DRAFT
ENVIRONMENTAL IMPACT REPORT
SKYHAVEN RESIDENTIAL PROJECT
OCEANSIDE, CALIFORNIA
STATE CLEARINGHOUSE NO. 2026031255

PREPARED FOR:

CITY OF OCEANSIDE
300 N. COAST HIGHWAY
OCEANSIDE, CA 92054
CONTACT: MANUEL BAEZA, PRINCIPAL PLANNER

PREPARED BY:

EPD SOLUTIONS, INC.
3333 MICHELSON DRIVE, SUITE 500
IRVINE, CA 92612

JULY 2026

This page intentionally left blank.

Table of Contents

1. Executive Summary 1-1
2. Introduction 2-1
3. Project Description 3-1
4. Environmental Impact Analysis 4-1
4.1 Biological Resources 4.1-1
5. EIR Preparers 5-1

Figures

Figure 2-1: AB 130 Urban Uses 2-7
Figure 3-1: Regional Location 3-5
Figure 3-2: Local Vicinity 3-7
Figure 3-3: Aerial View 3-9
Figure 3-4: Existing Site Photos 3-11
Figure 3-5: General Plan Land Use Designations 3-13
Figure 3-6: Zoning Designations 3-15
Figure 3-7: Conceptual Site Plan 3-23
Figure 3-8: Building Elevations 3-25
Figure 3-9: Building Elevations 3-27
Figure 3-10: Building Elevations 3-29
Figure 3-11: Open Space Plan 3-31
Figure 3-12: Conceptual Landscape Plan 3-33
Figure 3-13: Wall and Fence Plan 3-35
Figure 4.1-1: Project Site Vegetation 4.1-11

Tables

TABLE 2-1: SUMMARY OF PROJECT AB 130 EXEMPTION APPLICABILITY 2-2
TABLE 2-2: SUMMARY OF NOP COMMENT LETTERS 2-11
TABLE 2-3: SUMMARY OF SCOPING MEETING COMMENTS 2-15
TABLE 3-1: SURROUNDING EXISTING USES, GENERAL PLAN LAND USE, AND ZONING 3-2
TABLE 3-2: RESIDENTIAL BUILDING SUMMARY 3-17
TABLE 3-3: RESIDENTIAL UNIT SUMMARY 3-18
TABLE 4.1-1: ON-SITE VEGETATION COMMUNITIES AND LAND COVER TYPES 9
TABLE 4.1-2: SPECIAL-STATUS PLANT SPECIES POTENTIAL TO OCCUR 13
TABLE 4.1-3: SPECIAL-STATUS WILDLIFE SPECIES POTENTIAL TO OCCUR 17
TABLE 4.1-4: IMPACTS TO VEGETATION COMMUNITIES 25

Appendices

Appendix A ..... NOP and NOP Comments
Appendix B ..... Biological Technical Report

1. Executive Summary

This Draft Environmental Impact Report (EIR) (State Clearinghouse [SCH] Number2026031255) evaluates the environmental effects that may result from the construction and operation of the SkyHaven Residential Project (proposed Project). This EIR has been prepared in conformance with State and City of Oceanside environmental policy guidelines for the implementation of the California Environmental Quality Act (CEQA).

This Draft EIR is being circulated for review and comment by the public and other interested parties, agencies, and organizations for 45 days in accordance with Section 15087 and Section 15105 of the CEQA Guidelines. During the 45-day review period, the Draft EIR will be available for public review at the City of Oceanside website:

https://www.ci.oceanside.ca.us/government/development-services/planning/environmental-documents-ceqa

Written comments related to environmental issues in the Draft EIR should be addressed to:

Manuel Baeza, Principal Planner
City of Oceanside, Development Services Department
300 North Coast Highway
Oceanside, California 92054
mbaeza@oceansideca.org

A Notice of Availability (NOA) of the Draft EIR was published concurrently with distribution of this document.

1.1 PROJECT LOCATION

The Project site is located in the southeastern portion of the City of Oceanside within the Lake Neighborhood Planning Area, southeast of the intersection of Sunset Drive and Sky Haven Lane. The site address is 2060 Sunset Drive in the City of Oceanside. Regional access to the Project site is provided via State Route 78 (SR-78) and the Emerald Drive interchange that is located approximately 0.3 miles to the north of the site. Local access to the site is provided by South Emerald Drive, Sunset Drive, and Sky Haven Lane.

The Project site is identified by Assessor's Parcel Numbers (APNs) 168-020-64-00 and 168-030-45-00. The Project site is within an unsectioned portion of the United States Geological Survey (USGS) San Luis Rey, California (7.5-minute) topographic quadrangle map (Township 11 South, Range 1 West of the San Bernardino Baseline and Meridian), and is located at latitude +33.182852°, longitude -117.278137°.

1.2 PROJECT DESCRIPTION SUMMARY

The SkyHaven Residential Project would develop the 7.78-gross-acre site to provide 192 apartment homes within seven buildings. The Project proposes 1.86 acres of off-site roadway improvements within Sky Haven Lane and Sunset Drive, resulting in 5.92 net acres of developable area. The residences would consist

of 163 market rate units and 29 units available to low-income households. The Project would result in a density of 24.67 dwelling units per gross acre and 32.45 dwelling units per net acre. The proposed buildings would have a contemporary Spanish architectural style and would be three and four-stories with a maximum height of 49 feet.

The Project includes 13,500 square feet of common open space with a community pool area, and a 5,084-square-foot clubhouse containing leasing offices, lounge and co-working spaces, a fitness center, and an outdoor patio space adjacent to the pool area.

Landscaping coverage would be approximately 70,186 square feet (27.2 percent of the site) that would include ornamental trees, shrubs, and ground covers. The proposed tree canopy coverage is 30,962 square feet (12 percent of the site). Retaining walls are proposed along the Project boundaries due to the existing site topography and would be up to 28 feet in height along the south and east site boundaries and up to 22 and 23 feet in height along Sunset Drive and Sky Haven Lane. Trees, shrubs, and other landscaping plantings are proposed to screen the retaining walls.

Access to the site would be provided by a 28-foot-wide driveway along Sunset Drive at the northeastern corner of the site. In addition, the Project includes installation of sidewalks along the Project site frontages of Sunset Drive and Sky Haven Lane. The Project would provide a total of 314 parking spaces located in garages, carports, and surface parking areas. The Project would also provide a total of 119 bicycle parking spaces. A Development Plan is required to be approved for the proposed residential Project.

The State of California's Density Bonus Law (SDBL) (Government Code §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, incentives and concessions in exchange for providing affordable housing units in compliance with all current density bonus regulations. In accordance with the SDBL, qualifying projects may choose to implement a reduced amount of density bonus, including, but not limited to, no increase in density. The City of Oceanside zoning regulations implement the State requirements. The SDBL also entitles projects to certain development incentives or concessions and provides waivers from development standards that would physically preclude the project at the density proposed. The proposed Project includes a total of 192 apartment units, which is below the 225 units permitted by the RH zoning district. However, the SDBL is being utilized for development incentives, concessions, and waivers from certain development standards.

Section 3.0, *Project Description*, provides a comprehensive description of the proposed construction and operation of the proposed Project.

1.3 SCOPE OF CEQA ANALYSIS

As described in Section 2.0, *Introduction*, Assembly Bill 130 (AB 130) and Senate Bill 131 (SB 131) related to environmental review of certain housing development projects were signed by Governor Newsom on June 30, 2025, and went into immediate effect. AB 130 includes Public Resources Code Section 21080.66, which established a new CEQA statutory exemption for qualifying housing development projects and SB 131 amended Public Resources Code Section 21080.1(b)(1) to read that if a proposed housing development project would otherwise be exempt pursuant to a statutory exemption or categorical exemption, but for a single condition, the CEQA review for the proposed housing development project

shall be limited to effects upon the environment that are caused solely by that single condition. "Condition" is defined as a physical or regulatory feature of the project or its setting or an effect upon the environment caused by the project.

Specifically, PRC Section 21080.1(b)(2) states that an initial study or environmental impact report prepared for a housing development project subject to SB 131 is only required to examine those effects that the lead agency determines, based upon substantial evidence in the record, are caused solely by the single condition that makes the proposed housing development project ineligible for the statutory exemption or categorical exemption. Further, PRC Section 21080.1 states that an environmental impact report for a housing development project subject to this review is not required to include any discussion of alternatives to the housing development project or the growth-inducing impacts of the housing development project.

As detailed in Section 2.0, *Introduction*, the proposed residential Project meets each criteria required by the PRC Section 21080.66 in-fill exemption, except that there is habitat for protected species identified as candidate, sensitive, or species of special status, which is the sole "condition" that keeps the Project from being exempt pursuant to PRC Section 21080.66. (See PRC Section 21080.66(a)(6), Govt. Code Section 65913.4(a)(6).) Thus, the streamlined review provided by PRC Section 21080.1 is applicable to the Project, which limits the environmental review of this EIR to potential impacts to biological resources. Thus, this Draft EIR evaluates the potential direct and indirect impacts to on-site biological resources that could result from construction and operations of the proposed Project, and, as warranted, proposed mitigation to address any impacts.

1.4 SUMMARY OF CEQA PROCESS

A project-level analysis has been provided pursuant to CEQA Guidelines Section 15161. To begin the CEQA process, the City of Oceanside issued a Notice of Preparation (NOP) for the Project, which was distributed on March 27, 2026, for a public review period of 30 days through April 27, 2026. Per CEQA Guidelines Section 15082, the NOP was submitted to the State Clearinghouse (SCH) within the Office of Land Use and Climate Innovation, County Clerk, Responsible and Trustee Agencies, counties and cities bordering the site, adjacent properties, and organizations and individuals that have requested notification. The NOP was posted on the City's website, and at City Hall and the City libraries. In addition, pursuant to Assembly Bill (AB 52), the City sent letters to Native American tribal representatives.

Pursuant to Section 15082(c)(1) of the CEQA Guidelines, the City of Oceanside hosted a public scoping meeting on April 21, 2026, at 6:00 p.m. at the El Corazon Event Center located at 3306 Senior Drive, Oceanside, CA 92056 for members of the public and public agencies to provide input as to the scope and content of the environmental information and analysis to be included in the Draft EIR.

The Draft EIR has since been prepared and the City of Oceanside has filed a Notice of Completion (NOC) with the Governor's Office of Land Use and Climate Innovation State Clearinghouse, indicating that this Draft EIR has been completed and is available for review and comment. A Notice of Availability (NOA) of this Draft EIR was published noticing that it is circulated for review and comment by the public, interested parties, agencies, and organizations for 45 days in accordance with CEQA Guidelines Sections 15087 and 15105.

Written responses to all comments related to the environmental issues in the Draft EIR will be prepared and incorporated into a Final EIR. The written responses to comments will be made available at least 10 days prior to the public hearing at which the certification of the Final EIR will be considered by the City of Oceanside Planning Commission. Notice of the availability of the Final EIR will be sent to all who comment on the Draft EIR. Additional detail about the CEQA process is provided in Section 2.0, *Introduction*.

1.5 PROJECT OBJECTIVES

The intent of the SkyHaven Residential Project is to develop and operate a multi-family residential development that would be consistent with the site's General Plan land use and zoning designations.

CEQA Guidelines Section 15124(b) states that an EIR shall contain a clearly written statement of project objectives that should include the underlying purpose of the project and may discuss project benefits. The purpose of the project is to provide much needed housing in the City of Oceanside that helps contribute to meeting the City's Regional Housing Needs Allocation (RHNA) and easing the statewide housing crisis. The objectives for the proposed Project include the following:

1. Provide multi-family housing to assist in meeting the City's Regional Housing Needs Allocation (RHNA).
2. Maintain consistency with the existing General Plan and zoning designation.
3. Provision of affordable housing.
4. To provide multifamily housing at various income levels and associated residential amenities that facilitate urban living.
5. To locate housing proximate to commercial and urban uses on an underutilized, in-fill site.

1.6 SUMMARY OF IMPACTS

Table 1-1 summarizes the conclusions of the environmental analysis contained in this Draft EIR. The level of significance of impacts after the proposed mitigation measures are applied are identified as *significant and unavoidable*, *less than significant*, or *no impact*. Relevant standard regulatory requirements are identified, and mitigation measures are provided for the potentially significant impacts.

Table 1-1: Summary of Impacts

Impact	Applicable Plan, Program, or Policies (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
4.1 Biological Resources				
Impact BIO-1: Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		Potentially significant	**Mitigation Measure BIO-1: Habitat Mitigation.** Project plans, specifications, and construction permitting shall state that to account for impacts to 1.26 acres of coastal sage scrub habitats (coastal sage–chaparral transition and coastal sage scrub), like habitats or equivalent suitable habitat at a ratio of 2:1 (2.52 acres) shall be purchased from an existing offsite approved mitigation bank within the limits of the City's Wildlife Corridor Planning Zone, Pre-Approved Mitigation Areas, or other mitigation area approved by the City of Oceanside and Wildlife Agencies prior to issuance of grading permits. To account for impacts to 0.13 acre of non-native grassland habitat, like habitat at a ratio of 0.5:1 (0.07 acre) shall be purchased from an existing offsite approved mitigation bank within the limits of the City's Wildlife Corridor Planning Zone, Pre-Approved Mitigation Areas, or other mitigation area approved by the City of Oceanside. Proof of credit purchase shall be submitted to the City of Oceanside prior to issuance of grading permits and Wildlife	Less than significant

Impact	Applicable Plan, Program, or Policies (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
			Agencies prior to issuance of grading permits. **Mitigation Measure BIO-2: Temporary Fence Installation.** Project plans, specifications, and construction permitting shall state that the Project applicant shall temporarily fence (with silt barriers) the limits of Project impacts (including construction staging areas and access routes) to prevent additional habitat impacts and prevent the spread of silt from the construction zone into adjacent native habitats to be preserved. Fencing shall be installed prior to any ground disturbing activity 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 Wildlife Agencies. Any riparian/wetland or upland habitat impacts that occur beyond the approved fenced shall be mitigated at a minimum 5:1 ratio. Temporary construction fencing shall be removed upon Project completion following confirmation by the qualified biologist that	

Impact	Applicable Plan, Program, or Policies (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
			construction activities within the vicinity of sensitive habitats have concluded. **Mitigation Measure BIO-3: Workers Environmental Awareness Training.** Project plans, specifications, and construction permitting shall state that a Workers Environmental Awareness Training Program shall be implemented by a City approved qualified biologist with the contractor and all active construction personnel prior to ground disturbance or vegetation removal to ensure knowledge of sensitive wildlife that may occur on site, including coastal California gnatcatcher and their habitat, and general compliance with environmental/permit regulations and mitigation measures. At a minimum, training shall include a discussion of the following topics: (1) the purpose for resource protection; (2) descriptions of coastal California gnatcatcher and Crotch's bumble bee and their habitat; (3) the mitigation measures outlined in this report that should be implemented during Project construction to conserve sensitive resources, including strictly limiting	

Impact	Applicable Plan, Program, or Policies (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
			activities, vehicles, equipment, and construction materials to the fenced area to avoid sensitive resource areas in the field (i.e., avoided areas delineated on maps and on the project site by fencing); (4) environmentally responsible construction practices; (5) the protocol to resolve conflicts that may arise at any time during the construction process; and, (6) the general provisions of the Federal Endangered Species Act (FESA) and California Endangered Species Act (CESA), the need to adhere to the provisions of FESA and CESA, and the penalties associated with violating FESA and CESA. The Workers Environmental Awareness Training Program shall be submitted to the City Planning Division for review and approval, prior to the issuance of grading permits. **Mitigation Measure BIO-4: Work Hours.** Project plans, specifications, and construction permitting shall state that a Project construction shall occur during daylight hours. If work is necessary after the sun sets, night lighting shall be of the lowest illumination necessary for human safety, selectively placed, shielded	

Impact	Applicable Plan, Program, or Policies (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
			and directed away from natural habitats. **Mitigation Measure BIO-5: Construction Best Management Practices.** Project plans, specifications, and construction permitting shall state that the following conditions shall be implemented during Project construction, including grading and vegetation removal to minimize potential impacts to sensitive vegetation and species. The City approved qualified biologist shall conduct periodic site inspections during construction to verify compliance with the requirements below and shall have the authority to stop work in the event of non-compliance until corrective actions have been implemented 1. Employees shall strictly limit their activities, vehicles, equipment, and construction materials to the fenced project footprint. 2. To avoid attracting predators of covered species, the project site shall be kept as clean of	

Impact	Applicable Plan, Program, or Policies (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
			debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site. 3. Pets of project personnel shall not be allowed on the project site. 4. Disposal or temporary placement of excess fill, brush or other debris shall not be allowed in waters of the United States or their banks. 5. 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 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 United States,	

Impact	Applicable Plan, Program, or Policies (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
			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 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. 6. Impacts from fugitive dust shall be avoided and minimized through watering and other appropriate measures pursuant to the San Diego Air Pollution Control District (SDAPCD) Rule 55. **Mitigation Measure BIO-6: Biological Monitoring.** Project plans and permitting shall require that a City approved qualified biological monitor shall be onsite during: a) initial clearing and grubbing of all native habitats; and b) Project construction within 500 feet of preserved habitat to ensure compliance with all conservation measures. The biologist must be	

Impact	Applicable Plan, Program, or Policies (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
			knowledgeable of the covered species biology and ecology. The biologist shall be available during pre-construction and construction phases to address protection of sensitive biological resources, monitor ongoing work, and to ensure that issues relating to coastal California gnatcatcher and Crotch's bumble bee, and their habitats are appropriately and lawfully managed. The biological monitor shall prepare periodic construction monitoring reports and a post-construction report to be submitted to the City Planning Division to document compliance. **Mitigation Measure BIO-7: Pre-Construction Nesting Bird Survey.** To avoid any direct and indirect impacts to raptors and/or any migratory birds, vegetation removal shall occur outside of the nesting bird season (generally between February 1 and September 15). If removal of habitat and/or construction activities is necessary adjacent to nesting habitat during the breeding season, the applicant shall retain a City-approved biologist to conduct a pre-construction survey to determine the presence or	

Impact	Applicable Plan, Program, or Policies (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
			absence of non-listed nesting migratory birds on or within 300 feet of the construction area, and federally- or State-listed birds and raptors on or within 500 feet of the construction area. The pre-construction survey must be conducted within 10 calendar days prior to the start of construction, the results of which must be submitted to the City Planning Division for review and approval prior to initiating any construction activities. If nesting birds are detected by the City-approved biologist, the following buffers shall be established: 1) no work within 300 feet of a non-listed nesting migratory bird nest, and 2) no work within 500 feet of a listed bird or raptor nest. However, the City may reduce these buffer widths depending on site-specific conditions (e.g. the width and type of screening vegetation between the nest and proposed activity) or the existing ambient level of activity (e.g., existing level of human activity within the buffer distance). If construction must take place within the recommended buffer widths above, the Project applicant will contact the City and Wildlife	

Impact	Applicable Plan, Program, or Policies (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
			Agencies to determine the appropriate buffer. **Mitigation Measure BIO-8: California Gnatcatcher Nest Avoidance and Minimization Measures.** If during preconstruction nesting bird surveys, an active coastal California gnatcatcher nest is found on site or within 500 feet of Project construction activities, the biologist shall postpone work within 500 feet of the nest until all nesting (or breeding/nesting behavior) has ceased or until a nest monitoring program has been developed in coordination with USFWS and the City. Subsequently, work may be initiated based upon implementation of the avoidance/minimization approach identified within the nest monitoring program. If the biologist determines that bird breeding behavior is being disrupted, the Project applicant shall stop work and coordinate with USFWS and the City to review the avoidance/minimization approach. Upon agreement as to any necessary revisions to the avoidance/minimization approach,	

Impact	Applicable Plan, Program, or Policies (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
			work may resume subject to the revisions and continued monitoring. Success or failure of an active nest shall be established by regular and frequent trips to the site, as determined by the biologist and through a schedule approved by the Wildlife Agencies. Monitoring of an active nest shall continue until fledglings have dispersed or the nest has been determined to be a failure, as approved by USFWS. Any impacts to this species would require take authorization from the USFWS. **Mitigation Measure BIO-9: Crotch's Bumble Bee Pre-Construction Survey.** Project plans and permitting shall require that a pre-construction survey for Crotch's bumble bee shall be conducted by a City and CDFW approved qualified biologist 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	

Impact	Applicable Plan, Program, or Policies (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
			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. If Crotch's bumble bee nests are not detected, no further mitigation would be required. 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). If Crotch's bumble bee is detected within the project area and avoidance is infeasible, the project applicant shall consult with CDFW regarding the need to obtain an Incidental Take Permit. Any	

Impact	Applicable Plan, Program, or Policies (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
			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 Measure BIO-10: Landscaping. .** The Project plans and permitting shall require that development landscaping adjacent to on- or off-site habitat does not include exotic plant species that may be invasive to native habitats. Exotic plant species not to be used include any species listed on the California Invasive Plant Council's (Cal-IPC) "Invasive Plant Inventory" List. This list includes such species as pepper trees, pampas grass, fountain grass,	

Impact	Applicable Plan, Program, or Policies (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
			ice plant, myoporum, black locust, capeweed, tree of heaven, periwinkle, sweet alyssum, English ivy, French broom, Scotch broom, and Spanish broom. A copy of the complete list can be obtained from Cal-IPC's web site or other similar sources that may evolve over the life of this plan . In addition, landscaping should not use plants that require intensive irrigation, fertilizers, or pesticides adjacent to the Preserve and water runoff from landscaped areas should be directed away from the biological conservation easement area and contained and/or treated within the development footprint. Project plans and permitting shall require that development lighting adjacent to all on- or offsite habitat shall be directed away from and/or shielded so as not to illuminate native habitats.	
Impact BIO-2: Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of	**PPP WQ-1: SWPPP.** Prior to issuance of any grading permits, the applicant shall provide the City Building Department evidence of compliance with the NPDES (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the	Potentially significant	**Mitigation Measure BIO-1: Habitat Mitigation.** As listed previously.	Less than significant

Impact	Applicable Plan, Program, or Policies (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Fish and Wildlife or U.S. Fish and Wildlife Service?	State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of one acre or larger. The Project applicant/proponent shall comply by submitting a Notice of Intent (NOI) and by developing and implementing a Stormwater Pollution Prevention Plan (SWPPP) and a monitoring program and reporting plan for the construction site.			
Impact BIO-3: Would the Project have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		Less than significant	None required	Less than significant
Impact BIO-4: Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		Potentially significant	**Mitigation Measure BIO-7: Pre-Construction Nesting Bird Survey.** As listed previously.	Less than significant
Impact BIO-5: Would the Project conflict with any local policies or ordinances protecting biological		No impact	None required	No impact

Impact	Applicable Plan, Program, or Policies (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
resources, such as a tree preservation policy or ordinance?				
Impact BIO-6: Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?		No impact	None required	No impact
Cumulative		Potentially significant	**Mitigation Measure BIO-1: Habitat Mitigation.** As listed previously. **Mitigation Measure BIO-2: Temporary Fence Installation.** As listed previously. **Mitigation Measure BIO-3: Workers Environmental Awareness Training.** As listed previously. **Mitigation Measure BIO-4: Work Hours.** As listed previously. **Mitigation Measure BIO-5: Construction Best Management Practices.** As listed previously. **Mitigation Measure BIO-6: Biological Monitoring.** As listed previously.	Less than significant

Impact	Applicable Plan, Program, or Policies (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
			Mitigation Measure BIO-7: Pre-Construction Nesting Bird Survey. As listed previously. **Mitigation Measure BIO-8: California Gnatcatcher Nest Avoidance and Minimization Measures.** As listed previously. **Mitigation Measure BIO-9: Crotch's Bumble Bee Pre-Construction Survey.** As listed previously. **Mitigation Measure BIO-10: Landscaping.** As listed previously.	

This page intentionally left blank.

2. Introduction

This Draft Environmental Impact Report (EIR) (State Clearinghouse [SCH] Number 2026031255) is an informational document that evaluates the environmental effects that may result from the construction and operation of the proposed SkyHaven Residential Project (Project), as detailed in Section 3.0, *Project Description*. This EIR has been prepared by the City of Oceanside in its capacity as Lead Agency, as that term is defined in Section 15367 of the California Environmental Quality Act (CEQA) Guidelines (14 California Code of Regulations Section 15000 et seq.) and in conformance with CEQA (Public Resources Code Section 21000 et seq.). This EIR has been prepared to identify, analyze, and mitigate the potentially significant environmental effects of the proposed Project.

CEQA requires each EIR to reflect the independent judgment of the Lead Agency, including but not limited to the thresholds of significance used to analyze Project impacts, analyses and conclusions regarding the level of significance of impacts both before and after mitigation, and the identification and application of mitigation measures to avoid or reduce Project-related impacts. In preparing this Draft EIR, the City of Oceanside has employed CEQA and environmental technical specialists; however, the analyses and conclusions set forth in this Draft EIR reflect the independent judgment of the City as Lead Agency.

2.1 ASSEMBLY BILL 130 AND SENATE BILL 131 STREAMLINED REVIEW

Assembly Bill 130 (AB 130) and Senate Bill 131 (SB 131) related to environmental review of housing development projects were signed by Governor Newsom on June 30, 2025, and went into immediate effect.

AB 130 includes Public Resources Code section 21080.66, which established a new CEQA statutory exemption for qualifying housing development projects that are 20 acres or less in size (or, in the case of a builder's remedy project site, 5 acres or less) and that:

- Are located in an incorporated city or urban area, and either previously developed or surrounded by urban uses,
- Are consistent with applicable local plans,
- Are at least half of the density that is deemed appropriate to accommodate lower-income households in the State Housing Element Law, as set forth in Gov. Code section 65583.2(c)(3)(B);
- Do not require demolition of a historic structure;
- Avoids hazardous sites and sensitive lands (e.g., prime farmland, wetlands, etc.);
- Do not include any transient lodging (e.g., hotel, motel, or bed and breakfast inn);
- Meet specific tribal consultation requirements and include mitigation for tribal cultural resources;
- Include a condition of approval requiring an environmental assessment for hazardous substance releases, with mitigation requirements based upon results;
- Comply with specific environmental hazard and air filtration standards if within 500 feet of a freeway;
- Comply with prevailing wage and other labor standards if over 85 feet or if 100 percent of units will be dedicated to lower-income households and with additional labor provisions for projects in San Francisco.

SB 131 amended Public Resources Code Section 21080.1 (b) (1) to read that if a proposed housing development project would otherwise be exempt pursuant to a statutory exemption, or categorical exemption pursuant to Class 1 to 5, inclusive, 12, 15, 20, 27, 30, or 32, but for a single condition detailed in the statutory exemption or in Section 15300.2, 15301, 15302, 15303, 15304, 15305, 15312, 15315, 15320, 15322, 15327, 15330, or 15332 of Title 14 of the California Code of Regulations, the approval of the proposed housing development project shall be limited to effects upon the environment that are caused solely by that single condition. Condition is defined as a physical or regulatory feature of the project or its setting or an effect upon the environment caused by the project.

Specifically, Section 21080.1 (b) (2) states that an initial study or environmental impact report prepared for a housing development project subject to SB 131 is only required to examine those effects that the lead agency determines, based upon substantial evidence in the record, are caused solely by the single condition that makes the proposed housing development project ineligible for the statutory exemption or categorical exemption. Further, SB 131 states that an environmental impact report for a housing development project subject to this review is not required to include any discussion of alternatives to the housing development project or the growth-inducing impacts of the housing development project.

However, SB 131 does not apply to any of the following housing development projects:

(A) A proposed housing development project that is not similar in kind to the projects listed in the statutory or categorical exemption.
(B) A proposed housing development project that is ineligible for the statutory exemption or categorical exemption due to two or more conditions.
(C) A proposed housing development project that includes a distribution center or oil and gas infrastructure.
(D) A proposed housing development project located on natural and protected lands, as defined pursuant to Section 21067.5.

Project Applicability to AB 130 and SB 131 Streamlined Review

As detailed in Table 2-1, the proposed residential Project meets each criteria required by the AB 130 exemption (PRC Section 21080.66), except that there is potential habitat for protected species identified as candidate, sensitive, or species of special status, which is the sole "condition" that keeps the Project from being exempt pursuant to PRC Section 21080.66. Thus, the streamlined review provided by SB 131 is applicable to the Project, which limits the environmental review of this EIR to biological resources.

Table 2-1: Summary of Project AB 130 Exemption Applicability

AB 130 Exemption Criteria	Project Consistency
The project must be a "housing development project" as defined in Government Code § 65906.5 (which references Government Code § 65589.5(h)(2)) meaning that the project must dedicate at least two-thirds of the square footage for residential use, unless the project proposes at least 500 net new residential units and qualifies for 50% residential.)	**Consistent.** The Project proposes 192 residential units totaling 174,534 SF of the 223,838 SF of total building area (78 percent) Therefore, the Project would qualify as a "housing development project" pursuant to Government Code § 65589.5(h)(2)(A)..

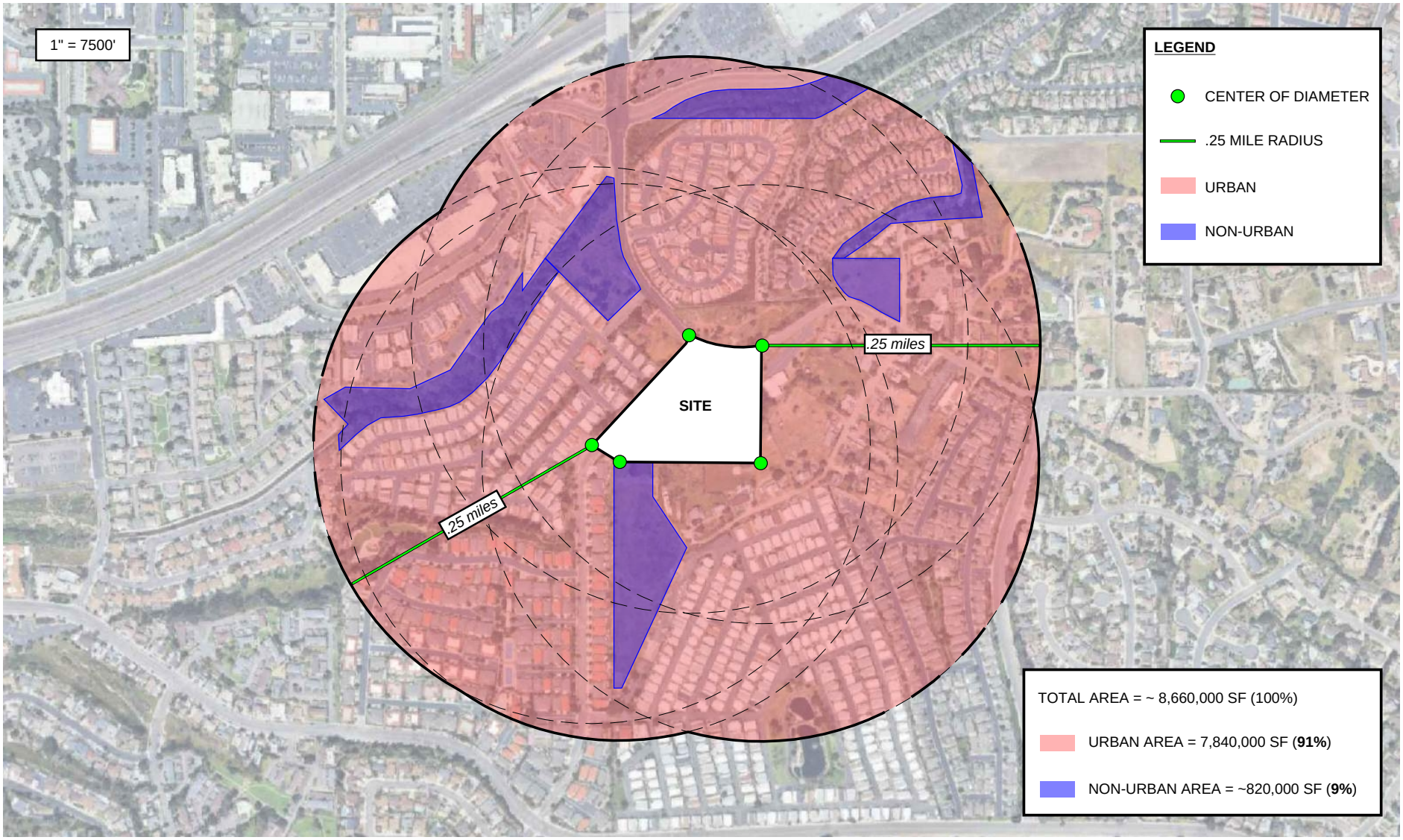
AB 130 Exemption Criteria	Project Consistency
The project site must be less than 20 acres (unless it is a builder's remedy project, which must not exceed five acres).	**Consistent.** The Project site is approximately 7.78 gross acres, which is less than 20 acres.
The project is located either (a) within an incorporated municipality (b) an urban area, as defined by the Census Bureau.	**Consistent.** The Project is within the City of Oceanside, an incorporated municipality.
The site meets any of the following: (a) previously developed with an urban use, (b) at least 75% of the perimeter of the site adjoins parcels developed with urban uses, (c) at least 75% of the area within ¼ mile radius of the site is developed with urban uses, (d) for sites with four sides, at least 3 of 4 sides are developed with urban uses and at least 2/3rds of the perimeter of the site adjoins parcels that are developed with urban uses. [other options omitted].) The term "urban use" means "any current or previous residential or commercial development, public institution, or public park that is surrounded by other urban uses, parking lot or structure, transit or transportation passenger facility, or retail use, or any combination of those uses"	**Consistent.** The Project site itself is not developed with urban uses, although the site was previously disturbed and graded. However, the Project site meets the required criteria, as 75% of the site's perimeter adjoins parcels that are developed with urban uses, which are defined to be "any current or previous residential or commercial development, public institution, or public park that is surrounded by other urban uses, parking lot or structure, transit or transportation passenger facility, or retail use, or any combination of those uses." (Pub. Res. Code § 21080.66(g)(3).) The entirety of the site's northwestern border (adjacent to Sky Haven Lane) is adjacent to existing developed, residential uses. The entirety of the site's northern boundary is adjacent to a parcel actively used for storage, stockpiling and other uses. The site's entire eastern boundary is adjacent to Sunset Drive Church of Christ property and developed residential uses. In addition, the majority of the site's southern boundary is developed with single-family residences (residential uses). Independently, the site also qualifies because 75% of the area surrounding the Project site (within a one-quarter-mile radius) is developed with urban uses, including housing, religious institutions, business park uses, and commercial uses as shown below in Figure 2-1.
The project is consistent with the general plan and zoning. If the general plan and zoning are inconsistent, a project is deemed consistent with both if consistent with one. The approval of a density bonus, incentives/concessions, waivers or reductions of development standards, or reduce parking pursuant to the Density Bonus Law are not grounds to find the project inconsistent.	**Consistent.** The Project complies with the standards of the site's High Density Residential (HD-R) designation and High Density Residential (RH) zoning district, except with respect to those specific standards identified for waivers pursuant to Density Bonus Law.
The project will be at least 50% of the default density specified in Government Code § 65583.2(c)(3)(B).	**Consistent.** The default density is 30 units/acre in the City of Oceanside, 50% of which is 15 units/acre. The Project proposes a base density of 32.45 units/net acre (24.67 units/gross acre).

AB 130 Exemption Criteria	Project Consistency
If the site is in the Coastal Zone, there is substantial evidence in the record that the site is not located in any of the areas described below. 1. A site that is between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line where there is no beach, whichever is greater. 2. A site that is tidelands, submerged lands, public trust lands, or within 100 feet of any wetland, estuary, or stream or within 300 feet of the top of any coastal bluff. 3. The site is in an area of the Coastal Zone that is not subject to a certified Local Coastal Program or certified Land Use Plan. 4. An area of the Coastal Zone that is vulnerable to five feet of sea level rise, as determined by specified entities (e.g., NOAA, USGS, OPC, University of California, or other local government pursuant to hazards vulnerability assessment). 5. A site that is not zoned for multifamily housing. 6. The site is not on or within 100 feet of a wetland, or on prime agricultural land.	**Consistent.** The site is not in the Coastal Zone.
The site is not either prime farmland or farmland of statewide importance, or land zoned or designated for agricultural production or preservation by a local ballot measure approved by the voters.	**Consistent.** The Project site is not identified as either prime farmland, farmland of statewide importance, or zoned or designated for agricultural production by a local ballot measure. The site is identified as Urban and Built-Up Land California Department of Conservation - Important Farmland Viewer and is zoned for residential uses.
The site does not have wetlands as defined by the United States Fish and Wildlife Service (USFWS).	**Consistent.** The United States Fish & Wildlife Service - National Wetlands Inventory details that the Project site does not contain any wetlands.
The site is not within a state or local Very High Fire Hazard Severity Zone (VHFHSZ), except if the site has adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development, including, but not limited to standards under (1) PRC §§ 4290, 4291 or 51182, (2) Chapter 7A of the CBC.	**Consistent.** The Project site is not within a VHFHSZ, as identified by CalFire Fire Hazard Severity Zone Map.
The site is not a hazardous waste site that is listed on the Cortese List (Govt. Code § 65962.5) or a site designated by Department of Toxic Substances Control (DTSC) pursuant to Health & Safety Code § 25356 (repealed) unless either of the following apply: 1. The site is an underground storage tank site that received a uniform closure letter based on closure	**Consistent.** The Project site is not on the Cortese List or otherwise identified by DTSC as a hazardous waste site. DTSC explains that sites listed pursuant to Section 25356 are included on the Cortese List.

AB 130 Exemption Criteria	Project Consistency
criteria for residential use or residential mixed uses. 2. An agency (state or local) has made a determination that the site is suitable for residential or mixed-uses.	
The site is not within an earthquake fault zone, unless the development complies with applicable seismic standards of the CBC and any local building standards.	**Consistent.** The California Department of Conservation earthquake zone mapping identifies that the Project site is not within a delineated earthquake fault zone. In addition, the Project would comply with all applicable seismic standards of the CBC and all local building standards that would be verified through the City's development review and permitting process.
The site is not within a special flood hazard area subject to a 1% annual chance of flood as determined by FEMA, unless specific standards are met.	**Consistent.** The Project site is not within a special flood hazard area, as detailed by Federal Emergency Management Agency (FEMA) – flood mapping.
The site is not within a regulatory floodway as determined by FEMA, unless specific standards are met.	**Consistent.** The Project site is not within a regulatory floodway as determined by FEMA mapping.
The site is not identified for conservation in an adopted natural resource protection plan.	**Consistent.** The Project site is not identified for conservation in any natural resources protection plan, including the Oceanside Subarea Habitat Conservation Plan/Natural Community Conservation Plan. It is a disturbed site in an urban area of the City.
The site does not have habitat for protected species identified as a candidate, sensitive, or special status species by state/federal agencies.	**Not Consistent.** The site has habitat on site that has potential for protected species. The potential impacts associated with removal of that habitat, and associated mitigation, are evaluated in Section 4.1, *Biological Resources*, of this Draft EIR.
The site is not subject to a conservation easement.	**Consistent.** The Project site is within an urban area, adjacent to developed areas and is currently designated for residential development. The site is not subject to a conservation easement.
The project does not require the demolition of a historic structure on a national, state or local register before the date of an SB 330 preliminary application.	**Consistent.** The Project site does not have any historic resources as designated on a national, state or local register.

This page intentionally left blank

Figure 2-1: AB 130 Urban Uses



This page intentionally left blank

2.2 STATE HOUSING LAW

The proposed Project would utilize the provisions of the California Housing Crisis Act of 2019 Senate Bill 330 (SB 330), which establishes procedures intended to facilitate the development of housing. Under SB 330, housing development projects may submit a preliminary application that establishes the development standards, fees, and ordinances applicable to the project at the time the application is deemed complete. The provisions of SB 330 provide certainty regarding the development standards applicable to the project after the preliminary application has been submitted. The proposed Project would remain subject to applicable zoning regulations, design review, and environmental review by the City of Oceanside. The Project submitted an SB 330 Application on June 23, 2025, which was found to be complete.

2.3 LEGAL AUTHORITY

This Draft EIR has been prepared in accordance with all criteria, standards, and procedures of CEQA (California Public Resource Code Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 et seq.).

Lead Agency

Pursuant to CEQA Section 21067 and CEQA Guidelines Article 4 and Section 15367, the City of Oceanside is the Lead Agency under whose authority this Draft EIR has been prepared. "Lead Agency" refers to the public agency that has the principal responsibility for carrying out or approving a project. Serving as the Lead Agency and before taking action on any approvals for the Project, the City of Oceanside has the obligation to: (1) ensure that this Draft EIR has been completed in accordance with CEQA; (2) review and consider the information contained in this Draft EIR as part of its decision-making process; (3) make a statement that this Draft EIR reflects the City of Oceanside's independent judgment; (4) ensure that all significant effects on the environment are eliminated or substantially lessened where feasible; and, if necessary, (5) make written findings for each unavoidable significant environmental effect stating the reasons why mitigation measures or Project alternatives identified in this Draft EIR are infeasible and citing the specific benefits of the proposed Project that outweigh its unavoidable adverse effects (CEQA Guidelines Sections 15090 through 15093).

Pursuant to CEQA Guidelines Sections 15040 through 15043, and upon completion of the CEQA review process, the City of Oceanside will have the legal authority to do any of the following:

- Approve the Project;
- Require feasible changes in any or all activities involved in the Project in order to substantially lessen or avoid significant effects on the environment;
- Disapprove the Project, if necessary, in order to avoid one or more significant effects on the environment that would occur if the Project was approved as proposed; or
- Approve the Project even though the Project would cause a significant effect on the environment if the City of Oceanside makes a fully informed and publicly disclosed decision that: (1) there is no feasible way to lessen the effect or avoid the significant effect; and (2) expected benefits from the Project will outweigh significant environmental impacts of the Project.

Responsible Agency

A Responsible Agency refers to a public agency other than the Lead Agency that has discretionary approval over a project. Responsible Agencies for the proposed Project include the Regional Water Quality Control Board (RWQCB) for review of the National Pollutant Discharge Elimination System (NPDES) Construction General Permit application; and the San Diego Air Quality Management District (SDAQMD) for review of Project equipment subject to SDAQMD Rule requirements and prohibitory rules. The EIR will be submitted to these agencies for review and comment.

Trustee Agency

A Trustee Agency refers to a State agency having jurisdiction by law over natural resources affected by a project. Trustee Agencies for the proposed Project include the California Department of Fish and Wildlife (CDFW) for administering the California Endangered Species Act (CESA) and other aspects of the California Fish and Game Code, and United States Fish and Wildlife Service (USFWS) for administering the federal Endangered Species Act (ESA) and related permitting requirements.

2.4 ENVIRONMENTAL IMPACT REPORT PROCESS

A project-level analysis has been provided pursuant to CEQA Guidelines Section 15161. This Draft EIR meets the content requirements discussed in CEQA Guidelines Article 9, beginning with CEQA Guidelines Section 15120.

2.4.1 Notice of Preparation

Pursuant to the requirements of CEQA, the City of Oceanside issued a Notice of Preparation (NOP) for the Project, which was distributed on March 27, 2026, for a public review period of 30 days through April 27, 2026. Per CEQA Guidelines Section 15082, the NOP was submitted to the Governor's Office of Land Use & Climate Innovation CEQAnet Web Portal, County Clerk, responsible and trustee agencies, counties and cities bordering the site, owners and occupants of parcels within 1,500 feet of the Project site, and organizations and individuals that have requested notification. In addition, the NOP was posted on the City's website, and at City Hall.

The purpose of the NOP was to solicit early comments from public agencies with expertise in subjects that are discussed in this Draft EIR and to solicit comments from the public regarding potential Project environmental impacts. In addition, the NOP provided notice of the EIR scoping meeting. As provided in the NOP, the City of Oceanside determined through the initial review process that impacts related to Biological Resources are potentially significant and require a detailed level of analysis in this Draft EIR.

The NOP requested members of the public and public agencies to provide input on the scope and content of biological resource impacts that should be included in the EIR being prepared. Comments received on the NOP are included in Appendix A and are summarized in Table 2-2, which identifies if the issue raised by the comment is evaluated in the EIR. As detailed previously, the issues evaluated in the EIR are limited pursuant to the requirements of AB 130 and SB 131.

Table 2-2: Summary of NOP Comment Letters

Comment Letter and Comment	Relevant Draft EIR Sections
State and Local Agencies	
Native American Heritage Commission (NAHC), March 30, 2026	
This comment states that the NAHC has received the NOP for the Draft EIR. The comment further states that CEQA requires Projects to avoid impacts related to tribal cultural resources and tribal consultation should be conducted.	Tribal consultation has been initiated according to AB 130 and AB 52 requirements and impacts related to tribal cultural resources are not included in this focused Draft EIR pursuant to SB 131.
Department of Environmental Health and Quality (DEHQ), April 20, 2026	
This comment states that the DEHQ does not concur with the proposed grading plan for the proposed Project without approved septic layouts showing appropriate setbacks. The comment further states that a Hazardous Materials Plan Check may be required for the Project and provides additional requirements pertaining to the storage and use of hazardous materials onsite.	Impacts related to hazards and hazardous materials will not be discussed within this focused Draft EIR pursuant to the requirements of SB 131. As detailed previously in Table 2-1, site is not a hazardous waste site. The proposed residential uses would not store or use substantial volumes of hazardous materials, and the Project would comply with all permitting and plan check requirements.
California Department of Transportation, April 26, 2026	
This comment states that a Vehicle Miles of Travel based Traffic Impact Study should be provided which should identify near-term and long-term safety and operational issues of the Project. The comment further provides potential measures to reduce VMT and also a list of recommended hydrology and drainage studies. The comment also requests that the Project identify potential impacts cause by the Project that occur within the Caltrans R/W. The comment concludes in stating that any work performed within Caltrans R/W will require discretionary review and approval by Caltrans and an encroachment permit will be required.	Impacts related to transportation and traffic will not be discussed within this focused Draft EIR pursuant to the requirements of AB 130 and SB 131.
California Department of Fish and Wildlife, April 27, 2026	
This comment states that CDFW, as a Responsible and Trustee Agency, has concerns regarding the potential outflow into the Buena Vista creek from the proposed Project. The comment further states that there have been several sewage spills into the Creek which were not analyzed within the CEQA process and recommends further analysis as part of the biological and hydrological analysis.	This topic is discussed in Section 4.1, *Biological Resource*s Impact BIO-2.
Organization	
Oceanside Manor HomeOwners Association, April 20, 2026	
This comment states that the proposed Project presents potentially significant impacts related to geological and infrastructure risks associated with the Project site. The comment further states that the surrounding area has	Impacts related to the geologic conditions of the site will not be discussed within this focused Draft EIR pursuant to the requirements of AB 130 and SB 131. As detailed in Table 2-1, the Project site is not within a

Comment Letter and Comment	Relevant Draft EIR Sections
experienced ground instability and the proposed Project is locate on unstable soils near failed slopes, threatening the physical integrity of the surrounding neighbors. The comment further states that the City cannot claim ignorance if future ground settlement and infrastructure failure occurs as a result of the Project.	delineated earthquake fault zone. In addition, the Project would comply with all applicable seismic standards of the CBC and all local building standards that would be verified through the City's development review and permitting process.
Public Comments	
Pat McGinn, April 19, 2026	
This comment requests that the additional traffic impact from the Project be considered. The comment further states that the Level of Service at the intersection of Skyhaven Lane and Sunset Drive has decreased substantially since the installation of a stop sign, and implementation of the proposed Project would further oversaturate the intersection. The commenter concludes by suggesting that Skyhaven be widened to provide for a left-turn lane and a lighted signal.	Impacts related to transportation and traffic will not be discussed within this focused Draft EIR pursuant to the requirements of AB 130 and SB 131.
Lucy Nielsen, April 20, 2026	
This comment states that the proposed Project does not fit within the surrounding developments and the surrounded roadways are already overcrowded.	Impacts related to land use conflicts and traffic will not be discussed within this focused Draft EIR pursuant to the requirements of AB 130 and SB 131. As detailed in Table 2-1, the Project is consistent with the existing General Plan High Density Residential (HD-R) designation and High Density Residential (RH) zoning district, except with respect to those specific standards identified for waivers pursuant to Density Bonus Law.
Lucy Nielsen, April 21, 2026	
The comment states the Project site requires habitat protection and is located near a retirement community, and the Project should be relocated to an area that better fits the Project needs.	This topic is discussed in Section 4.1, *Biological Resources* Impact BIO-1.
Lucy Nielsen, April 21, 2026	
This comment states that the City of Vista has a proposed project located directly across from the Project site which will lead to safety and environmental concerns.	The content and scope of the Draft EIR has been prepared pursuant to the requirements of AB 130 and SB 131. Section 4.1, *Biological Resources*, discusses potential cumulative biological resource impacts. In addition, the Project would comply with all applicable building standards related to safety that would be verified through the City's development review and permitting process.
Diane Nygaard, April 22, 2026	
This comment objects to the limited scope of the Draft EIR and requests a full initial study be completed prior to the limited EIR. The comment also requests that the Draft EIR include an analysis of the Project's consistency with the draft Oceanside SubArea plan	As detailed previously, the content and scope of the Draft EIR has been prepared pursuant to the requirements of AB 130 and SB 131. Potential impacts to biological resources is the sole "condition" that keeps the Project from being exempt pursuant to PRC Section

Comment Letter and Comment	Relevant Draft EIR Sections
(SAP). The comment also requests that impacts to sensitive species not included in the SAP be discussed, as well as indirect impacts on wildlife movement corridors and edge effects of adjacent habitat.	21080.66. Section 4.1, *Biological Resources* Impact BIO-4 and Impact BIO-6, provides evaluation of these biological issues.
John Gastaldo, April 22, 2026	
This comment states that Sunset Drive is heavily impacted by traffic during the morning and evening rush hours, and implementation of the proposed Project would result in further traffic impacts. The comment further states that the hillside on the Project site has been subject to erosion and instability and the various construction vehicles needed for the Project will further contribute to traffic impacts.	Impacts related to transportation, traffic, and geological conditions will not be discussed within this focused Draft EIR pursuant to the requirements of AB 130 and SB 131. As detailed in Table 2-1, the Project site is not within a delineated earthquake fault zone. In addition, the Project would comply with all applicable seismic standards of the CBC and all local building standards that would be verified through the City's development review and permitting process.
Sandra Kraus and Gary McCabe, April 26, 2026	
This comment states that the proposed Project does not fit within the surrounding developments and the surrounded roadways are already overcrowded.	Impacts related to transportation and traffic will not be discussed within this focused Draft EIR pursuant to the requirements of AB 130 and SB 131. As detailed in Table 2-1, the Project is consistent with the existing General Plan High Density Residential (HD-R) designation and High Density Residential (RH) zoning district, except with respect to those specific standards identified for waivers pursuant to Density Bonus Law.
Richard Mang, April 26, 2026	
This comment states that there is potential habitat for sexually mature acorn producing oaks, some appearing to be Englemann oak trees.	This topic is discussed in Section 4.1, *Biological Resources* Impact BIO-6.
Becky and John Thomas, April 26, 2026	
This comment raises concerns about the proposed project's location and scale. They cite geotechnical risks, noting the site is on a steep, unstable slope with a history of landslides and a recent sinkhole that caused damage and increased insurance costs for their senior community. They also express concerns about traffic congestion on already impacted two-lane roads, limited evacuation routes and fire safety, insufficient parking, and stormwater runoff from increased hardscape potentially affecting a nearby creek.	Section 4.1, *Biological Resources* Impact BIO-2. As detailed in Table 2-1, the Project site is not within a delineated earthquake fault zone. In addition, the Project would comply with all applicable seismic standards of the CBC and all local building standards (including evacuation routes, fire safety, and stormwater runoff) that would be verified through the City's development review and permitting process. As detailed previously, the issues evaluated in the EIR are limited pursuant to the requirements of AB 130 and SB 131.
David and Barbara DeLaTorre, April 26,2026	
This comment states that the Draft EIR's limited scope of biological resources is unsupported as there is evidence of hydrology impacts, flooding, geotechnical instability, public health conflict, and policy inconsistency. The comment further states that the proposed Project could result in changes of runoff characteristics into Buena vista Creek which flows	The content and scope of the Draft EIR has been prepared pursuant to the requirements of AB 130 and SB 131, which is detailed previously. Biological resources are discussed in Section 4.1, *Biological Resources* Impact BIO-1 and Impact BIO-2. The Project would comply with all applicable seismic standards of the hydrology and seismic building

Comment Letter and Comment	Relevant Draft EIR Sections
directly into the Buena Vista Creek Ecological Reserve, less than three miles downstream.	regulations/standards that would be verified through the City's development review and permitting process.
Lisa Farin, April 27, 2026	
This comment expresses concerns related to traffic in the area, citing the current conditions from Emerald to the 78 on Skyhaven Lane. The comment further expresses a concern regarding parking at the Project site, stating the proposed ratio would lead to overflow parking on already constrained streets like Emerald and Sky Haven. Additional concerns include emergency evacuation, and potential impacts related to wastewater, runoff, and water supply.	The content and scope of the Draft EIR has been prepared pursuant to the requirements of AB 130 and SB 131, which is detailed previously. However, existing regulations related to emergency evacuation, wastewater, runoff, and water supply are implemented by the City during the development review and permitting process.
Mary McCartney, April 27, 2026	
This comment states that Sunset Drive is heavily impacted by traffic during the morning and evening rush hours, and implementation of the proposed Project would result in further traffic impacts. The comment further states that the hillside on the Project site has been subject to erosion and instability and the various construction vehicles needed for the Project will further contribute to traffic impacts.	The content and scope of the Draft EIR has been prepared pursuant to the requirements of AB 130 and SB 131, which is detailed previously. Impacts related to transportation, traffic, and geological conditions will not be discussed within this focused Draft EIR. However, existing regulations related to these conditions are implemented by the City during the development review and permitting process.
Nancy Ferguson, April 27, 2026	
This comment states that information regarding on-site biological resources were provided within the NOP or by City staff. The comment further states that other environmental aspects of concern such as traffic, parking, sewage systems, hydrological and geological conditions are of concerns to the residents in the area. The comment concludes in asking when the requested waivers and exemption pursuant to the State Density Bonus Law will be noticed to the public, and if there is a clause in AB 130 which allows the state to approve the Project if the City does not act by a certain date.	Section 4.1, *Biological Resources* and Appendix B *Biological Resources Study.* The content and scope of the Draft EIR has been prepared pursuant to the requirements of AB 130 and SB 131, which is detailed previously. Existing regulations related to parking, wastewater, stormwater runoff, and geological conditions are implemented by the City during the development review and permitting process.
Paul and Stephanie Kahler, April 27, 2026	
This comment expresses concerns regarding the potential impacts related to traffic, water and soil stability, recreational facilities, and utilities. The comment further states that a bond needs to be secured by all parties in the case of a flood or soil movement.	Impacts related to transportation, traffic, water, recreation and geological conditions will not be discussed within this focused Draft EIR pursuant to the requirements of AB 130 and SB 131. However, existing regulations related to these conditions are implemented by the City during the development review and permitting process.

2.4.2 Public Scoping Meeting

Pursuant to Section 15082(c)(1) of the CEQA Guidelines, the City of Oceanside hosted a public scoping meeting for members of the public and public agencies to provide input as to the scope and content of

the environmental information and analysis to be included in the Draft EIR for the Project. A scoping meeting was held on April 21, 2026, at 6:00 p.m. at the El Corazon Event Center located at 3306 Senior Center Drive, Oceanside, CA 92056. Table 2-3 provides a list of comments related to environmental issues that were received at the scoping meeting. It should be noted that many comments from the public were related to issues beyond the scope of this analysis, including traffic, noise, and geotechnical issues. As discussed above, the Draft EIR is prepared consistent with PRC Section 21080.1, which provides that the analysis is only required to examine those potential environmental effects that are caused solely by the single condition that makes the proposed housing project ineligible for the in-fill housing statutory exemption codified at PRC Section 21080.66. The only "condition" precluding the Project from complete exemption is the presence of habitat and, therefore, the only potential environmental effects are related to biological resources/habitat. There is no evidence that the single condition – the presence of habitat – could have any other potential environmental effects. The presence of habitat does not, for instance, cause a potential environmental impact related to air quality, traffic (VMT), noise, or geology.

Table 2-3: Summary of Scoping Meeting Comments

Scoping Meeting Comment	Relevant Draft EIR Sections
Comment #1	
One commenter noted the potential presence of an Engelmann oak tree onsite.	This topic is discussed in Section 4.1, Biological Resources Impact BIO-1.
Comment #2	
One commenter expressed concerns regarding the potential for sensitive species to the present onsite.	This topic is discussed in Section 4.1, Biological Resources Impact BIO-1.
Comment #3	
One commenter expressed concern about the Project's impacts to the nearby creek bed.	This topic is discussed in Section 4.1, Biological Resources Impact BIO-2.
Comment #4	
One comment expressed concerns regarding the need for roadway improvements in the area and sufficient parking within the Project	Impacts related to transportation, traffic, and parking will not be discussed within this focused Draft EIR pursuant to the requirements of AB 130 and SB 131. However, existing regulations related to these conditions are implemented by the City during the development review and permitting process.
Comment #5	
One comment expressed concerns regarding water pressure to the site and if any studies have been completed regarding the serviceability of the site.	The content and scope of the Draft EIR has been prepared pursuant to the requirements of AB 130 and SB 131, which is detailed previously. However, existing regulations and confirmation of service provision related to water pressure and water supply are implemented by the City during the development review and permitting process.
Comment #6	
One comment expressed concern that traffic was not going to be studied as a part of the CEQA process.	Impacts related to traffic will not be discussed within this focused Draft EIR pursuant to the requirements of AB 130 and SB 131. However, existing regulations

Scoping Meeting Comment	Relevant Draft EIR Sections
	related to these conditions are implemented by the City during the development review and permitting process.
Comment #7	
One commenter expressed concern about their ability to leave their home with the new traffic the proposed Project would bring.	Impacts related to traffic will not be discussed within this focused Draft EIR pursuant to the requirements of AB 130 and SB 131. However, existing regulations related to these conditions are implemented by the City during the development review and permitting process.
Comment #8	
One commenter expressed concerns regarding soil instability at the site and suggested that the applicant put up a bond in the case of any landslide/flooding events.	Impacts related to the geologic conditions of the site will not be discussed within this focused Draft EIR pursuant to the requirements of AB 130 and SB 131. As detailed in Table 2-1, the Project site is not within a delineated earthquake fault zone. In addition, the Project would comply with all applicable seismic standards of the CBC and all local building standards that would be verified through the City's development review and permitting process.
Comment #9	
One commenter expressed concerns regarding how the neighboring septic systems would be affected due to the decreased setbacks.	Impacts related to the geologic conditions of the site will not be discussed within this focused Draft EIR pursuant to the requirements of AB 130 and SB 131. However, the Project would comply with all applicable soils standards of the CBC and all local building standards that would be verified through the City's development review and permitting process. In addition, the Project would not utilize septic systems and would connect to the sewer system. The proposed Project would connect to existing water and sewer infrastructure located within either Sky Haven Lane or Sunset Drive. The final utility connection points and associated improvements would be determined during the permitting process in coordination with, and subject to approval by, the City of Oceanside.
Comment #10	
One commenter asked what the difference between the previous proposed project at this site is compared to the proposed Project.	Pursuant to CEQA, this EIR only includes evaluation of the proposed Project and doesn't not include evaluation or comparison to previously proposed Projects.
Comment #11	
One commenter asked about the height of the proposed development.	The proposed buildings would be three and four-stories and have a maximum height of 49 feet. See Section 3.0, *Project Description.*
Comment #12	
One commenter expressed concerns about the Project's conflict with the Hillside Development Standards.	Impacts related to land use conflicts will not be discussed within this focused Draft EIR pursuant to the requirements of AB 130 and SB 131. As detailed in Table

Scoping Meeting Comment	Relevant Draft EIR Sections
	2-1, the Project is consistent with the existing General Plan High Density Residential (HD-R) designation and High Density Residential (RH) zoning district, except with respect to those specific standards identified for waivers pursuant to Density Bonus Law.
Comment #13	
One commenter requested information regarding the street improvements	As detailed in Section 3.0, *Project Description*, the Project includes installation of sidewalks along the Project site frontages of Sunset Drive and Sky Haven Lane.
Comment #14	
One commenter expressed concerns regarding the potential geologic and flooding impacts at the site.	Impacts related to the geologic and flooding conditions of the site will not be discussed within this focused Draft EIR pursuant to the requirements of AB 130 and SB 131. However, the Project would comply with all applicable soils and hydrology standards of the CBC, NPDES, and all local building standards that would be verified through the City's development review and permitting process.
Comment #15	
One commenter expressed concerns regarding drainage at the site as well as public safety along adjacent roadways.	Impacts related to transportation, traffic, and water will not be discussed within this focused Draft EIR pursuant to the requirements of AB 130 and SB 131. However, existing regulations related to these conditions would be implemented by the City during the development review and permitting process.

2.4.3 Draft EIR

As detailed previously, SB 131 allows projects that would be exempt from CEQA but for one "condition" to prepare a limited-scope environmental review that analyzes the potential impacts associated with that condition. The City of Oceanside determined that the proposed housing development Project meets this criteria and that the one condition with the potential to result in significant impacts from implementation of the Project is Biological Resources. Thus, a limited-scope Draft EIR has been prepared to evaluate potential impacts to biological resources from construction and operation of the proposed Project.

The City of Oceanside has filed a Notice of Completion (NOC) with the Governor's Office of Land Use & Climate Innovation CEQAnet Web Portal, indicating that this Draft EIR has been completed and is available for review and comment. The Project is consistent with the City's General Plan and zoning designations and does not provide more than 500 dwelling units. The Project does not meet the definition of a project of statewide, regional, or areawide significance pursuant to Section 15206 of the CEQA Guidelines. A Notice of Availability (NOA) of the Draft EIR was published concurrently with distribution of this document. The Draft EIR is being circulated for review and comment by the public and other interested parties, agencies, and organizations for 45 days in accordance with CEQA Guidelines Sections 15087 and 15105. During the 45-day review period, the Draft EIR is available for public review digitally on the City of

Oceanside's website at https://www.ci.oceanside.ca.us/government/development-services/planning/environmental-documents-ceqa or physically 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

Written comments related to environmental issues in the Draft EIR should be addressed to:

Manuel Baeza, Principal Planner
City of Oceanside
Development Services - Planning Department
300 North Coast Highway
Oceanside, California 92064
Email: mbaeza@oceansideca.org
Phone: 760-435-3519

2.4.4 Final EIR

Upon completion of the 45-day review period, written responses to all comments related to the environmental issues in the Draft EIR will be prepared and incorporated into a Final EIR. The written responses to comments will be made available at least 10 days prior to the public hearing at which the certification of the Final EIR will be considered by the City of Oceanside City Council. These comments, and their responses, will be included in the Final EIR for consideration by the City of Oceanside, as well as other responsible and trustee agencies per CEQA. The Final EIR may also contain corrections and additions to the Draft EIR and other information relevant to the environmental issues associated with the Project. The Final EIR will be available for public review prior to its certification by the City. Notice of the availability of the Final EIR will be sent to all who comment on the Draft EIR.

Mitigation Monitoring Reporting Program. When the Lead Agency makes findings on significant effects identified in the Final EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects. This will be part of the Final EIR document.

2.4.5 Notice of Determination

The Lead Agency must file a Notice of Determination (NOD) after deciding to approve a project for which an EIR is prepared (CEQA Guidelines Section 15094). A local agency must file the NOD with the County Clerk. The NOD must be posted for 30 days and sent to anyone that has previously requested notice. Posting of the NOD starts a 30-day statute of limitations on CEQA legal challenges (Public Resources Code Section 21167[c]).

2.5 ORGANIZATION OF THIS DRAFT EIR

This Draft EIR is organized into the following Sections. To help the reader locate information of interest, a brief summary of the contents of each chapter is provided.

- **Section 1, Executive Summary:** This section provides a brief summary of the Project area, the proposed Project, and related approvals. This section also provides a summary of the potential environmental impacts and mitigation measures, applicable regulatory requirements, and the level of significance after implementation of any mitigation measures. The level of significance after implementation of the proposed mitigation measure(s) will be characterized as either less than significant or significant and unavoidable.
- **Section 2, Introduction:** This section provides an overview of the purpose and use of the EIR, the scope of this Draft EIR, a summary of the legal authority for the Draft EIR, a summary of the environmental review process, and the general format of this document.
- **Section 3, Project Description:** This section provides a detailed description of the Project, its objectives, and a list of Project-related discretionary actions.
- **Section 4, Environmental Impact Analysis:** This section provides a discussion of the existing conditions within the Project area. The section includes a summary of the existing statutes, ordinances, and regulations that apply to the environmental impact area being discussed; the analysis of the Project's direct and indirect environmental impacts on the environment, including potential cumulative impacts that could result from the Project; and plans, policies, and programs that could reduce potential impacts; and feasible mitigation measures that would reduce or eliminate the significant adverse impacts identified. Impacts that cannot be mitigated to less than significant are identified as significant and unavoidable.
- **Section 5, EIR Preparers:** This section lists authors of the Draft EIR, technical study authors, and City of Oceanside staff that assisted with the preparation and review of this document.

2.6 INCORPORATION BY REFERENCE

CEQA Guidelines Section 15150 allows for the incorporation "by reference all or portions of another document… most appropriate for including long, descriptive, or technical materials that provide general background but do not contribute directly to the analysis of a problem at hand." The purpose of incorporation by reference is to assist the Lead Agency in limiting the length of this Draft EIR. Where this Draft EIR incorporates a document by reference, the document is identified in the body of the Draft EIR, citing the appropriate section(s) of the incorporated document and describing the relationship between the incorporated part of the referenced document and this Draft EIR.

The following documents are hereby incorporated by reference into this EIR. Information contained within these documents is used for various sections of this EIR.

City of Oceanside General Plan. The City of Oceanside General Plan (General Plan) was adopted by the City Council in 2002 and has been periodically amended. The City is currently undergoing a comprehensive update to the General Plan, which is anticipated to be adopted in June of 2026. The General Plan is the City's comprehensive, long-range planning and policy document that not only guides growth and change within Oceanside but also preserves and protects the unique qualities that the community values most.

The General Plan goals and policies serve as a guide for future development and desired conditions in support of the City's overall vision. The adopted General Plan is organized by elements. Each element includes an introduction to describe the element and its organization. Goals and policies are organized by topic areas specific to each element. The current General Plan contains the following 10 elements: Land Use, Circulation, Recreational Trails, Housing, Environmental Resource Management, Community Facilities, Public Safety, Noise, Hazardous Waste Management, and Military Reservation. This document is available for viewing on the City's website at:
https://www.ci.oceanside.ca.us/government/development-services/planning/general-plan

The General Plan Update (Onward Oceanside) includes chapters that are organized around themes that provide a framework for accommodating growth and change, conserving essential resources, and enhancing community character. The General Plan Update chapters include: 1) Introduction, 2) Remarkable Community, 3) Efficient and Compatible Land Use, 4) Integrated Mobility, 5) Vital and Sustainable Resources, 6) Safe and Resilient Environment, 7) Healthy and Livable Community. In addition, the General Plan Update appendices include: Appendix A Glossary, Appendix B Transportation Impact Study & Traffic Operations Analysis, Appendix C Standard Conditions of Approval. The Draft General Plan Update is available for viewing on the City's website at: https://onwardoceanside.com/project-documents

Onward Oceanside Recirculated Program EIR. Along with the comprehensive update to the General Plan, which is anticipated to be adopted in 2026, the City prepared a Draft Program PEIR that was circulated for public review from June 4, 2024, to August 5, 2024. In response to comments received during the public review period, the City determined that significant new information would be required to be added to the Program EIR and has prepared a Recirculated Program EIR that was circulated for public review from December 18, 2025, through February 1, 2026; and a Recirculated Final EIR was prepared and published on May 18, 2026. This document is referenced in this EIR to establish baseline conditions within the City. This document is available for viewing on the City's website at:
https://www.ci.oceanside.ca.us/government/development-services/planning/ceqa/general-plan-update-onward-oceanside-phase-2-final-eir

City of Oceanside Municipal Code. The Oceanside Municipal Code regulates land use and activities within the City's jurisdiction. The Municipal Code is referenced in this EIR to establish the baseline requirements according to the City's Municipal Code regulations. The Oceanside Municipal Code can be accessed online at:
https://library.municode.com/ca/oceanside/codes/code_of_ordinances

City of Oceanside Zoning Ordinance. The City's Zoning Ordinance includes the zoning regulations and maps delineating the boundaries of zoning districts within the City. The broad purposes of the Zoning Ordinance are to protect and promote the public health, safety, and general welfare, and to implement the policies of the City of Oceanside General Plan, as provided in the California Government Code, Title 7, Chapters 3 and 4 and in the California Constitution, Article 11, Section 7. The Oceanside Zoning Ordinance can be accessed online at:
https://www.ci.oceanside.ca.us/government/development-services/planning/codes-regulations-maps/zoning-ordinance

3. Project Description

"Project," as defined by the CEQA Guidelines, means "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

The Project analyzed in this Draft EIR would construct and operate a 192-unit residential community. The Draft EIR analyzes buildout at a Project level of detail, based upon entitlement applications being considered by the City of Oceanside and permits to be approved by responsible agencies, compared to the existing conditions.

3.1 PROJECT LOCATION

The Project site is located in the southeastern portion of the City of Oceanside within the Lake Neighborhood Planning Area, at the southeast of the intersection of Sunset Drive and Sky Haven Lane. Regional access to the Project site is provided via State Route (SR) 78 and the Emerald Drive interchange that is located approximately 0.3 mile to the north of the site. Local access to the site is provided by South Emerald Drive, Sunset Drive, and Sky Haven Lane.

The Project site is identified by Assessor's Parcel Numbers (APNs) 168-020-64-00 and 168-030-45-00. The Project site is within an unsectioned portion of the U.S. Geological Survey (USGS) San Luis Rey, California (7.5-minute) topographic quadrangle map (Township 11 South, Range 1 West of the San Bernardino Baseline and Meridian, and is located at latitude +33.182852°, longitude -117.278137°. Regional location and local vicinity maps are provided in Figure 3-1, *Regional Location*, Figure 3-2, *Local Vicinity*, and Figure 3-3, *Aerial View*.

3.2 EXISTING SITE DEVELOPMENT AND OPERATIONS

The Project site is approximately 7.78 gross acres, which includes 1.49 acres of Sunset Drive, 0.22-acre of land across Sunset Drive, and 0.16-acre of land across Sky Haven Lane, as shown on Figure 3-3. The proposed development area is 5.92 net acres of undeveloped vacant land. The topography of the site varies and includes a flat pad with steep vegetated slopes. Natural slopes are above the pad, which lead to a more level area at the top of the site. A swale runs from the north to the southeast on the western side of the site. Elevations range from approximately 340 feet above mean sea level (AMSL) in the northwestern corner of the site to approximately 246 feet AMSL near the intersection of Sky Haven Lane and Sunset Drive. The Project site's existing conditions are shown in Figure 3-4a-b, *Existing Site Photos*.

The subject site was partially graded and disturbed in 1976 and was utilized as a soil import site for grading of the nearby Oceanside Manor Development. Site grading was observed and tested by Woodward Clyde Consultants.

3.3 EXISTING PROJECT SITE LAND USE AND ZONING DESIGNATIONS

The Project site has a General Plan Land Use designation of High Density Residential (HD-R) (21.0 to 28.9 dwelling units per acre), as shown on Figure 3-5, *General Plan Land Use Designation.* The General Plan Land Use Element states that HD-R designated areas are for Multiple Unit Structures that contain two or more dwelling units on a single property.

The site has a zoning designation of High Density Residential (RH) as shown in Figure 3-6, *Zoning Designation*. The City of Oceanside Zoning Ordinance Article 10, Section 1010 states that the purpose of the RH district is to provide opportunities for an intensive form of residential development, including apartments and town houses with relatively high land coverage, at appropriate locations. In the RH District the base density is 21.0 dwelling units per gross acre, and the maximum potential density is 28.9 units per gross acre.

3.4 SURROUNDING LAND USES

The Project site is almost entirely surrounded by lands located within other jurisdictions, except for areas to the southwest of the site that are designated for low and medium density residential uses as listed below. Areas to the west and north of the site are in the City of Vista and consist of senior mobile home and single-family residential uses. Areas to the east and south of the site are in the unincorporated County of San Diego and consist of rural residential uses. The surrounding land uses are shown on Figure 3-2, *Local Vicinity*, and Figure 3-3, *Aerial View*, and described below in Table 3-1.

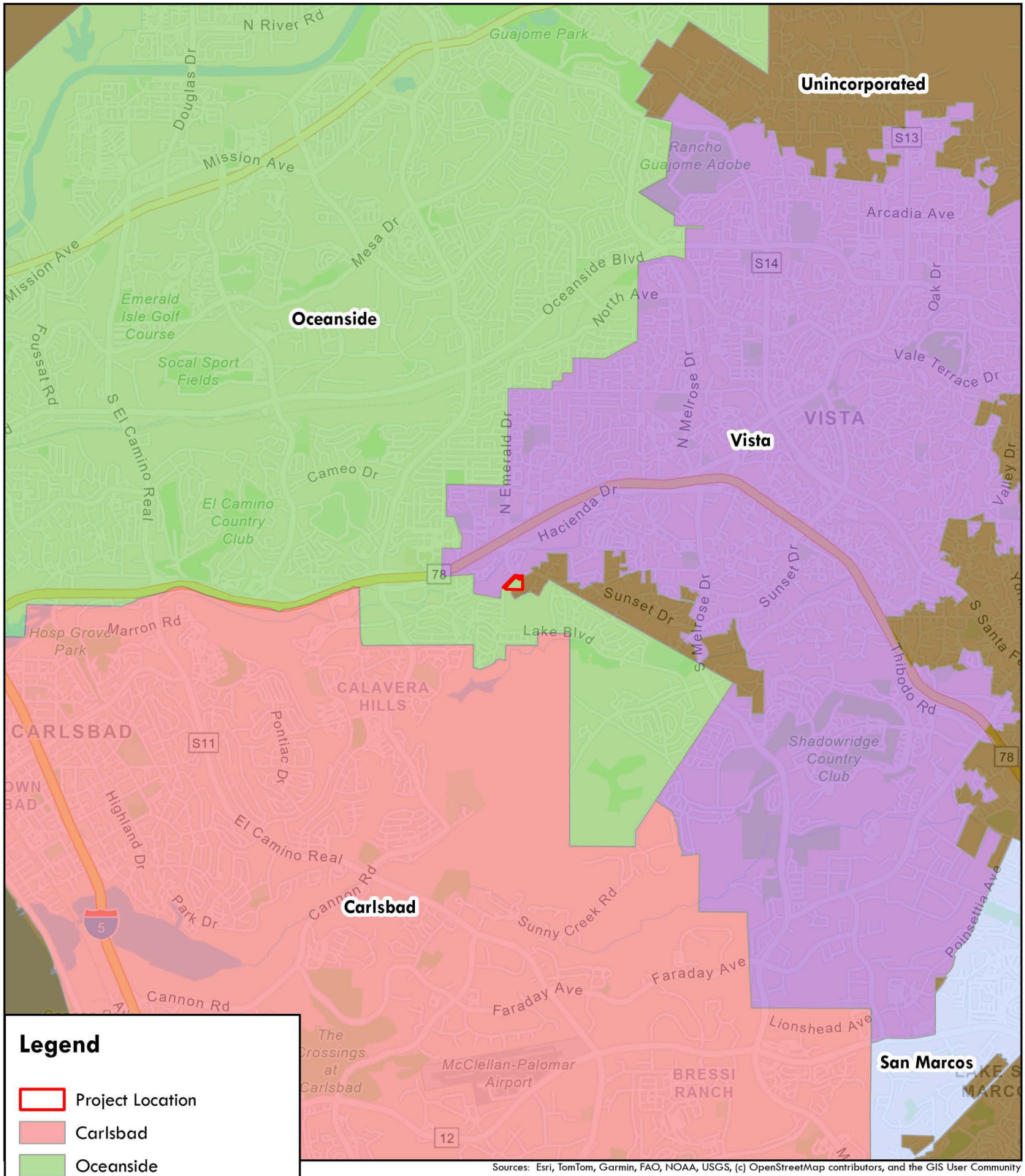
Table 3-1: Surrounding Existing Uses, General Plan Land Use, and Zoning

Direction	Existing Use	General Plan Land Use	Zoning
North	Undeveloped parcel followed by Senior Mobile Home and Single-Family Residential	City of Vista Rural Residential (RR) followed by Medium High Density Residential (MHD) and Medium Density Residential (MH)	City of Vista A-1 (Agricultural) MHP (Mobile Home Park) and SPI (Specific Plan)
East	Sky Haven Lane followed by Senior Mobile Home Residential	County of San Diego Village Residential (VR-4.3)	County of San Diego Rural Residential
South to the East	Rural Residential Single-Family Residential	County of San Diego Village Residential (VR-4.3)	County of San Diego Rural Residential
South to the West	Undeveloped parcel and Single -Family Residential	City of Oceanside Single-Family Residential Detached (SFD-R) and Medium Density Residential A (MDA-R)	City of Oceanside RS (Single-Family Residential) and RM-A (Medium Density Residential

Direction	Existing Use	General Plan Land Use	Zoning
West	Sky Haven Lane followed by Senior Mobile Home Residential	City of Vista Medium High Density Residential (MHD) Medium Density Residential (MD)	City of Vista R-M (Multi-Family Residential) and MHP (Mobile Home Park)

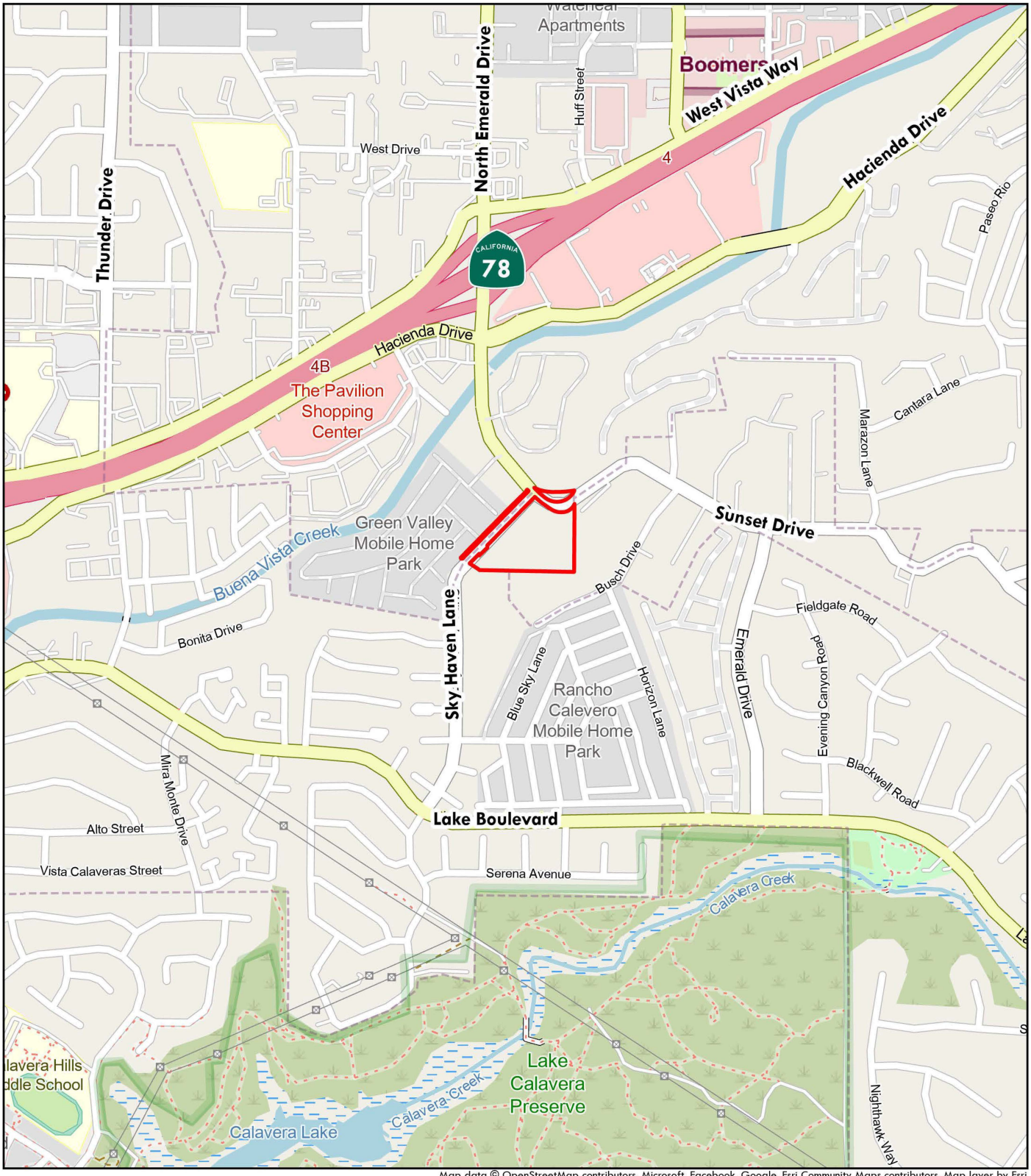
This page intentionally left blank.

Figure 3-1: Regional Location



This page intentionally left blank.

Figure 3-2: Local Vicinity



Legend

Project Boundary

0 0.15 0.3 Miles

N

This page intentionally left blank.

Figure 3-3: Aerial View



This page intentionally left blank.



Original Photo Taken from Google Earth Streetview

Photo 1: View of Project site from Sky Haven Lane facing northeast.



Original Photo Taken from Google Earth Streetview

Photo 2: View of Project site from Sky Haven Lane and Sunset Drive facing south.



Original Photo Taken from Google Earth Streetview

Photo 3: View of Project site on opposite side of Sky Haven Lane facing southwest.

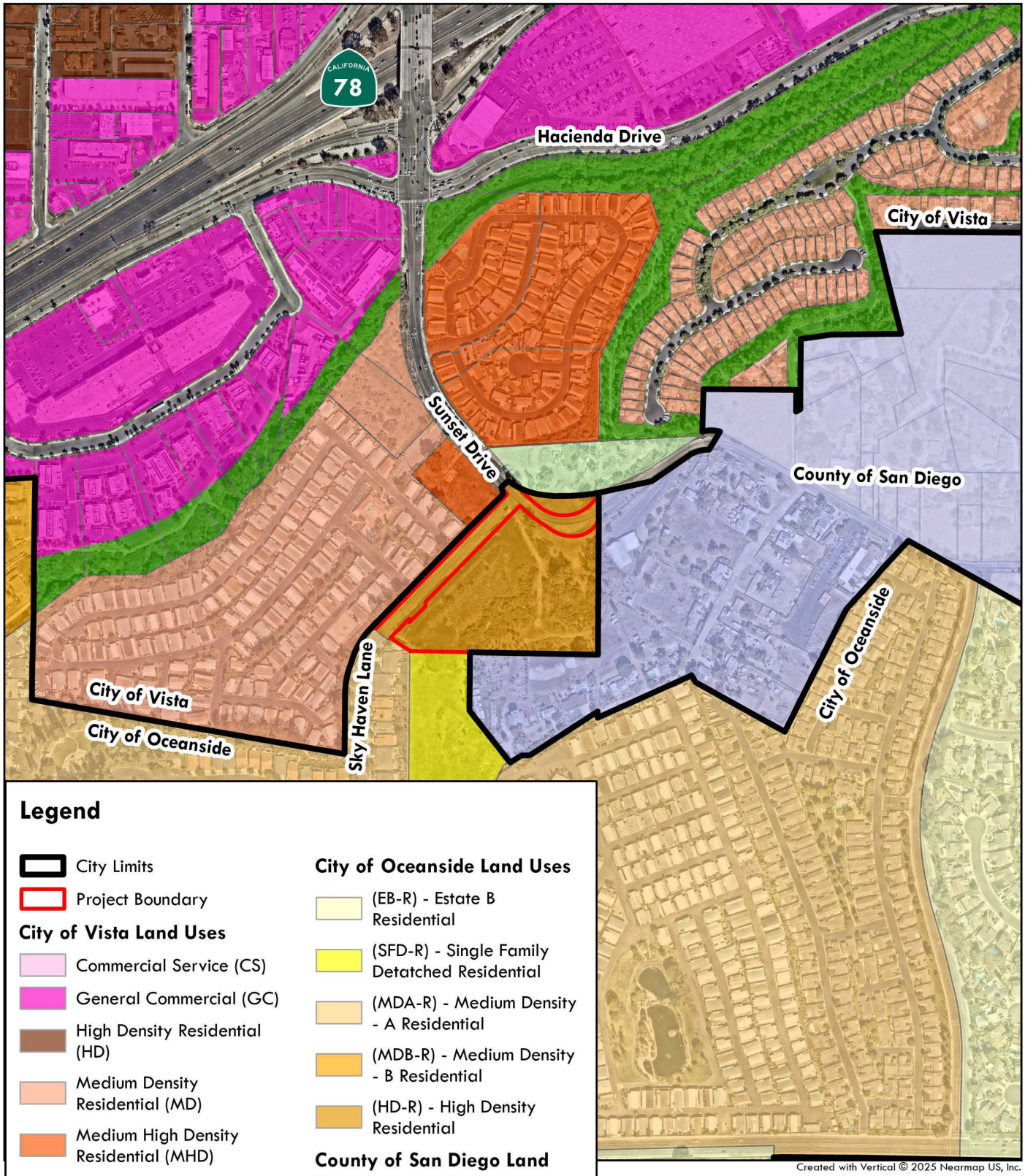


Original Photo Taken from Google Earth Streetview

Photo 4: View of Project site on opposite side of Sunset Drive facing west.

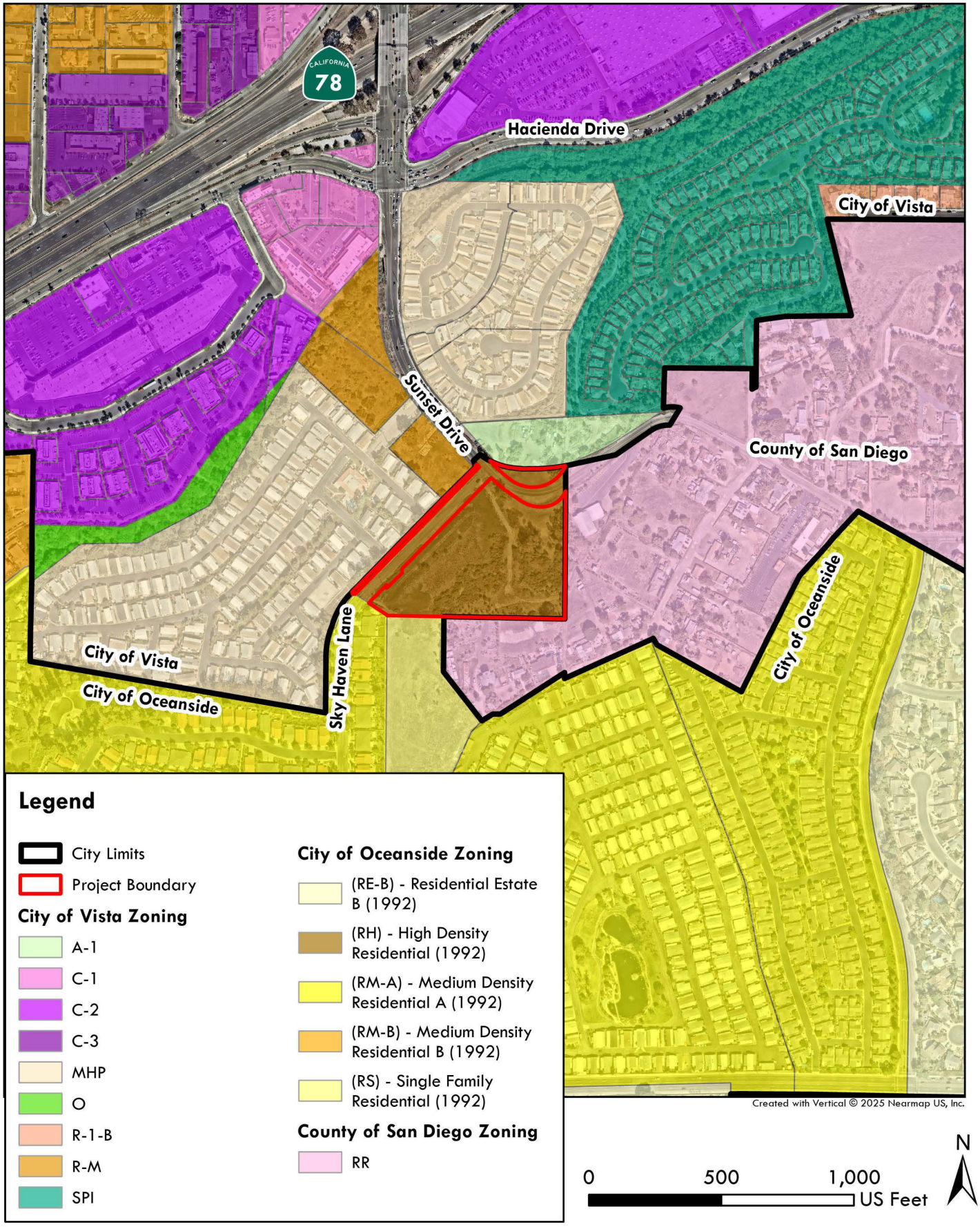
This page intentionally left blank.

Figure 3-5: Existing General Plan Land Use Designations



This page intentionally left blank.

Figure 3-6: Existing Zoning Designations



This page intentionally left blank.

3.5 PROJECT FEATURES

The proposed Project consists of development of a multi-family residential apartment complex with 192 rental units within seven residential buildings and an amenity clubhouse. The Project would provide approximately 314 parking spaces serving the residential units. Site development would include private streets, landscaping, and associated infrastructure improvements. The Project would include approximately 5.92 acres onsite and 1.86-acre off-site for roadway improvements.

Proposed Residential Buildings

As described previously, the Project site is approximately 7.78 gross acres. However, this includes 1.49 acres of Sunset Drive, 0.22-acre of land across Sunset Drive, and 0.16-acre of land across Sky Haven Lane. The remaining developable area without inclusion of roadway or areas across roadways is approximately 5.92-net acres.

The Project would develop the 5.92 net acres to provide 192 apartment homes within 7 buildings, consisting of 163 market rate residential units and 29 residential units available to low-income households. The Project would result in a density of 24.67 dwelling units per gross acre or 32.45 dwelling units per net acre. The proposed buildings would be three and four-stories and have a maximum height of 49 feet.

Three different residential buildings plans are proposed that are identified as Buildings A through C. As shown in Figure 3-7, *Conceptual Site Plan*, the Project would develop two Building As with 36 residential units each along the rear property line, three Building Bs with 24 residential units each adjacent to Sky Haven Lane, and two Building Cs with 24 units each are proposed near the center of the site. As detailed in Table 3-2, Residential Building Summary, residential units would range from one bedroom to three-bedroom units.

Table 3-2: Residential Building Summary

Building Type	Number of Buildings	Building Size (each)	Number of Garages (each)	Number of Units	Floor Plan Type (# of each)
A	2	39,753 sf	17 each, (34 total)	36 each, (72 total)	1 bedroom / 1 bathroom (48) 2 bedrooms / 2 bathrooms (12) 3 bedrooms / 2 bathrooms (12)
B	3	27,872 sf	12 each, (36 total)	24 each, (72 total)	1 bedroom / 1 bathroom (36) 2 bedrooms / 2 bathrooms (36)
C	2	27,358 sf	12 each, (24 total)	24 each, (48 total)	1 bedroom / 1 bathroom (24) 2 bedrooms / 2 bathrooms (24)
Totals	7	217,838 sf	94	192	

The proposed Project structured would have a contemporary Spanish architectural style with gabled tile roofs, arched entryways, iron railings, decorative window and door surrounds, awnings, wall recesses, smooth plaster finishes, and varied wall planes and rooflines. Colors of off-white, warm gray, tan, brown,

and other earth tones, variations in materials and architectural elements are used to articulate the architecture, as shown in Figure 3-8, Building Elevations.

Proposed Residential Units

The Project proposes six different floor plans that range in size from 674 square foot one-bedroom units to 1,279 square foot three-bedroom units, as shown in Table 3-3.

Table 3-3: Residential Unit Summary

Unit Type	Square Footage	Market Rate Units	Affordable Units	Total Number of Units
1 Bedroom Units	674, 725, and 821	92	16	108
2 Bedroom Units	1,055 and 1,129	61	11	72
3 Bedroom Units	1,207 and 1,279	10	2	12
Total		**163**	**29**	**192**

Affordable Housing Density Bonus

The State of California's Density Bonus Law (Government Code §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, incentives and concessions in exchange for providing affordable housing units in compliance with all current density bonus regulations. State Density Bonus Law also entitles projects to certain development incentives or concessions and provides waivers from development standards that would physically preclude the project at the density proposed. The SkyHaven Apartments development proposes a total of 192 apartment units, which is below the 225 units permitted by the RH zoning district. However, a project need not request a density bonus to be entitled to the other benefits of the law, and the State Density Bonus Law is being utilized for development incentives, concessions, and waivers from certain development standards.

The City of Oceanside Inclusionary Housing Ordinance requires a minimum of 15 percent of the proposed units in a project to be dedicated for low-income households. By providing 192 residential units with 29 units reserved for low-income households, the Project meets the minimum 15 percent standard and qualifies as a State Density Bonus Law project. The proposed affordable units would be proportional to the overall Project in unit size, be dispersed throughout the Project, and have access to all amenities available to market rate units.

Circulation and Parking

Access to the site would be provided by a 28-foot-wide driveway along Sunset Drive at the northeast corner of the site. Onsite circulation would be provided by 28 to 35-foot minimum drive widths with designated truck turnarounds, pedestrian pathways that provide connectivity throughout the site. In addition, the Project includes installation of sidewalks along the Project site frontages of Sunset Drive and Sky Haven Lane.

The Project exceeds the 234 minimum parking spaces required by the City for the Project, by including a total of 314 parking spaces. This includes 126 surface parking spaces on-site (98 of which would be in

carports), 94 garage parking spaces, and 93 compact tandem parking spaces. The Project would also provide a total of 119 bicycle parking spaces; of which 96 are long-term bicycle parking spaces and 23 are short-term bicycle parking spaces.

Open Space Recreation

The Project includes 13,500 square feet of common open space with a community pool and a 508 square foot cabana with restrooms, as shown in Figure 3-10, *Open Space Plan*. The Project also includes a 5,084 square foot clubhouse. The clubhouse would contain leasing offices, lounge and co-working spaces, a fitness center, and outdoor patio space adjacent to the pool area. In addition, the Project would provide a total of 11,319 square feet of private open space balcony areas.

Landscaping

The proposed Project includes approximately 70,186 square feet (27.2 percent of the site) of landscaping that would include ornamental trees, shrubs, and ground covers. The proposed tree canopy coverage is 31,285 square feet (12.1 percent) of the site, as shown in Figure 3-11, *Conceptual Landscape Plan*. New exterior lighting onsite would be provided to accent the landscaping, light signage, light walkways, light driveways, and for security. The new lighting would be focused on the Project site, shielded from offsite areas, and would be compliant with the City's lighting regulations.

Lighting

Proposed outdoor lighting would be typical of residential developments and would consist of wall-mounted sconces, signage lighting, and pole-mounted lights along proposed internal roadways. All of the proposed Project's outdoor lighting would be directed downward and shielded to minimize offsite and would be in compliance with the provisions Oceanside Municipal Code Chapter 39, *Light Pollution Regulations*.

Walls

Retaining walls are proposed along the Project boundaries to respond to existing site topography, and to support the proposed grading and storm drainage. At the highest points, the MSW and soil nail retaining walls along the south and east boundaries would be approximately 28 feet in height. One MSE retaining wall is proposed along the Sunset Drive and Sky Haven Lane frontages with maximum wall height of 23 feet. Trees, shrubs, and other landscaping plantings are proposed to screen the retaining walls. The Project would also install 42-inch-high fencing along the Project site boundary adjacent to Sky Haven Lane and along the Project site south and east boundary as shown in Figure 3-12, *Wall Plan*.

Infrastructure

Roadway Improvements

The Project proposes 1.86 acres of roadway improvements within Sky Haven Lane and Sunset Drive, that include widening Sunset Drive to provide a left-turn lane onto Sky Haven Lane. Sky Haven Lane would also be widened to its full right-of-way to accommodate additional turning movements.

Water and Sewer

The proposed Project would connect to existing water and sewer infrastructure located within either Sky Haven Lane or Sunset Drive. The final utility connection points and associated improvements would be determined during the permitting process in coordination with, and subject to approval by, the City of Oceanside.

Drainage

The Project would install a new onsite drainage system to collect and convey onsite runoff to an underground cistern and/or to biofiltration modular wetlands for filtration and treatment and then discharged to a storm drain in Sky Haven Lane. The proposed drain system includes two curb inlets on Sky Haven at the intersection with Sunset, and a 44-inch storm drain to convey runoff to the existing culvert at Buena Vista Creek, approximately 900 feet from the Project site. Runoff near Sunset Drive at the northeast corner of the site would be captured and treated by a biofiltration modular wetland prior to discharge to Sunset Drive via curb outlet. The offsite runoff that currently drains through the site would be collected by brow ditches running along the south and west site boundaries and discharged onto Sky Haven and Sunset via curb outlets.

3.6 CONSTRUCTION

Project construction includes site preparation, grading, installation of infrastructure and utilities, followed by building construction, pavement, and architectural coatings. Table 3-5 details the total working days and construction equipment used for each phase of construction for analytical modeling purposes. Project grading is estimated to involve 61,580 cubic yards (cy) of cut and 32,820 cy of fill, resulting in a net export of approximately 28,760 cy.

Construction activities would be limited to the hours allowed by the Oceanside Municipal Code Section 6.25, *Construction Hour Limitations*, that limits construction activities to the hours between 7:00 a.m. to 7:00 p.m. Monday through Saturdays. No construction activity is allowed on Sundays or federal holidays.

3.7 PROJECT OBJECTIVES

The intent of the SkyHaven Residential Project is to develop and operate multi-family residential development that would be consistent with the site's General Plan Land Use and zoning designations.

CEQA Guidelines Section 15124(b) states that an EIR shall contain a clearly written statement of project objectives that should include the underlying purpose of the project and may discuss project benefits. The CEQA Project objectives include the following:

1. Provide multi-family housing to assist in meeting the City's Regional Housing Needs Allocation (RHNA).
2. Maintain consistency with the existing General Plan and zoning designation.
3. Provision of affordable housing.
4. To provide multifamily housing at various income levels and associated residential amenities that facilitate urban living.
5. To locate housing proximate to commercial and urban uses on an underutilized, in-fill site.

3.8 DISCRETIONARY ACTIONS REQUIRED

In accordance with Sections 15050 and 15367 of the CEQA Guidelines, the City is the designated Lead Agency for the proposed Project and has principal authority and jurisdiction for CEQA actions and Project approval. Responsible Agencies are those agencies that have jurisdiction or authority over one or more aspects associated with the development of a proposed project and/or mitigation. Trustee Agencies are State agencies that have jurisdiction by law over natural resources affected by a proposed project. These include, but may not be limited to, the permits and approvals described below.

The discretionary actions to be considered by the City as part of the proposed Project include:

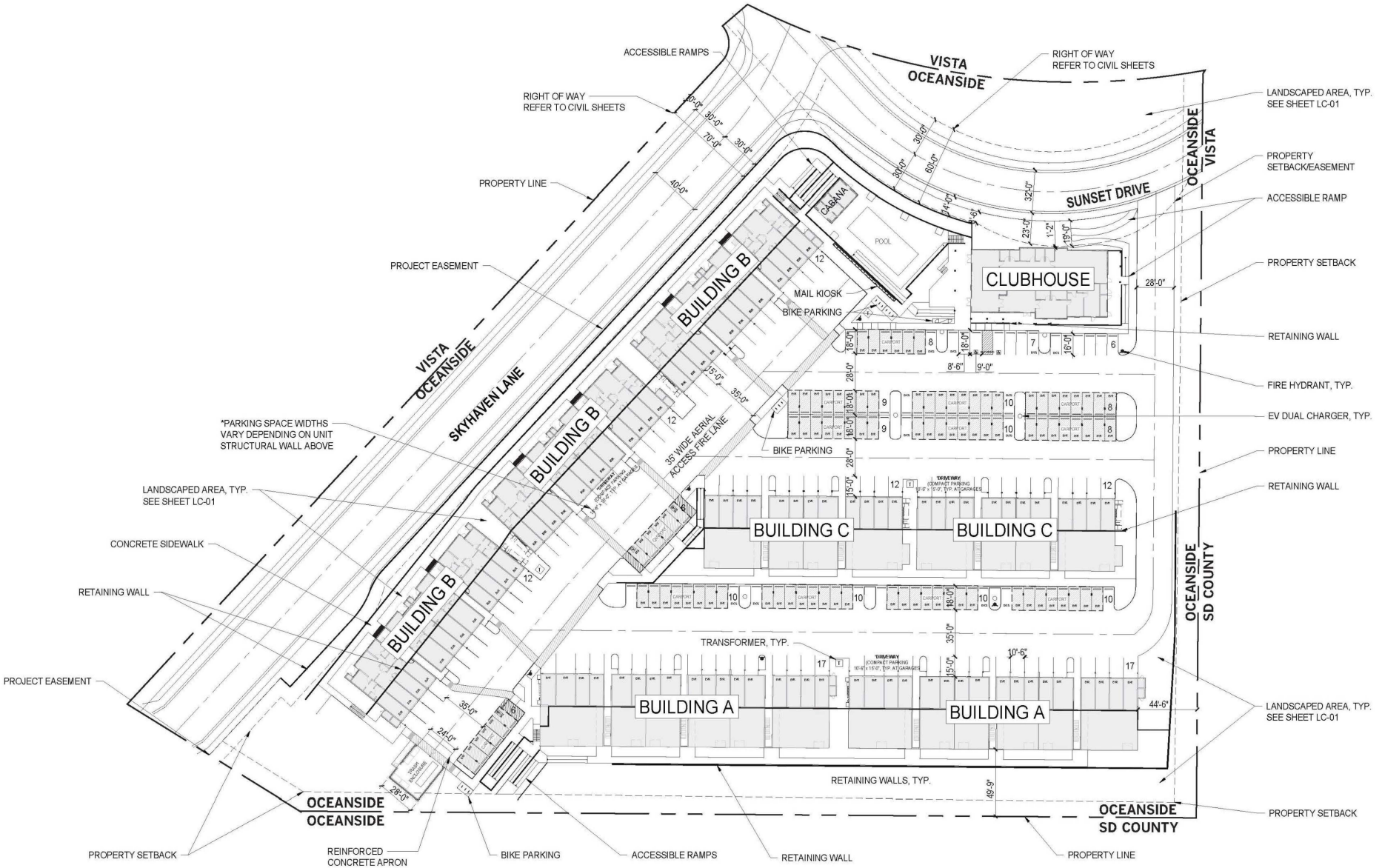
- **Development Plan:** A Development Plan is required for the proposed residential Project.
- **Density Bonus:** A Density Bonus is required for the proposed residential Project.

The responsible agencies, trustee agencies, and other public agencies which may be required to grant approvals and permits or coordinate as part of implementation of the proposed Project include, but are not limited to:

- **San Diego Air Pollution Control District (SDAPCD):** Issuance of any permits to construct.
- **San Diego Regional Water Quality Control Board (RWQCB):** Issuance of a National Pollution Discharge Elimination System (NPDES) Permit and Construction General Permit.
- **City of Vista.**

This page intentionally left blank.

Figure 3-7: Conceptual Site Plan



LPAS Architecture + Design

Quarterra

E | P | D SOLUTIONS, INC

This page intentionally left blank.

Figure 3-8: Building Elevations



This page intentionally left blank.

Figure 3-9: Building Elevations



This page intentionally left blank.

Figure 3-10: Building Elevations





LEFT ELEVATION

FRONT ELEVATION

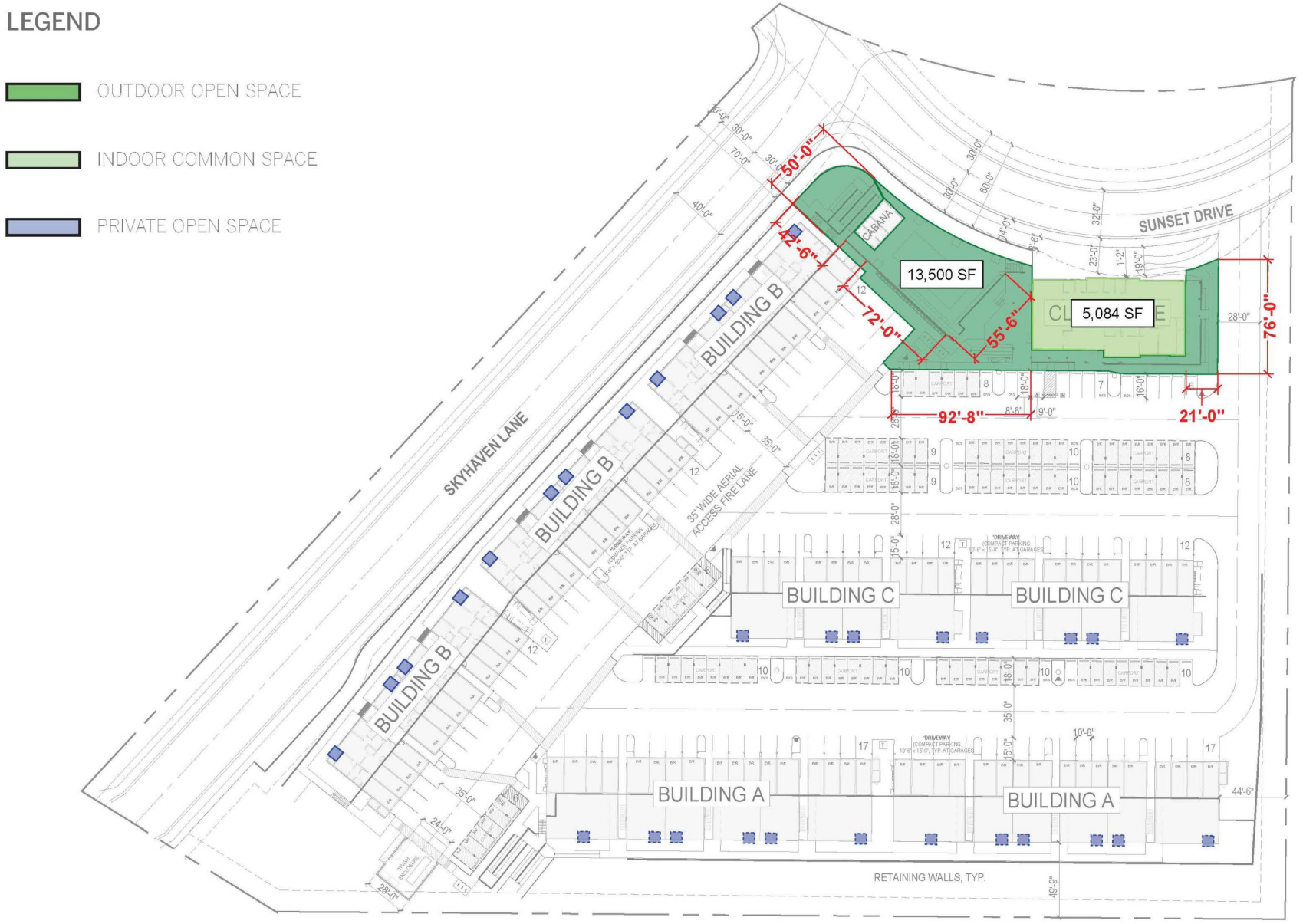


RIGHT ELEVATION

REAR ELEVATION

This page intentionally left blank.

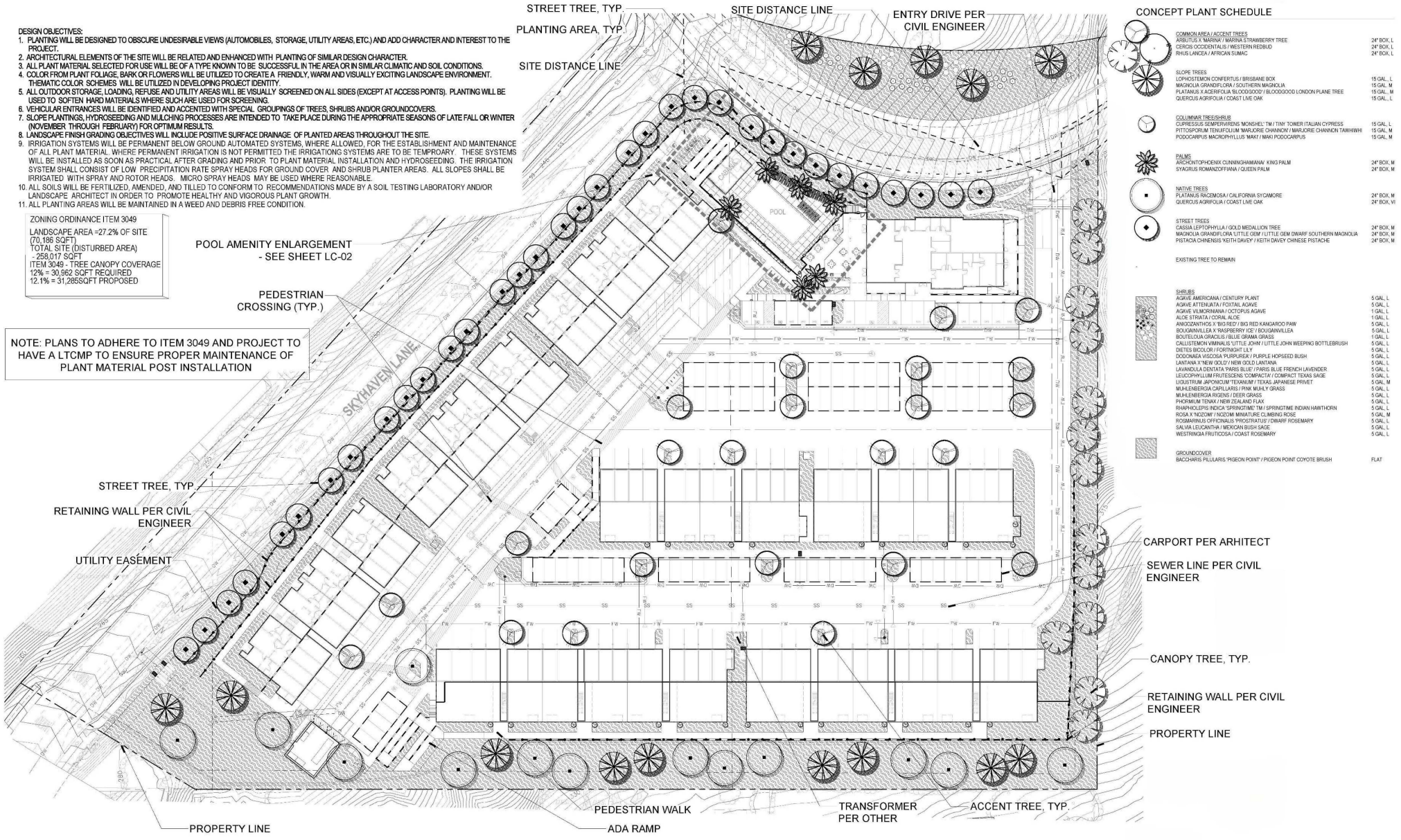
Figure 3-11: Open Space Plan



USABLE OPEN SPACE REQUIRMENTS:			PROPOSED OPEN SPACE:	
TOTAL OPEN SPACE REQUIRED:	300 SF/UNIT	57,600 SF		SEE WAIVER #4
COMMON OPEN SPACE	50% MIN.	28,800 SF	13,500 SF	
PRIVATE OPEN SPACE	50% MAX:	28,800 SF	10,185 SF	

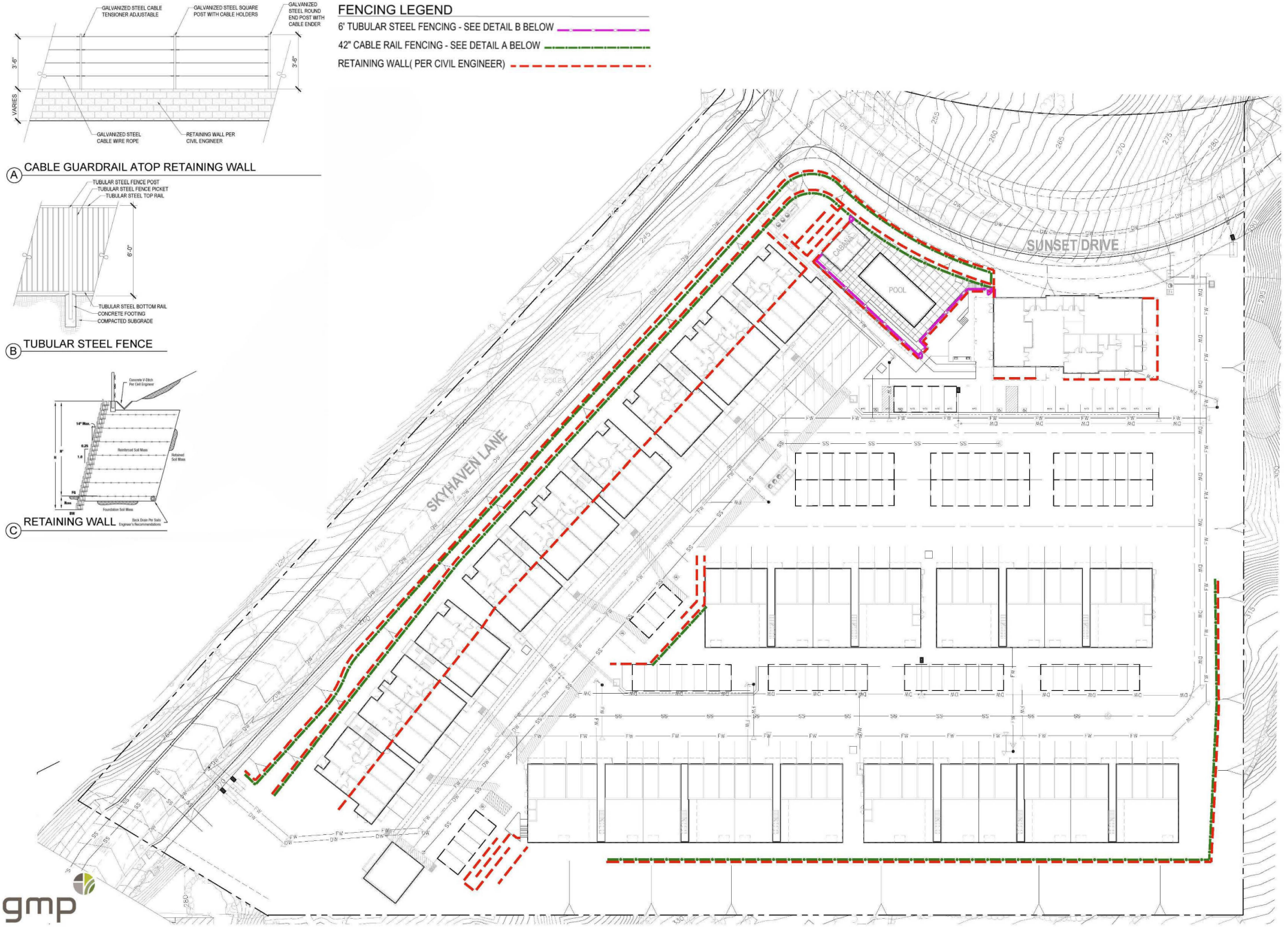
This page intentionally left blank.

Figure 3-12: Landscape Plan



This page intentionally left blank.

Figure 3-13: Wall and Fence Plan



This page intentionally left blank.

4. Environmental Impact Analysis

This section focuses on evaluating the significant environmental effects of the proposed Project, which is described in Section 3.0, *Project Description*. This section describes the existing physical environmental setting (also referred to as "baseline") and the impacts that would result from implementation of proposed Project. Because existing federal, State, and local regulations will also shape how the proposed Project is implemented, and provide requirements for avoiding and reducing environmental impacts, a discussion of relevant regulations, plans, programs, and policies is provided. Additionally, as necessary, feasible mitigation measures are identified to reduce the significant impacts of the proposed Project.

ENVIRONMENTAL TOPIC

As described in Section 2.0, *Introduction*, Assembly Bill 130 (AB 130) and Senate Bill 131 (SB 131) related to environmental review of housing development projects were signed by Governor Newsom on June 30, 2025 and went into immediate effect. AB 130 includes Public Resources Code Section 21080.66, which established a new CEQA statutory exemption for qualifying housing development projects and SB 131 amended Public Resources Code Section 21080.1(b)(1) to read that if a proposed housing development project would otherwise be exempt pursuant to a statutory exemption or categorical exemption, but for a single condition, the approval of the proposed housing development project shall be limited to effects upon the environment that are caused solely by that single condition. Condition is defined as a physical or regulatory feature of the project or its setting or an effect upon the environment caused by the project.

Specifically, Section 21080.1(b)(2) states that an initial study or environmental impact report prepared for a housing development project subject to SB 131 is only required to examine those effects that the lead agency determines, based upon substantial evidence in the record, are caused solely by the single condition that makes the proposed housing development project ineligible for the statutory exemption or categorical exemption. Further, SB 131 states that an environmental impact report for a housing development project subject to this review is not required to include any discussion of alternatives to the housing development project or the growth-inducing impacts of the housing development project.

As detailed in Table 2-1, *Summary of Project AB 130 Exemption Applicability*, in Section 2.0, the proposed residential Project meets each criteria required by the AB 130 exemption, except that there is potential habitat for protected species identified as candidate, sensitive, or species of special status, which is the sole "condition" that keeps the Project from being exempt pursuant to Public Resources Code Section 21080.66. Thus, the streamlined review provided by SB 131 is applicable to the Project, which limits the environmental review of this EIR to biological resources. Thus, this Draft EIR evaluates the potential direct and indirect impacts to biological resources that could result from construction and operation of the proposed Project.

FORMAT OF ENVIRONMENTAL TOPIC SECTION –(Biological Resources 4.1)

The environmental topic section (Biological Resources 4.1) includes the following main subsections:

- **4.1.1:Introduction.** This describes the purpose of analysis for the environmental topic and referenced documents used to complete the analysis.
- **4.1.2: Regulatory Setting.** This subsection describes applicable federal, State, and local plans, policies, and regulations that the Project must address and may affect its implementation.
- **4.1.3: Environmental Setting.** This subsection describes the existing physical environmental conditions (environmental baseline) related to the environmental topic being analyzed.
- **4.1.4: Thresholds of Significance.** This subsection sets forth the thresholds of significance (significance criteria) used to determine whether impacts are "significant." The thresholds of significance used to assess the significant impacts are based on those provided in Appendix G of the CEQA Guidelines.
- **4.1.5: Methodology.** This subsection provides a description of the methods used to analyze the impact and determine whether it would be significant or less than significant.
- **4.1.6: Environmental Impacts.** This subsection provides an analysis of the impact statements for each identified significance threshold. The analysis of each impact statement is organized as follows:
    - A statement of the CEQA threshold being analyzed;
    - The Draft EIR's conclusion as to the significance of the impact;
    - An impact assessment that evaluates the changes to the physical environment that would result from the Project; and
    - An identification of significance comparing identified impacts of the Project to the significance threshold with implementation of existing regulations, prior to implementation of any required mitigation.
- **4.1.7: Cumulative Impacts.** This subsection describes the potential cumulative impacts that would occur from the Project's environmental effects in combination with other cumulative projects.
- **4.1.8: Existing Regulations and Regulatory Requirements.** A list of applicable laws and regulations that would reduce potentially significant impacts.
- **4.1.9: Level of Significance Before Mitigation.** A determination of the significance of the impacts after the application of applicable existing regulations and regulatory requirements.
- **4.1.10: Mitigation Measures.** For each impact determined to be potentially significant after the application of applicable laws and regulations, feasible mitigation measure(s) to be implemented are provided. Mitigation measures include enforceable actions to:
    - Avoid a significant impact;
    - Minimize the severity of a significant impact;
    - Rectify an impact by repairing, rehabilitating, or restoring the effected physical environment;
    - Reduce or eliminate the impact over time through preservation and/or maintenance operations during the life of the Project; and/or
    - Compensating for the impact by replacing or providing substitute resources or environmental conditions.

- **4.1.11: Level of Significance After Mitigation.** This section provides the determination of the impact's level of significance after the application of regulations, regulatory requirements, and mitigation measures.

ENVIRONMENTAL SETTING/BASELINE

The State CEQA Guidelines Section 15125 provides that an EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the Notice of Preparation (NOP) is published, or if no NOP is published, at the time environmental analysis is commenced, from both a local and regional perspective. This environmental setting normally constitutes the baseline physical conditions by which a lead agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to gain an understanding of the significant effects of the proposed project and its alternatives.

CEQA Guidelines and case law recognize that the date for establishing an environmental baseline cannot be rigid (see CEQA Guidelines Sections 15146, 15151, and 15204). In some instances, information is presented in the environmental setting that differs from the precise time of the NOP. This information is considered representative of baseline conditions. Furthermore, environmental conditions may vary from year to year, and in some cases, it is necessary to consider conditions over a range of time periods. The intent of this Draft EIR is to provide a conservative analysis that identifies the reasonable maximum potential impact.

The baseline conditions relevant to the environmental issue being analyzed are described within Section 4.1.3, *Environmental Setting*. In some cases, discussion of baseline conditions is also provided in the impacts analyses to provide context for the impact in the most reader-friendly format and organization.

THRESHOLDS OF SIGNIFICANCE/SIGNIFICANCE CRITERIA

CEQA Guidelines Section 15382 defines a significant effect on the environment as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant."

The *Thresholds of Significance* subsection provides the specific thresholds of significance by which impacts are judged to be significant or less than significant in this Draft EIR. These include identifiable quantitative or qualitative standards or sets of criteria pursuant to which the significance of each given environmental effect can be determined. Exceedance of a threshold of significance normally means the effect will be determined to be "significant" (CEQA Guidelines Section 15064.7(a)). However, an iron-clad definition of a "significant" effect is not always possible because the significance of an activity may vary with the setting (CEQA Guidelines Section 15064(b)). Therefore, a Lead Agency has the discretion to determine whether to classify an impact described in an EIR as "significant," depending on the nature of the area affected. The thresholds of significance used to assess the significance of impacts are based on those provided in Appendix G of the CEQA Guidelines.

IMPACT SIGNIFICANCE CLASSIFICATIONS

The following classifications are used in the impact analysis in this Draft EIR to describe the level of significance of environmental impacts:

- **Significant Impact:** A significant impact is defined by Section 15382 of the CEQA Guidelines as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself "shall not be considered a significant effect on the environment … [but] may be considered in determining whether the physical change is significant." As defined in this EIR, a significant impact exceeds the defined significance criteria and therefore requires mitigation.
- **No Impact:** No adverse effect on the environment would occur, and mitigation measures are not required.
- **Less than Significant:** The impact does not reach or exceed the defined threshold (criterion) of significance. Therefore, no mitigation is required.
- **Less than Significant with Mitigation Incorporated:** The impact reaches or exceeds the defined threshold (criterion) of significance, and mitigation is therefore required to reduce the significant impact to a less-than-significant level.
- **Significant and Unavoidable Impact:** The impact reaches or exceeds the defined threshold (criterion) of significance, and mitigation is therefore required. However, application of all feasible mitigation measures, standard conditions of approval, and applicable plans, programs, and policies would not reduce the impact to a less-than-significant level, and a significant and unavoidable impact would remain.

While CEQA requires that an EIR identify all feasible mitigation to avoid or reduce the significant impacts of a project, it also permits public agencies to approve a project even though it would result in one or more significant unavoidable environmental effects. For a Lead Agency to approve a project with one or more significant unavoidable impacts, it must first prepare a statement of overriding considerations, which identifies the specific economic, legal, social, technological, or other benefits of the project, including region-wide or statewide environmental benefits, that outweigh its significant unavoidable effects, and thereby warrant its approval (Public Resources Code Section 21083; CEQA Guidelines Section 15093). The statement of overriding considerations must be supported by substantial evidence in the record (CEQA Guidelines Section 15093(a)).

CUMULATIVE IMPACTS

Cumulative impacts refer to the combined effect of the proposed Project's impacts with the impacts of other past, present, and reasonably foreseeable probable future projects. Both CEQA and the CEQA Guidelines require that cumulative impacts be analyzed in an EIR. As set forth in the CEQA Guidelines Section 15130(b), "the discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone." The CEQA Guidelines direct that the discussion should be guided by practicality and reasonableness and focus on the cumulative impacts that would result from the

combination of the proposed project and other projects, rather than the attributes of other projects which do not contribute to cumulative impacts.

According to Section 15355 of the CEQA Guidelines, 'cumulative impacts' refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

a) The individual effects may be changes resulting from a single project or a number of separate projects.
b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

Therefore, the cumulative discussion in this Draft EIR focuses on whether the impacts of the proposed Project are cumulatively considerable within the context of impacts caused by other past, present, and reasonably foreseeable future projects.

Additionally, pursuant to the CEQA Guidelines Section 15130(a)(1), an EIR should not discuss cumulative impacts that do not result at least in part from the project being evaluated in the EIR. Thus, cumulative impact analysis is not provided for any environmental issue where the proposed Project would have no environmental impact.

CEQA Guidelines Section 15130(b)(1) states that the information utilized in an analysis of cumulative impacts should come from one of the following, or a reasonable combination of the two:

- A list of past, present, and probable future projects producing related or cumulative impacts, including those projects outside the control of the lead agency; or
- A summary of projections contained in an adopted local, regional, or statewide plan or related planning document that describes or evaluates conditions contributing to the cumulative effect.

The cumulative analysis for biological resources relies on the City of Oceanside Subarea Plan that provides location of habitat preserve areas and required mitigation to reduce potential cumulative impacts. The buildout of the Subarea Plan is part of the environmental setting/baseline that includes past, present, and probable future areas of development.

Different types of cumulative impacts occur over different geographic areas. Thus, the cumulative geographic scope for biological resources is identified as the Subarea Plan area.

This page intentionally left blank.

4.1 Biological Resources

4.1.1 INTRODUCTION

This section describes the biological resources conditions in the Project region and potential impacts from Project implementation. The analysis in this section is based, in part, on the following documents and resources:

- *City of Oceanside General Plan*, 2002
- *City of Oceanside General Plan Update (Onward Oceanside) Phase 2 Recirculated PEIR*, 2025
- City of Oceanside Municipal Code
- *Biological Technical Report*, prepared by Klutz Biological Consulting, included as Appendix B

4.1.2 REGULATORY SETTING

4.1.2.1 Federal Regulations

Federal Endangered Species Act

The Federal Endangered Species Act (FESA) of 1973 defines an endangered species as "any species which is in danger of extinction throughout all or a significant portion of its range." A threatened species is defined as "any species which is likely to become an Endangered species within the foreseeable future throughout all or a significant portion of its range." Under provisions of Section 9(a)(1)(B) of the FESA, unless properly permitted, it is unlawful to "take" any endangered or threatened listed species. "Take" is defined in Section 3(18) of FESA as: "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Further, the United States Fish and Wildlife Service (USFWS), through regulation, has interpreted the terms "harm" and "harass" to include certain types of habitat modification as forms of "take." These interpretations, however, are generally considered and applied on a case-by-case basis and often vary from species to species. In a case where a property owner seeks permission from a federal agency for an action which could affect a federally listed plant or animal species, the property owner and agency are required to consult with the USFWS pursuant to Section 7 of the FESA if there is a federal nexus, or consult with the USFWS and potentially obtain a permit pursuant to Section 10 of the FESA in the absence of a federal nexus. Section 9(a)(2)(b) of the FESA addresses the protections afforded to listed plants.

Clean Water Act

Section 401 of the Clean Water Act (CWA) requires certification for any federal permit or license authorizing impacts to WOTUS (i.e., waters that are within federal jurisdiction), such as Section 404 of the CWA and Section 10 of the Safe Rivers and Harbors Act, to ensure that the impacts do not violate State water quality standards. When a project could impact waters outside of federal jurisdiction, the RWQCB has the authority under the Porter Cologne Water Quality Control Act to issue Waste Discharge Requirements (WDRs) to ensure that impacts do not violate state water quality standards. CWA Section 401 Water Quality Certifications, WDRs, and waivers of WDRs are also referred to as orders or permits.

WOTS are defined as "any surface water or groundwater, including saline waters, within the boundaries of the state" (California Water Code 13050[e]).

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) (United States Code Title 33, Section 703 et seq.; see also Code of Federal Regulations Title 50, Part 10) protects individuals as well as any part, nest, or eggs of any bird listed as migratory. In practice, federal permits issued for activities that potentially impact migratory birds typically have conditions that require pre-disturbance surveys for nesting birds. In the event nesting is observed, a buffer area with a specified radius must be established, within which no disturbance or intrusion is allowed until the young have fledged and left the nest, or it has been determined that the nest has failed. If not otherwise specified in the permit, the size of the buffer area varies with species and local circumstances (e.g., presence of busy roads, intervening topography, etc.), and is based on the professional judgment of a monitoring biologist. A list of migratory bird species protected under the MBTA is published by the USFWS.

4.1.2.2 State Regulations

California Endangered Species Act

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

CESA defines an endangered species as: a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease.

CESA defines a threatened species as: a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter. Any animal determined by the [California Fish and Game] Commission as rare on or before January 1, 1985, is a threatened species.

A candidate species is defined as: a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that the Commission has formally noticed as being under review by the department for addition to either the list of endangered species or the list of threatened species, or a species for which the Commission has published a notice of proposed regulation to add the species to either list.

CESA does not list invertebrate species.

CESA authorizes the taking of threatened, endangered, or candidate species if take is incidental to otherwise lawful activity and if specific criteria are met. These provisions also require CDFW to coordinate consultations with USFWS for actions involving federally listed species that are also state-listed species. In certain circumstances, CESA allows CDFW to adopt a CESA incidental take authorization as satisfactory for 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 (CFGC), as discussed further below.

California Rare Plant Ranks (CRPR)

The California Native Plant Society (CNPS) maintains a list of special-status plant species based on collected scientific information. Although the CNPS's designations have no legal status or protection under federal or state endangered species legislation (CNPS 2015), three designations meet the criteria of Section 15380 of the State CEQA Guidelines—CRPR 1A, plants presumed extinct; CRPR 1B, plants rare, threatened, or endangered in California and elsewhere; and CRPR 2, plants rare, threatened, or endangered in California, but more numerous elsewhere.

California Fish and Game Code, Sections 1601 through 1603

Streambeds and other drainages that occur within the City are subject to regulation by the California Department of Fish and Wildlife (CDFW). The CDFW considers most drainages to be "streambeds" unless it can be demonstrated otherwise. A stream is defined as a body of water that flows at least periodically or intermittently through a bed or channel with banks and supports fish or other aquatic life. This includes watercourses having a surface or subsurface flow that supports, or has supported, riparian vegetation. CDFW jurisdiction typically extends to the edge of the blue-line streams, and therefore, usually encompasses a larger area than U.S. Army Corps of Engineers (USACE) jurisdiction.

Sections 1600 et seq. of the California Fish and Game Code define the responsibilities of the CDFW and require public and private applicants to obtain an agreement for projects that would "… substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake." CDFW wardens and/or unit biologists typically have the responsibility for negotiating and issuing Streambed Alteration Agreements.

California Fish and Game Code, Sections 3503.5, 3511, 3515

Section 3503.5 of the California Fish and Game Code states that it is "unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Activities that result in the abandonment of an active bird of prey nest may also be considered in violation of this code. In addition, California Fish and Game Code, Section 3511 prohibits the taking of any bird listed as fully protected, and California Fish and Game Code, Section 3515 states that is it unlawful to take any non-game migratory bird protected under the MBTA.

State General Construction Stormwater Permit

Stormwater runoff from construction activity that results in soil disturbances of at least one acre of total land area (and projects that meet other specific criteria) is governed by the State Water Resources Control Board (SWRCB) under Water Quality Order 2022-0057-DWQ, National Pollutant Discharge Elimination System (NPDES) Permit No. CAS000002.

This permit regulates discharges of stormwater and non-stormwater from construction projects. The Regional Water Quality Control Board (RWQCB) enforces the General Construction Stormwater responsibility to obtain coverage under this General Permit prior to commencement of construction activities. To obtain coverage, the operator or owner must file a Notice of Intent with a vicinity map and pay the appropriate fee with the SWRCB. The General Permit outlines the requirements for preparation of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP is a document created to define and control the handling of stormwater runoff from a construction site. The SWPPP identifies construction Best Management Practices (BMPs), which are implemented during the construction phase of development. All projects that would be disturbed by development exceeding one acre would be required to comply with the General Construction Stormwater Permit.

Native Plant Protection Act of 1977

This act (Fish and Game Code § 1900 et seq.) directed the CDFW to "preserve, protect and enhance rare and endangered plants in this State." It gave the California Fish and Game Commission the power to designate native plants as "endangered" or "rare" and protect endangered and rare plants from take. The CESA, which came later, entered all "rare" animals as "threatened" species, but not rare plants. Thus, there are three listings for plants in California: rare, threatened, and endangered. Because rare plants are not included in the CESA, mitigation measures for impacts to rare plants are specified in a formal agreement between the CDFW and the project proponent.

4.1.2.3 Local and Regional Regulations

Natural Community Conservation Plan/Multiple Habitat Conservation Program

The California Natural Community Conservation Plan (NCCP) Act of 1991 (Section 2835) allows the CDFW to authorize take of species covered by plans in agreement with NCCP guidelines. An NCCP, initiated by the State of California, focuses on protecting threatened or endangered species and their habitats, and working in concert with the USFWS under FESA, is intended to provide permits to take threatened and endangered species in exchange for conserving their habitat.

The Multiple Habitat Conservation Plan (MHCP) is a comprehensive planning effort for a regional preserve in North San Diego County developed pursuant to the NCCP. The City of Oceanside and six additional city jurisdictions (Carlsbad, Encinitas, Escondido, San Marcos, Solana Beach, and Vista) make up the MHCP Plan area. The MHCP Subregional Plan and Final Environmental Impact Statement/Environmental Impact Report were adopted and certified by the SANDAG Board of Directors on March 28, 2003. The program goals are to conserve approximately 19,000 acres of habitat and contribute toward the habitat preserve system for the protection of more than 80 rare, threatened, or endangered species. It is a comprehensive, long-term habitat conservation plan that addresses the needs of multiple species by identifying key areas

for preservation as open space in order to link core biological areas into a regional wildlife preserve. The cities implement their respective portions of the MHCP through citywide "subarea" plans, which describe the specific implementing mechanisms each city will institute for the MHCP. Each of the MHCP encompassing cities must adopt subarea plans and implement agreements with the California Department of Fish and Game and U.S. Fish and Wildlife Service before incidental take permits can be issued.

The City of Oceanside has prepared a draft Subarea Plan (SAP) that was never approved or adopted and remains in draft form as of the date of this Draft EIR. Although not adopted, the Draft SAP identifies potential preserve areas as Pre-approved Mitigation Areas (PAMA), "softline" preserve, "hardline" preserve, and conservation banks, collectively referred to as FPAs. In general, hardline preserves and conservation banks are areas that are already preserved to Draft Subarea Plan standards. Softline preserves and PAMA identify areas specifically targeted for future preservation. In the context of the Draft SAP, the survey area runs through multiple hardline and softline preserve areas. Because the City of Oceanside has not approved or adopted its Draft SAP, the proposed Project is not subject to the requirements of the MHCP, although it is recognized herein as a guide for survey area planning considerations.

City of Oceanside Subarea Plan

The Project Site is located within the Oceanside Subarea of the MHCP. The City of Oceanside has prepared a Draft Subarea Habitat Conservation Plan/Natural Community Conservation Plan (Draft Subarea Plan; Draft SAP). Due to the prohibitive cost of program management and a lack of adequate implementation funding and staff resources, the City has decided not to pursue formal adoption of the Draft SAP. As such, the City does not currently have incidental take authorization under the NCCP/MHCP program. However, many of the conservation strategies outlined in the Draft SAP have been carried forward into City policies and are utilized as guidance in the City's planning and biological conservation programs. The Draft SAP framework provides the local framework for implementing the MHCP within the City of Oceanside. The Draft SAP identifies potential preserve areas as Pre-approved Mitigation Areas (PAMA), "softline" preserve, "hardline" preserve, and conservation banks. In general, hardline preserves and conservation banks are areas that are already preserved to Draft Subarea Plan standards. Softline preserves and PAMA identify areas are specifically targeted for future preservation. The Draft SAP establishes a preserve system and development standards to ensure the long-term conservation of biological resources while allowing for orderly development. Preserve planning zones include the PAMAs, Wildlife Corridor Planning Zone (WCPZ), Agricultural Exclusion Zone, Offsite Mitigation Zone, and Coastal Zone.

The Project site is located within the Offsite Mitigation Zone, which is outside the PAMA and WCPZ. The Offsite Mitigation Zone includes all parcels within the city that support natural vegetation outside of the WCPZ, Agriculture Exclusion Zone, and Coastal Zone. According to the Draft Oceanside Subarea Plan, impacts to coastal sage scrub vegetation in the Offsite Mitigation Zone shall be mitigated at a 2:1 ratio, and impacts to non-native grassland shall be mitigated at a 0.5:1 ratio. Mitigation shall be accomplished through the purchase of habitat credits from an approved mitigation bank within the City's WCPZ, PAMAs, or other mitigation area approved by the City of Oceanside and wildlife agencies.

The following minimization measures and Best Management Practices (BMPs) shall be implemented by projects that may impact biological resources within the City. All projects approved under the SAP must also adhere to the zone-specific standards for which they are located:

1. The project applicant shall temporarily fence (with silt barriers) the limits of project impacts (including construction staging areas and access routes) to prevent additional 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 Wildlife Agencies. Any riparian/wetland or upland habitat impacts that occur beyond the approved fenced shall be mitigated at a minimum 5:1 ratio. Temporary construction fencing shall be removed upon project completion.

2. Impacts from fugitive dust will be avoided and minimized through watering and other appropriate measures.

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

   To avoid any direct and indirect impacts to raptors and/or any migratory birds, grubbing and clearing of vegetation that may support active nests and construction activities adjacent to nesting habitat will occur outside of the breeding season (January 15 to August 31). If removal of habitat and/or construction activities is necessary adjacent to nesting habitat during the breeding season, the applicant shall retain a City-approved biologist to conduct a pre-construction survey to determine the presence or absence of non-listed nesting migratory birds on or within 300 feet of the construction area, and federally- or State-listed birds and raptors on or within 500 feet of the construction area. The pre-construction survey must be conducted within 10 calendar days prior to the start of construction, the results of which must be submitted to the City for review and approval prior to initiating any construction activities. If nesting birds are detected by the City-approved biologist, the following buffers shall be established: 1) no work within 300 feet of a non-listed nesting migratory bird nest, and 2) no work within 500 feet of a listed bird or raptor nest. However, the City may reduce these buffer widths depending on site-specific conditions (e.g. the width and type of screening vegetation between the nest and proposed activity) or the existing ambient level of activity (e.g., existing level of human activity within the buffer distance). If construction must take place within the recommended buffer widths above, the project applicant will contact the City and Wildlife Agencies to determine the appropriate buffer.

4. A monitoring biologist shall be onsite during: a) initial clearing and grubbing of all native habitats; and b) project construction within 500 feet of preserved habitat to ensure compliance with all

conservation measures. The biologist must be knowledgeable of the covered species biology and ecology.

5. The applicant shall ensure that development landscaping adjacent to on- or off-site habitat does not include exotic plant species that may be invasive to native habitats. Exotic plant species not to be used include any species listed on the California Invasive Plant Council's (Cal-IPC) "Invasive Plant Inventory" List. This list includes such species as pepper trees, pampas grass, fountain grass, ice plant, myoporum, black locust, capeweed, tree of heaven, periwinkle, sweet alyssum, English ivy, French broom, Scotch broom, and Spanish broom. A copy of the complete list can be obtained from Cal-IPC's web site or other similar sources that may evolve over the life of this plan . In addition, landscaping should not use plants that require intensive irrigation, fertilizers, or pesticides adjacent to the Preserve and water runoff from landscaped areas should be directed away from the biological conservation easement area and contained and/or treated within the development footprint. The applicant shall ensure that development lighting adjacent to all on- or off- site habitat shall be directed away from and/or shielded so as not to illuminate native habitats.
6. If night work is necessary, night lighting shall be of the lowest illumination necessary for human safety, selectively placed, shielded and directed away from natural habitats.
7. The biological monitor should flush birds out of habitat areas before they are cleared.
8. The biological monitor shall prepare periodic construction monitoring reports and a post-construction report to document compliance.
9. Any planting stock to be brought onto the project site for landscape or habitat creation/restoration/enhancement 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 (Iridomyrmex humil), fire ants (Solenopsis invicta), and other insect pests. Any planting stock found to be infested with such pests shall not be allowed on the project site or within 300 feet of natural habitats unless documentation is provided to the Agencies that these pests already occur in natural areas around the project site. 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 will be for the shortest duration possible, and that no permanent irrigation will be used, for landscape or habitat creation/restoration/enhancement.
10. The applicant shall ensure that the following conditions are implemented during project construction:
    a. Employees shall strictly limit their activities, vehicles, equipment, and construction materials to the fenced project footprint;
    b. To avoid attracting predators of covered species, the project site 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;
    d. Disposal or temporary placement of excess fill, brush or other debris shall not be allowed in waters of the United States or their banks;
    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 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 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 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.

City of Oceanside General Plan

The City of Oceanside General Plan Land Use Element contains the following policies related to biological resources that are applicable to the Project:

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 3.11C: 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.

Land Use Element Section 1.22, Landscaping Policies:

A. Existing mature trees shall be retained whenever possible.

B. Mature trees removed for development shall be mitigated by replacement with an appropriate type, size, and number of trees.

C. Drought-tolerant materials, including native California plant species shall be encouraged as a landscape type.

The proposed Project would utilize the provisions of the California Housing Crisis Act of 2019 Senate Bill 330 (SB 330), which establishes procedures intended to facilitate the development of housing. Under SB 330, housing development projects may submit a preliminary application that establishes the development standards, fees, and ordinances applicable to the project at the time the application is deemed complete. The provisions of SB 330 provide certainty regarding the development standards applicable to the project after the preliminary application has been submitted. The proposed Project would remain subject to applicable zoning regulations, design review, and environmental review by the City of Oceanside. The Project submitted an SB 330 Application on June 23, 2025, which was found to be complete. Thus, the proposed Project is subject to the applicable development standards, fees, and ordinances in place on that date. As a result, the subject Project will not be required to adhere to the newly adopted policies of the 2026 General Plan.

City of Oceanside Code of Ordinances

Section 31A.1 states that the superintendent of the Parks and Recreation Department of the City appointed pursuant to section 21.6, shall have exclusive jurisdiction and supervision over all trees, shrubs, hedges, plants and grassy areas planted or growing in streets, public areas and parkways in the City.

4.1.3 ENVIRONMENTAL SETTING

The Project Site is approximately 7.78 gross acres, which includes 1.49 acres of Sunset Drive, 0.22-acre of land across Sunset Drive, and 0.16-acre of land across Sky Haven Lane. The proposed development area is 5.92 acres of vacant land that has been previously disturbed. However, even though the development area is less than the total site acreage, the Biological Technical Report prepared for the project evaluated the entirety of the 7.78-acre site, identifying whether habitat or sensitive species exist on areas not proposed for development by the project. All areas outside of the 5.92-acre development area were identified as disturbed habitat that does not have any sensitive species or require mitigation, even if disturbed. Topography of the proposed development area is dominated by a flat pad with steep slopes which are covered with sea-fig (*Carpobrotus chilensis*). Natural slopes are above the pad, which lead to a more level area at the top of the site. A swale runs from the north to the southeast on the western side of the property. Elevations range from approximately 340 feet Above Mean Sea Level (AMSL) in the northwestern corner of the site to about 246 feet AMSL near at the intersection of Sky Haven Lane and Sunset Drive (Appendix B).

Soils mapped by the U.S. Soil Conservation Service within the Project site include Las Flores loamy fine sand, 15–30% slopes on the majority of the site with a small area of Las Flores loamy fine sand, 9–15% slopes is mapped on the upper portion of the site.

4.1.3.1 Vegetation Communities

The Biological Technical Report documented seven vegetation communities and land cover types within the Project site, as summarized in Table 4.1-1. Vegetation communities are classified into habitat groups (A through F) pursuant to the City of Oceanside Subarea Habitat Conservation Plan/Natural Community Conservation Plan (Oceanside Subarea Plan). Habitat groups are assigned based on biological sensitivity, with Group A representing the most sensitive habitats (e.g., wetlands, riparian) requiring the highest mitigation ratios, and Group F representing the least sensitive habitats (e.g., disturbed, developed) that generally do not require mitigation.

As detailed on Table 4.1-1 and shown on Figure 4.1-1, the Project site includes 1.22 acres of coastal sage scrub transition habitat and 0.04 acre of coastal sage scrub habitat that are classified as Group C, 0.13 acre of non-native grassland classified as Group E, and the remainder of the site is classified as Group F, which includes non-native vegetation, eucalyptus woodland, disturbed habitat, and developed land.

Table 4.1-1: On-Site Vegetation Communities and Land Cover Types

Vegetation Community / Land Cover	Habitat Group	Acres
Coastal Sage–Chaparral Transition	C	1.22
Coastal Sage Scrub	C	0.04

Vegetation Community / Land Cover	Habitat Group	Acres
Non-Native Grassland	E	0.13
Non-Native Vegetation	F	2.35
Eucalyptus Woodland	F	0.50
Disturbed Habitat	F	2.47
Developed Land	F	1.07
Total		**7.78**

Source: Appendix B

Coastal sage–chaparral transition is a mix of sclerophyllous, woody chaparral species and drought-deciduous, malacophyllous sage scrub species. The on-site habitat is dominated by lemonadeberry (*Rhus integrifolia*) and has high cover by coastal sagebrush (*Artemisia californica*), black sage (*Salvia mellifera*) and toyon (*Heteromeles arbutifolia*). Chaparral species such as chamise (*Adenostoma fasciculatum*), scrub oak (*Quercus berberidifolia*), and mission manzanita (*Xylococcus bicolor*) have a limited presence throughout this habitat, and coastal sage scrub species such as monkey flower (*Mimulus aurantiacus*) and black sage (*Salvia mellifera*) occur predominantly around the habitat edge. Wildlife observed includes western scrub-jay (*Aphelocoma californica*), spotted towhee (*Melozone crissalis*), and Cassin's kingbird (*Tyrannus vociferans*).

Coastal sage scrub is characterized by low, soft-woody subshrubs that are most active in winter and early spring. On-site coastal sage scrub occurs in an isolated patch near the northeastern corner of the site and is dominated by lemonade berry, white sage (*Salvia apiana*) and black sage.

Figure 4.1-1: Project Site Vegetation



KLUTZ BIOLOGICAL CONSULTING

This page intentionally left blank.

Non-native grassland is dominated by a variety of non-native grasses including slender wild oat (*Avena barbata*), wild oat (*A. fatua*), ripgut grass (*Bromus diandrus*), and red brome (*B. madritensis* subsp. *rubens*). The only native species observed in non-native grassland was nodding needlegrass (*Stipa cernua*).

Non-native vegetation occurs primarily on the site's northeast-facing slope and is singularly dominated by sea-fig (*Carpobrotus chilensis*). Other species occurring in this habitat include florist'ssmilax (*Asparagus asparagoides*), long-beak filaree, prickly lettuce (*Lactuca serriola*), and common sow-thistle (*Sonchus oleraceus*).

Eucalyptus woodland is a naturalized vegetation community consisting of introduced Australian eucalyptus trees. On-site eucalyptus woodland consists of blue gum (*Eucalyptus globulus*) trees.

Disturbed habitat consists of areas that have been physically disturbed and are no longer recognizable as a native or naturalized vegetation association. This includes areas that have been cleared for fuel management, pipeline easements, or other activities.

Developed land consists of areas that have been constructed upon or otherwise physically altered to an extent that native vegetation is no longer supported.

4.1.3.2 Special-Status Plant Species

The Biological Technical Report evaluated the potential for a total of 57 special status plant species to occur within the biological study area, as provided in Table 4.1-2. Of the 57 special status plant species evaluated, 16 are designated by the City of Oceanside as narrow endemics. None of the City of Oceanside designated narrow endemics were observed or expected to occur on-site. Of the remaining 41 special status plant species, one plant species, Engelmann oak (*Quercus engelmannii*; California Rare Plant Rank 4.2), was observed on-site. One individual Engelmann oak was documented within the coastal sage–chaparral transition habitat. Engelmann oak is a California endemic species found primarily in the foothills and valleys of southern California, ranging from Los Angeles County south to San Diego County. The species is considered a CRPR 4.2 species, indicating it is of limited distribution with a moderate degree of threat. According to the CNPS, 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). The on-site individual occurs within an area proposed for development by the Project.

Table 4.1-2: Special-Status Plant Species Potential to Occur

Species Name	Status (Fed/State/CRPR)	Subara Plan Species?	Potential to Occur
Engelmann oak *Quercus engelmannii*	None/None/4.2	None	**Present.** One individual observed within coastal sage-chaparral transition habitat during 2025 surveys.
San Diego thorn-mint *Acanthomintha ilicifolia*	FT/SE/1B.1	Covered	**Not expected.** Requires clay soils with cracked/broken surface; Las Flores loamy fine sand on-site is not suitable. Site too disturbed to support this species.
San Diego ambrosia *Ambrosia pumila*	FE/None/1B.1	Covered	**Not expected.** Although marginally suitable habitat present, site is highly disturbed with frequent human activity. Not observed during surveys.

Species Name	Status (Fed/State/CRPR)	Subara Plan Species?	Potential to Occur
thread-leaved brodiaea *Brodiaea filifolia*	FT/SE/1B.1	Covered	**Not expected.** Requires clay soils and mesic conditions associated with vernal pools; suitable soils and hydrology not present on-site.
Del Mar manzanita *Arctostaphylos glandulosa ssp. crassifolia*	FE/None/1B.1	None	**Not expected.** Typically found in sandy maritime chaparral; this perennial shrub would have been detected during surveys if present.
Encinitas baccharis *Baccharis vanessae*	FT/SE/1B.1	None	**Not expected.** No suitable maritime chaparral or sandstone substrates present. No known occurrences within 5 miles of study area.
coastal dunes milk-vetch *Astragalus tener var. titi*	FE/SE/1B.1	None	**Not expected.** Requires coastal dune or bluff scrub habitat which is absent from the site. No known occurrences within 5 miles.
Orcutt's spineflower *Chorizanthe orcuttiana*	FE/SE/1B.1	None	**Not expected.** Requires sandy maritime chaparral or coastal scrub with openings. Site lacks suitable sandy substrate and is too disturbed.
San Diego button-celery *Eryngium aristulatum var. parishii*	FE/SE/1B.1	None	**Not expected.** Associated with vernal pools and mesic conditions; no vernal pools or suitable hydrology present on-site.
San Diego mesa mint *Pogogyne abramsii*	FE/SE/1B.1	None	**Not expected.** Vernal pool obligate species; no vernal pools occur on-site.
California Orcutt grass *Orcuttia californica*	FE/SE/1B.1	None	**Not expected.** Vernal pool obligate species; no vernal pools occur on-site. No known occurrences within 5 miles.
Nuttall's acmispon *Acmispon prostratus*	None/None/1B.1	Covered	**Not expected.** Site elevation (246-340 ft) exceeds species known range (0-35 ft). Species occurs closer to coast.
chaparral sand-verbena *Abronia villosa var. aurita*	None/None/1B.1	None	**Not expected.** Typically found in sandy washes and floodplains which are not present on-site.
aphanisma *Aphanisma blitoides*	None/None/1B.2	None	**Not expected.** Typically found in coastal habitats (bluff scrub, dunes) unlike areas present on-site.
Rainbow manzanita *Arctostaphylos rainbowensis*	None/None/1B.1	None	**Not expected.** Site elevation (246-340 ft) below species known range (675-2,200 ft).
Coulter's saltbush *Atriplex coulteri*	None/None/1B.2	None	**Not expected.** Suitable coastal scrub present but this perennial shrub was not detected during surveys.
south coast saltscale *Atriplex pacifica*	None/None/1B.2	None	**Not expected.** No coastal bluff scrub or playa habitat present on-site.
San Diego goldenstar *Bloomeria clevelandii*	None/None/1B.1	None	**Not expected.** Requires clay soils; site disturbance and foot traffic limit potential. Nearest occurrence is approximately 5 miles from study area.
Orcutt's brodiaea *Brodiaea orcuttii*	None/None/1B.1	None	**Not expected.** Associated with wetlands and vernal pools with clay soil which are not present on-site.
southern tarplant *Centromadia parryi ssp. australis*	None/None/1B.1	None	**Not expected.** More likely in vernally mesic foothill grassland; no suitable mesic conditions present. No known occurrences within 5 miles.

Species Name	Status (Fed/State/CRPR)	Subara Plan Species?	Potential to Occur
smooth tarplant *Centromadia pungens ssp. laevis*	None/None/1B.1	None	**Not expected.** Typically occurs in alkaline foothill grasslands; no suitable alkaline conditions present on-site.
Orcutt's pincushion *Chaenactis glabriuscula var. orcuttiana*	None/None/1B.1	None	**Not expected.** Requires coastal bluff scrub or dune habitat which is absent from the site.
long-spined spineflower *Chorizanthe polygonoides var. longispina*	None/None/1B.2	None	**Not expected.** Requires clay soils in chaparral openings; suitable substrate not present.
summer holly *Comarostaphylis diversifolia ssp. diversifolia*	None/None/1B.2	None	**Not expected.** This perennial evergreen shrub was not detected during surveys.
Blochman's dudleya *Dudleya blochmaniae ssp. blochmaniae*	None/None/1B.1	Covered	**Not expected.** Requires clay or rocky substrates; site is too disturbed. Not observed during surveys.
many-stemmed dudleya *Dudleya multicaulis*	None/None/1B.2	None	**Not expected.** Requires clay soils; site disturbance limits potential. No known occurrences within 5 miles.
variegated dudleya *Dudleya variegata*	None/None/1B.2	None	**Not expected.** Requires clay soils; site disturbance limits potential. No known occurrences within 5 miles.
sticky dudleya *Dudleya viscida*	None/None/1B.2	Covered	**Not expected.** Requires rocky substrate which is absent from the site.
Palmer's goldenbush *Ericameria palmeri var. palmeri*	None/None/1B.1	None	**Not expected.** This perennial shrub occurs in mesic coastal scrub and was not detected during surveys. No known occurrences within 5 miles.
Pendleton button-celery *Eryngium pendletonense*	None/None/1B.1	None	**Not expected.** Site is outside of species' known geographic range; no vernal pools present.
sand-loving wallflower *Erysimum ammophilum*	None/None/1B.2	None	**Not expected.** Requires sandy openings in maritime chaparral; not detected during surveys.
San Diego barrel cactus *Ferocactus viridescens*	None/None/2B.1	None	**Not expected.** This conspicuous perennial would have been observed if present; not detected during surveys.
Orcutt's hazardia *Hazardia orcuttii*	None/None/1B.1	None	**Not expected.** Requires clay soils which do not occur on-site. Would have been easily recognizable during the surveys.
decumbent goldenbush *Isocoma menziesii var. decumbens*	None/None/1B.2	None	**Not expected.** Often associated with sandy, disturbed areas near coast; not detected during surveys. Would have been easily recognizable during the surveys.
San Diego marsh-elder *Iva hayesiana*	None/None/2B.2	Covered	**Not expected.** Requires marshes, swamps, or playas; no suitable wetland habitat present on-site. Would have been easily recognizable during the surveys.
Robinson's pepper-grass *Lepidium virginicum var. robinsonii*	None/None/4.3	None	**Low potential.** Typically found in chaparral openings; not detected during surveys.
San Diego goldenstar *Muilla clevelandii*	None/None/1B.1	None	**Not expected.** Associated with vernal pools and clay soils which are not present on-site.

Species Name	Status (Fed/State/CRPR)	Subara Plan Species?	Potential to Occur
little mousetail *Myosurus minimus ssp. apus*	None/None/3.1	None	**Not expected.** Vernal pool associated species; no vernal pools occur on-site.
spreading navarretia *Navarretia fossalis*	FT/None/1B.1	None	**Not expected.** Vernal pool obligate; no vernal pools occur on-site.
chaparral nolina *Nolina cismontana*	None/None/1B.2	None	**Not expected.** This perennial shrub was not detected during surveys. No known occurrences within 5 miles.
Brand's star phacelia *Phacelia stellaris*	None/None/1B.1	None	**Not expected.** Occurs in coastal dunes near beach; no known occurrences within 5 miles.
Torrey pine *Pinus torreyana ssp. torreyana*	None/None/1B.2	None	**Not expected.** Site is outside of species' known geographic range. This tree would have been observed if present.
white rabbit-tobacco *Pseudognaphalium leucocephalum*	None/None/2B.2	None	**Not expected.** This perennial herb was not detected during surveys. No known occurrences within 5 miles.
Nuttall's scrub oak *Quercus dumosa*	None/None/1B.1	None	**Not expected.** Previously identified on-site by REC. Scrub oak on-site keyed to Quercus berberidifolia during 2025 surveys; Q. dumosa not present.
ashy spike-moss *Selaginella cinerascens*	None/None/4.1	None	**Low potential.** Suitable chaparral and coastal scrub habitat present; however, not detected during surveys.
Parry's tetracoccus *Tetracoccus dioicus*	None/None/1B.2	None	**Not expected.** This perennial shrub was not detected during surveys.
Del Mar Mesa sand aster *Corethrogyne filaginifolia var. linifolia*	None/None/1B.1	None	**Not expected.** Not known to occur in Project quad; site is too disturbed.
short-leaved dudleya *Dudleya blochmaniae var. brevifolia*	FE/SE/1B.1	None	**Not expected.** Not known to occur in Project quad; suitable soil does not occur on-site.
California adolphia *Adolphia californica*	None/None/2B.1	None	**Not expected.** Requires clay soils; areas with suitable soils have been heavily disturbed. Not detected during surveys.
Shaw's agave *Agave shawii var. shawii*	None/None/2B.1	None	**Not expected.** Limited distribution near U.S./Mexico border and coastal bluffs; site lacks suitable habitat.
wart-stemmed ceanothus *Ceanothus verrucosus*	None/None/2B.2	None	**Not expected.** This perennial shrub was not detected during surveys. Multiple occurrences within 5 miles but not on-site.
cliff spurge *Euphorbia misera*	None/None/2B.2	None	**Not expected.** Requires rocky substrate in coastal scrub; this perennial shrub was not detected during surveys.
Lewis' evening-primrose *Camissoniopsis lewisii*	None/None/3	None	**Not expected.** No known CNDDB occurrences within 5 miles; not detected during surveys.
Lakeside ceanothus *Ceanothus cyaneus*	None/None/1B.2	None	**Not expected.** Site elevation (246-340 ft) is below species known range (770-2,475 ft).
prairie false oat *Sphenopholis obtusata var. californica*	None/None/1B.1	None	**Not expected.** Site elevation outside of species known range (approximately 50 ft).

Species Name	Status (Fed/State/CRPR)	Subara Plan Species?	Potential to Occur
purple stemodia *Stemodia durantifolia*	None/None/2B.1	None	**Not expected.** Site elevation (246-340 ft) is below species known range (590-985ft).
estuary seablite *Suaeda esteroa*	None/None/1B.2	None	**Not expected.** Site elevation exceeds species' range (0-15 ft); no suitable salt marsh habitat present.

Source: Appendix B
Status Legend:
Federal: FE = Federally Endangered; FT = Federally Threatened; FC = Federal Candidate
State: SE = State Endangered; ST = State Threatened; CE = Candidate Endangered
CRPR: 1B = Rare, threatened, or endangered in CA and elsewhere; 2B = Rare in CA, more common elsewhere; 3 = Review list; 4 = Watch list Subarea Plan: Covered = Species covered under the Oceanside Subarea Habitat Conservation Plan

4.1.3.3 Special-Status Wildlife Species

The Biological Technical Report evaluated the potential for a total of 43 special status wildlife species to occur within the biological study area, as provided in Table 4.1-3. No special-status wildlife species were detected during reconnaissance surveys. However, based on an evaluation of regional occurrence data, habitat requirements, and the vegetation communities present within the Project Site, 22 special-status wildlife species have a low or moderate potential to occur on-site as listed in Table 4.1-3 and described below.

Table 4.1-3: Special-Status Wildlife Species Potential to Occur

Species Name	Status (Fed/State/CRPR)	Subara Plan Species?	Potential to Occur
Crotch's bumble bee *Bombus crotchii*	None/CE/None	None	**Moderate potential.** Suitable floral resources present in coastal sage scrub and coastal sage-chaparral transition habitats for foraging. However, ground disturbance and compaction with limited small mammal burrows reduces nesting potential.
western monarch *Danaus plexippus plexippus*	FC/None/None	None	**Moderate potential** to overwinter in low densities. Eucalyptus woodland present on-site but isolated and not near known overwintering aggregation sites. May occasionally forage or pass through site when nectar sources are present.
San Diego fairy shrimp *Branchinecta sandiegonensis*	FE/None/None	Covered	**Not expected.** Vernal pool obligate; no vernal pools or suitable seasonal ponding occur on-site.
Riverside fairy shrimp *Streptocephalus woottoni*	FE/None/None	None	**Not expected.** Vernal pool obligate; no vernal pools occur on-site.
Quino checkerspot butterfly *Euphydryas editha quino*	FE/None/None	None	**Not expected.** Site lacks suitable host plants (Plantago erecta, Castilleja exserta) and is outside species' current range.
Harbison's dun skipper *Euphyes vestris harbisoni*	None/None/None	Covered	**Not expected.** Host plant (Carex spissa) not observed on-site; no suitable riparian habitat present.
Hermes copper butterfly *Lycaena hermes*	FT/None/None	None	**Not expected.** Host plant (Rhamnus crocea) not observed during surveys; site is north of species' primary range.

Species Name	Status (Fed/State/CRPR)	Subara Plan Species?	Potential to Occur
oblivious tiger beetle *Cicindela latesignata obliviosa*	None/None/None	Covered	**Not expected.** Not known to occur in Project quad or surrounding quads; site too disturbed.
San Diegan tiger whiptail *Aspidoscelis tigris stejnegeri*	None/SSC/None	None	**Moderate potential.** Suitable habitat present in coastal sage scrub and coastal sage-chaparral transition. Open, sunny areas with sandy soils provide potential foraging and basking habitat.
red diamondback rattlesnake *Crotalus ruber*	None/SSC/None	None	**Moderate potential.** Suitable habitat present in coastal sage scrub, chaparral transition, and rocky areas. May use site for foraging, particularly where small mammal prey is available.
coast patch-nosed snake *Salvadora hexalepis virgultea*	None/SSC/None	None	**Moderate potential.** Suitable coastal scrub and chaparral habitat present. This diurnal species may forage on-site for lizard prey.
Southern California legless lizard *Anniella stebbinsi*	None/SSC/None	None	**Low potential.** Requires loose, sandy soils with leaf litter; limited suitable microhabitat present. More likely to occur in less disturbed areas with deeper sandy soils.
south coast garter snake *Thamnophis sirtalis ssp.*	None/SSC/None	None	**Not expected.** Associated with permanent or semi-permanent water sources and riparian habitat which are absent from the site.
coast horned lizard *Phrynosoma blainvillii*	None/SSC/None	Covered	**Low potential.** Suitable coastal sage scrub habitat present; however, requires native harvester ants (Pogonomyrmex spp.) which are often displaced by Argentine ants in urban areas.
California glossy snake *Arizona elegans occidentalis*	None/SSC/None	None	**Low potential.** Suitable scrub habitat present but requires loose, sandy soils for burrowing. Site disturbance limits potential.
San Bernardino ringneck snake *Diadophis punctatus modestus*	None/None/None	None	**Low potential.** May occur in moist microhabitats under rocks or debris within chaparral transition areas.
coastal California gnatcatcher *Polioptila californica californica*	FT/SSC/None	Covered	**Low to moderate potential.** Limited coastal sage scrub (0.04 ac) and coastal sage-chaparral transition (1.31 ac) present but habitat is small, fragmented, and surrounded by development.
least Bell's vireo *Vireo bellii pusillus*	FE/SE/None	Covered	**Not expected.** Requires dense riparian woodland habitat which is absent from the site. No suitable willow-dominated habitat present.
southwestern willow flycatcher *Empidonax traillii extimus*	FE/SE/None	Covered	**Not expected.** Requires dense riparian habitat for nesting which is absent from the site.
yellow warbler *Setophaga petechia*	None/SSC/None	None	**Not expected.** Breeding habitat (riparian woodland) absent from site. May occur as migrant but no suitable nesting habitat present.
yellow-breasted chat *Icteria virens*	None/SSC/None	None	**Not expected.** Requires dense riparian thickets which are absent from the site.
Cooper's hawk *Accipiter cooperii*	None/WL/None	None	**Moderate potential.** May forage on-site; eucalyptus woodland provides potential nesting and perching habitat. Urban-adapted species known to nest in residential areas.

Species Name	Status (Fed/State/CRPR)	Subara Plan Species?	Potential to Occur
golden eagle *Attuila chrysaetos*	None/FP/WL	None	**Not expected.** Site is too small and urbanized to support this species. No suitable nesting or primary foraging habitat present.
burrowing owl *Athene cunicularia*	None/SSC/None	Covered	**Low potential.** Open disturbed habitat and non-native grassland present but limited (0.13 ac grassland). No burrows or owl sign observed during surveys. Site is surrounded by urban development limiting connectivity.
Swainson's hawk *Buteo swainsoni*	None/ST/None	None	**Not expected.** Site lacks suitable nesting and primary foraging habitat. May occasionally fly over during migration.
northern harrier *Circus hudsonius*	None/SSC/None	None	**Not expected.** No suitable open marshland or extensive grassland for nesting. May occasionally fly over.
white-tailed kite *Elanus leucurus*	None/FP/None	None	**Low potential.** Limited open foraging habitat; may use eucalyptus trees for roosting. No large grassland areas to support regular use.
prairie falcon *Falco mexicanus*	None/WL/None	None	**Not expected.** No suitable nesting habitat (cliffs) present; site too small for regular foraging.
coastal cactus wren *Campylorhynchus brunneicapillus sandiegensis*	None/SSC/None	Covered	**Not expected.** No cholla (Cylindropuntia spp.) thickets present on-site to support nesting.
tricolored blackbird *Agelaius tricolor*	None/ST/SSC	None	**Not expected.** No suitable freshwater marsh or wetland nesting habitat present on-site.
California horned lark *Eremophila alpestris actia*	None/WL/None	None	**Not expected.** Requires extensive open, sparsely vegetated terrain. Limited suitable habitat on-site.
loggerhead shrike *Lanius ludovicianus*	None/SSC/None	None	**Low potential.** Open scrub habitat present; may forage or nest in thorny vegetation on-site.
Belding's savannah sparrow *Passerculus sandwichensis beldingi*	None/SE/None	None	**Not expected.** Requires coastal salt marsh habitat which is absent from the site.
Pacific pocket mouse *Perognathus longimembris pacificus*	FE/SSC/None	Covered	**Not expected.** Site is too far inland and too disturbed for this coastal species. Not known to occur in Project quad.
northwestern San Diego pocket mouse *Chaetodipus fallax fallax*	None/SSC/None	None	**Low potential.** Suitable coastal sage scrub habitat present but limited. Site disturbance and urbanization limit potential.
San Diego desert woodrat *Neotoma lepida intermedia*	None/SSC/None	None	**Low potential.** Suitable scrub habitat present; may construct middens in chaparral transition areas. No middens observed during surveys.
San Diego black-tailed jackrabbit *Lepus californicus bennettii*	None/SSC/None	None	**Low potential.** Suitable open scrub habitat present but site is small and surrounded by development.
American badger *Taxidea taxus*	None/SSC/None	None	**Not expected.** Requires large open areas with abundant prey. Site too small and urbanized.
pocketed free-tailed bat *Nyctinomops femorosaccus*	None/SSC/None	None	**Low potential.** May forage over site; no suitable roosting habitat (rocky outcrops, crevices) present.

Species Name	Status (Fed/State/CRPR)	Subara Plan Species?	Potential to Occur
western mastiff bat *Eumops perotis californicus*	None/SSC/None	None	**Low potential.** May forage over site; no suitable cliff roosting habitat present.
western red bat *Lasiurus blossevillii*	None/SSC/None	None	**Low potential.** May roost in eucalyptus woodland foliage. Solitary species that roosts in tree canopy.
western yellow bat *Lasiurus xanthinus*	None/SSC/None	None	**Low potential.** May forage over site; typically roosts in palm trees which are not present.
pallid bat *Antrozous pallidus*	None/SSC/None	None	**Low potential.** May forage over site; requires rock crevices or structures for roosting.

Status Legend:
Federal: FE = Federally Endangered; FT = Federally Threatened; FC = Federal Candidate
State: SE = State Endangered; ST = State Threatened; CE = Candidate Endangered; SSC = Species of Special Concern; FP = Fully Protected; WL = Watch List
Subarea Plan: Covered = Species covered under the Oceanside Subarea Habitat Conservation Plan
Source: Appendix B

As listed in Table 4.1-3, seven special-status wildlife species have a moderate potential to occur on-site and are discussed in more detail below.

- **San Diegan tiger whiptail** (*Aspidoscelis tigris stejnegeri*), a California Species of Special Concern, has moderate potential to occur within the Project site. Suitable habitat for this species is present within the coastal sage scrub and coastal sage–chaparral transition communities, where open, sunny areas with sandy soils provide potential foraging and basking habitat. This species is commonly found in arid and semi-arid habitats throughout San Diego County.
- **Red diamondback rattlesnake** (*Crotalus ruber*), a California Species of Special Concern, has moderate potential to occur on-site. Suitable habitat is present within the coastal sage scrub, coastal sage–chaparral transition, and rocky areas of the Project site. This species may utilize the site for foraging, particularly in areas where small mammal prey is available.
- **Coast patch-nosed snake** (*Salvadora hexalepis virgultea*), a California Species of Special Concern, has moderate potential to occur due to the presence of suitable coastal sage scrub and chaparral transition habitat on-site. This species is typically found in semi-arid brushy areas and rocky outcrops.
- **Coastal California gnatcatcher** (*Polioptila californica californica*), a federally threatened species and California Species of Special Concern, has a low to moderate potential to occur on-site. Limited coastal sage scrub (0.04 acre) and coastal sage–chaparral transition (1.22 acres) habitat is present; however, the habitat is small, fragmented, and surrounded by existing development, which reduces the likelihood of occupancy by this species.
- **Cooper's hawk** (*Accipiter cooperii*), a California Watch List species, has moderate potential to occur within the Project Site. Suitable nesting and perching habitat is present within the eucalyptus woodland on the Project Site. This species may utilize the site for foraging, particularly in areas where sub-adult birds and small mammal prey are available.
- **Western monarch** (*Danaus plexippus plexippus*), the California overwintering population, is a federal candidate for listing as threatened or endangered. There is a moderate potential for monarch butterflies to forage within the Project Site when nectar sources are present and to pass through the site on occasion. However, the potential for monarchs to overwinter in high densities within the

eucalyptus trees on-site is very low. In this region, monarchs typically overwinter in specific well-known locations in eucalyptus trees closer to the coast, and no known overwintering sites occur within or adjacent to the Project site.

- **Crotch's bumble bee** (*Bombus crotchii*), a California candidate for listing as endangered, has moderate potential to occur within the Project site. This species is typically associated with open grassland and scrub habitats with abundant floral resources. The coastal sage scrub, coastal sage–chaparral transition, and non-native grassland habitats on-site may provide suitable foraging habitat when flowering plants are present. Crotch's bumble bee nests underground in abandoned rodent burrows, and suitable nesting substrate may be present in undisturbed areas of the Project site.

4.1.3.4 Jurisdictional Waters

The Biological Technical Report documented a shallow swale extending from south to north through the eastern portion of the Project site, which was evaluated for potential jurisdiction under Section 404 of the Clean Water Act (CWA) and Section 1602 of the California Fish and Game Code. No indicators of an ordinary high-water mark were observed, including absence of scouring, sediment sorting, shelving, or waterborne debris. The feature lacked hydrophytic vegetation and exhibited no evidence of wetland hydrology such as saturation, surface flow, or drainage patterns. Based on field observations the Biological Technical Report determined that no wetlands or other jurisdictional waters regulated by the U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), or California Department of Fish and Wildlife (CDFW) occur within the Project site.

Buena Vista Creek, a perennial stream supporting wetland and riparian habitat subject to the jurisdiction of the USACE, RWQCB, and CDFW, is located off-site to the north. This feature occurs outside the Project site boundary and outside the limits of the proposed storm drain improvements (Appendix B).

4.1.3.5 Wildlife Movement

Wildlife corridors connect otherwise isolated pieces of habitat and allow movement or dispersal of plants and animals. Corridors can be local or regional in scale. Their functions may vary temporally and spatially based on conditions and species present. Local wildlife corridors allow access to resources such as food, water, and shelter within the framework of their daily routine. Animals use these corridors, which are often hillsides or tributary drainages, to move between different habitats. Regional corridors provide these functions over a larger scale and link two or more large habitat areas, allowing the dispersal of organisms and the consequent mixing of genes between populations.

The Project site is not located within the Wildlife Corridor Planning Zone designated by the Oceanside Subarea Plan. The site is surrounded by urban development, which limits regional movement of wildlife through the area.

The Project site is bound by Sunset Drive, Sky Haven Lane, and residential land uses. Some local wildlife movement may occur within or adjacent to the Project site; however, given the lack of connection to any native open space, the Project site does not comprise or occur within a wildlife linkage or corridor.

4.1.4 THRESHOLDS OF SIGNIFICANCE

Appendix G of State CEQA Guidelines indicates that a Project could have a significant effect if it were to:

BIO-1 Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

BIO-2 Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

BIO-3 Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

BIO-4 Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

BIO-5 Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

BIO-6 Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

4.1.5 METHODOLOGY

The analysis within this Draft EIR section is based on the Biological Technical Report completed for the Project site, included as Appendix B. The Biological Technical Report is based on a literature review of biological resources occurring within the Project site and surrounding vicinity; vegetation mapping; habitat assessments for special-status botanical and wildlife species; and general biological surveys.

The literature review was based on the review of the following: aerial photographs, topographic maps, and database searches of the CNDDB, the USFWS Endangered Species Lists, the CNPS rare plant lists, Natural Resources Conservation Service Web Soil Survey, City of Oceanside Subarea Plan mapping references, and previous biological studies completed for the Project site in 2015 and 2025.

In addition, field surveys were conducted on February 10, 2025, as part of an initial due diligence assessment for the updated Project and in November and December 2025 to document existing conditions within the Project site and adjacent lands. A general biological field survey, in-field habitat assessments, vegetation mapping, and investigation of jurisdictional waters and wetlands were conducted. Information obtained through the research and site surveys were compared to the CEQA Guidelines Appendix G thresholds and existing regulatory requirements and policies to determine whether a potentially significant impact could occur and measures to reduce potential impacts.

4.1.6 ENVIRONMENTAL IMPACTS

IMPACT BIO-1: THE PROJECT WOULD NOT HAVE A SUBSTANTIAL ADVERSE EFFECT, EITHER DIRECTLY OR THROUGH HABITAT MODIFICATIONS, ON ANY SPECIES IDENTIFIED AS A CANDIDATE, SENSITIVE, OR SPECIAL STATUS SPECIES IN LOCAL OR REGIONAL PLANS, POLICIES, OR REGULATIONS, OR BY THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE OR U.S. FISH AND WILDLIFE SERVICE.

Less than Significant with Mitigation Incorporated. As described in the environmental setting, the Project site and offsite improvement areas contain both developed and natural land areas. As detailed on Table 4.1-1, the Project site includes 1.22 acres of coastal sage scrub transition habitat, 0.04 acre of coastal sage scrub habitat, 0.13 acre of non-native grassland, 0.5 acre of Eucalyptus woodland, and disturbed and developed areas.

Special-Status Plant Species

One special-status plant species, Engelmann oak (CRPR 4.2), was observed on-site. One individual Engelmann oak was documented within the coastal sage–chaparral transition habitat. Engelmann oak is a California endemic species found primarily in the foothills and valleys of southern California, ranging from Los Angeles County south to San Diego County. The species is considered a CRPR 4.2 species. Plant species with a CRPR of 4 are considered limited distribution or watchlist species and less sensitive/rare than plant species with a CRPR of 1 through 3 (CNPS 2024). The on-site individual occurs within an area proposed for development and would be directly impacted by Project implementation.

According to the CNPS, 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 (BLM), USFWS, or U.S. Forest Service (USFS) (CNPS 2020). Engelmann oak is not included on BLM, USFWS, or USFS sensitive plant species lists, and therefore direct impacts to special-status plants as a result of the proposed project would be less than significant.

Special-Status Animal Species

Although no sensitive wildlife species were observed on the site, the Project site has the potential to support seven special-status wildlife species. The coastal sage scrub and coastal sage–chaparral transition communities to be impacted by the Project could support San Diegan tiger whiptail, red diamondback rattlesnake, coast patch-nosed snake, and coastal California gnatcatcher. In addition, the eucalyptus woodland to be impacted by the Project provides suitable nesting and perching habitat for Cooper's hawk. Further, the coastal sage scrub, coastal sage–chaparral transition, non-native grassland, and non-native vegetation habitats to be impacted by the Project provide potential foraging habitat for Cooper's hawk, western monarch, and Crotch's bumble bee. Direct impacts to these habitats would be mitigated through implementation of Mitigation Measure BIO-1, which would provide for preservation of high value habitat at an offsite approved mitigation bank.

- California Gnatcatcher. As discussed above, the on-site habitat that could support gnatcatchers is small, fragmented, and surrounded by existing development, which reduces the likelihood of occupancy by this species. Nevertheless, because suitable habitat does occur within the development area, mitigation measures related to pre-construction nesting bird surveys, avoidance, and minimization (Mitigation Measures BIO-6, BIO-7, BIO-7, and BIO-89) are imposed. The loss of potential habitat (albeit not high-quality habitat) would be mitigated through compliance with Mitigation Measure BIO-1, which requires compensatory mitigation for habitat loss.

- Crotch's bumble bee. The on-site habitat could provide suitable foraging and, nesting habitat in undisturbed areas. To ensure impacts to the species are reduced, Mitigation Measure BIO-9 is required. Mitigation Measure BIO-9 provides for pre-construction habitat assessments and focused surveys; avoidance measures should the species be found on-site; and, compensatory mitigation if direct impacts to the species are unavoidable.

- Monarch butterfly. Although there is a moderate potential for monarch butterflies to forage within the Project Site when nectar sources are present and to pass through the site on occasion, the potential for monarchs to overwinter in high densities within the eucalyptus trees on-site is very low because monarchs typically overwinter in specific well-known locations in eucalyptus trees closer to the coast. Thus, the site does not contain appropriate wintering habitat. For that reason, potential direct or indirect impacts to this species are unlikely, and there would be a biological monitoring presence in accordance with Mitigation Measure BIO-6.

- San Diegan tiger whiptail, Coast patch-nosed snake, and Red diamondback rattlesnake. These species are not federally or state listed as threatened or endangered but are CDFW-designated Watch List species or SSCs. These species occur in a variety of habitats and are more common within a broader geographic range throughout San Diego County. They are also not considered narrow endemic under the draft Subarea Plan. Thus, although direct impacts to individuals would not jeopardize the species, mitigation measures demanding biological monitoring and compensatory habitat mitigation would ensure that impacts would be reduced to a less than significant level.

- Cooper's hawk. The project could result in a direct impact to nesting raptors, including Cooper's hawk. However, the Cooper's hawk, like other migratory birds, is protected by the Migratory Bird Treaty Act. Mitigation Measure BIO-7, which requires nesting bird surveys and avoidance measures if any nesting birds are identified, would ensure compliance with the MTBA and that potential impacts to Cooper's hawk are reduced to a less than significant level.

To ensure that special-status wildlife are not directly impacted by Project construction activities, Mitigation Measure BIO-1 through Mitigation Measure BIO-9 would be implemented, which would involve the installation of temporary construction fencing, environmental awareness training, breeding season avoidance, BMPs for construction, and nesting bird surveys and avoidance measures.

Indirect Impacts

In the context of biological resources, indirect effects are those associated with developing areas adjacent to native open space. The Project site is already subject to indirect impacts from surrounding development, such as encroachment by domestic animals and increased light and noise levels. The development of a site already surrounded by development is unlikely to incur significant indirect impacts to nearby habitats.

The Project is not expected to cause significant indirect impacts to any special-status plants or animals, or any wildlife corridors, linkages, or wildlife nursery sites. Water quality and air quality impacts from the Project would be less than significant due to compliance with existing regulations and would be verified during the City's development permitting process, such as Air Quality Management District constructure regulations and a Storm Water Pollution Prevention Plan (SWPPP) (included as PPP WQ-1). Furthermore, the Project would implement the City's landscaping requirements, as set forth in Mitigation Measure BIO-10. Therefore, the Project is not expected to result in significant indirect impacts to special-status biological resources and impacts would be less than significant.

IMPACT BIO-2: THE PROJECT WOULD NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON ANY RIPARIAN HABITAT OR OTHER SENSITIVE NATURAL COMMUNITY IDENTIFIED IN LOCAL OR REGIONAL PLANS, POLICIES, REGULATIONS OR BY THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE OR U.S. FISH AND WILDLIFE SERVICE.

Less than Significant with Mitigation Incorporated. As described in the environmental setting, the Project Site and offsite improvement areas contain both developed and natural land areas on the site. The Project site does not contain riparian vegetation; but does contain coastal sage scrub and non-native grasslands that would require mitigation for Project impacts. Development of the Project would impact the vegetation areas listed in Table 4.1-4.

Table 4.1-4: Impacts to Vegetation Communities

Vegetation Community	Existing Acreage	Impacted Acreage	Mitigation Ratio	Mitigation Required (acres)
Coastal Sage–Chaparral Transition	1.22	1.22	2:1	2.44
Coastal Sage Scrub	0.04	0.04	2:1	0.08
Non-Native Grassland	0.13	0.13	0.5:1	0.07
Developed Land	1.07	0.43	-	-
Disturbed Habitat	2.47	2.09	-	-
Eucalyptus Woodland	0.5	0.5	-	-
Non-Native Vegetation	2.35	2.35	-	-
Total	**7.78**	**6.76**	**-**	**2.59**

Source: Appendix B

Project implementation would result in permanent impacts to 1.22 acres of coastal sage–chaparral transition, 0.04 acre of coastal sage scrub, and 0.13 acre of non-native grassland. Mitigation for impacts to coastal sage scrub habitats (1.26 acres total) would be satisfied through the purchase of 2.52 acres of coastal sage scrub from an approved mitigation bank at a 2:1 ratio per Mitigation Measure BIO-1.

Mitigation for impacts to 0.13-acre of non-native grassland would be satisfied through the purchase of 0.07-acre of non-native grassland from an approved mitigation bank at a 0.5:1 ratio per Mitigation Measure BIO-1. Mitigation credits shall be purchased from a bank located within the City's Wildlife Corridor Planning Zone or Pre-Approved Mitigation Areas with adequate acreage credits to mitigate the Project impacts. Implementation of this mitigation measure would reduce direct, permanent impacts to sensitive vegetation communities to less than significant.

The Biological Technical Report documented a shallow swale extends from the north through the southeastern portion of the Project site, and determined that it is not a riparian area. The feature lacks hydrophytic vegetation and exhibited no evidence of wetland hydrology such as saturation, surface flow, or drainage patterns. Based on field observations the Biological Technical Report determined that no wetlands or riparian areas occur on site.

Buena Vista Creek, a perennial stream supporting wetland and riparian habitat subject to the jurisdiction of the USACE, RWQCB, and CDFW, is located off-site to the north. It is outside the Project site boundary and outside the limits of the proposed storm drain improvements (Appendix B). Further, during construction of the Project, the use of BMPs would be implemented as part of a required SWPPP (included as PPP WQ-1) that would ensure that sediments from exposed soils or construction pollutants do not flow offsite into the creek or other surface waters during storm events. Overall, Project impacts related to riparian habitat or other sensitive natural community would be less than significant with implementation of mitigation and existing regulations.

IMPACT BIO-3: THE PROJECT WOULD NOT 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.

Less than Significant Impact. As previously described, the Project site does not include any wetlands. In addition, there are no CDFW, USACE, or RWQCB jurisdictional waters within the Project site boundaries (Appendix B). As described previously, the Biological Technical Report identifies that a shallow swale extends through the eastern portion of the Project site, which was evaluated for potential jurisdiction under Section 404 of the Clean Water Act and Section 1602 of the California Fish and Game Code. No indicators of an ordinary high-water mark were observed, including absence of scouring, sediment sorting, shelving, or waterborne debris. The feature lacked hydrophytic vegetation and exhibited no evidence of wetland hydrology such as saturation, surface flow, or drainage patterns (Appendix B). Based on field observations the Biological Technical Report determined that no wetlands or other jurisdictional waters regulated by the USACE, RWQCB, or CDFW occur within the Project site.

Also, as described previously, Buena Vista Creek supports wetland and riparian habitat that is subject to the jurisdiction of the USACE, RWQCB, and CDFW is located off-site to the north (approximately 800 feet away). This feature occurs outside the Project site boundary and outside the limits of the proposed storm drain improvements and would not be impacted by the Project (Appendix B). Further, during construction of the Project, the use of BMPs would be implemented as part of a SWPPP (included as PPP WQ-1) that would ensure that sediments from exposed soils or other pollutants do not flow into the offsite creek. Therefore, the Project would result in less than significant potential impacts to state or federally protected wetlands.

IMPACT BIO-4: THE PROJECT WOULD NOT 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.

Less than Significant with Mitigation Incorporated.

Wildlife Movement

Wildlife corridors are linear features that connect areas of open space and provide avenues for the migration of animals and access to additional areas of foraging. The Project site is within an urbanized setting. The Biological Technical Report determined that the Project site is not located within the Wildlife Corridor Planning Zone designated by the Oceanside Subarea Plan.

The site is adjacent to roadways and residential development surrounded by roadways. Some local wildlife movement may occur within the Project site; however, given the lack of connection to any native open space and its relative isolation within an urban area, the Project site does not comprise or occur within a wildlife linkage or corridor. The Biological Technical Report determined that development of the site would result in less than significant impacts related to established native resident or migratory wildlife corridor.

Migratory Birds

The Project site contains vegetation and trees that can be utilized by nesting birds and raptors during the nesting bird season that generally extends from February 1 through September 15. Nesting birds are protected under the federal MBTA and Section 3503 of the California Fish and Game Code. Any activities that occur during the nesting/breeding season of birds protected by the MBTA could result in a potentially significant impact if requirements of the MBTA are not followed. Although impacts to native birds are prohibited by MBTA and similar provisions within the California Fish and Game Code, the native birds with potential to nest on the Project site would be those that are common to the region and highly adapted to human landscapes. Nevertheless, the Project would be required to implement Mitigation Measure BIO-7, which requires a pre-construction nesting bird survey should vegetation removal occur within the nesting season. With implementation of Mitigation Measure BIO-7, impacts to nesting birds would be less than significant.

Impact BIO-5: THE PROJECT WOULD NOT CONFLICT WITH ANY LOCAL POLICIES OR ORDINANCES PROTECTING BIOLOGICAL RESOURCES, SUCH AS A TREE PRESERVATION POLICY OR ORDINANCE.

No Impact. The Project would not conflict with any local policies or ordinances protecting biological resources. The Project would be subject to the policies of adopted General Plan Land Use Element Section 1.22 Landscaping. Policies state that existing mature trees shall be retained wherever possible and to replace trees that are removed. Code of Ordinances (Section 31A.1) outlines limited provisions and guidelines for tree removal and maintenance within streets and parkways within the City. Any trees that are intended for removal as part of a project may require a removal permit and must be approved by the Planning Director or Superintendent.

The Biological Technical Report identifies that a total of 27 trees that meet a 458 caliper inches Diameter at Breast Height (DBH) classification would be impacted as a result of the proposed Project and would be

replaced in accordance with City requirements, which would be ensured through the City's development review and permitting process. Thus, the Project would not conflict with a tree preservation policy or ordinance. The Project would not conflict with any local policies or ordinances protecting biological resources, and no impacts would occur.

IMPACT BIO-6: THE PROJECT WOULD NOT CONFLICT WITH THE PROVISIONS OF AN ADOPTED HABITAT CONSERVATION PLAN, NATURAL COMMUNITY CONSERVATION PLAN, OR OTHER APPROVED LOCAL, REGIONAL, OR STATE HABITAT CONSERVATION PLAN.

No Impact. Although the City has prepared a Draft SAP, the SAP was never approved or adopted and remains in draft form; therefore, the City does not have incidental take authorization under the North County MHCP. The City utilizes the Draft SAP materials as guidance for evaluating project impacts and establishing mitigation requirements. The Draft SAP establishes a preserve system and development standards to ensure the long-term conservation of biological resources while allowing for orderly development.

The Project site is located within the Offsite Mitigation Zone, which is outside the PAMA and WCPZ. According to the Draft SAP, impacts to coastal sage scrub vegetation in the Offsite Mitigation Zone are required to be mitigated at a 2:1 ratio. In addition, impacts to non-native grassland are required to be mitigated at a 0.5:1 ratio. The SAP requires the purchase of mitigation credits for impacts to habitats from an approved mitigation bank within the City's PAMA, WCPZ, or other mitigation area approved by the City of Oceanside and Wildlife Agencies. Implementation of Mitigation Measure BIO-1, as described previously under Impact BIO-2, provides the required mitigation for impacts to habitats resulting from the Project in compliance with the Draft SAP.

As the Project is designated as a development site by the General Plan, is outside of the SAP preserve areas, and would implement SAP mitigation requirements, such as purchase of habitat credits from an approved mitigation bank within the City's Wildlife Corridor Planning Zone, the Project would not conflict with an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan; and no impacts would occur.

4.1.7 CUMULATIVE IMPACTS

The cumulative biological study area is the area covered by the Oceanside Draft SAP (City of Oceanside 2010). Direct impacts to special-status wildlife species could occur due to Project implementation but would be mitigated to less than significance. In addition, the Project would comply with the relevant provisions of the Oceanside Draft SAP and would not contribute to any cumulative sensitive species impacts. Specifically, as required by the Oceanside Draft SAP, the Project will mitigate for impacts to natural vegetation and habitats within the Offsite Mitigation Zone with mitigation within the City's PAMA, WCPZ, or other mitigation area approved by the City of Oceanside and Wildlife Agencies. The Project would implement standard BMPs and mitigation measures, which would avoid contributions toward a cumulative indirect impacts to special-status species and sensitive habitats. As with all other reasonably foreseeable cumulative projects, the proposed project would be required to comply with the MBTA and CFGC to avoid impacts to nesting birds. Since all projects are required to implement their respective mitigation measures through the City's development review and permitting process, the contribution would not be cumulatively considerable. There are no projects that would, in combination with the Project, produce a

significant impact to biological resources. Therefore, Project impacts would be less than cumulatively considerable and would be less than significant.

4.1.8 EXISTING REGULATIONS AND PLANS, PROGRAMS, OR POLICIES

The following regulatory requirements would reduce potential impacts related to biological resources.

Existing Regulations

- Federal Endangered Species Act
- Clean Water Act
- Migratory Bird Treaty Act
- California's Endangered Species Act
- California Fish and Game Code
- National Pollutant Discharge Elimination System

Plans, Programs, or Policies

The following Plans, Programs, and Policies (PPP) are incorporated into the proposed Project and would reduce potential impacts. These actions will be included in the proposed Project's mitigation monitoring and reporting program (MMRP):

PPP WQ-1: SWPPP. Prior to issuance of any grading permits, the applicant shall provide the City Building Department evidence of compliance with the NPDES (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of one acre or larger. The Project applicant/proponent shall comply by submitting a Notice of Intent (NOI) and by developing and implementing a Stormwater Pollution Prevention Plan (SWPPP) and a monitoring program and reporting plan for the construction site.

4.1.9 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Without mitigation, the following impacts would be **potentially significant**:

- Impact BIO-1: Impacts to special status species in local or regional plans, policies, or regulations.
- Impact BIO-2: Impacts to riparian habitat or sensitive communities.
- Impact BIO-4: Impacts to wildlife movement or native wildlife nursery sites.

The following would result in **less than significant impacts and no impacts:**

- Impact BIO-3: Impacts to State or federally protected wetlands.
- Impact BIO-5: Impacts related to conflict with local policies or ordinances.
- Impact BIO-6: Impacts related to conflict with provisions of the NCCP/HCP.

4.1.10 MITIGATION MEASURES

Mitigation Measure BIO-1: Habitat Mitigation. Project plans, specifications, and construction permitting shall state that to account for impacts to 1.26 acres of coastal sage scrub habitats (coastal sage–chaparral transition and coastal sage scrub), like habitats or equivalent suitable habitat at a ratio of 2:1 (2.52 acres) shall be purchased from an existing offsite approved mitigation bank within the limits of the City's Wildlife Corridor Planning Zone, Pre-Approved Mitigation Areas, or other mitigation area approved by the City of Oceanside and Wildlife Agencies prior to the issuance of grading permits. To account for impacts to 0.13 acre of non-native grassland habitat, like habitat at a ratio of 0.5:1 (0.07 acre) shall be purchased from an existing offsite approved mitigation bank within the limits of the City's Wildlife Corridor Planning Zone, Pre-Approved Mitigation Areas, or other mitigation area approved by the City of Oceanside. Proof of credit purchase shall be submitted to the City of Oceanside and Wildlife Agencies prior to issuance of grading permits.

Mitigation Measure BIO-2: Temporary Fence Installation. Project plans, specifications, and construction permitting shall state that the Project applicant shall temporarily fence (with silt barriers) the limits of Project impacts (including construction staging areas and access routes) to prevent additional habitat impacts and prevent the spread of silt from the construction zone into adjacent native habitats to be preserved. Fencing shall be installed prior to any ground disturbing activity 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 Wildlife Agencies. Any riparian/wetland or upland habitat impacts that occur beyond the approved fenced shall be mitigated at a minimum 5:1 ratio. Temporary construction fencing shall be removed upon Project completion following confirmation by the qualified biologist that construction activities within the vicinity of sensitive habitats have concluded.

Mitigation Measure BIO-3: Workers Environmental Awareness Training. Project plans, specifications, and construction permitting shall state that a Workers Environmental Awareness Training Program shall be implemented by a City approved qualified biologist with the contractor and all active construction personnel prior to ground disturbance or vegetation removal to ensure knowledge of sensitive wildlife that may occur on site, including coastal California gnatcatcher and their habitat, and general compliance with environmental/permit regulations and mitigation measures. At a minimum, training shall include a discussion of the following topics: (1) the purpose for resource protection; (2) descriptions of coastal California gnatcatcher and Crotch's bumble bee and their habitat; (3) the mitigation measures outlined in this report that should be implemented during Project construction to conserve sensitive resources, including strictly limiting activities, vehicles, equipment, and construction materials to the fenced area to avoid sensitive resource areas in the field (i.e., avoided areas delineated on maps and on the project site by fencing); (4) environmentally responsible construction practices; (5) the protocol to resolve conflicts that may arise at any time during the construction process; and, (6) the general provisions of the Federal Endangered Species Act (FESA) and California Endangered Species Act (CESA), the need to adhere to the provisions of FESA and CESA, and the penalties associated with violating FESA and CESA. The Workers Environmental Awareness Training Program shall be submitted to the City Planning Division for review and approval , prior to issuance of grading permits.

Mitigation Measure BIO-4: Work Hours. Project plans, specifications, and construction permitting shall state that Project construction shall occur during daylight hours. If work is necessary after the sun sets, night lighting shall be of the lowest illumination necessary for human safety, selectively placed, shielded and directed away from natural habitats.

Mitigation Measure BIO-5: Construction Best Management Practices. Project plans, specifications, and construction permitting shall state that the following conditions shall be implemented during Project construction, including grading and vegetation removal to minimize potential impacts to sensitive vegetation and species. The City approved qualified biologist shall conduct periodic site inspections during construction to verify compliance with the requirements below and shall have the authority to stop work in the event of non-compliance until corrective actions have been implemented:

1. Employees shall strictly limit their activities, vehicles, equipment, and construction materials to the fenced Project footprint.
2. To avoid attracting predators of covered species, the Project site 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.
3. Pets of Project personnel shall not be allowed on the Project site.
4. Disposal or temporary placement of excess fill, brush or other debris shall not be allowed in waters of the United States or their banks.
5. 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 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 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 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.
6. Impacts from fugitive dust shall be avoided and minimized through watering and other appropriate measures pursuant to the San Diego Air Pollution Control District (SDAPCD) Rule 55 .

Mitigation Measure BIO-6: Biological Monitoring. Project plans and permitting shall require that a City approved qualified biological monitor shall be onsite during: a) initial clearing and grubbing of all native habitats; and b) Project construction within 500 feet of preserved habitat to ensure compliance with all conservation measures. The biologist must be knowledgeable of the covered species biology and ecology. The biologist shall be available during pre-construction and construction phases to address protection of sensitive biological resources, monitor ongoing work, and to ensure that issues relating to coastal California gnatcatcher and Crotch’s bumble bee, and their habitats are appropriately and lawfully managed. The biological monitor shall prepare periodic construction monitoring reports and a post-construction report to be submitted to the City Planning Division to document compliance.

Mitigation Measure BIO-7: Pre-Construction Nesting Bird Survey. To avoid any direct and indirect impacts to raptors and/or any migratory birds, vegetation removal shall occur outside of the nesting bird season (generally between February 1 and September 15). If removal of habitat and/or construction activities is necessary adjacent to nesting habitat during the breeding season, the applicant shall retain a City-approved biologist to conduct a pre-construction survey to determine the presence or absence of non-

listed nesting migratory birds on or within 300 feet of the construction area, and federally- or State-listed birds and raptors on or within 500 feet of the construction area. The pre-construction survey must be conducted within 10 calendar days prior to the start of construction, the results of which must be submitted to the City Planning Division for review and approval prior to initiating any construction activities. If nesting birds are detected by the City-approved biologist, the following buffers shall be established: 1) no work within 300 feet of a non-listed nesting migratory bird nest, and 2) no work within 500 feet of a listed bird or raptor nest. However, the City may reduce these buffer widths depending on site-specific conditions (e.g. the width and type of screening vegetation between the nest and proposed activity) or the existing ambient level of activity (e.g., existing level of human activity within the buffer distance). If construction must take place within the recommended buffer widths above, the Project applicant will contact the City and Wildlife Agencies to determine the appropriate buffer.

Mitigation Measure BIO-8: California Gnatcatcher Nest Avoidance and Minimization Measures. If during preconstruction nesting bird surveys, an active coastal California gnatcatcher nest is found on site or within 500 feet of Project construction activities, the biologist shall postpone work within 500 feet of the nest until all nesting (or breeding/nesting behavior) has ceased or until a nest monitoring program has been developed in coordination with USFWS and the City. Subsequently, work may be initiated based upon implementation of the avoidance/minimization approach identified within the nest monitoring program. If the biologist determines that bird breeding behavior is being disrupted, the Project applicant shall stop work and coordinate with USFWS and the City to review the avoidance/minimization approach. Upon agreement as to any necessary revisions to the avoidance/minimization approach, work may resume subject to the revisions and continued monitoring. Success or failure of an active nest shall be established by regular and frequent trips to the site, as determined by the biologist and through a schedule approved by the Wildlife Agencies. Monitoring of an active nest shall continue until fledglings have dispersed or the nest has been determined to be a failure, as approved by USFWS. Any impacts to this species would require take authorization from the USFWS.

Mitigation Measure BIO-9: Crotch's Bumble Bee Pre-Construction Survey. Project plans and permitting shall require that a pre-construction survey for Crotch's bumble bee shall be conducted by a City and CDFW qualified biologist 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.

If Crotch's bumble bee nests are not detected, no further mitigation would be required. 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).

If Crotch's bumble bee is detected within the project area and avoidance is infeasible, 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 Measure BIO-10: Landscaping. The Project plans and permitting shall require that development landscaping adjacent to on- or off-site habitat does not include exotic plant species that may be invasive to native habitats. Exotic plant species not to be used include any species listed on the California Invasive Plant Council's (Cal-IPC) "Invasive Plant Inventory" List. This list includes such species as pepper trees, pampas grass, fountain grass, ice plant, myoporum, black locust, capeweed, tree of heaven, periwinkle, sweet alyssum, English ivy, French broom, Scotch broom, and Spanish broom. A copy of the complete list can be obtained from Cal-IPC's web site or other similar sources that may evolve over the life of this plan. In addition, landscaping should not use plants that require intensive irrigation, fertilizers, or pesticides adjacent to the Preserve and water runoff from landscaped areas should be directed away from the biological conservation easement area and contained and/or treated within the development footprint. Project plans and permitting shall require that development lighting adjacent to all on- or offsite habitat shall be directed away from and/or shielded so as not to illuminate native habitats.

4.1.11 LEVEL OF SIGNIFICANCE AFTER MITIGATION

The mitigation measures listed above, as well as existing regulations, would reduce potential impacts associated with biological resources for Impacts BIO-1, BIO-2, and BIO-4 to a level that is less than significant.

4.1.12 REFERENCES

City of Oceanside. (2010). *Draft Oceanside Subarea Plan*. Retrieved March 2026, from: https://www.ci.oceanside.ca.us/government/development-services/planning/codes-regulations-maps/subarea-plan

City of Oceanside. (2002). *General Plan.* Retrieved January 2026, from https://www.ci.oceanside.ca.us/government/development-services/planning/general-plan

City of Oceanside. (2025). *General Plan Update (Onward Oceanside) Phase 2 Recirculated PEIR.* Retrieved January 2026, from https://www.ci.oceanside.ca.us/government/development-services/planning/ceqa/general-plan-update-onward-oceanside-phase-2-recirculated-peir

City of Oceanside. (2026). *Oceanside Municipal Code*. Retrieved January 2026, https://library.municode.com/ca/oceanside/codes/code_of_ordinances

Klutz Biological Consulting. (2025). *Biological Technical Report Sky Haven Apartment Project*. **(Appendix B)**

This page intentionally left blank.

5. EIR Preparers

5.1.1 City of Oceanside

Manuel Baeza, Principal Planner

5.1.2 EPD Solutions, Inc.

Jeremy Krout, AICP
Konnie Dobreva, JD
Renee Escario, CEQA Author
Brady Connolly, CEQA Author
Shawn Gatchel-Hernandez, Biological Resources
Cameron Lukos, Graphics

5.1.3 Klutz Biological Consulting, Biological Technical Report

Korey Klutz, Senior Biologist

This page intentionally left blank.