysis must identify those requirements specified in the plan that apply to the project, and if those requirements are not otherwise biding and enforceable, incorporate those requirements as mitigation measures applicable to the project. In accordance with Section 15183.5(2) of the CEQA Checklist, the CAP Checklist provides for streamlined review of projects subject to environmental review, offering an alternative to project-specific analysis of GHG emissions impacts. The Checklist is available to projects that meet locational requirements that further the City's efforts to facilitate housing and employment growth in walkable, transit-served areas, as well as projects that either (1) conform to current land use and zoning standards or (2) involve uses that would generate less GHG emissions than those allowed under current standards.

As discussed above, GHG emissions are recognized exclusively as a cumulative impact (CAPCOA 2008). The CAP Consistency Checklist is used to determine project-level significance in accordance with CEQA Guidelines Section 15183.5; the measures in the CAP Consistency Checklist identify the specific requirements that must be implemented by development projects on a city-wide basis to achieve the City's identified reduction targets. The CAP addresses the cumulative impact of GHG emissions on a city-wide basis and a project's compliance with the CAP supports the City's GHG emission reduction goals.

In accordance with Section 15064.4 of the State CEQA Guidelines, GHG emissions resulting from construction and operation of the Project were quantitatively estimated. The potential impacts from project-related GHG emissions were assessed based on the total increase above the existing environmental setting, which is undeveloped, vacant land. The GHG emissions associated with implementation of the project were estimated using industry standard and accepted software tools, techniques, and emissions factors. The significance of the project's GHG impacts is based on the project's compliance with the City's CAP measures.

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?

Would the project generate conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

The City of Oceanside's CAP was adopted in May 2019 to assist the City in reducing GHG emissions to 4 MT CO_2e per capita by 2030, and 2 MT CO_2e per capita by 2050 to align with the state's targets established by EOs B-30-15 and S-3-05, respectively. According to the City's CAP, new discretionary development projects subject to CEQA review that emit less than 900 MT CO_2e annually would not contribute considerably to cumulative climate change impacts, and therefore, would be considered consistent with the CAP and associated emissions projections. Projects that exceed the 900 MT CO_2e are evaluated to determine if the CAP Consistency Checklist is applicable. In addition, pursuant to the City's May 2023 Policy Directive, a project's per service population emissions shall be determined and evaluated against the City's targets based on when a project is to be implemented to ensure that the project would comply with the CAP. As such, the evaluation presented below assess the project's consistency with the CAP through two tests: (1) CAP Consistency Checklist, and (2) per service population efficiency metric.

Project-generated GHG emissions were estimated per the methodology described in Section 3.3.2 of Appendix B. and are discussed for construction and operation and are discussed for construction and operation below. Quantification of GHG emissions is provided pursuant to CEQA Guidelines 15064.4(c) as the determination of significance is based on the CAP Consistency Checklist.

Construction

Table 4.7-5 shows the estimated annual GHG construction emissions associated with the Project. Additional information about methodology and approach are provided in Section 3.3.2 of Appendix B. Complete details of the construction emissions calculations are provided in Appendix A, Air Quality and Greenhouse Gas Emissions CalEEMod Output Files, to Appendix B.

Table 4.7-5. Estimated Annual Construction Greenhouse Gas Emissions

Year	CO_2	CH_4	N_2O	R	CO_2e
	Metric Tons				
2026	984.18	0.04	0.04	0.41	997.57
2027	332.53	0.01	0.01	0.15	336.18
Total	**1,316.71**	**0.06**	**0.05**	**0.56**	**1,333.76**
			Amortized Emissions (20 years)		*66.69*

Source: Appendix B
Notes: CO_2 = carbon dioxide; CH_4 = methane; N_2O = nitrous oxide; R= refrigerant; CO_2e = carbon dioxide equivalent.
See Appendix B for complete results. <0.01 = reported value is less than 0.01.

As shown in Table 4.7-5, the estimated total GHG emissions from construction of the project would be 1,334 MT CO_2e. When amortized over 20 years, the estimated annual GHG emissions from construction of the project would be approximately 67 MT CO_2e per year.

Operation

Table 4.7-6 shows the estimated annual GHG operational emissions -associated with incorporation of Project Design Feature PDF-GHG-1 and compliance with the City's Municipal Code which requires the provision of solar power to offset 50% of the project's energy demand.

Table 4.7-6. Summary of Estimated Annual Greenhouse Gas Emissions

Emissions Source	CO_2	CH_4	N_2O	R	CO_2e
	Metric Tons				
Mobile	1,149.82	0.06	0.05	1.41	1,167.57
Area	204.09	0.00	0.00	N/A	204.34
Energy	140.61	0.02	0.00	N/A	141.55
Water	2.13	0.15	0.00	N/A	6.82
Waste	23.80	2.38	0.00	N/A	83.27
Refrigerants	N/A	N/A	N/A	0.32	0.32
				Total Operational Emissions	**1,603.87**
				Amortized Construction Emissions (20 years)	66.69
				Total Operational Emissions with Amortized Construction	***1,670.55***
				Screening Threshold	*900*
				Exceeds Threshold?	**Yes**

Source: See Appendix A to Appendix B for complete results.
Notes: N/A = not applicable; CO_2 = carbon dioxide; CH_4 = methane; N_2O = nitrous oxide; R= refrigerant
CO_2e = carbon dioxide equivalent. <0.01 = reported value is less than 0.01.
Includes incorporation of PDF-GHG-1.

As discussed above, total annual operational emissions were combined with amortized (20 years) construction emissions and compared to the recommended 900 MT CO_2e screening threshold. As shown in Table 4.7-6, implementation of the project would result in approximately 1,671 MT CO_2e per year including amortized construction emissions, which would exceed the City's bright-line screening of 900 MT CO_2e per year.

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 2028 plus amortized project construction emissions are estimated to exceed this screening 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 and impacts would be less than significant.

Climate Action Plan Consistency Checklist

Projects that meet one or more of the following locational criteria are eligible for using the CAP Consistency Checklist:

A. The project site is located within a designated Smart Growth Opportunity Area.
B. The project site is located within ¼ mile of a priority TOD [transit-oriented design] corridor, as identified in the City's Smart and Sustainable Corridors Plan.
C. Items 1 and 2 pertain to the City's focus on where development will occur. The City seeks to accommodate future housing and job growth primarily through infill and redevelopment within already urbanized areas. Specifically, the City seeks to facilitate new residential and employment-oriented development within SANDAG-designated Smart Growth Opportunity Areas and prior corridors (i.e., Coast Highway, Mission Avenue, Oceanside Boulevard, Vista Way).
D. The project is consistent with current land use and zoning designations.

E. Item 3 ensures that projected growth and development along with GHG emissions would be consistent with projections included in the CAP.

F. 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.

Similar to Item 3, this measure allows for projects that require land use changes to use the CAP checklist if the projected GHG emissions would be comparable or less than the existing land use designation.

In response to Item 1, the Parcel Area is within a Smart Growth Opportunity Area. Specifically, it is in smart growth area OC-6 (City of Oceanside Housing Element, Figure 6 [City of Oceanside 2021]). The project would meet locational criteria 1.

In response to Item 2, the Parcel Area is within 0.25 miles of a transit-oriented design corridor, consisting of Oceanside Boulevard. The project would meet locational criteria 2.

In response to Item 3, the project is a residential development on a property designated for residential use and, on that basis, is consistent with the current land use and zoning designation. The project would meet criteria 3.

In response to Item 4, the project does not require a general plan amendment or rezone.

As discussed previously, CEQA Guidelines Section 15183.5(2) states that an environmental document that relies on a GHG reduction plan for a cumulative impact analysis must identify those requirements specified in the plan that apply to the project, and if those requirements are not otherwise biding and enforceable, incorporate those requirements as mitigation measures applicable to the project. In accordance with Section 15183.5(2) of the CEQA Guidelines, the CAP Checklist provides for streamlined review of projects subject to environmental review, offering an alternative to project-specific analysis of GHG emissions impacts.

Table 4.7-7 includes the CAP Checklist items and the related project consistency analysis.

Table 4.7-7. Climate Action Plan Consistency Checklist and Project Consistency

Check List Item	Project Consistency
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 or the purchase of an energy portfolio that is comprised of at least 75% renewable, emissions-free energy. The proposed project includes roof-top solar PV on each building in accordance with PDF-GHG-1.
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 141 podium parking spaces and 194 surface parking spaces for residences and guests and is therefore required to comply with

Table 4.7-7. Climate Action Plan Consistency Checklist and Project Consistency

Check List Item	Project Consistency
	the requirements of Section 3048 of the City's Zoning Ordinance. PDF-GHG-1 requires the provision of electric vehicle parking and charging. Per Section 3048, the project will reserve 15% of parking spaces (50) for electric vehicles and provide charging facilities in 50% of the required electric vehicles parking spaces (25).
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 a residential project and would not generate more than 100 daily employee commute trips.
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 involves development of greater than a 1-acre area, therefore it will comply with the provision of a minimum of 12% tree canopy area and 22% of permeable surface area as outlined in the requirements outlined in Section 3049 of the City's Zoning Ordinance.

Sources: City of Oceanside 2019b; Appendix C to Appendix B, CAP Consistency Checklist

As shown in Table 4.7-7, 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. 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**.

Consistency with Senate Bill 32, Assembly Bill 1279, Executive Order S-3-05, and Assembly Bill 1279

EO S-3-05 identified the following goals: GHG emissions should be reduced to 2000 levels by 2010, to 1990 levels by 2020, and to 80% below 1990 levels by 2050. SB 32 establishes a statewide GHG emissions reduction target whereby CARB, in adopting rules and regulations to achieve the maximum technologically feasible and cost-effective GHG emissions reductions, shall ensure that statewide GHG emissions are reduced to at least 40% below 1990 levels by December 31, 2030. AB 1279 establishes a policy of the state to achieve net zero GHG emissions no later than 2045 and for statewide anthropogenic GHG emissions to be reduced to at least 85% below 1990 levels by 2045.

Each Scoping Plan builds upon the successful framework established by the initial Scoping Plan and subsequent updates, while also identifying new, technologically feasible, and cost-effective strategies to ensure that California meets increasingly stringent GHG reduction targets in a way that promotes and rewards innovation, continues to foster economic growth, and delivers improvements to the environment and public health, including in disadvantaged communities. The Scoping Plan updates have continued to

express optimism in meeting future year targets of 2050 and 2030, as evaluated in the 2014 and 2017 Scoping Plans (respectively), and most recently, the 2045 goal addressed in the 2022 Scoping Plan under EO B-55-18, which AB 1279 codified and expanded on.

Although there are no established protocols or thresholds of significance for that future year analysis, CARB forecasted in the 2014 Scoping Plan that compliance with the current Scoping Plan would put the state on a trajectory of meeting the long-term 2050 GHG goals, although the specific path to compliance was unknown at the time (CARB 2014). The 2017 Scoping Plan outlined a strategy to achieve the 2030 GHG reduction target. The proposed scenario in the 2022 Scoping Plan lays out a path not just to carbon neutrality by 2045, but also to the 2030 GHG emissions reduction target (CARB 2022). The modeling indicates that, if the plan described in the proposed scenario is fully implemented, and done so on schedule, the state is on track to reduce its emissions to 260 MMT CO_2e by 2030 (CARB 2022).

The City is on track to meet state-aligned emissions reduction targets for 2020 and 2030 without additional emissions reduction measures (City of Oceanside 2019a). However, the City understands that meeting long-term reduction targets requires aggressive action. As such, the City has developed near-term local GHG emissions targets more aggressive than State targets that put the City on a trajectory consistent with the State's 2050 GHG emissions targets, which represent the level necessary to stabilize the climate in the latter part of the 21st century (City of Oceanside 2019a). Regarding, AB 1279, it is important to note that the state's carbon neutrality goal does not preclude any individual project from emitting GHG emissions. AB 1279 codifies EO B-55-18, however, its enactment was linked to the concurrent enactment of SB 905, which requires CARB to create a Carbon Capture, Removal, Utilization, and Storage Program that, fundamentally, will sequester carbon emitted by other projects. Therefore, the state's carbon neutrality goal does not preclude all individual projects from emitting GHG emissions.

As discussed above, the project would be consistent with the CAP and other applicable plans and, therefore, would be consistent with state GHG reduction goals and progress toward achieving carbon neutrality.

Consistency with SANDAG RTP/SCS

At the regional level, the SANDAG's RTP/SCS has been adopted for the purpose of reducing GHG emissions attributable to passenger vehicles in the San Diego region. In October 2015, SANDAG adopted its Regional Plan, which was subsequently updated in 2021. The RTP/SCS is not directly applicable to the project because the underlying purpose of the RTP/SCS is to provide direction and guidance on future regional growth (i.e., the location of new residential and nonresidential land uses) and transportation patterns throughout the City and greater San Diego County, as stipulated under SB 375. CARB has recognized that the approved RTP/SCS is consistent with SB 375. The SANDAG Regional Plan is generally consistent with the local government plans. Since the Project is within the scope of development that was anticipated in the General Plan, it would not result in growth that would conflict with the Regional Plan.

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 4.7-7*)*. Further, the project proposes residential development immediately adjacent to the Sprinter Station in a SANDAG designated Smart Growth Opportunity Area. Therefore, the proposed project 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**.

Conclusion

The project would exceed the City's 900 MT CO_2e screening threshold, which indicates that additional analysis is required to determine if the project would have a cumulatively significant contribution to GHGs. The City's additional required analysis includes evaluating the project against the CAP. As shown in the preceding analysis, the project would be consistent with the City's CAP. Accordingly, the project would not generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment and the project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. The project's GHG impact would be **less than significant**.

4.7.5 Mitigation Measures

Impacts related to GHG 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 GHG emissions were identified; therefore, no mitigation measures are required. Impacts related to GHG emissions would be **less than significant**.

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4.8 Hazards and Hazardous Materials

This section describes the existing hazards and hazardous materials conditions of the Parcel Area, identifies associated regulatory requirements, evaluates potential impacts, and identifies whether mitigation measures related to implementation of the Olive Park Apartments Project (project) are required. The following analysis is based, in part, on the Phase I Environmental Site Assessment (ESA) that was prepared for the project by Environmental Solutions in February 2024 and is incorporated by reference herein as Appendix F.

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 activities may have resulted in use, 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—that 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 Parcel Area is undeveloped and vacant, and previously disturbed, consisting primarily of sparse grasses, shrubs, and some dirt paths. The Parcel Area and surrounding vicinity are situated in the Cities of Oceanside and Vista, in an area consisting primarily of commercial development to the north, residential development to the east and south, and public roadways and train tracks to the north.

As described in Appendix F, aerial photographs with coverage of the Parcel Area were reviewed from the years 1939, 1946, 1953, 1964, 1967, 1970, 1979, 1985, 1989, 1994, 1997, 2002, 2005, 2009, 2012, 2016, 2020, and 2021. Historical USGS topographic maps of the subject property were reviewed from the years 1893, 1898, 1901, 1947, 1948, 1949, 1968, 1975, 1997, 2012, 2015, 2018, and 2022.

The first reasonably available historic documentation dated 1893 demonstrates the project area was undeveloped and occupied by vegetation. Additionally, the Loma Alta Creek and the railroad tracks were visible along the northern perimeter of the Parcel Area. The 1939 aerial shows the Parcel Area was cleared for agricultural use, and a small

orchard was visible in the center along the north perimeter of the Parcel Area. The 1946 aerial shows the orchard was no longer visible, and through 1953, the Parcel Area was occupied by native vegetation. By 1964, the former agricultural land appeared to be fallow, and some dirt roads and trails traversing the Parcel Area can been seen. Since 1964, there were no significant differences on the Parcel Area (Appendix F).

As described in the Phase I ESA (Appendix F), a small portion on the western side of the Parcel Area appears to have been used for agricultural purposes from 1939 through at least 1953, making it possible that pesticides were used. Prior to 1972 it was common practice to use environmentally persistent pesticides, specifically those that included DDT, DDD, and Toxaphene. However, proper pesticides applications, if any, only used small amounts. Many pesticides applied to the soil for agricultural uses were designed to be relatively immobile, were applied to remain near the surface, and did not readily leach downward to groundwater. Appendix F also states that the presence of Loma Alta Creek on site and north of the site is likely to have resulted in significant water crossing the former agricultural areas, washing away any chemicals that may have been used.

Hazardous Material Sites

As part of the Phase I ESA completed for the Parcel Area, a regulatory records review was completed by Environmental Solutions (Appendix F). Environmental Data Resources (EDR) searches federal, state, and local government environmental databases. Descriptions of each database searched, source distance from the Parcel Area, and the dates that the regulatory databases were last updated by the applicable agencies are included in Appendix F to this EIR. The site is not listed on any of the standard federal American Society for Testing and Materials (ASTM) regulatory databases nor any state, tribal, or local standard ASTM databases. Three properties located to the north of the Parcel Area are listed on the standard federal ASTM regulatory databases, including Vergara Automotive, California Automotive Solutions, Greenfield Fence Manufacturing, and HTS Engineering. These properties have no reported violations and are not listed on databases indicative of releases of hazardous substances or petroleum products to the subsurface. Pursuant to the Phase I ESA, these properties are not considered recognized environmental conditions that would have the potential to adversely impact the Parcel Area. Furthermore, the Parcel Area is not listed on any of the non-ASTM regulatory databases, and none of the adjoining properties on the non-ASTM regulatory database are considered to have the potential to adversely impact the Parcel Area.

The current use of the Parcel Area 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 Parcel Area.

Site Reconnaissance

On February 16, 2024, a representative of Environmental Solutions conducted a reconnaissance-level assessment of the Parcel Area to assess the potential of identifying any recognized environmental conditions (RECs) in connection to the Parcel Area. No RECs associated with the current or prior use of the Parcel Area were identified during the site reconnaissance. Additionally, no RECs that could impact the Parcel Area were observed at adjacent properties (Appendix F).

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 Net Developable Pad where the project would be developed. The closest school to the Parcel Area is Christa McAuliffe Elementary School, located approximately 0.2 miles southwest of the larger Parcel Area. However, that use is located 1 mile from the Net Developable Pad (Appendix F).

Airports

The closest airport to the Parcel Area is the Oceanside Municipal Airport, located approximately 6 miles northwest of the Parcel Area (Appendix F). According to the Airport Land Use Compatibility Plan (ALUCP), the Parcel Area is not located within an aviation noise exposure range of 60 A-weighted decibels Community Noise Equivalent Level (dBA CNEL), nor is the Parcel Area located within the Airport Overflight Notification Area. Additionally, the Parcel Area is located outside the ALUCP Airport Influence Area (ALUC 2010). Airport Influence Area is defined in the California Business and Professions Code as "the area in which current or future airport-related noise, overflight, safety, or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses" (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 fuel, flame length, blowing embers, terrain, weather, and the likelihood of buildings igniting. The Fire Hazard Severity Zone maps identify sites within a medium, high, or very high severity zone. The Parcel Area is not within an area mapped as a Fire Hazard Severity Zone (CAL FIRE 2022).

Evacuation Routes

The City of Oceanside (City) 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 2002a). Oceanside Boulevard and College Boulevard are the nearest evacuation routes to the Parcel Area.

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 (USC). 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. The Code of Federal Regulations (CFR) Title 49 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 USC 2601–2697) and the Resource Conservation and Recovery Act of 1976 (RCRA) (42 USC 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) (USC Sections 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), 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 (ICC 2020). 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 American 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 (CalOSHA) is the primary agency responsible for worker safety in the handling and use of chemicals in the workplace. CalOSHA standards are generally more stringent than federal regulations. The employer is required to monitor worker exposure to listed hazardous substances and notify workers of exposure (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. CalARP 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 Operations Plan 2022

The San Diego County Emergency Operations Plan (EOP) 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 San Diego County EOP includes operational concepts relating to various emergency situations, identifies components of the Emergency Management Organization, describes the overall responsibilities for protecting life and property, and ensures the overall well-being of the population. The San Diego County EOP 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 (County of San Diego 2022).

San Diego County Multi-Jurisdictional Hazard Mitigation Plan

The San Diego County Multi-Jurisdictional Hazard Mitigation Plan was prepared to meet federal and state requirements for disaster preparedness to make the County of San Diego 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 human-caused 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 21 participating jurisdictions, including the City of Oceanside (County of San Diego 2023a).

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.

City of Oceanside Emergency Operations Plan

The City of Oceanside EOP provides an overview of operational concepts relating to various emergencies; it provides a system for the effective management of emergency situations through an emergency management organization and defines the overall responsibilities for all agencies and individuals, public or private, to have a role in emergency preparedness, response, recovery, and/or mitigation in the City of Oceanside. The EOP is designed to be compliant with the Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS) (City of Oceanside 2016).

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 (City of Oceanside 2002b).

Public Safety Element

The Public Safety Element identifies public safety 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. The Public Safety Element contains a single policy that is applicable to the project, which is to minimize the risk of occupancy of the structures from seismic and geologic occurrences (City of Oceanside 2002a). The project would be consistent with the California Building Code, which establishes the appropriate construction measures for seismic and geologic safety.

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 California Environmental Quality Act (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

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 that are 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 as a matter of law. These regulations include the Federal Chemical Accident Prevention Provisions (CFR Part 68); California Highway Patrol and California Department of Transportation container and licensing requirements for transportation of hazardous waste on public roads; the IFC; the RCRA, as amended by the Hazardous and Solid Waste Amendments of 1984; California's Hazardous Waste Control Law; the CFC; California Health and Safety Code Hazardous Materials Release Response Plans and Inventory; the California Integrated Waste Management Act; regulations developed by CalOSHA; 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 Section 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. As stated in Appendix F, a small area on the western side of the Parcel Area was used for agriculture, and pesticides may have been applied. However, the area formerly used for agriculture is not within the Total Impact Area. The presence of Loma Alta Creek on the Parcel Area has likely washed away any agricultural chemicals. No agriculture has been present for over 60 years, and residual pesticides were not considered to be a recognized environmental condition according to Appendix F. Therefore, because of regulatory compliance measures and the nature of the project construction, the project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, and the impact of project construction would 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 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 by law 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. The transport, use, and disposal of hazardous materials are fully regulated by the EPA, State of California, County of San Diego, and/or the City. With mandatory regulatory compliance, the project operations would not create a significant hazard to the public or environment through the routine transport, use, or disposal hazardous material in the environment, and impacts 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 potential for hazardous materials spills and accidents. The Oceanside Fire Department enforces city, state, and federal hazardous materials regulations for the City. City regulations

include measures related to the potential for spills, 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 CalOSHA requirements, the Hazardous Waste Control Act, CalARP Program, the California Health and Safety Code, and City regulations, would not 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, and potential project impacts would be **less than significant**.

Operations

As stated above, operation of the project's proposed residential use would only require the 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, County of San Diego, and/or the City regulations pertaining to household wastes. With mandatory regulatory compliance, the project operations would not 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, and impacts 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?

Although the Parcel Area is located within 0.25 miles of an existing or proposed school, the project would be developed and occupied solely within the Total Impact Area, and specifically the Net Developable Pad. The nearest school is Christa McAuliffe Elementary School, located approximately 0.2 miles southwest of the Parcel Area, but the Net Developable Pad is approximately 0.92 miles away. As stated above, operation of the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste. Construction activities are required by law to comply with the above requirements, such as CalOSHA requirements, the Hazardous Waste Control Act, CalARP Program, the California Health and Safety Code and corresponding City regulations. Compliance with these requirements is mandatory. Further, the Net Developable Pad where the project would be built and occupied is more than 0.25 miles from an existing or proposed school. Therefore, the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 miles of an existing or proposed school, and impacts would 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 F) has revealed no evidence of REC, historical RECs, or controlled RECs in connection with the Parcel Area. Additionally, the Phase I demonstrates that the Parcel Area is not identified on the "Cortese" Hazardous Waste and Substances Sites List/Historical Cortese databases (Government Code Section 65962.5). Therefore, given the project's location, the project would not create a significant hazard to the public or the environment, and 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 6 miles northwest of the Parcel Area. According to the ALUCP, the Parcel Area is not located within an aviation noise exposure range of 60 dBA CNEL or in any of the ALUCP Airport Influence Area, nor is the Parcel Area located within the Airport Overflight Notification Area (ALUC 2010).

The closest airport, the Oceanside Municipal Airport, is approximately 6 miles from the Net Developable Pad. Because that airport has an adopted land use plan, and that plan does not impose limitations on development of the Parcel Area, the project would not result in a safety hazard or excessive noise for people residing or working in the project area, and project impacts would 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 2023a), the Multi-Jurisdictional Hazard Mitigation Plan: City of Oceanside Annex (County of San Diego 2023b), the San Diego County EOP (County of San Diego 2022), and the City's EOP (City of Oceanside 2016). In addition, the City has developed a tsunami evacuation map (City of Oceanside n.d.).

The County of San Diego's Multi-Jurisdictional Hazard Mitigation Plan and the City's Multi-Jurisdictional Hazard Mitigation Plan: City of Oceanside Annex are plans that identify risks and ways to minimize damage by natural and human-caused disasters. The plans are 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 County of San Diego's Multi-Jurisdictional Hazard Mitigation Plan and the City's Multi-Jurisdictional Hazard Mitigation Plan: City of Oceanside Annex Multi-Jurisdictional Hazard Mitigation Plan because the project would adhere to all applicable provisions in the California Building Code and implement land uses that are consistent with surrounding areas and the adopted General Plan Land Uses and zoning designations.

The San Diego County EOP 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 San Diego County EOP 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. The project would not impair or interfere with the San Diego County EOP because the project would adhere to all applicable provisions in the California Building Code and implement land uses that are consistent with surrounding areas and the adopted General Plan Land Uses and zoning designations.

The City of Oceanside EOP provides an overview of operational concepts relating to various emergencies; it provides a system for the effective management of emergency situations through an emergency management organization and defines the overall responsibilities for all agencies and individuals, public or private, to have a role in emergency preparedness, response, recovery, and/or mitigation in Oceanside. The City's EOP is designed to be compliant with the Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS). Therefore, the project would not impair or interfere with the City's EOP because the project would adhere to all applicable provisions in the California Building Code and implement land uses that are consistent with surrounding areas and the adopted General Plan Land Uses and zoning designation.

The project would provide one access point for emergency responders at the eastern side of the Parcel Area from Olive Drive, as well as a secondary access road northeast of the Parcel Area, which would only be accessible to emergency vehicles and personnel in the event of an emergency. 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 Parcel Area 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 Section 4.15, Transportation.

As discussed in Section 4.9, Hydrology and Water Quality, the coast of Oceanside 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 Parcel Area located outside of the tsunami evacuation area for Oceanside. 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.

Therefore, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, and impacts would 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 San Diego County State Responsibility Area Fire Hazard Severity Zones map, the Parcel Area is not located within or adjacent to a Very High, High, or Moderate Fire Hazard Severity Zone (CAL FIRE 2022). The Parcel Area is located within an urbanized and developed area of the City to the south and north. Existing natural open space exists to the west of the Parcel Area. The project would set building back from open space areas by approximately 104 feet and would provide fire access lanes and fire hydrants between open space area and habitable buildings. This setback area would be comprised of hardscape (i.e., roadways and parking stalls) or would be landscaped and irrigated. While not explicitly technical, the fuel modification zones would serve as protective buffers by creating defensible space to combat wildfires in the open space areas surrounding the Net Developable Pad. Additionally, the project would comply with the California Building Code and Consolidate Fire Code. Therefore, because the Parcel Area is not within a Very High or High Fire Hazard Severity Zone and would comply with California Building Code and Consolidate Fire Code, the project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires, and impacts would be **less than significant.**

Please refer to Section 4.13, Public Services, and Section 4.18, Wildfire, of this EIR, for a detailed discussion of fire services and wildfire risk.

4.8.5 Mitigation Measures

Impacts related to hazards and hazardous substances as a result of project implementation are determined to be less than significant; 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**.

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4.9 Hydrology and Water Quality

This section describes the existing hydrology and water quality conditions of the Parcel Area, identifies associated regulatory requirements, evaluates potential impacts, and identifies whether mitigation measures related to implementation of the Olive Park Apartments Project (project) in Oceanside, California, are required. The following analysis is based, in part, on the Drainage Study and the Storm Water Quality Management Plan (SWQMP) that were prepared for the project by Hunsaker in October 2024. The Drainage Study is included as Appendix G1 and the SWQMP is included as Appendix G2 to this Environmental Impact Report.

4.9.1 Existing Conditions

Hydrologic Setting

In existing conditions, the Parcel Area is currently vacant. The Net Developable Pad is on a property that includes slopes that descend northwest toward Loma Alta Creek, which is the north of the rail road tracks that border the northern edge of the Parcel Area for most of the property until the creek turns south near the far western portion of the Parcel Area. The topographical contours show an increase in gradient from north to south.

Loma Alta Creek begins as rising springs just west of Melrose Drive in the City of Vista and flows to Loma Alta Slough (Slough). Loma Alta Creek flows parallel to Oceanside Boulevard and the Slough is located north of Buccaneer Beach Park. Loma Alta Creek is just over seven miles long and drains nearly 6,300 acres of land. The Slough is a 107-acre coastal estuarine wetland. Loma Alta Watershed is the northernmost watershed in the Carlsbad Hydrologic Unit (City of Oceanside 2024). Loma Alta Creek, which flows in an east-west direction, enters the Parcel Area to the far west of the Net Developable Pad, crossing under the North County Transit District rail lines and extends approximately 1,280 feet through the property.

The Parcel Area is in the south-eastern portion of Oceanside within the Carlsbad watershed. The Carlsbad Watershed Management Area is made up of six distinct Hydrologic Areas: Loma Alta, Buena Vista Creek, Agua Hedionda, Encinas, San Marcos Creek, and Escondido Creek. The Parcel Area is within the Loma Alta Hydrologic Area (904.10) of the Water Quality Control Plan for the San Diego Basin (California Regional Water Quality Control Board 2016).

Onsite drainage flows north toward the North County Transit District rail lines (part of the Loma Alta Creek Floodway), merging with an off-site drainage area along the eastern boundary of the Parcel Area that consists of the two following features: (1) southeastern slope that drains through an existing brow ditch moving northward; and (2) water from an existing development channeled via the Olive Drive curb and gutter system into the same brow ditch. This brow ditch enters the Parcel Area at the northeastern corner. Once on-site drainage flows merge with the off-site drainage area it then moves westward through the undisturbed boundary of the Parcel Area via earthen swales along the southern side of the railroad and surface flowing toward Loma Alta Creek's existing natural channel. This channel crosses under the North County Transit District rail lines and continues west to discharge to the Pacific Ocean.

Surface Water Quality

Loma Alta Creek is listed on the State Water Resources Control Board's (SWRCB) 303(d) list of impaired water bodies. 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. The project's SWQMP identifies pollutant/stressors for Loma Alta Creek (Benthic Community Effects, Bifenthrin, Cyfluthrin, Cyhalothrin, Lambda, Indicator Bacteria, Nitrogen, Phosphorus, Pyrethroids, Selenium, and Toxicity) and Loma Alta Slough (Eutrophic, and Indicator Bacteria), and Pacific Ocean Shoreline, Loma Alta HAS, at Loma Alta Creek mouth (Indicator Bacteria and Trash). The TMDLs for Loma Alta Creek and Loma Alta Slough are identified in the SWQMP as "Requires Development" (Appendix G2).

Groundwater

The Parcel Area does not overly a groundwater basin (DWR 2019). Based on the Geotechnical Investigation Report prepared for the project, groundwater was encountered at boring depths ranging from 9 to 45 feet below existing grade. However, no groundwater was encountered in the Total Impact Area.

Flood Zone

As indicated in the Flood Insurance Rate Map (FIRM 06073C0758G) a small portion of the northern Parcel Area, located outside the Onsite Impact Area, is associated with Loma Alta Creek and designated as being within the 100-year flood plain per FEMA FIRM/Zone AE and 500-year flood plain per FEMA FIRM/Zone X (FEMA 2022). An offsite area located north of the Onsite Impact Area is also designated as being within the 100-year flood plain/floodway. This flood zone extends east to west along the NCTD rail line. The Onsite Impact Area is located in an unshaded Zone X, which is defined as "Areas determined to be outside the 500-year floodplain."

Tsunami Inundation

The Parcel Area does not lie within the tsunami inundation area for Oceanside (CalEMA 2009).

4.9.2 Regulatory Setting

Federal

Federal Emergency Management Agency

On April 1, 1979, President Carter established FEMA with the dual functions of civil defense and emergency management. The agency's authorities were further defined and expanded by a series of legislative actions.

The Disaster Relief and Emergency Assistance Amendments of 1988 amended the Disaster Relief Act of 1974 and established the current statutory framework for disaster response and recovery through presidential disaster declarations. Following the terrorist attacks of September 11, 2001, President W. Bush signed the Homeland Security Act (2002), uniting FEMA with 21 other organizations under the newly created U.S. Department of Homeland Security.

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 Sustainable Groundwater Management Act

Passage of the California Sustainable Groundwater Management Act in 2014 set forth a statewide framework to help protect groundwater resources over the long term. The California Sustainable Groundwater Management Act comprises a three-bill legislative package, including Assembly Bill 1739 (Dickinson), Senate Bill 1168 (Pavley), and Senate Bill 1319 (Pavley), as well as subsequent statewide Regulations. In signing the California Sustainable Groundwater Management Act, then Governor Jerry Brown emphasized that "groundwater management in California is best accomplished locally." The Sustainable Groundwater Management Act requires local agencies to form groundwater sustainability agencies for the high- and medium-priority basins. Groundwater sustainability agencies develop and implement groundwater sustainability plans to avoid undesirable results and mitigate overdraft within 20 years.

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 Parcel Area.

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 Parcel Area 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 (California Regional Water Quality Control Board 2016):

- 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
- 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 (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 BMPs in each watershed.

The Parcel Area lies within the Carlsbad Watershed Management Area, and the City is one of the responsible municipalities for the watershed's WQIP. The Carlsbad Watershed WQIP was approved by the RWQCB in September 2021.

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 as follows (City of Oceanside 2002):

> 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 (City of Oceanside 2002):

> 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 Parcel Area, the minimum permeable surface area is 22% of the Parcel Area.

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.

City of Oceanside BMP Design Manual

The City of Oceanside BMP Design Manual addresses updated on-site post-construction stormwater requirements for Standard Projects and Priority Development Projects, and provides updated procedures for planning, preliminary design, selection, and design of permanent stormwater BMPs based on the performance standards presented in the MS4 Permit. At the local level, the intended users of the BMP Design Manual include project applicants for both private and public developments, their representatives responsible for preparation of SWQMPs, and co-permittee (City of Oceanside) personnel responsible for review of these plans (City of Oceanside 2022).

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 Parcel Area is within the Loma Alta Hydrologic Area (904.1), of the Water Quality Control Plan for the San Diego Basin (California Regional Water Quality Control Board 2016). Within this Hydrologic Area, downstream impaired 303(d) listed water bodies include the Loma Alta Creek, Loma Alta Slough, and Pacific Ocean Shoreline. Impairments and TMDLs have been established to address pollutants for these impaired water bodies (see Section 4.9.1, Existing Conditions). 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 not occur. Construction of the project would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality and impacts would be **less than significant.**

Operations

In operational conditions, the Net Developable Pad would consist of approximately 76% impervious area and 24% permeable area while the remainder of the Parcel Area would be retained as undeveloped, permeable area. The proposed project would install a dual storm drain system (pipes, inlets, catch basins, brow ditches, and cleanouts). One component of the dual system is designed to collect 100-year runoff (on-site and comingled off-site flows) through the Parcel Area into a proposed underground detention vault and proprietary biofiltration unit. This storm drain system would also address water quality, hydromodification, and peak flow attenuation, and direct runoff to the proposed structural pollutant control BMPs to meet water quality requirements. The second component, the bypass storm drain system, aims to capture and convey the onsite flows from the undisturbed slopes directly to the existing northern channel.

To facilitate access to the Total Impact Area from College Boulevard, the existing access road northeast of the Parcel Area would be paved and improved as a gated emergency only ingress/egress road. Additionally, a new connection to the cul-de-sac on Olive Drive, east of the Parcel Area, is proposed.

On-site runoff would be directed via a street curb and gutter system, captured by proposed inlets, and routed through the proposed storm drain system to the aforementioned underground storage facilities (constructed of corrugated metal pipe). Roof runoff would be directed to the adjacent landscape area (dispersion areas) where feasible, and at a minimum, to meet minimum retention requirements. This approach aims to maximize retention before routing flows to the on-site storm drain and structural BMPs. These facilities are designed to store the required water quality volume and to fulfill hydromodification and peak flow management requirements. Moreover, the underground storage would feature an outlet structure engineered to release the required water quality volume within the specified drawdown time to the downstream proprietary biofiltration BMPs. These outlet structures would attenuate the peak flows and aid in meeting flow control to address hydromodification requirements.

A flow-based proprietary biofiltration BMP (modular wetlands system or equivalent) is planned for installation on the emergency only ingress/egress road at its lowest point to address the water quality requirements for this area. Meanwhile, the proposed underground storage facilities would offer additional

storage and over-detention capabilities to meet hydromodification and peak flow attenuation requirements at the point of compliance.

Runoff from a small section of the emergency only ingress/egress road would be directed toward College Boulevard, mingling with existing street flows, before entering the rail line after a 75-foot journey. Here, it would travel westerly to merge with the treated and mitigated flows from the site.

A flow based proprietary biofiltration BMP (modular wetlands system or equivalent) and an underground storage facility are proposed along the emergency only ingress/egress road to meet the water quality and hydromodification requirements for this portion. For further details on the proposed water quality features of the site, refer to the SWQMP (Appendix G2).

Runoff from the western and southern undisturbed slopes will be collected by catch basins and brow ditches and routed directly to the discharge points without commingling with the onsite untreated flows, either via bypass storm drains or brow ditches This system is tasked with conveying the aforementioned flows and the offsite flows (from Olive Drive) to their designated discharge points northeast and northwest of the Total Impact Area. Here, they would combine with the onsite treated flows and proceed westerly to Loma Alta Creek.

Lastly, the project would implement source control BMPs to assist with reducing pollutants in stormwater runoff. The source control BMPs proposed include the prevention of illicit discharges into the MS4, identification of the private storm drain system with stenciling or signage, and the protection of trash storage areas from rainfall by enclosing and covering the trash storage area.

As required by applicable laws, implementation of the SWQMP and a combination of structural BMPs, site design BMPs, and source control BMPs would provide post-construction pollutant controls, reducing potential operational impacts related to water quality standards or waste discharge. Further, the project would include a new stormwater conveyance system that would route stormwater to subterranean vaults/treatment facilities where it would be treated in accordance with the above regulatory standards before being routed and discharged off site. Accordingly, the project would be consistent with and would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; impacts would be **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. The Parcel Area does not overly a groundwater basin (DWR 2019). Based on the Geotechnical Investigation Report prepared for the project, groundwater was encountered at boring depths ranging from 9 to 45 feet below existing grade. However, no groundwater was encountered in the Total Impact Area.

Although the project would result in a change in amount of impervious groundcover on the Parcel Area, the project would include pervious features that include landscaping throughout the site, and vegetated proprietary biofiltration systems. The Net Developable Pad would consist of 24% permeable 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. Further, the remainder of the Parcel Area would be retained as undeveloped, permeable area. As stated in the analysis above, all stormwater would be adequately treated by the proprietary biofiltration

units prior to being discharged (Appendix G1). Because the project would use dispersion area site design BMPs in conjunction with biofiltration BMPs that together would effectively reduce and treat stormwater runoff without infiltrating into the groundwater table, the project would not have a potentially significant adverse impact on groundwater quality. The project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin; impacts 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 Net Developable Pad would be covered by 76% impervious area with 24% permeable areas with the remainder of the Parcel Area would be retained as undeveloped, permeable area. In accordance with applicable regulatory requirements and the SWQMP, 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 Parcel Area would have minimal risks of erosion occurring given property plant establishment and transport of sediments downstream would be significantly reduced compared to existing conditions by means of pretreatment and onsite site design and structural pollutant removal and hydromodification flow control BMPs. As described above, the project would be subject to operational BMPs, and stormwater management strategies outlined in the project's Drainage Study (Appendix G1) and SWQMP (Appendix G2). The project would be required to comply with the City's Erosion Control Ordinance and implement structural BMPs (biofiltration facilities and underground detention facilities) to minimize the potential for excessive downstream erosion in receiving waters. Additionally, the proposed landscaped areas on site would remove sediment and particulate-bound pollutants from stormwater prior to leaving the Parcel Area. Finally, adequate energy dissipators, such as riprap, are proposed at the points of discharge to reduce the velocity to non-erosive levels. Therefore, the project would not 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 that would result in substantial erosion or siltation on or off site; impacts would be less than significant.

(ii) The project's Drainage Study demonstrates that the proposed onsite and offsite storm drain improvements, along with the inclusion of underground detention storage facilities, would ensure that peak flow rates from the development do not exceed the pre-project peak flow rates downstream of the project.

The underground storage facilities would provide both flow control and storage to meet hydromodification requirements and 100-year peak flows (see Tables 1 through 3 of Appendix G1). Implementation of the underground detention facilities would reduce potential peak flows by storing stormwater runoff and controlling the release of flow. The project would also install proprietary biofiltration BMPs, in addition to the proposed underground detention facilities to treat flows before entering the City's storm drain system. Due to the new water conveyance system, the project would not 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 that would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site; impacts would be less than significant.

(iii) The project has been designed to maintain the current drainage patterns. Stormwater leaving the Parcel Area would continue to do so from the same points of discharge as in existing conditions but would do so through a new stormwater conveyance system designed to collect stormwater and discharge it off site after first mitigating peak flow rates. Compared to existing site conditions, the amount of runoff would be reduced by the proposed underground detention facilities. 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 the potential for an overall increase in runoff from the Parcel Area due to project development, with installation of all proposed stormwater drainage facilities along with the underground detention facilities, on-site peak flows during a 100-year storm event would be reduced to below existing conditions flow rates (Appendix G1).

Thus, the proposed development and resulting peak runoff would not have an adverse effect on the downstream watershed and existing infrastructure. The existing municipal storm drain system has sufficient conveyance capacity to accept the proposed runoff from the site, which would be reduced by the proposed on-site drainage improvements (Appendix G1). Although there would be the potential for an overall increase in runoff from the Parcel Area due to project development, with implementation of the proposed underground detention basins, on-site runoff would reduce peak flows such that no additional capacity within the existing or planned stormwater drainage system would occur (Appendix G1).

Regarding substantial sources of polluted runoff, 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 SWRCB's 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 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 not occur.

During operation, the project would implement source control BMPs to assist with reducing pollutants in stormwater runoff. The source control BMPs proposed include the prevention of illicit discharges into the MS4, identification of the private storm drain system with stenciling or signage, and the protection of trash storage areas from rainfall by enclosing and covering the trash storage area. As required by applicable laws, implementation of the SWQMP and a combination of structural BMPs, site design BMPs, and source control BMPs would provide post-construction pollutant controls, reducing potential operational impacts related to water quality standards or waste discharge.

Therefore, the project would not 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 that would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage facilities or provide substantial additional sources of polluted runoff; impacts would be **less than significant**.

(iv) As previously discussed, although the project would result in an increase in impervious surfaces on site that would generate additional stormwater runoff, implementation of the project would use the same drainage points and would not increase the rate of flows leaving the Parcel Area. The Onsite Impact Area and most of the Offsite Impact Area is located in an unshaded FEMA FIRM Zone X, which is defined as "Areas determined to be outside the 500-year floodplain" and would not alter the existing drainage pattern of the site or area in a manner which would impede or redirect flood flows. The project's pedestrian connection from the Parcel Area to the NCTD College Boulevard Station, as well as a new NCTD ticketing machine, will be installed within or adjacent to an area designated by FEMA FIRM as 100-year floodway. Those improvements include installation of a concrete path that will match existing grade (with low flow pipes under the path to facilitate drainage, and the NCTD ticketing machine, installed outside the 100-year flood plain/floodway area). As demonstrated by the Drainage Report and this section's analysis of pervious surfaces and drainage patterns, the design of those improvements within and adjacent to the 100 year flood plain/floodway would not substantially alter the existing drainage pattern, and, would not alter the course of a stream or river or through the addition of impervious surfaces in a manner that would impede or redirect flood flows; impacts would be **less than significant**.

In flood hazard, tsunami, or seiche zones, would the Project risk release of pollutants due to project inundation?

As indicated in the Flood Insurance Rate Map for the area (FIRM 06073C0758G) a small portion of the northern Parcel Area associated with Loma Alta Creek, located outside the Onsite and Offsite Impact Area, is designated as being within the 100-year flood plain/floodway per FEMA FIRM/Zone AE and 500-year flood plain per FEMA FIRM/Zone X (FEMA 2022). An offsite area located north of the Onsite Impact Area is also designated as being within the 100-year flood plain/floodway. This flood zone extends east to west along the NCTD rail line. Offsite Impact Area improvements within or just outside that 100-year flood plain/floodway include, without limitation, a pedestrian connection to the NCTD College Boulevard Station and a NCTD ticket vending machine. Those improvements include installation of a concrete path that will match existing grade (with low flow pipes under the path to facilitate drainage, and the NCTD ticketing machine, installed outside the 100-year flood plain/floodway area). As demonstrated by the Drainage Report and this section's analysis of pervious surfaces and drainage patterns, the design of those improvements within and adjacent to the 100 year flood plain/floodway would not substantially alter the existing drainage pattern, The 109 square feet of improvements within the 100 year floodplain/floodway are also considered a De Minimis Drainage Management Area (DMA). DMAs are very small areas not deemed significant contributors of pollutants and are considered impracticable to drain to a Best Management Practice (BMP), as per Section 5.2.2 of the City of Oceanside BMP Design Manual (January 2022). Therefore, consistent with the project's SWQMP and Drainage Plan, the project would not risk release of pollutants due to project inundation in a flood hazard zone.

In addition, according to the City's Tsunami Inundation Map for Emergency Planning (Oceanside Quadrangle) the Parcel Area is not located within the inundation area (CalEMA 2009). There are also no enclosed or partially enclosed bodies of water in the vicinity of the Parcel Area that could generate a seiche

nor do any seiche zones include the Parcel Area. For these reasons, the project would not risk release of pollutants due to inundation in a flood, tsunami, or seiche zone; impacts 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 Parcel Area is located within the Carlsbad WQIP area. The goal of the WQIP is to protect, preserve, enhance, and restore water quality of receiving water bodies (Carlsbad Watershed Management Area Responsible Agencies 2021). 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 Parcel Area. The project does not involve the use or extraction of groundwater and the project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge due to proposed engineering methods and regulatory compliance, as discussed above. Thus, the project would not conflict with or obstruct implementation of 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), and the WQIP. The storm water quality design was also prepared in accordance with the City's Best Management Plan (BMP) Design Manual (City of Oceanside 2022). 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 Carlsbad 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 would 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 Parcel Area and vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the Olive Park Apartments Project (project).

4.10.1 Existing Conditions

Existing Uses

The project proposes development of a previously disturbed portion of vacant parcel (Assessor's Parcel Number 162-111-04) that covers approximately 43.50 acres (i.e., Parcel Area), located in the Mira Costa Neighborhood Planning Area of Oceanside, California (Figure 3-1, Project Location, and Figure 3-2, Project Site, in Chapter 3, Project Description). The Parcel Area is generally located south of Oceanside Boulevard and west of College Boulevard; more specifically, west of the terminus of Olive Drive and south of the North County Transit District (NCTD) rail line and College Boulevard Sprinter Station. The Parcel Area is located approximately 1.5 miles north of State Route 78.

The Parcel Area consists of vegetation and unofficial trails bisecting the Parcel Area and are used primarily by pedestrians from nearby residential areas. The topography of the project consists generally of slopes. Elevations range from approximately 185 feet above mean sea level at the Loma Alta Creek located in the northwest corner of the site to 460 feet above mean sea level at the top of the southeast slope (Appendix E1).

Surrounding Areas

The Parcel Area is surrounded by existing residential, commercial development, rail line, and major roads within Oceanside. Land uses surrounding the Parcel Area are zoned by the City of Oceanside (City) as IL-Limited Industrial to the north and west, RS-Single Family Residential to the south, and Planned Development 1 (PD-1) to the northeast. The Parcel Area is within a Smart Growth Opportunity Area (Community Center OC-6) 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 Parcel Area is provided transit service via the NCTD, which operates the College Boulevard Sprinter Station north of the Parcel Area. The Parcel Area is directly south of the College Boulevard NCTD Sprinter Station affording residents the opportunity to take advantage of available light rail transit options. Bus stops within a 1-mile radius of the Parcel Area include the stops located at Oceanside Boulevard/College Boulevard, Oceanside Boulevard/Avenida Del Oro, Avenida Del Oro and Avenida De La Plata, and Thunder Drive/College Boulevard.

4.10.2 Regulatory Setting

Federal

There are no federal regulations concerning land use relevant to the proposed project.

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, 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, 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 Regional Comprehensive Plan 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 San Diego 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 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, that achieves greenhouse gas (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). 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 Oceanside, and the land use designations are described through policies within the General Plan.

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 (City of Oceanside 2019a) and the Energy Climate Action Element (City of Oceanside 2019b), as well as the Climate Action Plan (CAP) (City of Oceanside 2019c). 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 April 2021 and subsequently adopted by the City Council on June 16, 2021 (City of Oceanside 2021). The Draft Revised Housing Element (2021–2029) was approved by the California Department of Housing and Community Development on August 18, 2023, and readopted by the City Council on September 13, 2023. Certification of the Housing Element occurred on November 14, 2023.

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 are the Baseline Economic and Market Analysis, Land Use and Community Resources, Mobility, Environmental Resources, and 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 Oceanside. The element also provides direction related to how future development would occur, such as the intensity/density and character of new development (City of Oceanside 2002a, 2022a).

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 (City of Oceanside 2012).

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 (City of Oceanside 2002b).

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 8-year program of actions to achieve the identified goals and objectives, including meeting the City's Regional Housing Needs Assessment (City of Oceanside 2021).

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 (City of Oceanside 2002c).

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 (City of Oceanside 2002d).

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 (City of Oceanside 2002e).

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 2010 to serve projected land use development in the City (City of Oceanside 2002f).

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 (City of Oceanside 2002g).

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 (City of Oceanside 2002h).

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 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 (City of Oceanside 2019c) seeks to align with state efforts to reduce 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 toward 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 (City of Oceanside 2019c).

Although 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).

Draft 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 Draft 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 Oceanside.

Oceanside Municipal Airport Land Use Compatibility Plan

The San Diego County Regional Airport Authority serves as the Airport Land Use Commission for the County of San Diego and develops and adopts Airport Land Use Compatibility Plans for each public use and military airport within its jurisdiction. The Airport Land Use Compatibility Plan, 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 (ALUC 2010).

Carlsbad Watershed Management Area Water Quality Improvement Plan

The Carlsbad Watershed Management Area (WMA) is composed of six distinct hydrologic areas covering a land area of 211 square miles. The WMA extends from the headwaters above Lake Wohlford in the east to the Pacific Ocean in the west, and borders San Luis Rey and San Dieguito Watersheds to the north and south, respectively (Project Clean Water 2022).

There are numerous important surface hydrologic features within the Carlsbad WMA including four unique coastal lagoons, three major creeks, and two large water storage reservoirs. Unlike many of its neighboring WMAs, the Carlsbad WMA is also unique in that it is primarily composed of independent and fully functional watersheds (Project Clean Water 2022).

These include the following hydrologic areas:

- Loma Alta (904.1)
- Buena Vista Creek (904.2)
- Agua Hedionda (904.3)
- Canyon de las Encinas (904.4)
- San Marcos (904.5)
- Escondido Creek (904.6)

Currently, about 32% of the WMA remains undeveloped. The other major land uses making up the remaining 68% of the land area are residential lands (29%), agricultural lands (12%), freeways and roads (12%), commercial and industrial lands (6%), and miscellaneous uses (9%). To see a more definitive breakdown of land uses by hydrologic area, refer to the descriptions below (Project Clean Water 2022).

One of the most densely populated portions of San Diego County, the Carlsbad WMA is estimated to be home to approximately 620,235 residents, based on 2020 U.S. Census data. Given its concentrated population, the watershed suffers from several pollutants, that have the potential to negatively impact how residents, business-owners, and tourists use and interact with local water bodies (Project Clean Water 2022).

Agencies involved in the development of the Carlsbad Water Quality Improvement Plan (WQIP) include the County of San Diego and the cities of Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach, and Vista. The WQIP is a requirement of stormwater regulations adopted by the Regional Water Quality Control Board according to Order No. R9-2013-0001, as amended by Order Nos. R9 2015-0001 and R9-2015-0100. The goal of the WQIP is to protect, preserve, enhance, and restore water quality of receiving water bodies. These improvements in water quality will 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 (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.

The project proposes a request for approval of a Project Development Plan and a request for a Density Bonus with waivers/incentives for development standards such as hillside development standards, retaining wall height, and usable open space (see Table 3-2 in Chapter 3, Project Description). The project proposes 260 multi-family residential units (Option A) with an option to build 282 dwelling units (Option B) with a different unit mix. All the dwelling units would be affordable to low, very-low, and extremely-low income households with one- to three-bedroom/two-bath units.

The Parcel Area has a General Plan designation of Medium Density Residential (MDA-R) and a zoning designation of RS-Single Family Residential (City of Oceanside 2002a, 2022a). Land uses surrounding the Parcel Area are zoned by the City as IL-Limited Industrial to the north and west, RS-Single Family Residential to the south, and Planned Development 1 (PD-1) to the northeast. The project's proposed residential uses would be consistent with surrounding development, and the proposed buildings would be set back from existing residential homes to the south, east, and west to provide privacy and visual relief.

With the exception of the infrastructure extensions in Olive Drive into the Net Developable Pad, new sidewalk around Olive Drive, pedestrian pathway from the On-Site Impact Area to the NCTD College Boulevard Sprinter Station, new emergency only ingress/egress road, and signal improvements at Olive Drive and College Boulevard all of the development would occur on private property. All of these off-site improvements would provide for enhanced connectivity to the proposed development and the NCTD College Boulevard Sprinter Station. The off-site improvements are within the immediate vicinity of the Parcel Area and would not physically divide an established community.

The project would not cause any permanent street closures, block access to any surrounding land use, or cause any adverse change in the existing street system. Since the project would be developed within a long-established urban area consistent with the underlying land use and zoning allowances, and given all the above, the project would not physically divide an established community.

As described previously, the Parcel Area has been previously disturbed by development on adjacent parcels, development of adjacent roadways, rail line, and trespassers. An unofficial trail bisects the Parcel Area and is used primarily by pedestrians from nearby residential areas to access the NCTD College Boulevard Sprinter Station. 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 Parcel Area and provide for sustainability features and community connection with surrounding uses. Considering the project's location within a highly developed portion of the City, within a Smart Growth Opportunity Area (Community Center OC-6), on a site consistent with the existing General Plan and Zoning designations, 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 Draft Oceanside Subarea Plan of the North County MHCP, the Carlsbad Watershed Management Area WQIP, the 2050 RTP/SCS, and the San Diego Air Pollution Control District (SDAPCD). The analysis herein outlines project consistency with these plans.

City of Oceanside General Plan – Inclusionary Housing Ordinance

The Parcel Area has a General Plan designation of Medium Density Residential (MDA-R) that authorizes a maximum density of 9.9 dwelling units per acre. The Parcel Area has a zoning designation of RS-Single Family Residential. That designation allows for up to 5.9 dwelling units per acre. As described further below, the proposed project is not requesting an increase in density.

The State of California's Density Bonus Law (Government Code Sections 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 mandatory state requirements. Density Bonus law requires the City to determine the allowed number of dwelling units based on the greater of the density authorized by the General Plan or the zoning. Thus, the density for the Parcel Area is determined based on the General Plan's 9.9 dwelling units per acre. Dwelling unit distribution and density bonus calculations for the proposed project are outlined below.

Under the Density Bonus Law, where a density range is provided, the base number of units permitted is determined by multiplying the developable acreage, which is 34.5 acres (43.50 acre site – 1.98 acres of wetland/riparian – 7.01 acres of steep slope [slopes greater than 40% with more than a 25-foot change in elevation] = 34.5), by the maximum density for the specific zoning range and land use element of the general plan applicable to the project (9.9 units per acre). Using this methodology, the base number of units allowed at the Parcel Area would be 341.8 (rounded up to 342 units as base allowable). Therefore, no density bonus to increase the allowable number of units is being requested as the project would construct a total of either 260 units (with Option A for building No. 2) or 282 units (with Option B for building No. 2).

The proposed 100% affordable dwelling unit project satisfies the City of Oceanside Inclusionary Housing Ordinance requirements and complies with the provisions of Density Bonus Law regarding affordable housing.

City of Oceanside General Plan

As described in Section 4.10.2, 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. As analyzed throughout this EIR, the proposed project would be consistent with the City's General Plan's land use designation of Medium Density Residential (MDA-R) for the Parcel Area. The existing land use designation of RS-Single Family Residential allows residential 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 in Table 4.10-1, City of Oceanside General Plan Consistency Evaluation. As outlined in Table 4.10-1, the project would not conflict with the goals, policies, and objectives of the City's General Plan.

City of Oceanside Municipal Code

The project is required to comply with the 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 Parcel Area would be 342 units (282 with Option B). Because the project proposes (282 with Option B) affordable very low-income units, 100% of the proposed units would be reserved for affordable housing as defined under the City's Inclusionary Housing Ordinance (282 base allowable/very low-income units = 100%). Therefore, proposed dwelling unit distribution exceeds the City's Inclusionary Housing Ordinance 10% requirement.

City of Oceanside Zoning Ordinance

The City's Zoning Ordinance designates the Parcel Area RS-Single Family Residential. Article 10 of this Zoning Ordinance states that the Residential District is intended to "promote development of housing affordable by low-and moderate-income households by providing a density bonus for projects in which a portion of the units are affordable for such households" (City of Oceanside 2024). The project proposes to develop (282 with Option B) affordable/very low-income multi-family units, 356 parking spaces for residents and guests, including accessible parking spaces on a 43.50-acre Parcel Area.

Consistent with the City's General Plan and Zoning Ordinance (City of Oceanside 2024), the project requires certain entitlements be submitted, reviewed, and approved by the City. The requested entitlements include a Tentative Map, Development Plan, and Density Bonus application. The project includes a request for the approval of the project with two options for the total number of units/unit mix. The design of those options is expected to largely include the same building/site improvement footprint. In order to accommodate the 100% affordable housing project, the project design relies on the following Density Bonus waivers:

- Building Type (multiple unit structure)
- Usable open space requirements
- Increase retaining wall height
- Grading (Manufactured Slopes)
- Grading (Hillsides)
- Grading (Topographical Features)
- Hillside regulations related to building design, building wall offsets, and roof plane area

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 multi-family 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 waivers/incentives, the proposed project would be consistent with the City's zoning designation for the Parcel Area, and implementation of the project would not conflict with the City's Zoning Ordinance.

Draft Oceanside Subarea Plan

The Draft 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 described in Section 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 Draft Oceanside Subarea Plan.

Carlsbad Watershed Management Area Water Quality Improvement Plan

The Parcel Area is within the Carlsbad WMA WQIP boundaries. The goal of the WQIP is to protect, preserve, enhance, and restore water quality of receiving water bodies. These improvements in water quality will 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 best management practices 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's Municipal Separate Storm Sewer System Permit that covers the San Diego Region (Order No. R9-2013-0001). The stormwater design was prepared in accordance with the City's Best Management Practice (BMP) Design Manual (City of Oceanside 2022b). Please refer to Section 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 Carlsbad WMA WQIP.

2050 Regional Transportation Plan/Sustainable Communities Strategy

At the regional level, SANDAG's RTP/SCS has been adopted for the purpose of reducing GHG emissions attributable to passenger vehicles in the San Diego region. In October 2015, SANDAG adopted its Regional Plan, which was subsequently updated in 2021 (SANDAG 2021). The RTP/SCS is not directly applicable to the project because the underlying purpose of the RTP/SCS is to provide direction and guidance on future regional growth (i.e., the location of new residential and nonresidential land uses) and transportation patterns throughout Oceanside and greater San Diego County, as stipulated under Senate Bill 375. CARB has recognized that the approved RTP/SCS is consistent with Senate Bill 375. The SANDAG Regional Plan is generally consistent with the local government plans. Because the Project is within the scope of development that was anticipated in the General Plan, it would not result in growth that would conflict with the Regional Plan.

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 22 in the CAP; City of Oceanside 2019c). Further, the project proposes residential development immediately adjacent to the Sprinter Station in a SANDAG designated Smart Growth Opportunity Area. Therefore, the proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

San Diego Air Pollution Control District

The SDAPCD and SANDAG are responsible for developing and implementing the clean air plans for attainment and maintenance of the National Ambient Air Quality Standards and California Ambient Air Quality Standards in the San Diego Air Basin; specifically, the State Implementation Plan (SIP) and Regional Air Quality Strategy (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 San Diego Air Basin based on the National Ambient Air Quality Standards. The RAQS was initially adopted in 1991 and is updated every 3 years (most recently in 2022). The RAQS outlines SDAPCD's plans and control measures designed to attain the California Ambient 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 San Diego County and the cities in San Diego County, to project future emissions and then determine from that 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 of

San Diego and the cities in San Diego County as part of the development of their general plans (see Section 4.2, Air Quality, for more information).

A project proposing development that is consistent with the growth anticipated in the local plan and SANDAG's growth projections, that project would not conflict with or obstruct implementation of the SIP and RAQS.

The Parcel Area has a General Plan designation of Medium Density Residential (MDA-R) that authorizes a maximum density of 9.9 dwelling units per acre. As described further below, the proposed project is not requesting an increase in density beyond that allowed by the General Plan.

The State of California's Density Bonus Law (Government Code Sections 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 mandatory state requirements. Density Bonus law requires the City to determine the allowed number of dwelling units based on the greater of the density authorized by the General Plan or the zoning. Thus, the density for the Parcel Area is determined based on the General Plan's 9.9 dwelling units per acre. Dwelling unit distribution and density bonus calculations for the proposed project are outlined below.

Under the Density Bonus Law, where a density range is provided, the base number of units permitted is determined by multiplying the developable acreage, which is 34.5 acres (43.5 acre site – 1.98 acres of wetland/riparian – 7.01 acres of steep slope [slopes greater than 40% with more than a 25-foot change in elevation] = 34.5), by the maximum density for the specific zoning range and land use element of the general plan applicable to the project (9.9 units per acre). Using this methodology, the base number of units allowed at the Parcel Area would be 341.8 (rounded up to 342 units as base allowable). Therefore, no density bonus to increase the allowable number of units is being requested as the project would construct a total of either 260 units (with Option A for building No. 2) or 282 units (with Option B for building No. 2).

The proposed 100% affordable dwelling unit project satisfies the City of Oceanside Inclusionary Housing Ordinance requirements and complies with the provisions of Density Bonus Law regarding affordable housing.

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 year 2022 marked the second year of the current Regional Housing Needs Assessment production period. Oceanside has been able to meet 25% of its total Regional Housing Needs Assessment goal thus far, including 7% of its lower-income housing goals. For 2022, the City stated in its Housing Element Annual Performance Report that 626 housing units were permitted, with 26 units targeting Very Low Income and Low Income households. The project would bring up to 282 units to market in 2028, all of which would be affordable, which would be within SANDAG's growth projection for housing during the 6th Cycle planning horizon (i.e., April 2021–April 2029) and below the maximum density allowed by the General Plan. Therefore, the project is within the SANDAG regional growth forecast for the City that serves as the basis for the applicable air quality plan.

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 4.10-1. 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 (City) 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 traditional Spanish styles with ground-level arches to create transitional breezeways. The project design is intended to promote and provide 100% affordable units and transit accessibility. In addition, the preliminary landscaping plan would take advantage of the existing slopes, located primarily on the eastern and southern portions of the Parcel Area. Additionally, retaining walls would be located at the north boundary of the On-Site Impact Area. 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, and other standards, or applicable waivers. Approximately 52,328 square feet (1.2 acres) of common open space is proposed, which consists of common areas for each building including	The project would be in conformance with this policy.

Table 4.10-1. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
		courtyards, a paseo area, a community garden, and a dog run.	
Policy 1.1B	Land uses shall not significantly distract from nor negatively impact surrounding conforming land uses.	The Parcel Area is designated Medium Density Residential 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 Parcel Area currently consists of a 43.50-acre vacant lot. The proposed residential development project would utilize 6.11 acres (Net Developable Pad) by constructing 260 or 282 affordable/low, very low, and extremely low income units.	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. Additionally, affordable housing would also promote a socio-economic diversity within the area, and development on a vacant infill parcel within the City would ensure residents of the Parcel Area have access to existing infrastructure, parks, shopping centers and schools.	The project would be in conformance with this objective.
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 affordable/very low-income units. The proposed development would be consistent with the surrounding residential and open space uses. The project would connect to the existing sidewalk system within the area 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 project would accommodate the growing population of the greater San Diego area. Increased housing stock near existing infrastructure is essential	The project would be in conformance with this policy.

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	the proper balance of land uses within the community or provide a significant benefit to the community.	to provide a balanced, efficient, community. The inclusion of affordable housing would also promote a socio-economic diversity within the area.	
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 the Local Transportation Study included in Appendix L2 of this Environmental Impact Report (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 residential uses. ~~The Parcel Area access has been designed to reduce the potential for additional traffic on Oceanside Boulevard.~~ The project would not alter the designated land uses surrounding the Parcel Area.	The project would be in conformance with this objective.
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. The project would include the development of 260 or 282 affordable/low, very low, and extremely low income units on a property General Plan designated and zoned for such a use.	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 residential development with open space amenities and enhanced landscaping. The proposed architectural design, landscaping and amenities are consistent with applicable City design review standards.	The project would be in conformance with this Policy.

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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 Sections 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 Responsible Agencies Objective	To assure appropriate land use compatibility is maintained between Oceanside and adjacent jurisdictions or responsible agencies.	The Parcel Area is within the southeast portion of Oceanside, in the Tri-City Neighborhood. The Oceanside General Plan Land Use designation for the site is Medium Density Residential. In addition, the Parcel Area is surrounded by residential, commercial, and open space uses. The project would not impact any adjacent jurisdictions or responsible agencies.	The project would be in conformance with this objective.
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 for the project, the City of Oceanside has formally noticed responsible agencies of the proposed development, including the U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, Regional Water Quality Control Board, California Department of Fish and Wildlife, and Native American Heritage Commission. In addition, Oceanside has provided formal solicitation for comments from these agencies during the Notice of Preparation, and the	The project would be in conformance with this Policy.

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		public review process as defined by CEQA Guidelines Section 15103.	
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 adjacent to 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.
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	Please see response to Objective 1.14, above. A Noise Study was prepared for the project by Dudek in 2024 that demonstrated that project construction and operation would result in	The project would be in conformance with this Policy.

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	other approval from the City.	acceptable noise levels without mitigation.	
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, in a manner consistent with Density Bonus Law, 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.~~1~~2A	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 site from surrounding land uses; and 5) the public safety by eliminating designs that may harbor or hide detrimental activities.	The project proposes to construct 260 or 282 multi-family units, private open space, and on-site amenities. The project would provide courtyards in each building and paseos between both buildings to maximize natural breezes and absorption/retention of solar energy. Lighting would be included within and around the development to provide public safety and would be shielded down in compliance with the City's Municipal Code. The project proposes common open space for each building. Final site plans for the project would be subject to City review.	The project would be in conformance with this Policy.

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Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
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 abuts the North County Transit District (NCTD) rail line and the College Boulevard Sprinter Station. Given that the project abuts the rail line and station, 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.	The project would include a vehicular access connection to existing Olive Drive. The project would also provide an all-weather, accessible pedestrian/bicycle connection for the project and neighboring residents to the adjacent NCTD College Boulevard Sprinter Station. In addition, the project design would include a building set back from the existing one-story homes to the south. on the southern portion of the Net Developable Pad. 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.	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 346 surface parking spaces for residents and guests for both Option A and Option B. The parking spaces would be located within the Net Developable Pad and would not extend into the conserved open space. Lighting would be included within and around the development to provide public safety and would be shielded down in compliance with the City's Municipal Code.	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 50,375 square feet (1.2 acres) of common open space is proposed, which consists of common areas for each building including courtyards, a paseo area, a community garden, and a dog run. Overall, a total of 50,375 square feet (1.2 acres) of usable space would	The project would be in conformance with this objective.

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		be provided. Additionally, the remaining approximately 32.63 acres of the Parcel Area located west of the On-Site Impact Area would remain as natural open space. That natural open space area would be placed in a conservation easement as part of the proposed project.	
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 consistent with water and energy conservation.	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 used, along with consideration of aesthetic and functional requirements for the site. Landscaping adjacent to public rights-of-way would be maintained by the property owner.	The project would be in conformance with this objective.
Policy 1.22A	Existing mature trees shall be retained wherever possible.	The Parcel Area is vacant and does not require mature tree removal.	Not applicable.

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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. 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 the City Fire Department.	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, in a manner consistent with Density Bonus Law, would complies with all applicable design review standards and zoning standards, which regulate building design, mass, bulk, height, and other features, or applicable waivers.	The project would be in conformance with this objective.
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	See response to Objective 1.23.	The project would be in conformance with this policy.

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	create an attractive line, dimension, scale, and/or pattern.		
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 remaining approximately 32.63 acres of the Parcel Area, west of the On-Site Impact Area, would remain as natural open space. That natural open space area would be placed in a conservation easement as part of the proposed project. The project would not contribute to slope instability, flooding, or erosion hazards. Please refer to Sections 4.6 and 4.9 of this EIR, which determined 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.	Not applicable as the Parcel Area is zoned as residential and the project would not include the development of lands designated for industrial or commercial uses.	Not applicable.
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 to create prepared pads. The site currently consists of steep slopes and requires grading. Grading as a result of the proposed project would require 116,900 cubic yards of cut, 146,900 cubic yards of fill, and 30,000 cubic yards of import. This amount is not	The project would be in conformance with this policy.

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Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
		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 or sharp angles of intersection with the natural terrain.	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 Parcel Area's topography is generally steeper to the south and flatter toward the northern portion. The Parcel Area primarily consists of vacant land and native vegetation. Elevations range from approximately 185 feet mean sea level at the Loma Alta Creek located in the northwest corner of the site to 460 feet mean sea level at the top of the southeast slope (Appendix E1). The project would require grading of On-Site Impact Areas, including the Net Developable Pad to 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 March 2024, included in this EIR as Appendix E1. The report documented the recommended construction methods to provide structural stability for the proposed development on the Net Developable Pad to ensure geological safety. Please refer to Section 4.6, Geology and Soils, of this EIR, which determined 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 Section 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.

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Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
Policy 1.24M	The amount of impervious surfacing shall be limited and shall be designed to support the natural drainage system.	Approximately 32.63 acres of the Parcel Area, west of the On-Site Impact Area, would remain as pervious area that supports the natural drainage system. For the Net Developable Pad, the project would install two underground detention storage facilities to mitigate the peak flows to less than pre-project flows, producing mitigated runoff less than the existing runoff (see Tables 1 through 3 of Appendix G1). Additionally, 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.	The project would be in conformance with this policy.
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 short extension of Olive Drive to serve Parcel Area access, does not require excessive cut and fill or surface disturbance. 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 topography would need to be altered to accommodate the proposed development. Topographic changes are required in order to accommodate buildings and site circulation, which would all occur within the Net Developable Pad.	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.	Site disturbance is limited to the minimum area necessary to construct the Project. The total Parcel Area is 43.50 acres. Development of the project would disturb an on-site area of approximately 10.87 acres (On-Site Impact Area). The final pad on which the project would sit would be approximately 6.11 acres (Net Developable Pad). Project development would disturb approximately 0.88 acres outside the Parcel Area (Off-Site Impact Area) for a Total Impact Area of 11.75 acres.	The project would be in conformance with this policy.

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		Construction would implement the City's construction regulations.	
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 On-Site Impact Area. Once the first phase of construction is complete, groundcover and landscaping would be established immediately after as required by the Oceanside Municipal Code. 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.
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.	Existing public services and existing utilities and service systems would be used by the project. The project would not result in inconsistent service levels, as analyzed in Section 4.13, Public Services, and Section 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	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.

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	full cost of non-citywide facilities serving the development (neighborhood parks, fire, and paramedic facilities), including a reserve for replacement costs; 4) In addition, fees must cover new construction and replacement of citywide facilities.		
3.14 Grading and Excavations Objective	To provide mitigation recommendations for grading and excavations in the City of Oceanside.	The project has been designed to ensure adequate safety, with considerations of the geologic conditions of the Parcel Area. Prior to issuance of the grading permit, the plans must reflect 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	Prior to issuance of the grading permit, the plans must reflect 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.

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	traps and settling basins in drainage systems; 7) construct weirs and check dams on streams.		
Housing Element			
Goal 1	Produce opportunities for decent and affordable housing for all of Oceanside's citizens.	The proposed residential development would include 260 or 282 affordable/low, very low, and extremely low-income units in a new development that includes supporting amenities, including open space and landscaping, and proximity to public transit. Pedestrian friendly pathways would be designed throughout the site to promote connectivity between the proposed development.	The project would 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 pollution occasioned by stormwater runoff; and promote active transportation with its associated health benefits.	The project proposes higher-density housing on only a portion of the Parcel Area that is located along a transit corridor, specifically adjacent to and connecting to the NCTD College Boulevard Transit Station. The remaining approximately 32.63 acres of the Parcel Area located west of the On-Site Impact Area would remain as natural open space. That natural open space area would be placed in a conservation easement as part of the proposed project. The project would reduce energy consumption and be consistent with the City's Climate Action Plan (CAP) Checklist. All required water quality features would be installed to ensure construction and operation would comply with stormwater pollution regulations.	The project would be in conformance with this policy.
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	Please see response to Goal 1. The proposed project would meet the needs of lower-income individuals and families, provide worker housing, be accessible per Americans with Disabilities Act (ADA) requirements, and would provide rental stock for various segments of the community, all in proximity to transit.	The project would be in conformance with this policy.

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	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.		
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.	The project does not require a change in the Parcel Area's General Plan or zoning designations. Please see response to Goal 1, Policy 1.6, and Goal 2.	The project would be in conformance with this policy.
Goal 3	Protect, encourage, and provide housing opportunities for persons of low and moderate income.	Please see response to Goal 1 and Goal 2.	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	Please see response to Goal 1, Policy 1.6, and Goal 2.	The project would be in conformance with this policy.

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	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.	The project would involve the development of either 260 units (with Option A for building No. 2) or 282 units (with Option B for building No. 2). The project would be 100% affordable lower-income dwelling units. In addition, the project satisfies the City's Inclusionary Housing Ordinance and complies with the provisions of the Density Bonus Law regarding affordable housing. In addition, the project is located in an area that is dominated by market rate housing and development of affordable units is consistent with the City's disbursement goal.	The project would be in conformance with this policy.
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 100% 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 Parcel Area would connect to the existing circulation system off Olive Drive and propose a pedestrian connection to the College Boulevard Sprinter Station, promoting the non-vehicular transportation to and from the Parcel Area.	The project would be in conformance with this goal.
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	See response to Goal 8. The project would include pedestrian pathways throughout the Parcel Area to promote connectivity and provide access to common open space and recreational amenities within the Parcel Area. The project would also provide a pedestrian connection from the Parcel Area and the neighboring residential community to the College Avenue Sprinter station.	The project would be in conformance with this goal.

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	development. Prioritize sidewalk construction in areas where sidewalks are missing as part of the City's Capital Improvement Budget.		
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 ADA and would not be designed in a way that would prevent access from older adults or people with disabilities.	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.	In the event of an emergency, adequate emergency access would be provided via the entrance located on Olive Drive and, because the Code requires secondary access for projects over a certain number of units, via a proposed secondary emergency only ingress/egress route from the northeast corner of the Parcel Area to College Boulevard. Circulation and an emergency only ingress/egress road 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	The project would be in conformance with this goal.

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		Parcel Area. 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. Prior to project development, the Oceanside Fire Department would be required to review and approve 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 toward 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. The project would also be required to annex into the City's Public Safety Services Community Facilities District to pay for enhanced services (not facilities), such as fire protection. The project is expected to be adequately served by existing police department stations and officers. Therefore, the proposed project would not result in substantial adverse physical impacts associated with the provision of new of physically altered police facilities, need for new or physically altered police facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives of the Police Department.	
Seismic and Geologic Hazard Objective 1	Consider seismic and geologic hazards when making land use decisions particularly in	A Geotechnical Investigation that was prepared for the project by Geocon in March 2024 (Appendix E1). Prior to issuance of the grading permit, the	The project would be in conformance with this objective.

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Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
	regard to critical structures.	plans shall comply with the applicable recommendations of the Geotechnical Investigation have been incorporated into the project design and construction documents to the satisfaction of the City Engineer.	
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 report (Appendix E1) prepared for the Parcel Area 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.	This goal is not directed at individual development projects. The project would connect to the existing sidewalk system within the area to provide pedestrian connections to surrounding properties. The proposed connectivity would provide pedestrian connections to surrounding properties and to the NCTD, north of the Parcel Area.	The project would be in conformance with this goal.
Goal 2	Alternative modes of transportation to reduce the dependence on the automobile.	This goal is not directed at individual development projects However, the NCTD operates the College Boulevard Sprinter Station, approximately 150 feet north of the Parcel Area. Bus stops within a 1-mile radius of the Parcel Area include the stops located at Oceanside Boulevard/College Boulevard, Oceanside Boulevard/Avenida Del Oro, Avenida Del Oro and Avenida De La Plata, and Thunder Drive/College Boulevard. The availability of public transportation in the project area provides an alternative mode of transportation to	The project would be in conformance with this goal.

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Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
		the residents of Project and community.	
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.
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,	This goal is not directed at individual development projects See response to Goals 1 and 2. Pedestrians and bicyclists would be able to access the Parcel Area from north side of West Bobier Drive and along Sports Park Way. The project area is served by an	The project would be in conformance with this policy.

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Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
	and highways, regardless of their age or ability, or whether they are driving, walking, bicycling, or using transit.	existing network of public transportation.	
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.	Per the Local Transportation Study prepared for the proposed project, the project would generate approximately 1,378 daily trips, 93 AM peak hours trips and 84 PM peak hour trips. The Local Transportation Study demonstrates that the project would not cause an exceedance of the LOS D level identified in this objective. In the cumulative Buildout Year 2050 condition, the intersection of Olive Drive/College Boulevard is predicted to operate at LOS E or LOS F without the project. As documented in the Local Transportation Study and a memo prepared by LOS Engineering (2024), the project as proposed and conditioned will be consistent with this LOS objective.	The project would be in conformance with this objective.
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. Driveway access to major arterials shall not	The project is not proposing a driveway on a major arterial. The project would construct an internal private driveway off Olive Drive.	The project would be in conformance with this policy.

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Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
	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	See response to Policies 3.4 and 3.6. The project does not propose access or driveways on collector or busier streets.	The project would be in conformance with this policy.

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Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
	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.		
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 not near a Master Transportation Roadway Plan street, and therefore does not require a condition of approval for a tentative map or building permit.	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.	The project is not proposing any additions to the City's circulation system.	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	The project would comply with the City's standards and regulations. Design parameters include street widths, access improvements, landscape standards, streetlights, lighting requirements, architectural design, and other elements. Signage, lighting, and other improvements	The project would be in conformance with this policy.

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	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.	would be made to ensure user safety on and around the site including wayfinding for pedestrians and bicyclists. Additionally, the project's outdoor lighting would meet Chapter 39 of the City's Municipal Code and would be shielded appropriately.	
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 and development impact fee payments, to be paid by the project applicant as a condition of project approval. These fees would be assessed by the City and applicable districts and collected as part of the construction permit process.	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	The Local Transportation Study demonstrates that the project would not cause an exceedance of the LOS D level identified in this objective. In the cumulative Buildout Year 2050 condition, the intersection of Olive Drive/College Boulevard is predicted to operate at LOS E or LOS F without the project. As documented in the Local Transportation Study and a memo prepared by LOS Engineering dated October 16, 2024, the project as proposed and conditioned will not result in congestion on major streets or failure to meet the LOS threshold. As proposed and conditioned, neither the project location nor traffic generation will create circulation system safety hazards.	The project would be in conformance with this policy.

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Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
	would result in unavoidable impacts, the appropriate findings of overriding consideration will be required to allow temporary undesirable levels of service.		
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 would not create any new roadways. The project would connect Olive Drive to private internal driveways and all improvements within the Olice Drive right-of-way would comply with City landscaping requirements.	The project would be in conformance with this policy.
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. This policy is directly addressed to individual development projects. However, the project is located in a Smart Growth Opportunity Area and it proposes higher-density housing on a site that would have direct access to a major transit stop. The project also proposes new and improved sidewalks on-site as well as a new direct, public connection to the College Boulevard Transit Station. The project area is served by an existing network of public transportation and is located within a Smart Growth Opportunity Area as designated by the San Diego Association of Governments (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,	See response to Goal 1.	The project would be in conformance with this objective.

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Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
	regardless of age, income, or physical ability.		
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 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.	See response to Goal 1 and Long-Range Policy Direction Goals 1 and 2.	The project would be in conformance with this policy.
Policy 4.4	The City shall support parking policies that increase the cost of parking and/or reduce the supply of off-street	The Parcel Area is within a Smart Growth Opportunity Area, and proposes higher-density housing on a site with direct access to existing alternative public transportation.	The project would be in conformance with this policy.

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Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
	parking to encourage drivers to consider using alternative modes of transportation or carpool/vanpool opportunities where transit facilities are available.		
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 Parcel Area is 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 the project and community.	The project would be in conformance with this goal.
Objective ii.	Support the development, improvement, expansion, and increased ridership of transit within the City, including the development of new forms of transit and transit technologies as they become available.	See response to Goal 1. The project promotes increased transit ridership by locating higher-density housing on a site with direct access to a major transit stop and providing the adjacent neighborhood with more direct access to the same.	The project would be in conformance with this objective.
Objective iii.	Support Mixed-Use developments in transit	See response to Goal 1.	The project would be in conformance with this objective.

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Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
	focus areas and transit-oriented developments.		
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.	The Parcel Area is within a Smart Growth Opportunity Area and the project would provide direct access to the College Avenue Sprinter Station.	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 Parcel Area 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 Parcel Area is within a Smart Growth Opportunity Area, adjacent to the NCTD rail line and College Boulevard Sprinter Station and proposes a direct pedestrian path connection to the NCTD and College Boulevard Sprinter Station. In addition, the project is within proximity to major freeways, 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.	On-site pedestrian circulation network and sidewalk improvements would be built in compliance with the ADA and would not be designed in such a way	The project would be in conformance with this goal.

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Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
	Utilize "Universal Access" principles that go beyond the minimum standards, since all pedestrians benefit from this approach.	to prevent access for older adults or people with disabilities.	
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.	The project would link to the existing and newly constructed sidewalk system of Olive Drive. The proposed sidewalk would be 5.5 feet in width.	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.

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Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
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 3	Minimize pollution of water supplies, including lakes, rivers, streams, lagoons, and ground water.	The project would be required to prepare a project-specific SWPPP during construction to reduce sediment transport, in addition to other construction BMPs to further reduce erosion and runoff. A project Stormwater Quality Management Plan 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.
Vegetation and Wildlife Habitats Objective 1	Conserve and enhance vegetation and wildlife habitats, especially areas of rare, endangered, or threatened species.	As outlined in Section 4.3, Biological Resources, the project would incorporate design features and mitigation measures, which would ensure conservation and enhancement of existing vegetation and wildlife habitats in adjacent open space land uses. In addition, the project sets aside in excess of 32 acres for conservation of open space.	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 contained in the other elements of the General Plan.	With the combination of 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 Parcel Area. Additionally, the project developer would be responsible for payment of applicable Development Services Department Impact Fees, which would contribute to parks, public facilities, and schools.	The project would be in conformance with this objective.

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Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
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 790 residents. Potential impacts to public facilities would not be significant as analyzed in Section 4.13 of this EIR. 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.	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 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	The project proposes to develop a maximum of282 residential units on a property general plan and zoning designated for residential use while preserving as open space in excess of 32 acres. The project is consistent with relevant subcomponents of Policy 0.6, as follows [letters correspond to the original policy]: 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 very 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.	The project would be in conformance with this policy.

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	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).	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) however, with the installation of BMPs and detention facilities, runoff would not exceed existing conditions. The Drainage Study calculates and anticipates no adverse impact as a result of the proposed development.	
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.	As discussed in Section 4.6, Geology and Soils; Section 4.8, Hazards; Section 4.13, Public Services; and Section 4.18, Wildfire, adequate fire protection and emergency service facilities exist to serve the project.	The project would be in conformance with this objective.

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Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
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 project plans have been reviewed and approved by the Oceanside Fire Department as meeting the applicable fire requirements. All construction plans would also be subject to review by the City Fire Department.	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 Parcel Area is not within or adjacent to a State Responsibility Area or Local Responsibility Area Very High Fire Hazard Severity Zone. The Parcel Area 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.
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 5.4. 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	Development of the project includes construction of adequately sized on-site water facilities.	The project would be in conformance with this policy.

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	improvements required by that development.		
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. Water service would be provided via the existing water connections to the existing public water system, 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.	The project would pay its share of drainage impact fees to the San Diego Basin.	The project would be in conformance with this policy.
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 has been designed to maintain the current drainage patterns. Stormwater leaving the Parcel Area would continue to do so from the same points of discharge as in existing conditions but would do so through a new stormwater conveyance system designed to collect stormwater and discharge it off site after first mitigating peak flow rates. Compared to existing site conditions, the amount of runoff 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. As calculated therein, existing peak flows during a 100-year storm event is 48.65 cubic feet per second. Prior to implementation of the underground detention facilities, under proposed conditions, peak flows during a 100-year storm event would be 54.66 cubic feet per second. With installation of all proposed stormwater drainage	The project would be in conformance with this policy.

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		facilities, peak flows during a 100-year storm event would be reduced to 47.11 cubic feet per second.	
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, Olive Drive would provide vehicular access to the project at the northeast corner of the Parcel Area. The project is required by City regulations to pay development impact fees and conditions require that the project contribute a fair share payment related to circulation system operations.	The project would be in conformance with this policy.

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Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
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 fair-share payments related to circulation system operation and public facility fee requirements as applicable and determined by the City of Oceanside.	The project would be in conformance with this policy.
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 Section 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 H).	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	See Noise Element Policy 1.	The project would be in conformance with this policy.

Table 4.10-1. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
	private, which requires a permit or other approval from the City.		
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 and would use Olive Drive to access the site. As described in the analysis of Noise Element Policy 1, construction of the project would not result in an exceedance of applicable noise levels. The project operations would not generate truck trips by vehicles over 2 tons that would use residential streets.	The project would be in conformance with this recommendation.
Recommendation 5	Land uses in the City of Oceanside should be planned 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	See Noise Element Policy 1.	The project would be in conformance with this recommendation.

Table 4.10-1. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
	(example- a new rest home or hospital should not be constructed in areas subjected to noise levels 65 dBA or higher).		
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 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 management and use of hazardous materials. Overall, hazardous materials release would be minimized, and impacts would be less than significant.	The project would be in conformance with this goal.
Method A, Method B, Method C, Method D, Method E, Method F, Method G, Method J.	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	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 Section 4.8, Hazards, and Section 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 4.10-1. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
	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; H. The implementation of practices and/or processes that encourage the on-site treatment through recycling of hazardous.		

Table 4.10-1. 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	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 4.10-1. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
	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 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 the following:	The project would be in conformance with this goal.

Table 4.10-1. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
		▪ Photovoltaic solar electricity system ▪ Installation of 90% 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	
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 photovoltaic solar electricity systems for each of the proposed buildings.	The project would be in conformance with this policy.
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 would involve development of a maximum of 282 very-low-income housing 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.

Table 4.10-1. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
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 the City's CAP and 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 the City's CAP and 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 NCTD, which operates the College Boulevard Station located approximately 50 feet north of the Parcel Area. The project would construct direct access to the College Boulevard Station for project residents and the adjacent neighborhood. Bus stops within a 1-mile radius of the Parcel Area include the stops located at Oceanside Boulevard/College Boulevard, Oceanside Boulevard/Avenida Del Oro, Avenida Del Oro and Avenida De La Plata, and Thunder Drive/College Boulevard. 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 locates higher-density housing in a Smart Growth Opportunity Area, as designed by SANDAG.	The project would be in conformance with this policy.
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 use low-flow water fixtures and appliances. The project would also plant drought-tolerant landscaping, use water efficient irrigation system and comply with the City's CAP.	The project would be in conformance with this goal.

Table 4.10-1. City of Oceanside General Plan Consistency Evaluation

Policy Number	Policy Text	Consistency Analysis	Conformance/ Non-Conformance
Goal ECAE-5a	By 2035, The City Will Expand Its Tree Canopy To At Least 25% Coverage Citywide.	The Project would comply with City regulations by providing a tree canopy of 99,104 square feet, or approximately 37% of Net Developable Pad.	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 282 new affordable-income housing units.	The project would be in conformance with this policy.

4.11 Noise

This section describes the existing noise setting of the Parcel Area, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures as necessary related to implementation of the Olive Park Apartments Project (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 H of this Environmental Impact Report.

4.11.1 Existing Conditions

4.11.1.1 Fundamentals of Noise and Vibration

The following is a brief discussion of fundamental noise concepts and terminology.

Sound, Noise, and Acoustics

Sound is actually a process that consists of three components: the sound source, sound path, and sound receptor. All three components must be present for sound to exist. Without a source to produce sound, there is no sound. Similarly, without a medium to transmit sound pressure waves, there is no sound. Finally, sound must be received; a hearing organ, sensor, or object must be present to perceive, register, or be affected by sound or noise. In most situations, there are many different sound sources, paths, and receptors rather than just one of each. Acoustics is the field of science that deals with the production, propagation, reception, effects, and control of sound. Noise is defined as sound that is loud, unpleasant, unexpected, or undesired.

Sound Pressure Levels and Decibels

The amplitude of a sound wave determines its loudness. Loudness of sound increases with increasing amplitude. Sound pressure amplitude is measured in units of micronewtons per square meter, also called micropascals. One micropascal is approximately one-hundred billionth (0.00000000001) of normal atmospheric pressure. The pressure of a very loud sound may be 200 million micropascals, or 10 million times the pressure of the weakest audible sound. Because expressing sound levels in terms of micropascals would be very cumbersome and the sensitivity of human hearing to changes in micropascals is rather coarse (e.g., a doubling of micropascals is just audible to most people), sound pressure level in logarithmic units is used instead to describe the ratio of actual sound pressure to a reference pressure squared. These units are called Bels. To provide a finer resolution, a Bel is subdivided into 10 decibels (dB). When analyzing the noise level generated by multiple noise sources, the principals of noise propagation require a logarithmic measurement. Decibel levels differences of 10 or less are logarithmically summed whereas differences of greater than 10 create a noise level equal to the decibel level of the highest noise source.

A-Weighted Sound Level

Sound pressure level alone is not a reliable indicator of loudness. The frequency, or pitch, of a sound also has a substantial effect on how humans will respond. Although the intensity (energy per unit area) of the sound is a purely physical quantity, the loudness, or human response, is determined by the characteristics of the human ear.

Human hearing is limited not only in the range of audible frequencies, but also in the way it perceives the sound in that range. In general, the healthy human ear is most sensitive to sounds between 1,000 and 5,000 hertz, and it perceives a sound within that range as more intense than a sound of higher or lower frequency with the same magnitude. To approximate the frequency response of the human ear, a series of sound level adjustments is usually applied to the sound measured by a sound level meter. The adjustments (referred to as a weighting network) are frequency-dependent.

The A-scale weighting network approximates the frequency response of the average young ear when listening to ordinary sounds. When people make judgments about the relative loudness or annoyance of a sound, their judgments correlate well with the A-scale sound levels of those sounds. Other weighting networks have been devised to address high noise levels or other special situations (e.g., B-scale, C-scale, and D-scale), but these scales are rarely used in conjunction with most environmental noise evaluations. Noise levels are typically reported in terms of A-weighted sound levels. All sound levels discussed in this report are A-weighted decibels (dBA). Examples of typical noise levels for common indoor and outdoor activities are depicted in Table 4.11-1.

Table 4.11-1. Typical Sound Levels in the Environment and Industry

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
—	110	Rock band
Jet fly over at 300 meters (1,000 feet)	100	—
Gas lawn mower at 1 meter (3 feet)	90	—
Diesel truck at 15 meters (50 feet), at 80 kilometers per hour (50 miles per hour)	80	Food blender at 1 meter (3 feet); garbage disposal at 1 meter (3 feet)
Noisy urban area, daytime; gas lawn mower at 30 meters (100 feet)	70	Vacuum cleaner at 3 meters (10 feet)
Commercial area; heavy traffic at 90 meters (300 feet)	60	Normal speech at 1 meter (3 feet)
Quiet urban, daytime	50	Large business office; dishwasher next room
Quiet urban, nighttime	40	Theater; large conference room (background)
Quiet suburban, nighttime	30	Library
Quiet rural, nighttime	20	Bedroom at night; concert hall (background)
—	10	Broadcast/Recording studio
Lowest threshold of human hearing	0	Lowest threshold of human hearing

Source: Caltrans 2020.
dBA = A-weighted decibels

Human Response to Changes in Noise Levels

Under controlled conditions in an acoustics laboratory, the trained, healthy human ear is able to discern changes in sound pressure 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 (if a gain) or half (if a loss) 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 volume of traffic on a road) would result in a barely perceptible change in sound level.

Noise Descriptors

Additional units of measure have been developed to evaluate the long-term characteristics of sound. The energy-equivalent sound level (L_{eq}) is also referred to as the time-average sound level. It is the equivalent steady-state or constant sound level that in a stated period of time would contain the same acoustical energy as the time-varying sound level during the same time period. For instance, the 1-hour A-weighted equivalent sound level, $L_{eq(h)}$, is the energy average of the A-weighted sound levels occurring during a 1-hour period, and is the basis for most of the City of Oceanside's (City) Noise Ordinance standards.

People are generally more sensitive to and thus potentially more annoyed by noise occurring during the evening and nighttime hours. Hence, another noise descriptor used in community noise assessments—the community noise equivalent level (CNEL)—represents a time-weighted, 24-hour average noise level based on the A-weighted sound level. However, unlike an unmodified 24-hour L_{eq} value, the CNEL descriptor accounts for increased noise sensitivity during the evening (7 p.m. to 10 p.m.) and nighttime (10 p.m. to 7 a.m.) by adding 5 dB and 10 dB, respectively, to the average sound levels occurring during these defined hours within a 24-hour period.

Sound Propagation

Sound propagation (i.e., the traverse of sound from a noise emission source position to a receptor location) is influenced by multiple factors that include geometric spreading, ground absorption, atmospheric effects, and occlusion by natural terrain and/or features of the built environment.

Sound levels attenuate (or diminish) geometrically at a rate of approximately 6 dB per doubling of distance from an outdoor stationary point-type source due to the spherical spreading of sound energy with increasing distance travelled. The effects of atmospheric conditions such as humidity, temperature, and wind gradients are typically distance-dependent and can also temporarily either increase or decrease sound levels measured or perceived at a receptor location. In general, the greater the distance the receptor is from the source of sound emission, the greater the potential for variation in sound levels at the receptor due to these atmospheric effects. Additional attenuation can result from sound path occlusion and diffraction due to intervention of natural (e.g., ridgelines, dense forests) and built features (such as solid walls, buildings, and other structures).

Groundborne Vibration Fundamentals

Groundborne vibration is fluctuating or oscillatory motion transmitted through the ground mass (e.g., soils, clays, and rock strata). The strength of groundborne vibration attenuates rapidly over distance. Some soil types transmit vibration quite efficiently; other types (primarily sandy soils) do not. Several basic measurement units are commonly used to describe the intensity of ground vibration. The descriptors used by the Federal Transit Administration (FTA) are peak particle velocity (PPV), in units of inches per second (ips), and velocity decibel (VdB) that is based on a root-mean square of the vibration signal magnitude. Per the California Department of Transportation (Caltrans) Transportation and Construction Vibration Guidance Manual (Caltrans 2020), the calculation to determine PPV at a given vibration source to receptor distance is as follows:

$$PPV_{distance} = PPV_{ref} * (25/D)^{1.1}$$

Where:

$PPV_{distance}$ = the peak particle velocity in inches per second of the equipment adjusted for distance

PPV_{ref} = the reference vibration level in inches per second at 25 feet

D = the distance from the equipment to the receptor

4.11.1.2 Existing Noise Measurements

A sound pressure level (SPL) measurement survey was conducted at five representative positions in the vicinity of the Parcel Area on February 21, 2024, to characterize the existing outdoor ambient noise levels. The noise measurement locations are shown in Figure 3 of Appendix H.

Table 4.11-2 provides a summary of the noise measurement results as well as the location and time that an individual noise level measurement was performed. As shown in Table 4.11-2, the short-term (ST) (15-minute duration) measured L_{eq} noise levels ranged from 44.5 dBA at ST3 to 53.0 dBA at ST2.

The short-term measurements were conducted by an attending Dudek investigator with a Rion NL-62 model sound-level meter (SLM) equipped with a windscreen-protected, 0.5-inch diameter pre-polarized condenser microphone with pre-amplifier. The SLM meets the current American National Standards Institute (ANSI) standard for a Type 1 (Precision) SLM.

The long-term measurement was conducted by a Dudek investigator with a SoftdB "Piccolo" model SLM equipped with a windscreen-protected, 0.5-inch diameter pre-polarized condenser microphone with pre-amplifier. The SLM meets the current ANSI standard for a Type 2 (General Use) SLM.

The accuracy of both sound level meters 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. Appendix H provides sample digital photographs of the field noise level survey locations, followed by Dudek investigator field notes and a chart of the LT measurement data.

Table 4.11-2. Measured Baseline Outdoor Ambient Noise Levels

Site	Location (and investigator observed/perceived sounds)	Time	L_{eq} (dBA)	L_{max} (dBA)	L_{min} (dBA)
ST1	South of the rail line, northwest of the Olive Drive cul-de-sac (traffic, rail [including horns and train stop speakers], birds, distant landscaping, distant industrial)	9:17 a.m. to 9:32 a.m.	48.0	50.6	44.5
ST2	At the end of the Olive Drive cul-de-sac (traffic, birds, distant aircraft, dogs barking, distant industrial, distant rail [including horns])	9:35 a.m. to 9:50 a.m.	53.0	65.5	41.1
ST3	South of the residences on the north side of Crystal Street (traffic, birds, distant aircraft, rustling leaves, delivery vehicles, distant rail horn)	9:55 a.m. to 10:10 a.m.	44.5	50.5	41.2
ST4	Near the end of the Wooster Drive cul-de-sac (traffic, birds, distant and nearby landscaping, rustling leaves)	10:17 a.m. to 10:32 a.m.	50.1	55.4	44.2
LT1	South of the rail line, northwest of the Olive Drive cul-de-sac (traffic, rail [including horns and train stop	9:09 a.m. to 9:09 a.m.[1]	62.4	102.5	32.8

Table 4.11-2. Measured Baseline Outdoor Ambient Noise Levels

Site	Location (and investigator observed/perceived sounds)	Time	L_{eq} (dBA)	L_{max} (dBA)	L_{min} (dBA)
	speakers], birds, distant landscaping, distant industrial)				

Source: Appendix H.
Notes: L_{eq} = equivalent continuous sound level (time-averaged sound level); dBA = A-weighted decibels; L_{max} = maximum sound level during the measurement interval; L_{min} = minimum sound level during the measurement interval; ST = short-term measurement location; LT = long-term measurement location. See Figure 3 of Appendix H for measurement locations.
[1] Long-term measurement was conducted for a 24-hour period on February 21 and February 22, 2024.
Following Federal Transit Administration guidance found in Table 4-17 of the Transit Noise and Vibration Impact Assessment Manual (FTA 2018), the estimated nighttime ambient noise level would be approximately 10 dB less than the measured daytime noise level and the estimated evening ambient noise level would be approximately 5 dB less than the measured daytime noise level. Therefore, the calculated CNEL is approximately equal in magnitude to the measured daytime noise level (L_{eq}) at each measurement location.

4.11.2 Regulatory Setting

Federal

Federal Transit Administration

In its Transit Noise and Vibration Impact Assessment Manual, the FTA recommends a daytime construction noise level threshold of 80 dBA L_{eq} over an 8-hour period (FTA 2018) when detailed construction noise assessments are performed to evaluate potential impacts to community residences surrounding a project. Although this FTA guidance is not a regulation, it can serve as a quantified standard in the absence of such noise 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 developments in California must meet. According to Title 24, interior noise levels are not to exceed 45 dBA CNEL in any habitable room.

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

The normally acceptable exterior noise level for high-density residential use is up to 65 dBA CNEL. Additionally, this exterior noise level limit is consistent with the City's General Plan Noise Element, which considers multi-family units to be noise-sensitive land uses (City of Oceanside 2002).

California Department of Transportation

In its Transportation and Construction Vibration Guidance Manual (Caltrans 2020), Caltrans recommends 0.5 ips PPV as a threshold for the avoidance of structural damage to typical newer residential buildings exposed to continuous or frequent intermittent sources of groundborne vibration. For transient vibration events, such as blasting, the damage risk threshold would be 1.0 ips PPV (Caltrans 2020) at the same type of newer residential structures. For older structures, these guidance thresholds would be more stringent: 0.3 ips PPV for continuous/intermittent vibration sources, and 0.5 ips PPV for transient vibration events. With respect to human annoyance, Caltrans guidance (Caltrans 2020) indicates that building occupants exposed to continuous groundborne vibration at a level of 0.2 ips PPV would find it "annoying" and thus a likely significant impact. Although these Caltrans guidance thresholds are not regulations, they can serve as quantified standards in the absence of such limits at the local jurisdictional level.

Local

City of Oceanside General Plan Noise Element

The City's General Plan Noise Element establishes target maximum noise levels in Oceanside. 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 City's Noise Element outlines general goals, objectives, and noise policies, as follows (City of Oceanside 2002):

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 that puts attention to the careful planning of future residents in areas "subjected to noise levels of 65 dBA or higher" (City of Oceanside 2002).

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 2002).

City of Oceanside Noise Control Ordinance

The City of Oceanside Noise Ordinance (Oceanside Municipal Code Chapter 38) (City of Oceanside 2022) contains regulations restricting land use related noise-generating activities and operations, so as to avoid noise nuisance in the community. Section 38.12 of the Municipal Code establishes the maximum allowable exterior noise limits, based upon the classification of the source land use. These standards typically apply to stationary sources such as noise from mechanical equipment (including mechanical ventilation and air conditioning noise, pool pump noise) or event noise, as opposed to traffic noise. For instance, a school, commercial enterprise, or industrial operation must not generate noise that exceeds a certain specified noise level at any property boundary. The property-line noise standards are presented in Table 4.11-3.

Table 4.11-3. City of Oceanside General Sound Level Limits (in dBA)

Base District Zone	7:00 a.m. to 9:59 p.m.	10:00 p.m. to 6:59 a.m.
RE (Residential Estate)	50	45
RS (Single-Family)	50	45
RM (Medium Density)	50	45
RH (High Density)	55	50
RT (Residential Tourist)	55	50
C (Commercial)	65	60
I (Industrial)	70	65
D (Downtown)	65	55
A (Agricultural)	50	45
OS (Open Space)	50	45

Source: City of Oceanside 2022.
dBA = A-weighted decibels

Additionally, City of Oceanside Municipal Code Section 38.12(c) establishes the limits for joint boundaries where land uses differ between adjacent properties. The Municipal Code states, "when property lines form the joint boundary of two base district zones, the sound level limit shall be the arithmetic mean of the limit applicable to each of the two zones." The project land use is designated as residential, and would therefore be limited to 50 dBA from 7:00 a.m. to 9:59 p.m. and 45 dBA from 10:00 p.m. to 6:59 a.m. The adjacent residential area is limited to 50 dBA from 7:00 a.m. to 9:59 p.m. and 45 dBA from 10:00 p.m. to 6:59 a.m.

Construction activities are subject to Section 38.17 of the Noise Ordinance, which specifically prohibits the operation of any pneumatic or air hammer, pile driver, steam shovel, derrick, steam, or electric hoist; parking lot cleaning equipment; or other appliance, the use of which is attended by loud or unusual noise, from 10:00 p.m. to 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.

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 east of the Parcel Area 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 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 dB increase over existing ambient noise levels.
- Transportation noise – For purposes of this analysis, a noise impact due to transportation noise would be considered significant if predicted traffic noise levels exceed the City's 65 dBA CNEL standard for exterior levels at single-family homes and, if existing noise levels exceed the threshold without the addition of project traffic then significance would occur if the project causes the existing levels to increase by more than 3 dB (a barely perceptible change in audibility).

- **Stationary operations noise** – For purposes of this analysis, a noise impact would be considered significant if noise from typical operation of the project including heating, ventilation, and air conditioning (HVAC), and other electro-mechanical systems associated with the proposed project exceeded 45 dBA L_{eq} (the strictest noise threshold) at the property line of the nearby single-family homes during nighttime hours (10:00 p.m. to 6:59 a.m.). For special status wildlife species, a 60 dBA hourly L_{eq} threshold is adopted per the City's Biology Guidelines.
- ~~**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 dB 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 Parcel Area 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 Parcel Area and adjacent project to the west are zoned commercial).~~
  - ~~**Northern Parcel Area 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 Parcel Area 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 Parcel Area are in Vista, an arithmetic averaging for the adjacent zones would evidently not to be allowable.~~
  - ~~**Southern Parcel Area 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 Parcel Area are located not closer than 300 feet from the southern property boundary of the Parcel Area; 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 dB. As such, compliance with the commercial zone limits at the southern Parcel Area 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, with emission levels varying 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, pavers, rollers, and air compressors. The typical maximum noise levels at a distance of 50 feet from various pieces of construction equipment and activities anticipated for use on the Parcel Area are presented in Table 4.11-4. 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 Noise Level (L_{max}, dBA at 50 Feet)
All Other Equipment >5 horsepower	85
Backhoe	78
Compressor (air)	78
Concrete Saw	90
Crane	81
Dozer	82
Excavator	81
Flat Bed Truck	74
Front End Loader	79
Generator	72
Grader	85
Man Lift	75
Paver	77
Roller	80
Scraper	84
Welder/Torch	73

Source: DOT 2006.
Notes: L_{max} = maximum sound level; dBA = A-weighted decibels.

Aggregate noise emission from project construction activities, broken down by sequential phase, was predicted at the nearest existing noise-sensitive receptor boundary (single-family homes to the east of the Parcel Area) to the nearest position of the on-site construction boundary.

For purposes of this study, and in a manner resembling the "general assessment" methodology per FTA guidance, this analysis assumes that among what may be a quantity of mobile heavy construction

equipment active on site, only one of the loudest type of equipment per phase would be located at the nearest possible distance to the property line of a sensitive receptor (as close as 5 feet to the eastern property line, but dependent on the distance from the phase work to the receptor at any one time) for some portion or the entirety of the 8-hour evaluation period. The remainder of active equipment would be operating, on a time-average basis over the course of the same 8-hour evaluation period, at a distance approximating the centroid position of the work phase area.

A Microsoft Excel–based noise prediction model emulating and using reference data from the Federal Highway Administration Roadway Construction Noise Model (RCNM) (FHWA 2008) was used to estimate construction noise levels at the nearest occupied noise-sensitive land use. Although the RCNM was funded and promulgated by the Federal Highway Administration, it is often used for non-roadway projects, because the same types of construction equipment used for roadway projects are often used for other types of construction. Input variables for the predictive modeling consist of the equipment type and number of each (e.g., a grader, two excavators two front end loaders, two scrapers, and one dozer), and the duty cycle for each piece of equipment (e.g., percentage of time within a specific time period, such as an hour, when the equipment is expected to operate at full power or capacity and thus make noise at a level comparable to what is presented in Table 4.11-5). The predictive model also considers how many hours that equipment may be on site and operating (or idling) within an established work shift. Conservatively, no topographical or structural shielding was assumed in the modeling. The RCNM has default duty-cycle values for the various pieces of equipment, which were derived from an extensive study of typical construction activity patterns. Those default duty-cycle values were used for this noise analysis. Appendix H contains the details for construction noise analysis by phase activity.

As the project includes implementation of Project Design Feature (PDF)-NOI-1 imposing construction design features applicable during the site preparation, grading and paving activities on the east side of the On-Site Impact Area the maximum noise level generated by project construction relative to neighboring sensitive residential receptors would be below the FTA guidance of 80 dBA L_{eq} over an 8-hour period (see Table 4.11-5). Therefore, project impacts would be **less than significant**.

Table 4.11-5. Predicted Construction Phase Noise Levels with Project Design Feature

Construction Phase	Predicted Noise Level 5 Feet from Property Line with Project Design Feature (dBA, 8-hour L_{eq})
Site Preparation	78
Grading	79
Paving – East	80

Source: Appendix H.
dBA = A-weighted decibel; L_{eq} = equivalent continuous sound level (time-averaged sound level)

Off-Site Construction Noise

Construction operations would occur off site in the locations show in Figure 2 of Appendix H, the receptors exposed to off-site construction are at locations equal to or farther from the off-site construction boundary than the nearest existing noise-sensitive receptor to on-site construction operations as described above.

Residentially zoned properties south of the proposed emergency only ingress/egress road would be directly adjacent to construction activity but separated by a topographical break between the road and the receptors as the residences are approximately 10 to 25 feet above the construction area and separated by fencing. This topographical break functions the same as a barrier and is treated as such by the RCNM analysis. As shown Appendix H, the "with barrier option" noise levels for all phases are predicted to be equal to or less than the FTA 80 dBA L_{eq} over an 8-hour period threshold. Residentially zoned properties along Olive Drive near the project boundary would be directly adjacent to the proposed off-site right-of-way and utility connection improvements within the Olive Drive right-of-way. However, these improvements would not use heavy construction equipment and their noise contributions would not exceed the applicable threshold of significance. Therefore, the construction noise impacts for noise sensitive receptors potentially exposed to off-site construction activity would be less than significant.

Therefore, temporary construction-related noise impacts at nearby residential receptors would be **less than significant**.

Off-Site Construction Traffic Noise

The project would result in local, short-term increases in roadway noise as a result of construction traffic. Based on information developed as part of the project's air quality analysis, project-related traffic would include workers commuting to and from the Parcel Area as well as vendor and haul trucks bringing or removing materials. The highest number of average daily construction related trips to and from the Parcel Area for all of construction phases would be 16 worker trips, 2 vendor trips, and 188 haul truck trips (for a total of 206 trips) occurring during the grading of phase 1.

Based on traffic counts conducted for the project (Counts Unlimited 2024), the existing (2024) average daily traffic volume on Olive Drive west of Bradley Street is 233 vehicles per day. Comparing the maximum number of daily construction-related trips (a total of 206 trips, and an adjusted passenger-car-equivalent total of 430 trips (based on one haul truck generating the equivalent noise of two passenger vehicles) to the average daily traffic volume of 233 passenger-car-equivalent trips, the additional vehicle trips would amount to a worst-case number of trips due to project construction. The predicted existing (2024) traffic noise level on Olive Drive from the project boundary to Bradley Street is 45 dBA CNEL. Based on the total number of project construction trips at its highest being 430 trips per day, the predicted existing (2024) plus project construction trip noise level is approximately ~~54~~ 50 dBA CNEL, which is less than the City's 65 dBA exterior threshold for single-family homes.

Therefore, impacts from project-related construction traffic noise would be **less than significant.**

On-Site Sensitive Receptor Construction Noise Analysis

As disclosed in Appendix H, because of the phasing of construction, noise generated by construction of portions of Building No. 2 has the potential to impact sensitive receptors occupying Building No. 1. Architectural coating that would occur during construction of Building No. 2 would be the loudest and closest construction noise source to Building No. 1 at approximately 40 feet away from the eastern façade of the occupied Building No. 1. Based on the phasing, all other noise levels experienced by the residents of Building No. 1, would be lower than that generated during the architectural coating work. The calculated noise level due to the architectural coating work is modeled to be approximately 76 dBA over an 8-hour period, which

is lower than the FTA significance threshold of 80 dBA over an 8-hour period. Therefore, impacts to on-site Building No. 1 sensitive receptors due to project-related construction noise on Building No. 2 would be **less than significant**.

Special-Status Wildlife Species Construction Noise Analysis

Construction-related noise could occur from equipment used during vegetation clearing and construction of the residences and associated infrastructure. Noise impacts can have a variety of indirect impacts on wildlife species, including increased stress, weakened immune systems, altered foraging behavior, displacement due to startle, degraded communication with conspecifics (e.g., masking), damaged hearing from extremely loud noises, and increased vulnerability to predators (Lovich and Ennen 2011; Brattstrom and Bondello 1983, as cited in Lovich and Ennen 2011). Suitable native habitat is present west of the On-Site Impact Area, which would provide refuge for wildlife, including preservation of the ability to move temporarily to avoid loud construction noises. Additionally, the study area is already subject to a baseline level of noise from the nearby trains, roads, and human disturbance. Potential noise impacts to nesting birds would be avoided and minimized through implementation of Mitigation Measure (MM)-BIO-3 (Nesting Bird Surveys), appropriate disturbance avoidance buffers would be implemented for any active nests, and monitoring would ensure avoidance and minimization of impacts through implementation of MM-BIO-4 (Biological Monitoring). Therefore, short-term indirect impacts due to noise would be **less than significant**.

Long-Term Operational Noise

Off-Site Traffic Noise Exposure

The project is expected to generate a subtotal of 1,378 average daily trips to the roadway system, as shown in the data provided by the project transportation engineer at LOS Engineering Inc (LOS Engineering 2024). Using this information as well as additional traffic data provided in Appendix C of Appendix H, the FHWA's Highway Traffic Noise Prediction Model RD-77-108 was used to estimate potential noise impacts at noise-sensitive uses adjacent to roadway segments expected to experience added traffic volumes attributed to the proposed project. Information used in the model included average daily traffic volumes (from Counts Unlimited for existing year 2024 volumes and LOS Engineering for buildout year 2050 volumes), posted traffic speeds, truck mix percentage, and day/evening/night mix percentage. Consistent with Caltrans guidance (Caltrans 2013), 80% of the average daily traffic occurs during daytime hours (7:00 a.m. to 7:00 p.m.), 5% during the evening (7:00 p.m. to 10:00 p.m.), and 15% during the nighttime (10:00 p.m. to 7:00 a.m.).

The future modeled traffic speed was conducted using 45 miles per hour for College Boulevard, 35 miles per hour for Olive Drive east of College Boulevard, and 25 miles per hour for Olive Drive west of College Boulevard. The truck percentages used in the noise model for the modeled scenarios were 2% medium trucks and 1% heavy trucks. This truck mix is based on vehicle surveys conducted for a number of similar roads in San Diego County that allow truck traffic.

The change in roadway noise levels was determined for six conditions: year 2024, year 2024 plus project, year 2026, year 2026 plus project year 2050, and year 2050 plus project. Traffic noise levels were calculated for the following roadway segments bounded by intersections within the project vicinity as follows:

- College Boulevard – North of Olive Drive to Olive Drive
- College Boulevard – Olive Drive to South of Olive Drive
- Olive Drive – West of Bradley Street to Bradley Street
- Olive Drive – Bradley Street to College Boulevard
- Olive Drive – College Boulevard to Joann Drive

Table 4.11-6 presents the year 2024, year 2024 plus project, year 2026, year 2026 plus project, year 2050, and year 2050 predicted traffic noise levels.

As shown in Table 4.11-6, traffic noise levels for sensitive receptors adjacent to Olive Drive from West of Bradley Street to College Boulevard were predicted to be as high as 55 dBA CNEL.~~,~~ Although the project's contribution would be perceptible, the maximum noise level would be 55 dBA, which is lower than the 65 dBA CNEL City exterior threshold for single-family homes. Traffic noise levels for sensitive receptors adjacent to College Boulevard and Olive Park from College Boulevard to Joann Drive in the existing without project and the future conditions without project exceed the 65 dBA CNEL City exterior threshold for single-family homes. The Noise analysis demonstrates that the noise levels with the project in those areas would result in a maximum increase of 0.1 dB above the without project levels. ~~As that~~ Therefore, because a 0.1 dBA level of noise increase~~s~~ is well below the level of perceptibility (Appendix H Section 1.4.4), project-generated changes to future traffic noise would be **less than significant.**

Table 4.11-6. Predicted Traffic Noise Levels

Modeled Roadway Segment	Year 2024 Noise Level (dBA CNEL) – 50 Feet from Centerline	Year 2024 Plus Project Noise Level (dBA CNEL) – 50 Feet from Centerline	Year 2024 Project-Related Noise Level Increase (dB)	Year 2026 Noise Level (dBA CNEL) – 50 Feet from Centerline	Year 2026 Plus Project Noise Level (dBA CNEL) – 50 Feet from Centerline	Year 2026 Project-Related Noise Level Increase (dB)	Year 2050 Noise Level (dBA CNEL) – 50 Feet from Centerline	Year 2050 Plus Project Noise Level (dBA CNEL) – 50 Feet from Centerline	Year 2050 Project-Related Noise Level Increase (dB)
College Boulevard – North of Olive Drive to Olive Drive	74.9	74.9	0.0	75.0	75.1	0.0	76.5	76.6	0.1
College Boulevard – Olive Drive to South of Olive Drive	73.1	73.2	0.1	73.2	73.3	0.1	75.2	75.2	0.0
Olive Drive – West of Bradley Street to Bradley Street	45.3	53.7	8.4	45.3	53.7	8.4	47.3	54.0	6.7
Olive Drive – Bradley Street to College Boulevard	49.3	54.5	5.3	49.3	54.5	5.3	51.3	55.2	3.9
Olive Drive – College Boulevard to Joann Drive	68.3	68.4	0.1	68.4	68.5	0.1	69.0	69.1	0.1

Source: Appendix H.
dBA = A-weighted decibel; CNEL = Community Noise Equivalent Level; dB = decibel

Project Sound Sources

On-Site Outdoor Mechanical Equipment

The completion of the project buildings would add a variety of noise-producing mechanical equipment that include those presented and discussed in the following paragraphs. Most of the noise-producing equipment or sound sources would be considered stationary or limited in mobility to a defined area.

Rooftop HVAC

The proposed project buildings would be served by roof-mounted air-conditioning equipment that includes outdoor-exposed packaged air-handling units and air-cooled condensers that provide the expected cooling demand (expressed as refrigeration "tonnage") for a building. The following are descriptions of modeled sound sources, with Table 4.11-7 exhibiting modeled sound power level data at octave-band center frequency resolution. Detailed information supporting these summary descriptions and quantities appear in Appendix H.

Table 4.11-7. Modeled Sound Power Levels for Stationary Roof-Mounted Sources (HVAC)

Building	Sound Source	Overall L_{eq} (dBA)	Octave Band Center Frequency (Hertz) (dBA)								
			32.5	63	125	250	500	1000	2000	4000	8000
1	Air Handling	91	72	72	84	85	86	83	76	70	65
	Air Conditioning	94	67	67	80	83	90	86	85	84	78
2	Air Handling	88	69	69	81	82	83	80	73	67	62
	Air Conditioning	78	47	47	60	65	73	74	68	66	60

Source: Appendix D of Appendix H
HVAC = heating, ventilation, and air conditioning; A-weighted decibel

The heating, ventilation, and air conditioning (HVAC) reference sound levels were calculated from a combination of inputs that include square footage values for the proposed project's proposed spaces, project applicant response to data requests, and manufacturer sound power level data. For the analysis of noise from HVAC equipment operation, eight air conditioning units were modeled on the roofs of each building.

Other Stationary Noise Sources

The proposed project buildings may feature other noise emitters, but their contributions would tend to be sporadic or otherwise occur infrequently and thus be expected to have no greater acoustic contribution to an hourly L_{eq} than the continuous-type HVAC noise studied herein. Other stationary sources included in the model consisted of groups of people speaking at tables, working out, or playing in play areas. Table 4.11-8 contains a list of other modeled stationary noise sources and the associated sound power level.

Table 4.11-8. Modeled Sound Power Levels for Other Stationary Noise Sources

Source	Source Description	Sound Power Level (dBA)
Table	4 people (+6 dB) "raised normal speaking" at 1 meter (60 dBA), half of the time (-3 dB), +8 dB hemispherical PWL conversion	71
Seating Area	4 people (+6 dB) "raised normal speaking" at 1 meter (60 dBA), half of the time (-3 dB), +8 dB hemispherical PWL conversion	71
Play Area	4 children (+6 dB) "very loud speaking" at 1 meter (78 dBA), half of the time (-3 dB), +8 hemispherical PWL conversion	89
Fitness Area	4 people (+6 dB) "relaxed normal speaking" at 1 meter (54 dBA), a quarter of the time (-6 dB), +8 dB hemispherical PWL conversion	62

Source: Hayne, Rumble, and Mee 2006
dBA = A-weighted decibel; dB = decibel; PWL = sound power level

Prediction Methodology and Parameters

The aggregate noise emission from these outdoor-exposed sound sources has been predicted with the Datakustik CadnaA sound propagation program. CadnaA is a commercially available software program for the calculation, presentation, assessment, and prediction of environmental noise based on algorithms and reference data per International Organization of Standardization (ISO) Standard 9613-2, "Attenuation of Sound During Propagation Outdoors, Part 2: General Method of Calculation" (ISO 1996). The CadnaA computer software allows one to position sources of sound emission in a simulated three-dimensional space having heights and footprints consistent with project architectural plans and elevations. In addition to the above-mentioned sound source inputs and building-block structures that define the three-dimensional sound propagation model space, the following assumptions and parameters are included in this CadnaA-supported stationary noise source assessment:

- Ground effect acoustical absorption coefficient equal to 0.7, which intends to represent an average or blending of ground covers that are characterized by a mix of soft, natural materials and hard, reflective pavements along with existing building surfaces across the Parcel Area and the surroundings.
- Reflection order of 1, which allows for a single reflection of sound paths on encountered structural surfaces such as the modeled building masses.
- Off-site residential structures and buildings have not been included in the model as there were no existing structures between the source and the nearest sensitive receptors.
- Calm meteorological conditions (i.e., no wind) with 68°F and 50% relative humidity.
- All of the modeled noise sources are operating concurrently and continuously for a minimum period of 1 hour.

Off-Site Sensitive Receptor Operation Impact Analysis

An operational scenario of the proposed project was modeled that assumes all the HVAC equipment and other stationary sources as listed above (such as occupied tables, play areas, and fitness equipment) are operating simultaneously for a typical period of one hour.

Figure 4 in Appendix H illustrates predicted aggregate SPL propagation solely from operation of the proposed project sound sources as described above. The color-coded annular bands of SPL are calculated across a field parallel with and 5 feet above local grade.

Based on the noise level contours appearing in Figure 4 in Appendix H, the proposed project is predicted to be up to 42 dBA Leq at the single-family homes to the east of the project and up to 37 dBA L_{eq} at the single-family homes to the south of the project and is therefore would be lower than and thus comply with the City's 50 dBA L_{eq} daytime threshold and 45 dBA L_{eq} nighttime threshold for residential land uses. Additionally, the predicted levels due to stationary operations also comply with the City's 60 dBA threshold for special status wildlife species.

On-Site Sensitive Receptor Operations Impact Analysis

On-site HVAC operations have the potential to impact exterior use areas provided by the project. An analysis was conducted to display the HVAC-only noise level contours generated by the project. Figure 5 in Appendix H illustrates predicted aggregate SPL propagation solely from operation of the proposed project HVAC as described above. The color-coded annular bands of SPL are calculated across a field parallel with and 5 feet above local grade.

As displayed in Figure 5 of Appendix H, HVAC-only operational noise levels are predicted to be as high 40 dBA at potentially sensitive project exterior areas which is less than the City's 50 dBA nighttime exterior threshold for high density multi-family land uses.

Therefore, impacts associated with the project's stationary operations noise would not 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; therefore, project impacts would be **less than significant**.

Exterior Rail Noise Analysis

Using schedule information for the nearby rail station at College Boulevard, the Federal Railroad Administration's CREATE Railroad Noise Model was used to predict the existing noise level due to rail operations at adjacent project exterior areas, the closest of which is approximately 200 feet from the centerline of the rail line. Appendix E of Appendix H provides the input and output data from the CREATE model.

As shown in Appendix H, the predicted daytime (7:00 a.m. to 10:00 p.m.) railroad noise level was 52 dBA and the predicted nighttime (10:00 p.m. to 7:00 a.m.) railroad noise level was 52 dBA for a calculated L_{dn} of 59 dBA, which is lower than the City's 65 dBA CNEL/L_{dn} exterior noise threshold for ~~high density multi family~~residential land uses.

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 (Caltrans 2020). For context, heavier pieces of construction equipment, such as a bulldozer (or comparable equipment with respect to mass and power) that may be expected on the Parcel

Area, have peak particle velocities of approximately 0.089 ips or less at a reference distance of 25 feet (FTA 2018).

Groundborne vibration attenuates rapidly, even over short distances. The attenuation of groundborne vibration as it propagates from source to receptor through intervening soils and rock strata can be estimated with expressions found in FTA and Caltrans guidance. By way of example, for a tractor operating on-site and as close as the eastern project boundary (i.e., approximately 10 feet from the nearest property) during the paving phase, the estimated vibration velocity would be 0.24 ips PPV per the equation as follows (Caltrans 2020):

$$PPV_{rcvr} = PPV_{ref} * (25/D)^{1.1} = 0.24 = 0.089 * (25/10)^{1.1}$$

In the above equation, PPV_{rcvr} is the predicted vibration velocity at the receptor position, PPV_{ref} is the reference value at 25 feet from the vibration source (the bulldozer), and D is the actual horizontal distance to the receptor. Because this predicted 0.24 ips PPV groundborne vibration exposure level at the façade of the nearest receiving residential building façade is less than the 0.3 ips PPV threshold for building damage risk per Caltrans guidance for older residential structures, the impact would be less than significant.

For a vibratory roller during the paving phase, with a nearest receptor distance of 30 feet, the calculation is similar but uses the FTA-based reference PPV level of 0.21 ips at 25 feet and yields an exposure level of 0.17 ips PPV:

$$PPV_{rcvr} = PPV_{ref} * (25/D)^{1.1} = 0.17 = 0.21 * (25/30)^{1.1}$$

This vibration exposure level is also less than the 0.3 ips PPV threshold, and therefore would result in a less than significant impact with respect groundborne vibration or groundborne noise levels.

Within these nearest existing off-site residential structures, the occupants would be exposed to a vibration level that includes a "coupling loss" (i.e., the energy loss at the interface of the building mass and foundation with the surrounding soil/strata through which the groundborne vibration has traversed) that FTA guidance indicates as a -5 dB adjustment for wood-framed homes (FTA 2018). When applied to the aforementioned PPV calculations for the tractor and roller, the calculated interior vibration levels are 0.14 ips PPV and 0.10 ips PPV, respectively. As these are both less than the 0.2 ips PPV Caltrans guidance-based standard for annoyance, this impact 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?

The closest airport to the Parcel Area is the Oceanside Municipal Airport approximately 3.15 miles northwest of the project boundary. Therefore, the project would not expose people residing or working in the project area to excessive noise levels and project impacts would be **less than significant**.

4.11.5 Mitigation Measures

Impacts associated with construction and operational noise would be less than significant and no mitigation would be required.

4.11.6 Level of Significance After Mitigation

With implementation of PDF-NOI-1, the project would result in **less-than-significant** impacts related to construction and operational noise.

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4.12 Population and Housing

This section describes the existing population and housing in Oceanside, California, identifies associated regulatory requirements, evaluates potential population and housing impacts, and identifies whether mitigation measures related to implementation of the Olive Park Apartments Project (project) on population and housing are required.

4.12.1 Existing Conditions

The discussion herein provides background information regarding population and housing forecasts for Oceanside based on demographic information from the San Diego Association of Governments (SANDAG) and the City of Oceanside's Housing Element (2021–2029) (City of Oceanside 2021).

City of Oceanside

Population

Oceanside is in the northwesternmost part of San Diego County, which includes a total of 18 cities and unincorporated land and has a total population of 3,276,208 (USCB 2023). Oceanside occupies approximately 42 square miles and had a population of 172,199 as of 2022 (USCB 2023). Oceanside comprises approximately 5% of the population of San Diego County. Table 4.12-1 summarizes population growth within Oceanside since 2000. As shown in Table 4.12-1, Oceanside 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	N/A	N/A
2010	167,086	6,181	3.8
2015	175,691	8,605	5.2
2020	174,068	-1623	-0.9
2022	172,199	-1869	1.1

Sources: USCB 2000, 2010, 2020, 2022, 2023

SANDAG projects that population growth will increase between 2016 and 2025 (SANDAG 2021a). 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	176,666	178,385	181,020	184,284
Housing	65,851	67,816	71,359	71,359
Jobs	47,256	48,317	49,909	50,756

Source: SANDAG 2021a.

Housing

According to the California Department of Finance, Oceanside had 68,300 housing units as of January 2024 (DOF 2024). Table 4.12-3 provides a breakdown of housing units by type. A majority of the housing units are single-family, which comprises approximately 63.98% of the total housing units, reflecting Oceanside's family-oriented population and suburban neighborhood character. Multi-family units make up approximately 31.31% of the total units, while mobile homes account for the remaining 4.69% of Oceanside's total housing units.

Table 4.12-3. 2024 Housing Units in Oceanside by Type

Unit Type	Total Units	
	Number	Percentage
Single-family detached	35,583	52.09
Single-family attached	8,122	11.89
Multi-family (2-4 units)	5,983	8.75
Multi-family (5+ units)	15,407	22.56
Mobile-Home	3,205	4.69
Total	**68,300**	**100**

Source: DOF 2024.

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 Oceanside are owner-occupied, with a total vacancy rate of 6.3% (DOF 2024). Per the City of Oceanside's Housing Element, the total housing growth need allocated to the City of Oceanside (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%) (City of Oceanside 2021).

State law requires quantification and analysis of existing and projected housing needs of extremely low-income households. Extremely low income is defined as less than 30% of area median income. As a result, the City has a projected need for 634 extremely low-income units (City of Oceanside 2021).

Employment

Employment and job growth have an influence on housing needs in the region and in Oceanside. As shown in Table 4.12-4, about two-thirds of the population aged 16 and over were in the City's labor force in 2018 (City of Oceanside 2021).

Table 4.12-4. 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%

Table 4.12-4. Labor Force in Oceanside

Labor Force Status	Persons	Percentage
Not in labor force	50,266	35%

Source: City of Oceanside 2021.

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).

Parcel Area

The Parcel Area is currently vacant land, surrounded by residential, commercial, and limited industrial uses. Currently, there are no people legally residing on the Parcel Area. The Parcel Area has a General Plan land use designation of Medium Density Residential (MDA-R) and is zoned RS-Single Family Residential (RS). Per the City's General Plan 2021–2029 Housing Element, the MDA-R land use designation and RS zoning district allows for residential development with the MDA-R designation allowing a maximum density of 9.9 dwelling units per acre (City of Oceanside 2021).

As described in Chapter 3, Project Description, of this Environmental Impact Report, the project would apply for waivers and/or incentives under the State Density Bonus Law. Under the Density Bonus Law if a project is developed with 10 or more residences, and the requisite percentage of units are designated as "affordable" as defined by the state, the project is entitled to waivers and incentives from development regulations and other benefits. The project would make 100% of the units affordable to very low-income households to qualify for the benefits of Density Bonus Law.

4.12.2 Regulatory Setting

Federal

There are no federal regulations concerning population and housing relevant to the proposed project.

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 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 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). This approval marked the first time SANDAG's RTP included an 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 (SANDAG 2021b).

The 2021 Regional Plan updates growth forecasts and is based on the most recent planning assumptions, including adopted land use plans (such as 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 (SANDAG 2019).

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 (SANDAG 2020).

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 and the 2021–2029 Housing Element was approved by the U.S. Department of Housing and Urban Development in November 2023. 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 2021–2029 Housing Element includes the following goals, objectives, and policies that are relevant to the project (City of Oceanside 2021):

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.

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.

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 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.

Policy 2.2: Encourage both the private and public sectors to produce or assist in the production of housing with particular emphasis on housing affordable and accessible to lower income households, persons with disabilities, elderly, large families, female-headed households, farm workers, and homeless persons.

Policy 2.3: Encourage housing for the elderly and persons with disabilities near public transportation, shopping, medical, and other essential support services and facilities.

Policy 2.4: Encourage developers to employ innovative solutions to meet housing needs, including adaptive reuse of existing non-residential buildings.

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.

General Plan Land Use Element

The General Plan Land Use Element includes the following goals, objectives, and policies that are relevant to the project (City of Oceanside 2002):

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.

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 Parcel Area has a General Plan designation of Medium Density Residential (MDA-R) with a consistent zoning designation of RS-Single Family Residential (RS), and the project's residential use would be consistent with the designated land use and zoning for the site. The project is also within the maximum density authorized by the General Plan and zoning designations given the size of the Parcel Area (43.50 acres), and the allowed maximum General Plan density (9.9 dwelling units per acre). The project would construct a maximum of 282 multi-family units under Option B, which would have the potential to house

up to 790 people, based on the City's Housing Element of an average household size of 2.8 persons per dwelling unit (City of Oceanside 2021).

As described in Chapter 3 of this Environmental Impact Report, if a project is developed with 10 or more residences, and designates the requisite percentage as "affordable" as defined by the state, a project qualifies for the benefits of the Density Bonus Law. All of the 260 units with Option A and 282 units with Option B would be affordable to very low-income households. Therefore, the project would result in planned growth in the area as the project proposes a level of development consistent with the General Plan, zoning and regional planning documents based on the same.

Furthermore, the most recent Regional Housing Needs Assessment stated that the City 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 between 260 and 282 affordable/very low-income units to market in 2025, which would be within SANDAG's growth projection for housing and consistent with the City's adopted Housing Element. Therefore, as disclosed above, the project is proposing planned (not unplanned) growth. The increase in population growth is accounted for in and consistent with the City's Housing Element and General Plan and meets the General Plan goals and policies, specifically Goals 1 and 3 of the Housing Element and Goal 1 of the Land Use Element. Accordingly, the project also achieves planned growth as contemplated by regional plans such as Regional Housing Needs Assessment (SANDAG 2020) and the SANDAG 2021 Regional Plan. As all the utilities and infrastructure required for the project are within close proximity to the Net Developable Pad and would only require extending existing facilities a short distance to serve the development, 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. For example, no new public rights of way are required for the project and all new connections to water and sewer lines would be provided via existing utilities in Olive Drive. Therefore, the project would not induce substantial unplanned population growth, either directly or indirectly, 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 Parcel Area 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 related to displacing substantial numbers of existing people or housing 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**.

4.13 Public Services

This section describes the existing fire, police, schools, parks, and other public service facilities relevant to the Olive Park Apartments Project (project), identifies associated regulatory requirements, evaluates potential impacts, and identifies whether mitigation measures related to implementation of the project are required with respect to public services.

4.13.1 Existing Conditions

Fire Protection

The Oceanside Fire Department (OFD) provides fire protection services to the City of Oceanside (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 2024). 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 2024):

- Fire Engines (8)
- Ambulances (6)
- Tiller Truck (1)
- Type 3 Brush Engines (3)
- Type 6 Brush Engine (2)
- Water Tender (1)
- Command Vehicle (Battalion Chief) (1)
- Incident Support Trailer (1)
- Confined Space Trailer (1)

The OFD has eight firehouses located throughout Oceanside. Of these stations, the closest to the Parcel Area is Station 8 (1935 Avenida Del Oro, Suite F), located approximately 0.8 miles north of the Parcel Area. Station 3 (3101 Oceanside Boulevard) is the second closest station to the Parcel Area, located approximately 3.1 miles west of the Parcel Area (OFD 2024). 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 2002).

OFD (2024) calls for service in 2022 (the most recent data available) were as follows:

- Total responses – 24,173
- Fire responses – 382
- Emergency medical service responses – 17,005
- Investigation/Good Intent – 3,517

- Service calls – 2,493
- Hazardous condition – 108
- False alarms – 749
- Other – 307

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 2024).

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 Parcel Area are OFD stations, but non-OFD fire stations may also be notified in the event of an emergency at the Parcel Area.

Police Protection

The Oceanside Police Department comprises 219 sworn officers and 115 professional staff members who serve a population of more than 180,000 residents and handle approximately 110,000 calls for service each year (OPD 2024). 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 (OPD 2024). The closest Police Department station is located at 3855 Mission Avenue, approximately 4.1 miles northwest of the Parcel Area.

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 2002).

Schools

The Oceanside Unified School District (OUSD) provides education services to the portion of the City where the Parcel Area is located. The OUSD district office is located at 2111 Mission Avenue. The OUSD operates and maintains 11 elementary schools, four middle schools, three K–8 schools, two high schools, one alternative school, and one adult transition program (OUSD 2023). The Parcel Area is within the service boundaries of six of OUSD's 22 schools: McAuliffe Elementary, Ivey Ranch Elementary, Pablo Tac School of the Arts, Palmquist Elementary, King Middle School, and El Camino High School (OUSD 2023). The closest elementary, middle and high schools in the OUSD are anticipated to serve future residents of the project include McAuliffe Elementary School (approximately 2.8 miles west of the Parcel Area), King Middle School (approximately 2.8 miles northeast of the Parcel Area), and El Camino High School (approximately 3.1 miles northwest of the Parcel Area).

Parks

The City maintains parks, recreational facilities, and community centers, including the beach, Buena Vista Lagoon, the San Luis Rey River, Calaveras Lake, Guajome Regional Park, golf courses, a dog park, skate parks, and trails. The City currently has approximately 642 acres of park land. The City's parks and recreation facilities consist of 17 neighborhood parks, 1 regional park, 22 community parks, including recreation centers and senior centers, a YMCA

and Boys and Girls Club, 5 skateparks, and 3 pools. Other facilities include Oceanside's 3.5 miles of beach, the harbor, and the pier (City of Oceanside 2019a).

The City's Parks and Recreation Division has a Parks and Recreation Master Plan to create a vision for the Parks 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 2019a). The Parks and Recreation Master Plan also identifies sites that have a gap in park-shed. The proposed Parcel Area is not located in an area that the Parks and Recreation Master Plan identifies as having a gap in park-shed.

The closest park to the Parcel Area is the 19-acre Joseph Sepulveda Park (community park) located south of the Parcel Area (1,800 feet from Net Developable Pad; 1.1 miles walking distance or a 25 minute walk; 1.2 miles driving distance or a 3-minute drive). The next closest park is the 10.95-acre John Landes Park (community park and recreation center) located south east of the Parcel Area (3,188 feet from Net Developable Pad; 0.9 miles walking distance or 22-minute walk; 0.9 miles driving distance or a 3-minute drive). Although not required to meet the Master Plan's goals, the 6.37-acre Palisades Park (neighborhood park) is located southwest of the Parcel Area (5,158 feet from Net Developable Pad; 2.3-mile walking distance or 51-minute walk; 2.4-mile driving distance or 6-minute drive).

Other Public Facilities

The City operates three public library locations: The Civic Center Library on 330 North Coast Highway, Mission Branch Library on 3861 Mission Avenue, and the John Landes Community Center Library on 2855 Cedar Road (City of Oceanside 2024). 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 2024).

4.13.2 Regulatory Setting

Federal

There are no federal regulations concerning public services relevant to the proposed project.

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 (e.g., classrooms, auditoriums) 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

California Education Code Section 17620 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 2002). 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 (City of Oceanside 2002). As defined in the Community Facilities Element, community parks should meet the following (City of Oceanside 2002):

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 5-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 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 5 acres of developed parkland for each 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.

Citywide Public Safety Community Facilities District

The City Council adopted a Citywide Public Safety Community Facilities District that applies to all new residential development with 16 or more dwelling or sleeping units. Projects that annex into the Public Safety Community Facilities District would annually pay additional property taxes to support enhanced City public safety services.

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 Parcel Area is currently vacant. Implementation of the project could result in an increase in demand on OFD as a result of new residential development at the Parcel Area, but the project density is less than the density authorized by the General Plan and zoning designations for the Parcel Area, The project is within an existing neighborhood and developed area of the City that already receives fire protection services from the existing OFD Station 8 (1935 Avenida Del Oro, Suite F), located only approximately 0.8 miles north of the Parcel Area. During peak hour travel time, it would take approximately 3 to 8 minutes to reach the Parcel Area. However, in the event of an emergency, OFD would travel to the site using lights and sirens and would be able to reach the site within the 5-minute standard response time. The second closest OFD station is Station 3 (3101 Oceanside Boulevard) located approximately only 3.1 miles west of the Parcel Area (OFD 2024). During peak hour travel time, it would take approximately 12 minutes to reach the Parcel Area. The project would construct either 260 multi-family units with Option A, or 282 multi-family units with Option B, serving an anticipated maximum of 790 residents based on the City's Housing Element of an average household size of 2.8 persons per dwelling unit (City of Oceanside 2021).

The increase of approximately 728 or 790 people at the Parcel Area is not expected to result in a substantial increase in service calls to the OFD. OFD's per capita call volume of 0.134 calls per person per year. In order to assume the worst-case scenario, if Option B was chosen, the proposed project is estimated to generate a total 106 calls per year (790 people x 0.134 calls per year = 106 calls). The additional 106 calls per year equates to approximately 9 calls per month, or 0.3 calls per day. The OFD responds to approximately 24,173 calls per year (OFD 2024). Therefore, the increase in annual calls generated by the proposed project only accounts for 0.4% of the total calls per year OFD responds to.

In the event of an emergency, adequate emergency access would be provided via the entrance located on Olive Drive and via a proposed secondary emergency access route from the northeast corner of the Parcel Area to College Boulevard. Circulation and emergency access drives have been designed in consultation with OFD staff to provide 28-foot minimum widths with designated truck turnarounds and key staging areas throughout the Parcel Area. 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.

Prior to project development, OFD would be required to review and approve 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 Chapters 32B and 32C) that requires new development to provide funds toward 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. The project would also be required to annex into the City's Public Safety Services Community Facilities District to pay for enhanced services (not facilities) such as fire protection.

Therefore, given that the project density is consistent with the applicable General Plan and zoning designations and the proximity of existing OFD stations, any relatively slight increase in demand on fire protection services in comparison to existing conditions the project would result in substantial adverse physical impacts associated with the provision of new or physically altered OFD facilities, need for new or physically altered OFD facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or response times for the project. Thus, impacts related to fire protection facilities are determined to be **less than significant**.

Police Protection?

As described above, the Parcel Area 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 development at the Parcel Area. However, similar to fire protection, the Parcel Area is surrounded by existing residential development that already receives police protection services and the project density is less than the density authorized by the General Plan and zoning designations for the Parcel Area. The project would construct either 260 multi-family units with Option A, or 282 multi-family units with Option B, which would have the potential to house approximately 728 or 790 people, respectively, based on the City's Housing Element of an average household size of 2.8 persons per dwelling unit (City of Oceanside 2021).

As described under Section 4.13.1 above, the Police Department includes 219 sworn officers and 115 professional staff members who serve a population of more than 180,000 residents and handle approximately 110,000 calls for service each year (OPD 2024). The Police Department station is located at 3855 Mission Avenue, located approximately 3.8 miles northwest of the Parcel Area. The Police Department strives to respond to Priority E and Priority 1 calls within 5 minutes; Priority 2 calls within 10 minutes; and Priority 3 and 4 calls within 60 minutes (City of Oceanside 2019b). The drive time for a passenger vehicle from the police station to the Parcel Area during non-peak traffic is approximately 10 to 12 minutes and approximately 12 to 22 minutes during peak traffic periods. However, Police Department personnel are in the field and officers would also use lights and sirens to reach the Parcel Area for any higher priority calls.

Based on the response time goals, and project's proximity to the Mission Avenue police station, the Police Department would be able to reach the Parcel Area with an adequate response time for all Priority 2, Priority 3 and Priority 4 calls. In the event that a Priority E or Priority 1 call was placed, originating at the Parcel Area, the closest on-duty squad car would likely respond within the same time frame that officers respond to other existing development in the project vicinity.

The project would be required to provide adequate site access and emergency access, In the event of an emergency, adequate emergency access would be provided via the entrance located on Olive Drive and via a proposed secondary emergency access route from the northeast corner of the Parcel Area to College Boulevard. Additionally, as described above, the City has an established public facility development impact fee program (Municipal Code Chapters 32B and 32C) that requires new development to provide funds toward capital improvements for public services including police services and the Public Safety Services Community Facilities District to pay for enhanced policy department service. The project would be required to pay the required amounts in accordance with the City's requirements.

Therefore, although development of the Parcel Area would place a slight increase in demand on police protection services, the project's density does not exceed the amount authorized by the General Plan and zoning. Given the Parcel Area's relative proximity to the Mission Avenue police station and the other factors discussed in this section, 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 officers. Therefore, the proposed project would not result in substantial adverse physical impacts associated with the provision of new of physically altered police facilities, need for new or physically altered police facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives of the Police Department, and impacts would be **less than significant**.

Schools?

The project would directly increase the population through development of new residential units at the Parcel Area and would therefore increase existing demand on school facilities. However, the project density is less than the maximum density identified in the General Plan and zoning. School-age (K through 12) residents at the Parcel Area would be served by the OUSD. School-age students are expected to attend the following schools, as they are located closest to the Parcel Area:

- McAuliffe Elementary School (located approximately 2 miles east of the Parcel Area). 2023-2024 enrollment 559 students; capacity is 726 students; and projected 2026 enrollment is 525 students (OUSD 2024a).
- King Middle School (located approximately 3.1 miles north of the Parcel Area). 2023-2024 enrollment 1,377 students; capacity is 1,395 students; and projected 2026 enrollment is 1,100 students (OUSD 2024b).
- El Camino High School (located approximately 2.6 miles south of the Parcel Area). 2023-2024 enrollment is 2,633 students; capacity is 2,547 students; and projected 2026 enrollment is 2,275 students (OUSD 2024c).

OUSD uses a student generation rate of 0.2640 for multifamily dwelling units (City of Oceanside 2022), as shown in Table 4.13-1. Assuming the maximum number of residential units (282 units with Option B) the project would be expected to generate approximately 34 elementary school students, 17 middle school students, and 24 high school students, for a total of 75 students.

Table 4.13-1. 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	Total
Option A: 260	0.1189	0.0595	0.0856	31	16	23	70
Option B: 282				34	17	24	75

Source: City of Oceanside 2022.

It should be considered that not all students generated by the project would necessarily be new to the City or OUSD. Further, the project would not be fully occupied until 2026 or later. Based on OUSD projections

for the closest schools (OUSD 2024a, 2024b, 2024c), McAuliffe Elementary School would have remaining capacity for 201 students where the project would generate a maximum of only 34; King Middle School would have a remaining capacity for 227 students where the project would generate a maximum of only 17; and El Camino High School would have a capacity of 358 students where the project would generate a maximum of 24.

Furthermore, the project applicant would be subject to City development impact fees, as applicable, as well as applicable OUSD development impact fees. As outlined in Section 4.13.2 above, developer fees allow 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 adequately accounted for.

Therefore, the proposed project would not result in substantial adverse physical impacts associated with the provision of new of physically altered school facilities, need for new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives of schools, and impacts would be **less than significant**.

Parks?

The Parcel Area is currently vacant, and an increase of a maximum of approximately 790 people (Option B) 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 Parcel Area, 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.

The Parks and Recreation Master Plan serves as a guide for evaluating areas where adequate park land exists and providing guidance regarding the orderly development of future park, recreation, and open space facilities and programs to meet the community's current and future needs. Based on drive time and walk time distances from the Parcel Area to the nearest community parks as detailed in Section 4.13.1, Existing Conditions, the Parcel Area would be within a 15-minute walk and a 5-minute drive of two community parks. That proximity meets and exceeds the goals of the City's Park and Recreation Master Plan. A third park, a neighborhood park, is also located in close proximity. Additionally, the Parcel Area is not located in an area that the Parks and Recreation Master Plan identifies as having a gap in park-shed (City of Oceanside 2019a).

Residents of the project would also have access to the project's 50,375 square feet (1.2 acres) of common open space. 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, courtyards and landscaped areas. Additional common space would include a 0.91 acres publicly accessible pedestrian path on the eastern side of the Parcel Area that would connect the project and the adjacent neighborhood directly to the Sprinter Station.

The project would potentially increase the utilization of existing parks and recreational facilities within the City by adding residential units. However, the project provides the combination of proposed on-site recreational amenities and private open space (the impacts of which have been analyzed herein), is located in an area with three existing public park and recreational facilities in the vicinity, and the area is consistent with the Park Master Plan goals. 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 toward facilities such as (but not limited to) parks. Therefore, the proposed project would not result in substantial adverse physical impacts associated with the provision of new of physically altered park facilities, need for new or physically altered park facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives of parks facilities, and impacts would be **less than significant**.

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?

According to the City's General Plan Community Facilities Element, library facilities should have a floor area of 0.55 square feet per resident, accessibility for all Oceanside residents within 10 minutes in driving time or 2 miles in distance (whichever is greater), a ratio of three public library staff (consisting of one librarian plus two clerical staff) per 6,000 residents of the City, and a ratio of Oceanside library inventory of three items per resident (City of Oceanside 2002).

In 2021, the Oceanside Library published a Strategic Plan Update for the 2021 to 2023 time period. The Strategic Plan Update identifies four goals, including connecting customers to a variety of programs, services, and activities; organizing efforts to advance, normalize, and operationalize racial equity; planning for needed library spaces and outreach sites using all potential opportunities and resources; and delivering library materials and programs in the format, manner, and location desires to increase circulation and participation (Oceanside Public Library 2021). As it relates to providing library space, the Strategic Plan Update identifies objectives, including developing a Library Facilities Master Plan to increase service delivery spaces; updating the Community Facilities Element of the General Plan; establishing a library presence within existing City facilities; and creating a comprehensive plan and time for replacing or refreshing furnishings, surfaces, signage, utilities and technology, and deferred maintenance.

As described above, the City operates three public library locations: The Civic Center Library on 330 North Coast Highway, Mission Branch Library on 3861 Mission Avenue, and John Landes Community Center Library on 2855 Cedar Road (City of Oceanside 2024). The nearest library is John Landes Community Center Library which is located approximately 1.1 miles southeast of the Parcel Area.

Based on the maximum number of residences anticipated to be generated at the Parcel Area (approximately 790 with Option B), the project would result in demand of 435 square feet of library space, one-third of a library staff position, and 2,370 inventory items based on the existing General Plan Community Facilities Element. As described in Section 4.12, Population and Housing, the project is consistent with the growth contemplated in the General Plan and regional planning documents. The project would also be required to pay 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. Therefore, and in light of the Strategic Plan Update and other information referenced above,

the proposed project would not result in substantial adverse physical impacts associated with the provision of new of physically altered library facilities, need for new or physically altered library facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for library facilities. 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**.

4.14 Recreation

This section describes the existing recreation conditions relevant to the Olive Park Apartments Project (project), identifies associated regulatory requirements, evaluates potential impacts, and identifies whether mitigation measures related to implementation of the project are required with respect to recreation.

4.14.1 Existing Conditions

The City of Oceanside's (City) General Plan Recreational Trails Element was last updated in June 2002 (City of Oceanside 2002a). The purpose of the Recreational Trails Element is to state the specific goals and objectives that will improve the operation and design of Oceanside'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 2021a) 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 (City of Oceanside 2019).

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, Guajome Regional Park, golf courses, a dog park, skate parks, and trails. The City currently has approximately 642 acres of park land. The City's parks and recreation facilities consist of 17 neighborhood parks, 1 regional park, 22 community parks, including recreation centers and senior centers, a YMCA and Boys and Girls Club, 5 skateparks, and 3 pools. Other facilities include Oceanside's 3.5 miles of beach, the harbor, and the pier (City of Oceanside 2019).

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 2002a). 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 the 75-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 park to the Parcel Area is the 19-acre Joseph Sepulveda Park (community park) located south of the Parcel Area (1,800 feet from Net Developable Pad; 1.1-mile walking distance or a 25-minute walk; 1.2-mile driving distance or a 3-minute drive). The next closest park is the 10.95-acre John Landes Park (community park and recreation center) located south east of the Parcel Area (3,188 feet from Net Developable Pad; 0.9-mile walking distance or 22-minute walk; 0.9-mile driving distance or a 3-minute drive). The third closest park is the 6.37-acre Palisades Park (neighborhood park) located southwest of the Parcel Area (5,158 feet from Net Developable Pad; 2.3-mile walking distance or 51-minute walk; 2.4-mile driving distance or 6-minute drive).

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 which would be located approximately 1.3 miles from the Parcel Area. In 2009 the El Corazon Specific Plan was adopted to guide and implement the vision for the 465-acre area. In 2019, the El Corazon Specific Plan was amended, and the revisions include 198 acres of parks and recreation, 170 acres of habitat, 34 acres of civic services, 34 acres of commercial, 19 acres of village commercial, and 9 acres of hotel (City of Oceanside 2019). As of 2024, none of the 198 acres of parkland have been constructed.

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 2022, the population within the City of Oceanside was 172,199, 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 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 5.8 acres per 1,000 residents (City of Oceanside 2021a).

4.14.2 Regulatory Setting

Federal

There are no federal regulations concerning recreation relevant to the proposed project.

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 composed 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 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 (City of Oceanside 2002b).

As defined in the Community Facilities Element, community parks should meet the following (City of Oceanside 2002b):

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 residential 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 human-constructed structures (City of Oceanside 2002c).

Land Use Element

The Land Use Element provides policies, definitions, and zoning designations for all land use types in Oceanside. 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 (City of Oceanside 2002d).

Circulation Element

The City's Circulation Element includes the Pedestrian Master Plan, the Bicycle Master Plan, and the Recreational Trails Element (City of Oceanside 2012).

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 (City of Oceanside 2009).

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 (City of Oceanside 2017).

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 Oceanside (City of Oceanside 2002a).

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 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 5 acres of developed parkland for each 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 (City of Oceanside 2019).

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 Environmental Impact Report (EIR), the project would construct either 260 multi-family units with Option A, or 282 multi-family units with Option B,

which would have the potential to house approximately 728 or 790 people, respectively, based on the City's Housing Element average household size of 2.8 persons per dwelling unit (City of Oceanside 2021b). An increase of approximately (790 with Option B) people at the currently vacant Parcel Area 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 Parcel Area, 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 2022).

The Parks and Recreation Master Plan serves as a guide for evaluating areas where adequate park land exists and providing guidance regarding the orderly development of future park, recreation, and open space facilities and programs to meet the community's current and future needs (City of Oceanside 2019). Based on drive time and walk time distances from the Parcel Area to the nearest community parks as detailed above in Section 4.14.1, Existing Conditions, the Parcel Area would be within a 15-minute walk and a 5-minute drive of two community parks. That proximity meets and exceeds the goals of the City's Park and Recreation Master Plan. Additionally, the Parcel Area is not located in an area that the Parks and Recreation Master Plan identifies as having a gap in park-shed.

Residents of the project-would also have access to the project's 50,375 square feet (1.2 acres) of common open space. The centrally located common open space includes a pool and spa, barbeque area, and shaded lounge areas for residents, courtyards and landscaped areas. Additional common space would include a 0.91-acre publicly accessible pedestrian path on the eastern side of the Parcel Area that would connect the project and the adjacent neighborhood directly to the Sprinter Station.

Although the project would potentially increase the utilization of existing parks and recreational facilities within the City, the project's growth is within the projections for the Parcel Area based on the allowed density and the City's Regional Housing Needs Assessment numbers (SANDAG 2020). Additionally, the project developer would be responsible for applicable developer and park impact fees. Such fees for new residential development within the City go toward facilities such as (but not limited to) parks, public facilities, and schools. Based on the combination of project's proposed open space amenities on site, existing park and recreational facilities in the area, including two community parks being within a 5-minute driveshed consistent with City standards, and no substantial physical deterioration of the facility would occur or be accelerated as a result of any project related increase use of existing neighborhood and regional parks or other recreational facilities. Therefore, it is determined that implementation of the project would have a **less-than-significant** impact resulting from any increased use of existing neighborhood and regional parks or other recreational 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 50,375 square feet (1.2 acres) of common open space is proposed, which consists of common areas for each building and landscaping throughout the Parcel Area which would help enforce pedestrian connectivity. Additionally, the common space would include a pedestrian path with amenities that would connect the Parcel Area and the neighborhood to the east to the Sprinter Station. 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 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 City; however, the combination of the proposed open space amenities on site, the Parcel Area not being within an area that has a gap in park-shed according to the Parks and Recreation Master Plan, existing park and recreational facilities within the area, and the project's growth being consistent with the Parcel Area's allowed density and the City's Regional Housing Needs Assessment projections (SANDAG 2020), existing facilities within the City, would adequately serve future residents of the Parcel Area. Impacts related to recreational facilities would not require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment not addressed elsewhere in this EIR; therefore the impacts 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**.

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4.15 Transportation

This section describes the existing traffic/circulation setting of the Parcel Area, identifies associated regulatory requirements, evaluates potential impacts, and identifies whether mitigation measures related to implementation of the Olive Park Apartments Project (project) in Oceanside, California, are required. The following analysis is based on Vehicles Miles Traveled Analysis and the Local Transportation Study that were prepared for the proposed project by LOS Engineering Inc. The Vehicle Miles Traveled Analysis (May 2024) is included as Appendix I1 to this Environmental Impact Report (EIR).

4.15.1 Existing Conditions

The project proposes development at the western terminus of Olive Drive, west of College Boulevard, south of Oceanside Boulevard in Oceanside, California. The Parcel Area is approximately 1.5 miles north of State Route 78. The North County Transit District rail line and College Boulevard Sprinter Station are 50 feet north of the Parcel Area.

Development of the project would disturb an on-site area of approximately 10.87 acres (On-Site Impact Area). The final pad on which the project would sit would be approximately 6.11 acres (Net Developable Pad). Project development would disturb approximately 0.88 acres outside the Parcel Area (Off-Site Impact Area) for a Total Impact Area of 11.75 acres.

The Parcel Area is within a Smart Growth Opportunity Area – Community Center (OC-6) 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. Bus stops within a 0.5-mile radius of the Parcel Area include the stops located at College Boulevard and Oceanside Boulevard. The College Boulevard Sprinter Station is within a 0.5-mile walking distance of the project.

The Parcel Area has a General Plan designation of Medium Density Residential (MDA-R) with a maximum density of 9.9 dwelling units per acre (City of Oceanside 2002). The Parcel Area has a zoning designation of RS-Single Family Residential with a maximum density of 5.9 dwelling units per acre (City of Oceanside 2022).

4.15.1.1 Methodology

Vehicle Miles Traveled Approach and Methodology

An assessment was conducted to determine the project impacts using vehicle miles traveled (VMT). This assessment uses methodologies presented within the California 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 (OPR 2018). 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 (City) uses the City of Oceanside Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment (City of Oceanside 2020) (TIA Guidelines) to establish thresholds and methodology for VMT analysis. Based on the City's TIA Guidelines, a VMT analysis for CEQA is not required for projects that are located in a low VMT area per SANDAG VMT Screening Maps or are screened out per Table 2 Screened Out Projects of the City's TIA Guidelines.

As shown in Section 4.15.4, the project is screened out of requiring a detailed VMT analysis (Appendix I1).

4.15.1.2 Existing Transportation System

Existing Roadway Circulation System

The following is a description of the existing street network in the traffic study area. The roadway classifications are based on field observations and the Oceanside Circulation Element (City of Oceanside 2012).

Olive Drive is classified as a Collector from the Parcel Area to College Boulevard and as a Secondary Collector from College Boulevard to the Vista City Limits. From the Parcel Area to Bradley Street, Olive Drive is built as a two-lane undivided roadway with sidewalks and parking permitted on both sides of the roadway. From Bradley Street to College Boulevard, Olive Drive is built as a two-lane undivided roadway with sidewalks and no on-street parking signs on both side of the roadway. From College Boulevard to the Vista city limits, Olive Drive is built as a four-lane undivided roadway with either a center two-way left turn lane or striped left turn pockets. Along this same segment, there are sidewalks and no on-street parking signs on both side of the roadway and the posted speed limit is 35 miles per hour.

College Boulevard is classified as a four-lane Major Arterial from Oceanside Boulevard to Thunder Drive. This segment of College Boulevard is built as a four-lane divided roadway with Class II bike lanes and sidewalks on both sides of the roadway. The posted speed limit is 45 miles per hour.

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 (Caltrans 2005):

- **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.

College Boulevard has an existing Class II bike lane that matches what is shown in the City of Oceanside Bicycle Master Plan 2017 Update. Olive Drive provides access to the existing bike lane on College Boulevard. The Sprinter Corridor near the Parcel Area has a proposed Class I bike path as shown in the City of Oceanside Bicycle Master Plan 2017 Update. However, city staff have disclosed that the proposed Class I bike path in the project vicinity is no longer feasible due to environmental constraints (City of Oceanside 2017). Figure 4, Bicycle Elements, in Appendix I2, Local Transportation Study, illustrates bicycle facilities near the project.

Existing Transit Conditions

The project area is provided transit service via the North County Transit District. There are five bus routes that operate near the project area (bus routes 315, 318, 323, 325, and 623) as does the Sprinter transit line with its stop at the College Boulevard Sprinter Station. There are five bus stops within a 0.5-mile walking distance from the project pedestrian access points (NCTD 2024).

Route 315/325 has endpoints at the Carlsbad Village Center and the College Boulevard Sprinter Station. It connects Mira Costa College, Tri-City Medical Center, Carlsbad State Beach and various shopping centers in the area.

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.

Route 323 has endpoints at the College Boulevard Sprinter Station and Quarry Creek. Route 323 serves the following major corridors: Emerald Drive, Mesa Old Grove, Rancho Del Oro and Oceanside Boulevard while connecting destinations such as Quarry Creek, DMV, Vista Community Clinic and VA Clinic.

Route 623 has endpoints at the College Boulevard Sprinter Station and Sage Creek High School. Route 623 serves the following major corridors: Emerald Drive, Mesa Old Grove, Rancho Del Oro, Oceanside Boulevard, College Boulevard Carlsbad Village Drive and El Camoni Real while connecting destinations such as Plaza Camino Real, Quarry Creek, DMV, Sage Creek High School, Vista Community Clinic, VA Clinic and other shopping centers.

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 College Boulevard. The Sprinter operates at a frequency of 30 minutes between 4:30 a.m. and 9:00 p.m.

A figure illustrating the transit routes is included in Appendix I2 (Figure 5, Transit Elements). A summary of conditions of the Sprinter Station and bus stops is provided in Appendix I2.

4.15.2 Regulatory Setting

Federal

There are no federal regulations concerning transportation relevant to the proposed project.

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 CEQA 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] VMT 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, Land Use and Planning, of this EIR.

SANDAG's San Diego Forward: The Regional Plan

SANDAG's San Diego Forward: The 2021 Regional Plan (2021 Regional Plan) was adopted by the SANDAG Board of Directors on December 10, 2021. It includes the region's Regional Transportation Plan; Sustainable Communities Strategy, as required by SB 375; and Regional Comprehensive Plan. The 2021 Regional Plan provides a long-term blueprint for the San Diego region that seeks to meet regulatory requirements, address traffic congestion, and create equal access to jobs, education, healthcare, and other community resources. The Sustainable Communities Strategy describes coordinated transportation and land use planning that exceeds the state's target for reducing per-capita greenhouse gas emissions set by the California Air Resources Board. For the first time, the 2021 Regional Plan incorporates five transformational strategies known as the 5 Big Moves: Complete Corridors, Transit Leap, Mobility Hubs, Flexible Fleets, and Next Operating System. These interdependent

[1] VMT refers to the amount and distance of automobile travel attributable to a project.

[2] Senate Bill 743 also amends congestion management law to allow cities and counties to opt out of LOS standards within certain infill areas.

strategies are designed to address the greatest transportation and mobility challenges (i.e., safety and traffic congestion, social inequities, and state and federal requirements to reduce greenhouse gas emissions and air pollution) (SANDAG 2021).

SANDAG also prepared a Regional Transportation Improvement Program (RTIP), a 5-year investment plan that identifies projects and programs the San Diego region proposes to fund. The primary purpose of the RTIP is to incrementally implement the latest Regional Plan, which guides regional transportation investments for the next 20 years. Projects funded with federal, state, or TransNet money must be included in an approved RTIP. For SANDAG projects to be incorporated in the RTIP, projects must first be included in the SANDAG Program Budget approved by the SANDAG Board of Directors. The 2023 RTIP covers five fiscal years (fiscal year 2023 through fiscal year 2027) and incrementally implements the SANDAG 2021 Regional Plan (SANDAG 2022). SANDAG was accepting public comments on RTIP Amendment No. 9 until January 19, 2024.

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 RTIP process (SANDAG 2021).

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 (City of Oceanside 2012):

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;
2. Alternative modes of transportation to reduce the dependence on the automobile;
3. Alternative transportation strategies designed to reduce traffic volumes and improve traffic flow;
4. A citywide transportation system that integrates with the regional transportation system; and
5. 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: (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).

City of Oceanside Pedestrian Master Plan

The City created a Pedestrian Master Plan, which was approved in November 2009. The Pedestrian Master Plan is intended to guide how the city plans and implements pedestrian projects. The goals of the Pedestrian Master Plan aim to improve safety, walkability, connectivity, accessibility, alternative transportation, neighborhood quality, and funding. The plan identifies and prioritizes pedestrian projects based on technical analysis and community input (City of Oceanside 2009).

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.

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 multi-modal consistency analysis is based on consistency with the General Plan 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. Section 4.10, which incorporates Table 4.10.1, provides an analysis of the project's consistency with the General Plan, including the applicable Circulation Element goals and policies. That analysis demonstrates that the project does not conflict with the applicable Circulation Element goals and policies. The following analysis also addresses the project's consistency with the City's Pedestrian Master Plan and Bicycle Master Plan.

Roadway Facilities

The Parcel Area is on a vacant infill site, with existing bicycle, pedestrian, and transit facilities in the immediate project area. As described, the project would construct up to 282 multi-family residential units

on the 6.11-acre Net Developable Pad. The entrance to the Parcel Area is from Olive Drive, west of College Boulevard, just south of Oceanside Boulevard. The proposed residential buildings would be accessed by a private loop road within the Parcel Area. On-site circulation and emergency only ingress/egress road would be designed in consultation with Oceanside Fire Department staff to provide 28-foot minimum widths with designated truck turnarounds and key staging areas throughout the Parcel Area.

Pedestrian and Bike Facilities

Th goals of the Pedestrian Master Plan aim to improve safety by providing sidewalks and pedestrian facility improvements such as signs, signals, street crossings and proper lighting, enhance walkability by constructing new construction with pedestrian pathways and sidewalks, work toward improving connectivity by closing existing gaps, ensuring accessibility by ensuring pedestrian facilities serve all people, including children, people with disabilities, and older adults; promoting walking as a primary means of transportation that supports transit and non-motorized transportation options and neighborhood quality; and ensuring cost-effective investment of private and public money for infrastructure needed to support a walkable community. Pedestrian access would be provided by pathways throughout the Parcel Area connecting 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 construct a missing link sidewalk section of approximately 100 feet, adjacent to the Parcel Area along western edge of the Olive Drive cul-de-sac. The project would construct an all-weather pedestrian access path to the College Boulevard Sprinter Station. Figure 3, Pedestrian Elements, in Appendix I2 illustrates proposed improvements. Therefore, the project would not conflict with or impede implementation of the City's Pedestrian Master Plan.

College Boulevard has an existing Class II bike lane. Olive Drive provides access to the existing bike lane on College Boulevard. The Sprinter Corridor near the Parcel Area has a proposed Class I bike path as shown in the City of Oceanside Bicycle Master Plan 2017 Update. However, city staff have disclosed that the proposed Class I bike path along the Sprinter Corridor in the project vicinity is no longer feasible due to environmental constraints. Figure 4, Bicycle Elements, in Appendix I2 illustrates bicycle facilities near the project. No deficiencies were observed on the existing bike lane on College Boulevard in the project vicinity; therefore, no improvements are recommended. There are no other planned bike facilities in the vicinity of the project. The project would not conflict with or impede implementation of the City's Bike Master Plan.

Transit Facilities

The project is within a 0.5-mile walking distance of transit stops for bus routes 315, 318, 323, 325, and 623. The Parcel Area would be within a 0.5-mile walking distance of the College Boulevard Sprinter Station with the project's proposed construction of an all-weather walking path to the station, which has Sprinter light rail service along with connections to bus routes 315, 318, 323, 325, and 623. The College Boulevard Sprinter Station includes bike lockers, shelters, and trash receptacles. The existing transit amenities near the project are in good condition.

Construction Traffic

Construction traffic would include, haul trips, deliveries, and workers based on the different construction phases. Hours of construction would adhere to the City's permitted hours for construction operation. Construction-related traffic would access the Parcel Area via the Olive Drive and College Boulevard.

Construction parking would occur on site. Project construction is estimated to last 24 months, with 13 construction phases, including grading building construction, paving, and architectural coating. The peak phase includes grading and would have approximately 9 daily workers (i.e., 18 daily worker trips), 3 delivery/vendor trucks (i.e., 6 truck trips) and up to 94 daily haul trucks (i.e., 188 truck trips) resulting in 212 daily trips or ~~594~~ 424 passenger-car equivalent daily trips for approximately 25 days, or 1 month. The building phase is estimated to have up to 70 daily workers (or 140 daily worker trips) and up to 24 daily vendors/delivery trucks (i.e., 24 daily trips) resulting in 164 daily trips or 188 passenger-car equivalent daily trips for a period of approximately 305 days over 10 months.

As such, the highest number of construction workers, deliveries and haul trips occur are less than what was analyzed for the project operations (see Table 4.15-5); therefore, the construction trips are within the scope of the project operations analysis and no further construction traffic analysis is necessary.

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 Parcel Area; however, traffic generated during the construction phase would be removed from the street network once the project is completed. Except when constructing the secondary emergency only ingress/egress road on the North County Transit District property, all construction-related traffic would access the Parcel Area via the proposed entrance along Olive Drive. Most of the construction activities would occur on the Parcel Area. 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.

Impact Determination

Therefore, based on the findings above, 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, an assessment was conducted to determine whether the project would have significant impacts relative to VMT as required by CEQA Guidelines Section 15064.3. A VMT analysis is required to satisfy the CEQA guidelines that use VMT as the measure of effectiveness for determining transportation impacts. The OPR Technical Advisory developed guidance on implementing SB 743 that shifts the transportation impact measure of effectiveness from LOS to VMT. The OPR Technical Advisory on Evaluating Transportation Impacts in CEQA states on page 8, "lead agencies have the discretion to set or apply their own thresholds of significance" (OPR 2018).

The City of Oceanside Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment (City of Oceanside 2020) identifies several project types that are presumed to be VMT-reducing projects, including projects that are "either locally serving or are based on substantial evidence provided by the OPR Technical Advisory Committee supporting SB 743 implementation."

The list of screened-out projects is shown in Table 1 of Appendix I2. Although a project is required to meet only one of the screening criteria, the proposed project satisfies two of the criteria resulting in a VMT reducing project:

1. The project is consistent with the General Plan, located in a Transit Priority Area,[3] and would include a pedestrian connection to a rail transit station stop (the adjacent College Boulevard Sprinter Station) that would provide a walking distance of less than ½ mile; additionally, The project's proposed construction of an all-weather walking path to the station, which has Sprinter light rail service along with connections to bus routes 315, 318, 323, 325, and 623. The College Boulevard Sprinter Station includes bike lockers, shelters, and trash receptacles. The existing transit amenities are in good condition. The Transit Priority Area map is included in Appendix I2.
2. The project is a 100% affordable housing[4] project therefore, the project is a VMT reducing project and further VMT Analysis is not required.

Because the project is a VMT reducing project and screens out, a detailed VMT analysis is not needed per City's TIA Guidelines. For these reasons, the project would not conflict with or be inconsistent with CEQA Guidelines Section 15064.3(b), and impacts are would 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)?

Potential for increased hazards could also result from geometric design features of the project and/or because of the addition of project traffic at project access driveways. As described above and in Chapter 3, Project Description, of this EIR, the project access would be via terminus of Olive Drive, west of College Boulevard. The project would not construct new roadways or intersections. The project includes a total of up to 282 apartments across two buildings, an open space area that would be maintained and managed by the project that would include an all-weather accessible pedestrian/bicycle path, and an off-site all-weather accessible pedestrian/bicycle path that connects the property and the adjacent neighborhood to the adjacent College Boulevard Sprinter Station. This connection would also be available for use by neighboring residents. Pedestrian access would be provided by pathways throughout the Parcel Area connecting the proposed buildings. The project would link to the existing sidewalk system and bike network within the area to provide multi-modal connections to surrounding area. The project would construct a missing link sidewalk section of approximately 100 feet, adjacent to the Parcel Area along western edge of the Olive Drive cul-de-sac.

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 residential development. On-site circulation would be designed in consultation with Oceanside Fire Department staff to provide 28-foot minimum widths with designated truck turnarounds and key staging areas throughout

[3] Table 2, Screened Out Projects, City of Oceanside TIA Guidelines, August 2020: 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.

[4] Table 2 Screened Out Projects: City of Oceanside TIA Guidelines, August 2020: If a project is a mix of affordable housing and market rate housing or unscreened use, only the affordable housing component would qualify as screened out. Additionally, any removal of affordable housing automatically requires CEQA VMT analysis.

the Parcel Area. The project use is consistent with the General Plan and zoning and is not incompatible with the surrounding uses. For these reasons, the project would not substantially increase hazards due to a geometric design feature or incompatible uses, and impacts would be **less than significant**.

Would the project result in inadequate emergency access?

Regional access to the project would be via State Route 76 and College Boulevard. The project would provide one access point from Olive Drive, which would also serve as access during emergency, In addition, the project would construct a secondary emergency only ingress/egress road from the northeast corner of the Parcel Area to College Boulevard. The roadway segments near the Parcel Area are built to the functional classification per General Plan, therefore, no roadway widening is proposed by the City or required per project's contribution to traffic effect.

On-site circulation and emergency access would conform to applicable City regulations that require 28-foot minimum widths with designated truck turnarounds and key staging areas throughout the Parcel Area. 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. For any construction in the public right-of-way, the project would implement a traffic control plan to ensure continued access through the area. This traffic control plan is required by City standards and imposed as a condition of approval for projects that involve improvements within a right-of-way or access easement and would be subject to approval by the City Traffic Engineer.

Further, as discussed in Section 4.18, Wildfire, the Parcel Area is not within or near a State Responsibility Area or Local Responsibility Area Very High Fire Hazard Severity Zone, and the project would not conflict with regional or City emergency response plans. Final 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**.

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 Olive Park Apartments Project (project). This analysis is based on the 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 Parcel Area is currently an undisturbed, vacant property with no existing structures. The cultural study area includes the Parcel Area, which consists of 43.50 acres of a vacant parcel (Assessor's Parcel Number 162-111-04), and the Total Impact Area, which consists of the development of 11.75 acres within the Parcel Area and off-site areas. The area outside of the Total Impact Area would be designated as open space and would be placed in a conservation easement. The proposed project Total Impact Area has never been developed but the topography is relatively flat in the western and northern portions of the Parcel Area, and hilly in the center, southern, and eastern portions of the Parcel Area. Seven vegetation communities and land cover types were identified within the Parcel Area: Diegan coastal sage scrub, southern mixed chapparal, urban/developed land, freshwater marsh, southern willow scrub, eucalyptus woodland, and non-native grassland (Appendix C, Biological Technical Report). Additionally, the Loma Alta Creek crosses the northwest portion of Parcel Area that is not proposed for development by the project.

South Coastal Information Center Records Search Results

As described in Section 4.4, Cultural Resources, of this Environmental Impact Report (EIR), a records search of the project's cultural study area and the surrounding 1-mile radius around the project was conducted by Dudek staff at the South Coastal Information Center 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 Parcel Area. In addition to a review of previously prepared site records and reports, the records search also involved review of historical maps of the Parcel Area 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 records search results indicate 53 previous cultural resource studies have been performed within the 1-mile radius surrounding the Parcel Area. Of the 53 previous studies, nine intersect the Parcel Area. The entirety of the Parcel Area (100%) has been previously studied, which has resulted in two previously recorded cultural resources, CA-SDI-10445 (habitation site) and CA-SDI-10446 (temporary campsite), within the Parcel Area (Appendix D).

Native American Heritage Commission and Tribal Correspondence

Dudek requested a search of the NAHC's Sacred Lands File for the Parcel Area and a 1-mile buffer on February 12, 2024 (Appendix D). The Sacred Lands File consists of a database of known Native American resources. These resources may not be included in the South Coastal Information Center database. The NAHC responded on February 13, 2024 with positive results, but did not provide details on what the resource(s) are or

where they are located (Appendix D). The NAHC response letter advised Dudek to contact Native American representatives who may have information about cultural resources within the Parcel Area. Dudek mailed outreach letters on February 14, 2024, to all Native American group representatives included on the NAHC contact list. These letters attempted to solicit additional information relating to resources that may be impacted by the project. The Rincon Band of Luiseño Indians responded on March 6, 2024, stating they would like to consult with the lead agency to review any potential impacts of the project. No other responses from the tribes have been received to date. Any additional responses received will be included in the final draft of 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~~mailed out requests for consultation ~~with~~ to all Native American group representatives included on the NAHC list on April 2, 2024 (Appendix D). The City received responses from the San Pasqual Band of Mission Indians~~, and~~ the San Luis Rey Band of Mission Indians and the Rincon Band of Luiseño Indians. The San Pasqual Band of Mission Indians requested a cultural resources assessment, which the City provided, and has not responded since initial consultation. The San Luis Rey Band of Mission Indians and the Rincon Band of Luiseño Indians requested monitoring and other recommendations. The agreed upon mitigation measures are included in the Final EIR.

Intensive Pedestrian Survey

Dudek conducted an intensive cultural pedestrian survey of the entire Parcel Area on February 23, 2024. During the survey, the two previously recorded resources, CA-SDI-10445 and CA-SDI-10446, were revisited and cultural material were identified within the previously recorded boundaries for both resources. CA-SDI-10446 is located within the Total Impact Area and would be directly impacted by project implementation whereas CA-SDI-10445 would be avoided by the project and left in open space (Appendix D).

Due to the known presence of cultural resources, CA-SDI-10445 and CA-SDI-10446, within the Parcel Area, the presence of Loma Alta Creek located within the northwestern section of the Parcel Area, presence of alluvial soils which are suited to contain subsurface archaeological deposits, and the number of known cultural resources within close proximity of the Parcel Area, there is a high potential for encountering subsurface cultural resources during project implementation. Dudek recommends that an archaeological monitor and a Luiseño Native American monitor are present full-time during initial ground disturbance of the Parcel Area. Should cultural resources or subsurface cultural deposits be identified, monitoring may need to be increased, as recommended by the archaeologist, the monitoring Tribe, and the City. If disturbed sediments (e.g., fill) or other sediments and formations are identified during monitoring that do not have the potential to contain cultural resources, then monitoring may be reduced or terminated (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) and the California Public Resources Code (PRC), 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" (PRC 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" (PRC 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 (PRC Section 5024.1[c]):

- 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 (see 14 CCR 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. **PRC Section 21083.2(g):** Defines "unique archaeological resource."
2. **PRC 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. **PRC 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. **PRC 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" (PRC 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 PRC Section 5024.1[q]), it is a "historical resource" and is presumed to be historically or culturally significant for purposes of CEQA (PRC 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 (PRC 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]; PRC 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 (PRC Section 5097 et seq.)

PRC 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.

PRC 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). PRC 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 USC 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 (City of Oceanside 2002a):

- Encourage the conservation and protection of significant cultural resources for future scientific, historic, and educational purposes.

To achieve this objective, the City will do the following (City of Oceanside 2002a):

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 to preserve cultural resources. The Land Use Element states the following policy relevant to historic sites (City of Oceanside 2002b):

> 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 (City of Oceanside 2002b):

> 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:

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 TCRs 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.~~ In compliance with Assembly Bill 52, the City received responses for consultation from the San Pasqual Band of Mission Indians, the San Luis Rey Band of Mission Indians and the Rincon Band of Luiseño Indians. The San Pasqual Band of Mission Indians requested a cultural resources assessment, which the City provided, and has not responded since initial consultation. The San Luis Rey Band of Mission

Indians and the Rincon Band of Luiseño Indians requested monitoring and other recommendations. The agreed upon mitigation measures are included in the Final EIR.

As described above, outreach letters were mailed on February 14, 2024, 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's cultural study area. 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.

Dudek's cultural resources inventory of the project indicates that there is high sensitivity for identifying intact subsurface cultural deposits during project implementation. The South Coastal Information Center records search did identify 17 previously recorded cultural resources within 1-mile of the Parcel Area (Table 4.4-2 in Section 4.4, Cultural Resources). Of the 17 cultural resources, two are located within the Parcel Area, CA-SDI-10445 (habitation site) and CA-SDI-10446 (temporary campsite). The remaining resources within 1-mile of the Parcel Area consists of six historic era buildings; eight prehistoric resources consisting of two artifact scatters, two lithic scatters, two lithic and shell scatters, and two shell scatters; and one prehistoric isolate consisting of two pieces of debitage. One historic address is located within 1-mile of the Parcel Area and is not within the Parcel Area. Both CA-SDI-10445 and CA-SDI-10446 were evaluated for significance under CEQA and determined to not be a significant archaeological resource under CEQA ~~determined as ineligible~~ nor eligible for listing on the CRHR under Criterion 4.

Despite no significant archaeological resources being identified within the Parcel Area, the Parcel Area is of importance to the Luiseño People, and significant resources are noted within the area surrounding the Parcel Area. 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, although no evidence of human remains was discovered within the Parcel Area during the field surveys, and the Parcel Area 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 California Health and Safety Code Section 7050.5, 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 PRC 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.

Furthermore, to ensure project development would not result in potential impacts to cultural resources or TCRs, the project would implement the City's standard cultural and tribal mitigation measures (MMs)—MM-TCR/CUL-1 through MM-TCR/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 and tribal mitigation measures would ensure that potential impacts to TCRs would remain **less than significant**.

4.16.5 Mitigation Measures

Although impacts to TCRs are not anticipated, to ensure project development would not result in potential impacts to cultural resources or TCRs, the project would implement the City's standard cultural and tribal mitigation measures MM-TCR/CUL-1 through MM-TCR/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 and tribal mitigation measures MM-TCR/CUL-1 through MM-TCR/CUL-9, would ensure that potential impacts to TCRs, including human remains, would remain **less than significant**.

4.17 Utilities and Service Systems

This section describes the existing utilities and service system conditions relevant to the Olive Park Apartments Project (project), identifies associated regulatory requirements, evaluates potential impacts to utilities and service systems, and identifies whether mitigation measures related to implementation of the project are required. This section analyzes the potential impacts on public utilities, including wastewater, water, storm drains, and solid waste disposal.

The following analysis is based on the Preliminary Drainage Study (Appendix G1) and Storm Water Quality Management Plan (Appendix G2) prepared by Hunsaker & Associates – San Diego Inc. in March 2024, and the Water Service Analysis (Appendix J) and Sewer Service Analysis (Appendix K) prepared by Dexter Wilson Engineering Inc. in March 2024.

4.17.1 Existing Conditions

Domestic Water Supply

The City of Oceanside's (City) 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 Water Filtration Plant (Weese Plant) which has a capacity of 25 million gallons per day (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 2024).

For potable water service, the Parcel Area is in an area served by the Guajome 511 Pressure Zone. Existing water facilities in the vicinity of the project include an 8-inch-diameter water line in Olive Drive (see Figure 4.17-1, Existing Water Facilities). The water supply originates from two reservoirs, the 5-million-gallon Guajome 1 Reservoir and the 5-million-gallon Guajome 2 Reservoir, which service the Guajome 511 Pressure Zone. From these two reservoirs, there are two main transmission mains extending south and west. At Peacock Boulevard, a 18-inch-diameter water main and at Old Grove Road and Avenida Del Oro, a 27-inch-diameter transmission main, which both connect to a 12-inch-diameter line in Oceanside Boulevard (Appendix J).

Potable water system sizing is governed by the City of Oceanside Design and Construction Manual. Water demand for the project is based on a dwelling unit density of 20 to 30 units per acre and its corresponding water use rate of 4,100 gallons per day (gpd) per acre. Minimum service is pressure is 50 pounds per square inch (psi); during peak hour demands, the water system must maintain a minimum residual pressure of 35 psi. Residual pressure under maximum day demands plus fire flow must be greater than 20 psi (Appendix J).

Pipeline velocity must not exceed 7.5 feet per second under maximum domestic demands (no fire flow). For fire flow conditions, velocities must not exceed 15 feet per second for less than 12-inch-diameter existing mains and 10 feet per second for 12-inch existing mains and greater. For new mains, velocities must not exceed 10 feet per second with fire flow demand flowing through one hydrant (Appendix J).

In addition to potable water requirements, the project 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 at 20 psi residual. From a Fire Code perspective, the maximum fire flow requirement would be

8,000 gallons per minute; with an approved fire sprinkler system, the fire flow requirement would be reduced up to 75% to be 2,000 gallons per minute. The project anticipates a reduction in the fire flow requirement such that it would be less than the 3,000-gallons-per-minute planning value in the City's Design and Construction Manual (City of Oceanside 2017).

Under existing conditions, the Parcel Area is undeveloped and does not use any potable water. Water service would be provided via water connections to the existing public water system. Water service for the project would be provided by the City via a primary connection to the existing 8-inch-diameter public water line within Olive Drive and a secondary connection to the existing 10-inch-diameter water main in College Boulevard by way of the emergency only ingress/egress road, which is proposed to parallel the south side of the North County Transit District's right-of-way (Appendix J).

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. The City is responsible for operating and maintaining over 450 miles of pipelines and 34 lift stations. The City 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 has two plants: Plant 1 has a rated capacity of 10.7 mgd and Plant 2 has a rated capacity of 4.7 mgd, for a total capacity of 15.4 mgd. 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).

Wastewater

Sewer service would be provided to the Parcel Area by the City Water Utilities Department via existing public sewer lines, including the existing 8-inch-diameter gravity sewer in Olive Drive, which flows east to Bradley Street then north. At the end of Bradley Street the 8-inch-diameter sewer goes east in easements and connects to an existing 8-inch-diameter sewer in College Boulevard, which extends north across the North County Transit District railroad and connects to a 12-inch-diameter trunk sewer line in Oceanside Boulevard. The Parcel Area does not currently have any sewer facilities on site so the project proposes to connect to the existing public sewer line in Olive Drive (Appendix K).

Storm Drain Facilities

In San Diego County, stormwater 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 (SWRCB 2024).

In existing conditions, the Parcel Area is currently vacant. On-site runoff flows from the southeastern portion of the Parcel Area, draining northeasterly toward a brow ditch along the eastern boundary. This runoff moves northward, commingling with off-site runoff from the existing development and Olive Drive, located east of the Parcel Area. The combined flow continues northerly toward the railway lines along the northern boundary of the site, which is part of the Loma Alta Creek Floodway (Appendix G1).

The remainder of the on-site drainage area flows north toward the railway lines, merging with the aforementioned flows. This combined runoff then moves westward through the undisturbed project boundary via an earthen swale, eventually reaching Loma Alta Creek's existing natural channel. This channel crosses under the railway line within the site and continues west, discharging into the Pacific Ocean at the mouth of Loma Alta Creek (Appendix G1).

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 (USA Waste of California 2023). 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 2024). The City adopted and enacted the 2020 Zero Waste Plan, which established methods to reach the goal of diverting 75% to 90% 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 2021b).

Electricity

According to the U.S. Energy Information Administration, California used approximately 247,249,865 megawatt-hours of electricity in 2021. 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. Due to the state's energy efficiency building standards and efficiency and conservation programs, California's electricity use per capita in the residential and commercial sector is lower than any other state except Hawaii (see Section 4.5, Energy, of this EIR).

San Diego Gas & Electric (SDG&E) provides electricity to the project. SDG&E supplies power to 3.6 million people, through 1.4 million electric meters, and across a 4,100 square-mile service area that includes San Diego County and southern Orange County. According to the California Energy Commission, demand forecasts anticipate that approximately 22.7 billion kilowatt hours of electricity will be used in SDG&E's service area in 2024 (see Section 4.5).

Within San Diego County, annual electricity use in 2022 was approximately 20.2 billion kilowatt hours per year. SDG&E receives electric power from a variety of sources. According to the 2022 SDG&E Power Content Label, eligible renewable energy accounts for 44.5% of SDG&E's overall energy resources, with biomass and biowaste at 2.9%, solar at 28.0%, wind power at 13.9%, unspecified power at 0.8%, and natural gas at 54.4% (see Section 4.5).

Natural Gas

Natural gas is a combustible mixture of hydrocarbon compounds (primarily methane) used as a fuel source. The majority of the natural gas consumed in California is obtained from sources located outside the state and delivered through high-pressure transmission pipelines. Natural gas provides almost one-third of the state's total energy requirements and is used in electricity generation, space heating, cooking, water heating, industrial processes, and as a transportation fuel. Natural gas is measured in terms of cubic feet or therms.

According to the U.S. Energy Information Administration, California used approximately 2,092,612 million cubic feet of natural gas in 2021. Most California's natural gas customers are residential and small commercial customers (core customers). These customers account for approximately 35% of the natural gas delivered by California

utilities. Large consumers, such as electric generators and industrial customers (noncore customers), account for approximately 65% of the natural gas delivered by California utilities. The California Public Utilities Commission 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. Biogas (e.g., from wastewater treatment facilities or dairy farms) is just beginning to be delivered into the gas utility pipeline systems; however, the State has adopted regulations requiring its development to reduce statewide emissions of methane by 40% below 2013 levels by 2030 (see Section 4.5).

SDG&E provides San Diego County and southern Orange County with natural gas service, encompassing approximately 4,100 square miles. Within San Diego County, gas consumption in 2022 was approximately 522 million therms, with 281 million therms for residential use and 241 million therms for non-residential use (see Section 4.5).

4.17.2 Regulatory Setting

Federal

Federal Clean Water Act

The Federal Water Pollution Control Act (also known as the Clean Water Act) 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." Clean Water Act Section 402 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 human-caused 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 Clean Water Act 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 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 the CIWM Board include a summary of the progress made in the diversion of construction and demolition waste materials. In addition, SB 1374 requires the CIWM Board 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 CIWM Board'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 the Sustainable Groundwater Management Act (SGMA). The SGMA 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 the 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 the SGMA, the California Department of Water Resources provides ongoing support to local agencies through guidance, financial assistance, and technical assistance. The 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 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 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 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 Resources 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 2002a). 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, as follows (City of Oceanside 2002b):

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 (City of Oceanside 2002c).

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." The City of Oceanside 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 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 2021c). 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 Council on August 25, 2010, to divert 75% to 90% of waste by 2020 (also aligned with AB 341), the City developed the Zero Waste Strategic Resource Management Plan (2020 Zero Waste Plan). The 2020 Zero Waste Plan identifies and recommends strategies for the City to achieve this goal. At the time of the drafting of the 2020 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 2020). 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 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." 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.

City of Oceanside Clean Energy Alliance

The City joined the Clean Energy Alliance, which provides a new option in power providers for the City. The Clean Energy Alliance allows the City to purchase electricity from alternative energy suppliers while still delivering power through SDG&E transmission and distribution lines. The Clean Energy Alliance allows for cities to locally control and support by ratepayers, with no taxpayer subsidies. Additionally, by law, as a joint powers authority, the Clean Energy Alliance is a separate legal entity from its member agencies (Clean Energy Alliance 2024).

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, Existing Conditions, there is an existing 8-inch-diameter water main in Olive Drive. The proposed project would connect to the existing 8-inch-diameter water main and a new public water main would loop around the entire site provide domestic water supply to the multi-family buildings, and serve on-site fire hydrants and landscaping sprinklers. A secondary connection to the existing 10-inch-diameter water main in College Boulevard by way of the emergency only ingress/egress road, which is proposed to parallel the south side of the North County Transit District's right-of-way.

Water service would be provided by the City of Oceanside Guajome 511 Pressure Zone. Finish surface elevations for the project range from 252 feet to 264 feet. This results in a maximum static water pressure range of 107 psi to 112 psi within the project boundary, which is adequate pressure under City standards for project operation and fire flow. When static pressures exceed 80 psi, California Plumbing Code requires pressure regulating valves at each building supply. All building supplies within the Total Impact Area would have individual pressure regulating valves as needed.

As outlined in the Water Service Analysis (Appendix J to this EIR) and disclosed in the discussion of water supply/demand below, the proposed project's water demand would not exceed the water supply. Therefore, the project would not require the relocation or construction of additional off-site improvements to the existing water supply system. With respect to delivery of water, the project would connect to available existing water utilities within Olive Drive 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. Installation of the proposed on-site water main loop and connection to existing facility in Olive Drive have been included as part of the proposed project and analyzed herein. No relocation or construction of new or expanded water facilities which could cause significant environmental effects would be required to provide adequate water service to the project. Therefore, impacts would be **less than significant**.

Wastewater and Wastewater Treatment

Sewer service would be provided to the Parcel Area by the City Water Utilities Department via existing public sewer lines, including the existing 8-inch-diameter gravity sewer in Olive Drive. The project would extend the gravity sewer in Olive Drive to connect to the existing 8-inch sewer in College Boulevard. A new sewer line would be constructed by the project in Olive Drive from Bradley Street to College Boulevard and in College Boulevard north parallel to the existing 8-inch-diameter sewer until the new sewer can connect to the existing at the proper elevation. The existing 8-inch-diameter sewer in College Boulevard extends north across the North County Transit District railroad and connects to a 12-inch-diameter trunk sewer line in Oceanside Boulevard. The Parcel Area does not currently have any sewer facilities on site so the project proposes to connect to the existing public sewer line in Olive Drive and construct a new sewer line in Olive Drive and College Boulevard as described earlier in this paragraph (Appendix K). Appendix K shows that

there is sufficient capacity in the 8-inch sewer in College Boulevard flowing north to the 12-inch Loma Alta Creek sewer.

Results of the sewer flow analysis provided in the Sewer Service Analysis (Appendix K) indicate that velocities within the existing sewer system would be improved with the addition of the wastewater from the proposed project and no off-site sewer improvements are required. Through the City's program of updating it wastewater master plan on a regular basis, and assisted by its requirement to complete its Urban Water System Management Plan every 5 years as well as its Sewer System Management Plan every 6 years, the City's Utilities Department is cognizant of its wastewater flows and plans for expansion of its wastewater treatment and disposal facilities accordingly. The wastewater master plan flow projections for undeveloped parcels in the City are based on the City's General Plan and zoning. Because the proposed project density is consistent with the General Plan and zoning designations for the entire site, wastewater capacity for the project is accounted for in the City's master planning effort.

The proposed on-site sewer system would be designed and constructed in accordance with the guidelines, standards, and approved materials of the City of Oceanside. Installation of the proposed on-site wastewater system and connection to existing facility in Olive Drive have been included as part of the proposed project and analyzed herein. No relocation or construction of new or expanded wastewater treatment facilities which could cause significant environmental effects would be required to provide adequate wastewater service to the project. Therefore, impacts related to wastewater demand and service would be **less than significant**.

Storm Water Drainage

The Net Developable Pad would consist of approximately 75% impervious area and 25% permeable area while the remainder of the Parcel Area would be retained as undeveloped, permeable area. The proposed project would install a dual storm drain system (pipes, inlets, catch basins, brow ditches, and cleanouts). One component of the dual system is designed to collect 100-year runoff (on-site and comingled off-site flows) through the Parcel Area into a proposed underground detention vault and proprietary biofiltration unit. This storm drain system would also address water quality, hydromodification, and peak flow attenuation, and direct runoff to the proposed structural pollutant control BMPs to meet water quality requirements. The second component, the bypass storm drain system, aims to capture and convey the onsite flows from the undisturbed slopes directly to the existing northern channel.

To facilitate access to the Total Impact Area from College Boulevard, the existing access road northeast of the Parcel Area would be paved and improved as a gated emergency only ingress/egress road. Additionally, a new connection to the cul-de-sac on Olive Drive, east of the Parcel Area, is proposed.

On-site runoff would be directed via a street curb and gutter system, captured by proposed inlets, and routed through the proposed storm drain system to the aforementioned underground storage facilities (constructed of corrugated metal pipe). Roof runoff would be directed to the adjacent landscape area (dispersion areas) where feasible, and at a minimum, to meet minimum retention requirements. This approach aims to maximize retention before routing flows to the on-site storm drain and structural BMPs. These facilities are designed to store the required water quality volume and to fulfill hydromodification and peak flow management requirements. Moreover, the underground storage would feature an outlet structure engineered to release the required water quality volume within the specified drawdown time to

the downstream proprietary biofiltration BMPs. These outlet structures would attenuate the peak flows and aid in meeting flow control to address hydromodification requirements.

A flow-based proprietary biofiltration BMP (modular wetlands system or equivalent) is planned for installation on the emergency only ingress/egress road at its lowest point to address the water quality requirements for this area. Meanwhile, the proposed underground storage facilities would offer additional storage and over-detention capabilities to meet hydromodification and peak flow attenuation requirements at the point of compliance.

Runoff from a small section of the emergency only ingress/egress road would be directed toward College Boulevard, mingling with existing street flows, before entering the rail line after a 75-foot journey. Here, it would travel westerly to merge with the treated and mitigated flows from the site.

A flow based proprietary biofiltration BMP (modular wetlands system or equivalent) and an underground storage facility are proposed along the emergency only ingress/egress road to meet the water quality and hydromodification requirements for this portion. For further details on the proposed water quality features of the site, refer to the SWQMP (Appendix G2).

Runoff from the western and southern undisturbed slopes will be collected by catch basins and brow ditches and routed directly to the discharge points without commingling with the onsite untreated flows, either via bypass storm drains or brow ditches This system is tasked with conveying the aforementioned flows and the offsite flows (from Olive Drive) to their designated discharge points northeast and northwest of the Total Impact Area. Here, they would combine with the onsite treated flows and proceed westerly to Loma Alta Creek.

The existing municipal storm drain system has sufficient conveyance capacity to accept the proposed runoff from the project. Compared to existing site conditions, the amount of runoff would be reduced by the proposed underground detention facilities. The Drainage Study calculates existing and proposed stormwater runoff conditions by reviewing time of concentration, peak intensity, and peak flowrate of stormwater. As calculated therein the proposed onsite storm drain improvements would increase the variation in travel time between sub-watersheds, resulting in the proposed peak flow not exceeding the existing peak flow downstream of the Net Developable Pad (existing 100-year peak flows are 48.31 cubic feet per second and proposed condition 100-peak flows are 48.12 cubic feet per second). However, in compliance with regulatory requirements, the project would install two underground detention storage facilities to meet hydromodification requirements. The proposed underground storage facilities mitigate the 100-year peak flows to be 38.93 cubic feet per second (see Tables 1 through 3 of Appendix G1). Implementation of the proposed underground detention facilities would reduce peak runoff flowrate to below existing conditions, and no increased flow during the peak of the 100-year storm (Appendix G1).

Therefore, the project would not contribute runoff that would exceed existing capacity of storm drain facilities. Installation of the proposed on-site stormwater conveyance and capture/treatment systems have been included as part of the proposed project and analyzed herein. No relocation or construction of new or expanded stormwater drainage facilities which could cause significant environmental effects would be required to provide adequate stormwater conveyance to the project. Impacts would be **less than significant**.

Electric Power, Natural Gas, and Telecommunication Facilities

The proposed project would connect to existing SDG&E infrastructure located within Olive Drive for electricity and is estimated to consume approximately 642,875 kilowatt-hours of electricity annually. The project would meet the Title 24 and CALGreen standards, meet the requirements of the City's Climate Action Plan Checklist, and install a photovoltaic system on each building to meet 50% of the forecasted electricity demand in order to reduce energy demand and increase energy efficiency. Title 24 of the California Code of Regulations outlines 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.

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 most recent energy data from the California Energy Commission shows that in 2022 the County of San Diego consumed 20,242 gigawatt hours. The project would represent a less than 0.01% increase in the total demand for electricity (see Section 4.5 of this EIR). The project would not represent a significant demand on electricity supplies that would require additional capacity. The resultant increase in energy demand would not exceed the available capacity of SDG&E servicing infrastructure to the site or beyond. No new or additional facilities would be required to serve the project's electrical needs.

The project would not use or expand any natural gas facilities. Natural gas connection is not proposed as part of the project.

The project would connect to telecommunication facilities in the surrounding area, and residences would have the option of using a variety of different providers to serve their needs. No new or expanded telecommunication facilities would be required.

Underground connections to existing electrical infrastructure and telecommunications facilities are included as part of the proposed project and the impacts of such connections have been analyzed herein. No relocation or construction of new or expanded electrical or telecommunication facilities, which could cause significant environmental effects, would be required to provide adequate service to the project. Impacts associated with electricity, natural gas, and telecommunication facilities would be **less than significant**.

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 provides 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 2024).

The estimated average water demand generated by the proposed project would be approximately 43,009 gpd (Appendix J). The estimated maximum daily demand would be approximately 86,018 gpd and maximum peak hour demand would be 129,027 gpd. Citywide water supply planning is completed via the UWMP (City of Oceanside 2021a). The project would be in compliance with the General Plan and zoning code, and therefore water demand for a residential use on the Parcel Area has been considered in City and regional water supply documents, which are based on the buildout of the City consistent with the General Plan.

Long-term citywide water supply and demand planning is completed every 5 years with the preparation of the UWMP (City of Oceanside 2021a). The 2020 UWMP synthesized information from the City's planning documents (i.e., General Plan) and complimented regional planning efforts (i.e., San Diego Association of Governments' Interim Series 14 Growth Forecast, Version 17) to determine level of reliability in its water service during normal, dry, and multiple dry years. As concluded in the UWMP, the City has sufficient water to meet its customers' demands through 2045 in all normal, single-dry, and multiple-dry year scenarios. Demands are expected to increase by an average of 7% during a single-dry year and by an average of 9% during a multiple-dry year. To make up the remaining supply needed to meet increased demands during each year of the single- and multiple-dry year scenarios, the City will purchase additional water from SDCWA. These additional purchases are anticipated to be accommodated for all years, as SDCWA projects 100% reliability in all future years due to the diversification of its supplies and availability of carryover supplies.

The City has developed the Oceanside Water Conservation Master Plan Update (City of Oceanside 2021c), that further ensures water availability to the City during drought years. 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, and reasonably foreseeable future development, during normal, dry, and multiple dry years. Therefore, impacts related to water supply would 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 owns and operates 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 service area of the SLRWRF which has a current treatment capacity of 15.4 mgd (City of Oceanside 2021a).

The estimated average sewer flow generated by the proposed project would be approximately 39,480 gpd (Appendix K). Estimated peak sewer flow would be approximately 108,570 gpd. Based on SLRWF's rated

treatment capacity of 15.4 mgd, the project's increase in average sewer flow would represent 0.26% of total treatment capacity. The project would be in compliance with the General Plan and zoning code, and therefore wastewater generation for a residential use on the Parcel Area has been considered in City and regional water supply documents, which are based on the buildout of the City consistent with the General Plan.

SLRWRF has an average annual flowrate of 13.5 mgd; thus, the facility has 1.9 mgd of remaining capacity. Based on existing facility capacity, estimated sewer generation from the project is expected to be adequately accommodated by the SLRWRF in addition to their existing commitments. As described in Appendix K, 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 would adequately serve the project. Therefore, the City has adequate wastewater treatment capacity to serve the project's projected demand in addition to the City's existing commitments. 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 Interstate 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 2024).

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 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 Parcel Area 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 maximum number of units proposed by the project would be under Option B, which proposes 282 units. The anticipated operational solid waste generation from Option B was estimated using CalEEMod Estimated Solid Waste Generation Rates (0.27 tons of solid waste per resident per year). It is estimated that the project (282 maximum units and 790 residents) would generate approximately 213 tons of solid waste per year (or 0.6 tons per day). Based on El Sobrante's maximum daily throughput of 16,054 tons per day, the project represents less than 0.000037% of the daily landfill throughput capacity.

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. Additionally, the project would participate in the City's recycling programs, which would further reduce solid waste sent to El Sobrante Landfill. On

March 17, 2021, the City Council approved the 2020 Zero Waste Plan, which expands upon existing programming outlined in the 2012 Zero Waste Plan (City of Oceanside 2021b). The goal of both the Zero Waste Plan and AB 341 is to divert 75% of waste by 2020.

The Zero Waste Plan Update includes recommendation to reassess 2010 Zero Waste Plan elements that are outdated or inapplicable and add new policy areas and programs to address priorities for waste reduction, reuse, repair, and recovery and implementation of the SB 1383 Action Plan and adopt mandatory ordinances for expanded residential and commercial composting (City of Oceanside 2020). The proposed project would be subject to the Zero Waste Plan, which is consistent with AB 341.

Therefore, the El Sobrante Landfill has sufficient capacity remaining to serve the proposed project and the project would not generate waste in excess of State or local standards, or in excess of the capacity of local infrastructure. 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 proposed project would also be required to comply with required solid waste and recycling measures as provided in the California Green Building Code. Collaboration with the applicable solid waste service providers would ensure compliance with the Zero Waste Plan and the relevant statutes that the plan addresses.

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 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**.

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4.18 Wildfire

This section describes the existing conditions, identifies associated regulatory framework, evaluates potential impacts related to wildfire, and establishes whether mitigation measures is required related to the implementation of the Olive Park Apartments Project (project). Fire protection services for the project have been addressed in Section 4.13, Public Services, of this EIR.

4.18.1 Existing Conditions

Wildfire is a continuous threat in Southern California and it merits particularly attention 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.

Fire History

The Parcel 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 California Department of Forestry and Fire Protection (CAL FIRE) maintains the Fire and Resource Assessment Program database, which was used to evaluate the Parcel Area's fire history to determine whether large fires have occurred in the Parcel Area, and thus the likelihood of future fires. Per the recorded fire history database, the Parcel Area has not been subject to wildfire (CAL FIRE 2022); however, several small fires have occurred on the Parcel Area within the last several years. Eight wildfires have been recorded within 5 miles of the Parcel Area, with fire size ranging from 39 acres (Gopher Fire in 1984) to 193 acres (Unnamed Fire in 1938) (Figure 4.18-1, Fire History). The River Fire is the most recent fire recorded within 5 miles of the Parcel Area, which occurred approximately 3 miles north of the Parcel Area and burned 168 acres 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 Parcel Area is not within a Very High Fire Hazard Severity Zone (VHFHSZ). The Parcel Area is approximately 2 miles north from the closest Local Responsibility Area VHFHSZ, and approximately 4 miles southwest of the closest State Responsibility Area VHFHSZ (Figure 4.18-2, Fire Hazard Severity Zones) (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 would increase over time if disturbance or fuel reduction effects are not diligently implemented.

The vegetation types and land covers in the Parcel Area were identified during field assessments conducted for the Parcel Area. As detailed in the Biological Technical Report prepared for this project, the six vegetation communities identified during the field assessments include the following: Diegan coastal sage scrub (including disturbed form), southern mixed chaparral (including disturbed form), non-native grassland, freshwater marsh, southern willow scrub (disturbed form), and eucalyptus woodland. The two land covers identified are disturbed habitat and urban/developed area (Figure 4, Biological Resources, in Appendix C, Biological Technical Report). The entirety of the Parcel Area, which encompasses 43.50 acres, would not be developed; instead, the northeastern portion of the Parcel Area, as shown in Figure 2, Project Area, in Appendix C, would be the area where direct impact of development would occur (10.87 acres of On-Site Impact Area). In this On-Site Impact Area, the northeastern and eastern portion is dominated by non-native grassland, the west and middle portion consists of disturbed southern mixed chaparral, and small communities of Diegan coastal sage scrub are present in the southern portion and northern portion (Appendix C).

The Biologic Technical Report (Appendix C) contains the Aquatic Resources Delineation Report as Appendix G. Figure 4, Vegetation Communities and Land Cover Types, in Appendix G to Appendix C, encapsulates the Total Impact Area (11.75 acres) and shows the amount of vegetation communities and land cover expected to be impacted. Vegetation communities outside of the Total Impact Area within the Parcel Area include disturbed southern mixed chaparral, southern mixed chaparral, eucalyptus woodland, freshwater marsh, and Diegan coastal sage scrub and would be preserved pursuant to a conservation easement.

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. According to the Geotechnical Report prepared for this project, the Parcel Area is located on slopes that descend northwest to Loma Alta Creek located along the north margin of the Parcel Area. The Parcel Area is steeper on the south and becomes flatter to the north. Elevations in the Parcel Area vary from a low of approximately 185 feet above mean sea level at Loma Alta Creek in the northwest corner of the Parcel Area to 460 feet above mean sea level at the top of the southeast slope. Figure 1, Geologic Map, in the Geotechnical Report (Appendix E1) depicts the topography of the Parcel Area with ascending natural slopes to the south with a maximum height of approximately 200 feet. The gentle-gradient creek has a general west-flowing meandering orientation and has locally incised vertical embankments up to 10 feet high at the stream margins. A fill berm related to railroad improvements has been constructed along the northeast margin of the Parcel Area.

Climate, Weather, and Wind

North San Diego County and the Parcel Area are influenced by the Pacific Ocean and are frequently under the influence of a seasonal, migratory subtropical high-pressure cell known as the "Pacific High." Wet winters and dry summers with mild seasonal changes characterize the Southern California climate. This climate pattern is occasionally interrupted by extreme periods of hot weather, winter storms, or dry, easterly Santa Ana winds.

The Parcel Area is approximately 5 miles inland from the Pacific Ocean. It has a Mediterranean climate characterized by mild, dry summers and wet winters. Precipitation typically occurs November through April and the area generally receives an average rainfall of approximately 11.4 inches per year (Weather Spark 2024). In Oceanside, the summers are warm, arid, and clear and the winters are long, cool, and partly cloudy. Average temperatures in Oceanside range from approximately 54–70°F. During summer (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, Oceanside experience seasonal variation in monthly rainfall throughout the year, with the wetter months lasting from November through April (Weather Spark 2024).

The Parcel Area, 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 Oceanside varies throughout the year. The prevailing wind pattern is from the west (onshore), but the presence of the Pacific Ocean causes a diurnal wind pattern known as the land/sea breeze system. Average wind speeds vary from 5.3 to 7.1 miles per hour, with the windier part of the year being from November to June and the calmer part of the year being from June to November (Weather Spark 2024). 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 Total Impact Area 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 Parcel Area is subject to seasonally strong winds, such as Santa Ana winds, which can result in periodic extreme fire weather conditions that occur throughout Oceanside.

The Parcel Area's climate has a large influence on the fire risk, as drying vegetation during the summer months becomes fuel available to advancing flames should an ignition be realized. Typically, the highest fire danger is produced by the high-pressure systems that occur in the Great Basin, which result in the Santa Ana winds of Southern California. Sustained wind speeds recorded during recent major fires in San Diego County exceeded 30 miles per hour and may exceed 50 miles per hour during extreme conditions. The Santa Ana wind conditions are a reversal of the prevailing southwesterly winds that usually occur on a region-wide basis during late summer and early fall. Santa Ana winds are warm winds that flow from the higher desert elevations in the north through the mountain passes and canyons. As they converge through the canyons, their velocities increase. Consequently, peak velocities are highest at the mouths of canyons and dissipate as they spread across valley floors. Santa Ana winds generally coincide with the regional drought period and the period of highest fire danger. The Parcel Area may be affected by strong winds from the north and east, such as the seasonal Santa Anas (City of Oceanside 2002).

Emergency Response

The Oceanside Fire Department (OFD) provides fire protection services to the City of Oceanside (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 2024). 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 2024):

- Fire Engines (8)
- Ambulances (6)
- Tiller Truck (1)
- Type 3 Brush Engines (3)
- Type 6 Brush Engine (2)
- Water Tender (1)
- Command Vehicle (Battalion Chief) (1)
- Incident Support Trailer (1)
- Confined Space Trailer (1)

The OFD has eight firehouses located throughout the City. Of these stations, the closest to the Parcel Area is Station 8 (1935 Avenida Del Oro, Suite F), located approximately 0.8 miles north of the Parcel Area. Station 3 (3101 Oceanside Boulevard) is the second closest station to the Parcel Area, located approximately 3.1 miles west of the Parcel Area (OFD 2024). As established by the City's General Plan Public Safety Element, 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 2002).

OFD (2024) calls for service in 2022 (the most recent data available) were as follows:

- Total responses – 24,173
- Fire responses – 382
- Emergency medical service responses – 17,005
- Investigation/Good Intent – 3,517
- Service calls – 2,493
- Hazardous condition – 108
- False alarms – 749
- Other – 307

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 2024).

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 Parcel Area are OFD stations, but non-OFD fire stations may also be notified in the event of an emergency at the Parcel Area.

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 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. 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 CFC 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 CFC 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.

[1] The International Fire Code is not a federal regulation, but rather a system of international requirements set by the International Code Council.

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, VHFHSZs within their jurisdiction based on the recommendations of CAL FIRE.

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 2022 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 (CAL FIRE 2019).

California Strategic Plan

The Strategic 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 2019). 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 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 Operations Plan

The San Diego County Emergency Operations Plan (EOP) 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 EOP 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 EOP 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 (County of San Diego 2022).

City of Oceanside Emergency Operations Plan

The City of Oceanside Emergency Operations Plan (EOP) provides an overview of emergency operational concepts, a system for emergency management organization, and a definition of the responsibilities for all agencies and individuals that have a role in emergency preparedness, response, recovery, and/or mitigation in the City. The City EOP provides City-specific information that is discussed on a larger scale in the San Diego County EOP. The City's EOP was designed to follow the Standardized Emergency Management System and National Incident Management System (City of Oceanside 2016).

City of Oceanside Code of Ordinances

Chapter 11, Fire Protection

The City of Oceanside adopts the 2022 California Fire Code, the following Appendices—Chapter 4, A (with modifications), B, BB, C, CC, D, E, F, G, H, I, K, N, and O as published by the International Code Council, and its amendments, as the Fire Code of the City of Oceanside.

Chapter 17, Nuisance Abatement

Chapter 17 defines "nuisance vegetation" in four different ways, with the first and last being most applicable to fire hazards:

1. Dry grass, stubble, hay, brush, and dry or dead plant, bush, shrub, tree, or other flammable vegetative material or substance which constitutes a danger to public safety by creating a fire hazard.
2. Overgrown vegetation, whether living, dormant, dead, cultured or uncultured, which is capable of harboring insects, rats, mice, or other vermin, or other similar conditions which are dangerous to the public health or welfare or which are hazardous to pedestrian or vehicular traffic.
3. Any tree or other vegetation which is dead, decayed, infected, diseased, infested with or in danger of becoming infested with, objectionable insects, scale, or fungus, or which is otherwise a hazard to public safety and welfare.
4. Any tree, plant, vine, or foliage, whether living, dormant, or dead, that is otherwise noxious, dangerous, or injurious to people or to city trees, or that interferes with the maintenance or inspection of a city tree, or that constitutes a danger to public safety by creating a fire and/or flood hazard, including, but not limited to, the following types of plants: arundo (Arundo donax), pampas grass (Cortaderia selloana and Cortaderia

jubita) and tamarisk or salt cedar (Tamarix chinesis, Tamarix gallica, Tamarix parviflora and Tamarisk ramsissima).

Nuisance Vegetation and Waste Clearance Standards

The Nuisance Vegetation and Waste Clearance Standards cite Oceanside City Code Chapter 11 and 17 and California Fire Code Chapters 1 and 3 for the standards listed and published on June 26, 2023 (City of Oceanside 2023). Standard #1 and #2 specifically notes the following about vegetation clearance for nuisance vegetation:

1. Nuisance vegetation (hazardous when dry) and waste on parcels of one acre of less shall be abated in its entirety. If the area is suspected to be a habitat for endangered species (plants or animals), see item #10.
2. Nuisance vegetation and waste on parcels more than one acre in size shall be abated as follows:
    a. At least 100 feet of clearance, measured in a horizontal plane, around all structures, or up to the property line, whichever is nearer.
    b. At least 50 feet of clearance around the perimeter of the parcel for all portions that do not abut a roadway.
    c. At least 10 feet of clearance on each side of established roadways

If the area of clearance is suspected to be a habitat for endangered species (plants or animals), see item #10.

10. Environmental Considerations

    a. Landowners who suspect or know of the existence of habitat land or of a State of Federally listed threatened or endangered species (plants of animals) on their property must notify the California Department of Fish and Wildlife at least ten (10) days before starting abatement to request permission. (858) 467-4201.
    b. If a State of Federally listed threatened or endangered species animal s killed, injured, or captured, the landowner shall report this information to the CA Department of Fish & Wildlife.
    c. Additional information regarding threatened or endangered species can be found at: http://www.fws.gov/endangered/.
    d. Abatement shall be accomplished by methods that will not disturb native soil or root stock.
    e. Abatement of environmentally sensitive areas shall be in accordance with the City of Oceanside Subarea Habitat Conservation Plan. http://www.ci.oceanside.ca.us/gov/dev/planning/subarea.asp.

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 (City of Oceanside 2002). 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 Parcel Area is not within or near a State Responsibility Area or Local Responsibility Area VHFHSZ. The closest VHFHSZ is a Local Responsibility Area located approximately 2 miles south of the Parcel Area and the closest State Responsibility Area VHFHSZ is approximately 4 miles away (CAL FIRE 2019). Thus, the project would not have a significant impact as the threshold only applies to projects within or near those areas. Further, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan. As discussed in Section 4.8, Hazards and Hazardous Materials, the adopted emergency plans applicable to the Parcel Area consist of the Multi-Jurisdictional Hazard Mitigation Plan for San Diego County the County of San Diego County EOP, and the City's EOP.

As detailed in Section 4.8, the project would not substantially impair the County of San Diego's Multi-Jurisdictional Hazard Mitigation Plan; the City's Multi-Jurisdictional Hazard Mitigation Plan: City of Oceanside Annex Multi-Jurisdictional Hazard Mitigation Plan; the County of San Diego's EOP; or the City's EOP, because the project would adhere to all applicable provisions in the California Building Code and implement land uses that are consistent with surrounding areas and the adopted General Plan Land Uses and zoning designations.

The project would provide one access point for emergency responders at the eastern side of the Parcel Area from Olive Drive, as well as a secondary access road northeast of the Parcel Area, which would only be accessible to emergency vehicles and personnel in the event of an emergency. 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 Parcel Area or any surrounding areas. Further, the project would provide all required emergency access in accordance with the requirements of the OFD, as detailed in Section 4.13, Public Services, and Section 4.15, Transportation.

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 Parcel Area or any surrounding areas. As required by the project conditions of law and City codes, final site plans for the project would be subject to review by the OFD, prior to project development. The project would not substantially impair an adopted emergency response plan or emergency evacuation plan and, therefore, impacts would 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 Parcel Area is not within or near a State Responsibility Area or Local Responsibility Area VHFHSZ (CAL FIRE 2022). The closest VHFHSZ is a Local Responsibility Area approximately 2 miles south of the Parcel Area and the closest State Responsibility Area VHFHSZ is approximately 4 miles away (CAL FIRE 2022). Thus, the project would not have a significant impact as the threshold only applies to project within or near those areas. However, the following information is provided for informational purposes only.

Although the Parcel Area may be subject to seasonally strong winds, such as Santa Ana winds, which can result in periodic extreme fire weather conditions that occur throughout the City, the Parcel Area itself is not within or in close proximity to a VHFHSZ. The Parcel Area is steeper on the south and becomes flatter to the north. The slopes on the southern part of the On-Site Impact Area are north-facing slopes, which receive less direct sun exposure and do not pose the exacerbated fire behavior risk in the same way that south-facing slopes do (NWCG n.d.).

Existing unmaintained vegetation occurs on the slopes south and west of the On-Site Impact Area. Development of the project would disturb an on-site area of approximately 10.87 acres (On-Site Impact Area). The final pad on which the project would sit would be approximately 6.11 acres (Net Developable Pad). Project development would also disturb approximately 0.88 acres outside the Parcel Area (Off-Site Impact Area) for a Total Impact Area of 11.75 acres. As shown in Figure 3-3, Site Plan, of Chapter 3, Project Description, the residential structures would be concentrated in the center of the 6.11-acre Net Developable Pad, and paved parking areas and internal roads would surround the residential structures on all sides, creating fire resistant buffers (ranging from 80 feet to 210 feet wide from buildings to end of maintained landscaping, or ranging from 40 to 80 feet wide from buildings to edge of paved roadways) consisting of paved surfaces and maintained landscaping between the existing natural vegetation and residential structures. While fuel modification zones may not be required by state code because the project is outside of an FHSZ, "nuisance vegetation," as defined in Chapter 17 of the City of Oceanside Code of Ordinances, are required to be abated per the City of Oceanside Nuisance Vegetation and Waste Clearance Standards. Standard #2 lists the following vegetation clearance requirements (City of Oceanside 2023):

A. At least 100 feet of clearance, measured in a horizontal plane, around all structures, or up to the property line, whichever is nearer.
B. At least 50 feet of clearance around the perimeter of the parcel for all portions that do not abut a roadway.
C. At least 10 feet of clearance on each side of established roadways.

The proposed parking and circulation surrounding the structures would act as a fuel modification zone equivalent and would prevent the potential for fire spread from off-site areas to on-site and from within the

Parcel Area to off-site fuel beds. Areas to the north and east of the Total Impact Area contain existing development and roads, and do not present a wildfire risk because of the developed state of the residential use and business use areas with paved and irrigated areas.

Further, the Parcel Area is in an urban and developed area of the City, with neighborhoods bordering the Total Impact Area on the south and east, and the North County Transit District's College Boulevard Sprinter Station/commercial/industrial use areas bordering the north of the Parcel Area. The land west of the Total Impact Area, which predominantly consists of disturbed and undisturbed communities southern mixed chaparral habitat and coastal sage scrub, would remain undeveloped and would be placed in a conservation easement as part of the project. Consistent with applicable City regulations, the project would perform and maintain brush management areas between any project structures and the conserved open space areas.

Project impacts due to slope, prevailing wind, and other factors would be **less than significant** and would not exacerbate wildfire risks and expose occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

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 residential development, which are detailed in Section 4.17, Utilities and Service Systems. The project would not require installation of new public roads, emergency water sources, power lines, or any overhead utility lines. Improvements may be made to existing roads and a new emergency only ingress/egress road could be created to help facilitate access into the Parcel Area. From College Boulevard, the existing access road northeast of the Parcel Area would be paved and improved as a gated emergency only ingress/egress road. Additionally, a new connection to the cul-de-sac on Olive Drive, east of the Parcel Area, is proposed.

As described previously, the Parcel Area is not within or adjacent to an FHSZ. Installation or maintenance of infrastructure associated with the residential development would be underground and would not exacerbate fire risk. These improvements, which would be constructed within an existing right-of-way or within the On-Site and Off-Site Impact Areas, would help to lessen the risk of fire affecting the Parcel Area. Project related infrastructure would not exacerbate fire risk or result in temporary or ongoing impacts to the environment and impacts would 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 Parcel Area is not located in an FHSZ and no recorded wildfires have burned onto the Parcel Area. The elevation of the Parcel Area varies from 185 feet above mean sea level at Loma Alta Creek in the northwest corner of the Parcel Area to 460 feet above mean sea level at the top of the southeast slope. The Parcel Area is steeper on the south and becomes flatter to the north. The Geotechnical Report prepared for the project (Appendix E1) encountered landslides or instability on the northern and western portion of the Parcel Area. Section 4.6, Geology and Soils, notes that, pursuant to the Geotechnical Report and the California Building Code's specific performance standards, the project must remove landslide debris and recompact with remedial grading during project construction to address those

landslides and instability. The Geotechnical Report also notes that the southern slope consists of a backscarp of a landslide and landslide debris is located on the Parcel Area. The Santiago Formation possesses weak claystone beds that create slope instability. A slope stability evaluation for the existing and proposed slope configurations was performed and discussed in the report. Shear pins and buttresses would be required to stabilize the southern slope in the areas of the proposed building (Appendix E1).

According to Section 4.9, Hydrology and Water Quality, the On-Site Impact Area is not located within a flood zone designated by the Federal Emergency Management Agency, as indicated in the Flood Insurance Rate Map for the area (FIRM 06073C0758G). This section also notes that the project would not substantially alter the existing drainage pattern of the area.

Additionally, the Parcel Area has previously burned according to wildfire history records (CAL FIRE 2022). As such, conditions associated with post-fire slope instability are not present on the Parcel Area.

With adherence to the Geotechnical Report recommendations, 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 would 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**.

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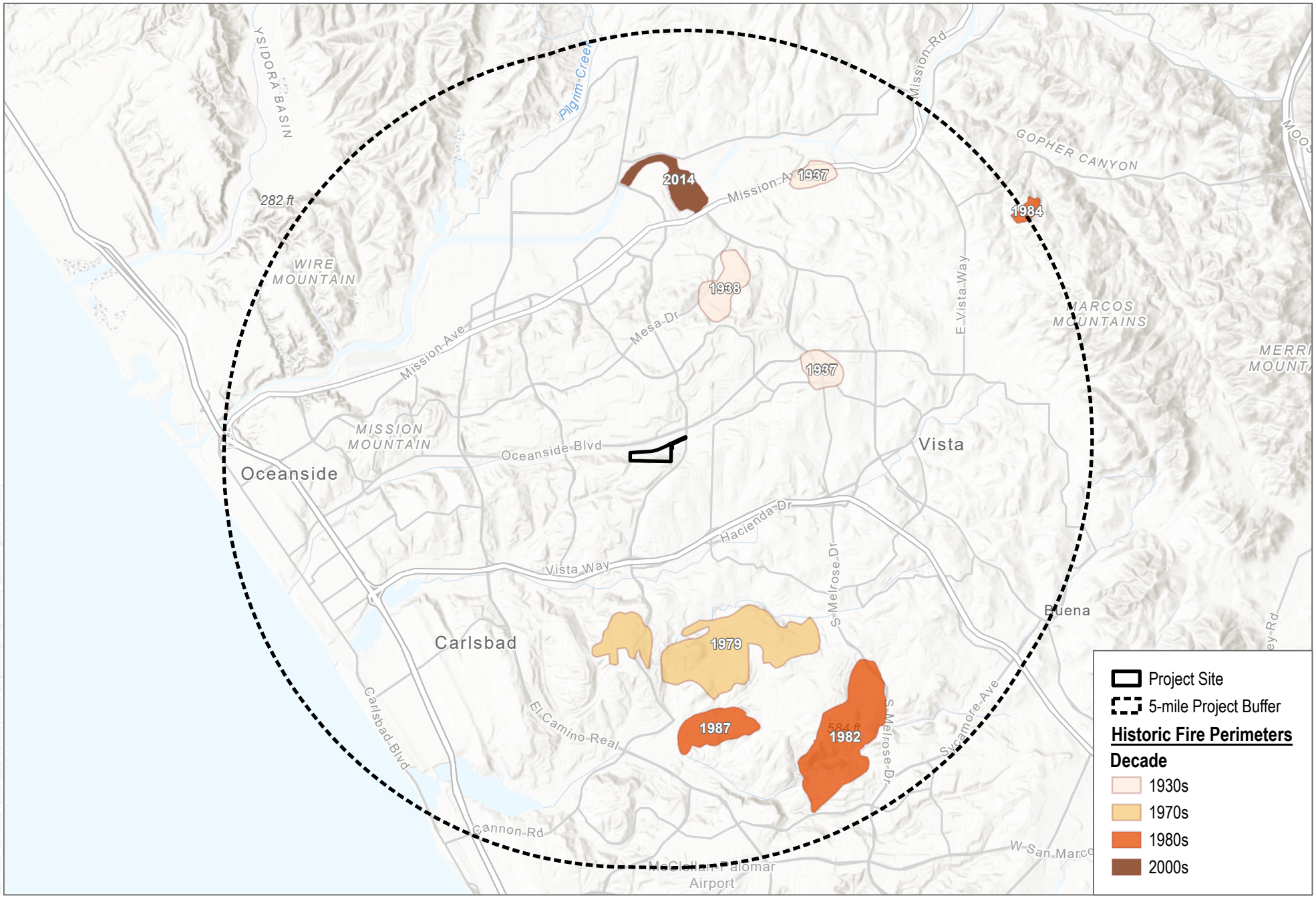

SOURCE: ESRI World Terrain Basemap, CalFIRE Perimeters 2022

DUDEK

0 4,000 8,000 Feet

FIGURE 4.18-1

Fire History

Olive Park Apartments

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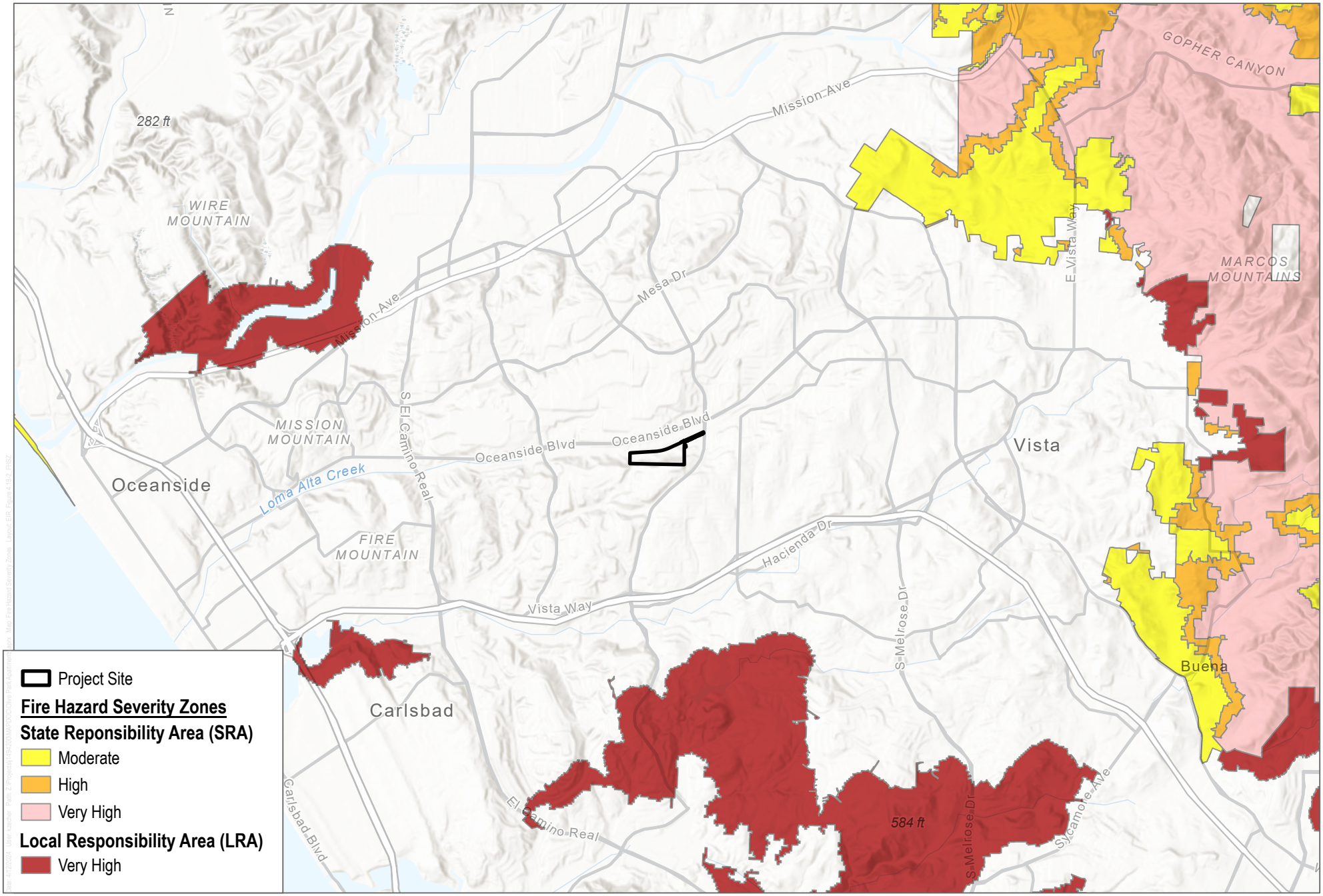

SOURCE: ESRI World Terrain Basemap, CalFIRE Perimeters 2022

DUDEK

0 3,000 6,000 Feet

FIGURE 4.18-2

Fire Hazard Severity Zones

Olive Park Apartments

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5 Effects Found Not to Be Significant

California Environmental Quality Act (CEQA) Guidelines Section 15128 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 would be less than significant related to the Olive Park Apartments Project (project) and would 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.

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 Parcel Area 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.

Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

The Parcel Area consists of 43.50 acres of primarily undeveloped, vacant land in the urbanized area of Oceanside and is zoned and designated for residential development and is not used for agricultural purposes. According to the State Farmland Mapping and Monitoring Program, the Parcel Area is designated as Other Land ~~Urban and Built-up Land and Non-Agricultural or Natural Vegetation~~ (DOC 2022). In addition, the City of Oceanside General Plan does not identify any active Williamson Act contracts related to the Parcel Area (City of Oceanside 2002a). Therefore, because the project would not conflict with existing zoning for agricultural use or a Williamson Act contract, the project would result in **no impact**.

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 Parcel Area does not contain any timber or forest resources, and does not meet the criteria for forest land or timberland. The Parcel Area is largely surrounded by residential, industrial, and commercial uses, in an area that has no timberland zoning or uses. Additionally, the U.S. Department of Agriculture's Forest Service Forest Finder does not identify any forest lands within the Parcel Area or surrounding areas (USDA 2022). Therefore, because the proposed project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland production, the project would result in **no impact**.

Would the project result in the loss of forest land or conversion of forest land to non-forest use?

Please refer to the response to Threshold (c), above. There are no designated or actual forest lands on the Parcel Area or within the vicinity, and therefore **no impact** would occur with respect to the loss of forest land or conversation of forest land to non-forest use.

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. Because no farmland or forest land resources are on or in the vicinity of the Parcel Area, 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 farmland 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.

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 Parcel Area is 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 Parcel Area is not within a designated mineral resource area (City of Oceanside 2002b). In addition, as indicated in the Geology Report prepared for the proposed project (Appendix E1), the Parcel Area is underlain by undocumented fill,

previously placed fill, topsoil, alluvium, and landslide deposits that are not considered mineral resource areas of value to the region or the state. Therefore, the project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. Thus, the proposed project would have **no impact** on mineral resources.

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 Parcel Area is not within a designated mineral resource area (City of Oceanside 2002b) 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.

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6 Cumulative Effects

6.1 Introduction

The California Environmental Quality Act (CEQA) requires an Environmental Impact Report (EIR) to include an analysis of cumulative impacts. The purpose of this chapter of the EIR is to explain the methodology for the cumulative analyses and present the potential cumulative effects of the Olive Park Apartments Project (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 CEQA Guidelines Section 15130(b)(1), 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 Draft Local Transportation Study prepared by LOS Engineering Inc. (Appendix I2), for those CEQA areas that used a list of projects methodology, the list of cumulative projects is presented in Table 6-1.

Table 6-1. Cumulative Projects

Project Name	Type of Development	Project Size	Status
Arroyo Verde Commercial Center @ RDO	Commercial	27,200 SF commercial center	Approved
El Corazon Specific Plan	Mixed use	Mixed-use project including residential, parks and recreation facilities, habitat, civic services, and commercial development, including retail, hotel, and offices located on 465 acres. Current phases of development include OBC (497,900 SF research and development facilities and 35, 800 SF commercial space), Frontwave Arena (8,000 seat arena) and Sudberry mixed use project (268 apartments, and 5,000 SF retail).	Approved
Garrison Creek	Residential	138 townhomes on the former Garrison Elementary School site	Under Review
Melrose Heights	Mixed use	313 homes, 10,000 SF restaurant space, and 10,000 SF of office	Approved
Modera Melrose	Mixed use	324 apartments and 2,388 SF of retail	Approved
North River Farms	Mixed use	689 homes, 25,000 SF commercial space, 5,000 SF restaurant space, 30 acres farm use, and 100-room hotel	Approved
Ocean Pointe	Residential	158 condos	Approved
Ord Way Industrial	Industrial	69,380 SF industrial building	Approved
Tierra Norte Residential Development	Residential	400 single-family homes	Approved
Titleist Leadership Center, Research, and Testing	Research and Development (Industrial)	Two new buildings, approximately 8,000 SF, for a leadership center and ball research and testing center	Approved
Vista 1435 Olive Drive	Residential	Fifteen single-family homes	Approved
Vista 1505 Olive Drive	Residential	Eight single-family homes	Approved
Vista Bella	Mixed-use	77 residential units and 688 SF commercial space	Under Review
Vista Earth Drive	Residential	Six single-family homes	Approved
Vista Pacific Industrial	Industrial	49,538 SF industrial building	Approved

Source: Appendix I2

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 Parcel Area 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 Parcel Area is located within the City of Oceanside. Thus, it would be designed and constructed according to the design guidelines and standards outlined in the City's Development Standards, General Plan, Zoning Ordinance, and other development regulations. All projects located within the City would be subject to these design guidelines and standards, which include recommendations for the architectural character of new buildings to maximize views of the landscape while taking inspiration from surrounding natural elements.

Related development in the City and surrounding areas would introduce new sources of light in a setting that includes large areas of undeveloped land. However, project lighting would comply with existing requirements (i.e., lighting would be consistent with the City standards for safety and proper roadway illumination, consistent with other streetlights throughout Oceanside to ensure lighting has a minimal effect on the overall night sky and reduce the potential for glare. As described in Section 4.1, Aesthetics, lighting in the immediate area consists of streetlights and other artificial lighting from the existing residential developments to the east and south, as well as parking lots, the Sprinter Station, and business park and retail uses to the north. In addition, the project's outdoor lighting would be energy-efficient, fully shielded, and directed downward to minimize light trespass onto surrounding properties consistent with City regulations and the California Building Code's limits on light generation.

Other projects located throughout the City would similarly be required to comply with these regulations. Therefore, the project would not contribute to cumulative impacts associated to aesthetics.

6.4.2 Air Quality

Air pollution is largely a cumulative impact, which is measured cumulatively by air basin. The project is in the San Diego Air Basin, and the San Diego Air Basin is considered the cumulative air quality study area. The San Diego Air Basin is a federal (National Ambient Air Quality Standards) 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 project would result in the temporary addition of pollutants to the local airshed caused by on-site sources (i.e., off-road construction equipment, soil disturbance, and volatile organic compound off-gassing) and off-site sources (vendor and haul truck trips, and worker vehicle trips). The project's criteria air pollutant emissions associated with construction activities were quantified using the California Emissions Estimator Model (CalEEMod). Default values provided by the program were used where detailed project information was not available. The construction emissions were estimated using CalEEMod and compared to the San Diego Air Pollution Control District (SDAPCD) Thresholds of Significance. It was determined that daily construction emissions for the project would not exceed SDAPCD's significance thresholds for construction emissions. However, development of the project would generate air pollutant emissions from entrained dust, off-road equipment, vehicle emissions, asphalt pavement application, and architectural coatings. As described previously, fugitive dust would be limited through compliance with SDAPCD Rule 55, which requires the restriction of visible emissions of fugitive dust beyond the property line. Therefore, the project would implement Project Design Feature PDF-AQ-1, thereby incompliance with SDAPCD Rule 55.

The Regional Air Quality Strategy and California State Implementation Plan rely 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. These plans address

measures for future attainment of ambient air quality standards. Based on these considerations, project-level thresholds of significance for criteria pollutants are relevant in the determination of whether a project's individual emissions would have a cumulatively significant impact due to short-term construction and long-term operations. As such, the project would have a less-than significant cumulative impact.

As discussed in Section 4.2, 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 volatile organic compounds, 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 project, cumulative projects would be required to prepare an Air Quality Assessment to determine potential impacts related to air quality. As the 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 Draft Oceanside Subarea Plan (City of Oceanside 2010). Direct impacts to special-status plant and special-status wildlife species could occur due to project implementation but would be mitigated to less than significance through compliance with the Draft Oceanside Subarea Plan, and therefore would not contribute to any cumulative sensitive species impacts. In addition to Mitigation Measure (MM-)BIO-1 through MM-BIO-8, the project would implement standard best management practices, which would avoid contributions toward a cumulative indirect impact to sensitive vegetation communities, special-status plants, special-status wildlife species, jurisdictional resources, and wildlife corridors/habitat linkages (see Section 4.3, Biological Resources). As with all other reasonably foreseeable cumulative projects, the project would be required to comply with the California Fish and Game Code and Migratory Bird Treaty Act to avoid impacts to nesting birds. Therefore, the project is not anticipated to result in significant cumulative impacts to biological resources.

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's area of potential effects and cumulative project sites.

Cumulative impacts would occur if the project and related projects were to have combined significant adverse effects on historical resources of the same type in the immediate vicinity, or if they were to contribute to changes within historic district; however, there are no historic resources exist at the Parcel Area. Thus, no impact to historic resources would occur with implementation of the project.

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-TCR/CUL-1 through MM-TCR/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. Additionally, 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 would be less than significant. Therefore, the project would not contribute to cumulative impacts associated to cultural resources.

6.4.5 Energy

Potential cumulative impacts on energy would result if the project, in combination with past, present, and future projects, would result in the wasteful or inefficient use of energy. Significant energy impacts could result from development that would not incorporate sufficient building energy efficiency features or would not achieve building energy efficiency standards, or if projects result in the unnecessary use of energy during construction or operation.

The project would not result in wasteful, inefficient, or unnecessary use of energy during construction or operations, nor would it conflict with an applicable plan (see Section 4.5, Energy). Cumulative projects within the City would have a construction period during which electricity, natural gas, and petroleum would be used; however, it is expected that such usage would be temporary and would not constitute a wasteful, inefficient, or unnecessary consumption of energy. Additionally, although some of the cumulative projects within the City could result in increases in energy consumption during their operation, the increased demand is anticipated to be minimal relative to statewide energy usage and, in combination with the project, would not contribute to any potentially significant cumulative energy impacts. Furthermore, any commercial and residential cumulative projects that may take place in Oceanside that include long-term energy demand would be subject to Title 24 and California Green Building Standards requirements similar to the project, which includes energy efficiency standards to minimize the wasteful and inefficient use of energy. In consideration of cumulative energy use, the project would not conflict with or obstruct a state or a local plan for renewable energy or energy efficiency.

6.4.6 Geology and Soils

Potential cumulative impacts on geology and soils would result from projects that combine to create geologic hazards, including unstable geologic conditions. The majority of impacts from geologic hazards, such as liquefaction, landslides, and unstable soils, are site-specific and are therefore generally mitigated on a project-by-project basis. Each related project would be required to adhere to required building engineering design, per the most recent version of the California Building Code, to ensure the safety of building occupants and avoid a cumulative geologic hazard. Additionally, as needed, projects would incorporate individual mitigation or geotechnical requirements for site-specific geologic hazards present on each individual cumulative project site. Therefore, a potential cumulative impact related to site-specific geologic hazards would not occur. Therefore, the project, in combination with other cumulative projects, would not contribute to a significant cumulative impact associated with geology and soils.

Many of the related projects would require excavation that could potentially expose or damage potential paleontological resources. However, many of the related projects are located in developed urban areas with sites that have been previously disturbed, and the potential to encounter and cause significant impact on surface resources is unlikely. Further, in association with CEQA review, and depending on the depth of excavation and sensitivity of respective sites, mitigation measures would be identified for those related projects that have the potential to cause significant impacts to undiscovered paleontological resources. Implementation of such mitigation measures for the related projects (see, for example, MM-GEO-1 in Section 4.6, Geology and Soils) would avoid significant impacts to paleontological resources, and impacts would be less than significant.

6.4.7 Greenhouse Gas Emissions

Due to the global nature of the assessment of greenhouse gas (GHG) emissions and the effects of global climate change, impacts can currently only be analyzed from a cumulative impact context; therefore, this analysis includes the assessment of both project and cumulative impacts. Under CEQA, a project would have a significant cumulative impact caused by the combined impact of past, present, and probable future projects if its incremental impact represents a "cumulatively considerable" contribution to such cumulative impacts (14 CCR 15064[H]).

Construction of the project would result in GHG emissions primarily associated with the use of off-road construction equipment, on-road hauling and vendor (material delivery) rucks, and worker vehicles. However, GHG emissions generated during construction of the project would be short term, lasting only for the duration of the construction period (approximately 11 months), and would not represent a long-term source of GHG emissions. Therefore, cumulative impacts would be less than significant (see Section 4.7, Greenhouse Gases).

The project would generate operational GHG emissions from area sources (landscape maintenance equipment), energy sources (natural gas and electricity consumption), mobile sources (vehicles trips), water supply and wastewater treatment, and solid waste. However, based on the service population, the project would result in GHG emissions of approximately 67 metric tons of carbon dioxide equivalent (MT CO_2e) per year (see Section 4.7). Thus, the project's estimated GHG emissions would not exceed the 900 MT CO_2e per year and the project's GHG emissions would have a less than significant cumulative impact.

The project was shown to be consistent with the SANDAG 2021 Regional Plan, the City of Oceanside General Plan, the goals of Senate Bill 32 and Executive Order S-3-05 and other applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions (see Section 4.7). Therefore, the project would not conflict with an applicable plan adopted for the purpose of reducing GHG emissions, and the plan consistency impacts would have a less-than-significant cumulative impact.

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 project and cumulative projects, there is potential for release of hazardous materials related to storage, transport, use, and disposal from construction debris, landscaping, and commercial products. However, the project and cumulative projects 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 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, and 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.

According to the San Diego County Responsibility Area Fire Hazard Severity Zones map, the Parcel Area and nearest cumulative projects are not located within or adjacent to a Very High, High, or Moderate Fire Hazard Severity Zone (CAL FIRE 2023). The project and cumulative projects are located within an urbanized and developed area of the City. Similar to the 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, the project would not contribute to cumulative impacts associated to hazards and hazardous materials.

6.4.9 Hydrology and Water Quality

The project would result in less-than-significant cumulative impacts with regard to hydrology and water quality. The implementation of City's Stormwater Management Plan, National Pollutant Discharge Elimination System permit, and Stormwater Pollution Prevention Plan would require water quality best management practices (BMPs) and storm drainage system design measures to minimize the potential for erosion, siltation, flooding, or the deposition of mud, debris, or construction-related pollutants. Post-construction requirements of the City's Stormwater Management Plan would be implemented, and water supply would be provided by the City; therefore, the project would minimize the effect on groundwater recharge and would have a decline for groundwater demand (see Section 4.9, Hydrology and Water Quality). The project and cumulative projects would implement the City and County's plans and regulations; therefore, impacts would be less than cumulatively considerable.

The 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 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 within the Loma Alta Hydrologic Area (904.1), of the Water Quality Control Plan for the San Diego Basin (RWQCB 2016). Within this Hydrologic Area, downstream impaired 303(d) listed water bodies include the Loma Alta Creek, Loma Alta Slough, Pacific Ocean Shoreline. Total Maximum Daily Loads have been established to address these pollutants for the Loma Alta Creek, Loma Alta Slough, and Pacific Ocean Shoreline. 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 (see Section 4.9).

The project, in conjunction with other past, present, or 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 BMPs, which would reduce cumulative impacts to water quality to a level below significance. As outlined in Section 4.9, implementation of the project would not result in impacts related to water quality, drainage and stormwater capacity, flooding, or groundwater. The 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 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 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 project would not substantially contribute to a significant cumulative impact to water quality. Therefore, the project would not contribute to cumulative impacts associated to hydrology and water quality.

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 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 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, in combination with other related cumulative projects, would not disrupt or divide the existing community, as stated in Section 4.10, Land Use and Planning.

Prior to approval, the project, and all related cumulative projects, must be found consistent with the City's General Plan and other applicable City planning documents including the General Plan and Zoning Ordinance. The cumulative projects requiring a General Plan Amendment would also require approval by the City. Consistency with the City's applicable General Plan policies (and any other applicable planning documents) would ensure compliance and orderly development of the project and other related cumulative projects. Therefore, the project would not contribute to a cumulatively considerable impact concerning conflicts with applicable plans, policies, and regulations.

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 proximity to the Parcel Area. Aside from roadway traffic noise scenario predictions and impact assessments as presented in Section 4.11, Noise, of this EIR, that include cumulative projects, this section addresses cumulative noise impacts, which consist of the noise generated by the project in combination with cumulative projects. The cumulative projects in the

immediate vicinity of the proposed project are the Titleist Leadership Center, Research, and Testing; El Corazon Specific Plan; and Arroyo Verde Commercial Center @ RDO on the north side of Oceanside Boulevard. These are the only cumulative project that has potential to cumulatively combine construction noise impacts with the project. Although construction of Melrose Heights is expected to be completed prior to the start of construction for the project, construction schedules and activities for potential future projects near the Parcel Area 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.

As presented in Table 4.11-4 in Section 4.11, the estimated construction noise levels are predicted to be as high as 80 A-weighted decibels equivalent sound level (dBA L_{eq}) over an 8-hour period at the nearest existing residences (as close as 5 feet away when site preparation activities take place near the eastern project boundaries). 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 a day. Construction noise impacts were determined to be less than significant. Therefore, and given the substantial distance and intervening topography and structures between project construction, the identified cumulative projects that are conservatively assumed to be proceeding simultaneously with project construction and the sensitive receptors in proximity to the project, project construction would not result in a cumulative construction noise impact. ~~Because 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.~~

As shown in Table 4.11-6 ~~5~~ in Section 4.11, the project's traffic-related impacts would result in a 0.1-decibel or less increase along area roadways, which is not perceptible (Appendix H, Section 1.4.4), and in locations where the noise increase would be perceptible, noise levels would be a maximum of 55 dBA CNEL (Table 4.11-6), which is less than the City's transportation noise threshold of 65 dBA CNEL. As disclosed in Section 4.11, with the addition of the cumulative with project traffic, noise levels would be 55 dBA CNEL (Table 4.11-6), rail noise would be 59 dBA L_{dn}, and operational noise from the project (including HVAC) would be 48 dBA L_{dn} (42 dBA L_{eq} daytime specified in Figure 5 of Appendix H and nighttime level converted to L_{dn}). When these sound pressure levels are combined in accordance with the principles of sound propagation, the cumulative noise level would be 61 dBA at applicable sensitive receptors, which is less than the City's transportation noise threshold of 65 dBA CNEL (see Final EIR Appendix H). Therefore, the increase ~~in operational noise associated~~ with cumulative ~~ve~~ traffic (roadway and rail), or and operational on-site noise (including HVAC) would not be cumulatively considerable.

Similar to the 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. Therefore, the project would not contribute to cumulative impacts associated to noise.

6.4.12 Population and Housing

As described in Section 4.12, Population and Housing, the most recent Regional Housing Needs Assessment from SANDAG stated that Oceanside needs to build 5,443 units from 2021 through 2029. 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 a maximum of 282 very low-income 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.

In addition, housing and population projections contained in the SANDAG forecasts are based on land uses designed in the City's General Plan. SANDAG periodically updates its projections for the various subregions that comprise the SANDAG region, which allows there projections to be revised to reflect land use and planning changes that have occurred since previous updates. Accordingly. The effects of the cumulative growth associated with the project and other development within the City will be accommodated for in SANDAG forecasts over time.

The project is consistent with the existing land use and zoning for the Parcel Area, and as described above, is planned growth that does not extend infrastructure and would facilitate new unplanned growth; therefore, it would not contribute to cumulatively considerable impacts.

With respect to displacement of substantial numbers of existing people or housing requiring the construction of replacement housing, the project would not result in displacement of any existing housing units or people. Because the project would have no contribution to displacement of persons, it would also not have cumulatively considerable impacts.

Therefore, because the project and related projects fall within SANDAG'S regional growth projects for the City, and because these projects are not expected to indirectly induce substantial unplanned population growth, and because the project and related projects would not displace substantial numbers of existing people or housing, the project would not have a cumulatively considerable contribution to population and housing.

6.4.13 Public Services

As detailed in Section 4.13, Public Services and Facilities, the 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 Oceanside. 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 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 Chapters 32B and 32C that provide funding for future to public service improvements via the City's capital improvement program. This program is intended to address the incremental increase in demand for public services such as police, fire, and recreation generated by new development. Specifically, Municipal Code Section 32C.4 states, "[t]he purpose of this chapter is to insure 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." Although the project would contribute to the cumulative demand for public services as contemplated by the General Plan, the project and related projects would pay development impact fees intended to offset this demand, and would not significantly contribute to the cumulative demand for additional facilities or facility improvements that would lead to significant physical environmental effects. The CEQA Guidelines specifically recognize that requiring a project to implement or fund its fair share of a measure designed to mitigate a cumulative impact is an effective way to address a project's contribution to the impact (14 CCR 15130[a][3]). These regulations would ensure that impacts would remain below a level of significance. Therefore, the project, in combination with the cumulative projects, would not result in a contribute to cumulative considerable impacts related to public services and facilities.

6.4.14 Recreation

The geographic context for the analysis of cumulative impacts associated with recreation consists of Oceanside, because recreational facilities are provided by the City. The 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. The City's growth projections have anticipated development of the Parcel Area and its future residents as part of the City's Parks and Recreation Master Plan Update. Further the project would provide a total of approximately 52,328 square feet of common open space is proposed as part of the project, which consists of common areas for each building including courtyards, a paseo area, a community garden, and a dog run. The project is requesting a density bonus waiver as the zoning requires usable open space at a rate of 300 square feet per unit to accommodate the proposed density of the project. The Parks and Recreation Master Plan also identifies potential improvements to parks throughout the City (see Section 4.14, Recreation).

Therefore, the project would not have cumulatively considerable impacts due to increase use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, or due to the inclusion of recreational facilities or the requirement to construction or expand recreational facilities that might have an adverse physical effect on the environment. Therefore, the project in combination with the cumulative projects, would not result in a contribute to cumulative considerable impacts related to recreation.

6.4.15 Transportation

Future potential development of the project in addition to cumulative projects in the study area could result in cumulative impacts related to traffic and circulation. The Local Transportation Study prepared for the 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 project (Appendix I2). Additionally, it is expected that Local Transportation Study or Vehicle Miles Traveled (VMT) analyses (Appendix I1) fully analyzing project-specific impacts 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. Additionally, the project would include an emergency only ingress/egress road which would be paved and secured (lock boxes on either end), and would include emergency lighting. The emergency only ingress/egress road would be in compliance with the City regulations (see Section 4.15, Transportation).

Furthermore, all cumulative projects would be required to comply with applicable City regulations related to transportation and circulation, as the 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 Parcel Area 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 project would implement the City's standard cultural mitigation measures, MM-TCR/CUL-1 through MM-TCR/CUL-9, outlined in Section 4.4, Cultural Resources, 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, impacts related to tribal cultural resources would not be cumulatively considerable.

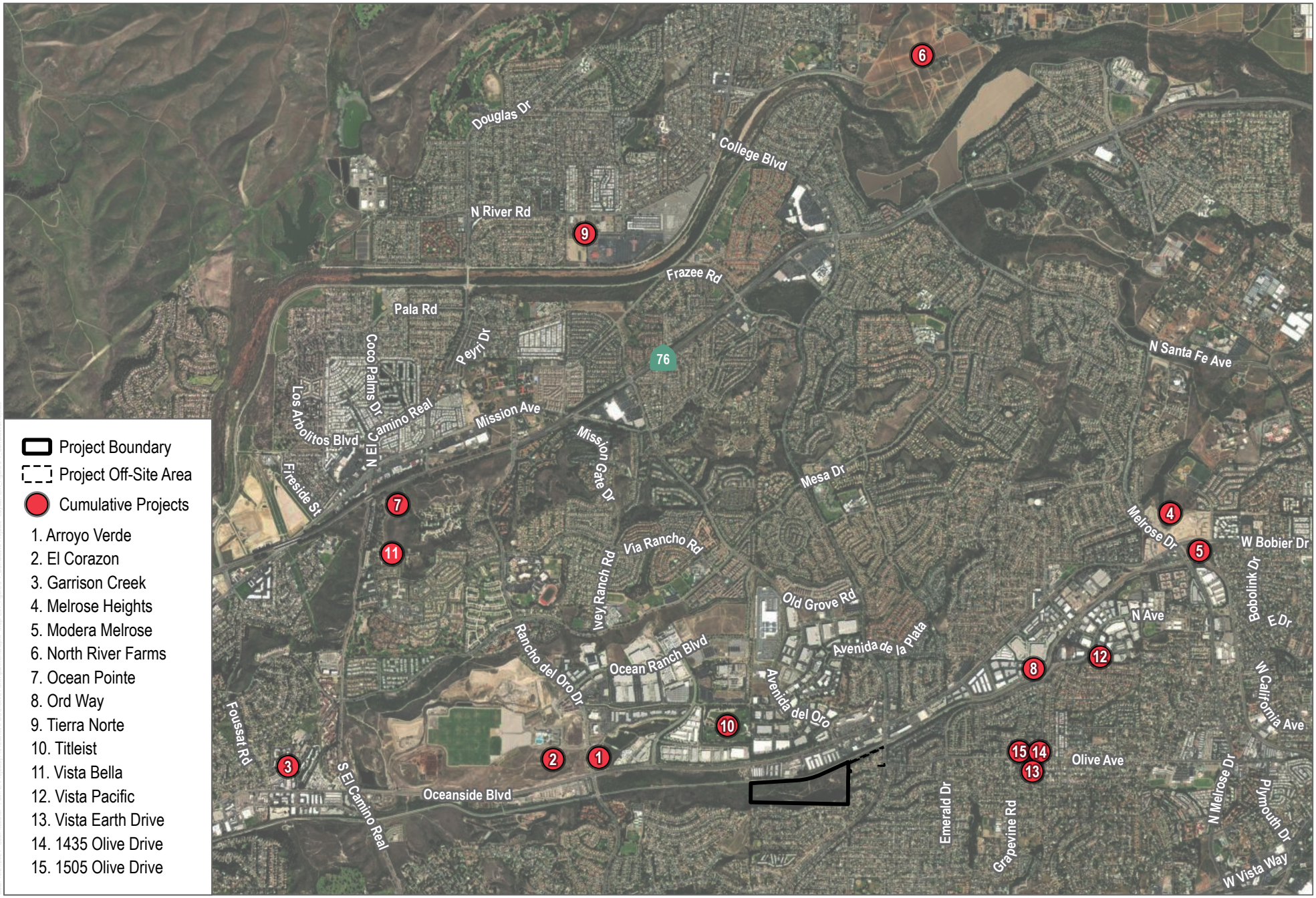
6.4.17 Utilities and Service Systems

The geologic context for the analysis of cumulative impacts associated with utilities and service systems consists of Oceanside, because the City would provide utilities to the project.

The project, in combination with cumulative projects, would result in an increase demand for water and sewer service. Title 24 building requirements that include substantially more efficient fittings for water, which would reduce the demand generated by new development within the City. The project would not lead to the need for improved sewer and water facilities beyond those improvements already included in the project (see Section 4.17, Utilities and Service Systems). Additionally, all future projects would be required to complete similar sewer and water service studies to evaluate impacts to facilities and would be required to provide improvements. Thus, the project contribution toward cumulative utility impacts would be less than significant.

6.4.18 Wildfire

Any future development would be required to comply with applicable federal, state, and local regulations related to emergency response and wildland fires. Final site plans for the project and all cumulative projects would be subject to review and approval by the Oceanside Fire Department prior to project development (see Section 4.18, Wildfire). All cumulative projects would be required to assess wildfire risk at the development site and in the surrounding area and provide mitigation as necessary. Therefore, impacts related to emergency response and wildfires would not be cumulatively considerable.



SOURCE: SANGIS 2023

DUDEK

0 1,500 3,000 Feet

FIGURE 6-1

Cumulative Projects

Olive Park Apartments

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7 Other CEQA Considerations

This chapter discusses the following other considerations for the Olive Park Apartments Project (project), which 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

California Environmental Quality Act (CEQA) Guidelines Section 15126.2(e) requires that a project provide a discussion on growth-inducing impacts. 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, consistent with the CEQA Appendix G Checklist, Section 4.12, Population and Housing, addresses the project's likelihood to induce substantial population growth in the area, either directly (e.g., by proposing new homes or businesses) or indirectly (e.g., through extension of roads or other infrastructure).

A project may be distinguished as either facilitating planned growth or inducing unplanned growth. Facilitating growth is related to the establishment of direct employment, population, or housing growth that would occur within a site. Inducing growth is related to lowering or removing barriers to growth or by creating an amenity or facility that attracts a 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 either 260 multi-family units with Option A, or 282 multi-family units with Option B, which would introduce new residents or relocate residents within the area. The project's service population is based on the City of Oceanside's Housing Element, which estimates an average household size of 2.8 persons per dwelling unit (City of Oceanside 2021). The project's service population, defined as the number of residents, would be approximately 728 or 790 people, depending on which option is developed. 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. As documented in Section 4.12, the proposed project would not introduce a population beyond what is planned for the Parcel Area, the City of Oceanside, or the region.

The project would not lead to indirect growth because the project would not provide additional infrastructure that would allow for unplanned growth in the area. All infrastructure necessary to serve the project exists at or in the vicinity of the Parcel Area, and the project would not extend such facilities to other undeveloped or underdeveloped properties. The proposed project would include an open space area with a pedestrian pathway that would more directly connect the Parcel Area and the immediately adjacent neighborhood to the North County Transit District's College Boulevard Sprinter Station. The project would 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, but these upgrades would only be to project connection points and would only be upgraded, if at all, to serve the project. Refer to Section 4.12 for an additional discussion of potential growth-inducing impacts.

7.2 Significant Irreversible Effects

According to CEQA Guidelines Section 15126.2(d), an EIR is required to identify any significant irreversible environmental changes associated with a project. As stated in CEQA Guidelines Section 15126.2(d), irreversible effects are described as follows (see Public Resources Code Section 21100.1 and Title 14, California Code of Regulations Section 15127 for limitations to applicability of this requirement):

> 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.

California Code of Regulations 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 the National Environmental Policy Act and requires an environmental impact statement. The proposed project would not involve any of those activities, and as such, the CEQA Guidelines Section 15126.2 analysis is not required.

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 would 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 not result in any significant and unavoidable impacts.

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. In the case of the proposed Olive Park Apartments Project (project), the lead agency is the City of Oceanside City Council (see PRC Section 21081[a] [3]).

This chapter 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 this EIR. These alternatives are as follows: (1) No Project/No Development Alternative (Section 8.4.1); (2) Reduced Density Alternative (Section 8.4.2); and Reduced Footprint Alternative (Section 8.4.3). Other alternatives were considered but rejected, as summarized in Section 8.3.

8.2 Criteria for Selection and Analysis of Alternatives

The 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 tribal cultural resources. The proposed project would result in no impact or less-than-significant impacts to the following: aesthetics, energy, greenhouse gases (GHGs), hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, public services, recreation, transportation, 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 avoid or substantially lessen a potentially significant impact of the proposed project

Based on the proposed project's identified potentially significant environmental impacts, the objectives established for the project (refer to Section 8.2.1, Project Objectives), consideration of public input during the Notice of Preparation process, and the CEQA requirements for alternatives, this EIR evaluates the three alternatives to the proposed project:

1. No Project Alternative
2. Reduced Density Alternative
3. Reduced Footprint Alternative

8.2.1 Project Objectives

The objectives of the project are as follows:

1. Support the housing needs of the City of Oceanside (City) by developing high-quality multi-family housing.
2. Help promote vehicle miles travelled and GHG reduction goals through development of a substantial amount of housing on a site located in close proximity to a major transit stop.
3. Develop a property with previously disturbed areas and existing utilities and infrastructure located proximate to the development area.
4. Develop substantial new housing on a site while still preserving the majority of the project site for open space conservation.
5. Provide new affordable housing on a site that is General Plan designated and zoned for residential development, that will be consistent with Density Bonus Law and the City's affordable housing objectives, to help satisfy the City's obligation under the Regional Housing Needs Assessment (RHNA).
6. Promote residential development in an area that is not designated by the State of California as a Very High Fire Severity Zone.
7. Develop a previously disturbed property with a quality building design, site layout, and open space uses that enhance the property and create a positive environment for future residents.
8. Maximize the leveraging of available public financing for affordable housing by developing a project that attempts to minimize the required subsidy per unit provided by the City.

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" 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 avoid or substantially lessen any of the potentially significant environmental impacts of the proposed project. The significant effects of a proposed project's 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 or substantially lessen any potentially 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 were not carried forward for detailed analysis. These alternatives are described below.

8.3.1 Alternative Location

In accordance with CEQA Guidelines Section 15126.6(f)(2), an EIR may consider an alternative location for a 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. Because the proposed project's impacts are all site specific, the Alternative Location Alternative was considered as a potential alternative. The intent would be to locate an alternative site within an urban area of Oceanside 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 tribal cultural resources. This alternative is assumed to include the same components as the proposed project and would require a site similar to the proposed project's Total Impact Area.

There may be sites within Oceanside of an approximately equivalent size to the Total Impact Area that also include previously disturbed areas, required infrastructure and utilities adjacent to the Parcel Area and such close proximity to a major transit stop and could be redeveloped with multi-family residences; however, the City is not aware of such an alternative site and the project applicant does not own or control another site of that nature within the City. 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 this EIR analyzes a reasonable range of alternatives, CEQA does not require consideration of an off-site alternative when it is speculative whether such a feasible site exists, whether the applicant could acquire such a site and whether the project's potentially significant impacts would be avoided or substantially lessened at such a site.

8.3.2 Maximum Density Buildout Alternative

The Parcel Area has a General Plan designation of Medium Density Residential (MDA-R) with a maximum density of 9.9 dwelling units per acre (City of Oceanside 2002). The Parcel Area has a zoning designation of RS-Single Family Residential with a maximum density of 5.9 dwelling units per acre (City of Oceanside 2021). Based on the developable acreage of 34.51 acres (total Parcel Area minus steep slopes and wetlands), and the maximum density of 9.9 units per acre an owner is authorized to use when proceeding with a State Density Bonus Law project, the Parcel Area has a reasonable base density of 342 units This alternative would designate 15% of the 342 units as affordable to very low income households (52 affordable units) which would qualify the development for a 50% increase in density under the State Density Bonus Law. Therefore, the total amount of units that could be developed under this alternative is 513.

A proposed residential development of 513 units would be feasible, and it would meet all of the project objectives. However, this alternative would not avoid or substantially lessen any of the project's potentially significant impacts and it could have greater impacts than the project in a number of CEQA areas. Therefore, this alternative was rejected and not considered for further evaluation.

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 Parcel Area would remain as a partially disturbed site without a conservation easement and endowment to protection sensitive habitat and species. This alternative does not preclude future development on site, as uses and an intensity of development permitted under the Single Family Residential (RS) zone and Medium Density Residential (MDA-R) General Plan designation, as well as State Density Bonus Law, would still be allowed.

8.4.1.2 Comparison of Significant Effects

Air Quality

Under the No Project Alternative, air pollutant emissions associated with project 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 toxic air contaminants (TAC) exposure from construction diesel exhaust emissions, because no project construction-related 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 avoid 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, wildlife corridors/habitat linkages, and/or conflicts with policies, ordinances, or habitat conservation plan. This Alternative would not require implementation of Mitigation Measure (MM) BIO-1 through MM-BIO-8, as proposed for the project to reduce impacts to less than significance. Therefore, as no development would occur under this alternative, compared to the proposed project, this alternative would avoid some of the project's potentially significant impacts to biological resources. However, this alternative would result in other potentially significant impacts as the alternative would not result in the recordation of a conservation easement and establishment of an endowment for protection of the areas of the Parcel Area that the project would preserve.

Cultural and Tribal 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 unknown cultural or tribal cultural resources located within the Total Impact Area. This Alternative would not require implementation of MM-TCR/CUL-1 through MM-TCR/CUL-9, as proposed for the project to reduce potentially significant impacts to less than significance. Therefore, as no development would occur under this alternative, compared to the proposed project, this alternative would avoid the project's potentially significant impacts to cultural and tribal cultural resources.

Geology and Soils

The No Project Alternative would not require any ground-disturbing activities. Existing topography and on-site soils would not be disturbed by any development. Although the Parcel Area 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 could result in potentially significant impacts to paleontological resources. This Alternative would not require implementation of MM-GEO-1, as proposed for the project to reduce those potentially significant impacts to less than significance. Therefore, when compared to the proposed project, the No Project Alternative would avoid potentially significant impacts related to geology and soils because no impacts to geology and soils would occur.

8.4.1.3 Relation to Project Objectives

Since the No Project/No Development Alternative would not provide any development, overall potentially significant impacts would be substantially lessened or avoided 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 near existing transit, and enhanced uses and connectivity in the surrounding area. The No Project Alternative would also not meet any of the project objectives.

8.4.2 Reduced Density Alternative

8.4.2.1 Alternative Description

An alternative that reduced the proposed density was considered in response to community comments. Under the Reduced Density Alternative, a total of 199 units would be constructed as opposed to the proposed project's 260 or 282 units. The Reduced Density Alternative would generate approximately 557 people compared to 790 people generated by the proposed project; a reduction of approximately 30%. The density would be reduced to 5.77 dwelling units per acre, which is less than the maximum density allowed under the zoning designation (5.9 dwelling units per acre) and much below the maximum General Plan density that applies to State Density Bonus projects, compared to the proposed project's 8.2 dwelling units per acre. A site plan has been generated for this Alternative (Figure 8-1, Reduced Density Alternative Site Plan). As illustrated in Figure 8-1, the Reduced Density Alternative would have two buildings, similar to the proposed project, but they would be reoriented to provide all surface parking and to increase the number of parking spaces (~~360~~ 382 spaces compared to 346 spaces). The total square footage of the building footprint would be reduced to ~~220,450~~ 221,740 square feet compared to the proposed project's 261,000 square feet. The height of the building would be less than that of the proposed project with a maximum of up-to 50 feet. In addition, all the same discretionary actions and approvals would be required and the same Project Design Features (PDFs) as identified in Chapter 3, Project Description, would be incorporated into this alternative as well.

The revised site plan would also setback the building closest to the existing residences 125 feet compared to the proposed project, which would be setback 115 feet. Site access from Olive Drive would remain the same as the proposed project and similar Density Bonus Law waivers/incentives would be requested. Like the project, the Reduced Density Alternative would provide a direct connection from the Parcel Area to the College Boulevard Sprinter Station for residents and the surrounding community. This alternative would have a smaller Total Impact Area, because 199 units would not require the off-site secondary emergency ingress/egress road required by the project, which would in turn reduce the amount of impacted Diegan coastal sage scrub from 1.26 acres to 0.99 ~~92~~ acres compared to the proposed project.

The Reduced Density Alternative would have a reduction in average daily vehicle trips of 31% compared to the proposed project. This alternative would continue to screen out of vehicle miles traveled analysis due to its location in a Transit Priority Area.

This alternative would result in an average water demand of approximately 33,568 gallons per day (gpd) (a reduction of 9,441 gpd); a maximum day water demand of 67,136 gpd (a reduction of 18,882 gpd); and maximum peak hour demand of 100,704 gpd (a reduction of 28,323 gpd). This alternative would also result in an average sewer generation flow of 27,860 gpd (a reduction of 11,620 gpd); and a peak sewer flow generation of 97,510 gpd (a reduction of 11,060 gpd).

The estimated total GHG emissions from construction of the proposed project would be 1,334 metric tons of carbon dioxide equivalent (MT CO_2e). When amortized over 20 years, the estimated annual GHG emissions from construction of the proposed project would be approximately 67 MT CO_2e per year. By comparison, the estimated total GHG emissions from construction of the Reduced Density Alternative would be 955.87 MT CO_2e. When amortized over 20 years, the estimated annual GHG emissions from construction of the Reduced Density Alternative would be approximately 48 MT CO_2e per year.

Implementation of the proposed project would result in approximately 1,671 MT CO_2e per year during operation including amortized construction emissions, which would exceed the City's bright-line screening of 900 MT CO_2e per year. By comparison, implementation of the Reduced Density Alternative would reduce emissions by approximately 35% compared to the project (approximately 1,082 MT CO_2e per year including amortized construction emissions), which would still exceed the City's bright-line screening of 900 MT CO_2e per year. As shown in Appendix L, the Reduced Density Alternative is consistent with the Climate Action Plan Consistency Checklist adopted by the City to ensure that the emission reduction targets identified in the Climate Action Plan are achieved.

8.4.2.2 Comparison of Significant Effects

Air Quality

Conflict or Obstruct Applicable Air Quality Plan

This alternative would have lower air quality emissions compared to the project because of the reduced number of units and residents. Similar to the proposed project, the Reduced Density Alternative's increase in housing units and associated vehicle source emissions is within the growth projections for the City and region. Implementation of the Reduced Density Alternative would not result in development in excess of that anticipated in local plans or increases in population/housing growth beyond those contemplated by the San Diego Association of Governments and used in the development of the State Implementation Plan and Regional Air Quality Strategy. Because the proposed land uses and development intensity are consistent at the regional and City level with underlying the local air quality plans just like the project, the Reduced Density Alternative would not obstruct or impede implementation of local air quality plans Impacts would be less than significant.

Construction Emissions

The Reduced Density Alternative would be located within the Parcel Area just as the proposed project, but the Total Impact Area would be reduced with the removal of the secondary emergency ingress/egress road proposed by the project. Air pollutant emissions associated with alternative's project construction would still occur due to grading, site preparation, site finishing and building finishing; however, emissions would be reduced when compared to the proposed project. See Table 8-1.

Table 8-1. Proposed Project vs. Reduced Density Alternative Estimated Maximum Daily Construction Criteria Air Pollutant Emissions – Unmitigated

Year	VOC	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
	Pounds Per Day					
Proposed Project						
Summer						
2026	3.40	25.72	38.32	0.06	3.41	1.44
2027	1.30	9.46	16.80	0.03	1.29	0.52
Winter						
2026	4.69	55.63	51.20	0.17	9.75	5.34
2027	57.72	20.06	22.57	0.04	4.18	2.18
Maximum Daily Emissions	**57.72**	**55.63**	**51.20**	**0.17**	**9.75**	**5.34**
SDAPCD Threshold	*75*	*250*	*550*	*250*	*100*	*55*
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**
Reduced Density Alternative						
Summer						
2026	2.50	19.30	31.61	0.05	2.10	0.98
Winter						
2026	3.21	40.11	31.82	0.14	9.09	5.13
2027	63.84	18.42	30.48	0.05	2.02	0.90
Maximum Daily Emissions	**63.84**	**40.11**	**31.82**	**0.14**	**9.09**	**5.13**
SDAPCD Threshold	*75*	*250*	*550*	*250*	*100*	*55*
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Source: Appendix L
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.

As demonstrated above, other than volatile organic compounds (VOCs), emissions from the construction of the alternative are substantially reduced compared to the project. The slight increase in VOCs under the Reduced Density Alternative is due to the single phase of construction and architectural coatings all being done at one time. VOC emissions impacts would remain less than significant under this alternative.

Operational Emissions

The Reduced Density Alternative would develop fewer residential units compared to the proposed project, as such the operational emissions would be substantially reduced. Table 8-2 provides a summary of the operational emissions.

Table 8-2. Proposed Project vs. Reduced Density Alternative Estimated Maximum Daily Operational Criteria Air Pollutant Emissions

Source	VOC	NOx	CO	SOx	PM10	PM2.5
	Pounds per Day					
Proposed Project						
Summer						
Mobile	4.87	2.88	30.91	0.07	6.74	1.75
Area	8.20	0.18	19.16	<0.01	0.01	0.01
Energy	0.04	0.61	0.31	<0.01	0.05	0.05
Total	*13.11*	*3.68*	*50.38*	*0.08*	*6.80*	*1.81*
Winter						
Mobile	4.77	3.17	29.63	0.07	6.74	1.75
Area	6.29	0.00	0.00	0.00	0.00	0.00
Energy	0.04	0.61	0.31	0.00	0.05	0.05
Total	*11.10*	*3.78*	*29.93*	*0.07*	*6.79*	*1.80*
Maximum Daily Emissions	**13.11**	**3.78**	**50.38**	**0.08**	**6.80**	**1.81**
SDAPCD Threshold	*75*	*250*	*550*	*250*	*100*	*55*
Threshold exceeded?	**No**	**No**	**No**	**No**	**No**	**No**
Reduced Density Alternative						
Summer						
Mobile	3.56	2.17	22.70	0.05	4.76	1.23
Area	5.36	0.11	11.71	<0.01	0.01	<0.01
Energy	0.03	0.46	0.24	<0.01	0.04	0.04
Total	*8.95*	*2.74*	*34.65*	*0.06*	*4.80*	*1.28*
Winter						
Mobile	3.49	2.38	21.78	0.05	4.76	1.23
Area	4.31	0	0	0	0	0
Energy	0.03	0.46	0.24	<0.01	0.04	0.04
Total	*7.82*	*2.84*	*22.01*	*0.05*	*4.80*	*1.27*
Maximum Daily Emissions	**8.95**	**2.84**	**34.65**	**0.06**	**4.80**	**1.28**
SDAPCD Threshold	*75*	*250*	*550*	*250*	*100*	*55*
Threshold exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Source: Appendix L
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.

As shown in Table 8-2, daily operational emissions for the Reduced Density Alternative would be substantially below the San Diego Air Pollution Control District's (SDAPCD) significance thresholds for all criteria air pollutant. Therefore, similar to the proposed project. the Reduced Density Alternative would have less than significant operational impacts with respect to criteria air pollutants.

Carbon Monoxide Hotspots

The analysis for the proposed project discloses that even the most congested intersections in the South Coast Air Quality Management District's air basin, which have traffic volumes many multiples higher than those at Olive Drive and College Boulevard and other intersections relevant to the project, would not experience a carbon monoxide (CO) "hotspot."

Even with the proposed project, the traffic levels at Olive Drive and College Boulevard and other relevant intersections would be a small fraction of those in the South Coast Air Quality Management District study. Thus, the project would not result in CO hotspots. As documented in Appendix L, this alternative would generate even less traffic than the project. Thus, the Reduced Density Alternative would not result in CO hot spots.

Similar to the proposed project, the Reduced Density Alterative would not result in CO concentrations in excess of the health protective California Ambient Air Quality Standards (CAAQS) or National Ambient Air Quality Standards (NAAQS), and as such, would not expose sensitive receptors to substantial pollutant concentrations.

Toxic Air Contaminants

The Reduced Density Alternative 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 diesel particulate matter emissions from heavy equipment operations and heavy-duty trucks. Table 8-3 demonstrates a comparison of TAC emissions associated with the proposed project compared to the Reduced Density Alternative.

Table 8-3. Construction Activity Health Risk Assessment Results Prior to Mitigation

Impact Parameter	Units	Project Impact	CEQA Threshold	Level of Significance
Proposed Project				
Offsite				
Cancer Risk	Per Million	63.96	10.0	**Potentially Significant**
HIC	Not Applicable	0.04	1.0	Less than Significant
Onsite				
Cancer Risk	Per Million	32.93	10	**Potentially Significant**
HIC	Not Applicable	0.04	1.0	Less than Significant
Reduced Density Alternative				
Offsite				
Cancer Risk	Per Million	67.50	10.0	**Potentially Significant**
HIC	Not Applicable	0.04	1.0	Less than Significant

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

Because the Reduced Density Alternative would be constructed in one phase, compared to two phases for the project, there would be no potential risk to on-site receptors because construction would be completed on the RDA before any residents move in, When comparing risk to off-site receptors, impacts would be slightly increased compared to the project because all of the construction would be done in one phase, compared to two phases for the project. Just like the project, with implementation of MM-AQ-1, which requires the use of Tier 4 equipment during construction, TAC exposure from construction diesel exhaust emissions from the Reduced Density

Alternative would result in cancer risk below the 10 in 1 million threshold and Chronic Hazard Index would still be less than the threshold at the closest exposed offsite residential receptors (see Table 8-4). Therefore, the Reduced Density Alternative would result in a less-than-significant impact with mitigation related to exposure to TAC emissions during construction, similar to the proposed project.

Table 8-4. Construction Activity Health Risk Assessment Results After Mitigation

Impact Parameter	Units	Project Impact	CEQA Threshold	Level of Significance
Offsite				
Cancer Risk	Per Million	8.0	10.0	Less than Significant
HIC	Not Applicable	0.005	1.0	Less than Significant

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

Valley Fever

The amount of grading required for the Reduced Density Alternative would be similar, but slightly reduced, compared to the project. Similar to the proposed project, based on the low incidence rate of Valley Fever in the County and project area and the implementation of fugitive dust control measures, the Reduced Density Alternative's impact would be less than significant with respect to Valley Fever exposure for sensitive receptors.

Health Effects of Criteria Air Pollutants

As demonstrated in Table 8-2, the VOC and oxides of nitrogen (NO_x) emissions associated with construction and operation of the Reduced Density Alternative would be lower than the project. However, like the project, the Reduced Density Alternative could minimally contribute to regional ozone concentrations and the associated health impacts. Just as with the project, due to the Reduced Density Alternative's minimal contribution of emissions during construction and operation, as well as the existing good air quality in coastal San Diego areas, health impacts would be less than significant.

Similar to ozone, the Reduced Density Alternative's emissions would be lower than the project and, like the project, construction of the Reduced Density Alternative would not exceed thresholds for particulate matter (PM_{10} or $PM_{2.5}$) and would not contribute to exceedances of the NAAQS and CAAQS for particulate matter. Due to the minimal contribution of particulate matter during construction and operation, health impacts would be less than significant.

Regarding nitrogen dioxide (NO_2), which is a constituent of NO_x, again the construction and operations of the Reduced Density Alternative would produce lower emissions compared to the project. Like the project, the Reduced Density Alternative's emissions would not contribute to exceedances of the NAAQS and CAAQS for NO_2 since NO_x emissions would be less than the applicable SDAPCD threshold. NO_2 health impacts are associated with respiratory irritation. Similar to the project, construction of the Reduced Density Alternative would be relatively short term, and the off-road construction equipment would be operating on various portions of the site and would not be concentrated in one portion of the site at any one time. Thus, like the project, construction and operation of the Reduced Density Alternative would not require any stationary emission sources that would create potentially significant localized NO_2 impacts.

Objectionable Odors

Similar to the proposed project, odors would be generated from vehicles and/or equipment exhaust emissions during construction of the Reduced Density Alternative. Odors produced during construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment and architectural coatings. Such odors are temporary and for the types of construction activities anticipated for project components, would generally occur at magnitudes that would not affect substantial numbers of people given the project's location and the limited number of onsite and off-site persons who could be potentially exposed to the limited odors project construction would generate.

Land use operations typically associated with odor complaints include industrial uses, agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, certain restaurants and fiberglass molding. Like the project, the Reduced Density Alternative does not propose and would not engage in any of these activities or other potential activities that would generate operational odors at a level that could produce odors or other emissions that would adversely affect a substantial number of people. The Reduced Density Alternative is a residential development, located in an area with a relatively limited number of people in the vicinity, project operation would not result in other emissions adversely affecting a substantial number of people and impacts would be less than significant.

Indoor Air Quality

Similar to the proposed project, the Reduced Density Alternative the project is required to comply with the 2022 CALGreen building code, which specifies VOC limits for adhesives, sealants, paints, and coatings (see Section 4.504, Pollutant Control, Chapter 4 in the 2022 CALGreen building code). In addition, the CALGreen building code requires that composite wood products (such as hardwood plywood and particleboard) meet the specifications for formaldehyde as outlined in California Air Resources Board's Air Toxic Control Measures (see Section 4.504.4, Chapter 4 in the 2022 CALGreen building code). The exact types of interior building materials would not be known until the building permit stage; however, these materials would be typical of multifamily residential construction and would be required to comply with California Air Resources Board regulations and the 2022 CALGreen building code. Accordingly, through compliance with laws, the Reduced density Alternative, like the project, would not involve use of materials that contain formaldehyde, VOCs or chemicals in levels that expose sensitive receptors to substantial pollutant concentrations.

Rail Line Exposure

CEQA does not require an examination of how the environment might affect a project. Nonetheless, as demonstrated for the project, TAC exposure from train diesel exhaust emissions (PM_{10}) would result in a cancer risk of 6.67 in 1 million and a chronic hazard index of 0.002, which would not exceed the cancer risk threshold of 10 in 1 million nor would the chronic hazard index exceed the 1.0 significance threshold. In addition, since 2019 the CalGreen building code have required the use of Minimum Efficiency Reporting Value (MERV) 13 filters, which reduce PM_{10} emissions by 90%, which would further reduce the risk noted above. As a conservative basis, the quantification of risk was assessed without reducing PM emissions to account for the MERV 13 filters. As the Reduced Density Alternative's residential units would be in a building of a similar height, located a similar distance from train operations, the TAC exposure impacts for the Reduced Density Alternative would also be less than significant.

Except as discussed above, emissions from the Reduced Density would be substantially reduced compared to the project. Overall, impacts associated with air quality emissions under the Reduced Density Alternative would be, with mitigation where specified, less than significant similar to the proposed project.

Biological Resources

Regarding the proposed project, short- and long-term direct and indirect impacts to vegetation communities, and special-status plant and wildlife species would be potentially significant; short- and long-term indirect impacts to jurisdictional features would be potentially significant; short- and long-term indirect impacts to wildlife corridors would be potentially significant; impacts associated with conflicts to local policies or ordinances protecting biological resources would be potentially significant; and impacts associated with conflicts to provisions of an adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other habitat conservation plan would be potentially significant. All project impacts would be reduced to less than significant with implementation of MM-BIO-1 through MM-BIO-8.

Biological resource impacts associated with the Reduced Density Alternative would be similar to the proposed project. This alternative would have a reduced Total Impact Area, because it does not require the construction of the secondary emergency ingress/egress road. Like the project, the Reduced Density Alternative would also establish a conservation easement over approximately 32.6 acres of the Parcel Area. Impacts to biological resources would still occur and this alternative would require MM-BIO-1 through MM-BIO-8 to reduce potentially significant impacts in those areas to less than significance. Overall, the Reduced Density Alternative's biological resource impacts would be similar to the project.

Cultural and Tribal Cultural Resources

The Reduced Density Alternative would result in a similar amount of ground disturbance with the exception that the Reduced Density Alternative would not require the secondary emergency ingress/egress road. This would result in less ground disturbance that could result in slightly reduced potential to impact unknown cultural resources. Potentially significant Impacts in the reduce Total Impact Area with the Reduced Density Alternative could still occur. However, with implementation of the cultural mitigation measures MM-TCR/CUL-1 through MM-TCR/CUL-9, the reduced potentially significant impacts to unknown cultural resources would be reduced to less than significant. Therefore, the Reduced Density Alternative would have reduced impacts to cultural resources compared to the project with mitigation incorporated.

Geology and Soils

Development of the proposed project would require excavations for building foundations and utilities, and any excavations into the potentially fossil-bearing strata within the Santiago Formation and/or Pleistocene-age deposits could result in potentially significant impacts to paleontological resources. MM-GEO-1 would be required.

The Reduced Density Alternative would result in a similar amount of ground disturbance with the exception of the secondary emergency ingress/egress road being removed. This would result in slightly reduced potential to impact paleontological resources. Existing topography and on-site soils would be disturbed by development and future residences would still be subject to potential seismic hazards such as seismic ground shaking, under this alternative. Potential impacts to paleontological resources would not be avoided under this alternative. Under the Reduced Density Alternative, development would require excavations for building foundations and utilities, and any excavations into the potentially fossil-bearing strata could result in potentially significant impacts to paleontological

resources. This alternative is expected to require implementation of mitigation measures similar to MM-GEO-1 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.

8.4.2.3 Relation to Project and Project Objectives

The Reduced Density Alternative would meet all project objectives and, as described in the prior section, would substantially reduce the severity of at least some of the project's potentially significant impacts. A majority of other impact areas that were determined to have a less-than-significant impact as a result of the project, would be further reduced as a result of the Reduced Density Alternative. Water demand, wastewater generation, GHG emissions, and energy consumption would all be further reduced under the Reduced Density Alternative. In addition, noise, population and housing, public services, recreation, and transportation would result in a further reduction in less-than-significant impacts due to 61 or 83 less units, a reduced construction schedule, a reduction of 31% of daily trips, and occupancy by 233 less people. The reduction in population generated would reduce the already less than significant project impacts on surrounding recreational facilities, and place less demand on fire, police, school, and park services. Aesthetics, hazards, hydrology and water quality, land use, and wildfire would all result in similar impacts when compared to the proposed project because this alternative would have the same architectural features, would occur on the same Parcel Area, and would be required to comply with all applicable water quality/drainage, engineering, and municipal code regulations.

8.4.3 Reduced Footprint Alternative

8.4.3.1 Alternative Description

The Reduced Footprint Alternative would be constructed in one phase, and it would reduce the Total Project Impact area to approximately 6.50 acres, compared to 10.87 acres the project would disturb. The reduction in Total Impact Area would reduce the amount of impacted Diegan coastal sage scrub and disturbed southern mixed chaparral from 1.26 acres to 0.80 acres, and from 2.45 acres to 0 acres, respectively; Under the Reduced Footprint Alternative, the project would be developed with the same number of units as the proposed project (a maximum of 282 units), but instead of two four-story buildings (57 feet max height), the alternative would include one six-story building (77 feet max height), thereby reducing the overall footprint compared to the project. The number of parking spaces would be significantly reduced by (approximately 200 spaces) because State law does not require a development with the Parcel Area's proximity to a major transit stop to have any parking. The western parking lot and the podium parking on building No. 1, proposed as part of the project, would be eliminated under this alternative. This alternative would have substantially less private and common open space and the amount of solar power facilities would have to decrease with the smaller building and development footprint. The Reduced Footprint Alternative would increase the amount of the Parcel Area to be placed in a conservation easement and site access would remain the same as the project. As with the project, the secondary emergency ingress/egress would be required and included as part of this alternative and the connection to the NCTD College Boulevard Sprinter Station would still occur.

Noise impacts would be increased during construction because all units would be built closer to the existing homes in order to avoid impacts to disturbed southern mixed chaparral and reduce impacts to Diegan coastal sage scrub.

8.4.3.2 Comparison of Significant Effects

Air Quality

The Reduced Footprint Alternative would be located within the same portion of the Parcel Area as the proposed project, but the Total Impact Area would be reduced with the modified footprint of the buildings and development area. Air pollutant emissions associated with the alternative project's construction would still occur due to grading, site preparation, site finishing and building finishing. Thus, impacts related to emissions of criteria air pollutant emissions during construction is still anticipated under this alternative. Since this alternative would be constructed in one phase, there would be an increase in VOCs under because all architectural coatings all being done at one time.

The Reduced Footprint Alternative would develop the same amount of residential units as the proposed project, as such the operational emissions would be similar. Daily operational emissions for the Reduced Footprint Alternative would not exceed SDAPCD's significance thresholds for any criteria air pollutant, similar to the proposed project. The Reduced Footprint Alternative would result in the similar impacts as it relates to operational emissions for criteria air pollutants compared to the proposed project.

Similar to the proposed project, as the Reduced Footprint Alterative would construct the same number of units as the project, the alternative would not result in CO concentrations in excess of the health protective CAAQS or NAAQS, and as such, would not expose sensitive receptors to substantial pollutant concentrations.

Construction of the Reduced Footprint Alternative would result in 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 diesel particulate matter emissions from heavy equipment operations and heavy-duty trucks, and the associated health impacts to sensitive receptors. Because the Reduced Footprint Alternative would be constructed in one phase there would be no potential risk to onsite receptors, as would occur with two phases of construction. When comparing risk to offsite receptors, impacts would be reduced compared to the proposed project.

Overall, impacts associated with air quality emissions would be similar, with the exception of VOC emissions, which would be greater due to only one phase of development occurring and all architectural coatings being applied at one time.

Biological Resources

Regarding the proposed project, short- and long-term direct and indirect impacts to vegetation communities, and special-status plant and wildlife species would be potentially significant; short- and long-term indirect impacts to jurisdictional features would be potentially significant; short- and long-term indirect impacts to wildlife corridors would be potentially significant; impacts associated with conflicts to local policies or ordinances protecting biological resources would be potentially significant; and impacts associated with conflicts to provisions of an adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other habitat conservation plan would be potentially significant. All impacts would be reduced to less than significant with implementation of MM-BIO-1 through MM-BIO-8.

With respect to biological resource impacts, the Reduced Footprint Alternative would have substantially reduced impacts when compared to the proposed project due to the reduced Total Impact Area. The reduction in Total

Impact Area would reduce the amount of impacted Diegan coastal sage scrub and disturbed southern mixed chaparral from 1.26 acres to 0.80 acres, and from 2.45 acres to 0 acres, respectively. This reduction in impacts and Total Impact Area would substantially reduce or avoid the direct impacts and reduce the amount of mitigation required. No mitigation would be required for Diegan Coastal Sage Scrub, and mitigation for disturbed southern mixed chaparral would be reduced. All other impacts to biological resources would be substantially the same as the proposed project and would be reduced to less than significant upon implementation of MM-BIO-1 through MM-BIO-8 as proposed for the project. Overall, potentially significant impacts relative to biological resources would be substantially reduced, when compared to the project.

Cultural and Tribal Cultural Resources

Cultural and tribal cultural resource impacts associated with the Reduced Footprint Alternative would be reduced when compared to the proposed project due to the reduced Total Impact Area. There would be less disturbance to native soils, which would reduce the potential to encounter unknown cultural or tribal cultural resources. However, since ground disturbance would still occur, mitigation would still be required. Upon implementation of MM-TCR/CUL-1 through MM-TCR/CUL-9 as with the project, the Reduced Footprint Alternative would have less-than-significant impacts. Although mitigation would still be required, the potential for significant impact due to encountering subsurface resources would be reduced due to this alternative's reduced Total Impact Area. When compared to the proposed project, the potential for significant impacts would be reduced.

Geology and Soils

Development of the proposed project would require excavations for building foundations and utilities, and any excavations into the potentially fossil-bearing strata within the Santiago Formation and/or Pleistocene-age deposits could result in potentially significant impacts to paleontological resources. MM-GEO-1 would be required.

Geology and soil impacts associated with the Reduced Footprint Alternative would be reduced when compared to the proposed project due to the reduced Total Impact Area. Like the project, existing topography and on-site soils would be disturbed by development of this alternative and future residences would still be subject to potential seismic hazards such as seismic ground shaking, under this alternative. Potential impacts to paleontological resources would not be avoided under this alternative, but due to the reduced Total Impact Area, the potential to encounter resources would be reduced compared to the proposed project. Under the Reduced Footprint Alternative, development would require excavations for building foundations and utilities, and any excavations into the potentially fossil-bearing strata could result in potentially significant impacts to paleontological resources. This alternative would require implementation of mitigation similar to MM-GEO-1, just like the project, to reduce potentially significant impacts to paleontological resources to less than significance. Nonetheless, due to the reduced Total Impact Footprint, this alternative would have reduced impacts to geology and soils compared to the proposed project.

8.4.3.3 Relation to Project and Project Objectives

The Reduced Footprint Alternative would meet the project objectives. This alternative would be six stories in height, developed in one phase, and be located closer to the existing residences in the community. Therefore, potential aesthetic, air quality, and noise impacts would be increased when compared to the proposed project. In addition, all other impact areas that are based on the number of units/occupants that were determined to have a less than-significant-impact as a result of the proposed project, would have the same impact as a result of the Reduced Footprint Alternative. Hazards, hydrology and water quality, land use, and wildfire would all result in similar impacts

when compared to the proposed project because this alternative would occur on the same Parcel Area and it would be required to comply with all applicable water quality/drainage, engineering, and municipal code regulations. In addition, energy, population and housing, public services, recreation, transportation, and utilities would result similar impacts because the same number of units would be built, the same number of people would be generated, and the same number of average daily trips would be generated.

8.5 Environmentally Superior Alternative

Table 8-5 provides a qualitative comparison of the impacts for each Alternative compared to the proposed project. As shown in Table 8-5, 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 two Alternatives, the Reduced Density Alternative would be considered the environmentally superior alternative because it would potentially substantially lessen the potentially significant impacts in most environmental analysis areas compared to the project. In addition, the Reduced Density Alternative would meet all proposed project objectives. As stated above, in addition to the reduced impacts described in Section 8.4.2, a majority of other impact areas that were determined to have a less-than-significant impact as a result of the proposed project, would be further reduced as a result of the Reduced Density Alternative. Water demand, wastewater generation, GHG emissions, and energy consumption would all be further reduced under the Reduced Density Alternative compared to the project. In addition, noise, population and housing, public services, recreation, and transportation would remain less-than-significant due to 61 or 83 less units, a reduction of 31% of daily trips, and the generation of 233 less people under the Reduced Density Alternative compared to the project. Aesthetics, hazards, hydrology and water quality, land use, and wildfire would all result in similarly less than significant impacts when compared to the proposed project because this alternative would have the similar architectural features, would occur on the same Parcel Area, and would be required to comply with all applicable water quality/drainage, engineering, and municipal code regulations.

For all of these reasons, the Reduced Density Alternative is considered the Environmentally Superior Alternative.

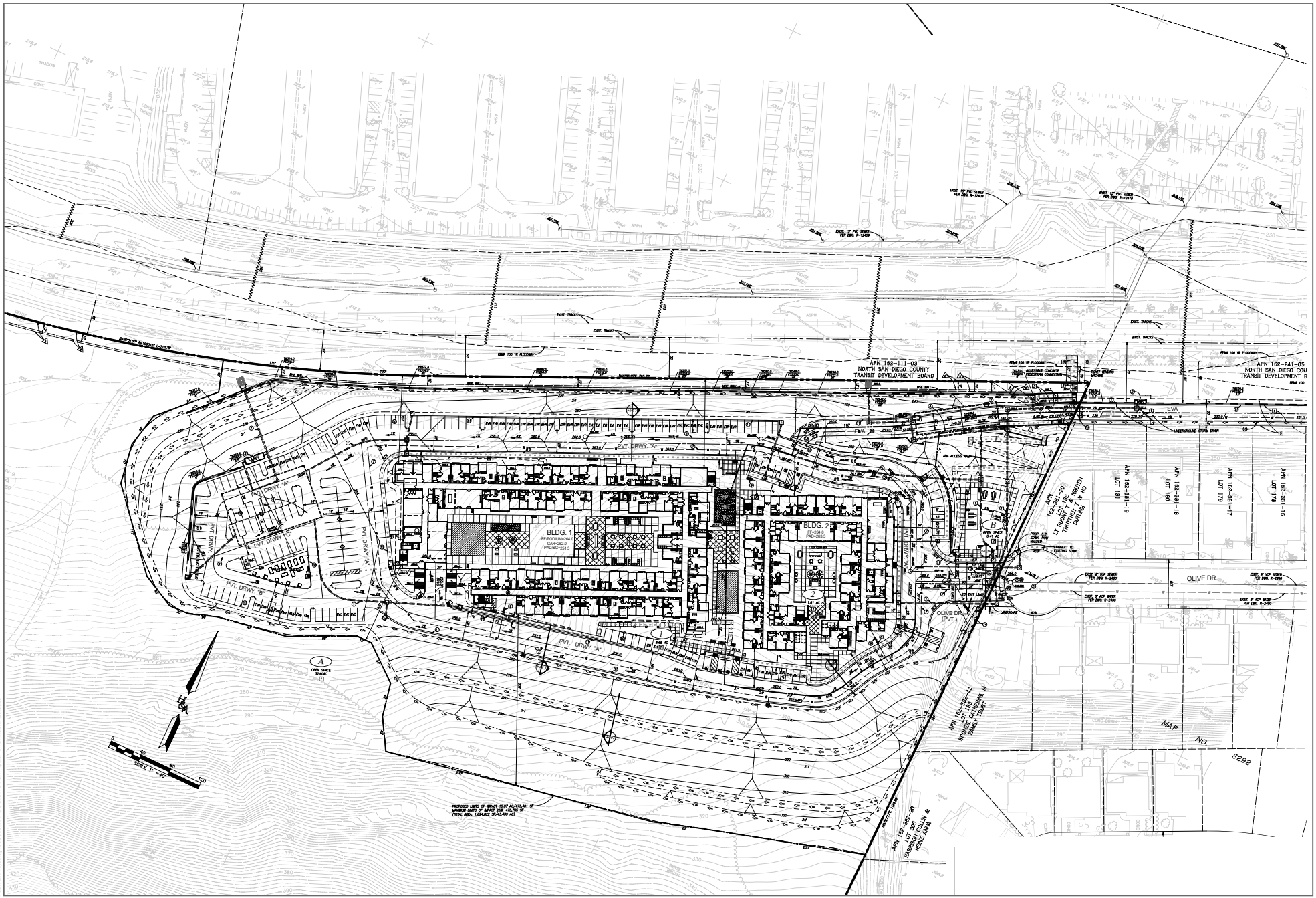
Table 8-5. Comparative Summary of Alternatives Under Consideration and Proposed Project

Environmental Topic	Proposed Project	No Project Alternative	Reduced Density Alternative	Reduced Footprint Alternative
Air Quality	LTSM	No Impact (Reduced)	LTSM (Substantially Reduced)	LTSM (No Reduction)
Biological Resources	LTSM	No Impact (Reduced)	LTSM (Slightly Reduced)	LTSM (Substantially Reduced)
Cultural and Tribal Cultural Resources	LTSM	No Impact (Reduced)	LTSM (Slightly Reduced)	LTSM (Reduced)
Geology and Soils	LTSM	No Impact (Reduced)	LTSM (Slightly Reduced)	LTSM (Reduced)
All Other Issue Areas	LTS	No Impact (Reduced)	LTS (Substantially Reduced)	LTS (No Reduction/Some Increases)

Table 8-5. Comparative Summary of Alternatives Under Consideration and Proposed Project

Environmental Topic	Proposed Project	No Project Alternative	Reduced Density Alternative	Reduced Footprint Alternative
Meet Project Objectives?	Yes	No Objectives Met	Yes. All Objectives Met	Yes. All Objectives Met
Environmentally Superior Alternative?	N/A	No	Yes	No

Notes: Impact Status: LTS = Less-than-Significant Impact; LTSM = Less Than Significant with Mitigation; N/A = not applicable



SOURCE: Hunsaker & Associates 2024

FIGURE 8-1

Reduced Density Alternative Site Plan

Olive Park Apartments

DUDEK

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9 List of Preparers

9.1 Dudek

Alexandra Martini, Project Manager
Elena Nuno, Senior Air Quality Specialist
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Callie Amoaku, Biologist
Tricia Wotipka, Senior Regulatory Permitting Specialist
Olivia Koziel, Biologist
Keisha Montifolca, Archeologist
Joshua Saunders, Visual Resources

9.2 Subconsultants

Geocon, Inc. – Geotechnical Investigation
Hunsaker & Associates – Drainage, Stormwater and Civil Engineering
LOS Engineering – Transportation Consultant
STK Architecture – Architect
Lightfoot Planning Group – Landscape Architect
Dexter Wilson Engineering – Water and Sewer Engineering

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None.

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Mitigation Monitoring and Reporting Program

Olive Park Apartments Project

JANUARY 2025

Prepared for:

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TABLE

1 Mitigation Monitoring and Reporting Program MMRP-3

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1 Introduction

1.1 Introduction

California Public Resources Code Section 21081.6 requires that, upon certification of an EIR, "the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation." (PRC Section 21000–21177)

This Mitigation Monitoring and Reporting Program was developed in compliance with Section 21081.6 of the California Public Resources Code and Section 15097 of the CEQA Guidelines (14 CCR 15000–15387 and Appendices A–L.), and includes the following information:

- A list of mitigation measures
- The timing for implementation of the mitigation measures
- The party responsible for implementing or monitoring the mitigation measures
- The date of completion of monitoring

The City of Oceanside must adopt this Mitigation Monitoring and Reporting Program, or an equally effective program, if it approves a project with the mitigation measures that were adopted or made conditions of project approval. **Exhibit A** provides a list of the Project Design Features (PDFs) that are proposed for incorporation into the project to reduce or avoid certain project effects. These PDFs will be made a Condition of Approval for the project, as adopted by the City of Oceanside with approval of the project.

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2 Mitigation Monitoring and Reporting Program Table

Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
Air Quality				
MM-AQ-1: *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.	During construction	Project Applicant	City of Oceanside	

Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
Biological Resources				
MM-BIO-1 *Designation of Open Space*. Mitigation shall be provided as follows to mitigate the project impacts to sensitive vegetation communities to a less than significant level through preservation of the requisite habitat in perpetuity: a. The applicant shall offset permanent impacts to Diegan coastal sage scrub (1.26 acres), disturbed southern mixed chaparral (2.45 acres), and non-native grassland (4.33 acres) through the conservation of 32.63 acres containing 14.72 acres of Diegan coastal sage scrub, 1.99 acres of disturbed Diegan coastal sage scrub, 7.12 acres of southern mixed chaparral, 2.15 acres of disturbed southern mixed chaparral, 0.60 acres of freshwater marsh, and 1.37 acres of disturbed southern willow scrub in a conservation easement. The conserved area also contains 3.69 acres of disturbed habitat and 0.92 acres of eucalyptus woodland, which could provide restoration or enhancement opportunities in the future. b. The open space easement shall be managed, maintained, and monitored through implementation of a habitat management plan. The habitat management plan shall include tasks that outline invasive species control, trash removal, access control, biological monitoring, and fencing. The habitat management plan will include performance standards for assessing the habitat quality of each sensitive vegetation community conserved per the SAP management guidelines. The satisfaction of these performance criteria shall be verified by a Qualified Biologist via a biological survey and an associated letter documenting the survey results. A "Qualified Biologist" is a professional with 5	Prior to issuance of any grading permit	Project Applicant	City of Oceanside/USFWS /CDFW	

Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
years of experience in biological resource evaluation in San Diego County, with qualifications to be verified to the satisfaction of the City Planner. **c.** The open space easement shall include all habitat that is not a manufactured slope and/or not under an existing easement and shall (1) be protected by a conservation easement or other City of Oceanside approved mechanism that provides preservation in perpetuity, (2) have a permanent responsible party clearly designated, and (3) be managed in accordance with a habitat management plan in perpetuity. The habitat management plan shall be prepared by a qualified biologist pursuant to the performance criteria and the 2010 City of Oceanside Multiple Habitat Conservation Program Subarea Plan's Preserve management guidelines. The habitat management plan shall also include Property Analysis Report (PAR) analysis verified by a Qualified Biologist and approved by the City to identify yearly maintenance and monitoring costs required to satisfy the performance criteria, as well as identify an initial management fund endowment to provide for management in perpetuity. d. The open space easement will be in favor of an agency, non-profit organization, or other entity approved by the USFWS and CDFW. The USFWS and CDFW will be named as a third-party beneficiaries. The open space easement will be approved by the USFWS and CDFW prior to its execution. There should be no active trails in the open space area. The project applicant will submit a draft easement to the USFWS and CDFW for review and approval. The project applicant will submit the final open space easement and evidence of its recordation to the USFWS and CDFW within 60 days of receiving approval of the draft open space easement.				

Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
e. The applicant shall submit a draft habitat management plan, including (1) a description of perpetual management, maintenance, and monitoring actions and the Property Analysis Record or other cost estimation results for the non-wasting endowment, and (2) a description of any restoration and/or enhancement proposed for the open space easement. The applicant shall submit the plan to the City of Oceanside, CDFW, and USFWS. f. The applicant shall establish a non-wasting endowment or other financial instrument in a form and an amount approved by the City of Oceanside, CDFW, and USFWS based on the Property Analysis Record or similar cost estimation method to secure the ongoing funding for the perpetual management, maintenance and monitoring of the conservation easement by an agency, non-profit organization, or other entity approved by the City of Oceanside, CDFW, and USFWS. The non-wasting endowment or other financial instrument shall be held by a non-profit conservation entity approved by the City of Oceanside, CDFW, and USFWS. The Property Analysis Record shall recognize that the grantor shall be permitted to allocate mitigation credits to itself or others for habitat preserved by the conservation easement that is in excess of what is required for the project in accordance with applicable permitting and regulatory requirements. **DOCUMENTATION:** The applicant shall prepare the habitat management plan, draft plats, and legal descriptions of the easements, then submit them for preparation and recordation with the City of Oceanside. **TIMING:** Prior to issuance of any grading permit, the applicant shall provide evidence to the City of Oceanside Planning Division that the required				

Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
compensatory mitigation has been provided to the satisfaction of the City of Oceanside. In addition, (1) a resource manager shall be selected and evidence provided by the applicant as to the acceptance of this responsibility by the proposed resource manager, and (2) the easement shall be recorded. **MONITORING**: Upon final review of the habitat management plan, resource manager selected, endowment funded, and recordation and verification of the easements, the condition shall be satisfied.				
MM-BIO-2 To protect the proposed conservation easement from entry and disturbance, permanent fencing and signage shall be installed. Fencing shall have no gates except to allow access for maintenance and monitoring of the conservation easement area, and shall be designed to prevent intrusion by pets, especially domestic cats. Open space fencing or walls shall be placed along the biological open space boundary as indicated on the approved plans. In addition, evidence shall be provided in the form of site photos and a statement from a California Registered Engineer or licensed surveyor that the permanent walls or fences, and open space signs have been installed. The sign must be corrosion resistant, a minimum of 6 by 9 inches, on posts not less than 3 feet in height from the ground surface, and must state the following: "Sensitive Environmental Resources Area Restricted by Easement Entry without express written permission from the City of Oceanside is prohibited. To report a violation or for more information about easement restrictions and exceptions, contact the City of Oceanside, Development Services Department." **DOCUMENTATION**: The applicant shall install the signage and fencing as indicated above and provide site photos and a statement from a California Registered Engineer or licensed	Prior to Occupancy	Project Applicant	City of Oceanside	

Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
surveyor that the open space fencing has been installed at the conservation easement boundary. **TIMING**: Prior to any occupancy or use of the premises following completion of construction in reliance of this permit, the fencing and signage shall be placed. **MONITORING**: The City of Oceanside shall review the photos and statement for compliance with this condition.				
MM-BIO-3: *Nesting Bird Surveys*. Construction-related ground-disturbing activities (e.g., clearing/grubbing, grading, and other intensive activities) that occur during the avian breeding season (typically February 1 through September 15) shall require a one-time biological survey for nesting bird species to be conducted within the limits of grading and a 500-foot buffer (where feasible) within 72 hours prior to construction. This survey is necessary to ensure avoidance of impacts to nesting raptors and other birds protected by the federal Migratory Bird Treaty Act and California Fish and Game Code Sections 3503 and 3513. If any active nests are detected, the area shall be flagged and mapped on the construction plans or a biological resources figure, and the information provided to the construction supervisor and any personnel working near the nest buffer. Active nests shall have avoidance buffers established around them (e.g., 250 feet for passerines to 500 feet for raptors) by the project biologist in the field with brightly colored flagging tape, conspicuous fencing, or other appropriate barriers or signage. The project biologist shall serve as a construction monitor during those periods when construction activities occur near active nest areas to avoid inadvertent impacts to these nests. The project biologist may adjust the 250-foot or 500-foot buffer at their discretion depending on the species and the location of the nest (e.g., if the nest is well protected in an area buffered by dense vegetation). However, if needed, additional qualified monitor(s) shall be provided to monitor active nest(s) or other	Prior to Construction	Project Applicant	City of Oceanside	

Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
project activities in order to ensure all of the project biologist's duties are completed. Once the nest is determined by a qualified monitor to be no longer occupied for the season, construction may proceed in the buffer 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 work area and a 500-foot buffer, where feasible. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition to the City of Oceanside. **TIMING:** Prior to pre-construction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading, compliance with this condition is mandatory unless the requirement is waived by the City of Oceanside upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The City of Oceanside shall review the concurrence letter.				
MM-BIO-4: *Biological Monitoring*. To prevent inadvertent disturbance to areas outside the limits of grading, 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 and periodic monitoring during and after grading when recommended by a Qualified Biologist. The project biologist(s) also shall do the following: 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. The Qualified Biologist shall conduct a training session for all project personnel prior to any	During Construction	Project Applicant	City of Oceanside	

Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
grading/construction activities. At a minimum the training shall include a description of the target species of concern, its habitats, the general provisions of the Endangered Species Act (Act) and the MHCP, the need to adhere to the provision of the Act and the MHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the target species of concern as they relate to the project, and the access routes to and project site boundaries within which the project activities must be accomplished. Prior to 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. 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 construction activities weekly to ensure against direct and indirect impacts to biological resources that are intended to be protected and preserved and to document that protective fencing is intact. e. Flush wildlife species (e.g., reptiles, mammals, avian, and other mobile species) from occupied habitat areas immediately prior to brush-clearing activities. This does not include disturbance to nesting birds (see MM-BIO-3) or "flushing" of federally listed species (i.e., coastal California gnatcatcher). f. Periodically monitor the construction site to verify that the project is implementing the following stormwater pollution prevention plan best management practices:				

Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
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. Periodically monitor the construction site after grading is completed and during the construction phase to see that artificial security light fixtures are directed away from open space and are shielded, and to document that no unauthorized impacts have occurred. h. If dead or injured federally and/or state-listed species are found onsite, the City, CDFW, and/or USFWS will be notified in compliance with applicable laws and regulations. i. Keep monitoring notes for the duration of project construction for submittal in a final report to substantiate the biological supervision of the vegetation clearing and grading activities and the protection of biological resources. j. Prepare a monitoring report after 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. k. Halt work, if necessary, and confer with the City of Oceanside to ensure the proper implementation of special-status species and sensitive resource protection measures. l. Submit a final report to the City of Oceanside within 60 days of project completion that includes as-built construction drawings with an overlay of habitat that was impacted and avoided, photographs of habitat areas that were to be avoided, and other relevant summary information documenting that authorized				

Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
impacts were not exceeded and that compliance with all measures was achieved. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition to the City of Oceanside. **TIMING:** Prior to final grading release. **MONITORING:** The City of Oceanside shall review the concurrence letter				
MM-BIO-5 *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. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition to the City of Oceanside. **TIMING:** Prior to final grading release. **MONITORING:** The City of Oceanside shall review the concurrence letter	Prior to Commencement of Grading	Project Applicant	City of Oceanside	
MM-BIO-6 *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. In addition, any planting stock to be brought onto the Parcel Area, including Off-Site Impact Area, for landscape or habitat creation/restoration/enhancement, if such activities occur, shall be first inspected by a qualified pest inspector to ensure it is free of pest species that could invade natural areas, including, but not limited to, Argentine ants (*Linepithema humile*), fire ants (*Solenopsis invicta*), and other insect pests. Any planting stock found to be infested with such pests shall not be allowed in the Parcel Area or within 300 feet of natural habitats unless documentation is provided to the City of Oceanside that these pests already occur in natural areas around the Parcel Area. The stock shall be quarantined, treated, or disposed of according to best management principles by qualified experts in a manner that precludes	Prior to Final Grading Release/During Construction	Project Applicant	City of Oceanside	

Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
invasions into natural habitats. The applicant shall ensure that all temporary irrigation shall be for the shortest duration possible, and that no permanent irrigation shall be used for landscape adjacent to the conservation easement. **DOCUMENTATION:** The applicant shall provide documentation to the City of Oceanside that this condition has been met. **TIMING:** Prior to final grading release. **MONITORING:** The City of Oceanside shall review the documentation.				
MM-BIO-7 *Resident Education Program*. The applicant shall develop a resident education program in coordination with the City of Oceanside (City). The program shall advise residents of the potential impacts to listed species and the potential penalties for harming such species. The program shall include information pamphlets and signage on the fencing between the development and the conservation easement. Pamphlets shall be distributed to all residences. At a minimum, the program shall discuss how to prevent the spreading of non-native ants and other insect pests from developed areas into the conservation easement, impacts from free-roaming pets (particularly cats) on native wildlife populations, and the importance of keeping cats indoors and keeping pet food indoors and in a secured location. **DOCUMENTATION AND TIMING:** The applicant shall submit the program to the City prior to Certificate of Occupancy. The applicant shall submit to the City the final program within 60 days of receiving approval of the draft program from the City.	Prior to Certificate of Occupancy/Project Operations	Project Applicant	City of Oceanside	
MM-BIO-8 *Crotch's Bumble Bee Pre-Construction Survey*. A pre-construction survey for Crotch's bumble bee shall be conducted within the construction footprint prior to the start of ground-disturbing construction activities occurring during the Crotch's bumble bee nesting period (February 1 through October 31). The survey shall ensure that no nests for Crotch's bumble bee are within the construction area. The pre-	Prior to Issuance of Grading Permit	Project Applicant	City of Oceanside	

Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
construction survey shall include a habitat assessment and focused surveys, both of which shall be based on recommendations described in the Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species, released by the California Department of Fish and Wildlife (CDFW) on June 6, 2023, or the most current version at the time of construction. The habitat assessment shall, at a minimum, include historical and current species occurrences; document potential habitat in the Parcel Area, including foraging, nesting, and/or overwintering resources; and identify which plant species are present. For the purposes of this mitigation measure, nest resources are defined as abandoned small mammal burrows, bunch grasses with a duff layer, thatch, hollow trees, brush piles, and human-made structures that may support bumble bee colonies such as rock walls, rubble, and furniture. The habitat assessment shall be repeated prior to February 1 in each year ground-disturbing activities occur to determine if nesting resources are present within the On-Site and/or Off-Site Impact Areas. If nesting resources are present in the On-Site and/or Off-Site Impact Areas, focused surveys shall be conducted. The focused survey shall be performed by a biologist with expertise in surveying for bumble bees and include at least three survey passes that are not on sequential days or in the same week, preferably spaced 2 to 4 weeks apart. The timing of these surveys shall coincide with the colony active period (April 1 through August 31 for Crotch's bumble bee). Surveys may occur between 1 hour after sunrise and 2 hours before sunset. Surveys shall not be conducted during wet conditions (e.g., foggy, raining, or drizzling), and surveyors shall wait at least 1 hour following rain. Optimal surveys are when there are sunny to partly sunny skies and a temperature greater than 60°F. Surveys may be conducted earlier if other bees or				

Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
butterflies are flying. Surveys shall not be conducted when it is windy (i.e., sustained winds greater than 8 miles per hour). Within non-developed habitats, the biologist shall look for nest resources suitable for bumble bee use. Ensuring that all nest resources receive 100% visual coverage, the biologist shall watch the nest resources for up to 5 minutes, looking for exiting or entering worker bumble bees. Worker bees should arrive and exit an active nest site with frequency, such that their presence would be apparent after 5 minutes of observation. If a bumble bee worker is detected, then a representative shall be identified to species. Biologists should be able to view several burrows at one time to sufficiently determine if bees are entering/exiting them, depending on their proximity to one another. It is up to the discretion of the biologist regarding the actual survey viewshed limits from the chosen vantage point to determine which would provide 100% visual coverage; this could include a 30- to 50-foot-wide area. If a nest is suspected, the surveyor can block the entrance of the possible nest with a sterile vial or jar until nest activity is confirmed (no longer than 30 minutes). Identification shall include trained biologists netting/capturing the representative bumble bee in appropriate insect nets, per the protocol in U.S. National Protocol Framework for the Inventory and Monitoring of Bees. The bee shall be placed in a clear container for observation and photographic documentation, if able. The bee shall be photographed using a macro lens from various angles to ensure recordation of key identifying characteristics. If bumble bee-identifying characteristics cannot be adequately captured in the container due to movement, the container shall be placed in a cooler with ice until the bumble bee becomes inactive (generally within 15 minutes). Once inert, the bumble bee shall be removed from the container and placed on a white sheet of paper or card for examination and photographic				

Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
documentation. The bumble bee shall be released into the same area from which it was captured upon completion of identification. Based on implementation of this method on a variety of other bumble bee species, they become active shortly after removal from the cold environment, so photography must be performed quickly. If Crotch's bumble bee nests are not detected, no further mitigation would be required. The mere presence of foraging Crotch's bumble bees would not require implementation of additional minimization measures because they can forage up to 10 kilometers from their nests. If nest resources occupied by Crotch's bumble bee are detected within the construction area, no construction activities shall occur within 100 feet of the nest, or as determined by a qualified biologist through evaluation of topographic features or distribution of floral resources. The nest resources shall be avoided for the duration of the Crotch's bumble bee nesting period (February 1 through October 31). Outside of the nesting season, it is assumed that no live individuals would be present within the nest because the daughter queens (gynes) usually leave by September, and all other individuals (original queen, workers, males) die. The gyne is highly mobile and can independently disperse to outside of the construction footprint to surrounding open space areas that support suitable hibernacula resources. A written survey report shall be submitted to the City of Oceanside and CDFW within 30 days of the pre-construction survey. The report shall include survey methods, weather conditions, and survey results, including a list of insect species observed and a figure showing the locations of any Crotch's bumble bee nest sites or individuals observed. The survey report shall include the qualifications/resumes of the surveyor(s) and approved biologist(s) for identification of photo vouchers and a detailed habitat assessment. If Crotch's				

Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
bumble bee nests are observed, the survey report shall also include recommendations for avoidance, and the location information shall be submitted to the California Natural Diversity Database at the time of, or prior to, submittal of the survey report. If Crotch's bumble bee is detected within the project area, the project applicant shall consult with CDFW regarding the need to obtain an Incidental Take Permit. Any measures determined to be necessary through the Incidental Take Permit process to offset impacts to Crotch's bumble bee may supersede measures provided in this document and shall be incorporated into the habitat mitigation and monitoring plan. In the event that an Incidental Take Permit is needed, mitigation for direct impacts to Crotch's bumble bee shall be fulfilled through compensatory mitigation at a minimum 1:1 nesting habitat replacement of equal or better functions and values to those impacted by the project, or as otherwise determined through the Incidental Take Permit process. Mitigation shall be accomplished through on-site preservation of suitable habitat and/or in accordance with CDFW guidance for off-site locations. The funding source shall be in the form of an endowment to help the qualified natural lands management entity that is ultimately selected to hold the conservation easement(s). The endowment amount shall be established following the completion of a project-specific Property Analysis Record to calculate the costs of in-perpetuity land management. The Property Analysis Record shall take into account all management activities required in the Incidental Take Permit to fulfill the requirements of the conservation easement. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition to the City of Oceanside.				

Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
TIMING: Prior to issuance of grading permits. **MONITORING:** The City of Oceanside shall review the concurrence letter.				
Cultural Resources				
MM-TCR/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 Rincon Band of Luiseño Indians and the San Luis Rey Band of Mission Indians. A copy of the agreement shall be included in the grading plan submittals for the grading permit. The purpose of this agreement shall be to formalize protocols and procedures between the applicant/owner and the TCA Native American monitor associated with a TCA Luiseño Tribe for the protection and treatment of Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas, and tribal cultural resources located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground-disturbing activities. At the discretion of the Luiseño Native American monitor, artifacts may be made available for 3D scanning/printing, with scanned/printed materials to be curated at a local repository meeting the Code of Federal Regulations (CFR) standards of 36 CFR 79.	Prior to Issuance of a Grading Permit	Project Applicant	City of Oceanside	
MM-TCR/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's or grading contractor's expense to implement the monitoring program, as described in the pre-excavation agreement. A "Qualified Archeologist" is a professional with degree in archeology or relevant area of	Prior to Issuance of a Grading Permit	Project Applicant	City of Oceanside	

Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
study and at leas 5 years of experience, with qualifications to be verified to the satisfaction of the City Planner.				
MM-TCR/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, and other relevant documents. The applicant/owner or grading contractor shall notify the City of Oceanside Planning Division of the start and end of all ground-disturbing activities.	During Construction (start/end of all ground disturbing activities)	Project Applicant/ Qualified Archaeologist	City of Oceanside	
MM-TCR/CUL-4: The qualified archaeologist and Luiseño Native American monitor shall attend all applicable preconstruction meetings with the general contractor and/or associated subcontractors to present the archaeological monitoring program. The qualified archaeologist, or an archeological monitor working under the direction of the qualified archeologist, and Luiseño Native American monitor shall be present on site full-time during grubbing, grading, and/or other initial ground-altering activities, including the placement of imported fill materials or fill used from other areas of the Parcel Area, to identify any evidence of potential archaeological or tribal cultural resources. All fill materials shall be absent of any and all tribal cultural resources. The Qualified Archaeologist and Luiseño Native American Monitor shall conclude monitoring when concurrence is reached by the Qualified Archaeologist and Luiseño Native American monitor that ground disturbing activities will no longer affect potential tribal cultural resources.	Prior to Construction/ During Construction (start/end of all ground disturbing activities)	Project Applicant /Qualified Archaeologist/ Luiseño Native American Monitor	City of Oceanside	
MM-TCR/CUL-5: For potentially significant archaeological artifact deposits and/or cultural resources to be readily detected during mitigation monitoring, a written Controlled Grade Procedure shall be prepared by a qualified archaeologist, in consultation with the Rincon Band of Luiseño	During Construction (start/end of all ground disturbing activities, if applicable)	Project Applicant	City of Oceanside	

Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
Indians and other Traditionally and Culturally Affiliated Luiseño Tribes that have participated in the state-prescribed process for this project, and the applicant/owner, subject to the approval of City of Oceanside 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, and 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-TCR/CUL-6: The Qualified Archeologist or the Luiseño Native American monitor may halt ground-disturbing activities if unknown tribal cultural resources, or non-Tribal unique archaeological resources as defined in CEQA Guidelines section 15064.5 (artifact deposits, or cultural features or artifacts) 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 shall be minimally documented in the field, and before grading proceeds, these items shall be secured until they can be repatriated for later reburial on the project site outside of the development area. If items cannot be securely stored on the project site, they may be stored in off-site facilities located in San Diego County and agreed upon by Rincon Band of Luiseño Indians. If the Qualified Archeologist and Luiseño Native American monitor determine that the unearthed tribal cultural resource, or non-Tribal unique archeological resources (artifact deposits, or cultural features or artifacts) are considered potentially significant, Traditionally and Culturally Affiliated (TCA) Luiseño Tribes that have	During Construction (start/end of all ground disturbing activities, if applicable)	Project Applicant/ The Qualified Archaeologist or the Luiseño Native American Monitor	City of Oceanside	

Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
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 of Oceanside (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, or non-Tribal unique archeological resources (artifact deposits, or cultural features or artifacts) that are part of a data recovery plan, no invasive or non-invasive testing of cultural materials is permitted without prior permission of the affiliated Tribes. The data recovery plan for the tribal cultural resources 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 Archeologist collects such resources, the Luiseño Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archeologist 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 for later reburial on the project site outside of the development pad and provide them to the Rincon Band of Luiseño Indians for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Ground-disturbing activities shall not resume until the Qualified Archeologist, in consultation with the Luiseño Native American Monitor, deems that the cultural resource or feature has been appropriately documented and/or protected.				

Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
Non-Tribal unique archaeological resource materials shall be collected and stored by the Qualified Archaeologist in offsite facilities located in San Diego County until the non-Tribal unique archaeological resources are curated at an appropriate qualified repository in San Diego County that meets federal standards per 36 CRF Part 79.				
MM-TCR/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 Parcel Area, to the consulting Tribes for reburial on the project site at a location agreed upon by the Tribes outside of the development pad. All cultural materials that are associated with burial and/or funerary goods shall 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.	During construction (start/end of all ground disturbing activities, if applicable)	Project Applicant	City of Oceanside	
MM-TCR/CUL-8: Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, that describes the results, analysis, and conclusions of the archaeological monitoring program (e.g., data recovery plan) shall be submitted by the qualified archaeologist, along with the Luiseño Native American monitor's notes and comments, to the City of Oceanside Planning Division for approval.	Prior to the Release of the Grading Bond	Project Applicant/The Qualified Archaeologist/ The Luiseño Native American Monitor	City of Oceanside	
MM-TCR/CUL-9: As specified by California Health and Safety Code Section 7050.5, if human remains are found on the Parcel Area during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the County of San Diego 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	During construction (start/end of all ground disturbing activities, if applicable)	Project Applicant/ The Luiseño Native American Monitor (if applicable)	City of Oceanside/San Diego County Medical Examiner (if applicable)	

Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
findings as to origin and disposition pursuant to California Public Resources Code Section 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 is protected, and consultation and treatment shall occur as prescribed by law. If suspected Native American remains are discovered, the remains shall be kept inside, 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 shall determine within 2 working days of being notified if the remains are subject to his or her authority. If the medical examiner identifies the remains to be of Native American ancestry, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC shall make a determination as to the most likely descendent.				
Geology and Soils				
MM-GEO-1: *Paleontological Monitor*. Prior to the issuance of grading permits, the Project Applicant shall submit to and receive approval from the City of a Paleontological Resources Mitigation and Monitoring Plan (PRMMP). The PRMMP shall include the provision of a trained paleontological monitor during onsite soil disturbance activities. The PRMMP shall include the provision of a trained paleontological monitor during onsite soil disturbance activities. The monitoring for paleontological resources shall be conducted on a full-time basis during the rough grading phases of the Project site within native soils that have the potential to harbor paleontological resources. The paleontological monitor shall be equipped to rapidly remove any large fossil specimens encountered during excavation. During monitoring, samples of soil shall be collected and processed to recover micro-vertebrate fossils. Processing shall include wet screen	Prior to Issuance of Grading Permit/During Construction (start/end of all ground disturbing activities)	Project Applicant	City of Oceanside	

Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
washing and microscopic examination of the residual materials to identify small vertebrate remains. If paleontological resources are unearthed or discovered during grading activities, the following recovery processes shall apply: ▪ Upon encountering a large deposit of bone, salvage of all bone in the area shall be conducted with additional field staff and in accordance with modern paleontological techniques. ▪ All fossils collected during the project shall be prepared to a reasonable point of identification. Excess sediment or matrix shall be removed from the specimens to reduce the bulk and cost of storage. Itemized catalogs of all material collected and identified shall be provided to the museum repository along with the specimens. ▪ A report documenting the results of the monitoring and salvage activities and the significance of the fossils shall be prepared. ▪ All fossils collected during this work, along with the itemized inventory of these specimens, shall be deposited in a museum repository (such as the San Diego Natural History Museum, or the Natural History Museum of Los Angeles County) for permanent curation and storage				
Tribal Cultural Resources				
See MM-TCR/CUL-1 through MM-TCR/CUL-9 above.				

MMRP EXHIBIT A
Project Design Features

Prepared for:

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Exhibit A provides a list of the Project Design Features (PDFs) that are proposed for incorporation into the project to reduce or avoid certain project effects. These PDFs will be made a Condition of Approval for the project, as adopted by the City of Oceanside with approval of the project.

Exhibit A Project Design Features Table

Project Design Features	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
Biological Resources				
PDF-BIO-1: *Biological Resource Minimization Measures*. Section 5.2.8 of the Oceanside Subarea Plan includes minimization measures that will be required to be implemented by the project. These minimization measures, as follows, will reduce construction-related edge effects and are required of all projects that may impact biological resources within Oceanside (City of Oceanside 2010): 1. The project applicant shall temporarily fence (with silt barriers) the limits of project impacts (including construction staging areas and access routes) to prevent unauthorized habitat impacts and prevent the spread of silt from the construction zone into adjacent native habitats to be preserved. Fencing shall be installed in a manner that does not impact habitats to be preserved. If work occurs beyond the fenced or demarcated limits of impact, all work shall cease until the problem has been remedied to the satisfaction of the City including compensatory mitigation if required by the City. Temporary construction fencing shall be removed upon project completion. 2. Any necessary localized security-related lighting shall be of the lowest illumination necessary for human safety, selectively placed, shielded, and directed away from natural habitats. 3. The biological monitor shall prepare periodic construction monitoring reports and a post-construction report to document compliance.	During Construction	Project Applicant	City of Oceanside	

Project Design Features	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
4. The project applicant shall ensure that the following conditions are implemented during project construction: a. Employees shall strictly limit their activities, construction staging areas (including stockpiling), vehicles, equipment, and construction materials to the fenced project footprint. b. To avoid attracting predators of covered species, the project site including off-site work areas shall be kept as clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site. c. Pets of project personnel shall not be allowed on the project site including off-site work areas. d. Disposal or temporary placement of excess fill, brush, or other debris shall not be allowed in waters of the State or United States or their banks, except as authorized by the applicable regulatory agencies. e. All equipment maintenance, staging, and dispensing of fuel, oil, coolant, or any other such activities shall occur in designated areas outside of waters of the State or United States within the fenced project impact limits. These designated areas shall be located in previously compacted and disturbed areas to the maximum extent practicable in such a manner as to prevent any runoff from entering waters of the State or United States and shall be shown on the construction plans. Fueling of equipment shall take place within existing paved areas greater than 100 feet from waters of the State or United States. Contractor equipment shall be checked for leaks prior to operation and repaired as necessary. “No-fueling zones” shall be designated on construction plans.				

Project Design Features	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
▪ **PDF-BIO-2** *General Order for Waste Discharge Requirements*. The project has been designed to avoid and minimize impacts to waters of the state to the maximum extent practicable. Two potential non-federal wetlands/waters of the state aquatic features within the Parcel Area would be filled by the project, with a total area of disturbance of 0.01 acres, 400 linear feet, and approximately 14 cubic yards. The applicant would obtain authorization from the San Diego Regional Water Quality Control Board (RWQCB) under the Porter–Cologne Water Quality Control Act in accordance with the General Order for Waste Discharge Requirements. The project would implement the following measures: ▪ Prior to the issuance of grading or other construction permits that would disturb aquatic features, the project shall (i) secure non-federal wetlands/waters of the state credits at a ratio of 1 to 1 for the filling of aquatic features; and (ii) submit evidence of the same to the RWQCB and the City. ▪ The credits shall be secured from the Wildlands San Luis Rey Mitigation Bank, another agency-approved mitigation bank with a service territory in the Northern Valley ecoregion in North San Diego County, a different agency-approved mitigation bank, or through an agency-approved in-lieu fee program to achieve no net loss of aquatic features.	Prior to Issuance of Grading Permit	Project Applicant	Regional Water Quality Control Board/City of Oceanside	

Project Design Features	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
▪ If no credits are available for purchase, no net loss may be achieved through either off-site permittee responsible mitigation at a resource-agency approved location or on-site permittee responsible mitigation consisting of the creation of 0.01 acres/400 linear feet of ephemeral aquatic resources. The project's current proposal consists of creating an ephemeral swale along the along the southwest portion of the development area bordering a proposed parking lot. The ephemeral swale will consist of a soft bottom rock and cobble lined earthen drainage swale that conveys storm water runoff from the southern hillside. No urban runoff will be conveyed to the ephemeral mitigation swale. The hillside storm water flows from south to north and will be conveyed to the eastern side of the mitigation swale by a series of concrete brow ditches and storm drain structures. The storm water will flow from east to west within the swale at velocities under 5 feet per second to avoid scour within the swale. The swale will be a minimum of 400 lineal feet with a 1-foot minimum bottom area. At the west end of the mitigation area the water will enter a concrete brow ditch due to vertical grade change and be conveyed west then northerly to the proposed storm drain outfall riprap. ▪ The applicant shall provide a copy of the issued General Order for Waste Discharge Requirements and proof of mitigation to the City prior to issuance of grading permits that would disturb aquatic features				
PDF-BIO-3 *Glare Reduction*. Windows on the buildings shall comply with State of California Green Building Standards Code, Section A5.107, as follows: **Glazing** 1. Glazing with visual markers shall include, but is not limited to, the following: a. Etched or fritted glass with patterns of elements on the exterior having minimum dimensions	Prior to Certificate of Occupancy	Project Applicant	City of Oceanside	

Project Design Features	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
of 1/4" (.64 cm [centimeters]) diameter for dots or 1/8" (.32 cm) width for stripes in a density of 2 inches (5.1 cm) maximum horizontally and vertically (the "2 × 2 Rule"). Note: If the visual markers are on glass surface 2, they can be effective if visible behind an exterior surface with reflectivity of 15 percent or less. b. Interior or exterior glazing film with 2 × 2 visual markers. c. Laminated glass with 2 × 2 visual markers, patterned ultraviolet (UV) coating or use of contrasting patterned UV-absorbing and UV-reflecting films. Note: Low-e coatings shall be behind the visual markers. d. Glass block or channel glass. e. Developed glazing technologies documented to reduce bird strikes, as tested by an independent third party and approved by the authority having jurisdiction; OR **Slats, Screens, Netting, Louvers** 2. Glazing protected by exterior features that create a visible barrier in front of the glazing, may include, but not be limited to: f. Horizontal or vertical slats of 1/8" (.32 cm) minimum face width with minimum 2" (5.1 cm) spacing that obscure 85 percent or more of glass when viewed from all feasible angles. g. Grilles, screens or 1/8" (.32 cm) dia. welded wire mesh with openings no more than 2" (5.1 cm) maximum horizontally and vertically installed parallel to and no more than 3 1/4 ft (1 m) from the first surface of glass (glass surface 1). h. Netting with 1" (2.5 cm) maximum openings, installed taut at least 6" (15 cm) away from the first surface of glass; or				

Project Design Features	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
i. Sunshades or louvers 9" (22.5 cm) deep vertically spaced a maximum 9" (22.5 cm) or 6" (15 cm) deep horizontally at maximum 6" (15 cm) spacing and parallel or angled to the glass surfaces.				
Air Quality				
PDF-AQ-1: Standard construction practices that would be employed to reduce fugitive dust emissions include the following: ▪ A minimum of two applications of water shall be applied during grading between dozer/grader passes. ▪ Paving, chip sealing, or chemical stabilization of internal roadways shall be applied after completion of grading. ▪ Grading shall be terminated if winds exceed 25 miles per hour (mph). ▪ All exposed surfaces shall maintain a minimum soil moisture of 12 percent. ▪ Dirt storage piles shall be stabilized by chemical binders, tarps, fencing, or other erosion control. ▪ Vehicle speeds shall be limited to 15 mph on unpaved roads. The above measures are consistent with SDAPCD [San Diego County Air Pollution Control District] Rule 55 – Fugitive Dust Control, which seeks to limit fugitive dust that may be generated during grading and construction activities.	During Construction	Project Applicant	City of Oceanside	
PDF-AQ-2: Require the installation of only electric fireplaces in future residential construction. Future residential units are prohibited from having wood-burning fireplaces or stoves.	Prior to Certificate of Occupancy	Project Applicant	City of Oceanside	
PDF-AQ-3: The project will provide temporary electricity to the project site during the building construction phases and prohibit the use of diesel-fueled/natural gas fueled generators during the building construction phases.	During Construction	Project Applicant	City of Oceanside	

Project Design Features	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
PDF-AQ-4: The project will limit air compressors used during the architectural coating/painting phases to equipment that is electric-powered.	During Construction	Project Applicant	City of Oceanside	
Geology and Soils				
PDF-GEO-1 : The project shall implement all recommendations per the Geotechnical Report (Appendix E1).	During Construction	Project Applicant	City of Oceanside	
Greenhouse Gas				
PDF-GHG-1 The project shall include the following sustainability measures: ▪ Electric vehicle parking and charging ▪ Bicycle parking ▪ Photo-voltaic (PV) systems installed on each building ▪ Drought-tolerant landscaping and water efficient irrigation system ▪ Connection to the North County Transit District Sprinter Station	Prior to Certificate of Occupancy	Project Applicant	City of Oceanside	
Noise				
PDF-NOI-1 Construction Noise Reduction Features: ▪ All construction equipment must have appropriate sound muffling devices, which shall be properly maintained and used at all times such equipment is in operation. ▪ The project contractor shall place stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site. ▪ The construction contractor shall locate on-site equipment staging areas so as to maximize the distance between construction-related noise sources and noise-sensitive receptors nearest the project site during the construction period.	During Construction	Project Applicant	City of Oceanside	

Project Design Features	Implementation Timing	Responsible Party	Enforcing Agency	Date of Completion
▪ All noise producing construction activities, including warming-up or servicing equipment and any preparation for construction, shall be limited to the hours between 7:00 a.m. and 6:00 p.m. ▪ An eight (8) foot tall, temporary noise barrier shall be erected along the applicable portion of the property line where the property line is adjacent to the nearest noise-sensitive receptor during the site preparation phase when site preparation activity occurs within 45 feet of the property line, the grading phase when grading activity occurs within 50 feet of the property line, and when paving activity occurs within 55 feet of the property line. ▪ The temporary solid noise barriers shall be constructed of 3/4-inch Medium Density Overlay (MDO) plywood sheeting, or other material of equivalent utility and appearance having a surface weight of 2 pounds per square foot or greater. There shall be no gaps in the barrier, and the barrier shall block the line of sight between the construction equipment and the noise sensitive receptor.				

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