6.5 Cultural Resources

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

The following analysis utilizes information provided in the Cultural Resources Inventory Report for the Ocean Creek Project, City of Oceanside, California, prepared by the Dudek and dated February 27, 2022. The cultural resources investigation was conducted in accordance with the California Environmental Quality Act (CEQA) and the City of Oceanside guidelines for historical resources. This report is included as Appendix C.

Environmental Setting

The proposed Ocean Creek Mixed Use Project (project) site is vacant and comprised of a previously graded flat developable pad and slopes between the pad and Crouch Street. There are no buildings or structures on the site. Prior site grading occurred between 1964 and 1990.

A Phase I inventory was conducted for the project site that included South Coastal Information Center and Native American Heritage Commission (NAHC) Sacred Lands File records searches, an intensive pedestrian survey by a qualified archaeologist, and a review of historic maps and images (Appendix C).

No previously recorded cultural resources were identified within the project's area of potential effect, which included the 12.87-acre development site and the associated improvements to Crouch Street (on the east of the project site) and along South Oceanside Boulevard/Loma Alta Creek, during the archival records search. A total of 20 cultural resources were identified in the 1-mile search area, consisting of prehistoric artifact and/or shell scatters, one prehistoric habitation site, one bedrock milling site, historic-era structures, one historic-era trash scatter, and a few isolates (Table 6.5-1). Records search documents are included in Confidential Appendix A to Appendix C.

Table 6.5-1. Previously Recorded Cultural Resources in the 1-mile Record Search Radius

Primary Number	Trinomial	Age	Description	In/Out of APE
P-37-006882	SDI-006882	Prehistoric	Artifact and shell scatter	Out
P-37-006955	SDI-006955	Prehistoric	Artifact and shell scatter	Out
P-37-007242	SDI-007242	Prehistoric	Artifact and shell scatter	Out
P-37-008346	SDI-008346	Prehistoric	Shell scatter	Out
P-37-012262	SDI-012262	Prehistoric	Artifact scatter	Out
P-37-012600	SDI-012600	Prehistoric	Bedrock milling and lithic scatter	Out
P-37-016260	—	Historic	Single family house	Out
P-37-016261	—	Historic	Single family house	Out
P-37-016290	SDI-014784	Prehistoric	Lithic and shell scatter	Out
P-37-016291	SDI-014785	Prehistoric	Artifact scatter	Out
P-37-016293	—	Prehistoric	Lithic isolate	Out
P-37-018810	—	Prehistoric	Shell isolate	Out
P-37-018811	—	Prehistoric	Shell isolate	Out
P-37-019190	SDI-015877	Prehistoric	Artifact scatter	Out
P-37-026342	SDI-017305	Prehistoric	Shell artifact and scatter	Out
P-37-029336	SDI-018767	Prehistoric	Habitation debris	Out
P-37-030570	SDI-019433	Historic	Trash scatter	Out
P-37-033928	SDI-021313	Prehistoric	Shell scatter	Out
P-37-036018	—	Historic	Multiple family property	Out
P-37-036019	—	Historic	Single family property	Out

Source: Appendix C.
Note: APE = area of potential effect.

Regulatory Setting

State CEQA Guidelines

Section 15064.5 of the CEQA Guidelines defines a historical resource as one that meets one or more of the following criteria:

1. Is listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the CRHR; or
2. Is included in a local register of historical resources or identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code; or
3. Is determined to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military or cultural annals of California.

a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

No Impact. Historic topographic maps and historic aerial images available at historicaerials.com were reviewed to understand the development of the project area and surrounding properties (NETR 2020). Historic aerial photographs of the project site were available for 1938, 1946, 1953, 1964, 1967, 1980, 1990, 1994, 1997, 2002, 2003, 2005, 2009, 2010, 2012, 2014, and 2016. The aerial imagery from 1938 shows dirt roads through and along the project area, including Crouch Street, but overall the land is generally undisturbed. By 1964, about half of the development area proposed for mixed use development had been graded. The 1967 image shows dense vegetation on the previously graded area, which is consistent with an orchard, with one structure located within the orchard. By 1980 this area is graded flat again and the structure has been removed; modern roads and residential and industrial structures now surround the project area. By 1990, the majority of the project area is largely graded. Photographs from between 1990 and 2016 do not reveal any changes to the project area and represent what the area looks like today. Historic topographic maps from 1893 through 2018 are consistent with the aerial images. No historic structures are located within the project area.

As such, the project would not involve the demolition of any existing structures or resources. The project site is not identified as a historical site as defined by the City of Oceanside Guidelines and is not listed or eligible to be listed in the state or national registers. Therefore, there are no historical resources in the project area and the project would not cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5. There would be **no impact.**

Because the project would not cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5, it is not required to comply with the mitigation measure in the San Diego Association of Governments Regional Transportation Plan/Sustainable Communities Strategy Final Environmental Impact Report related to those issues. Specifically, measure CULT-1A related to historic resources does not apply to the proposed project and this portion of the measure is not required to be incorporated into the project design or mitigation measures.

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less-than-Significant Impact with Mitigation Incorporated. A search of the NAHC Sacred Lands File was requested on February 10, 2020 (Appendix C). The NAHC response (February 26, 2020) indicates the presence of Native American cultural places within the 1-mile records search area, but did not provide any specific information on the type of resource, nor did they state if it is within or outside the project site. The South Coastal Information Center at San Diego State University maintains data regarding archaeological resources for San Diego County. The records search, supplemented by additional data from the South Coastal Information Center for the entire project site and the surrounding 1-mile radius around the project site, was performed on February 5, 2020, (Confidential Appendix A to Appendix C). These records indicate that at least eight previous studies (SD-00577, SD-01269, SD-09313, SD-09361, SD-09546, SD-10551, SD-12039, and SD-14069) have intersected with the 1-mile search radius of the current project site. No previously recorded resources were identified within the project area; however, as noted above, 20 cultural resources were identified in the 1-mile search area, which consist of prehistoric artifact and/or shell scatters, one prehistoric habitation site, one bedrock milling site, historic-era structures, one historic-era trash scatter, and a few isolates. Records search documents are included in Confidential Appendix A to Appendix C.

A pedestrian field survey was performed consistent with Secretary of the Interior's Standards. Fifteen-meter interval survey transects were conducted in a northeast–southwest direction (paralleling the project site boundary), for the majority of the project site. Slopes above 25° were opportunistically examined for terraces, rock outcrops, and areas of exposed ground surface. Visibility of the ground surface was fair (25%–50%) on the flat areas, which comprise the majority of the project site. Visibility limitations were due to the presence of dense, low-lying ground-covering vegetation (e.g., grass and weeds). Ground surface visibility on the slopes was poor (< 25%) due to the presence of dense coastal sage vegetation community plants. Exposed ground surface areas, such as vegetation clearings, cut banks, and rodent burrows/spoils, were inspected for potential subsurface deposits and sediment conditions. According to the pedestrian field survey, no artifacts or features were identified during this survey and no structures are present in the project site.

In addition to the survey conducted for the Cultural Resource Inventory Report (Appendix C), prior study number SD-9313 (Robbins-Wade 2003) documents the results of an archaeological survey conducted for the "Oceanside Boulevard and Crouch Street Property" in 2003. The project area is located immediately adjacent to the project site. Affinis Environmental Services was requested to locate and identify archaeological and historic resources, conduct an evaluation for significance, and make recommendations to mitigate adverse impacts to the resources. No cultural resources were identified within or in proximity to the Oceanside Boulevard and Crouch Street Property during this assessment, consistent with the findings in Appendix C.

As was observed in the Affinis survey (Robbins-Wade 2003; report SD-9313), the entire developable portion of the project site has been graded and filled. The graded sediments/fill are not expected to contain intact archaeological resources due to the prior grading and ground disturbance activity. Therefore, Appendix C determined that there is very low potential for the inadvertent discovery of cultural resources during ground disturbing activities.

However, the proposed project has the potential to result in deeper excavations than previously performed on the site. Further, 20 cultural resources were identified in the 1-mile search area. As such, previously unknown archaeological resources may exist beneath the project site that could be uncovered during excavation activities. Such unknown discoveries would be considered potentially significant impacts. While the uncovering of archaeological resources is not anticipated, regulatory mitigation measures are required to ensure that any potential, substantial adverse change in the significance of a previously unknown archaeological resource is reduced to a less than significant level.

Therefore, with required adherence to Mitigation Measure (MM) CUL-1a through MM-CUL-1h, the project's impacts on archaeological resources would be **less than significant with mitigation.** These measures are substantially consistent with the San Diego Association of Governments Regional Transportation Plan/Sustainable Communities Strategy Final Environmental Impact Report mitigation measures CULT-1A and CULT-1B. CULT-1A and CULT-1B call for monitoring and data recovery measures to reduce impacts on both known and undiscovered CEQA-defined historical resources and unique archaeological resources, including monitoring during the grading phase by a qualified archaeologist and tribal monitor if needed; stopping ground-disturbing activities should an archaeological deposit and/or feature be encountered during construction activities that is determined to be a historic resource or unique by a qualified archaeologist; preparing and/or implementing an Archaeological Data Recovery Program; and curating such archaeological artifacts and associated records in a regional center focused on the care, management, and use of archaeological collections if the artifact must be excavated. Thus, the proposed project, through MM-CUL-1a through MM-CUL-1h, would incorporate the applicable measures of CULT-1A

and CULT-1B from the San Diego Association of Governments Regional Transportation Plan/Sustainable Communities Strategy Final Environmental Impact Report to avoid and reduce potentially significant impacts to archaeological resources pursuant to Section 15064.5 to less than significant.

Mitigation Measures

MM-CUL-1a Prior to the issuance of a Grading Permit, the Applicant/Owner shall enter into a pre-excavation agreement, otherwise known as a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement, with the "Traditionally and Culturally Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe." A copy of the agreement shall be included in the Grading Plan Submittals for the Grading Permit. The purpose of this agreement shall be to formalize protocols and procedures between the Applicant/Owner and the TCA Native American Monitor associated with a TCA Luiseño Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and tribal cultural resources, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities. At the discretion of the Luiseño Native American Monitor, artifacts may be made available for 3D scanning/printing, with scanned/printed materials to be curated at a local repository meeting the federal standards of 36 CFR 79.

MM-CUL-1b Prior to the issuance of a Grading Permit, the Applicant/Owner or Grading Contractor shall provide a written and signed letter to the City of Oceanside Planning Division stating that a Qualified Archaeologist and Luiseño Native American Monitor have been retained at the Applicant/Owner or Grading Contractor's expense to implement the monitoring program, as described in the pre-excavation agreement. A "Qualified Archeologist" is a professional with degree in archeology or relevant area of study and at least 5 years of experience, with qualifications to be verified to the satisfaction of the City Planner.

MM-CUL-1c The Qualified Archaeologist shall maintain ongoing collaborative consultation with the Luiseño Native American monitor during all ground disturbing activities. The requirement for the monitoring program shall be noted on all applicable construction documents, including demolition plans, grading plans, etc. The Applicant/Owner or Grading Contractor shall notify the City of Oceanside Planning Division of the start and end of all ground disturbing activities.

MM-CUL-1d The Qualified Archaeologist and Luiseño Native American Monitor shall attend all applicable pre-construction meetings with the General Contractor and/or associated Subcontractors to present the archaeological monitoring program. The Qualified Archaeologist, or an archaeological monitor working under the direction of the Qualified Archaeologist, and Luiseño Native American Monitor shall be present on site full-time during grubbing, grading, and/or other initial ground altering activities, including the placement of imported fill materials or fill used from other areas of the project site, to identify any evidence of potential archaeological or tribal cultural resources. All fill materials shall be absent of any and all tribal cultural resources. The Qualified Archaeologist and Luiseño Native American Monitor shall conclude monitoring when concurrence is reached by the Qualified Archaeologist and Luiseno Native American monitor that ground disturbing activities will no longer affect potential tribal cultural resources.

MM-CUL-1e In order for potentially significant archaeological artifact deposits and/or cultural resources to be readily detected during mitigation monitoring, a written "Controlled Grade Procedure" shall be prepared by a Qualified Archaeologist, in consultation with the Luiseño Native American monitor, other Traditionally and Culturally Affiliated Luiseño Tribes that have participated in the state-prescribed process for this project, and the Applicant/Owner, subject to the approval of City of Oceanside representatives. The Controlled Grade Procedure shall establish requirements for any ground disturbing work with machinery occurring in and around areas the Qualified Archaeologist and Luiseño Native American monitor determine to be sensitive through the cultural resource mitigation monitoring process. The Controlled Grade Procedure shall include, but not be limited to, appropriate operating pace, increments of removal, weight, and other characteristics of the earth disturbing equipment. A copy of the Controlled Grade Procedure shall be included in the Grading Plan Submittals for the Grading Permit.

MM-CUL-1f The Qualified Archaeologist or the Luiseño Native American monitor may halt ground disturbing activities if unknown tribal cultural resources, archaeological artifact deposits, or cultural features are discovered. Ground disturbing activities shall be directed away from these deposits to allow a determination of potential importance.

Isolates and clearly non-significant deposits will be minimally documented in the field, and before grading proceeds these items shall be secured until they can be repatriated for later reburial on project site within the 65,000 sf of passive/restoration space. If items cannot be securely stored on the project site, they may be stored in off-site facilities.

If the Qualified Archaeologist and Luiseño Native American monitor determine that the unearthed tribal cultural resource, artifact deposits, or cultural features are considered potentially significant, Traditionally and Culturally Affiliated (TCA) Luiseño Tribes that have participated in the state-prescribed consultation process for this project shall be notified and consulted regarding the respectful and dignified treatment of those resources. The avoidance and protection of the significant tribal cultural resource and/or unique archaeological resource is the preferable mitigation. If, however, it is determined by the City of Oceanside that avoidance of the resource is infeasible, and it is determined that a data recovery plan is necessary by the City of Oceanside as the Lead Agency under the California Environmental Quality Act, TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this project shall be notified and consulted regarding the drafting and finalization of any such data recovery plan.

For significant tribal cultural resources, artifact deposits, or cultural features that are part of a data recovery plan, no invasive or non-invasive testing of cultural materials is permitted without prior permission of the affiliated Tribes.. The data recovery plan shall also incorporate and reflect the tribal values of the TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this project. If the Qualified Archaeologist collects such resources, the Luiseño Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect the tribal cultural resources that are unearthed during the ground disturbing activities, the Luiseño Native American monitor may, at their discretion, collect said resources for later reburial on project site with the 65,000 sf passive / restoration space. Ground disturbing activities shall not resume until the Qualified Archaeologist, in consultation with the Luiseño Native American Monitor, deems the cultural resource or feature has been appropriately documented and/or protected.

MM-CUL-1g The landowner shall relinquish ownership of all tribal cultural resources unearthed during the cultural resource mitigation monitoring conducted during all ground disturbing activities and from any previous archaeological studies or excavations on the project site to the consulting Tribes for reburial on project site at a location agreed upon by the Tribes within the 65,000 sf passive/restoration space. All cultural materials that are associated with burial and/or funerary goods will be repatriated to the Most Likely Descendant as determined by the Native American Heritage Commission per California Public Resources Code, Section 5097.98. No tribal cultural resources shall be subject to curation.

Treatment of Pre-contact and/or Tribal Cultural Resources

One of the following treatments shall be applied.

1. Preservation–in-place, if feasible is the preferred option. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources.

2. Reburial of the resources on the Project property with thin 65,000 sf passive / restoration space. The measures for reburial shall be culturally appropriate as determined through consultation with the consulting Tribe(s)and include, at least, the following: Measures to protect the reburial area from any future impacts in perpetuity. Reburial shall not occur until all required cataloguing have been completed on the cultural resources, with the exception that sacred and ceremonial items, burial goods, and Native American human remains are excluded. No cataloguing, analysis, or other studies may occur on human remains grave goods, and sacred and ceremonial items. Any reburial processes shall be culturally appropriate and approved by the consulting tribe(s).

MM-CUL-1h Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis, and conclusions of the archaeological monitoring program (e.g., data recovery plan) shall be submitted by the Qualified Archaeologist, along with the Luiseño Native American monitor's notes and comments, to the City of Oceanside Planning Division for approval.

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

Less-than-Significant Impact. Based on archival research, records searches, and a pedestrian survey, the project site was not used as a cemetery and is not otherwise known to contain human remains. Additionally, no evidence of human remains was discovered during the field survey. As a result, the project site was not tested for human remains. The project shall comply with Section 7050.5 of the California Health and Safety Code, which requires the County Coroner to be notified within 24 hours of any human remain discoveries and a stop work until the Coroner has determined the appropriate treatment and disposition of the human remains. If the remains are determined to be Native American, this regulation also requires the Coroner to notify the NAHC in Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant from the deceased Native American. The most likely descendant shall complete their inspection and provide their recommendation regarding the disposition of the human remains within 48 hours of being granted access to the site, in consultation with the property owner. Therefore, potential impacts to human remains, including those interred outside of formal cemeteries, would be **less than significant.**

d) Cumulative Impacts

Less-than-Significant Impact. Impacts related to cultural resources are site specific and as such, are assessed on a site-by-site basis.

Cumulative impacts would occur if the project and related projects were to have combined significant adverse effects on historical resources of the same type in the immediate vicinity, or if they were to contribute to changes within a historic district; however, there are no historical resources on the project site. The related projects are isolated by intervening development and located in a number of locations of varying character and context.

As discussed above, the project would not result in direct or indirect impacts to historical resources, and, as such, the project's effects would not be cumulatively considerable, and cumulative impacts would be less than significant.

Many of the related projects would require excavation that could potentially expose or damage potential archaeological resources or disturb human remains. Identification of cultural resources and mitigation of potentially significant adverse impacts would be handled on a project-by-project basis. All reasonably foreseeable cumulative projects would be required to conform to existing regulations with respect to avoidance, minimization, and mitigation of impacts similar to the proposed project. Therefore, impacts would be assessed and mitigated pursuant to CEQA. Consistent with CEQA and other applicable laws, monitoring programs would be required of all cumulative projects with potential to impact archaeological resources.

Further, in association with CEQA review and applicable laws, all cumulative projects must comply with Section 7050.5 of the California Health and Safety Code and California Public Resources Code, Section 5097.98, which require proper treatment of human remains. As discussed above, the project is not known to have human remains and, based on records search, is not expected to contain human remains. Like the project, the cumulative projects would also comply with the aforementioned regulations and required mitigation measures addressing inadvertent human remain finds.

Therefore, the proposed project's contribution to cumulative adverse impacts to cultural resources would be less than cumulatively considerable.

6.6 Energy

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. Energy – Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

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

Less-than-Significant Impact. The proposed Ocean Creek Mixed Use Project (project) would implement project design features (PDFs) as described in Section 2.2.10, Project Design Features, which would reduce energy usage during project construction and operation. These PDFs, including the following, would ensure the proposed project does not result in wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation:

PDF-AQ-1: Dust Control

The project shall include design features related to dust control in compliance with San Diego Air Pollution Control District Rule 55. Compliance with the following dust control measures shall be identified on grading plan approvals:

1. Maintain and properly tune construction equipment in accordance with the manufacturers' specifications.
2. Monitor idling time of diesel-powered construction equipment and limit to no more than 2 minutes.
3. Use late model engines in on- and off-road equipment.

PDF-GHG-1: Sustainability Measures

1. The project would install low flow water fixtures in all residential units and retail area.
2. All lighting within the project will be designed using LED technology for both indoor and outdoor areas.
3. The project would provide separate waste containers to allow for simpler material separations, or the project would pay for a waste collection service that recycles the materials in accordance with Assembly Bill 341 to achieve a 75% waste diversion. 100% of all green waste will be diverted from landfills and recycled as mulch and used on site.
4. The project would not install hearth (fireplace) options in residential units.

5. The project would install water efficient/drought tolerant and/or native landscape, use smart evapotranspiration controllers, would use reclaimed water on non-agricultural project landscaping areas, and would limit conventional turf.
6. The project would install 413 kilowatts of solar within the development.
7. The project would meet all Electric Vehicle (EV) Charging Station requirements and will install 35 EV charging stations.
8. The project is located within walking distance to Crouch Street Sprinter station and is within walking distance to retail and commercial centers areas.
9. The project would comply with ENERGYSTAR appliance requirements and would meet ENERGYSTAR for Homes.
10. The project would be required to utilize Tier 3 construction Equipment with Tier 3 level Diesel Particulate Filters attached or equivalent.
11. The project would install high-efficiency heating, ventilation, and air conditioning systems.
12. The project would unbundle parking from apartment units and charge a monthly fee for each parking space.
13. Implement a bike-share program for residents.
14. The project shall provide transit pass subsidies for employees of the project in the retail/ commercial area.
15. The project would provide new resident information packets about vehicle miles traveled reductions.
16. The project would have a transportation Demand Management coordinator.

Electricity

Construction Use

Temporary electric power for as-necessary lighting and electronic equipment (such as computers inside temporary construction trailers and heating, ventilation, and air conditioning) would be provided by San Diego Gas and Electric (SDG&E). The amount of electricity used during project construction would be minimal because typical demand stems only from the limited use of electronic equipment, in addition to electrically powered hand tools.

As the electricity used for construction activities would be temporary and minimal and would only be used when absolutely necessary, and because the project includes design features during construction to reduce electricity usage, the project would not result in in wasteful, inefficient, or unnecessary consumption, or wasteful use of, electricity during construction. Impacts would be **less than significant.**

Operational Use

The operation of the proposed project would require electricity for multiple purposes, including cooling, lighting, appliances, and various equipment. Additionally, the supply, conveyance, treatment, and distribution of water would indirectly result in electricity usage.

The California Emissions Estimator Model (CalEEMod), version 2020.4.0, default values for electricity consumption for the residential and commercial land use were applied, which account for the 2019 Title 24 building code (CAPCOA 2021). The electricity use for residential buildings is calculated in CalEEMod using

energy intensity value (electricity use per square foot per year) assumptions, which were based on the Residential Appliance Saturation Survey (CEC 2019). The electricity use for commercial buildings is calculated in CalEEMod using energy intensity value assumptions from the Commercial End Use Survey. Per the California Energy Commission Impact Analysis for the 2019 Update to the California Energy Efficiency Standards for Residential and Non-Residential Buildings, the first-year savings for newly constructed, mid-rise multifamily buildings are 197 gigawatt hours of electricity, 76.6 megawatts of demand, and 0.27 million therms of gas, representing reductions from the 2016 Title 24 standard of 10.7%, 9%, and 1%, respectively (CEC 2018).

The project would also implement applicable Climate Action Plan (CAP) Consistency Checklist measures that would reduce operational electricity consumption, including on-site solar requirements and electric vehicle charging. The project would also install 413 kilowatts (kW) of solar photovoltaics that are estimated to generate 689,554 kW-hours (kWh) per year. As a result of this and other PDFs,[1] the proposed project is estimated to have a total electrical demand of approximately 1.1 million kWh of electricity per year. Accounting for the solar electricity generated on site, the project would result in a net demand of 419,730 kWh per year. For comparison, in 2020, the total electricity consumption within San Diego County was 19,044 million kWh (CEC 2022a).

In summary, although electricity consumption would increase at the project site due to project implementation, the project would comply with Title 24 of the California Building Code and the City's CAP Consistency Checklist and implement energy-efficiency measures. Furthermore, the project would be subject to updates to the Title 24 building code that are adopted at the time building permits are obtained and thus may be subject to a more stringent energy standard than what was assumed herein. For these reasons, the project operations would not result in in wasteful, inefficient, or unnecessary consumption, or wasteful use of, electricity, and impacts would be **less than significant.**

Natural Gas

Construction Use

Natural gas is not anticipated to be required during construction of the proposed project. Fuels used for construction would primarily consist of diesel and gasoline, which are discussed under the subsection Petroleum. Any minor amounts of natural gas that may be consumed as a result of construction would be temporary and negligible and would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy or wasteful use of natural gas resources during project construction; therefore, impacts are determined to be **less than significant.**

Operational Use

The operation of residential units would require natural gas for space heating and to power appliances. Default natural gas usage rates in CalEEMod for the proposed land use and climate zone were used based on compliance with 2019 Title 24 standards, which is assumed within CalEEMod 2020.4.0.

[1] Measures PDF-AQ-10 through PDF-AQ-16 are not factored into the modeling as the emission reductions from those are not easily quantifiable; therefore, the emissions levels represent a conservative outcome as project emissions would be lower. Regulatory updates are also likely to result in lower emissions levels over time, such as through the implementation of lower-emission/zero emission light-duty vehicles. However, these regulatory update reductions are also not factored into the emissions modeling.

The operation of the proposed project is estimated to use approximately 2.7 million thousand British thermal units of natural gas per year, which is equivalent to 27,153 therms of natural gas per year. For comparison, in 2020, the total natural gas consumption in San Diego County was 505,216,400 therms (CEC 2022b).

As previously discussed, the proposed project would be subject to statewide mandatory energy requirements as outlined in Title 24, Part 6, of the California Code of Regulations. Prior to building permit application, the Applicant would ensure that project plans would meet Title 24 requirements applicable at that time, as required by state regulations through their plan review process.

In summary, although natural gas usage would increase due to project implementation, project design features, including on-site solar energy production and use of ENERGYSTAR appliances, would be implemented, and usage would be decreased through green building standards. For these reasons, the project operations would not result in in wasteful, inefficient, or unnecessary consumption, or wasteful use of, natural gas, and impacts would be **less than significant.**

Petroleum

Construction Use

Petroleum would be consumed throughout construction of the proposed project. Fuel consumed by construction equipment would be the primary energy resource expended over the course of construction, and vehicle miles traveled (VMT) associated with the transportation of construction materials and construction worker commutes would also result in petroleum consumption. Heavy-duty construction equipment associated with construction activities would rely on diesel fuel. Construction workers would travel to and from the project site throughout the duration of construction. It is assumed that construction workers would travel to and from the project site in gasoline-powered vehicles.

Heavy-duty construction equipment of various types would be used during each phase of construction. CalEEMod was used to estimate construction equipment usage, and results are included in Appendix F. Based on that analysis, over all phases of construction, diesel-fueled construction equipment would operate for an estimated 35,966 hours, as summarized in Table 6.6-1.

Table 6.6-1. Project Hours of Operation for Construction Equipment

Phase	Hours of Equipment Use
Site Preparation	1,120
Grading	2,880
Building Construction	29,920
Paving	1,680
Architectural Coating	366
Total	**35,966**

Source: Appendix F.

Fuel consumption from construction equipment was estimated by converting the total carbon dioxide (CO_2) emissions from each construction phase to gallons using conversion factors for CO_2 to gallons of gasoline or diesel. Construction is estimated to occur over a 27-month period (2023 through 2025) based on the construction phasing schedule. The conversion factor for gasoline is 8.78 kilograms per metric ton CO_2 per gallon, and the conversion factor for diesel is 10.21 kilograms per metric ton CO_2 per gallon (The Climate Registry 2021). The estimated diesel fuel use from construction equipment is shown in Table 6.6-2.

Table 6.6-2. Project Construction Equipment Diesel Demand

Phase	Equipment CO_2 (MT)	kg CO_2/Gallon	Gallons
Site Preparation	33.45	10.21	3,276.27
Grading	122.70	10.21	12,018.04
Building Construction	510.13	10.21	49,963.31
Paving	35.05	10.21	3,432.62
Architectural Coating	7.79	10.21	762.72
		Total	**69,452.96**

Sources: Appendix F (pieces of equipment and equipment CO_2); The Climate Registry 2021 (kg CO_2/gallon).
Note: CO_2 = carbon dioxide; MT = metric ton; kg = kilogram.

Fuel consumption from worker and vendor trips is estimated by converting the total CO_2 emissions from each construction phase to gallons using the conversion factors for CO_2 to gallons of gasoline or diesel. Worker vehicles are assumed to be gasoline fueled and vendor vehicles are assumed to be diesel fueled. Calculations for total worker and vendor fuel consumption are provided in Tables 6.6-3 and 6.6-4.

Table 6.6-3. Project Construction Worker Vehicle Gasoline Demand

Phase	Vehicle CO_2 (MT)	kg CO_2/Gallon	Gallons
Site Preparation	1.16	8.78	131.72
Grading	2.89	8.78	329.31
Building Construction	378.35	8.78	43,092.22
Paving	1.69	8.78	192.10
Architectural Coating	10.25	8.78	1,167.57
		Total	**44,912.92**

Sources: Appendix F (construction worker CO_2); The Climate Registry 2021 (kg CO_2/gallon).
Note: CO_2 = carbon dioxide; MT = metric ton; kg = kilogram.

Table 6.6-4. Project Construction Vendor Truck Diesel Demand

Phase	Vehicle CO_2 (MT)	kg CO_2/Gallon	Gallons
Site Preparation	0.00	10.21	0.00
Grading	0.00	10.21	0.00
Building Construction	245.51	10.21	24,046.28
Paving	0.00	10.21	0.00
Architectural Coating	0.00	10.21	0.00
		Total	**24,046.28**

Sources: Appendix F (vendor truck CO_2); The Climate Registry 2021 (kg CO_2/gallon).
Note: CO_2 = carbon dioxide; MT = metric ton; kg = kilogram.

As shown in Tables 6.6-2 through 6.6-4, implementation of the proposed project is estimated to consume a total of 138,412 gallons of petroleum from off-road equipment and worker vehicle and vendor truck trips during the construction phase. For comparison, in 2023, the countywide petroleum use is estimated to be 1.6 billion gallons (CARB 2021).

The proposed project would be required to comply with the California Air Resources Board's Airborne Toxics Control Measure, which restricts heavy-duty diesel vehicle idling time to 5 minutes. As noted above, the project also include other PDFs to reduce petroleum gas consumption during construction, including using more efficient Tier 3 engines. While construction activities would consume petroleum-based fuels, consumption of such resources would be temporary and would cease upon the completion of construction. Further, the petroleum consumed related to construction would be typical of construction projects of similar types and sizes and would not necessitate new petroleum resources beyond what are typically consumed in California. Therefore, because petroleum use during project construction would be temporary, consistent with typical demand, and minimal, the project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption, or wasteful use, of petroleum resources during project construction and impacts would be **less than significant.**

Operational Use

The majority of fuel consumption resulting from the operational phase of the proposed project would be attributable to the use of resident's, employee's, and visitor's motor vehicles traveling to and from the project site, as well as fuels used for alternative modes of transportation that may be used by residents, employees, and visitors.

Petroleum fuel consumption associated with motor vehicles traveling to and from the project site is a function of VMT as a result of operation. As shown in Appendix F, the annual VMT attributable to the proposed project is expected to be approximately 4,334,379 VMT per year.

Similar to construction worker and vendor trips, fuel consumption was estimated by converting the total CO_2 emissions from each land use type to gallons using the conversion factors for CO_2 to gallons of gasoline or diesel. Based on the annual fleet mix provided in CalEEMod, 80% of the fleet range from light-duty to medium-duty vehicles and motorcycles were assumed to run on gasoline. The remaining 20% of vehicles represent medium-heavy duty to heavy-duty vehicles and buses/recreational vehicles, which were assumed to run on diesel.

Calculations for annual mobile-source fuel consumption are provided in Table 6.6-5.

Table 6.6-5. Mobile Source Fuel Consumption – Operation

Fuel	Vehicle MT CO_2	kg CO_2/Gallon	Gallons
Gasoline	1,029.57	8.78	117,262.70
Diesel	251.48	10.21	24,631.10
		Total	**141,893.80**

Sources: Appendix F (mobile source CO_2); The Climate Registry 2020 (kg CO_2/gallon).
Note: MT = metric ton; CO_2 = carbon dioxide; kg = kilogram.

As shown in Table 6.6-5, mobile sources associated with the project would result in approximately 117,263 gallons of gasoline per year and 24,631 gallons of diesel consumed per year beginning in 2026.

By comparison, California as a whole consumes approximately 28.7 billion gallons of petroleum per year (EIA 2020). Within San Diego County, the estimated petroleum use in 2026 would be 1.5 billion gallons per year (CARB 2021).

Over the lifetime of the project, the fuel efficiency of the vehicles being used by residents is expected to increase. As such, the amount of petroleum consumed as a result of vehicular trips to and from the project site during operation would decrease over time. The California Air Resources Board has adopted a new approach to passenger vehicles by combining the control of smog-causing pollutants and greenhouse gas emissions into a single coordinated package of standards. The new approach also includes efforts to support and accelerate the numbers of plug-in hybrids and zero-emission vehicles in California (CARB 2017). Additionally, in response to Senate Bill 375, the California Air Resources Board has adopted the goal of reducing per-capita greenhouse gas emissions from 2005 levels by 15% by the year 2020 and 19% by the year 2035 for light-duty passenger vehicles in the San Diego Association of Governments planning area. This reduction would occur by reducing VMT through the integration of land use planning and transportation (CARB 2019). As such, petroleum use is anticipated to decrease over time due to advances in fuel economy.

The project site is located adjacent to the Crouch Street Sprinter station, and bus service is located close to the project site along Oceanside Boulevard, which provides public transportation based access into the nearby Cities of Escondido, Vista, and Oceanside. Additionally, the Sprinter connects to the Surfliner and Coaster routes, which provide north–south access to Los Angeles County, Orange County, and the City of San Diego. Furthermore, the proposed project would implement applicable measures in Title 24 and the City's 2020 CAP Consistency Checklist (see Appendix F), including installing electric vehicle charging stations, installing bicycle infrastructure, implementing a Transportation Demand Management plan, and unbundling of parking near transit, as implemented through PDFs. These measures would further reduce VMT and petroleum consumption from operation, increase access to transit, and encourage alternative modes of transportation compared to other projects not located so proximate to transit or including similar PDFs.

In summary, although the proposed project would increase petroleum use during operation compared to the current vacant property, the project's location within a Transit Priority Project area adjacent to the Crouch Street Sprinter Station and other public transit, as well as the inclusion of electric vehicle charging stations, bicycle infrastructure, proximity to existing commercial/retail, and proposed mixed-use development plan, would help reduce petroleum-based fuels consumption by reducing daily vehicle trips by 10%. Given these considerations, project operations would not result in wasteful, inefficient, or unnecessary consumption, or wasteful use of, petroleum and impacts would be **less than significant.**

b) Would the project conflict with or obstruct a state or local plan for renewable energy or energyefficiency?

Less-than-Significant Impact. The proposed project would be subject to and would comply with, at a minimum, the California Building Energy Efficiency Standards (24 CCR Part 6). Part 6 of Title 24 establishes energy efficiency standards for residential and non-residential buildings constructed in California in order to reduce energy demand and consumption. The proposed project would also be subject to Part 11 of Title 24, also known as the CALGreen building standards. These were adopted into the City's building design criteria. Furthermore, the project would be consistent with the City's CAP Consistency Checklist measures (as shown in Section 6.8, Greenhouse Gas Emissions) through its implementation of renewable energy facilities, electric vehicle parking and charging, recycled water infrastructure, transportation demand management, unbundled parking, and bike-share programs that would further reduce operational energy use. Specifically, the project would install solar photovoltaic on site that would supply 50% of the electricity needed as required by the Oceanside Zoning Code. The remaining electricity would be provided by SDG&E, which in 2020 reported a 31% renewable content mix, resulting in a project-level renewable content of 65.5%. This would support the state's Senate Bill 100 goal of 50% renewable resources by 2025 and 60%

by 2030. SDG&E is required to meet the renewables portfolio standard set by Senate Bill 100 so over time the renewables content of the project's power mix will increase along with SDG&E's power mix.

In May 2019, as part of the City's preparation and adoption of the City's CAP, the City adopted the Energy Climate Action Element (ECAE) of the General Plan (City of Oceanside 2019). The ECAE addresses energy consumption and other activities that may contribute to adverse environmental impacts, with particular emphasis on those activities associated with human-induced climate change. As shown in Table 1 of the ECAE, the organizing themes are Energy Efficient and Renewable Energy, Smart Growth and Multi-Modal Transportation, Zero Waste, Water Conservation, Urban Greening, Local Agriculture, and Sustainable Consumption. The project would be consistent with the relevant goals and policies of the ECAE.

Regarding petroleum, fuel economy and use of alternative modes of transportation are expected to increase over time. The Low Carbon Fuel Standard is designed to decrease the carbon intensity of California's transportation fuel pool and provide an increasing range of low-carbon and renewable alternatives, which reduces petroleum dependency and encourages the use of cleaner low-carbon transportation fuels. The project would further this effort by complying with the City's Electrical Vehicle Charing Station requirements by identifying 70 electric vehicle charging station locations in the project site, and installing electric vehicle chargers at 35 of these spaces.

Therefore, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency and impacts would be **less than significant.**

c. Cumulative Impacts

Potential cumulative impacts on energy would result if the proposed project, in combination with past, present, and future projects, would result in the wasteful, inefficient, or unnecessary consumption, or wasteful use of, energy resources during construction or operation or a conflict with or obstruction of a state or local plan for renewable energy or energy efficiency. This could result from development that would not incorporate sufficient building energy efficiency features, would not achieve building energy efficiency standards, or would result in the unnecessary use of energy during construction and/or operation. The related projects within the areas serviced by the energy service providers would be applicable to this analysis. Projects that include development of large buildings or other structures that would have the potential to consume energy in an inefficient manner would have the potential to contribute to a cumulative impact. Projects that would mostly include construction, such as transportation infrastructure, could also contribute to a cumulative impact; however, the impact of these projects would be limited because they would typically not involve substantial ongoing energy use.

As described in under Section 6.6(a), the proposed project would not involve wasteful, inefficient, or unnecessary use of energy and would be consistent with Title 24. Cumulative projects would also be subject to Title 24 and California Green Building Standards requirements similar to the project, which includes energy efficiency standards to minimize the wasteful and inefficient use of energy. Furthermore as described under Section 6.6(b), the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. In consideration of cumulative energy use, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

6.7 Geology and Soils

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS – Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

The following analysis is based primarily on information provided in the Preliminary Geotechnical Investigation, prepared by Leighton and Associates Inc., April 2021 (Appendix D1), and the Update Geotechnical Investigation, prepared by Leighton and Associates Inc., June 2022 (Appendix D2).

a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*

No Impact. No known active or potentially active faults traverse the project site. In addition, the site is not located within a State Alquist-Priolo Earthquake Fault Zone or San Diego County mapped fault zone. The nearest active fault is the Rose Canyon/Newport Inglewood Fault Zone, located approximately 5.2 miles west of the site (Appendix D2). In addition, the project would not cause rupture of a known earthquake fault or exacerbate the potential for faulting to occur. As a result, the project would not directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault. **No impacts** would occur.

ii. *Strong seismic ground shaking?*

Less-than-Significant Impact. The project site is in a seismically active area of Southern California, with numerous active and potentially active faults in the region. The Rose Canyon/Newport Inglewood Fault Zone, located approximately 5.2 miles west of the site, is considered the closest active fault. Based on the Maximum Considered Earthquake event at the site of moment magnitude (M) 6.8, the maximum considered earthquake ground motion (i.e., peak ground acceleration) is 0.51 g (percent of gravity) (Appendix D2). The project would be designed and constructed in accordance with the 2019 California Building Code (CBC) and City Building Code, which specify that the maximum considered earthquake ground motion response accelerations be used to evaluate seismic loads for design of buildings and other structures. In addition, consistent with PDF-GEO-1, Geotechnical Report Recommendations, grading and construction would be completed in accordance with recommendations in the updated project-specific geotechnical report by Leighton and Associates (Appendix D2), thus minimizing the potential for damage as a result of seismically induced ground failure. These recommendations include over-excavation and recompaction of loose, unconsolidated sediments, as well as seismic design of foundations, piping, and related facilities. In addition, given the nature of the residential and commercial uses, the project would not cause strong seismic ground shaking or exacerbate the potential for strong seismic ground shaking to occur. As a result, the project would not directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking. **Less-than-significant imp**acts would occur.

iii. *Seismic-related ground failure, including liquefaction?*

Less-than-Significant Impact. Seismic related ground failure can include seismically induced landslides, rockfalls, surface fault rupture, differential settlement, dynamic structural settlement, liquefaction, and lateral spreading. Surface fault rupture is addressed above in Section 6.7(a-i) and landslides are addressed below in Section 6.7(a-iv). Steep slopes with the potential for rockfalls are not present on-site.

Liquefaction is a phenomenon that occurs when loosely consolidated soils lose their load-bearing capabilities during ground shaking and flow in a fluid-like manner. The specific soil condition conducive to liquefaction is loose sands and silty sands below the water table and typically within the upper 50 feet of the ground surface. Based on the project-specific geotechnical report (Appendix D2), groundwater is

present at depths of 10 to 16 feet below ground surface and several liquefiable layers of saturated alluvial materials are located from depths of 12 to 52 feet. Total dynamic structural settlement, which is relatively uniform structural settlement as a result of the design earthquake ground motion, is estimated to be approximately 0.6 to 2.6 inches. Differential settlement, which occurs as a result of the non-uniform movement of soils (i.e., soil settlement at different rates), potentially resulting in foundation cracking and pipeline/utility damage, is estimated to vary from 0.5 to 1.75 inches.

Lateral spreading is a form of slope failure, in which unsupported soils on slopes underlain by liquefaction-prone soils fail laterally, resulting in tension cracks, block failure, and flowing sands. The susceptibility to earthquake-induced lateral spreading was evaluated because of the nature of the underlying liquefiable layers, topography, and proximity to the Alta Loma Creek channel. Based on the results of six cone penetration test borings completed adjacent to Loma Alta Creek, as well as previous borings drilled on site, the sandy liquefiable layers are generally discontinuous across the site. As a result, the susceptibility to earthquake-induced lateral spreading is considered to be low for the site (Appendix D2).

As discussed above for strong seismic ground shaking, the project would be designed and constructed in accordance with the 2019 CBC and City Building Code, which specify that the maximum considered earthquake ground motion response accelerations be used to evaluate seismic loads for design of buildings and other structures. In addition, consistent with PDF-GEO-1, Geotechnical Report Recommendations, grading and construction would be completed in accordance with recommendations in the project-specific geotechnical report by Leighton and Associates (Appendix D2), thus minimizing the potential for damage as a result of seismically related ground failure. These recommendations include over excavation and recompaction of loose, unconsolidated sediments, as well as seismic design of foundations, piping, and related facilities. The recommendations for liquefaction prone soils include construction of a mat foundation or a conventionally-reinforced ribbed mat foundation that would incorporate continuous or isolated spread footings, to a minimum depth of 24 inches beneath the lowest adjacent finish grade. These construction techniques would avoid potential impacts related to total dynamic structural settlement and differential settlement due to strong seismically induced ground motion and liquefaction by ensuring the project is designed in accordance with site-specific recommendations from a geotechnical engineer. In addition, given the nature of the residential and commercial uses, the project would not cause seismic related ground failure or exacerbate the potential for seismic related ground failure to occur. As a result, the project would not directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death involving seismic related ground failure, including liquefaction. **Less-than-significant impacts** would occur.

iv. *Landslides?*

Less-than-Significant Impact. Based on the project-specific geotechnical reports (Appendices D1 and D2), a relatively large landslide complex, consisting of three to four landslides, is present on the north-facing hillside on the project site. The cause of the landslide appears to be the slightly dipping (i.e., 8 to 12 degrees) out-of-slope interbedded claystone and sandstone units of the Santiago Formation. The easternmost landslide extends beyond the northeastern property boundary. As illustrated in Plates 1 through 4 of the preliminary geotechnical report, the depth and lateral extent of the landslide complex has been well-defined through geologic mapping, exploratory trenches, geotechnical borings, and down-hole geologic logging of large-diameter boreholes. Due to potential instability concerns and compressible nature of the soils, the landslide deposits within the southern limits of the project site are considered unsuitable for structural support in the present condition. In the mid-1980s, a buttress fill was constructed for a cut

slope at the southwest boundary of the landslide complex. Because the existing landslides present on the north-facing hillside were not stabilized during grading in the 1980s, a building setback was provided, inside of which construction of buildings or other improvements were not recommended. The setback limit is shown in Figure 6.7-1, Landslide Structural Setback.

To avoid potential impacts from the existing, documented landslide, the project-specific geotechnical reports recommended either stabilizing the landslide, which would maximize the buildable area, or confining the proposed structures to an area north of a recommended landslide structural setback. The latter would reduce the size of the building envelope but avoid impacting the landslide.

As proposed, the project has been designed and would be developed outside of the landslide structural setback, which is depicted on Plate 1 of the project preliminary geotechnical report (Appendix D1). This setback line, which is updated from the 1985 structural setback line, was established approximately 50 feet from where the failure surface of the landslide would daylight (i.e., extend to the surface). In addition, as a project design feature, the project would cap and abandon the existing water line that traverses down the north facing slope through the document landslide to reduce the potential for future water intrusion to cause a landslide.

Construction of the proposed structures outside of the landslide structural setback would prevent re-activation of the existing landslides during grading and construction, as well as during long-term project operations. As a result, the project would not directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death involving landslides. **Less-than-significant impacts** would occur.

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

Less-than-Significant Impact. The proposed project would include construction of five multi-story residential buildings, with associated parking areas and retail spaces along S. Oceanside Boulevard. Grading for the development would conservatively involve 13,600 cubic yards of cut and 3,500 cubic yards of fill, with a net export of 10,100 cubic yards due largely to the excavations required for the proposed remedial grading work. The site is currently unpaved; therefore, demolition would not be required. Temporary soil disturbance during grading and construction would expose soils to wind and water erosion, which in turn could result in sedimentation of the adjacent Loma Alta Creek.

Construction related erosion impacts would be minimized through compliance with local, state, and federal regulations pertaining to water quality standards, including the National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction Activity, Order No. 2009-0009-DWQ (i.e., the Construction General Permit), which requires projects of 1 acre or more to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) prior to grading and construction activities. The SWPPP is required to identify best management practices that protect stormwater runoff and ensure the avoidance of substantial degradation of water quality during project construction. Typical best management practices that could be incorporated into the SWPPP to protect water quality include placing perimeter straw wattles to prevent off-site transport of sediment, and constructing temporary siltation basins at site drainage exit points. Construction related erosion impacts would also be minimized through compliance with the City Grading Regulations Manual, which includes erosion control measures similar to a SWPPP. In addition, PDF-AQ-1, Dust Control, which includes regular watering of exposed soils and cessation of grading when winds exceed 25 miles per hour, would be implemented to reduce wind erosion. Compliance with the Construction General Permit, the City Grading Regulations Manual, the City's General Plan Grading and

Excavations Objective and Policy 3.14A, and PDF-AQ-1 would minimize soil erosion such that the project would not result in substantial soil erosion or the loss of topsoil. Less-than-significant impacts would occur.

The proposed project would involve the development of the project site with proposed landscaping. Such features covering land without buildings or hardscape would inhibit erosion and proposed landscaping would stabilize soils thereby reducing erosion potential on the project site during project operations. As required by law, during project operations, the proposed project would follow best management practices to control surface drainage and erosion, such as drainage systems to collect roof runoff and directing surface water toward suitable drainage facilities (Appendix H1).

During construction and project operation, the proposed project would not result in substantial soil erosion or loss of topsoil through implementation of the landscape plan and conformance with soil erosion control measures. Therefore, the project's impacts would be **less than significant.**

c) ***Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?***

Less-than-Significant Impact. As described for Section 6.7(a), impacts related to potentially unstable geologic units or soil, including landslides, lateral spreading, liquefaction, and collapse, would be minimized through compliance with the CBC, City Building Code, and recommendations of the project-specific updated geotechnical report (Appendix D2). With respect to subsidence, the project site is not located within an area of known subsidence due to groundwater pumping, peat loss, or oil extraction (USGS 2022). In addition, construction and operation of the project would not cause or exacerbate the potential for unstable geologic units or soil. As a result, the project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. **Less-than-significant impacts** would occur.

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

Less-than-Significant Impact. The 1997 Uniform Building Code was the last edition published by the International Conference of Building Officials and was the base code for the 1998 and 2001 editions of the CBC. As a result, Table 18-1-B of the Uniform Building Code is no longer applicable. Section 1803A.5.3 of the 2019 CBC (the most current version) provides criteria for determining the expansion potential of soil.

Expansive soils are soils that expand when water is added and shrink when dry. Laboratory testing and the geotechnical engineer's experience with similar materials on nearby sites indicate that the on-site soils possess a very low to high expansion potential. Clayey soils of the on-site Santiago Formation, surficial soils, or the existing fill soils may be moderately to highly expansive (Appendix D2). Project construction of concrete foundations would cover on-site soils and therefore reduce the amount of precipitation and stormwater runoff seeping into the soil. As a result, expansion and contraction of on-site clay-rich soils would be minimized or eliminated beneath proposed structures as a result of the project. Impacts would be beneficial.

Expansive soils placed directly beneath structures can result in cracks and distress to foundations. However, consistent with PDF-GEO-1, Geotechnical Report Recommendations, grading and construction would be completed in accordance with recommendations in the updated project-specific geotechnical

report by Leighton and Associates (Appendix D2), thus minimizing the potential for damage as a result of expansive soils. The geotechnical report recommends that expansive soils not be placed within 5 feet of finish pad grades, unless a special foundation design (i.e., a post-tensioned foundation) is planned. As a result, although the project may be located on expansive soils, compliance with these recommendations would avoid creating substantial direct or indirect risks to life or property. **Less-than-significant impacts** would occur.

*e) **Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?***

No Impact. The proposed project includes utility improvements, including sewer improvements with connections to the city's sewer system. Septic tanks or alternative waste water disposal systems would not be utilized. **No impacts** would occur due to the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.

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

Less-than-Significant Impact With Mitigation Incorporated. According to the Paleontological Memorandum (Appendix E), the published geological mapping indicates that the project site is underlain by late Holocene age alluvium (~<4,200 years ago; map unit Qa), Pleistocene age old paralic deposits (~450,000 to 45,000 years old; map unit Qop2-4), and middle Eocene age Santiago Formation (~49-40 million years old; map unit Tsa) bedrock (Appendix E).

Based on the records search results obtained from the San Diego Natural History Museum , the Santiago Formation is known to produce scientifically significant paleontological resources throughout northern San Diego County (SDNHM 2020). These marine, estuarine, and fluvial deposits have yielded plant, invertebrate, and vertebrate fossils. Of particular note, a new genus and species of extinct, rhino-like brontothere (*Parvicornus occidentalis*) was recovered from these same age deposits northeast of the project site, during grading of the Ocean Ranch development (Mihlbachler and Deméré 2009). These middle Eocene age deposits have a high paleontological resource sensitivity according to the County of San Diego (2009) guidelines.

Holocene age sedimentary deposits have a low paleontological sensitivity due to their young age (Deméré and Walsh 1993; County of San Diego 2009). Any fossil material found in these deposits are ex-situ and would not be considered scientifically significant or unique. However, Pleistocene age old paralic deposits are known to produce scientifically significant paleontological resources, and have a high paleontological resource sensitivity.

There are a total of six fossil localities documented from correlative deposits of the Pleistocene age old paralic deposits (e.g., Bay Point Formation) by the SDNHM (2020) within a 1-mile radius of the project site. These localities yielded marine invertebrates and marine and terrestrial vertebrates, including bryozoans, snails, clams, mussels, oysters, scallops, barnacles, crabs, sand dollars, sea urchins, rays, bony fish, a grebe, reptile, and tapir.

A single fossil locality was recovered from nearby construction of the North County Transit District Crouch Street Sprinter Station in deposits mapped as the Santiago Formation. However, paleofaunal data indicate that these deposits are at least in part, Oligocene in age (~33 million years old) (Deméré and Walsh 1993).

The fossils recovered from this locality are characteristic of late Chadronian or Orellan North American Land Mammal Ages. This would suggest that these younger deposits are representative of the Sespe/Vaqueros Formation (undivided), which may occur within the project site. Fossils recovered include scutes of squamate reptiles and teeth of rodents (e.g., cf. *Metanoiamys* sp., *Metadjidaumo* sp., cf. *Yoderimys* sp., cf. *Heliscomys* sp., unidentified geomyoids, and a sciurid) (SDNHM 2020). The Santiago Formation and undifferentiated Sespe/Vaqueros Formation deposits are considered to have a high paleontological sensitivity (SDNHM 2020).

A geological feature may be considered unique if it is (a) the best example of its kind locally or regionally; (b) embodies the distinctive characteristics of a geologic principle that is exclusive locally or regionally; (c) Provides a key piece of geologic information important in geology or geologic history; (d) Is a "type locality" of a formation; (e) Is a geologic formation that is exclusive locally or regionally; (f) Contains a mineral that is not known to occur elsewhere in the County; or (g) Is used repeatedly as a teaching tool. Based on the County of San Diego guidelines for determining significance for unique geological features (County of San Diego 2007), which details unique geological feature characteristics and provides a list of unique and potentially unique geological features, the project site is not underlain by unique geological features.

No unique paleontological resources or unique geological features were identified within the project site as a result of the institutional records search and desktop geological review in Appendix E. However, intact unique paleontological resources may be encountered below a surficial layer of topsoil during excavation into previously undisturbed sedimentary deposits of the Santiago Formation, Sespe/Vaqueros Formation (undivided), or Pleistocene old paralic deposits. It is likely that high sensitivity formational sediments will be encountered, with the potential for impacting the Santiago Formation, Sespe/Vaqueros Formation (undivided), or old paralic deposits. Given the proximity of past fossil discoveries in the area at the North County Transit District Sprinter Station, and the underlying paleontologically sensitive deposits, the project site has the potential to yield scientifically significant unique paleontological resources. In the event that intact paleontological resources are located on the project site, ground-disturbing activities associated with construction of the project, such as grading during site preparation and trenching for utilities, have the potential to destroy a unique paleontological resource or site. However, implementation of Mitigation Measure (MM) GEO-1 would reduce potential impacts to **less than significant with mitigation** because it would require a qualified paleontologist to monitoring grading in undisturbed Santiago Formation, Sespe/Vaqueros Formation (undivided), or Pleistocene old paralic deposits and halt or divert grading activity and allow for collection, as appropriate, in the event that paleontological resources are unearthed, collected, recorded and reported.

MM-GEO-1 Prior to commencement of any grading activity on-site, the applicant shall retain a qualified paleontologist as defined by the 2010 Society of Vertebrate Paleontology (SVP) guidelines, subject to the review and approval of the City's Building Official, or designee. The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the project. The PRIMP shall be consistent with the 2010 SVP guidelines. The qualified paleontologist shall attend the preconstruction meeting and be on-site during all rough grading and other significant ground-disturbing activities in previously undisturbed Santiago Formation, Sespe/Vaqueros Formation (undivided), or Pleistocene old paralic deposits. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontological monitor will temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery will be roped off with a 50-foot-radius buffer. Once documentation and collection of the find is completed, the monitor will remove the rope and allow grading to recommence in the area of the find. Upon

completion of the paleontological monitoring program, the qualified paleontologist shall prepare a final monitoring report documenting the results of the mitigation program. This report should include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils.

g. Cumulative Impacts

Less-than-Significant Impact. Potential cumulative impacts on geology and soils would result from projects that combine to create geologic hazards, including unstable geologic conditions. The majority of impacts from geologic hazards, such as liquefaction, landslides, and unstable soils, are site-specific and are therefore generally mitigated on a project-by-project basis. Each related project would be required to adhere to required building engineering design, per the most recent version of the CBC, to ensure the safety of building occupants and avoid a cumulative geologic hazard. Additionally, as needed, projects would incorporate individual mitigation or geotechnical requirements for site-specific geologic hazards present on each individual cumulative project site. Therefore, a potential cumulative impact related to site-specific geologic hazards would not occur. Therefore, the proposed project, in combination with other cumulative projects, would not contribute to a significant cumulative impact associated with geology and soils.

Many of the related projects would require excavation that could potentially expose or damage potential paleontological resources. However, many of the related projects are located in developed urban areas with sites that have been previously disturbed, and the potential to encounter and cause a significant impact on surface resources is unlikely. Further, in association with California Environmental Quality Act review, and depending on the depth of excavation and sensitivity of respective sites, mitigation measures would be identified for those related projects that have the potential to cause significant impacts to undiscovered paleontological resources. Implementation of such mitigation measures for the related projects (MM-GEO-1) would avoid significant impacts to paleontological resources, and **impacts would be less than significant.**

6.8 Greenhouse Gas Emissions

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. GREENHOUSE GAS EMISSIONS – Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

The following analysis utilizes information provided in the Greenhouse Gas Assessment for the Ocean Creek Project, City of Oceanside, California, prepared by Ldn Consulting Inc., dated March 2022, and included as Appendix F to this Sustainable Communities Environmental Assessment. The greenhouse gas (GHG) assessment was conducted in accordance with the California Global Warming Solutions Act of 2006—Assembly Bill (AB) 32, Senate Bill (SB) 97, California Environmental Quality Act (CEQA), and SB 32.

6.8.1 Regulatory Setting

The following regulations specific to reducing GHG emissions are provided.

Federal

Massachusetts v. U.S. Environmental Protection Agency

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

- The Administrator found that elevated concentrations of GHGs—carbon dioxide (CO_2), methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride—in the atmosphere threaten the public health and welfare of current and future generations. This is the "endangerment finding."
- The Administrator further found the combined emissions of GHGs—CO_2, methane, nitrous oxide, and hydrofluorocarbons—from new motor vehicles and new motor vehicle engines contribute to the GHG air pollution that endangers public health and welfare. This is the "cause or contribute finding."

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

Energy Independence and Security Act

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

- Increases the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard requiring fuel producers to use at least 36 billion gallons of biofuel in 2022
- Sets a target of 35 miles per gallon for the combined fleet of cars and light trucks by model year 2020 and directs the National Highway Traffic Safety Administration (NHTSA) to establish a fuel economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for work trucks
- Prescribes or revises standards affecting regional efficiency for heating and cooling products and procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances

Federal Vehicle Standards

In August 2016, EPA and NHTSA announced the adoption of the phase two program related to the fuel economy and GHG standards for medium- and heavy-duty trucks. The phase two program will apply to vehicles with model year 2018–2027 for certain trailers, and model years 2021–2027 for semi-trucks, large pickup trucks, vans, and all types and sizes of buses and work trucks. The final standards are expected to lower CO_2 emissions by approximately 1.1 billion metric tons (MT) and reduce oil consumption by up to 2 billion barrels over the lifetime of the vehicles sold under the program (EPA and NHTSA 2016).

On September 27, 2019, the EPA and NHTSA also published their Safer Affordable Fuel-Efficient Vehicles Rule Part One: One National Program (84 FR 51,310), which became effective November 26, 2019. The Part One Rule revoked California's authority to set its own GHG emissions standards and set zero-emission vehicle mandates in California. On March 31, 2020, the EPA and NHTSA issued Part Two of the Safer Affordable Fuel-Efficient Rule, which went into effect June 29, 2020 (85 FR 24174). The Part Two Rule set CO_2 emissions standards and corporate average fuel economy standards for passenger vehicles and light duty trucks for model years 2021 through 2026. On January 20, 2021, President Joe Biden issued an Executive Order on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis, which includes review of the Part One Rule by April 2021 and review of the Part Two Rule by July 2021 (The White House 2021).

State

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

State Climate Change Targets

Executive Order S-3-05. Executive Order (EO) S-3-05 (June 2005) established the following statewide goals: GHG emissions should be reduced to 2000 levels by 2010, to 1990 levels by 2020, and to 80% below 1990 levels by 2050.

Assembly Bill 32. In furtherance of the goals established in EO S-3-05, the legislature enacted AB 32. The bill is referred to as the California Global Warming Solutions Act of 2006. AB 32 provided initial direction on creating a

comprehensive multiyear program to limit California's GHG emissions at 1990 levels by 2020 and initiate the transformations required to achieve the state's long-range climate objectives.

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

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

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

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

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

and clean energy technologies. As part of the First Update, CARB recalculated the state's 1990 emissions level, using more recent global warming potentials identified by the Intergovernmental Panel on Climate Change, from 427 MMT CO_2e to 431 MMT CO_2e (CARB 2014).

In 2015, as directed by EO B-30-15 (discussed below), CARB began working on an update to the Scoping Plan to incorporate the 2030 target of 40% below 1990 levels by 2030 to keep California on its trajectory toward meeting or exceeding the long-term goal of reducing GHG emissions to 80% below 1990 levels by 2050 as set forth in EO S-3-05. The governor called on California to pursue a new and ambitious set of strategies, in line with the five climate change pillars from his inaugural address, to reduce GHG emissions and prepare for the unavoidable impacts of climate change. In the summer of 2016, the legislature affirmed the importance of addressing climate change through passage of SB 32.

In December 2017, CARB adopted California's 2017 Climate Change Scoping Plan (2017 Scoping Plan) for public review and comment (CARB 2017). The 2017 Scoping Plan builds on the successful framework established in the initial Scoping Plan and First Update while identifying new, technologically feasible and cost-effective strategies that will serve as the framework to achieve the 2030 GHG target as established by SB 32 and define the state's climate change priorities to 2030 and beyond. The strategies' commitments include implementing renewable energy and energy efficiency strategies (including the mandates of SB 350), increasing stringency of the Low Carbon Fuel Standard, implementing measures identified in the Mobile Source and Freight Strategies, implementing measures identified in the proposed Short-Lived Climate Pollutant Reduction Strategy, and increasing stringency of SB 375 targets. To fill the gap in additional reductions needed to achieve the 2030 target, it recommends continuing the Cap-and-Trade Program.

For local governments, the 2017 Scoping Plan replaced the initial Scoping Plan's 15% reduction goal with a recommendation to aim for a community-wide goal of no more than 6 MT CO_2 equivalent (CO_2e) per capita by 2030 and no more than 2 MT CO_2e per capita by 2050, which is consistent with the state's long-term goals. These goals are also consistent with the Under 2 Memorandum of Understanding and the Paris Agreement, which were developed around the scientifically based levels necessary to limit global warming to below 2°C. The 2017 Scoping Plan recognized the benefits of local government GHG planning (e.g., through climate action plans [CAPs]) and provided more information regarding tools CARB is working on to support those efforts. It also recognized the CEQA streamlining provisions for project-level review where there is a legally adequate CAP.

The Scoping Plan recommends strategies for implementation at the statewide level to meet the goals of AB 32, SB 32, and the executive orders, and establishes an overall framework for the measures that will be adopted to reduce California's GHG emissions. A project is considered consistent with the statutes and executive orders if it meets the general policies in reducing GHG emissions to facilitate the achievement of the state's goals and does not impede attainment of those goals. A project would be consistent if it will further the objectives and not obstruct their attainment.

Executive Order B-30-15. EO B-30-15 (April 2015) identified an interim GHG reduction target in support of targets previously identified under EO S-3-05 and AB 32. EO B-30-15 specifically set an interim target goal of reducing statewide GHG emissions to 40% below 1990 levels by 2030 to keep California on its trajectory toward meeting or exceeding the long-term goal of reducing statewide GHG emissions to 80% below 1990 levels by 2050, as set forth in EO S-3-05. To facilitate achievement of this goal, EO B-30-15 called for an update to CARB's Scoping Plan to express the 2030 target in terms of million metric tons (MMT) CO2e. The executive order also called for state agencies to continue to develop and implement GHG emissions reduction programs in support of the reduction targets. Sector-specific agencies in transportation, energy, water, and forestry were required to prepare GHG

reduction plans by September 2015, followed by a report on action taken in relation to these plans in June 2016. EO B-30-15 did not require local agencies to take any action to meet the new interim GHG reduction target.

Senate Bill 32 and Assembly Bill 197. SB 32 and AB 197 (enacted in 2016) are companion bills that set new statewide GHG reduction targets, made changes to CARB's membership and increased legislative oversight of CARB's climate change-based activities, and expanded dissemination of GHG and other air-quality-related emissions data to enhance transparency and accountability. More specifically, SB 32 codified the 2030 emissions reduction goal of EO B-30-15 by requiring CARB to ensure that statewide GHG emissions are reduced to 40% below 1990 levels by 2030. AB 197 established the Joint Legislative Committee on Climate Change Policies, consisting of at least three members of the Senate and three members of the Assembly to provide ongoing oversight over implementation of the state's climate policies. AB 197 also added two members of the legislature to CARB as nonvoting members; requires CARB to make available and update (at least annually via its website) emissions data for GHGs, criteria air pollutants, and toxic air contaminants from reporting facilities; and requires CARB to identify specific information for GHG emissions reduction measures when updating the Scoping Plan.

Senate Bill 605 and Senate Bill 1383. SB 605 (2014) required CARB to complete a comprehensive strategy to reduce emissions of short-lived climate pollutants in the state, and SB 1383 (2016) required CARB to approve and implement that strategy by January 1, 2018. SB 1383 also established specific targets for the reduction of short-lived climate pollutants (40% below 2013 levels by 2030 for methane and hydrofluorocarbons, and 50% below 2013 levels by 2030 for anthropogenic black carbon), and provided direction for reductions from dairy and livestock operations and landfills. The Short-Lived Climate Pollutants Reduction Strategy was approved by CARB in March 2017, and lays out a range of options to reduce short-lived climate pollutant emissions in California, including regulations, incentives, and other market-supporting activities.

Building Energy

Title 24, Part 6. Title 24 of the California Code of Regulations was established in 1978 and serves to enhance and regulate California's building standards. Although not initially promulgated to reduce GHG emissions, Part 6 of Title 24 specifically established Building Energy Efficiency Standards that are designed to ensure new and existing buildings in California achieve energy efficiency and preserve outdoor and indoor environmental quality. These energy efficiency standards are reviewed every few years by the Building Standards Commission and California Energy Commission (CEC), and revised if necessary (California Public Resources Code [PRC] Section 25402[b][1]). The regulations receive input from members of industry and the public, with the goal of "reducing of wasteful, uneconomic, inefficient, or unnecessary consumption of energy" (PRC Section 25402). These regulations are carefully scrutinized and analyzed for technological and economic feasibility (PRC Section 25402[d]) and cost effectiveness (PRC Sections 25402[b][2] and [b][3]). As a result, these standards save energy, increase electricity supply reliability, increase indoor comfort, avoid the need to construct new power plants, and help preserve the environment.

The 2019 Title 24 standards are the currently applicable building energy efficiency standards, and became effective on January 1, 2020. The 2019 Title 24 Building Energy Efficiency Standards further reduce energy used and associated GHG emissions compared to prior standards. In general, single-family residences built to the 2019 standards are anticipated to use approximately 7% less energy due to energy efficiency measures than those built to the 2016 standards; once rooftop solar electricity generation is factored in, single-family residences built under the 2019 standards will use approximately 53% less energy than those under the 2016 standards (CEC 2018). Nonresidential buildings built to the 2019 standards are anticipated to use an estimated 30% less energy than those built to the 2016 standards (CEC 2018). The proposed Ocean Creek Mixed Use Project (project) is subject to the nonresidential standards due to the number of stories.

Title 24, Part 11. In addition to the CEC's efforts, in 2008, the California Building Standards Commission adopted the nation's first green building standards. The California Green Building Standards Code (Part 11 of Title 24) is commonly referred to as CALGreen, and establishes minimum mandatory standards and voluntary standards pertaining to the planning and design of sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and interior air quality. CALGreen took effect in January 2011 and instituted mandatory minimum environmental performance standards for all ground-up, new construction of commercial, low-rise residential and state-owned buildings, schools, and hospitals. The CALGreen 2019 standards, which are the current standards, became effective January 1, 2020.

Title 20. Title 20 of the California Code of Regulations requires manufacturers of appliances to meet state and federal standards for energy and water efficiency. Performance of appliances must be certified through the CEC to demonstrate compliance with standards. New appliances regulated under Title 20 include refrigerators, refrigerator-freezers, and freezers; room air conditioners and room air-conditioning heat pumps; central air conditioners; spot air conditioners; vented gas space heaters; gas pool heaters; plumbing fittings and plumbing fixtures; fluorescent lamp ballasts; lamps; emergency lighting; traffic signal modules; dishwaters; clothes washers and dryers; cooking products; electric motors; low voltage dry-type distribution transformers; power supplies; televisions and consumer audio and video equipment; and battery charger systems. Title 20 presents protocols for testing for each type of appliance covered under the regulations, and appliances must meet the standards for energy performance, energy design, water performance, and water design. Title 20 contains three types of standards for appliances: federal and state standards for federally regulated appliances, state standards for federally regulated appliances, and state standards for non-federally regulated appliances.

Assembly Bill 1109. Enacted in 2007, AB 1109 required the CEC to adopt minimum energy efficiency standards for general-purpose lighting to reduce electricity consumption by 50% for indoor residential lighting and by 25% for indoor commercial lighting.

Senate Bill 1. SB 1 (August 2006) established a $3 billion rebate program to support the goal of the state to install rooftop solar energy systems with a generation capacity of 3,000 megawatts through 2016. SB 1 added sections to the PRC, including Chapter 8.8 (California Solar Initiative), that require building projects applying for ratepayer-funded incentives for photovoltaic systems to meet minimum energy efficiency levels and performance requirements. Section 25780 established that it is a goal of the state to establish a self-sufficient solar industry. The goals included establishing solar energy systems as a viable mainstream option for homes and businesses within 10 years of adoption, and placing solar energy systems on 50% of new homes within 13 years of adoption. SB 1, also termed "Go Solar California," was previously titled "Million Solar Roofs."

Assembly Bill 1470. This bill established the Solar Water Heating and Efficiency Act of 2007. AB 1470 makes findings and declarations of the legislature relating to the promotion of solar water heating systems and other technologies that reduce natural gas demand. AB 1470 defines several terms for purposes of the act. The bill required a commission to evaluate the data available from a specified pilot program, and to design and implement a program of incentives for the installation of 200,000 solar water heating systems in homes and businesses throughout the state by 2017.

Renewable Energy and Energy Procurement. SB 1078 (2002) established the Renewables Portfolio Standard (RPS) program, which requires an annual increase in renewable generation by the utilities. Initially, the RPS required utilities to obtain 20% of their power from renewable sources by 2010. SB X1-2 (2011) subsequently expanded the RPS by establishing that 33% of the total electricity sold to retail customers in California per year by December 31, 2020, and in subsequent years, be secured from qualifying renewable energy sources. SB 350 (2015) further

expanded the RPS by establishing that 50% of the total electricity sold to retail customers in California per year by December 31, 2030, be secured from qualifying renewable energy sources. And SB 100 (2018) further accelerated the RPS, requiring achievement of a 50% RPS by December 31, 2026, and a 60% RPS by December 31, 2030. SB 100 also established a new state policy goal that calls for eligible renewable energy resources and zero-carbon resources to supply 100% of electricity retail sales and 100% of electricity procured to serve all state agencies by December 31, 2045.

Under the program, a renewable electrical generation facility is one that uses biomass, solar thermal, photovoltaic, wind, geothermal, fuel cells using renewable fuels, small hydroelectric generation of 30 megawatts or less, digester gas, municipal solid waste conversion, landfill gas, ocean wave, ocean thermal, or tidal current, and that meets other specified requirements with respect to its location.

Mobile Sources

State Vehicle Standards. AB 1493 (July 2002) was enacted in response to the transportation sector accounting for more than one-half of California's CO_2 emissions. AB 1493 required CARB to set GHG emission standards for passenger vehicles, light-duty trucks, and other vehicles determined by the state board to be vehicles that are primarily used for noncommercial personal transportation in the state. AB 1493 required that CARB set GHG emission standards for motor vehicles manufactured in 2009 and all subsequent model years. CARB adopted the standards in September 2004.

As explained under the "Federal Vehicle Standards" description above, EPA and NHTSA approved the Safer Affordable Fuel-Efficient Vehicles Rule Part One and Two, which revoked California's authority to set its own GHG emissions standards and set zero-emission vehicle mandates in California. Because the EPA rule is the subject of pending legal challenges, and because President Biden issued an executive order to review Part One and Part Two, this analysis used the best available information at this time, as set forth in EMFAC and assumed in the California Emissions Estimator Model (CalEEMod).

The Advanced Clean Cars program (January 2012) is an emissions-control program for model years 2015 through 2025. The program combines the control of smog- and soot-causing pollutants and GHG emissions into a single coordinated package. The package includes elements to reduce smog-forming pollution, reduce GHG emissions, promote clean cars, and provide the fuels for clean cars. To improve air quality, CARB implemented new emission standards to reduce smog-forming emissions beginning with 2015 model year vehicles. It is estimated that by 2025, cars will emit 75% less smog-forming pollution than the average new car sold in 2012. To reduce GHG emissions, CARB, in conjunction with the EPA and NHTSA, adopted new GHG standards for model year 2017 to 2025 vehicles; the new standards are estimated to reduce GHG emissions by 34% in 2025. The zero-emissions vehicle (ZEV) program will act as the focused technology of the Advanced Clean Cars program by requiring manufacturers to produce increasing numbers of ZEVs and plug-in hybrid electric vehicles in the 2018 to 2025 model years.

Executive Order S-1-07. Issued on January 18, 2007, EO S-1-07 sets a declining Low Carbon Fuel Standard for GHG emissions measured in CO_2e grams per unit of fuel energy sold in California. The initial target of the Low Carbon Fuel Standard was to reduce the carbon intensity of California passenger vehicle fuels by at least 10% by 2020. The Low Carbon Fuel Standard was subsequently amended in 2018 to require a 20% reduction in carbon intensity by 2030. This new requirement aligns with California's overall 2030 target of reducing climate changing emissions to 40% below 1990 levels by 2030, set by SB 32. CARB has adopted implementing regulations for both the 10% and 20% carbon intensity reduction targets.

Senate Bill 375. SB 375 (2008) addresses GHG emissions associated with the transportation sector through regional transportation and sustainability plans. SB 375 required CARB to adopt regional GHG reduction targets for the automobile and light-truck sector for 2020 and 2035. Regional metropolitan planning organizations are then responsible for preparing a Sustainable Communities Strategy (SCS) within their Regional Transportation Plan (RTP). The goal of the SCS is to establish a forecasted development pattern for the region that, after considering transportation measures and policies, will achieve, if feasible, the GHG reduction targets. If an SCS is unable to achieve the GHG reduction target, a metropolitan planning organization must prepare an Alternative Planning Strategy demonstrating how the GHG reduction target would be achieved through alternative development patterns, infrastructure, or additional transportation measures or policies.

Pursuant to California Government Code Section 65080(b)(2)(K), an SCS does not regulate the use of land; supersede the land use authority of cities and counties; or require that a city's or county's land use policies and regulations, including those in a general plan, be consistent with it. Nonetheless, SB 375 makes regional and local planning agencies responsible for developing those strategies as part of the federally required metropolitan transportation planning process and the state-mandated housing element process.

In 2010, CARB adopted the SB 375 targets for the regional metropolitan planning organizations. The targets adopted for the San Diego Association of Governments (SANDAG) in 2010 are a 7% reduction in per-capita passenger-vehicle GHG emissions by 2020 and a 13% reduction by 2035, measured relative to 2005 GHG emissions. In 2018, CARB adopted the second round of SB 375 reduction targets and increased SANDAG's 2020 target to a 15% reduction in per-capita passenger-vehicle GHG emissions and the 2035 target to a 19% reduction using the same 2005 baseline.

Senate Bill 350. In 2015, SB 350—the Clean Energy and Pollution Reduction Act—was enacted into law. As one of its elements, SB 350 establishes a statewide policy for widespread electrification of the transportation sector, recognizing that such electrification is required for achievement of the state's 2030 and 2050 reduction targets (see California Public Utilities Code, Section 740.12).

Assembly Bill 1236. AB 1236 (October 2015) required a city, county, or city and county to approve an application for the installation of electric vehicle charging stations, as defined, through the issuance of specified permits unless the city or county makes specified written findings based on substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. AB 1236 provided for appeal of that decision to the planning commission, as specified. The bill provided that the implementation of consistent statewide standards to achieve the timely and cost-effective installation of electric vehicle charging stations is a matter of statewide concern. The bill required electric vehicle charging stations to meet specified standards. AB 1236 required a city, county, or city and county with a population of 200,000 or more residents to adopt an ordinance, by September 30, 2016, that created an expedited and streamlined permitting process for electric vehicle charging stations. The bill also required a city, county, or city and county with a population of fewer than 200,000 residents to adopt this ordinance by September 30, 2017.

Executive Order B-16-12. EO B-16-12 (2012) directs state entities under the governor's direction and control to support and facilitate development and distribution ZEVs. On a statewide basis, EO B-16-12 also establishes a GHG emissions reduction target from the transportation sector equaling 80% less than 1990 levels by 2050. In furtherance of this executive order, the Governor convened an Interagency Working Group on ZEVs that has published multiple reports regarding the progress. It ordered CARB, CEC, the California Public Utilities Commission, and other relevant agencies to work with the Plug-In Electric Vehicle Collaborative and the California Fuel Cell Partnership to establish benchmarks to help achieve goals by 2015, 2020, and 2025. This directive did not apply to vehicles that have special performance requirements necessary for the protection of the public safety and welfare.

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

Solid Waste

Assembly Bill 939 and Assembly Bill 341. In 1989, AB 939, known as the Integrated Waste Management Act (PRC Sections 40000 et seq.), was passed because of the increase in waste stream and decrease in landfill capacity. The statute established the California Integrated Waste Management Board, which oversees a disposal reporting system. AB 939 mandated a reduction of waste being disposed of where jurisdictions were required to meet diversion goals of all solid waste through source reduction, recycling, and composting activities of 25% by 1995 and 50% by 2000.

AB 341 (Chapter 476, Statutes of 2011) amended the California Integrated Waste Management Act of 1989 to include a provision declaring that it is the policy goal of the state that not less than 75% of solid waste generated be source-reduced, recycled, or composted by 2020, and annually thereafter. In addition, AB 341 required the California Department of Resources Recycling and Recovery (CalRecycle) to develop strategies to achieve the state's policy goal. CalRecycle conducted several general stakeholder workshops and several focused workshops, and in August 2015 published a discussion document titled AB 341 Report to the Legislature, which identified five priority strategies that CalRecycle believed would assist the state in reaching the 75% goal by 2020, legislative and regulatory recommendations, and an evaluation of program effectiveness (CalRecycle 2015).

Water

Executive Order B-29-15. In response to the ongoing drought in California, EO B-29-15 (April 2015) set a goal of achieving a statewide reduction in potable urban water usage of 25% relative to water use in 2013. The term of the executive order extended through February 28, 2016, although many of the directives have since become permanent water-efficiency standards and requirements. The executive order includes specific directives that set strict limits on water usage in the state. In response to EO B-29-15, the California Department of Water Resources modified and adopted a revised version of the Model Water Efficient Landscape Ordinance that, among other changes, significantly increased the requirements for landscape water use efficiency and broadened its applicability to include new development projects with smaller landscape areas.

Executive Order B-37-16. Issued May 2016, EO B-37-16 directed the State Water Resources Control Board to adjust emergency water conservation regulations through the end of January 2017 to reflect differing water supply conditions across the state. The State Water Resources Control Board also developed a proposal to achieve a mandatory reduction of potable urban water usage that builds off the mandatory 25% reduction called for in EO B-29-15. The State Water Resources Control Board and Department of Water Resources will develop new, permanent water use targets that build on the existing state law requirements that the state achieve 20% reduction in urban water usage by 2020. EO B-37-16 also specifies that the State Water Resources Control Board

permanently prohibit water-wasting practices such as hosing off sidewalks, driveways, and other hardscapes; washing automobiles with hoses not equipped with a shut-off nozzle; using non-recirculated water in fountains and other decorative water features; watering lawns in a manner that causes runoff, or within 48 hours after measurable precipitation; and irrigating ornamental turf on public street medians.

Other State Regulations and Goals

Senate Bill 97. SB 97 (August 2007) directed the Governor's Office of Planning and Research to develop guidelines under CEQA for the mitigation of GHG emissions. The California Natural Resources Agency then adopted the CEQA Guidelines amendments in December 2009, which became effective in March 2010. The CEQA Guidelines were subsequently amended in 2018, which changes became effective on December 28, 2018.

Under the amended CEQA Guidelines, a lead agency has the discretion to determine whether to use a quantitative or qualitative analysis or apply performance standards to determine the significance of GHG emissions resulting from a particular project (14 CCR 15064.4[a]). The CEQA Guidelines provide that a lead agency should also consider the extent to which a project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions (14 CCR 15064.4[b]). The CEQA Guidelines also allow a lead agency to consider feasible means of mitigating the significant effects of GHG emissions, including reductions in emissions through the implementation of project features; off-site measures, including offsets that are not otherwise required; measures in an existing plan or mitigation program; or measures that sequester GHGs (14 CRR 15126.4[c]). The adopted amendments do not establish a GHG emissions threshold, instead allowing a lead agency to develop, adopt, and apply its own thresholds of significance or those developed by other agencies or experts (14 CCR 15064.7). The CEQA Guidelines also permit using environmental standards (i.e., an applicable and relevant quantitative, qualitative or performance requirement found in an ordinance, resolution, rule, regulation, order, plan or other environmental requirement that has been adopted for the purpose of environmental protection) as a threshold of significance to promote consistency in significance determinations (14 CCR 15064.7[d]).

With respect to GHG emissions, the CEQA Guidelines state in Section 15064.4(a) that lead agencies should "make a good faith effort, to the extent possible on scientific and factual data, to describe, calculate or estimate" GHG emissions. The CEQA Guidelines note that an agency may identify emissions by either quantifying the emissions resulting from a project or by relying on "qualitative analysis or other performance-based standards" (14 CCR 15064.4[a]). Section 15064.4(b) states that the lead agency should focus on the reasonably foreseeable incremental contribution of the project's emissions to the effects of climate change. The analysis should consider a timeframe appropriate for the project, and must reasonably reflect evolving scientific knowledge and state regulatory schemes (14 CCR 15064.4[b]). Section 15064.4(b) provides that the lead agency should consider the following when determining the significance of impacts from GHG emissions on the environment: the extent a project may increase or reduce GHG emissions as compared to the existing environmental setting; whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project; and the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions (14 CCR 15064.4[b]). The CEQA Guidelines state that a lead agency may consider a project's consistency with the state's long-term climate goals or strategies, provided that substantial evidence supports the agency's analysis of how those goals of strategies address the project's incremental contribution to climate change and its conclusion that the project's incremental contribution is not cumulatively considerable.

Section 15183.5 of the CEQA Guidelines allows agencies to tier from qualified GHG reduction plans developed in accordance with subsection (b). Specifically, the GHG reduction plan must quantify GHG emissions, both existing and projected over a specified time period, resulting from activities within a defined geographic area; establish a level, based on substantial evidence, below which the contribution to GHG emissions from activities covered by the plan would not be cumulatively considerable; identify and analyze the GHG emissions resulting from specific actions or categories of actions anticipated within the geographic area; specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level; establish a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels; and be adopted in a public process following environmental review.

Executive Order S-13-08. EO Order S-13-08 (November 2008) is intended to hasten California's response to the impacts of global climate change, particularly sea-level rise. Therefore, the executive order directs state agencies to take specified actions to assess and plan for such impacts. The final 2009 California Climate Adaptation Strategy report was issued in December 2009 (CNRA 2009), and an update, Safeguarding California: Reducing Climate Risk, followed in July 2014 (CNRA 2014). To assess the state's vulnerability, the report summarizes key climate change impacts to the state for the following areas: agriculture, biodiversity and habitat, emergency management, energy, forestry, ocean and coastal ecosystems and resources, public health, transportation, and water.

Regional

SANDAG'S San Diego Forward: The Regional Plan

The San Diego Forward: The Regional Plan (2021 Regional Plan) provides a long-term blueprint for the San Diego region that seeks to meet regulatory requirements, address traffic congestion, and create equal access to jobs, education, healthcare, and other community resources (SANDAG 2021). The plan is the result of years of planning, data analysis, and community engagement to reimagine the San Diego region with a transformative transportation system, a sustainable pattern of growth and development, and innovative demand and management strategies.

The 2021 Regional Plan includes an SCS, as required by California SB 375 (2008), for the San Diego region. This SCS describes coordinated transportation and land use planning that exceeds the state's target for reducing per capita GHG emissions set by CARB. The state-mandated target is a 19% reduction—compared with 2005—in per capita GHG emissions from cars and light-duty trucks by 2035. The 2021 Regional Plan achieves a 20% reduction by then.

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

Local

City of Oceanside Climate Action Plan

The City of Oceanside (City) CAP seeks to align with state efforts to reduce GHG emissions while balancing a variety of community interests, including quality of life, economic development, and social equity (City of Oceanside 2019). The CAP outlines several measures the Oceanside community will take to make progress towards meeting the State of California's 2050 GHG reduction goal. The CAP has been prepared as part of the City's General Plan and utilizes land use assumptions to estimate GHG inventories presented in the CAP. Therefore, a project would be required to

conform to all General Plan policies. To ensure that Oceanside remains on track to achieve the long-term GHG emissions reduction goals of the state, the City will implement reduction measures proactively. Success in implementing these measures will require the City to invest in both capital improvements and human resources to develop sustainable infrastructure, implement new policies and programs, elicit the active participation of the Oceanside community at-large, and monitor progress in reducing the City's carbon footprint. Consistent with California's Climate Change Scoping Plan, the City has established a bright line threshold of significance for GHG emissions impacts: 900 MT CO_2e annually, with construction-related emissions amortized over 20 years. Projects that fall under this threshold are not required to conduct analysis of GHG emissions impacts. Projects with emissions greater than 900 MT CO_2e per year are required to demonstrate consistency with the CAP using the CAP Consistency Checklist or a GHG analysis. Per the City's Planning Division Policy Direction 2018-01, projects that will not be implemented prior to 2020 must show that GHG emissions related to both construction and operations will not exceed 3.5 MT CO_2e per service population per year.

Thresholds of Significance

California has developed guidelines to address the significance of GHG emissions impacts that are contained in Appendix G of the CEQA Guidelines (14 CCR 15000 et seq.). Appendix G provides that a project would have a significant environmental impact if it would:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

The CEQA Guidelines provide that in determining the significance of impacts from GHG emissions, an agency may consider the extent to which the project complies with a local plan for the reduction or mitigation of GHG emissions. (See 14 CCR 15064.4[b][3], 15183.5.) Relatedly, project-specific GHG analyses can tier from plans adopted for the reductions of GHGs (14 CCR 15183.5). As indicated above, the City has adopted such a plan when it adopted its CAP on May 8, 2019. Accordingly, for purposes of GHG threshold a), the project's GHG emissions are assessed by evaluating the project's consistency with the City's CAP, which is discussed below in detail. For purposes of GHG threshold b), the project is assessed based on its potential to conflict with the City's CAP, as well as with statewide and regional plans for emissions reductions.

a. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less-than-Significant Impact.

Construction CO_2e Emissions

Project construction dates were estimated based on a construction start date in 2023 with construction ending in 2025. CalEEMod was utilized for all construction calculations and has been manually updated to reflect the project design features (PDFs) identified in the Greenhouse Gas Assessment (refer to Appendix F for further details). Table 6.3-3 in Section 6.3, Air Quality, shows the expected timeframes for the construction of project infrastructure, facilities, and improvements, as well as the expected number of pieces of equipment. Also, it should be noted that project's construction impact analysis would be

conservative in the event construction began/ended at a later date, as annual code updates and fleet improvements have the effect of restricting and limiting emissions on construction equipment over time.

Project-Related Construction Emissions

Utilizing the CalEEMod inputs for the model as shown in Table 6.3-3, grading and construction of the project would generate approximately 1,407 MT CO_2e over the construction period. Based on the CAP requirements, construction emissions are averaged over the project life, which is assumed to be 20 years. Given this, the annual construction emission would be 70.37 MT CO_2e per year. A summary of the construction emissions is shown in Table 6.8-1 below. The analysis of GHG emissions generated during construction activities includes the application of the PDF to include the application of Tier 3 Diesel Equipment with Diesel Particulate Filters attached.[1]

Table 6.8-1. Expected Construction CO_2e Emissions Summary MT/Year

Year	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
2023	0.00	258.42	258.42	0.07	0.01	262.22
2024	0.00	678.24	678.24	0.08	0.03	688.45
2025	0.00	450.20	450.20	0.05	0.02	456.72
					Total	**1,407.39**
					Yearly Average Construction Emissions (MT/year over 20 years)	**70.37**

Notes: CO_2e = carbon dioxide equivalent; MT = metric tons; Bio-CO_2 = biological carbon dioxide; NBio-CO_2 = non-biological carbon dioxide; CO_2 = carbon dioxide; CH_4 = methane; N_2O = nitrous oxide.
Expected construction emissions are based upon CalEEMod modeling for equipment and durations listed in Table 6.3-3.

Operational Emissions

Operational GHG sources for the project would include area sources such as landscaping and architectural coatings during maintenance, energy sources from electrical and natural gas usage, mobile sources from vehicular traffic including trucks and passenger vehicles, solid waste from trash generation and decomposition at landfills, and emissions generated through the conveyance and treatment of water.

GHG emissions for energy, water, and solid waste source emissions were estimated based on default inputs for a development like the project with the exception of mobile source emissions. The proposed project was modeled using the latest traffic study, which analyzes the proposed project as fully operational and occupied in the year 2026 (Appendix K). It should be noted that the traffic study conservatively analyzed the commercial/retail use as a fast-food use without a drive through, which generates the highest number of trips for this use. The model was also updated to reflect the 15.57 mile per trip for residential uses and 13.8 miles per employee identified in the EMFAC 2017 estimates for the 2026 operational year at this site location (refer to Appendix F). EMFAC 2017 is the model used by CalEEMod for emissions calculations.

CalEEMod default rates from 2009 were updated to reflect project operational year intensity factors for 2026. In 2009, San Diego Gas and Electric achieved 10.5% procurement of renewable energy and in 2030 will have

[1] Measures PDF-GHG-1.8 through PDF-GHG-1.16 are not factored into the modeling as the emission reductions from those are not easily quantifiable; therefore, the below emissions levels represent a conservative outcome as project emissions would be lower. Is it also noted that regulatory updates are also likely to result in lower emissions levels over time, such as through the implementation of lower-emission/zero emission light-duty vehicles. However, these regulatory update reductions are also not factored into the emissions modeling.

up to 60% in place per requirements of SB 100. Given this, San Diego Gas and Electric energy-intensity factors for 2026 were calculated and were modeled as such within CalEEMod as shown in Table 6.8-2.

Table 6.8-2. San Diego Gas and Electric Energy Intensity Factors

GHG	2009 Factors (lbs/MWh) w/10.5% RPS	Current RPS Factors for 2020 33% Achieved (lb/MWh)	2026 Factors – 49.2% Renewables (lbs/MWh)
Carbon Dioxide (CO_2)	720.49	539.98	409.42
Methane (CH_4)	0.029	0.033	0.025
Nitrous Oxide (N_2O)	0.006	0.004	0.003

Source: Appendix F.
Note: lbs/MWh = pounds per megawatt-hour; RPS = Renewables Portfolio Standard.

Project-Related Operational Emissions

Emissions generated from area, energy, mobile, solid waste, and water uses are calculated within CalEEMod. These settings, which are automatically populated throughout the model, are based on the inputted land uses and intensities proposed by the project for the project site. Unless stated within the GHG assessment, default values based on the project characteristics generated within CalEEMod were used.

The calculated operational emissions for 2026 are identified in Table 6.8-3. The proposed project buildout with annualized construction emissions would generate 2,172.36 MT CO_2e annually.

Table 6.8-3. Proposed Project Operational Greenhouse Gas Emissions (MT/Year)

Source	Bio-CO_2	NBio-CO_2	Total CO_2	CH_4	N_2O	CO_2e (MT/Yr)
Area	0.00	3.58	3.58	0.00	0.00	3.67
Electrical Usage	0.00	206.00	206.00	0.01	0.00	206.77
Natural Gas	0.00	142.40	142.40	0.00	0.00	143.25
Mobile	0.00	1,281.05	1,281.05	0.13	0.08	1,306.76
Waste	34.56	0.00	34.56	2.04	0.00	85.62
Water	6.39	73.80	80.19	0.66	0.02	101.48
					Total	**1,847.55**
					Amortized Construction Emissions	**70.37**
					Project Total GHG Emissions	**1,917.92**
					Reduction from EV Charger Installation	**-156.85**
					Reduction from Solar PV Installation	**-226.14**
					Project net GHG Emissions	**1,534.93**
					Service Population	**693**
					MT/SP	**2.21**

Note: MT = metric tons; Bio-CO_2 = biological carbon dioxide; NBio-CO_2 = non-biological carbon dioxide; CO_2 = carbon dioxide; CH_4 = methane; N_2O = nitrous oxide; CO_2e = carbon dioxide equivalent; EV= electric vehicle; PV = photovoltaic; SP = service population. Data is presented in decimal format and may have rounding errors.

The proposed project would be required to generate fewer service population emissions than 3.5 MT CO_2e in 2026 (per Planning Division Policy Direction 2018-01). The proposed project was found to generate approximately 1,535 MT CO_2e with both annualized construction and annual operation GHG emissions. Based on the Project Market and Fiscal Impact Analysis (Appendix N), it is expected that the project would have a service population of 693 (673 residents and 20 employees). Given this, the proposed project would have a projected GHG emission rate of 2.21 MT CO_2e per service population or (1,535 MT CO_2e/693 persons). Based on this, the proposed project would generate fewer emissions than the City-specific localized efficiency metric of 3.5 MT CO_2e per service population. Therefore, the project would not generate GHG emissions, either directly (i.e., area, natural gas, mobile) or indirectly (i.e., electricity use, water, and wastewater), that may have a significant impact on the environment.

As mentioned above, the CAP provides a CAP Consistency Checklist, which offers an alternative to project-specific assessment and mitigation of GHG emissions impacts. The CAP Checklist is available to projects to streamline the CEQA process. However, as stated in the CAP (City of Oceanside 2019), "the Checklist is not mandatory. As part of the CEQA process, applicants can choose to mitigate significant GHG emissions impacts by other means. However, the City, as the lead agency for the CEQA process, reserves its discretion to determine if proposed mitigation measures are appropriate and adequate." The CAP provides that "applicants can choose to conduct project-specific GHG emissions analysis to demonstrate compliance with the City's significance threshold" (City of Oceanside 2019). As demonstrated above, the project specific GHG analysis demonstrates that a CAP Checklist consistency analysis is not required as the project would be below the City's efficient metric threshold of 3.5 MT CO2e per service population.

Because the proposed project is consistent with the City's General Plan, has implemented a number of design features, is located within a Smart Growth Opportunity Area consistent with the SANDAG RTP/SCS (2021 Regional Plan), is located within a Smart and Sustainable Corridor, is located adjacent to a high quality commuter transit center, and performed a project-specific analysis that demonstrates that the project would be well below the City's adopted screening threshold of 3.5 MT CO_2e, the project would result in a **less-than-significant impact** to GHG emissions and no mitigation measures would be required. However, the proposed project would comply with the CAP Checklist as follows:

- Renewable Energy Facilities – the proposed project would comply with any and all applicable Title 24 requirements related to the provision of on-site solar photovoltaic energy. The project is required to generate 50% of electrical demand. Based on CalEEMod and electric vehicle estimates, the project would require 1,378,084 kilowatt-hours annually and will generate 689,554 kilowatt-hours annually from the on-site solar.
- Electric Vehicle Parking and Charging Facilities – the proposed project would comply with any and all applicable Title 24 requirements related to the provision of electric vehicle charging facilities. The project is required to install 35 electric vehicle charging stations.
- Recycled Water Infrastructure, if available at the site, will be utilized.
- Transportation Demand Management – the project site is located directly across S. Oceanside Boulevard from the Crouch Street Sprinter Station. The project is in a high-efficiency vehicle miles traveled zone per SANDAG's SB 743 map. In addition, the project would unbundle parking from apartment units and charge a monthly fee for each parking space, provide a bikeshare program for residents, provide transit pass subsidies for employees of the project in the retail/commercial area, give information packets to new residents about vehicle miles traveled reductions, and have a transportation demand management coordinator.

- Urban Forestry – The proposed project landscape plan shows increased tree planting to create shade.
- Food Scraps Recycling Program – The project would participate in a Food Scraps Recycling Program.

b. Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less-than-Significant Impact.

Regional

Consistency with SANDAG'S San Diego Forward: The Regional Plan

Regarding consistency with SANDAG's 2021 Regional Plan, the project would be developed to support the policy objectives of the RTP and SB 375. More specifically, as described in Chapter 3, SCEA Criteria and Transportation Priority Project Consistency Analysis, the project is located in a Smart Growth Opportunity Area, which is also a Transit Priority Area, adjacent to the Crouch Street Sprinter Station, and would develop a mixed-use community that would include residential and commercial uses within 0.25 miles of a major transit stop. In addition, the project would include bike parking facilities and would include pedestrian improvements along the streetscape and a pedestrian crossing, which would promote walking and bicycle travel to the site. Therefore, the project would not conflict with SANDAG's 2021 Regional Plan. Furthermore, the project has incorporated applicable mitigation measures from the Regional Plan Program Environmental Impact Report's Mitigation Monitoring and Reporting Program. As no conflict would occur, the project would have a less-than-significant impact.

Local

City of Oceanside Climate Action Plan

The City's CAP provides a CAP Consistency Checklist, which offers an alternative to project-specific assessment and mitigation of GHG emissions impacts. Implementation of the checklist is contingent upon the adoption of several ordinances addressing renewable energy, electric vehicle charging facilities and preferential parking, transportation demand management, and tree canopy. In the interim, proposed projects must demonstrate that associated GHG emissions fall below one of two thresholds of significance, as described below. Projects that cannot comply with these thresholds of significance require an Environmental Impact Report and an associated statement of overriding considerations.

While many projects may otherwise be categorically exempt from CEQA review (e.g., infill development), those that generate GHG emissions exceeding 900 MT CO_2e (the generally accepted "bright line" threshold of significance for GHG emissions) must assess project-induced emissions against CAP-aligned thresholds of significance.

Projects exceeding the 900 MT CO_2e GHG screening threshold would be required to demonstrate that GHG emissions do not exceed efficiency/service population thresholds (City of Oceanside 2019), which are identified below:

- Projects that will be implemented prior to 2020 must show that GHG emissions related to both construction and operation will not exceed 4.0 MT CO_2e/service population per year.

- Projects that will not be implemented prior to 2020 must show that GHG emissions related to both construction and operations will not exceed 3.5 MT CO_2e/service population per year.

Estimated annual project-generated operational emissions in 2026 plus amortized project construction emissions would be approximately 1,535 MT CO_2e per year, as shown in Table 6.8-3. The project's service population, defined as the number of residents plus the number of jobs supported by the project, is 693 people. Based on the service population of 693 people, the project would result in GHG emissions of approximately 2.2 MT CO_2e per service population per year. With the adoption of the CAP on May 8, 2019, the City committed to measures designed to reduce local GHG emissions in a manner consistent with state emissions reduction goals. As the CAP's emissions targets align with states GHG reduction goals within SB 32 and EO B-30-15, demonstrating consistency with the City's CAP would thus demonstrate consistency with the states GHG reductions goals. As such, because the project's estimated GHG emissions would not exceed 3.5 MT CO_2e per service population per year, the project's GHG emissions would not conflict with the applicable state plan, policies or regulations adopted for the purpose of reducing GHG. Therefore, impacts relative to the CAP consistency would be less than significant.

Further, although not required for the project as the GHG emissions will not exceed the identified threshold, the CAP includes measures for certain types of new development. These measures promote local renewable energy generation, electric vehicle charging infrastructure, urban forestry, reduction in single-occupancy vehicle trips, recycled water use, and other efforts that reduce the City's carbon footprint while enhancing its energy and water independence. As discussed above, the project will implement a number of the items from the CAP Consistency Checklist. Nonetheless, as a matter of regulatory compliance or PDFs, the proposed project would comply with the following CAP checklist measures:

- Renewable Energy Facilities – the proposed project would comply with applicable Title 24 requirements related to the provision of on-site solar photovoltaic energy.
- Electric Vehicle Parking and Charging Facilities – the proposed project would comply with applicable Title 24 requirements related to the provision of electric vehicle charging facilities.
- The project would connect to Recycled Water Infrastructure if available at the site.
- Transportation Demand Management – the project will prepare and implement a transportation demand management plan to reduce single-vehicle occupancy commute trips by at least 10%, including reduced or subsidized transit passes and bike facilities and infrastructure, as well as co-locating a mix of uses with affordable housing.
    - In addition, the project would unbundle parking from apartment units and charge a monthly fee for each parking space, provide a bikeshare program for residents, provide transit pass subsidies for employees of the project in the retail/commercial area, provide information packets about vehicle miles traveled reductions to new residents, and have a transportation demand management coordinator.
- Urban Forestry – The proposed project landscape plan shows increased tree planting to create shade.
- Food Scraps Recycling Program – If implemented by the City or the project site's waste hauler, the project would participate in a Food Scraps Recycling Program.

City of Oceanside General Plan

A project's adherence to the City's General Plan can be determined through demonstrating consistency with General Plan land use assumptions and policies.

The City of Oceanside is currently undergoing a General Plan Update, Onward Oceanside, which consists of three plans: The General Plan Update, the Smart and Sustainable Corridors Plan, and the South Morro Hills Community Plan. The three plans are being prepared concurrently. An Environmental Impact Report on the plans will be prepared, and an update of the City's CAP will also be undertaken.

The project site is located within and consistent with the purposes of the Smart and Sustainable Corridors Plan.

Summary

The proposed project would be consistent with state, regional, and local laws, goals, plans and policies aimed at reducing the generation of GHGs, including CARB's AB 32 Scoping Plan aimed at achieving 1990 GHG emission levels by 2020. Additionally, consistent with the City's CAP, the proposed project would generate fewer emissions than a City-specific localized GHG efficiency metric of 3.5 MT CO_2e per service population. As discussed above and elsewhere, the proposed project is consistent with the City's General Plan, has implemented a number of GHG reducing design features, is located within a Smart Growth Opportunity Area consistent with the SANDAG RTP/SCS (2021 Regional Plan), is located within a Smart and Sustainable Corridor, and is located adjacent to Crouch Street Sprinter Station and within 0.5 mile of a commuter bus route. In addition, although this analysis includes a project-specific analysis demonstrating that the project would be below the City's adopted GHG efficiency metric of 3.5 MT CO_2e, the project does not have to implement the measures identified in the City's CAP Checklist to reduce its impacts to a less-than-significant level.

Furthermore, the project would be required, at a minimum, to comply with the latest version of Title 24 standards at the time the project seeks building permits. This will likely be the 2019 standards, as those standards will go into effect on January 1, 2020. The 2019 standards continue to improve upon the 2016 standards for residential and nonresidential buildings. One of the most notable changes in the 2019 standards is the requirement for the installation of rooftop solar on residential buildings (CEC 2018). The state updates these regulations every 3 years. Thus, depending on when the project applies for building permits, the project may be required to comply with the more stringent, post-2019 Title 24 standards.

Therefore, the proposed project's generation of GHG emissions would not conflict with an applicable plan, policy, or regulation for the purposes of reducing the emissions of GHGs and project impacts would be **less than significant.**

c. Cumulative Impacts

Less-than-Significant Impact.

Due to the global nature of the assessment of GHG emissions and the effects of global climate change, impacts can currently only be analyzed from a cumulative impact context; therefore, this analysis includes the assessment of both project and cumulative impacts. Under CEQA, a project would have a significant cumulative

impact caused by the combined impact of past, present, and probable future projects if its incremental impact represents a "cumulatively considerable" contribution to such cumulative impacts (14 CCR 15064[h]).

Construction of the project would result in GHG emissions primarily associated with the use of off-road construction equipment, on-road hauling and vendor (material delivery) trucks, and worker vehicles. However, GHG emissions generated during construction of the project would be short-term in nature, lasting only for the duration of the construction period (27 months), and would not represent a long-term source of GHG emissions. Therefore, cumulative impacts would be less than significant.

The project would generate operational GHG emissions from area sources (landscape maintenance equipment), energy sources (natural gas and electricity consumption), mobile sources (vehicle trips), water supply and wastewater treatment, and solid waste. However, based on the service population of 693 people, the project would result in GHG emissions of approximately 2.2 MT CO_2e per service population per year. Thus, the project's estimated GHG emissions would not exceed the 3.5 MT CO2e per service population per year and the project's GHG emissions would have a less-than-significant cumulative impact.

The project was shown to be consistent with SANDAG's 2021 Regional Plan (SANDAG 2021), the City of Oceanside General Plan, the goals of SB 32 and EO S-3-05 and other applicable plans, policies, and regulations adopted for the purpose of reducing the emissions of greenhouse gases. Therefore, the project would not conflict with an applicable plan adopted for the purpose of reducing GHG emissions, and plan consistency impacts would have a **less-than-significant cumulative impact.**

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6.9 Hazards and Hazardous Materials

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

The following analysis utilizes information provided in the Phase I Environmental Site Assessment (ESA), prepared by Leighton and Associates Inc., dated September 3, 2019. The Phase I ESA is available as Appendix G.

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less-than-Significant Impact. The following provides an analysis of the potential of the proposed Ocean Creek Mixed Use Project (project) to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials during construction and operation of the project.

Construction

The Phase I ESA (Appendix G) identified no known contaminated soils located on the property that would require transport, use, or disposal. Construction activities would entail routine transport of materials potentially hazardous to humans, wildlife, and sensitive environments. These materials include gasoline oil, solvents, cleaners, paint, and various other liquids and materials required for the operation of construction equipment. Direct impacts to human health and biological resources from accidental spills of the small amounts of hazardous materials used by construction equipment could potentially occur because of the proposed project.

With respect to construction activities involving potential hazardous materials, the proposed project must comply with federal, state, and local health and safety requirements intended to minimize hazardous materials risk to the public, such as California Occupational Safety and Health Administration requirements, the Hazardous Waste Control Act, the California Accidental Release Prevention Program, and the California Health and Safety Code. Additionally, as a matter of regulatory compliance, the project must implement standard best management practices included in the stormwater pollution prevention plan required of the proposed project by the Construction General Permit (see Section 6.10, Hydrology and Water Quality). Associated hazardous materials handling protocols required by the U.S. Environmental Protection Agency, State of California, San Diego County, and/or the City of Oceanside (City) would be prepared and implemented to ensure the safe storage, handling, transport, use, and disposal of all hazardous materials during the construction phase of the proposed project. Thus, through regulatory compliance measures and given the nature of the construction operations, project construction would not create a significant hazard to the public or the environment related to the routine transport, use, or disposal of hazardous materials and project impacts would be **less than significant.**

Operations

Residential and commercial uses are not typically associated with the transport, use, or disposal of hazardous materials. Household goods used by residential homes and/or retail spaces that contain toxic substances are usually low in concentration and used in small amounts. These goods are regulated by various government agencies at the federal and state level. While the proposed project is an apartment complex, which necessarily condenses many households into a small area, such a concentration of housing will not create a significant hazard to the public or the environment through the use of such household goods because the quantities used are so small. Residents, management/service providers (i.e., landscape maintenance), and retail personnel are required by law to dispose of household hazardous waste, including pesticides, batteries, old paint, solvents, used oil, antifreeze, and other chemicals, at a Household Hazardous Waste Collection Facility. Also, as of February 2006, fluorescent lamps, batteries, and mercury thermostats can no longer be disposed in the trash. Furthermore, the transport, use, and disposal of hazardous materials are fully regulated by the U.S. Environmental Protection Agency, State of California, San Diego County, and/or the City. Therefore, there is no significant risk to humans or the environment from

the use of such household goods. Therefore, through mandatory regulatory compliance, the project operations would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials and project impacts would be **less than significant.**

b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Construction

Less-than-Significant Impact. Construction equipment that would be used to build the proposed project has the potential to release relatively small amounts of oils, greases, solvents, and other finishing materials through accidental spills. Spill or upset of these materials could have the potential to create a significant hazard to the public or the environment; however, federal, state, and local controls have been enacted to reduce the effects of such potential hazardous materials spills. The Oceanside Fire Department enforces City, state, and federal hazardous materials regulations for the City. City regulations include spill mitigation and containment and securing of hazardous materials containers to prevent spills. Compliance with these requirements is mandatory as standard permitting conditions, and would minimize the potential for the accidental release or upset of hazardous materials, thus ensuring public safety. Therefore, compliance with regulatory requirements such as California Occupational Safety and Health Administration requirements, the Hazardous Waste Control Act, California Accidental Release Prevention Program, and the California Health and Safety Code would result in **less-than-significant impacts** with respect to the creation of significant hazards to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Operations

Less-than-Significant Impact. As stated above, multifamily residential (including management activities and maintenance services) and commercial uses are not typically associated with the use of material quantities of hazardous materials. Residents, management activities and maintenance services, and commercial tenant personnel are required to dispose of household hazardous waste at a Household Hazardous Waste Collection Facility. In addition, operations would be required to comply with U.S. Environmental Protection Agency, State of California, San Diego County, and/or the City regulations pertaining to household wastes. Therefore, through regulatory compliance the project operations would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment and impacts would be **less than significant.**

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less-than-Significant Impact. The project site is located within 0.25 miles of an existing school. Lincoln Middle School is south of the project site, with athletic fields located approximately 750 feet from the project site and classrooms approximately 1,200 feet south of the project site. In addition, both Palmquist Elementary School and El Camino Preschool are within approximately 1,750 feet (0.35 miles) of the project site, located south/southeast of the project location.

Construction activities would comply with the above requirements such as California Occupational Safety and Health Administration requirements, the Hazardous Waste Control Act, California Accidental Release Prevention Program, and the California Health and Safety Code. Compliance with these requirements is mandatory and would minimize the potential for the accidental release of hazardous materials. As stated above, operation of the project's residential and retail uses is not typically associated with the transport, use, or disposal of hazardous materials.

As described in Section 6.3, Air Quality, both construction and operational health risk assessments were performed for the proposed project. The project was found to have a less-than-significant effect on health risk, cancer-risk, and non-cancer risk as explained in Section 6.3(c). Therefore, because the proposed project's construction activity would comply with all regulatory requirements, and because the project-specific analysis determined that construction-related and operational health risks would be below applicable thresholds, the proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 miles of an existing or proposed school and impacts to schools would be **less than significant.**

d) Would the project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact. The Phase I ESA (Appendix G) has revealed no evidence of recognized environmental conditions, historical recognized environmental conditions, or controlled recognized environmental conditions. According to the Phase I ESA, the project site is not identified on the "Cortese" Hazardous Waste and Substances Sites List/Historical Cortese databases. As indicated above and detailed in the Phase I ESA (Appendix G), the site does not warrant listing. Therefore, **no impacts** would occur with implementation of the project as it is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, the project would not create a significant hazard to the public or the environment related to development of a hazardous materials site.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

No Impact. The nearest airport is the Oceanside Municipal Airport, located approximately 1.75 miles northeast of the project site. The project site is located within Review Area 2 of the Oceanside Municipal Airport Land Use Compatibility Plan (2010). As described on page 2.3-12 of the Oceanside Municipal Airport Land Use Compatibility Plan, the only land use actions that require ALUC review in Review Area 2 are:

i) Any object which has received a final notice of determination from the FAA [Federal Aviation Administration] that the project will constitute a hazard or obstruction to air navigation, to the extent applicable.

ii) Any proposed object in a High Terrain Zone or in an area of terrain penetration to airspace surfaces which has a height greater than 35 feet above ground level.

iii) Any project having the potential to create electrical or visual hazards to aircraft in flight, including: electrical interference with radio communications or navigational signals; lighting which could be mistaken for airport lighting; glare or bright lights

(including laser lights) in the eyes of pilots or aircraft using the Airport; certain colors of neon lights- especially red and white- that can interfere with night vision goggles; and impaired visibility near the Airport. The local agency should coordinate with the airport operator in making this determination.

iv) Any project having the potential to cause an increase in the attraction of birds or other wildlife that can be hazardous to aircraft operations in the vicinity of the Airport. The local agency should coordinate with the airport operator in making this decision.

The project does not fall into any of these categories because it is not subject to any review by the Federal Aviation Administration, is not within a High Terrain Zone, would not create electrical or visual hazards to aircraft in flight, and would not increase the attraction of birds or other wildlife that can be hazardous to aircraft operations. Specific to item (ii), the portions of the project site proposed for development with multifamily apartments and commercial are flat and at a low elevation. Relative to item (iii), while the proposed project would comply with any requirements under Title 24 for the installation of solar photovoltaic panels, which may cause glare, it is not expected that, nor has the Federal Aviation Administration or other agency made a determination that, such solar panels required to comply with Title 24 cause hazards to aircraft in flight.

Because the proposed project does not fall within any of these categories, it is not subject to Airport Land Use Committee review. The Oceanside Municipal Airport Land Use Compatibility Plan also clarifies that within Review Area 2, "land uses are not restricted in this area, other than with respect to height limits, related airspace protection policies, and overflight notification requirements." Accordingly, because the project site is within Review Area 2, "the recordation of overflight notification documents is . . . required." An overflight notification is a buyer awareness tool informing prospective buyers of property near an airport, particularly residential property, about the airport's potential impact on the property. An overflight notification is recorded in the property's chain of title and indicates that the property may be subject to some of the annoyances or inconveniences associated with proximity to an airport and aircraft operations (such as noise, vibration, overflights, or odors). An overflight notification does not convey property rights from the property owner to the airport and does not restrict the height of objects. It simply documents the existence of conditions that may affect the property. The types of issues disclosed in overflight notification, as they relate to the project site, do not result in any adverse, significant physical impacts to the environment.

Further, as shown in Figure 6.9-1, the project site is not located within any identified noise contour for the Oceanside Municipal Airport. As such, the project would not expose people to excessive aircraft noise levels. Therefore, the project's location within 2 miles of a public airport would not result in a safety hazard or excessive noise for people residing or working in the project area, and **no significant impact** would occur.

f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. The adopted emergency plans applicable to the project area consists of the Multi-Jurisdictional Hazard Mitigation Plan for San Diego County (County of San Diego 2018a) and the City's Emergency Plan (City of Oceanside 2016). In addition, the City has developed a tsunami evacuation map (City of Oceanside n.d.).

The Multi-Jurisdictional Hazard Mitigation Plan is a countywide plan that identifies risks and ways to minimize damage by natural and human-made disasters. The plan is a comprehensive resource document

that serves many purposes such as enhancing public awareness, creating a decision tool for management, promoting compliance with state and federal program requirements, enhancing local policies for hazard mitigation capability, and providing inter-jurisdictional coordination. The project would not impair inter-jurisdictional coordination because it would be constructed in accordable with all applicable provisions of the California Building Code, would provide for adequate emergency access through the extension of S. Oceanside Boulevard and provision of two access points, and would implement land uses that are consistent with the surrounding areas and adopted General Plan Land Use designations and Zoning.

The 2016 Emergency Operations Plan was adopted by City Council on March 15, 2017. The City's Emergency Operations Plan describes a comprehensive emergency management system that provides for a planned response to disaster situations associated with natural disasters, technological incidents, terrorism, and nuclear-related incidents. It delineates operational concepts relating to various emergency situations, identifies components of the emergency management organization, and describes the overall responsibilities for protecting life and property and assuring the overall well-being of the population. The plan also identifies the sources of outside support that might be provided (through mutual aid and specific statutory authorities) by other jurisdictions, state and federal agencies and the private sector. The project would not impair or physically interfere with the Emergency Operations Plan because it would be constructed in accordance with all applicable provisions of the California Building Code, would provide for adequate emergency access through the extension of S. Oceanside Boulevard and provision of two access points, and would implement land uses that are consistent with the surrounding areas and adopted General Plan Land Use and Zoning designations.

The proposed project would provide two access points for emergency responders from South Oceanside Boulevard. The proposed project would not require the full closure of any public or private streets or roadways during construction or operations, and would not impede access of emergency vehicles to the project or any surrounding areas. The project would provide all required emergency access in accordance with the requirements of the Oceanside Fire Department, as detailed in Section 6.17, Transportation. The proposed project would not impair or physically impact any adopted emergency response plan or evacuation plan.

As discussed in Section 6.10, the coast of the City is within a tsunami inundation area. As a part of the City's Emergency Operations Plan, the City developed a tsunami evacuation map (City of Oceanside n.d.). The tsunami evacuation area for the City is roughly defined by Broadway Street/Cleveland Street, west of Interstate 5 roughly 1 mile from the project site. This City map shows the project site located outside of the tsunami evacuation area. Because the project is outside the tsunami evacuation area, the project would not interfere with any evacuation routes identified on the tsunami evacuation map. As the project is not within the identified evacuation area and is located at a higher elevation than the adjacent area, the project site would not likely need to evacuate during a typical tsunami event.

Overall, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, impacts would be **less than significant.**

g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

No Impact. According to Figure 6.9-2, Fire Hazard Severity Zones, which is based on the California Department of Forestry and Fire Protection Fire and Resource Assessment Program map, the project site is

not located within or adjacent to a Very High, High, or Moderate Fire Hazard Severity Zone. The project site is surrounded by urban and developed areas of the City to the west and north. Existing natural open space exists to the east and south of the project site. The proposed project would set buildings back from open space areas by between roughly 60 and 100 feet and would provide for fire access lanes and fire hydrants between open space areas and habitable buildings. These setback areas would be comprised of hardscape (i.e., roadways and parking stalls) or would be landscaped and irrigated. While not technical fuel modification zones, these setbacks would provide for defensible space to attack a wildfire in the open space areas surrounding the project site. The project would also be buffered from potential wildfire from the east by Crouch Street. Further, all buildings would be constructed in compliance with the California Building Code and Consolidate Fire Code. The City of Oceanside Fire Department reviewed the project plans and all comments have been incorporated into the project design, or the project would otherwise be required to comply with any Conditions of Approval. Therefore, because the project site is not within a Very High or High Fire Hazard Severity Zone, and because the project would provide adequate fire access and construct project buildings in conformance with the California Building Code and Consolidate Fire Code, the project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires and impacts would be **less than significant.**

h) Cumulative Impacts

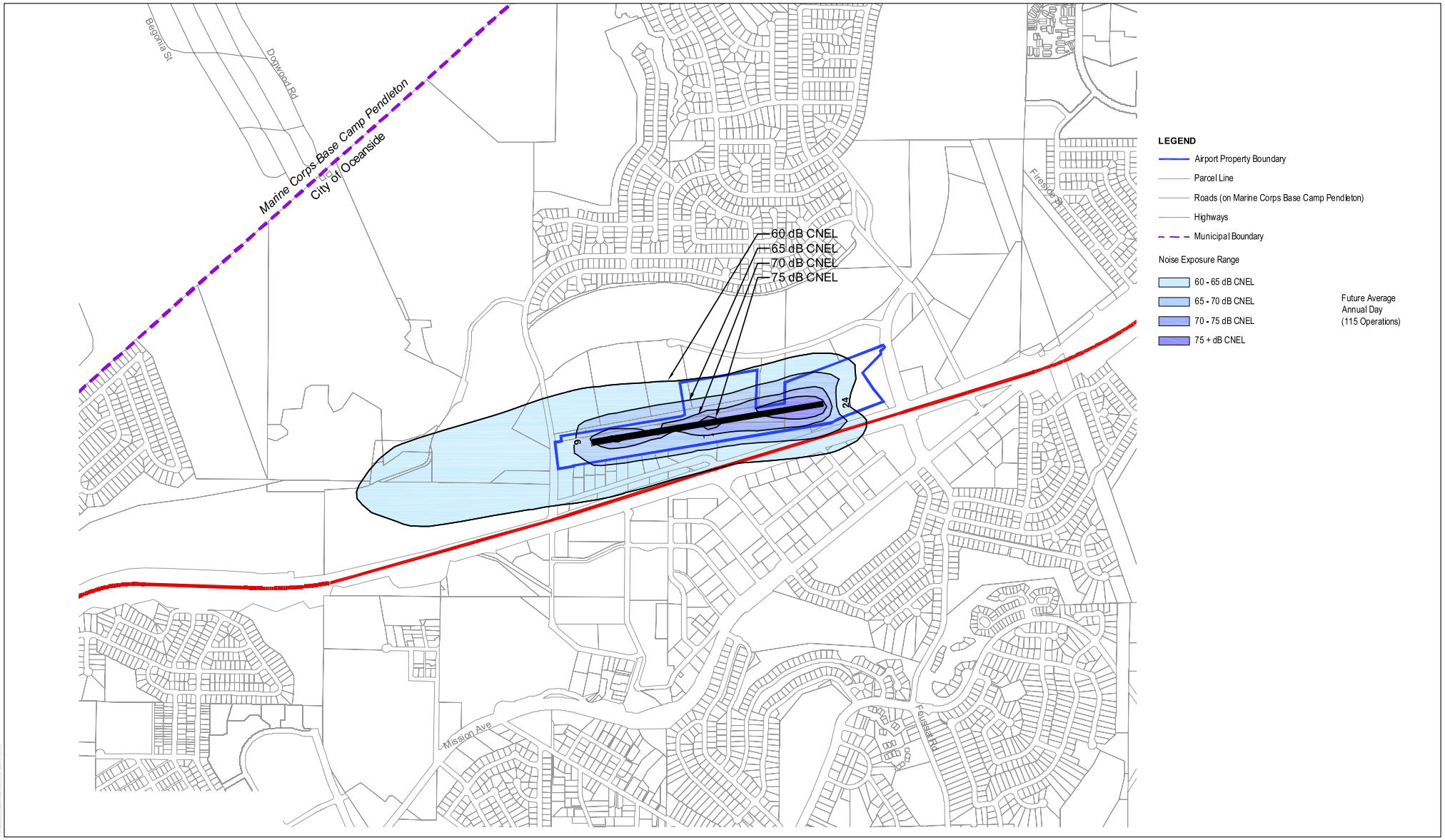
Less-than-Significant Impact. Cumulative impacts related to hazards and hazardous materials would result from projects that combine to increase exposure to hazards and hazardous materials. The geographic context considered for potential cumulative impacts related to hazards and hazardous materials is localized and limited to the immediate surrounding area. As shown in Figure 2-10, only the Grandview Ave Subdivision and Classical Academy CUP projects are adjacent to or in close proximity to the project site.

During construction of the proposed project, there is potential for release of hazardous materials related to storage, transport, use, and disposal from construction debris, landscaping, and commercial products. However, the proposed project would be required to adhere to federal, state, and local laws, such as California's Occupational Safety and Health Administration requirements, Hazardous Waste Control Act, California Accidental Release Prevention, and the California Health and Safety Code, which regulate the management and use of hazardous materials, which are intended to minimize risk to public health associated with hazardous materials. The proposed project proposes residential and commercial development, which is not typically considered a source of substantial hazardous materials, so project operations would not contribute to cumulatively significant impacts related to this topic. Further, as analyzed in the project's Air Quality Technical Study (Appendix A) and disclosed in Section 6.3, both construction and operational health risk assessments were performed for the proposed project. The project was found to have a less-than-significant effect on health risk, cancer-risk, and non-cancer risk. Therefore, as the project's contribution to health risks of that nature would be below applicable thresholds, the proposed project would not contribute to a cumulative impact with respect to the release of hazardous materials.

Cumulative projects would be required to remediate any hazardous conditions that could combine with the less-than-significant hazardous material impacts of the project. Specifically, the Grandview Ave Subdivision and Classical Academy CUP projects would also be subject to federal, state, and local regulations that avoid significant impacts related to hazardous materials (City of Oceanside 2010). Therefore, the proposed project combined with the cumulative projects would result in a **less-than-significant cumulative impact** related to hazards and hazardous materials.

The proposed project would provide for a connection in the City's Circulation Element to provide additional emergency evacuation routes, which would be available to residents in the Grandview Avenue Subdivision and Classical Academy CUP projects. The adopted emergency plans applicable to the project area consist of the Multi-Jurisdictional Hazard Mitigation Plan for San Diego County (County of San Diego 2018a), the San Diego County Emergency Operations Plan (County of San Diego 2018b) and the City of Oceanside Emergency Plan (Oceanside Fire Department 2016). In addition, the City has developed a tsunami evacuation map (City of Oceanside n.d.). The project and cumulative projects would be required to comply with the Multi-Jurisdictional Hazard Mitigation Plan for San Diego County, the San Diego County Emergency Operations Plan, and the City of Oceanside Emergency Plan, and not impede or affect implementation of these plans. Thus, the project and cumulative projects would have **less-than-significant cumulative impacts** related to impairing implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

According to the California Department of Forestry and Fire Protection's Very High Fire Hazard Severity Zones in Local Responsibility Area map, the project site and nearest cumulative projects are not located within or adjacent to a Very High Fire Hazard Severity Zone (CAL FIRE 2009). The project site is located within an urbanized and developed area of the City. The project site and applicable related projects do not contain, and are not adjacent to, designated wildlands. The project would not combine within any cumulative projects in a manner that would increase potential wildland fire exposure. Therefore, cumulative impacts would be **less than significant.**



SOURCE: Infrastructure Engineering Corporation

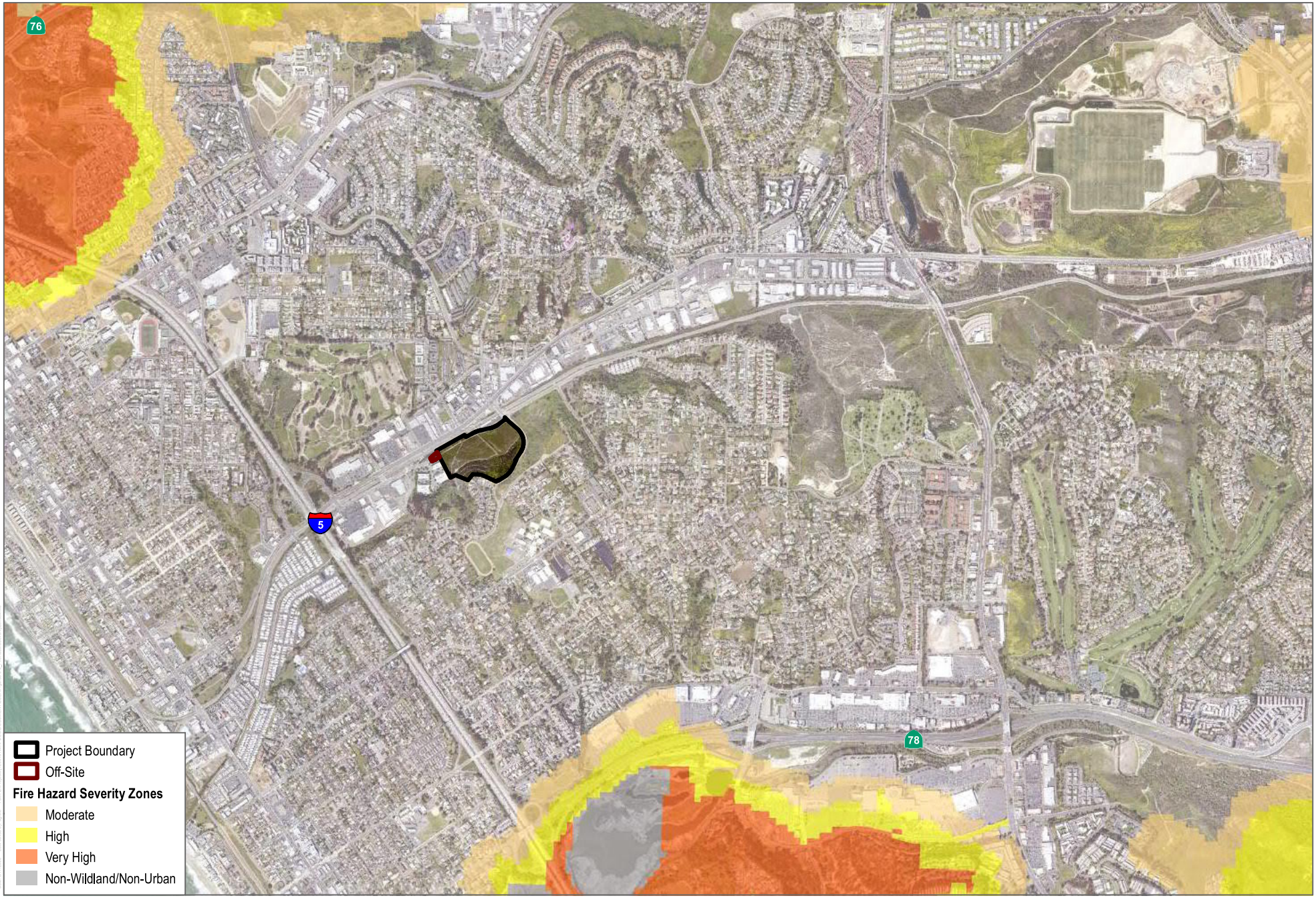
FIGURE 6.9-1

Oceanside Municipal Airfield Noise COntour Map

Ocean Creek Mixed Use Apartments

DUDEK

INTENTIONALLY LEFT BLANK



SOURCE: CAL FIRE; SANGIS 2020

DUDEK

0 1,000 2,000 Feet

FIGURE 6.9-2

Fire Hazard Severity Zones

Ocean Creek Mixed Use Apartments

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6.10 Hydrology and Water Quality

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY – Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
iv) impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

The following analysis utilizes information provided in the Storm Water Quality Management Plan – Ocean Creek Oceanside, prepared by Fuscoe Engineering Inc., February 2022 (SWQMP); the Drainage Study – Ocean Creek Oceanside, prepared by Fuscoe Engineering Inc., February 2022 (Drainage Study); the Update Geotechnical Investigation, prepared by Leighton and Associates Inc., February 2022 (Geotechnical Report); and the Hydraulic Analyses for Jefferson Oceanside, prepared by Chang Consultants, April 2022 (Hydraulic Analyses). The Geotechnical Report, Drainage Study, Hydraulic Analyses, and SWQMP are available as Appendices D2, H1, H2,

and I, respectively. In addition, the following analysis utilizes information in the Conceptual Grading and Utility Plans for Ocean Creek, prepared by Fuscoe Engineering Inc., February 2022 (Grading Plans).

The project site is located adjacent to Loma Alta Creek, which is a State Water Resources Control Board–designated impaired water body, based on the presence of selenium, toxicity, benthic community effects, bifenthrin (a pesticide), cyfluthrinm (insecticide), lambda-cyhalothrin (insecticide), nitrogen, pathogens, phosphorus, and pyrethroids (insecticide). Loma Alta Slough is impaired by eutrophication and pathogens. The Pacific Ocean Shoreline at the Loma Alta Creek Mouth is impaired by pathogens and trash (Environmental Protection Agency 2022). Similarly, the Carlsbad Watershed Management Area Water Quality Improvement Plan (WQIP) has identified toxicity in Loma Alta Creek; trash, eutrophic conditions, and indicator bacteria in the Loma Alta Slough; and indicator bacteria at the Pacific Ocean shoreline, at the Loma Alta Creek Mouth. A Total Maximum Daily Load was established in 2008 for phosphorus, associated with eutrophic conditions; however, the Total Maximum Daily Load was postponed in 2014 in favor of the WQIP process established in the Carlsbad Watershed Management Area WQIP. This process is designed to restore the beneficial uses of Loma Alta Slough through watershed management actions paired with a rigorous long-term investigative water quality monitoring program. These commitments, which were outlined in Regional Water Quality Control Board (RWQCB) Resolution No. R9-2014-0020, included the City of Oceanside adopting the final numeric targets from the draft Total Maximum Daily Load as the WQIP Final Numeric Goals for the Loma Alta watershed (Carlsbad Watershed Management Area Responsible Agencies 2016). Considering the downstream waters are impaired by these pollutants, the potential pollutants of concern that may be generated by the project, based on the proposed residential and commercial uses, are sediment, nutrients, organic compounds, trash and debris, oxygen demanding substances, oil and grease, bacteria and viruses, and pesticides (Appendix I).

The proposed building area is located outside the regulatory floodway of Loma Alta Creek, but a portion is within the 100-year floodplain. In addition, the proposed extension of S. Oceanside Boulevard encroaches into a portion of the floodplain and regulatory floodway. Except for the southwest portion of the project site, most of the proposed building area is designated as Zone X (unshaded), areas with a 0.2% annual chance flood hazard (500-year flood plain) or areas with a 1% annual chance flood with average depths less than 1 foot. The southwest portion of the proposed building envelope is designated as Zone X, area of minimal flood hazard (Appendix H2).

Relative to groundwater, the San Diego RWQCB Basin Plan, most recently amended on September 1, 2021, sets forth water quality objectives for Region 9 (San Diego RWQCB 2021). Specifically, the Basin Plan is designed to accomplish the following: (1) designate beneficial uses for surface and groundwater, (2) set the narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state's anti-degradation policy, (3) describe mitigation measures to protect the beneficial uses of all waters within the region, and (4) describe surveillance and monitoring activities to evaluate the effectiveness of the Basin Plan. The Basin Plan incorporates by reference all applicable State Water Resources Control Board and San Diego RWQCB plans and policies.

a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Construction

Less-than-Significant Impact. Construction activities associated with the proposed project could result in wind and water erosion of the disturbed area leading to sediment discharges and siltation of the adjacent Loma Alta Creek. Fuels, oils, lubricants, and other hazardous substances used during construction could

be released and impact water quality. Because project grading and construction would disturb more than 1 acre of land, the proposed project is required to comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activity, Order No. 2009-0009-DWQ (the Construction General Permit), which requires projects of 1 acre or more to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) prior to grading and construction activities. As a matter of law, the SWPPP is required to identify best management practices (BMPs) that protect stormwater runoff and ensure the avoidance of substantial degradation of water quality and compliance with waste discharger requirements during project construction. Typical BMPs that could be incorporated into the SWPPP to protect water quality include placing perimeter straw wattles to prevent off-site transport of sediment, constructing temporary siltation basins at site drainage exit points, establishing equipment fueling and maintenance areas not in proximity to Loma Alta Creek, and use of absorbent pads to clean incidental petroleum spills. Construction related erosion impacts would also be minimized through compliance with the City standards established in the Engineering Design and Processing Manual and Grading Regulations Manual, which includes the preparation of an Erosion Control Plan pursuant to the Annual Erosion Control Plan Update Requirements (2021-2022) (City of Oceanside 2021a). These measures include best management practices such as straw matting, erosion control blankets and/or hydroseeding to secure unplanted slopes by the rainy season.

Based on the updated project-specific Geotechnical Report (Appendix D2), groundwater is present at depths of 10 to 16 feet below ground surface. Incidental spills of petroleum products during equipment fueling and maintenance would be immediately cleaned up and would not penetrate the ground surface such that groundwater would be impacted.

Grading and construction in compliance with an NPDES-mandated SWPPP and the City Grading Regulations Manual would minimize surface water and groundwater quality impacts such that the project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Impacts would be **less than significant.**

Operation

Less-than-Significant Impact. Potential operational water quality impacts would primarily be related to incidental releases of vehicle oil, grease, and metals (from brakes) in parking areas; residual pesticides, herbicides, and fertilizers in landscape areas; residual pet waste; and incidental trash and debris not placed in appropriate receptacles.

Oceanside Municipal Permit regulations require projects to demonstrate compliance with the 2013 RWQCB Order R9-2013-0001, NPDES Permit and Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems (MS4) Draining the Watersheds within the San Diego Region. In addition, Oceanside Municipal Permit regulations require projects to demonstrate compliance with the City's BMP Design Manual (City of Oceanside 2022) and Chapter 40 of the City Municipal Code (Urban Runoff and Discharge Control) Requirements include minimum standards for the implementation of low impact development (LID) practices and the integration of flow control criteria designed to mitigate storm runoff peaks and durations from development sites. The project is also required to include permanent site design, storm water treatment and hydromodification management per the City's BMP requirements. Therefore, an SWQMP (Appendix I) has been prepared to address the project's operational impacts to water quality and the potential pollutants of concern. Because the project is a new development that would create 10,000 square feet or more of impervious surfaces, the project is considered a Priority Development Project. Therefore, the project SWQMP has been completed as a Priority Development Project SWQMP,

which has specific hydromodification requirements for source control BMPs and LID features, per the City of Oceanside BMP Design Manual for Permanent Site Design, Storm Water Treatment, and Hydromodification Management (City of Oceanside 2022).

Per the SWQMP, the eastern portion of the project site sheet flows north toward a public storm drain, which in turn flows into Loma Alta Creek. The western portion of the site flows northwest toward an existing concrete-lined channel, which in turn flows into Loma Alta Creek. The creek flows to the Loma Alta Slough before ultimately discharging to the Pacific Ocean at the Loma Alta Creek Mouth. Based on the potential for destabilizing the existing landslides on-site, in combination with very slow infiltration rates (NRCS Soil Type D) and the depth of undocumented fill that would need to be over-excavated, full LID infiltration design was determined to be infeasible. In addition, harvest and on-site reuse of stormwater was determined to be infeasible. Therefore, proposed hydromodification and water quality source controls include one lined biofiltration basin (designed for 10-year storm event), a Modular Wetland System (biofiltration units that empty into the storm drains), underground detention storage pipes, landscaping, decomposed granite pathways, and tree wells. Laboratory and field testing indicates that the Modular Wetland System (Bio Clean) would remove 91% to 99% of total suspended solids, 79% to 93% of dissolved copper, and 78% to 80% of dissolved zinc. The system also removes total phosphorus. The Project Applicant would be required to maintain the hydromodification and water quality source control BMPs in perpetuity. As a result, implementation of the SWQMP would minimize surface water and groundwater quality impacts during operations such that the project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Impacts would be **less than significant.**

b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Less-than-Significant Impact. The proposed project would not use local, underlying groundwater during construction or operation. According to the updated Geotechnical Report (Appendix D2), groundwater was encountered during the field exploration at depths of 10 to 16 feet below ground surface. The project would not include subterranean parking and construction would not extend into groundwater. Based on the Geotechnical Report, except for possible localized areas of unsuitable documented fill, only the upper 1 to 5 feet of existing fill material would be over-excavated and recompacted. Deeper areas of alluvium requiring removal and recompaction would not be excavated within 2 feet of groundwater. Therefore, groundwater is not anticipated to be encountered during site grading and subsequent development.

As discussed in more detail in Section 6.19, Utilities and Service Systems, the City's current water supplies include raw and treated water purchased from San Diego County Water Authority (SDCWA), desalinated local groundwater from the Mission Groundwater Basin, and non-potable recycled water. The City is also actively developing indirect potable reuse as a future supply. Treated water will be produced at the City's Advanced Water Treatment facility and injected into the Mission Basin for eventual extraction and treatment for potable use.

Citywide water supply planning is completed via the 2020 Urban Water Management Plan (UWMP) (City of Oceanside 2021b). The 2020 UWMP analyzed the City's ability to provide sufficient water supplies during normal, dry, and multiple dry years. The UWMP determined that, with implementation of conservation measures, the City would have sufficient capacity (including groundwater) to serve existing and future planned growth between 2020 and 2045.

In addition, the SDCWA has developed a Water Shortage Contingency Plan (SDCWA 2020) that identifies ways in which the region can reduce water consumption during catastrophic events and in drought years. As part of the Water Shortage Contingency Plan, the Drought Ordinance established four drought stages of actions that can be taken to reduce water demand up to 40% or more. Because the occupants of the project would be a customer within the City's service area, the project would adhere to any extraordinary conservation measures imposed by the City.

The California Sustainable Groundwater Management Act (SGMA) requires governments and water agencies of high- and medium-priority basins to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. Under SGMA, these basins should reach sustainability within 20 years of implementing their sustainability plans. For critically over-drafted basins, sustainability should be achieved by 2040. For the remaining high- and medium-priority basins, 2042 is the deadline. The Mission Groundwater Basin is designated as a low- to very-low-priority basin under SGMA (DWR 2022). Based on available groundwater supplies, as determined by the UWMP and SGMA, the project would not impede sustainable groundwater management of the Mission Basin.

Although the proposed project would result in a change in amount of impervious groundcover on the project site, the proposed project would include approximately 111,266 square feet of pervious features that include softscape/planting and irrigation areas. This relatively small area of pervious ground would be substantially less than under existing conditions. However, based on the very slow infiltration rates (NRCS Soil Type D) of on-site soils, the project site is not an area of active groundwater recharge. As a result, the substantial increase in impervious surfaces as a result of project construction would not substantially interfere with groundwater recharge.

Considering that (1) the 2020 City UWMP concludes that the City would have sufficient water supplies (including groundwater) during normal, dry, and multiple dry years, through 2045; (2) the Mission Groundwater Basin is a low to very low priority with respect to SGMA; and (3) the project would provide adequate pervious surfaces to allow continued groundwater recharge on site, the project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Impacts would be **less than significant.**

c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i. Result in substantial erosion or siltation on- or off-site?

Less-than-Significant Impact. The project would maintain existing drainage patterns to the maximum extent practical. As in existing conditions, stormwater runoff from the proposed development would ultimately discharge to Loma Alta Creek, located north of the property boundary, and would maintain the two existing discharge points. Stormwater runoff would be collected in a series of inlets and conveyed through a series of storm drains to Loma Alta Creek. Similarly, runoff from the residential development to the south of the site would be maintained similar to existing conditions. Runoff from the off-site property would be collected in a series of inlets and conveyed north through the project site via private storm drains, before discharging into the proposed public storm drain system within S. Oceanside Boulevard (Appendix H1).

The project site is currently unpaved and pervious. Project construction would result in 7.36 acres of new impervious surfaces; however, the project would also include approximately 2.5 acres of pervious features that include softscape/planting and irrigation areas. In addition, proposed hydromodification and water quality source controls include one lined biofiltration basin (designed for 10-year storm event), a Modular Wetland System (biofiltration units that empty into the storm drains), underground detention storage pipes, landscaping, decomposed granite pathways, and tree wells (Appendix I). With incorporation of these hydromodification and water quality features, hydraulic modeling indicates that the project would not result in increased 100-year peak runoff rates. As indicated in Table 6.10-1, the proposed mitigated 100-year peak discharge is 86.89 cubic feet per second, which is less than the existing 100-year peak discharge of 96.66 cubic feet per second (Appendix H1). As a result, off-site erosive scour and sedimentation of Loma Alta Creek would not occur following construction.

Table 6.10-1. Pre and Post Project Drainage Discharge

Node	Area (ac.)	Existing 100-year Discharge (CFS)	Proposed 100-year Discharge (CFS) (unmitigated)	Proposed 100-year Discharge (CFS) (mitigated)
300	6.59	11.64	15.61	9.39
400	50.07	78.39	81.05	77.50
Total	**61.58**	**90.03**	**96.66**	**86.89**

With respect to potential on-site erosion, site surfaces would be covered by pavement, buildings, or landscaping. Positive surface drainage would be provided to direct surface water away from structures toward the street or suitable drainage facilities. In compliance with Appendix J, Grading, of the California Building Code, all surface runoff would be controlled in accordance with the project grading plan in a manner to avoid erosion and sedimentation. In accordance with these grading regulations, faces of cut and fill slopes would be prepared and maintained to control erosion. Where necessary, check dams, cribbing, riprap, or other devices or methods would be employed to control erosion. Interceptor drains would be installed at the top of cut slopes receiving drainage from a tributary width greater than 40 feet. Drainage across property lines would not exceed that which existed prior to grading. Excess or concentrated drainage would be contained on site or directed to an approved drainage facility. Erosion of the ground in the area of discharge would be prevented by installation of nonerosive down-drains or other devices. Terraces at least 6 feet in width would be established at not more than 30-foot vertical intervals on all cut or fill slopes to control surface drainage and debris. Swales and ditches would be provided on the terraces, with a minimum gradient of 5%, and would be paved with concrete. A single run of swale or ditch would not collect runoff from a tributary area exceeding 13,500 square feet without discharging to a down-drain. All fill material would be compacted to 90% of maximum density, in lifts not exceeding 12 inches in depth. Each of these mandatory grading techniques would contribute to controlling stormwater runoff, which in turn would avoid erosion and sedimentation.

On-site drainage in the east half of the site would be conveyed to a series of inlets that would collect and convey stormwater runoff through treatment control BMPs. From the BMPs, stormwater would drain to a central on-site underground detention system for hydromodification and 100-year stormwater flow attenuation. Stormwater would then be conveyed north via a 24-inch reinforced concrete pipe to the proposed storm drain system, which would continue north-northwest and discharge to the existing curb

inlet located on the north side of South Oceanside Boulevard. (Appendix H-1). These stormwater controls would minimize potential on-site erosive scour in unpaved, landscaped areas.

On-site drainage on the west half of the site would be divided into two drainage areas for stormwater treatment. Both areas would consist of sheet flow and mild concentrated flows that would drain north-northwest, with an average slope of 1% to 2%. Both areas would similarly drain to a central on-site underground detention system for hydromodification and 100-year peak flow attenuation. Stormwater would then be conveyed via 24-inch reinforced concrete pipe to the public storm drain system. The majority of the proposed extension of South Oceanside Boulevard would drain west towards the northwest corner of the project site, where it would be collected by two proposed curb inlets, located on the north side of South Oceanside Boulevard (Appendix H-1). These stormwater controls would similarly minimize potential on-site erosive scour in unpaved, landscaped areas.

As a result, the project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site. Impacts would be **less than significant.**

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

Less-than-Significant Impact. As indicated in Section 6.10(c-i), with incorporation of proposed hydromodification and water quality features, hydraulic modeling indicates that the project would not result in increased 100-year peak runoff rates. In addition, positive surface drainage would be provided to direct surface water away from structures toward the street or suitable drainage facilities. As discussed for Section 6.10(a), compliance with the MS4 permit and BMP Design Manual (City of Oceanside 2022) includes compliance with project specific SWQMP requirements prior to project approval or issuance of local permits. Requirements include minimum standards for the implementation of LID practices and the integration of flow control criteria designed to mitigate storm runoff peaks and durations from development sites. The project SWQMP has been completed as a Priority Development Project SWQMP, which has specific hydromodification requirements for source control BMPs and LID features, per the City BMP Design Manual. In addition, as described for Section 6.10(c-i), in compliance with Appendix J, Grading, of the California Building Code, all surface runoff would be controlled in accordance with the project grading plan in a manner to avoid erosion and sedimentation. As a result, all surface runoff would be controlled in accordance with the project grading plan and SWQMP, such that excess stormwater runoff would not be concentrated and result in flooding. Therefore, the project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site. Impacts would be **less than significant.**

iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less-than-Significant Impact. As indicated in Section 6.10(c-i), with incorporation of proposed hydromodification and water quality features, hydraulic modeling indicates that the project would not result in increased 100-year peak runoff rates. In addition, positive surface drainage would be provided to direct

surface water away from structures toward the street or suitable drainage facilities. All surface runoff would be controlled in accordance with the project grading plan and SWQMP. Therefore, the project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems. In addition, as discussed in Section 6.10(a), the project would not provide additional sources of polluted runoff during construction or operation. Impacts would be **less than significant.**

iv. Impede or redirect flood flows?

Less-than-Significant Impact. Loma Alta Creek flows along the northern property boundary. The Federal Emergency Management Agency (FEMA) has mapped the associated Loma Alta Creek 100-year floodplain and regulatory floodway on Flood Insurance Rate Map No. 06073C0753J, dated December 20, 2019. The proposed development is outside the regulatory floodway (100-year floodplain showing base flood elevations), but a portion is within the 100-year floodplain (without base flood elevations). In addition, the required public street improvements encroach into a portion of the floodplain and regulatory floodway (Appendix H2).

Based on a hydraulic analysis for the proposed project, the existing 100-year flood elevations would be maintained following project completion. The project would cause a slight decrease in water elevations (0.01 to 0.06 feet) in some areas and a minimal increase (of 0.02 feet) in elevation in one area of the site. Other areas would retain the same flood elevation of 41.40 feet following project completion. The increase of 0.02 feet in one select area would not impact insurable structures (Appendix H2). Based on the localized increase in 100-year flood elevations of 0.02 feet in one area as a result of project grading and encroachment into the regulatory floodway, the project would not impede or redirect flood flows such that significant impacts would occur. As a result, impacts would be **less than significant.**

d) In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

Less-than-Significant Impact. To address potential flooding concerns, the proposed project has been designed to raise the areas within the floodplain above the 100-year floodplain elevation. Finished floor elevations would be set a minimum of two feet above the FEMA 100-year water surface elevation. Because the proposed project would modify the FEMA floodplain map, the Project Applicant would process a Conditional Letter of Map Revision and Letter of Map Revision with FEMA. The project site is not located in a tsunami runup area (City of Oceanside Fire Department 2022) nor adjacent to an enclosed body of water. Therefore, the project would not be subject to tsunamis or seiches.

In addition, the project would include construction of mixed residential/commercial structures. No industrial facilities that might store substantial quantities of petroleum products or hazardous materials, which might be subject to upset and spills into the environment, would be included in the project. However, the S. Oceanside Boulevard extension through the project site would be constructed within the 100-year floodplain. Vehicle use on the roadway would result in accumulations of residual concentrations of oil, grease, and metals on the pavement, which could be flushed into Loma Alta Creek and the downstream Pacific Ocean during 100-year flooding events. Water quality impacts during 100-year floods would be potentially significant and unavoidable. However, based on the infrequent nature of 100-year flooding, water quality impacts would be **less than significant.**

e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less-than-Significant Impact. The project SWQMP was prepared based on requirements set forth in the NPDES MS4 Permit, which covers the San Diego Region (Order No. R9-2013-0001), and the Carlsbad Watershed Management Area WQIP. Compliance with the MS4 permit and WQIP includes compliance with project specific SWQMP requirements prior to project approval or issuance of local permits. Requirements include minimum standards for the implementation of LID practices and the integration of flow control criteria designed to mitigate storm runoff peaks and durations from development sites. In addition, the stormwater quality design was prepared in accordance with the City BMP Design Manual (Carlsbad Watershed Management Area Responsible Agencies 2016). The project would include appropriate BMPs to reduce water quality pollutant impacts of concern during operations in accordance with the San Diego RWQCB Water Quality Control Plan (Basin Plan). The project would also be required to adhere to a SWPPP during construction, which would satisfy the requirements set forth by the NPDES Construction General Permit. As a result, the project would not conflict with or obstruct implementation of a water quality control plan. Impacts would be less than significant.

As previously discussed, SDCWA would provide water for the project. A portion of SDCWA's water supply is derived from groundwater from the Mission Basin, which is a low priority with respect to SGMA. Based on the low priority of the Mission Basin with respect to SGMA, a Groundwater Sustainability Plan is not required for the basin. As a result, the project would not conflict with or obstruct implementation of a sustainable groundwater management plan. Impacts would be **less than significant.**

f) Cumulative Impacts

Less-than-Significant Impact. The geographic context for cumulative water quality impacts would be the Loma Alta Creek watershed. In the absence of proper engineering, related project construction and operation could contribute to cumulative pollutant loading in stormwater runoff within the Loma Alta Creek watershed. However, each of the related projects would be subject to NPDES permit requirements and City of Oceanside municipal ordinance for stormwater runoff and discharge control (Chapter 40), for both construction and operation. Each project greater than 1.0 acre in size would be required to develop a SWPPP, in accordance with the Construction General Permit, and would be evaluated individually to determine appropriate BMPs and treatment measures to avoid or minimize impacts to water quality. Projects greater than and smaller than 1.0 acre would be completed in compliance with the City's BMP Design Manual (City of Oceanside 2022), which includes establishment of structural and nonstructural BMPs during grading and construction, thus minimizing water quality impacts on each cumulative project site. As a result, cumulative project development within the Loma Alta Creek watershed would not be cumulatively considerable with respect to water quality, and impacts would be less than significant.

The geographic context for cumulative drainage impacts would be the Loma Alta Creek watershed. In the absence of proper engineering, increased impervious surfaces associated with related project construction could potentially increase stormwater runoff rates, resulting in cumulative downstream flooding and erosive scour within the Loma Alta Creek watershed. However, each related project would be required to complete a drainage report demonstrating that post-construction runoff rates would be less than or equal to existing conditions, thus minimizing the potential for downstream flooding and erosive scour. In addition, the City Public Works Department would review all construction projects on a case-by-case basis to ensure that sufficient local and regional drainage capacity is available. As a result, cumulative project development within the Loma Alta Creek watershed would not be cumulatively considerable with respect to increased stormwater runoff, and impacts would be less than significant.

The geographic context for flooding impacts would be the Loma Alta Creek watershed. All related projects would be subject to restrictions and requirements as part of the City's existing permitting process, which has been established consistent with the City of Oceanside General Plan Safety Element. Related projects within the 100-year flood plain or regulatory floodway would be required to implement appropriate flood plain management measures in the design of new buildings and related infrastructure. Compliance with these existing regulatory requirements would ensure that any related projects would not impede or redirect flood flows such that off-site flooding impacts would occur, thus minimizing the potential for cumulative flood-related impacts. As a result, cumulative project development within the Loma Alta Creek watershed would not be cumulatively considerable with respect to flooding, and impacts would be less than significant.

The geographic context for cumulative groundwater impacts would be the Mission Groundwater Basin. With respect to potential overdraft of groundwater supplies, all related projects would be evaluated for adequacy of water supply based on the City UWMP, SGMA, and (for applicable projects) project specific water supply assessments, thus minimizing the potential for adverse groundwater impacts. Potential denied groundwater recharge associated with construction of new impervious surfaces would also be evaluated for each related project to ensure that existing areas of recharge are not substantially diminished. As a result, cumulative project development overlying the Mission Groundwater Basin would not be cumulatively considerable with respect to groundwater supplies, and impacts would be **less than significant.**

6.11 Land Use and Planning

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. LAND USE AND PLANNING – Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

Regional Plans, Policies, and Regulations

San Diego Forward: The Regional Plan

The San Diego Association of Governments' (SANDAG's) San Diego Forward: The Regional Plan (Regional Plan) combines the region's two most important existing planning documents—the Regional Comprehensive Plan and the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The Regional Comprehensive Plan, adopted in 2004, laid out key principles for managing the region's growth while preserving natural resources and limiting urban sprawl. The plan covered eight policy areas, including urban form, transportation, housing, healthy environment, economic prosperity, public facilities, our borders, and social equity. These policy areas were addressed in the 2050 RTP/SCS and are now fully integrated into the Regional Plan.

The 2021 Regional Plan provides a long-term blueprint for the San Diego region that seeks to meet regulatory requirements, address traffic congestion, and create equal access to jobs, education, healthcare, and other community resources (SANDAG 2021). The plan is the result of years of planning, data analysis, and community engagement to reimagine the San Diego region with a transformative transportation system, a sustainable pattern of growth and development, and innovative demand and management strategies. The 2021 Regional Plan also puts forth a forecasted development pattern that is driven by regional goals for sustainability, mobility, housing affordability, and economic prosperity.

The 2021 Regional Plan includes an SCS, as required by California Senate Bill 375, for the San Diego region. This SCS describes coordinated transportation and land use planning strategies that will allow the region to exceed the state's target for reducing per capita greenhouse gas (GHG) emissions set by the California Air Resources Board. The state-mandated target is a 19% reduction—compared with 2005—in per capita GHG emissions from cars and light-duty trucks by 2035. The 2021 Regional Plan achieves a 20% reduction by then.

For the 2021 Regional Plan, the use designation, density, and building intensities are based on latest regional growth forecasts, which are identified in Technical Appendix J of the Regional Plan Program Environmental Impact Report (SANDAG 2021).

SANDAG does not have land use jurisdiction over the City of Oceanside (City); however, SANDAG's plans are based on input provided by the City and those projections are used to determine future transportation improvements.

SANDAG Smart Growth Concept Map

The project site is designated on the SANDAG Smart Growth Concept Map as a Smart Growth Opportunity Area (SANDAG 2016). Smart Growth Opportunity Areas are areas identified by SANDAG for future growth because they occur around existing and planned transit stations, such as the existing North County Transit District (NCTD) Crouch Street Sprinter Station. The concept is that by planning for additional development intensity in these transit-focused locations at the regional level, SANDAG through the Regional Plan, is directing growth to areas that are served by transit and can therefore increase use of the transit system; thereby reducing development pressures in more outlying areas of San Diego County. By focusing development in these Transit Priority Areas, SANDAG achieves the goal of reducing GHG emissions by reducing vehicle miles traveled. Specifically, the project site is within SGOA-OC-3, which is the area located around the NCTD Crouch Street Sprinter Station.

This concept is support locally by the City of Oceanside through the City's adoption of the Climate Action Plan (CAP), discussed below.

Regional Air Quality Plan

The project site is located within the San Diego Air Pollution Control District. Please refer to Section 6.3, Air Quality, for more information. In summary, the proposed project is consistent with this land use plan, as the project is consistent with the land use assumptions utilized to prepare the Regional Air Quality Strategy, and project emissions would not exceed the San Diego Air Pollution Control District thresholds.

Local Plans, Policies, and Regulations

City of Oceanside General Plan

The State of California requires each city to have a General Plan to guide its future, and mandates that the plan be updated periodically to assure relevance and utility. The City's General Plan is the primary source of long-range planning and policy direction that is used to guide development within the City and serves as a policy guide for determining the appropriate physical development and character of Oceanside. The City's General Plan is founded on the community's vision for the City and expresses the community's long-range goals. The document was last reformatted in 2002 to rearrange the text and include introductory material.

The City's General Plan contains 12 elements: Land Use (amended 1989), Circulation (updated in 2012), Recreational Trails (adopted 1996), Housing (2021-2029 Housing Element adopted in April 2013), Environmental Resource Management (adopted 1975), Public Safety (adopted 1975), Noise (adopted 1974), Community Facilities (adopted 1990), Hazardous Waste Management (adopted 1990), Military Reservation (adopted 1981), Economic Development (Adopted April 2019), and Energy Climate Action Element (adopted May 2019).

Each of the City's General Plan elements contains goals for the future of the City. In addition, the City's General Plan contains a Land Use Map (last amended March 2009), which depicts the planned land uses within the City, and the land use designations are described through policies.

Land Use Element

The Land Use Element and Land Use Map (last amended March 2009) identify the type of land uses that have been planned for within the City. The purpose of the Land Use Element is to describe present and planned land use activity that has been designed to achieve the community's long-range objectives for the future.

The Land Use Element and Map identify the proposed general distribution, location, and extent of land uses such as industrial, commercial, residential, institutional, agricultural, open space, and community facilities. The element contains goals, objectives, policies, and implementation programs, along with maps and diagrams that outline the future land uses within the City. The element also provides direction related to how future development will occur, such as the intensity/density and character of new development.

Circulation Element

The purpose of the Circulation Element is to ensure that the City's Master Transportation Plan and its implementation policies and programs will safely and efficiently accommodate the growth envisioned in the Land Use Element. The City's Master Transportation Plan has been incorporated as a subsection to the Circulation Element and serves as the main policy tool, designating future road improvements, extensions, and special intersection design treatments.

Recreational Trails Element

The Recreational Trails Element, a sub-element to the Circulation Element, provides provisions and maintenance of pedestrian, bicycle, and equestrian trail systems throughout the City. The purpose of the Recreational Trails Element is to provide goals and objectives that would improve the operation and design of the City's trail system for bicycles, pedestrians, and equestrians.

Housing Element

The Housing Element is intended to identify and analyze the City's housing needs; establish reasonable goals, objectives, and policies based on those needs; and set forth a comprehensive five-year program of actions to achieve the identified goals and objectives.

Environmental Resource Management

The Environmental Resource Management Element is a program designed to conserve natural resources and preserve open space. The Environmental Resource Management Element contains goals, objectives, and implementation strategies related to water, soil, erosion, and drainage; coastal preservation; minerals; vegetation and wildlife habitats; air quality; agricultural resources; cultural sites; and recreation and scenic areas.

Public Safety Element

The purpose of the Public Safety Element is to serve as a safety guide in the planning process to reduce loss of life, injury, property damage, and economic and soils dislocation resulting from fire hazards, flooding hazards, seismic and geologic hazards, and civil disaster preparedness.

Noise Element

The Noise Element is composed of goals, objectives, and policies that serve as guides for reducing or avoiding adverse noise effects on residents. Policies and plans in the Noise Element are designed to protect existing and planned land uses identified in the Land Use Element from excessive noise.

Community Facilities Element

The purpose of the Community Facilities Element is to provide overall direction for the provision of adequate public facilities necessary to serve the existing and future developed areas of the City in a coordinated and cost effective manner. The Element provides a comprehensive and current inventory of the City's community facilities and a system of objectives, policies and standards to be used by the City for programming its primary public facilities.

Hazardous Waste Management Element

The Hazardous Waste Management Element provides health and safety measures that are necessary to protect citizens from the siting of hazardous waste facilities as required by the California Health and Safety Code, Section 25199 et seq., in coordination with the San Diego County Hazardous Waste Management Plan, and to reduce the need for such facilities through the minimization of hazardous materials and wastes.

Energy Climate Action Element

The Energy Climate Action Element outlines goals and policies which incorporate the concept of sustainability into the City's decision-making process, including its long-range planning projects, development review protocols, community engagement efforts, and capital improvement programs.

Economic Development Element

The Economic Development Element establishes, refines, and consolidates goals and policies that to inform future actions affecting the City's fiscal resources and the local economy. Policies related to the provision of business and opportunities within the city, provision of housing, and promotion of the local business community are provided.

Military Reservation Element

The Military Reservation Element recognizes the importance of Camp Pendleton to the City and the support role the community provides to Camp Pendleton and its operations. The purpose of the Military Reservation Element is to acknowledge the direct physical, soil, and economic linkages between Oceanside and Camp Pendleton and to proposed policies that would strengthen the bond between the community and the Base.

Oceanside Climate Action Plan

The City's CAP seeks to align with state efforts to reduce greenhouse gas (GHG) emissions while balancing a variety of community interests, such as quality of life, economic development, and social equity. The CAP outlines measures the Oceanside community will take to make progress towards meeting the State of California's 2050 GHG reduction goal.

The City's CAP also implements the Smart Growth Opportunity Area designation from SANDAG for the project site, as shown on page 3-26 of the City's CAP. As described in the CAP:

> By designing communities that better integrate the connections between land use and transportation planning, the City can reduce vehicle trip lengths (vehicle miles traveled) and encourage alternative modes of transportation. The term "smart growth" refers to a compact, efficient, and environmentally sensitive urban development pattern. Smart growth focuses future growth and infill development close to employment, services, and public facilities to maximize the use of existing infrastructure and preserve open space and natural resources. Smart growth is characterized by more compact, higher density development in urbanized areas throughout the region. These areas are walkable, bike-friendly, near public transit, and promote good community design, resulting in housing and transportation choices for those who live and work in these areas.

The CAP also established two strategies specifically related to Smart Growth Opportunity Areas, under CAP Measure TL1: Smart Growth Policies.

- The City will establish a smart growth development goal of locating the majority of new housing units and employment generating land uses developed between 2017 and 2030 within existing and potential SGOAs. The City will assess land use development patterns annually and make results available to the public.
- The City will adopt policies that accommodate and incent development within SGOAs to achieve the SGOA development goals. Policies will be relaxed or reinforced to achieve the smart growth development goal and may include, but are not limited to, streamlined permitting and review in for development in SGOAs, public infrastructure improvements, zoning amendments, relaxed development fees, development requirement variances (such as parking requirements, floor area ratio requirements, etc.), and development density credits.

Draft Oceanside Multiple Habitat Conservation Plan

As set forth by the federal Endangered Species Act and the State of California Natural Community Conservation Planning Act, the Draft Oceanside Subarea Habitat Conservation Plan/Natural Communities Conservation Plan (Draft Subarea Plan) addresses how the City will conserve natural communities and sensitive species within its jurisdiction.

The Oceanside Subarea Plan (City of Oceanside 2010) is the City's contribution to the Multiple Habitat Conservation Program (MHCP) and the subregional Natural Community Conservation Plan that includes the Cities of Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach, and Vista. The Oceanside Subarea Plan is consistent with the goals of the MHCP and Natural Community Conservation Plan for the larger region. However, the Oceanside Subarea Plan has not been adopted.

City of Oceanside Zoning Ordinance

The City's Zoning Ordinance provides a guide to physical development within the City consistent with the Land Use Element of the City's General Plan. Article 17 of the Zoning Ordnance provides land use and development regulations for Planned Development Districts in the City.

a) Would the project physically divide an established community?

No Impact. The project site has been identified in the City's General Plan and the Zoning Map for development. The site is zoned for Community Commercial, which allows Mixed Use Development such as proposed by the project through the issuance of a Mixed-Use Development Plan.

The project site is located in an urbanized area that is surrounded by a variety of development types. The portions of the project site proposed to be developed are relatively flat. Other than temporary construction related impacts related to the public improvements described in this Sustainable Communities Environmental Assessment (SCEA) and reflected on project plans, all development occurs on private property. The project site is bordered by adjacent residences to the south, office and commercial uses to the west, commercial, retail and transportation uses to the north across, and vacant land to the east, with residences further east.

Off-site roadway improvements associated with improvements to Crouch Street and S. Oceanside Boulevard would provide for enhanced connectivity by constructing or improving sidewalks from the project site to other pedestrian facilities in the surrounding community. These off-site road improvements are within the immediate vicinity of the project area, and would not physically divide an established community.

Off-site water system improvements would occur within the boundaries of existing utility easements as described in Section 6.19, Utilities and Service Systems. By restoring or repairing approximately 1,040 linear feet of an existing but abandoned pipeline, the project would ensure adequate water pressure is achieved. The off-site water system improvements would not divide an established community.

The project would not cause any permanent street closures, block access to any surrounding land use, or cause any adverse change in the existing street system. The project will complete the connection of S. Oceanside Boulevard through the project site to Crouch Street, providing additional circulation options. Since the project would be developed within a long-established urban area consistent with the underlying land use and zoning allowances, and given all the above, the project would not physically divide an established community. Therefore, the project would have **no impact** and no mitigation measures are required.

b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less-than-Significant Impact. The project is subject to several local and regional plans intended to avoid environmental effects. Such local plans include the City General Plan, draft Oceanside Subarea Plan of the North County MHCP, and the City's Zoning Ordinance. The applicable regional plans include San Diego Forward: The Regional Plan, and the Regional Air Quality Plan. Overall, as analyzed in the following the project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect and the project would have a **less-than-significant impact.**

Project Consistency

Regional Plans, Policies, Regulations

San Diego Forward: The Regional Plan

The Regional Plan is focused on improving the transportation system for the future of San Diego and meeting state-mandated GHG reduction targets for the region through 2050 (SANDAG 2021). These initiatives are addressed in more depth in Chapter 3, SCEA Criteria and Transit Priority Project Consistency. In summary, The Regional Plan includes an SCS which is based on an anticipated land use pattern. The projection in the SCS Land Use Pattern are based on existing General Plans and are required to anticipate and provide for meeting the latest Regional Housing Needs Allocation (RHNA). The Regional Plan also focuses development in Mobility Hubs and Transit Priority Areas.

The project site was identified under the City's Fifth Cycle Housing Element Update. In the latest Housing Element Update (2021–2029) the project is identified as either a "pipeline project" or "project under review" and is accounted for as part of the City's above moderate income total. Therefore, the project is part of the latest RHNA and is included within the SCS Land Use Pattern. Further, the proposed project is consistent with the applicable goals, objectives, and policies of the Regional Plan by proposing a mix of uses, and encouraging multimodal transportation by sighting market rate and lower income housing and commercial development adjacent to a high-quality transit stop. Because the project is located within a Transit Priority Area and Mobility Hub, it proposes a mix of uses including multifamily and commercial/retail uses adjacent to a high-quality transit station, it is part of the City's Sixth Cycle Housing Element Update and RHNA that support the Regional Plan, and for the reasons discussed in Chapter 3 of this SCEA, the proposed project would not conflict with the Regional Plan.

SANDAG Smart Growth Concept Map

The project site is located within a Smart Growth Opportunity Area as identified by the SANDAG Smart Growth map, due to the project site's location adjacent to the NCTD Crouch Street Sprinter Station. Therefore, the residential and commercial development proposed by the project is consistent with the Smart Growth Opportunity Area overlay on the project site. This is reinforced through the City's zoning code, which provides that for properties within the CC zone, a mixed use residential project such as the proposed project is a permitted use subject to preparation and approval of a Mixed-Use Development Plan. The proposed project includes an application for a Mixed-Use Development Plan. Therefore, the project would not conflict with the Smart Growth Concept Map.

Regional Air Quality Plan

The project site is located within the San Diego Air Pollution Control District. Please refer to Section 6.3(a) for more information. In summary, the proposed project is consistent with the underlying projects and land use plans, as the project is consistent with the land use assumptions utilized to prepare the Regional Air Quality Strategy, and the project emissions would not exceed the San Diego Air Pollution Control District thresholds.

Local Plans, Policies, Regulations

City of Oceanside General Plan

The proposed project is a mixed-use residential and commercial/retail project located within an area designated for commercial uses. The proposed use is considered compatible with the General Plan through the processing of a Mixed-Use Development Plan.

Land Use Element. The Land Use Element balances uses throughout the City and relates to the other elements of the General Plan to ensure a cohesive land use pattern and uses. The proposed project would be consistent with the Land Use Element through the processing of a Mixed-Use Development Plan. Consistent with Land Use Element Section 1.1, Community Values, the Mixed-Use Development Plan would provide an integrated, attractive mixed-use and mixed-income apartment community adjacent to a high-quality transit stop. The land use proposed is consistent with the provisions of the underlying zoning and therefore would not district from nor negatively impact surrounding land uses, rather, it would complement the surrounding retail and transit uses. The potential impacts of the project have been analyzed herein, and mitigation measures have been identified and recommended to ensure the project does not negatively impact the surrounding area.

Consistent with Sections 1.11, Balanced Land Use, and Section 1.12, Land Use Compatibility, the project would also be compatible with the underlying zoning through the processing of the Mixed-Use Development Plan, which would provide a balance of land uses including residential and commercial/retail within a Transit Priority Project Area as described in Chapter 3 of this SCEA. The project's effects on the circulation system are analyzed in Section 6.17, Transportation, and were determined to be less than significant and in conformance with the City's Circulation Element. In addition, the project's compliance with the proposed Mixed-Use Development Plan would ensure that visual impacts remain less than significant as evaluated in Section 6.1, Aesthetics, of this SCEA.

In accordance with Section 1.14, Noise Control, the project's potential noise impacts have been analyzed herein and found to be less than significant (see Section 6.13, Noise). As described there, the project's construction and noise levels would be below applicable city limits.

As contemplated in Section 1.16, Housing, and consistent with the Housing Element discussed below, the proposed project would provide a mix of housing including 30 low-income rental units to ensure safe and decent housing is available to City residents. This is consistent with the City's Housing Element, which anticipated development of the project site in order for the City to achieve its RHNA.

Consistent with Sections 1.15, Public Safety, and Section 1.17, Public Facilities Management, public services would be provided to the project as analyzed herein, including Sections 6.15, Public Services; 6.16, Recreation; and 6.19, Utilities and Utility Systems. The project's proposed improvements to water, sewer, and storm drain facilities, as well as electrical, natural gas, and communications systems will be coordinated with the appropriate service providers. No major extension of services is anticipated due to the project site's location surrounding by existing development to the south, west, and north.

Detailed open space, landscape, and architectural plans are proposed to ensure a cohesive design which complies with the requirements proposed by the Mixed-Use Development Plan. Refer to Section 6.16 for a description of the proposed common open spaces uses which exceed the City's requirements for open

space. Regarding Section 1.22, Landscaping, the project would minimize impacts to predominately non-native grassland, and would conserve existing coastal sage scrub on the north-facing slopes below Crouch Street. A buffer area both on the north side of the project site, adjacent to Loma Alta Creek, and south of the project which provides for a loop trail adjacent to the slopes below Crouch Street would be provided between development and land left in an open state.

The project minimizes and avoids impacts to topographic resources by being set back from the slope areas adjacent to Crouch Street, thus complying with Section 1.24. Topographic Resources. Slope stability has been analyzed in Section 6.7, Geology and Soils, and determined that adequate buffers have been provided from existing known landslide areas. Further, the Geotechnical Reports provide recommendations to avoid potential geotechnical impacts (Appendices D1 and D2).

The analysis of the project's net density has accounted for Undeveloped Lands in accordance with Section 1.25, Undeveloped Lands.

The project site has not been identified in a Special Management Area.

The proposed residential development would be built at the High-Density designation, between 21.0 and 28.9 units per acre. The proposed density of approximately 22.4 falls within this density range and is consistent with the Mixed-Use Development Plan maximum density. Apartment units proposed by the project are consistent with the High-Density classification.

The proposed project would also comply with Open Space requirements by setting aside area for permanent protection which are designated as Open Space in the General Plan. Refer to Section 6.4, Biological Resources, for additional information. Therefore, the project would not conflict with the Land Use Element of the General Plan.

Noise Element. As described in Section 6.13, Noise, the proposed project would comply with the City's noise level restrictions and limitations during both construction and operation. Please refer to Section 6.13 for additional analysis regarding the project's compliance with the Noise Element's stated noise thresholds. Notably, construction noise would not exceed 85 A-weighted decibels at 100 feet from the source, and no construction is anticipated to occur between 6:00 p.m. and 7:00 a.m. No amplified sound is anticipated to be generated by the proposed project because no uses within the project require sound amplifiers. Project traffic is not expected to result in increases to off-site noise levels that exceed established thresholds such that it would result in potential adverse impacts. Finally, operational noise sources including heating, ventilation, and air conditioning units would not exceed noise level limits. Therefore, the proposed project would not conflict with the Noise Element of the General Plan.

Public Safety Element. The Public Safety Element addresses for major areas, including seismic and geologic hazards, fire hazards, flood hazard due to dam failure, and civil disaster preparedness.

Regarding seismic and geologic hazard, the project site has been studied for such potential hazards. As described in Section 6.7 and analyzed in Appendices D1, Preliminary Geotechnical Investigation, and D2, Updated Geotechnical Investigation, the project site would be suitable for development of the proposed project with implementation of site-specific recommendations to address the underlying geologic and soils conditions on the project site. With implementation of those recommendations, the project would be consistent with the Public Safety Element's seismic and geologic hazards policies.

With respect to fire hazards, as stated in Section 6.9, Hazards and Hazardous Materials, and Section 6.20, Wildfire, the project site is not located within a Very High or High Fire Hazard Severity Zone. The project site is surrounded by existing development on the south, west, and north. The project would be constructed according to the requirements of the California Building Code and the Fire Code. Further, as described in Section 6.15, Public Services, the project site is located within 2.5 miles of three existing fire stations and can be served adequately by the Oceanside Fire Department.

Regarding Flooding Hazard, a portion of the project site is mapped with the floodplain and some of the infrastructure and restoration work adjacent to Loma Alta Creek would be within the floodway. Please refer to Section 6.10, Hydrology and Water Quality, and Appendices H1, Drainage Study, and H2, Hydraulic Analysis. The project proposes grading to ensure that, following construction, the project site's mixed-use development would not be within the designated floodplain. A Conditional Letter of Map Revision, followed by a Letter of Map Revisions, would be secured from the Federal Emergency Management Agency prior to occupancy of the project. Therefore, the project is consistent with the Public Service Element's flooding hazard policies.

Regarding civil disaster preparedness, please refer to Section 6.9, Hazards and Hazardous Materials, which analyzes the project's conformance with adopted evacuation plans. As described therein, the project would have a less than significant effect on emergency response plans. Therefore, the project would not conflict with the Public Safety Element of the General Plan.

Circulation Element. The Circulation Element of the General Plan addresses the movement of people and goods throughout the city, on the city's vehicular and non-vehicular circulation system. This system includes roadways, transit, pedestrian and bicycle facilities, and equestrian facilities. The proposed project's traffic would be added to the existing circulation system as analyzed in Appendix K, Local Transportation Study. Based on the analysis therein, the City's roadway network and intersections would continue to operate at acceptable levels of service. The project would improve and dedicate S. Oceanside Boulevard. The design of S. Oceanside Boulevard has been reviewed by the City, including the Engineering and Public Works departments. The design, which is shown in Figure 2-7, S. Oceanside Boulevard Improvements, accommodates pedestrian and bicycle circulation through the provision of an expanded sidewalk on the south side of South Oceanside Boulevard, and "sharrows" for bicycle travel on this local street. The project site is located in a Transit Priority Area as identified by SANDAG. Based on the project's location immediately adjacent to the NCTD Crouch Street Sprinter Station, the project would support policies related to increasing use of transit and reducing VMT. For additional analysis of the project's transportation related impacts, please refer to Section 6.17, Transportation. The project would not conflict with the Circulation Element of the General Plan.

Housing Element. The project site was previously identified as part of the Fifth Cycle Housing Element (2013-2021) at 25 dwelling units per acre and was assigned a total of 451 units towards the City's Regional Housing Needs Assessment (City of Oceanside 2013). Consistent with the maximum density identified during the Fifth Cycle Housing Element, the project proposed 295 units in a Mixed-Use Development Plan in 2020. The Sixth Cycle Housing Element Update was adopted in 2021. Under the Sixth Cycle Housing Element, the project site is identified as a "Project Under Review," and is credited with 295 units of the City's anticipated Above Moderate Income RHNA obligation and shown in the City of Oceanside Sixth City Housing Element, Table B-7 (City of Oceanside 2021). The project would provide 30 units of low-income housing, and 265 units of above moderate-income housing. By dedicating 10% of the project's units as low-income affordable housing near existing transit services, the project would be consistent with the City's

objectives to require new development to provide affordable housing. The project site's location and proximity to the NCTD Sprinter Station, and the proposed Mixed-Use Development Plan, are consistent with Policy 1.6 which encourages higher density housing along transit corridors. The project would provide a mix of studio, 1-, 2- and 3-bedrom rental units which means that the project would serve different household types. Finally, the project would meet all health, safety and decency standards, including for the affordable units. Therefore, the proposed project would be consistent with the City's Housing Element.

Community Facilities Element. The Community Facilities Element's primary level of analysis includes parks and recreation, fire department, police department, and libraries. The secondary level of analysis includes water and sewer, stormwater management, and other civic and institutional uses and operations such as the civic center, corporation yard, small craft harbor, downtown redevelopment, the Oceanside Municipal Airport and public educational facilities.

The project's potential impacts related to public services are discussed in Section 6.15, Public Services, and Section 6.16, Recreation. As described therein, the project can be served by existing public facilities, and would not result in significant impacts on schools, fire service, police protection, or library facilities which would require the expansion or construction of new facilities. The project would provide open space onsite and pay all applicable public facilities and school fees.

The proposed projects potential impacts on water, sewer and storm drain are addressed in Section 5.19, Utilities. As analyzed therein, the proposed project is consistent with the City's underlying land use and population projections which are factored into the city's master planning efforts related to the provision of water and sewer service. Further, the project's storm drain system has been designed to adequately convey drainage from the project site. The project would not conflict with the Community Facilities Element of the General Plan.

Environmental Resources Element. The Environmental Resources Element's goal is to provide a program for the planned management, utilization, and preservation of the City's natural resources to ensure the health, safety and welfare of residents. The Objectives address water; soil, erosion and drainage; coastal preservation; mineral resources; vegetation and wildlife; air quality; agricultural resources; cultural sites; and recreation and scenic areas. The project's potential effects to these environmental issues are analyzed through this SCEA, including Section 6.1, Aesthetics; 6.2 Agricultural Resources; 6.3, Air Quality; 6.4, Biological Resources; 6.5, Cultural Resources; 6.10, Hydrology and Water Quality; 6.12, Mineral Resources; 6.16, Recreation; and 6.19, Utilities. Where required, mitigation measures are recommended to reduce the projects potential impacts to less than significant. Therefore, the project would not conflict with the Environmental Resources Element.

Recreation Trails Element. The goal of the Recreation Trails Element is to provide a safe and efficient trail network for residents of the City. The proposed project has been designed to provide pedestrian and bicycle connections. Specifically, an expanded sidewalk is proposed on the south side of S. Oceanside Boulevard to provide for pedestrian activity from the NCTD Sprinter Station to the project site and commercial/retail uses to the west of the project site. In addition, the street section for S. Oceanside Boulevard has been designed with "sharrows" to accommodate bicycle traffic and provide a connection through the project site. Therefore, the project would not conflict with the Recreation Trails Element of the General Plan.

Economic Development Element. The Economic Development Element establishes, refines, and consolidates goals and policies that inform future actions affecting the City's fiscal resources and the local

economy. The proposed project would be consistent with the policies of the Element. By providing a mix of uses, including commercial/retail uses near an existing transit stop, the project would expand the range of goods and services conveniently available to residents, works and visitors. This mix of uses would also provide a diverse housing supply, including low-income affordable housing, while promoting social interaction. The project provides for efficient, transit-oriented development, walkability, and pedestrian and bicycle facilities within a Smart Growth Opportunity Area. Finally, the project is consistent with the underlying land use and zoning for the project site and includes an economic impact analysis which demonstrates the project would have a positive economic effect on the City. Therefore, the project would not conflict with the Economic Development Element of the General Plan.

Hazardous Waste Management Element. The Hazardous Waste Management Element addresses the management of hazardous wastes, through both source reduction and policies for the review and conditioning of specified hazardous waste facilities. The proposed project is not a hazardous waste facility. Further, as described in Section 6.9, Hazards and Hazardous Materials, the project site is not a known hazardous site. Therefore, the project would not conflict with the Hazardous Waste Management Element of the General Plan.

Energy and Climate Action Element. The project's consistency with the Energy and Climate Action Element is addressed in Section 6.6, Energy. The project's consistency with the City's Climate Action plan is discussed in the following portion of this section. The project would not conflict with the Energy and Climate Action Element.

Military Reservation Element. The project site is not a part of or located near Camp Pendleton. Therefore, the project would not conflict with the Military Reservation Element of the General Plan.

Oceanside Climate Action Plan

Please refer to Section 6.8, Greenhouse Gas Emissions, for an analysis of the project's impacts on greenhouse gas emissions. As analyzed therein, the proposed project would be below the City's Service Population threshold of 3.5 metric tons of carbon dioxide equivalent per service population. Therefore, because the project has performed a project-specific analysis, it does not rely upon compliance with the City's CAP. This is consistent with the provisions of the CAP, which provide that project's that choose to perform a project-specific technical analysis and not take advantage of streamlining provisions afforded by the CAP.

Notwithstanding the forgoing, a copy of the CAP Checklist is provided with Appendix F, GHG Assessment. As described therein, the proposed project would be located within a Smart Growth Opportunity Area, located within 0.25 miles of a transit priority corridor and would be consistent with the current land use and zoning designations through the processing of a Mixed-Use Development Plan (as described herein).

Regarding renewable energy facilities, the proposed project includes a residential component that would include more than 25 dwelling units; therefore, it is subject to Oceanside Zoning Code Section 3047 to either provide 50% of estimate electricity demand on-site through solar photovoltaic panels or meet 75% of the project's energy demand through a contract to provide renewable energy. The proposed project would incorporate solar photovoltaic panels into the project design to provide for 50% of the project's estimated energy demand.

Regarding electric vehicle parking and charging stations, the proposed project would include at least five parking spaces; therefore, it would be subject to Section 3048 of the City's Zoning Code requiring electric vehicle parking stalls. Specifically, based on the projects anticipated 466 parking spaces, the project would designate 70 parking spaces (or 15% of the total) as reserved for electric vehicles, and half of these (a total of 35) would be installed with electric vehicle charging stations.

Regarding recycled water infrastructure, the City's Water Utility Department has not required that the project install infrastructure to provide for recycled water; however, the project will pay all applicable fees including fees which may be used to expand the City's reclaimed water system.

While not expected to generate at least 50 daily employee commute trips based on a total of 20 employees, the proposed project would implement transportation demand management practices to reduce the number of daily trips. This would include measures outlined in PDF-GHG-1 and includes a bike share program, and subsidized transit passes for employees in the commercial/retail area. Due to the projects mixed-use nature and proximity to the NCTD Sprinter Station, the project would achieve a 15% reduction in average daily trips.

Regarding Urban Forestry, the proposed project would meet the tree canopy coverage requirements of Section 3049 of the City's Zoning Code by providing that 19% of the parking area would be covered by shade trees, exceeding the minimum requirement of 12%.

Therefore, the proposed project would not conflict with the goals and policies of the CAP, and impacts would be less than significant.

City of Oceanside Zoning Ordinance

As described above, the project site is zoned CC for Community Commercial. Commercial uses are regulated by Section 1100 et. seq. of the Oceanside Zoning Ordinance. Mixed Uses are a permitted use within the CC zone, subject to footnote L-33, which states that "Mixed use development is permitted and requires the approval of a 'Mixed-Use Development Plan'."

The proposed project would be consistent with the Zoning Ordinance by processing a Mixed-Use Development Plan to permit a mixed-use residential project within the CC zone. Mixed-Use Plans are regulated by Section 3042 of the Zoning Code. The Mixed Use Development Plan establishes the development standards specific to the proposed project, and are based on the Base District Regulations for multi-family (Section 1000 et. seq), and would not conflict with the adopted Zoning Ordinance provisions for such plans. A consistency analysis was performed to demonstrate the proposed project's compliance with Section 3042. Please refer to the Project Description and Justification, which includes the project's consistency with the requirements of Section 3042. As described therein, the proposed project would not conflict with the requirements of Section 3042 of the Oceanside Zoning Ordinance.

The Development Regulations related to Mixed Use Development Plans require a minimum area of 1.0 acre, residential densities which do not exceed 29 units per acre, implementation of specific performance standards, an integrated project design with shared parking, traffic circulation, and open space, and other regulations as may be prescribed by the Mixed-Use Development Plan.

The proposed project site is a total of approximately 18.9 acres, with a net developable area of approximately 12.9 acres after accounting for Undevelopable Lands (i.e., those areas which are greater than 40% slope and have an elevational difference of greater than 25 feet). Thus, the project complies with the requirement to be greater than 1.0 acre. The 295 units would result in a net density of approximately 22.8 units/acre, which is less than the maximum permitted density of 29 units per acre, thus, the project is consistent with the overall density for Mixed Use Development Plans. The project would comply with the performance standards of Section 3024 related to noise, vibration, dust and odors, and glare; and the other regulations are not applicable to the proposed project. Finally, the project has been designed as an integrated, mixed-use plan, with 3,000 square feet of commercial/retail uses on the ground floor of the project which would interface with the public right of way and provide residents, employees, visitors and guests with the opportunity to shop.

The City has reviewed the project plans and determined that the project would comply with the City's Zoning Ordinance. Therefore, the project would be consistent with the Zoning Ordinance and impacts are considered less than significant.

Draft Oceanside Multiple Habitat Conservation Plan

The Draft Subarea Plan is still in draft form, and has not been adopted; however, the City implements the draft plan as though it has been adopted. The project's impacts are predominately limited to the previously graded portions of the project site, including mostly non-native grassland as identified in Section 6.4, Biological Resources. A portion of the project site, the open space area north of Crouch Street, has been identified as Hardline Preserve in the Draft Subarea Plan. This area is proposed to remain as open space and would be preserved as mitigation for the project's impacts to non-native grassland. Further, the project would implement a wetland buffer adjacent to Loma Alta Creek, including the restoration and enhancement of upland habitat between Loma Alta Creek and the future extension of S. Oceanside Boulevard. Refer to Section 6.4(e) for a discussion of the project's consistency with the Draft Oceanside MHCP. As described therein, the proposed project would not conflict with the goals and policies of the Draft Subarea Plan and impacts would be less than significant.

As described above, the proposed project would not conflict with the land use plan, policy, or regulations adopted for the purpose of avoiding or mitigating an environmental effect and therefore impacts would be **less than significant.**

c) Cumulative Impacts

Less-than-Significant Impact. Although land use and planning impacts tend to be localized, and specific impacts are tied either directly or indirectly to specific action, the proposed project may have the potential to work in concert with other past, present, or future projects to either cause unintended land use impacts, such as reducing available open space or to accommodate increased growth that may result in more intensive land uses. Therefore, the geographic context for cumulative analysis is the policy area, which in this case is the City.

The proposed project and related cumulative projects in the immediate vicinity are subject to the goals and policies of the City's General Plan and other planning documents, as applicable. The proposed project, in combination with other related cumulative projects, would not disrupt or divide the existing community, as stated in Section 6.11, Land Use and Planning.

Prior to approval, the proposed project, and all related cumulative projects, must be found consistent with the City's General Plan and other applicable City planning documents including the General Plan and Zoning Ordinance. The cumulative projects requiring General Plan Amendments also would require approval by the City. Consistency with the City's applicable General Plan policies (and any other applicable planning documents) would ensure compliance and orderly development of the proposed project and other related cumulative projects. Therefore, the proposed project would not contribute to a cumulatively considerable impact concerning conflicts with applicable plans, policies, and regulations. Cumulative project impacts related to land use and planning would be **less than significant.**

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6.12 Mineral Resources

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. MINERAL RESOURCES – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact. As mandated by the Surface Mining and Reclamation Act of 1975, the California State Mining and Geology Board classifies the state's mineral resources with the Mineral Resources Zone system. This system includes identification of presence/absence conditions for meaningful sand and gravel deposits. According to Figure 6.12-1, Mineral Resources, the proposed Ocean Creek Mixed Use Project (project) site is not located within any areas with meaningful sand and gravel deposits.

The Oceanside General Plan, Environmental Resources Management Element identified two major areas of mineral resources in the City of Oceanside, including the San Luis Rey River Basin and the area northeast of the intersection of El Camino Real and Oceanside Boulevard. Figure ERM-5 in the General Plan identifies these areas as containing "Probable Construction Quality Sand," "Non-construction quality sand; includes landfill and beach sand," and "Silica Sand" which is generally used in glass manufacturing According to the Environmental Resources Management Element (City of Oceanside 1975), the proposed project is not within a designated mineral resource area. Therefore, the project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. Thus, **no impact** would occur.

Because the project site does not contain a known mineral resource that would be of value to the region and the residents of the state, it is not required to comply with the mitigation measures in the San Diego Association of Governments Regional Transportation Plan/Sustainable Communities Strategy Final Environmental Impact Report related to those issues. Specifically, measure MR-1a does not apply to the proposed project and this measure is not required to be incorporated into the project design or mitigation measures.

b) Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

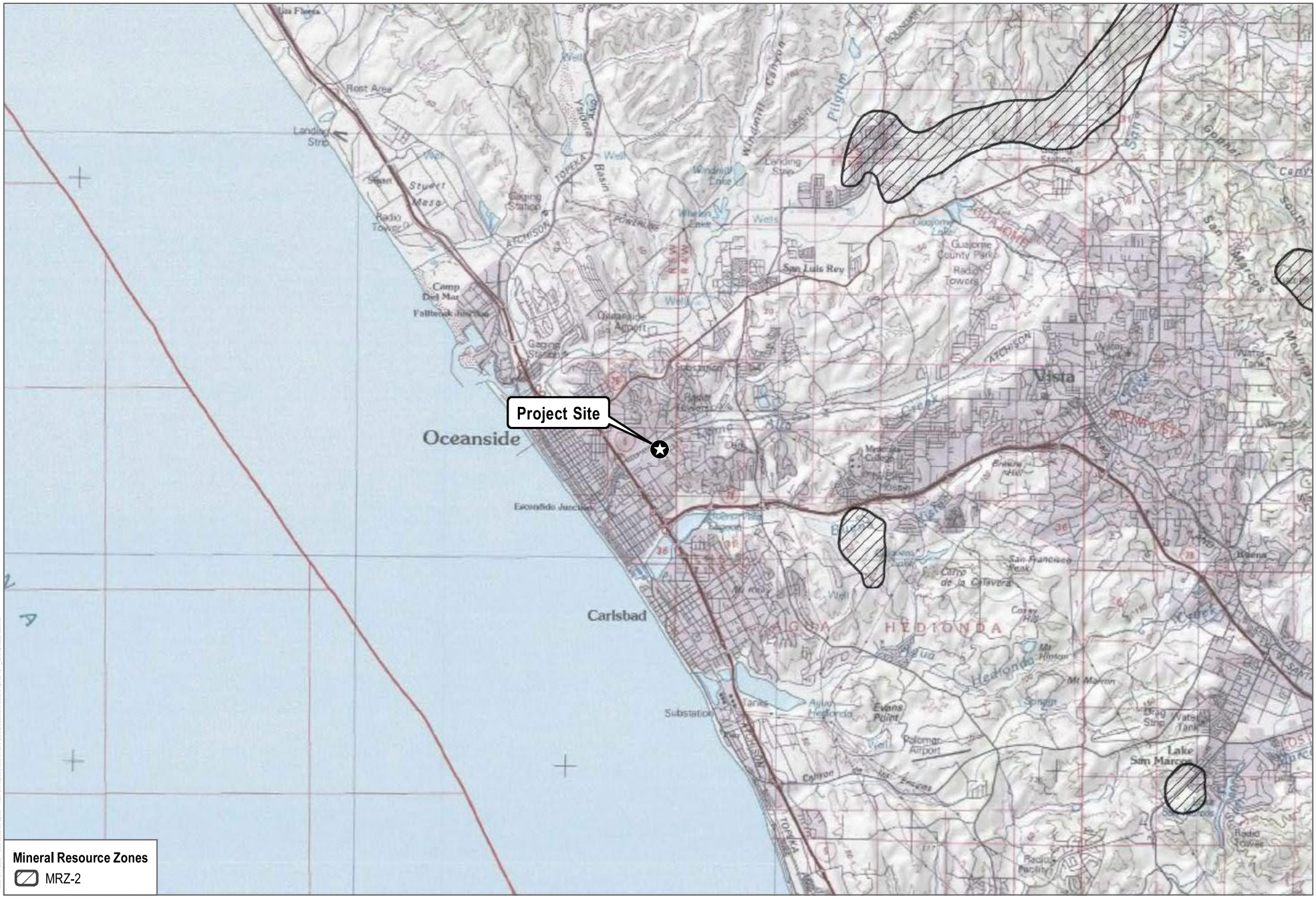
No Impact. See answer to Section 6.12(a). The proposed project is not within a designated mineral resource area (City of Oceanside 1975) and would not result in the loss of availability of a locally important

mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Therefore, the proposed project would have **no impact.**

Because the project site would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan, it is not required to comply with the mitigation measures in the San Diego Association of Governments Regional Transportation Plan/Sustainable Communities Strategy Final Environmental Impact Report related to those issues. Specifically, measure MR-1a does not apply to the proposed project and this measure is not required to be incorporated into the project design or mitigation measures.

c) Cumulative Impacts?

Less Than Significant Impact. Most of the related project sites are within areas that have previously been developed and thus are no longer considered available for mineral extraction, or are not within areas identified as either locally important mineral resource recovery sites in the City of Oceanside's General Plan or under the California Department of Conservation. Further, as the project would have no impact on mineral resources, it would not contribute to a cumulatively considerable impact concerning mineral resources. Therefore, the project would have no cumulatively considerable contribution to impacts on mineral resources and no mitigation measures are required.



SOURCE: CA Department of Conservation Division of Mines and Geology 1982; USGS 7.5-Minute Series Quadrangle

DUDEK

0 1 2 Miles

FIGURE 6.12-1

Mineral Resources

Ocean Creek Mixed Use Apartments

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6.13 Noise

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. NOISE – Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐

The following analysis utilizes information provided in the Noise Assessment, Jefferson Oceanside, prepared by LDN Consulting Inc., May 13, 2022 (Noise Report). The Noise Report is included as Appendix J.

Environmental Setting

The proposed Ocean Creek Mixed Use Project (project) vicinity outdoor sound environment is characterized by commercial land uses to the west and north, and residential to the south, with nearby arterial roadways such as Oceanside Boulevard. To obtain empirical reference for the pre-existing (a.k.a., baseline) traffic noise levels, noise measurements were taken January 13, 2021, in the afternoon hours near the center of the future S. Oceanside Boulevard extension on the project site. The ambient noise level measured was found to be roughly 63 A-weighted decibel (dBA) equivalent sound level (L_{eq}) and primarily generated by roadway vehicular noise. Thus, and on the basis that such a daytime sample of L_{eq} can be considered representative of a day-night sound level per Federal Transit Administration (FTA) guidance (FTA 2018), the existing noise levels are below the 65 dBA community noise equivalent level (CNEL) "normally acceptable" level threshold per the City's General Plan Noise Element land use noise compatibility guidelines.

Regulatory Setting

City of Oceanside Noise Element

The stated goal of the City of Oceanside Noise Element (City of Oceanside 2002) is to "minimize the effects of excessive noise in the City of Oceanside," with policies listed as follows:

- Noise levels shall not be so loud as to cause danger to public health in all zones except manufacturing zones where noise levels may be greater.

- Noise shall be controlled at the source where possible.
- Noise shall be intercepted by barriers or dissipated by space where the source cannot be controlled.
- Noise shall be reduced from structures by use of soundproofing where other controls fail or are impractical.
- Noise levels shall be considered in the approval of any projects or activities, public or private, which requires a permit or other approval from the City.
- Noise levels shall be considered in any changes to the Land Use and Circulation Elements of the General Plan.

Noise levels of City vehicles, construction equipment, and garbage trucks shall be reduced to acceptable levels.

Transportation Noise Standards

The City of Oceanside's Noise Element requires that all exterior sensitive areas shall limit noise exposure. For noise sensitive residential land uses, the City has adopted a policy which has established a "normally acceptable" exterior noise level goal of 65 dBA CNEL for the outdoor areas and an interior noise level of less than 45 dBA CNEL at sensitive receivers. Interior noise levels should be mitigated to a maximum of 45 dBA CNEL in all habitual rooms when the exterior of the residence are exposed to levels of 60 dBA CNEL or more. If windows and doors are required to be closed to meet the interior noise standard, then mechanical ventilation shall be provided per City requirements.

Construction Standards

The City of Oceanside Noise Element sets noise level limits for construction. It shall be unlawful for any person to operate construction equipment at any construction site, except as outlined in subsections (a) and (b) below:

a) It shall be unlawful for any person within any residential zone or 500 feet therefrom to operate any pile driver, power shovel, pneumatic, power hoist, or other construction equipment between 8:00 p.m. and 7:00 a.m. generating an ambient noise levels of 50 dBA at any property line, unless an emergency exists.

b) It shall be unlawful for any person to operate any construction equipment at a level in excess of 85 dBA at 100 feet from the source.

c) It should be unlawful for any person to engage in construction activities between 6 PM and 7 AM when such activities exceed the ambient noise level by 5 dBA. A special permit may be granted by the Director of Public Works if extenuating circumstances exist.

City of Oceanside Engineering Manual

Construction noise in the City is also governed by the City Engineering Manual (City of Oceanside 2017), which states the following:

> All operations conducted on the premises, including the warming up, repair, arrival, departure, or running of trucks, earthmoving equipment, construction equipment, and any other associated equipment shall be limited to the period between 7:00 a.m. and 6:00 p.m. each day, Monday through Friday, and no earthmoving or grading operations shall be conducted on the premises on Saturdays, Sundays or legal holidays, unless waived by the City Engineer. . . .
>
> Hours of Operation (515)(34): 7:00 am to 6:00 p.m. M-F; including equipment warm-up. Saturday Operation: Requires filing a permit by 2:30 p.m. on the preceding Thursday.

City of Oceanside Noise Ordinance

Construction Noise

Section 38.17.h from the Oceanside Municipal Code speaks to prohibited construction noise as follows: "The operation between the hours of 10:00 p.m. and 7:00 a.m. of any pneumatic or air hammer, pile driver, steam shovel, derrick, steam, or electric hoist, parking lot cleaning equipment or other appliance, the use of which is attended by loud or unusual noise."

Stationary Noise Sources

Fixed sources and operational noise standards are regulated by the City of Oceanside Noise Ordinance Section 38.12. It shall be unlawful for any person to cause or allow the creation of any noise to the extent that the one-hour average sound level, at any point on or beyond the boundaries of the property in the applicable base district zone on which the sound is produced exceeds the applicable limits set forth below in Table 6.13-1.

Table 6.13-1. Sound Level Limits (Decibels)

Base District Zone	7:00 a.m. to 9:59 p.m.	10:00 p.m. to 6:59 a.m.
(1) Residential Districts:		
RE (Residential Estate)	50	45
RS (Single-Family)	50	45
RM (Medium Density)	50	45
RH (High Density)	55	50
RT (Residential Tourist)	55	50
(2) C (Commercial)	65	60
(3) I (Industrial)	70	65
(4) D (Downtown)	65	55
(5) A (Agricultural)	50	45
(6) OS (Open Space)	50	45

Significance Criteria

In light of the City standards summarized in the preceding section, this analysis uses the following standards to evaluate potential noise and vibration impacts per the three California Environmental Quality Act Appendix G noise assessment criteria (that are also used to categorize potential noise impact significance, in like order):

- **Construction noise** – Although Chapter 38 of the Oceanside Municipal Code does not quantify a threshold for allowable construction noise, the City's General Plan allows noise from construction equipment operation to be as high as 85 dBA at 100 feet from the source. If construction work were to occur outside 7:00 a.m. to 6:00 p.m., no more than a 5 dBA increase over existing ambient noise levels would be permitted per the General Plan Noise Element.
- **Off-site project-attributed transportation noise** – Community noise level changes greater than 3 dB are audible and noticeable to people (Caltrans 2013), and such audible noise level increases are considered

potentially significant if noise levels exceed the City's General Plan noise compatibility standards. Noise level changes that are not audible are considered less than significant.

- **Off-site project-attributed stationary noise –** The sound level limits at a project's property boundary depend on the time of day and the zone. The project site is zoned Community Commercial and Open Space. The existing residential uses located to the south are RM (Medium Density), and the neighboring parcels to the east, west and north are zoned for various commercial uses.

  The noise ordinance identifies all commercial zones as having a one-hour sound level limit of 65 dBA hourly L_{eq} (L_{eq1h}) between 7:00 a.m. and 9:59 p.m. and 60 dBA from 10:00 p.m. to 6:59 a.m. at the property line. The noise ordinance limit for both Open Space and RM (Medium Density) is 50 dBA L_{eq1h} between 7:00 a.m. and 9:59 p.m. and 45 dBA from 10:00 p.m. to 6:59 a.m. at the property line. When two joint boundaries differ in zoning the City of Oceanside Noise Ordinance utilizes the arithmetic mean of the two standards.

  As the adjacent property lines to the west, north and east are zoned commercial and that area of the site is zoned as commercial as well, the applicable property line noise limit to the west, north, and east is 65 dBA hourly L_{eq} (L_{eq1h}) between 7:00 a.m. and 9:59 p.m. and 60 dBA from 10:00 p.m. to 6:59 a.m. Where the site is zoned commercial directly adjacent to the RM zoned parcel to the southwest, the property line noise limit would be 57.5 dBA and 52.5 dBA L_{eq1h}. The noise limit at the remainder of the southern property line where the site is zoned Open Space and the adjacent area is zoned RM has a noise limit of is 50 dBA L_{eq1h} between 7:00 a.m. and 9:59 p.m. and 45 dBA from 10:00 p.m. to 6:59 a.m.

- **Construction vibration –** Since the City lacks vibration assessment criteria of its own, and consistent with details appearing in Appendix J, the City relies on the FTA guidance thresholds of 80 VdB root-mean-square (rms) vibration velocity for annoyance to occupants of affected structures, and 0.2 inches per second (ips) peak particle velocity as a building damage risk level for those affected structures typical of residential construction.

  The City of Oceanside also establishes a residential exterior and interior noise standards of 65 dBA CNEL and 45 dBA CNEL, respectively.

a) Would the project result in the generation of a substantial temporary or permanent increase inambient noise levels in the vicinity of the project in excess of standards established in the localgeneral plan or noise ordinance, or applicable standards of other agencies?

Short-Term Construction Noise Analysis

Less-than-Significant Impact. Table 6.13-2 provides the expected construction phasing and construction equipment. Each phase of construction, including grubbing, grading, trenching and utility installation, paving, building construction, architectural coatings, and landscape installation, would generate different noise levels. Out of these phases, grading activities would generate the highest potential noise levels, as this phase involve the use of heavy equipment such as haul trucks, water trucks, graders, dozers, loaders, and scrapers. Using a point-source noise prediction model, calculations of the expected worst-case grading phase noise levels were completed based on the equipment to be used, location of the equipment, duration of use, location of sensitive receivers, and other factors (refer to Appendix J). Table 6.13-2 presents the results of the construction noise modeling for the grading/site preparation phase of the project.

Table 6.13-2. Construction Noise Levels

Equipment Type	Quantity Used	Source @ 50 Feet (dBA)	Cumulative Noise Level @ 50 Feet (dBA)
Dozer	2	74	77
Scraper	2	75	78
Excavator	1	72	72
Compactor	1	74	74
Grader	1	73	73
Backhoe	1	72	72
Water Truck	1	70	70
Cumulative Levels at 50 Feet			83.0
Average Distance to Property Line (Feet)			150
Noise Reduction Due to Distance			-9.6
		NEAREST PROPERTY LINE NOISE LEVEL	**73.5**

Source: Appendix J.

As can be seen in Table 6.13-2, none of the proposed equipment would individually exceed the City's 85 dBA standard at 100 feet from the source. In addition and as explained in Appendix J, Table 6.13-2 illustrates that at the average distance of 150 feet between the set of on-site construction equipment for the grading/site preparation phase and the nearest receiving property line, the estimated cumulative noise level would be 73.5 dBA and well below the magnitude of the City's General Plan 85 dBA standard. Ultimately, the project construction hours would be limited to daytime hours between 7:00 A.M. and 6 P.M. in accordance with the Municipal Code Section 38.17.h and City of Oceanside Engineering Manual. Thus, the project would comply with City Municipal Code limits, and temporary noise impacts would be **less than significant.**

Off-Site Water Line Improvements

As described in Chapter 2, Project Description, the proposed project requires replacement or repair of an existing, off-site water line. These improvements would be performed in in Parkwood Lane and Blue Springs Lane. These streets are within a mobile home community. Because of the constrained location, only small equipment would be able to be used to perform the off-site waterline improvements. Equipment would be similar to small bulldozers and excavators for trenching and removing existing pipe. Work would be anticipated to be as close as 25 feet to existing mobile homes.

Due to the nature of the work within the mobile home community, only one piece of equipment would be operated at a time; therefore, there would not be any combined equipment use. Concrete cutting saws would first be used to cut into the exiting roadway to access the pipeline. Once complete, a small excavator would be used to remove any fills placed over the existing water line, remove the old water line, and then lay down the new line. A small plate compactor would be used to compact backfill material. Finally, asphalt will be overlaid, and a steam roller would be used to complete the improvements.

It is not anticipated that noise levels would exceed the applicable limits based on this limited construction equipment, even in such close proximity to the existing mobile homes. As shown in Table 6.13-2, any one individual piece of equipment would be below the City's 85 dBA standard at 100 feet from the source. Because only one piece of equipment would be used at a time due to the nature of the off-site water line improvements, the applicable construction noise threshold would not be exceeded. As indicated above, the

project construction hours would be limited to the daytime between 7:00 A.M. and 6 P.M. in accordance with the Municipal Code Section 38.17.h and City of Oceanside Engineering Manual. Therefore, these improvements would not result in the generation of a substantial temporary increase inambient noise levels in excess of standards established in the Oceanside General Plan and Noise ordinance, or applicable standards of other agencies and impacts would be **less than significant.**

Operational Noise

Off-Site Traffic Noise Analysis

Less-than-Significant Impact. The off-site project related roadway segment noise levels projected in the Noise Report were calculated using the methods in the Federal Highway Administration (FHWA) Highway Noise Model. The project's traffic assessment (Appendix K) provided traffic volumes and other modeling inputs. Two contrast scenarios were developed for this analysis, assessing the project's influence on traffic noise for existing and cumulative conditions. Note that the analyses conservatively do not take into account the effect of any noise barriers or topography that may reduce ambient noise levels. Refer to Appendix J for the details regarding the inputs into the model.

Existing Plus Project Roadway Noise

Table 6.13-3 presents the comparison of predicted off-site traffic noise at 50 feet from the indicated roadway segments for the Existing Year scenario with and without project-related traffic contribution. The overall roadway segment noise levels would increase from 0.1 to 1.6 dBA CNEL with development of the project.

Table 6.13-3. Existing and Existing Plus Project Noise Levels

Roadway	Roadway Segment	Existing Noise Level @ 50-Feet (dBA CNEL)	Existing Plus Project Noise Level @ 50-Feet (dBA CNEL)	Project Related Noise Level Increase (dBA CNEL)
Oceanside Boulevard	I-5 SB Ramps to I-5 NB Ramps	70.2	70.5	0.4
	I-5 NB Ramps to State Tree Dr	70.9	71.0	0.1
Crouch Street	Oceanside Blvd to Grandview St	59.7	60.9	1.2
S. Oceanside Boulevard	Commerce St to State Tree Dr	62.2	63.0	0.9
	East of State Tree Dr	62.3	63.8	1.6

Source: Appendix J.

Because the project would not cause a direct noise increase of more than 3 dBA CNEL on any studied roadway segment, and because the project would not cause existing traffic noise levels to exceed 65 dBA CNEL where not already in excess of this level, the project's direct contributions to off-site roadway noise increases for the Existing plus project scenario would be considered a less-than-significant impact for existing off-site noise sensitive land uses.

Cumulative Roadway Noise

To determine if cumulative off-site noise level increases associated with the development of the project and other planned or permitted projects in the vicinity would create noise impacts, the noise levels for that future condition were compared with the existing conditions. The buildout traffic data was based on what appears in Appendix K, and utilized an ambient growth rate to estimate the cumulative projects contribution to vicinity roadway traffic. Table 6.13-4 presents the comparison of the Existing Year and the Cumulative noise levels. The studied roadway segment noise levels would increase over Existing Year conditions by 0.2 to 2.0 dBA CNEL with the combined development of the project and proposed cumulative projects. Because the predicted traffic noise increase would be less than 3 dBA CNEL on any studied roadway segment, and because the project plus cumulative other projects would not cause existing traffic noise levels to exceed 65 dBA CNEL where not already in excess of this level, the project's direct contributions to off-site roadway noise increases for the Cumulative scenario would be considered a less

Table 6.13-4. Existing vs. Cumulative Plus Project Noise Levels

Roadway	Roadway Segment	Existing Noise Level @ 50-Feet (dBA CNEL)	Existing Plus Project Noise Level @ 50-Feet (dBA CNEL)	Project Related Noise Level Increase (dBA CNEL)
Oceanside Boulevard	I-5 SB Ramps to I-5 NB Ramps	70.2	70.4	0.2
	I-5 NB Ramps to State Tree Drive	70.9	71.9	1.0
Crouch Street	Oceanside Blvd to Grandview St	59.7	61.5	1.8
S. Oceanside Boulevard	Commerce St to State Tree Dr	62.2	63.6	1.4
	East of State Tree Dr	62.3	64.3	2.0

Source: Appendix J.

On-Site Transportation Noise Analysis

Less Than Significant Impact. The City's compatibility standards apply to all sources of transportation-related noise, including roadway traffic noise and rail operations noise. Therefore, to assess compliance with the 65 dBA CNEL standard, the noise generated from rail and traffic should be considered together.

Rail Noise

The proposed buildings would be located a minimum of 175 feet from the San Diego Northern Railroad (SDNR) consisting of Sprinter service operated by the North County Transit District. According to a previous noise study, the future noise level from the railway is expected to be as high as 63.3 dBA CNEL at 140-feet (Eilar Associates 2004). As indicated in Appendix J, this previous study indicated an average of 64 daily trips at an estimated speed of 25 mph and includes infrequent (twice a week) freight trains. At a distance of 175 feet, and using line-source sound propagation applied to this reference rail operations noise level, noise from the North County Transit District Sprinter would be a predicted 62.3 dBA CNEL.

On-Site Combined Rail and Roadway Noise

Outdoor use areas and building facades were modeled to determine compliance with the City's 65 dBA CNEL threshold. The noise levels determined for the roadway and train activities were combined to

determine the overall cumulative noise levels at the proposed receptors. The resultant cumulative noise levels from the traffic and train activities would be 71 dBA CNEL at building facades. Although this is higher than the 65 dBA CNEL exposure level considered normally acceptable by the City, the proposed project will rely on closed windows and mechanical ventilation and air-conditioning for occupants to meet the interior 45 dBA CNEL requirement per City and the California Building Code. Balconies Ultimately, the project would be subject to the standard condition of approval to meet the City and the California Building Code noise requirements. The proposed outdoor pool area would be shielded by the roadways and railway by the proposed buildings and therefore was found to be at 64 dBA CNEL in compliance with the City of Oceanside Noise standards of 65 dBA CNEL at the multi-family residences and outdoor useable areas.

Operational Noise

HVAC Noise

Less-than-Significant Impact. Noise sources from the operating outdoor-exposed heating, ventilating, and air-conditioning (HVAC) systems are the primary sources of stationary noise for the project. Each occupied residential unit will have a rooftop-mounted HVAC unit (e.g., air-cooled condenser). To predict the worst-case future noise environment, a continuous reference noise level of 65.9 dBA at 6-feet was used to represent the roof-top air-cooled condenser for each occupied residential unit. Even though this air-conditioning equipment will cycle on and off throughout the day, this approach presents the worst-case noise condition—especially at night, during the summer, when such air-cooled condenser will likely be operating to provide interior comfort.

The aggregate noise emission level generated by the project's HVAC at the nearest property line to the south is provided in Table 6.13-5 below. The proposed cumulative HVAC operational noise level would be 47.1 dBA. As the adjacent property lines to the west, north and east are zoned commercial and that area of the site is zoned as commercial as well, the applicable property line noise limit to the west, north, and east is 65 dBA hourly L_{eq} (L_{eq1h}) between 7:00 a.m. and 9:59 p.m. and 60 dBA from 10:00 p.m. to 6:59 a.m. Where the site is zoned commercial directly adjacent to the RM zoned parcel to the southwest, the property line noise limit would be 57.5 dBA and 52.5 dBA L_{eq1h}. The noise limit at the remainder of the southern property line where the site is zoned Open Space and the adjacent area is zoned RM has a noise limit of is 50 dBA L_{eq1h} between 7:00 a.m. and 9:59 p.m. and 45 dBA from 10:00 p.m. to 6:59 a.m. Thus, the noise generated at the site would not exceed the City's Noise Ordinance property line noise limits. As such, the project's stationary HVAC noise impact would be less than significant.

Table 6.13-5. Project HVAC Noise Levels (Southern Property Line)

Source	Distance to Observer Location (Feet)	Hourly Reference Noise Level* (dBA)	Noise Source Reference Distance (Feet)	Noise Reduction Due to Distance (dBA)	Noise Level at Property Line* (dBA)	Quantity of Sources	Property Line Cumulative Noise Level (dBA)**
HVAC	370	65.9	6.0	-35.8	30.1	16	42.1
HVAC	375	65.9	6.0	-35.9	30.0	14	41.4
HVAC	395	65.9	6.0	-36.4	29.5	12	40.3
HVAC	410	65.9	6.0	-36.7	29.2	12	40.0
					Cumulative Noise Level @ Property Line (dBA)		**47.1**

* for single HVAC rooftop unit serving an occupied future project residence
** accounts for the logarithmic combination of multiple HVAC units per the indicated Quantity

The open space property line is located roughly 120 feet from the HVAC units located on the nearest proposed building. This would result in a worst-case noise level of 57.2 dBA without shielding. The HVAC units would be shielded by the roof at the property line due to the elevation offsets (property line elevation is approximately 45 feet above sea level and the roof mounted HVAC are at approximately 70 feet above sea level). It should be noted: the open space elevations increase to 70 feet above sea level moving south from the proposed project at and distance of over 150 feet from the nearest building. This would reduce the noise levels 2 dBA. Additionally, most of the HVAC units on the other buildings will be located farther from the open space. Therefore, impacts would not exceed the property line noise limits and would be less than significant.

b. Would the project result in the generation of excessive groundborne vibration or groundborne noise levels?

Per Table 6.13-6, structural damage is possible for typical residential construction when the peak particle velocity exceeds 0.2 inch per second (in/sec). This criterion is the threshold at which there is a risk of damage to normal dwellings.

Construction Vibration

Less-than-Significant Impact. Per Table 6.13-6, structural damage is possible for typical residential construction when the peak particle velocity exceeds 0.2 inch per second (in/sec). This criterion is the threshold at which there is a risk of damage to normal dwellings.

Table 6.13-6. Groundborne Vibration Impact Criteria (Structural Damage)

Building Category		PPV (in/sec)	VdB
I.	Reinforced-concrete, steel, or timber (no plaster)	0.5	102
II.	Engineered concrete and masonry (no plaster)	0.3	98
III.	Non-engineered timber and masonry buildings	0.2	94
IV.	Buildings extremely susceptible to vibration damage	0.12	90

Source: FTA 2006.

The nearest vibration-sensitive uses are the residences to the south located 200 feet or more from the proposed construction. The anticipated construction equipment would be spread out over the site working

in different portion of the site as needed. Table 6.13-7 lists the average vibration levels that would be experienced at the nearest vibration sensitive land uses from the temporary construction activities. Vibration levels were assessed at a distance of 50 feet to be conservative.

Table 6.13-7. Vibration Levels from Construction Activities (Residential Receptors)

Equipment	Approximate Velocity Level at 25 Feet (VdB)	Approximate RMS Velocity at 25 Feet (in/sec)	Approximate Velocity Level at 50 Feet (VdB)	Approximate RMS Velocity at 50 Feet (in/sec)
Small bulldozer	58	0.003	49.0	0.0011
Jackhammer	79	0.035	70.0	0.0124
Loaded trucks	86	0.076	77.0	0.0269
Large bulldozer	87	0.089	78.0	0.0315
		FTA Criteria	**80 VdB rms**	**0.2 ips PPV**
		Significant Impact?	**No**	**No**

As presented in Table 6.13-7, construction activities would generate levels of vibration that would not exceed the FTA criteria for annoyance to occupants of nearby residential uses, nor would they exceed the building damage risk threshold. Therefore, construction-related vibration impacts would be less than significant as the project would not result in the generation of excessive groundborne vibration or groundborne noise levels.

Off-Site Water Line Improvements

As described in Chapter 2, the proposed project requires replacement or repair of an existing, off-site water line. The off-site water line improvements would be performed in Parkwood Lane and Blue Springs Lane. These streets are within a mobile home community. Because of the constrained location, only small equipment would be able to be used to perform the off-site waterline improvements. Equipment would be similar to small bulldozers and excavators for trenching and removing existing pipe. Work would be anticipated to be as close as 25 feet to existing mobile homes.

Due to the nature of the work within the mobile home community, only one piece of equipment would be operated at a time; therefore, there would not be any combined equipment use. Concrete cutting saws would first be used to cut into the exiting roadway to access the pipeline. Once complete, a small excavator would be used to remove any fills placed over the existing water line, remove the old water line, and then lay down the new line. A small plate compactor would be used to compact backfill material. Finally, asphalt will be overlaid, and a steam roller would be used to complete the improvements.

It is not anticipated that vibration levels would exceed the applicable limits based on this limited construction equipment, even at such close proximity to the existing mobile homes. Therefore, vibration due to the off-site water line improvements would not exceed the FTA criteria for annoyance to occupants of nearby residential uses, nor would they exceed the building damage risk threshold. Therefore, construction-related vibration impacts would be less than significant.

Operational Vibration

Less-than-Significant Impact. Due to the proposed residential and commercial uses, the proposed project operations would not generate operational vibration impacts. Anticipated mechanical systems like HVAC equipment are designed and manufactured to feature rotating (fans, motors) and reciprocating (compressors) components that are well-balanced with isolated vibration within or external to the equipment casings. No significant operational vibration impacts would occur.

Train vibration depends on the weight of the train, travel speed, the condition of the track and soil characteristics. The proposed project buildings would be more than 175 feet from the centerline of the tracks. Federal Transit Administration Transit Noise and Vibration Impact Assessment Manual (FTA 2018) predicts that freight train vibration levels are as high as 73 VdB at 175 feet from the track centerline for a locomotive-powered freight train traveling at speeds of 50 mph and up to 62 VdB for commuter rail train events at that speed.

Therefore, the infrequent freight train activities will be below the 80 VdB, infrequent event for the freight train and the frequent commuter train activities will be below the 72 VdB frequent event annoyance thresholds as identified by the FTA. Additionally, due to the close proximity of the Transit Center, the commuter trains will be traveling at a slower speed of approximately 15 mph, which would reduce the vibration levels 8 VdB and the freight train travel at speeds of 30 mph or less which would reduce the vibration levels at least 4 VdB. Therefore, the train activities would not exceed the FTA threshold, and impacts would be less than significant.

c) ***For a project located within the vicinity of a private airstrip or an airport land use plan or, wheresuch a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?***

Less-than-Significant Impact. While the proposed project is located within 2 miles (over 1.5 miles) from the Oceanside Municipal Airport, as shown in Figure 5-B of Appendix J it is not within the noise contours established by the Airport Land Use Commission Plan due to infrequent aircraft over flights. Hence, aviation operations associated with the Oceanside Municipal Airport would not be expected to cause noise exposure levels to workers or future occupants of the proposed that exceed 65 dBA CNEL. Impacts would be less than significant.

d) ***Cumulative Impacts***

Noise in Excess of Standards

Less-than-Significant Impact. The proposed project and related development projects within its area would all be subject to applicable noise standards (descriptions of the standards applicable within the City of Oceanside are described throughout this section). On this basis, and because noise impacts with respect to relevant standards are predicted to be less than significant, the proposed project would not contribute to cumulative exceedances of noise standards, and its incremental effect is considered a less than significant impact.

Temporary/Periodic Increases in Ambient Noise Levels

Less-than-Significant Impact. The proposed project would result in a temporary noise increase to the existing outdoor sound environment during construction. The project's construction period has the potential

to overlap with the construction of other projects in the City. Due to the decrease in noise levels with distance and the presence of physical barriers (i.e., intervening buildings and topography), noise due to construction of other projects would not meaningfully combine with future development under the proposed project to produce a cumulative noise effect during construction. By way of illustration, if there are two concurrent construction projects of comparable sound emission intensity, and the activity nearest to the studied noise-sensitive receptor is compliant with the City's standards, the other activity could be no closer than three times the distance of the receptor to the nearest activity and not make a cumulatively measurable contribution to the total noise exposure level. If two concurrent projects were close to a receptor, the cumulative noise would be one of the following:

- The louder (in dBA) of the two concurrent activities; or,
- A logarithmic sum of the two activity noise levels that, per acoustic principles, cannot be more than 3 dBA greater than the louder of the two individual noise-producing activities.

In sum, cumulative construction noise is likely to be dominated by the closest or loudest activity to the receptor, and the combination will be no more than a barely perceptible difference (i.e., up to a 3 dBA change).

Vibration

Less-than-Significant Impact. Other projects in the City that may be under construction would not be close enough to create a combined excessive generation of groundborne vibration. Thus, cumulative impacts associated with excessive groundborne vibration would be considered less than significant.

Permanent Increase in Ambient Noise Levels

Stationary Sources

Less-than-Significant Impact. Long-term operational noise would result from operation of the proposed project, such as permanent on-site noise sources (e.g., HVAC equipment). A cumulative impact could result if noise produced resulting from implementation of the proposed project were to combine with noise produced from the operation of other related projects in the vicinity to create a cumulatively significant permanent increase in ambient noise levels. However, the operation of future projects under the proposed project, along with the operation of other related projects, would be subject to applicable requirements from the City's noise ordinance, which limits the exterior noise levels at residences. Hence, cumulative impacts to outdoor ambient noise levels resulting from proposed project stationary sources are considered less than significant.

Off-Site Traffic Noise

Less-than-Significant Impact. Future development associated with the proposed project along with other related projects would generate off-site traffic noise. When calculating future traffic impacts, the traffic study included traffic from related projects in the traffic model. Thus, future traffic results with and without the proposed project as studied herein already account for the cumulative impacts from related projects contributing to traffic increases. Since the potential noise impacts are generated directly from the traffic analysis results, the Existing and Cumulative traffic with and without proposed project predicted increases in traffic noise levels described herein already reflect cumulative impacts. As described herein, the noise level increases associated with both of these scenarios would generate a noise level increase of less than

3 dB along the studied sample roadways in the vicinity of the proposed project. As such, anticipated increases would be below the significance threshold of 3 dBA; hence, the incremental effect of the proposed project on off-site traffic noise is not cumulatively considerable. Cumulative off-site traffic noise impacts are, thus, considered less than significant.

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6.14 Population and Housing

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. POPULATION AND HOUSING – Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Environmental Setting

The proposed Ocean Creek Mixed Use Project (project) is located within the City of Oceanside (City). As shown in Table 6.14-1, Oceanside Regional Growth Forecast, the City is projected to grow by 4,767 housing units from 2020 to 2050 (SANDAG 2021a).

Table 6.14-1. Oceanside Regional Growth Forecast (SANDAG Series 14)

	Year					Change
Factor	2016	2020	2025	2035	2050	Number
Population	176,666	177,335	178,385	181,020	184,283	7,617
Housing	65,851	66,592	67,816	71,359	71,359	5,508
Jobs	47,256	N/A	48,317	48,909	50,756	3,500

Sources: SANDAG 2021a (San Diego Forward, Appendix J, Series 14 Regional Growth Forecast); SANDAG 2021b (Data Surfer)

a) Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Less-than-Significant Impact. The proposed project would construct 295 units, which would have the potential to house approximately 673 people, based on the proposed project's specific mix of units. The proposed density is approximately 22.9 dwelling units per acre based on 295 units on 12.87 acres. This density is consistent with both the City's Zoning Code, which permits up to 29 dwelling units per acre through a Mixed-Use Development Plan, and the City's Housing Element. The 6th Cycle Housing Element identifies the proposed project as one of several "Projects Under Review" (City of Oceanside 2021). These "Projects Under Review," which are listed in Table B-6 of the 6th Cycle Housing Element Update (City of Oceanside 2021), total 1,343 units, were credited as progress toward meetings the City's 6th Cycle RHNA

requirements (see Table 22, Progress Toward the 2021–2029 RHNA, in City of Oceanside 2021). Accordingly, the City has considered the proposed project as one of the projects that will advance the City's ability to achieve its fair share of the regional housing allocation. As explained in Chapter 3, SCEA Criteria and TPP Consistency, of this Sustainable Communities Environmental Assessment (SCEA), The Regional Plan, including the Sustainable Communities Strategy land use pattern, is required to accommodate for the Regional House Needs Allocation (RHNA). Therefore, the San Diego Association of Governments (SANDAG) projections under The Regional Plan necessarily include the proposed project because it is part of the City's Housing Element for meeting the City's share of its RHNA.

The proposed project's contribution toward growth would also be consistent with the SANDAG growth projections. The Series 14 Regional Growth Forecast includes assumptions about how local plans and policies may evolve over time in response to the region's continuing growth. The Series 14 forecast began with adopted general plans and policies from the 18 incorporated cities, including Oceanside, and the unincorporated San Diego County areas. Then, local jurisdictions were asked to provide detailed feedback on how land use plans may change in the future. Hence, the Series 14 Regional Growth Forecast provides an assessment of where change may occur in the coming decades. Therefore, SANDAG projections are based on the City's General Plan, which was then projected out to the 2050 planning horizon (SANDAG 2021a).

The most recent SANDAG estimates (releases in July 2021) for the City estimate that there were 66,592 total housing units as of April 2020. Based on this, the City is expected to experience an increase of approximately 6,948 units using current estimates. The project would account for 295 of the projected 6,948 units anticipated between 2020 and 2050 (SANDAG 2021a).

Because the project is not expected to become operational until after 2025, the project's 295 residential units would be with the projected 3,728 units to be constructed between 2025 and 2050 according to the City's projections under the SANDAG Series 14 Regional Growth Forecast.

Consistent with the City's CC zoning and the Mixed Use Development Plan requirements, the proposed project would also include approximately 3,000 square feet of employment-generating commercial/retail uses. Although the exact uses are not known at this time, for purposes of the traffic analysis, the uses were assumed to all be "restaurant," as that use would generate higher traffic volumes. The project's commercial/retail uses are anticipated to generate a maximum of up to 20 jobs. The total of approximately 20 jobs would represent approximately 0.001% of the projected increase in jobs (12,886) within the City between 2020 and 2050. Thus, the proposed project's employment is consistent with planned employment growth and the mixed-use land use designations of the property.

The project would also not lead to indirect growth. Primarily, the project would not result in additional infrastructure improvements that would allow for additional unplanned growth in the area. Specifically, the project site is located within a highly urbanized area that is currently served by existing roadway/access infrastructure. All proposed connections to existing utility infrastructure would be sized to adequately serve anticipated project buildout. Similarly, all existing water, sewer, and storm drainage facilities that the proposed project would connect to are adequately sized to serve the proposed project without the need to expand those facilities (refer Section 6.19, Utilities and Service Systems). Although the project would complete the small stretch of South Oceanside Boulevard that was not built by adjacent development, that public improvement has long been contemplated by the City's General Plan, and its scope and design are not of a nature anticipated to facilitate additional, unplanned development. The proposed project would not result in the extension or expansion of roadways or other infrastructure in previously undeveloped or under-developed areas such that surrounding land uses could be encouraged to intensify as a result of the project improvements.

Therefore, the proposed project would not induce substantial unplanned population growth in an area, either directly or indirectly, and would have a **less-than-significant impact.**

b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. There are no existing residents or structures on the project site or in the areas where the project proposes improvements; therefore, no existing housing or people would be displaced by implementation of the proposed project.

Although no permitted residents or dwelling units exist on site, property in the vicinity of the project site has experienced semi-regular populations of people experiencing homelessness. An increase in activity and residents on South Oceanside Boulevard might lead persons experiencing homelessness to seek out locations other than the slope between the proposed development area and Crouch Street and along South Oceanside Boulevard. However, due to the transient and nonpermanent nature of those activities and the impacts of enforcement and outreach efforts of the City and others, it would be speculative to attribute a displacement of persons experiencing homelessness to the project. In addition, the proposed project would provide for 30 units of affordable housing. Further, the overall social issue regarding homelessness and provision of housing for this population is a separate matter from the proposed project, and is not an environmental issue within the meaning of the California Environmental Quality Act. Therefore, **no impact** would occur as the project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

c) Cumulative Impacts?

Less-than-Significant Impact. As stated under Section 6.14(a), the City of Oceanside's total housing stock as of April 2020 is approximately 66,592 units, which is roughly 6,948 residential units below the SANDAG 2050 growth projections. The cumulative projects listed in Table 2-1 in Chapter 2, Project Description, include projects that were proposed and/or approved dating to before 2020 and total 1,484 units. With the proposed project's 295 units, current, recently approved, and pending projects in Oceanside would total approximately 1,779 units. This total accounts for approximately 27.9% of the total units projected for the City between 2020 and 2050. This total is within the projected planned growth for the City of Oceanside, and would not directly induce substantial unplanned growth.

In addition, housing and population projections contained in the SANDAG forecasts are based on land uses designated in the City's General Plan. SANDAG periodically updates its projections for the various subregions that comprise the SANDAG region, which allows these projections to be revised to reflect land use and planning changes that have occurred since previous updates. Accordingly, the effects of cumulative growth associated with the proposed project and other development within Oceanside will be accommodated in SANDAG forecasts over time.

The proposed project is consistent with the exiting land use and zoning for the project site, and as described above, is planned growth that does not extend infrastructure that would facilitate new unplanned growth; therefore, it would not contribute to cumulatively considerable impacts.

With respect to displacement of substantial numbers of existing people or housing requiring the construction of replacement housing, the proposed project would not result in displacement of any existing housing units or people. Because the project would have no contribution to displacement of persons, it would also not have cumulatively considerable impacts.

Therefore, because the proposed project and the related projects fall within SANDAG's regional growth projects for the City of Oceanside, and because these projects are not expected to indirectly induce substantial unplanned population growth, and because the proposed project and related projects would not displace substantial numbers of existing people or housing, the proposed project would not have a cumulatively considerable contribution to population and housing impacts.

6.15 Public Services

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other public facilities?	☐	☐	☒	☐

Existing Conditions

Fire. The Oceanside Fire Department (OFD) operates eight firehouses and serves approximately 180,000 residents across 41 square miles (City of Oceanside 2022a). The OFD employs at least 147 personnel, which includes a fire chief, deputy chief, 3 division chiefs, 3 battalion chiefs, 30 captains, 27 engineers, 45 firefighter/paramedics, 29 emergency medical technicians, 1 fire safety specialists, 5 fire inspectors, 1 fire plans examiner, 1 assistant training officers, and administrative support staff (City of Oceanside 2022a).

The OFD operates eight fire stations. The locations and apparatus for the fire stations are shown in Table 6.15-1, Fire Stations in Oceanside. Each fire station is operational 24 hours a day, 365 days a year.

Table 6.15-1. Fire Stations in Oceanside

Station Name	Address	Apparatus
Fire Station 1	714 Pier View Way	7 Fire engines 1 Tiller Truck 5 Ambulances 4 Brush Engines 1 Water Tender 1 Command Vehicle (Battalion Chief) 1 Command & Interoperability Trailer 1 Incident Support Trailer 1 Mass Casualty Response Vehicle 1 Confined Space Trailer
Fire Station 2	1740 South Ditmar Street	
Fire Station 3	3101 Oceanside Boulevard	
Fire Station 4	3990 Lake Boulevard	
Fire Station 5	4841 North River Road	
Fire Station 6	895 North Santa Fe Avenue	
Fire Station 7	3350 Mission Avenue	
Fire Station 8	1835 Avenida Del Oro, Suite F	

Source: City of Oceanside 2022a.

Police. The Oceanside Police Department employs 226 sworn and 84 non-sworn positions who handle approximately 110,000 calls for service each year (City of Oceanside 2022b). The Oceanside Police Department building is located at 3855 Mission Avenue, Oceanside, CA 92054. This primary station is located approximately

3.4 miles northeast of the project site. The project site is within District 12, which is within the Fire Mountain neighborhood (composed of Districts 12 and 13). Tables 6.15-2 and 6.15-3 provide the City of Oceanside's (City) existing (2020) response times from the two nearest response districts.

Table 6.15-2. Oceanside Police Department Response Times (2020 Sector 1 RD-6 76/Coast)

Call Priority	Average Response Time Goals	Actual Average Response Times
Priority 1 – Serious crimes in progress	Within 5 minutes	3 Minutes, 5 seconds
Priority 2 – Less serious crimes with no threat to life	Within 10 minutes	5 Minutes, 50 seconds
Priority 3 – Minor crimes/requests that are not urgent	Within 60 minutes	12 Minutes
Priority 4 – Minor requests for police services	Within 60 minutes	41 Minutes

Source: Oceanside Police Department 2020.

Table 6.15-3. Oceanside Police Department Response Times (2020 Sector 2 RD- 11,12 and 13 Oceanside Blvd/ Crouch)

Call Priority	Average Response Time Goals	Actual Average Response Times
Priority 1 – Serious crimes in progress	Within 5 minutes	5 Minutes, 5 seconds
Priority 2 – Less serious crimes with no threat to life	Within 10 minutes	9 Minutes, 9 seconds
Priority 3 – Minor crimes/requests that are not urgent	Within 60 minutes	25 mins 47 seconds
Priority 4 – Minor requests for police services	Within 60 minutes	34 mins 31 seconds

Source: Oceanside Police Department, May 2020

Schools. The proposed Ocean Creek Mixed Use Project (project) would be served by the Oceanside Unified School District (OUSD). OUSD serves 19,371 students and operates 23 schools, including 15 elementary schools, 4 middle schools, 2 comprehensive high schools, 1 adult transition program, and 1 alternative education school (OUSD 2022).

Libraries. The City operates two public library locations: the Civic Center Library on 330 North Coast Highway and Oceanside Public Library Mission Branch on 3861 Mission Avenue (Oceanside Public Library 2022). The Oceanside Public Library has a combined square footage of 42,000 square feet, has 38 public library staff, and 195,061 items in its inventory (City of Oceanside 2020 [ALTA EIR]). The library system also includes book mobiles to service the City.

a) ***Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:***

Fire protection?

Less-than-Significant Impact. According to the City's General Plan Community Facilities Element, the City strives to achieve a 5-minute response time from fire stations to all developed areas within Oceanside (City of Oceanside 1990).

OFD uses a dynamic distribution system that chooses units based on which OFD unit is closest at the time the alarm is received. The nearest fire stations to the project site are Fire Station 1, Fire Station 2, and Fire Station 3. These are all within approximately 1.25 to 2.25 miles of the project site. The nearest fire station to the project site is Station 2, which is located at 1640 S. Ditmar Street, approximately 1.25 miles southwest of the project site.

To determine whether the project would achieve adequate response times, a GIS-based response time analysis was performed from each of the three nearest fire stations using two model types and methodologies to calculate the approximate response time. The methodologies and model types are explained below:

Model Types:

- ISO – uses the formula: Time = (Miles*1.7) + 0.65
- Service Area – models the area that can be reached across the road network based on posted speed limits, distance, and turns/intersections

Note that for the service area model, the speed limits in the road network dataset were used with the assumption that the speed limit would be 35 miles per hour for the South Oceanside Boulevard extensions proposed by the project, and 20 miles per hour for all other roads internal to the housing complex.

Scenarios:

- Road Network with Freeways – Assumes that all roads within the study area can be used.
- Road Network without Freeways – Assumes that all roads within the study area can be used with the exception of all freeways.

The response times are summarized in Table 16.15-4. Where response times show no change between the "with freeway" and "without freeway" scenarios, it is because the "without freeway" response time is the fastest response (i.e., response vehicle would not use the freeway). As shown in Table 6.15-4, the project site would be reached within an approximately 3- to 5-minute travel time; therefore, the project site is considered to be reachable within the City's response time threshold, and no new facilities would be required to service the project for fire protection purposes.

Table 6.15-4. Oceanside Fire Department Response Times

	ISO Model				Service Area Model			
	Network with Freeway		Network without Freeway		Network with Freeway		Network without Freeway	
Station	Min	Max	Min	Max	Min	Max	Min	Max
1	3.65	4.03	3.89	4.28	3.5	4.5	3.5	4.5
2	3.91	4.14	3.91	4.14	4	4.5	4	4.5
3	3.34	3.67	3.34	3.67	<3	3.5	<3	3.5

Note: Times in minutes

In addition, the OFD has reviewed the project plans and provided feedback to ensure the project site is accessible for fire apparatus. This has included requirements for clear areas around portions of the project site to ensure adequate access. The project would provide all required setbacks, fire truck access and turnarounds, fire hydrants, address numbers, and sprinklers in accordance with OFD requirements. Fire extinguisher sizes and locations would be determined by the Fire Marshal during the building permit application. Emergency vehicles would use an OPTICOM system, which is a traffic control system that provides a green light and intersection right-of-way to emergency vehicles. A Knox Box would be provided on site.

Although the proposed project would introduce a new population that would increase the demand for fire and emergency services in the area, the proposed project would pay all applicable public facility development impact fees, and the analysis demonstrates that the project can be reached within the response time thresholds established by the General Plan such that the project would not result in the need to construct new fire facilities.

Therefore, the proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times, or other performance objectives for fire protection. Therefore, impacts would be less than significant.

Police protection?

Less-than-Significant Impact. According to the City's General Plan Community Facilities Element, the Oceanside Police Department strives to provide a maximum response time of 5 minutes for all Priority E and I emergency service calls (City of Oceanside 1990). Tables 6.15-2 and 6.15-3 indicate that the Oceanside Police Department has generally been meeting these response time goals.

As discussed in Section 6.14, Population and Housing, the proposed project would have the potential to house an estimated 673 people. Based on the project's population of 673 residents, this would equate to 1 sworn officers and 1 half-time non-sworn member.

Without the corresponding increase in staff, response times would potentially increase.

This increase of 1.5 members of the police force would represent an approximately 0.65% increase in the overall staffing level of 228 officers and, as described in Section 6.14, the increase in population is consistent with the growth contemplated in the General Plan and regional planning documents. Such a minor increase is not expected to result in the need to expand current facilities or result in the construction of new facilities. Therefore, while the project would increase the need for police protection services in the area, the proposed project would pay all applicable public facility development impact fees, and would not result in the need to construct new police facilities. The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times, or other performance objectives for police protection. Therefore, the project would have a less-than-significant impact.

Schools?

Less-than-Significant Impact. The proposed project falls within the boundaries of OUSD and the attendance boundaries of Palmquist Elementary, Lincoln Middle School, and Oceanside High School (OUSD 2022). Residents of the proposed project and the students generated would be served by these schools.

Additionally, according to the OUSD's Development School Fee Justification Study (OUSD 2020), the proposed project would generate an estimated additional 127 students (see Table 6.15-5). Specifically, the proposed project is estimated to generate an additional 56 elementary school students, 29 middle school students, and 42 high school students.

Table 6.15-5. Oceanside Unified School District Student Generation Estimates

School Level	Multi-Family Attached Units Generation Factor	Number of Units Proposed	Estimated Number of Students Generated
Elementary School	0.1889	295	56
Middle School	0.0968	295	29
High School	0.1399	295	42
		Total	**127**

Source: OUSD 2020

Table 6.15-6, School Enrollment and Capacity, shows the enrollment totals from the most recent school years (excluding 2020/2021 for which data is not available and due to COVID may not be accurate), as well as estimated school capacity.

Table 6.15-6. School Enrollment and Capacity

School	Address	Estimated Capacity	2020/2021 Enrollment	2021/2022 Enrollment	Capacity
Elementary					
Palmquist	1410 Laurel Street	709	553	537	172
Middle					
Lincoln	2000 California Street	1,038	753	717	321
High					
Oceanside	1 Pirates Cove Way	2,654	2,044	2,030	624

Sources: DOE 2022a, 2022b, 2022c

Based on the capacity data, there is sufficient capacity in all three schools to accommodate students from the project. Therefore, these schools would be able to service the students generated from the project and would not require new or expanded facilities. The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times, or other performance objectives for schools. Therefore, impacts related to school facilities would be less than significant.

In addition, the proposed project would pay the applicable school fees. The OUSD collects developer fees for residential, commercial/industrial, hotel/motel, and self-storage developments (OUSD 2020). The fees paid by the developer would be used to offset the impact of the number of new students generated by the development of the proposed project.

Parks?

Less-than-Significant Impact. See response to Section 6.16, Recreation. The Oceanside Zoning Ordinance requires 300 square feet of common usable open space per unit. Based on the project's proposed 295 units, the open space requirement is 88,500 square feet. The proposed project achieves this requirement through a combination of exterior and interior amenity spaces.

Exterior amenities proposed by the project would include a dog park, nature trail, and courtyard with a pool, spa, barbeque, shaded lounge area, and gaming tables. The dog park and 0.5-mile nature trail loop would be approximately 65,000 square feet. The pool deck area would be approximately 15,500 square feet, and the remaining outdoor amenities would total roughly 3,000 square feet. In addition, the project would include 16,800 square feet of private balconies. In total, the project would include 100,300 square feet of open space pursuant to Oceanside Zoning Ordinance requirements, While interior open space amenities do not count towards the Oceanside Zoning Ordinance requirements, the project would also provide interior recreational amenities for future residents. Interior amenity space would include club rooms, gaming room, gym, conference rooms, dog spa, and bike café. The Building A clubhouse would be 5,700 square feet and the Building D clubhouse would be more than 1,000 square feet.

Further, there are several existing parks and recreational facilities in the vicinity of the project site. As described in Section 6.16, Recreation, these include the Center City Golf Course/Goat Hill Park, Ron Ortega Recreation Park/Brooks Street Swim Center, and the Joseph Carrasco Park, which are within 1 mile of the project site and provide approximately 90 acres of park and recreation space according to the Oceanside Parks and Recreation Master Plan (City of Oceanside 2019). The Parks and Recreation Master Plan provides a guide for the orderly development of future park, recreation, and open space facilities and programs to meet the community's current and future needs, and is intended to provide a realistic view of the City's parks and recreation system.

Therefore, because the proposed project would provide open space in accordance with the City's Zoning Ordinance, and because the impacts of providing that required open space has been analyzed herein, and because no additional off-site improvements would be required, the proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for parks. Therefore, the project would have a less-than-significant impact.

The proposed project would also pay the applicable park fee. The current fee is $4,431.00 per unit. Based on 295 units, the proposed project's park obligation would be approximately $1,307,145.

Other public facilities?

Libraries

Less-than-Significant Impact. According to the City's General Plan Community Facilities Element, library facilities should have a floor area of 0.55 square feet per resident, accessibility for all Oceanside residents within 10 minutes in driving time or 2 miles in distance (whichever is greater), a ratio of three public library staff (consisting of one librarian plus two clerical staff) per 6,000 residents of the City, and a ratio of Oceanside library inventory of three items per resident (City of Oceanside 1990).

In 2021, the Oceanside Library published a Strategic Plan Update for the 2021 to 2023 time period. The Strategic Plan Update identifies four goals, including connecting customers to a variety of programs, services, and activities; organizing efforts to advance, normalize, and operationalize racial equity; planning for needed library spaces and outreach sites using all potential opportunities and resources; and delivering library materials and programs in the format, manner, and location desires to increase circulation and participation (Oceanside Public Library 2021). As it relates to providing library space, the Strategic Plan Update identified objectives, including developing a Library Facilities Master Plan to increase service delivery spaces; updating the Community Facilities Element of the General Plan; establishing a library presence within existing City facilities; and creating a comprehensive plan and time for replacing or refreshing furnishings, surfaces, signage, utilities and technology, and deferred maintenance.

The nearest library to the project site is the Civic Center Library, located at 330 N. Coast Highway, approximately 1.6 miles northwest of the project site. The project site falls within the 10-minute drive time or 2-mile distance from the Civic Center Library.

The proposed project would result in approximately 673 residents, as discussed in Section 6.14, Population and Housing. Based on the City's General Plan Goals, the project would result in demand of 370 square feet of library space, one-third of a library staff position, and 2,019 inventory items based on the existing General Plan Community Facilities Element (City of Oceanside 1990). As described in Section 6.14, the increase in population is consistent with the growth contemplated in the General Plan and regional planning documents. The project would also provide payment of development impact fees in accordance with Municipal Code Sections 32B and 32C that is intended to address the need for additional public services generated by new development. Therefore, and in light of the Strategic Plan Update and other information referenced above, the project would not result in the construction or expansion of libraries or library facilities that may cause a substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for library services. Impacts would be less than significant.

b) Cumulative Impacts

Less-than-Significant Impact. The geographic context for the analysis of cumulative impacts associated with public services consists of the City, because fire protection, police protection, recreation, and other public services are provided by the City, and school services are provided by OUSD within the City.

As described above, the intensity of development proposed by the project is consistent with and therefore contemplated by the General Plan and the growth projections used to plan for future public service needs. Various public service facility improvements are planned within Oceanside, but such improvements have been planned independently of the project and will proceed independent of the project. The City has an established public facility development impact fee program (Municipal Code Chapter 32B and 32C) that provides funding for future public service improvements via the City's capital improvement program. This program is intended to address the incremental increase in demand for public services such as police, fire, and recreation generated by new development. Specifically, Municipal Code Section 32C.4 states, "[t]he purpose of this chapter is to insure that the quality of life of all residents is protected as new development occurs, and that the ability of the city to provide public facilities for the benefit of the city as a whole exists." Although the proposed project would contribute to the cumulative demand for public services as contemplated by the General Plan, the project and the related projects would pay development impact fees intended to offset this demand, and would not significantly contribute to the cumulative demand for additional facilities or facility improvements that would lead to significant physical environmental effects. The California Environmental Quality Act Guidelines specifically recognize that requiring a project to implement or fund its fair share of a measure designed to mitigate a cumulative impact is an effective way to address a project's contribution to the impact (14 CCR Section 15130(a)(3)).

Therefore, the proposed project would not result in a cumulatively considerable impact to public services, and impacts would be less than significant.

6.16 Recreation

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

The City of Oceanside (City) Zoning Code Section 3042(A) states that "Base District Regulations and Property Development Regulations for Residential Districts and Commercial Districts shall serve as the guideline for a mixed-use development." Section 1050(Q)(1) of the City's Zoning Code requires projects provide a minimum of 300 square feet of usable open space per unit on site, of which, at least 50% must be common usable open space. Further, Section 150(Q)(4) requires that projects of at least four residential units comply with the parkland dedication requirements of the City Zoning Code, and requires applicants to dedicate land or pay a fee, or a combination thereof.

According to the City's Code of Ordinances, Chapter 32D, projects with more than 51 units are required to do one of the following:

- create dedicated parkland within or partly within the project site, whose acreage would be determined by the City;
- dedicate land usable for recreation purposes in addition to paying a portion of the park impact fee; or
- pay the entire park impact fee.

The City of Oceanside General Plan Community Facilities Element has a policy to strive to provide 5 acres of developed "Community Parks" per 1,000 residents in Oceanside (City of Oceanside 1990). The City of Oceanside Code of Ordinances, Section 32D, Parkland Dedication and Payment of Fees, provides for projects containing 51 units or more, which states that the City may "Require the dedication of developed park land that is usable for recreation purposes, in an amount determined by the city but not to exceed the adopted standard of five (5) acres per thousand."

The City prepared an update to the City's Parks and Recreation Master Plan in 2019. According to the City's Park and Recreation Master Plan, the City has 15 community parks, 17 neighborhood parks, five skate parks, two pools, two gymnasiums, and one 75-acre regional park (City of Oceanside 2019). In total, the City has 642 acres of park land.

The Parks and Recreation Master Plan provides a guide for the orderly development of future park, recreation, and open space facilities and programs in order to meet the community's current and future needs, and is intended to provide a realistic view of the City's parks and recreation system. The purpose is to develop a vision for the parks and recreation system through 2030 that allows guidance for the prioritization of necessary actions needed to meet the City's needs, including demographic changes, future trends, and aging facilities and parks (City of Oceanside 2019).

The Parks and Recreation Master Plan included a recreation needs assessment and recommendations for parks, recreation, and trail improvements; a schedule for implementation; and funding recommendations. The Parks and Recreation Master Plan supports the implementation of the General Plan by providing an in-depth analysis of existing park geographic distribution and trends, and identifying future park needs (City of Oceanside 2019).

Rather than recommending a park standard based on park acreage per residential population, like the General Plan goal, the Parks and Recreation Master Plan identifies various standards based on different parks and recreation uses. These include playgrounds, picnic shelters, trails, skateparks/spots, ball courts, multi-purpose fields, and other special park uses such as aquatics centers and gymnasiums (City of Oceanside 2019).

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Less-than-Significant Impact. The proposed Ocean Creek Mixed Use Project (project) would generate approximately 673 residents, as discussed in Section 6.14, Population and Housing. Residents of the project would be expected to use on-site amenities provided by the project, as well as neighborhood and regional parks or other recreational facilities throughout Oceanside, but predominantly those in the vicinity of the project site.

To meet the daily recreational needs of project residents, the project includes interior and exterior amenities for residents. The City requires 300 square feet of common usable open space per unit, which, for a 295-unit project, results in a requirement of 88,500 square feet. Exterior amenities proposed by the project would include a dog park, nature trail, and courtyard with a pool, spa, barbeque, shaded lounge area, and gaming tables. The dog park and 0.5-mile nature trail loop would be approximately 65,000 square feet. The pool deck area would be approximately 15,500 square feet, and the remaining outdoor amenities would total approximately 3,000 square feet. Private balconies would add another 16,800 square feet of usable open space. As detailed above, common open space amenities would total approximately 100,300 square feet, which would exceed the Zoning Code requirement. In addition, although not included in this total, interior amenity space would include club rooms, gaming room, gym, conference rooms, dog spa, and bike café. The Building A clubhouse would be 5,700 square feet and the Building D clubhouse would be more than 1,000 square feet.. Therefore, the proposed project is providing on-site recreational features, including both interior and exterior common open space, to provide for the recreational needs of project residents, consistent with the City's Zoning Ordinance.

The proposed project, through implementation of Mitigation Measure (MM) BIO-1, would also provide for the dedication more than 8 acres of open space conservation. This open space dedication would enhance the City's overall open space system by permanently protecting a portion of the project site as a natural preserve area.

Although the project would provide recreational uses on site in compliance with the City's Zoning Ordinance, project residents would be reasonably expected to also use other off-site park and recreational facilities. Off-site park facilities in the walkshed of the project site include the facilities listed in Table 6.16-1.

Table 6.16-1. Existing Recreational Facilities

Park Facilities	Distance from Project Site	Acreage
Ron Ortega Recreation Park/Brooks Street Swim Center	0.7 miles	15 acres
Center City Golf Course/Goat Hill Park	0.25 miles	71.9 acres
Joseph Carrasco Park	0.63 miles	3.44 acres

Source: City of Oceanside 2019, Table 2-1: Inventory of Parks and Recreation Assets

Based on the project's location, the Parks and Recreation Master Plan determined that the project site is within a 15-minute walkshed or 5-minute driveshed of existing park facilities (City of Oceanside 2019) (Figure 6.16-1, Surrounding Park Locations). In addition to the facilities listed above, which are identified as within the project site's 5-minute driveshed and 15-minute walkshed, other nearby park facilities include Marshall Street Park (0.75 miles southwest of the project site), Buddy Todd Park (approximately 1 mile northeast of the project site), and Joe Balderrama Rec Center (1.25 miles northwest of the project site).

To determine if the project would result in substantial physical deterioration of existing neighborhood and regional parks or other recreational facilities, an analysis was performed of the amount of existing park and recreation space relative to demand for use of that space with the addition of the project residents. The Parks and Recreation Master Plan Update (City of Oceanside 2019) looked at future conditions based on 2035 future populations using the San Diego Association of Governments (SANDAG) Regional Growth Forecast, Series 13 (SANDAG 2021). The project would add approximately 673 residents to Oceanside, but also provide on-site open space and recreation facilities. As explained in Section 6.14, Population and Housing, this represents an increase of approximately 0.4% of the City's existing population. This growth associated with the project was accounted for in the City's growth projections that were used in the Parks and Recreation Master Plan. Specifically, as described in Section 6.14, Population and Housing, the proposed project is consistent with the underlying land use and zoning for the project site; is consistent with the City's designation of the site in the Housing Element as a Project Under Review; and is consistent with SANDAG's Smart Growth Opportunities Area Map and the Regional Growth Forecast, including both the Series 13 and Series 14 updates. The Parks and Recreation Master Plan Update population projections were based on SANDAG's Series 13 Regional Growth Forecast. Therefore, the Parks and Recreation Master Plan update anticipated the population of the proposed project, and the proposed project would not result in new park demand beyond what was contemplated by the Parks and Recreation Master Plan.

The Parks and Recreation Master Plan Update identified three geographic gaps in park-sheds within Oceanside (City of Oceanside 2019) (see Figure 6.16-2, Geographic Gaps in Park Facilities). As shown in Figure 6.16-2, the nearest of these geographic gaps is located on Oceanside Boulevard, east of El Camino, west of Rancho del Oro Drive, and north of Vista Way. This geographic gap, identified as Area A, is approximately 1.5 miles east of the project site, and is outside the walkshed and driveshed of the project site. The other two geographic gaps in park-sheds are farther east (Area B is east of College Boulevard an Area C is east of Melrose). Therefore, the existing park facilities would not be overburdened by the already anticipated growth proposed by the project.

Consistent with the Zoning Code and City Code of Ordnances, the project would provide payment of park fees of approximately $1.3 million to the City's Park Fee Program under current fee schedules. Because the proposed project would implement usable open space within the project site for project residents in accordance with the City's Zoning Code, the project's projected population has been accounted for in the City's growth projections, and the project site is not located in an area that the Parks and Recreation Master Plan identifies as having a gap in park-shed, the project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration would occur or be accelerated. Impacts would be less than significant.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

Less-than-Significant Impact. As discussed in Chapter 2, Project Description, and described in Section 6.16(a), above, the proposed project would provide various recreational amenities, including a dog park; nature trail; courtyard with a pool, spa, barbeque, shaded lounge area, and gaming tables; club rooms; game room; gym; conference rooms; dog spa; and bike café. The total on-site amenity spaces would total approximately 90,000 square feet of usable common and private open space, and would also include more than 8 acres of open space through the dedication of habitat, consistent with the City's Draft Multiple Species Conservation Program.

Construction of the on-site recreational facilities are analyzed throughout this Sustainable Communities Environmental Assessment, and where appropriate, mitigation has been recommended to reduce any adverse effects of the project, including on recreational facilities.

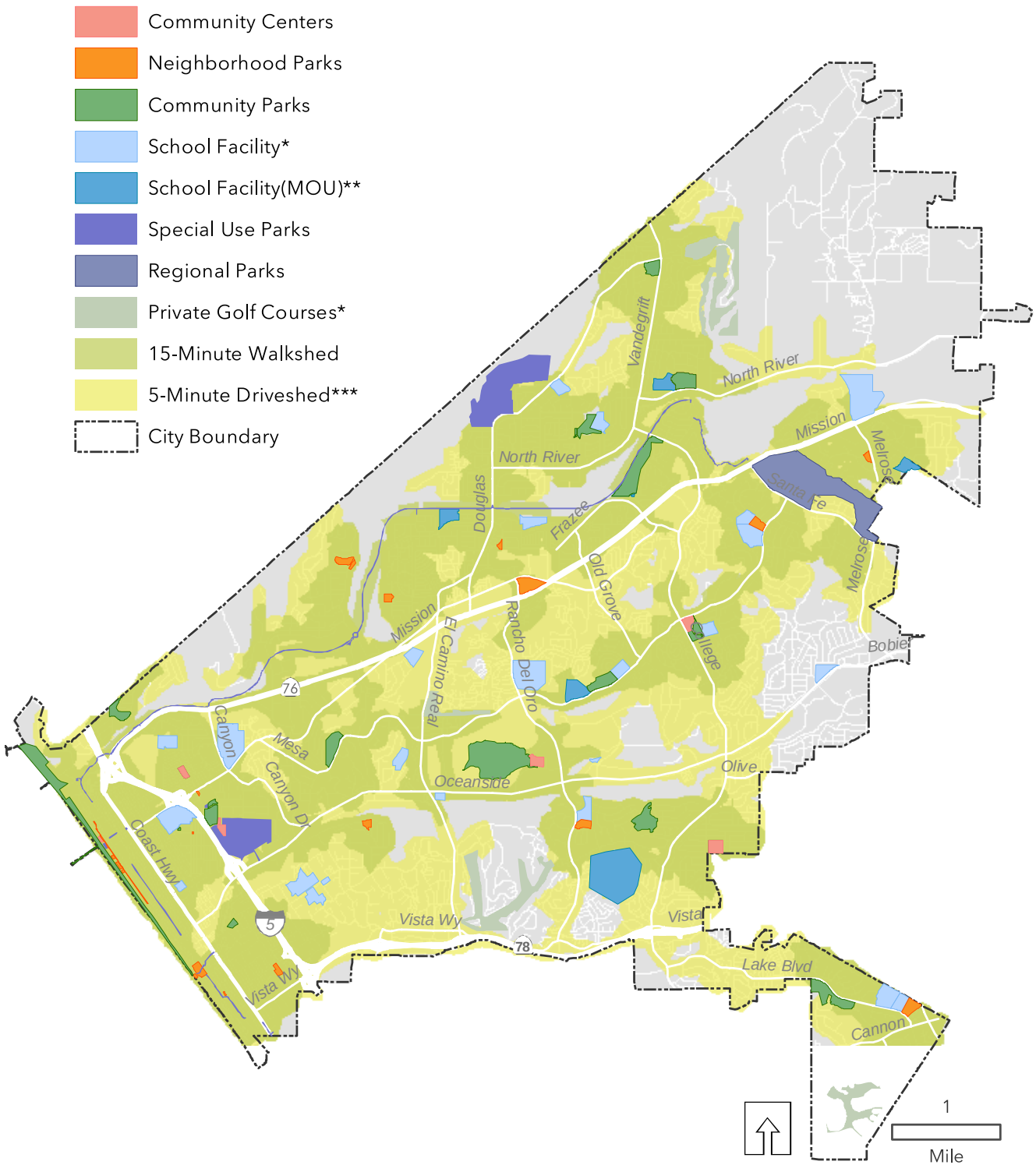
Therefore, because the recreational amenities proposed by the project have been analyzed herein, and because the facilities most likely to serve the proposed project's residents are not identified for significant improvements, the proposed project would not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. Impacts would be less than significant.

c) Cumulative Impact?

Less-than-Significant Impact. The geographic context for the analysis of cumulative impacts associated with recreation is the City of Oceanside, because recreational facilities are provided by the City. The proposed project would contribute a direct permanent increase to the population of Oceanside, and increase the demand for recreational areas. Therefore, the proposed project would contribute to an increase use of existing nearby parks and recreational trails. However, the City's growth projections have anticipated development of the project site and its future residents as part of the City's Parks and Recreation Master Plan Update. Further, the proposed project would provide a minimum of 300 square feet of usable open space on site per residential unit in compliance with the City's Zoning Ordinance. The Parks and Recreation Master Plan also identifies potential improvements to parks throughout Oceanside. Regarding parks in the vicinity of the project site (i.e., those identified in Table 6.16-1), the Parks and Recreation Master Plan identifies one improvement, a potential trail access to Partridge Lane, for Joseph Carrasco Park as a future improvement (City of Oceanside 2019). However, the project itself does not require the construction of any specific park improvements.

Therefore, the proposed project would not have cumulatively considerable impacts due to increase use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, or due to the inclusion of recreational facilities or the requirement to construct or expand recreational facilities that might have an adverse physical effect on the environment. Therefore, the project's cumulative impact to recreation would be less than significant.

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* *Shown for location, not included in parksheds.*
** *Schools with an Memorandum Of Understanding in place for public use.*
*** *Indicates total travel time inclding approximate delay due to traffic signals and finding parking.*

SOURCE: City of Oceanside 2017; KTUA 2019

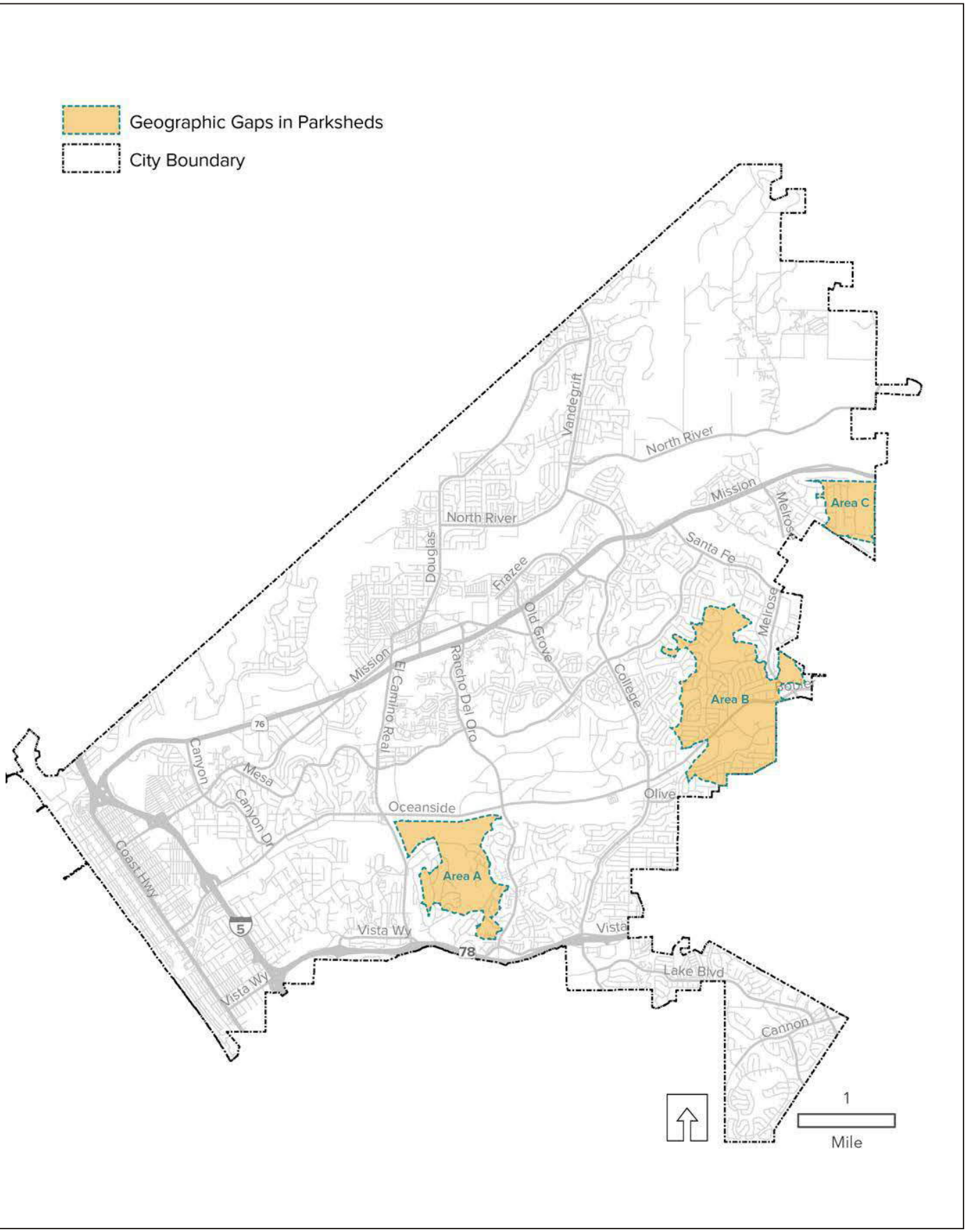
FIGURE 6.16-1

Surrounding Park Locations

Ocean Creek Mixed Use Apartments

DUDEK

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SOURCE: KTUA 2019

FIGURE 6.16-2

Geographic Gaps in Park Facilities

Ocean Creek Mixed Use Apartments

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6.17 Transportation

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION – Would the project:				
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

This section evaluates the potential transportation related impacts of the proposed Ocean Creek Mixed Use Project (project), including the potential for the project to conflict with a program, plan, ordinance, or policy addressing the circulation system, substantially increase hazards, or result in inadequate emergency access. The section also analyzes the potential impacts of the project based on California Environmental Quality Act (CEQA) Guidelines Section 15064.3(b), which focuses on newly adopted criteria (vehicle miles traveled [VMT]) for determining the significance of transportation impacts. Pursuant to Senate Bill (SB) 743, the focus of transportation analysis has changed from level of service (LOS) or vehicle delay to VMT.

The following analysis references information provided in the Local Transportation Study for Ocean Creek Residential, prepared by Urban Systems Associates Inc., May 2022 (Transportation Study). The Transportation Study is available as Appendix K.

Regulatory Setting

Senate Bill 743

On September 27, 2013, Governor Jerry Brown signed SB 743 into law changing the way transportation impact analysis is conducted under CEQA. Within the state's CEQA Guidelines, these changes include elimination of auto delay, LOS, and similar measurements of vehicular roadway capacity and traffic congestion as the basis for determining significant impacts. In December 2018, new CEQA Guidelines implementing SB 743 (Section 15064.3), along with the Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts for CEQA (OPR 2018) were finalized. CEQA Section 15064.3, and the associated OPR Technical Advisory, provide that use of automobile VMT, is the preferred CEQA transportation metric, and correspondingly eliminated auto delay/LOS as the metric for assessing traffic impacts under CEQA statewide. Under Section 15064.3, statewide application of the new VMT metric went into effect on July 1, 2020. In August 2020, the City of Oceanside adopted new Traffic Impact Analysis (TIA) Guidelines for Vehicle Miles Traveled and Level of Service Assessment

(City of Oceanside 2020). Although LOS can no longer be used to determine significant impacts under CEQA, LOS analysis may still be included as part of a project's review for policy consistency outside of, and in addition to, CEQA review (City of Oceanside 2021).

Similar to many other jurisdictions, the City continues to include LOS-related goals and policies in the General Plan, as they may be of interest when planning, designing, operating, and maintaining the roadway system. An analysis of consistency with applicable LOS-related General Plan goals and policies is included in Section 6.11, Land Use and Planning. As noted above, a Transportation Study was prepared for the project, consistent with City requirements, but LOS is not used for the determination of transportation related environmental impacts under CEQA.

SANDAG 2050 Regional Transportation Plan/Sustainable Communities Strategy

The SANDAG 2050 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) provides for regional planning pursuant to the SB 375 (The Sustainable Communities and Climate Protection Act of 2008) and Assembly Bill 32 (California Global Warming Solutions Act of 2006), and demonstrates that the region will meet or exceed state mandated greenhouse gas reduction targets. The Regional Plan is updated every 4 years with each plan building on the previous to adjust measures and provide conformity for transportation, air quality, and greenhouse gas target updates.

City of Oceanside General Plan Circulation Element

The following goals and policies from the City's Circulation Element of the General Plan are applicable to the proposed project. The General Plan does not include any goals or policies specific to VMT.

Chapter 3 – Master Transportation Roadway Plan

Goal 1: *A transportation network that supports safe and efficient travel for all modes of transportation.*

Objective ii: Ensure all streets within the City achieve the city's mobility goals and design standards as highlighted throughout this chapter.

Policy 3.3: All streets within the City shall be designed in accordance with the adopted City of Oceanside design standards (shown in Table 3-1, page 24). Typical cross-sections and design criteria for the various street classifications are shown in the City Engineers Design and Process Manual.

Policy 3.7: The City shall adopt specific alignment plans when "standard equal sided" widening is not adequate for future needs or when special conditions exist that require a detailed implementation plan. When necessary, specific alignment plans shall be prepared prior to the formal submittal of a development proposal. The need for such plans will be indicated by the following:

- Variable terrain or other sensitive areas that may preclude straightforward preparation of street improvement plans.
- Alignments that are necessary because of existing street designs and/or land use configurations.
- Development proposals that must deal with extraordinary physical or environmental features.

Policy 3.10: The City shall require dedication and improvement of necessary rights-of-way along Master Transportation Roadway Plan streets. This usually will occur in fulfillment of a condition of approval for a tentative map or as a condition of approval for a building permit, whichever occurs first.

Policy 3.11: The City shall assure that each addition to the circulation system is a useable link on the total system and that new routes and links are coordinated with existing routes to ensure that each new and existing roadway continues to function as it was intended.

Policy 3.16: The City shall approve and build streets as per City of Oceanside Engineering Manual Specifications.

Policy 3.18: The City shall:

- Require new developments to provide collector and local street improvements according to the standards of the City Engineering Department.
- Require new developments to dedicate necessary right-of-way when the subdivision or development of property adjacent to Circulation Element streets is proposed.
- Require new developments to provide all necessary grading, installation of curbs, gutters, sidewalks, parkway tree planting, and street lights, unless these improvements are provided through other means.
- Require new developments to provide half-street improvements plus 12 feet beyond the centerline in accordance with City standards

Chapter 5 – Public Transit and Rail Policies and Guidelines

Goal 1: Support the increased use and availability of transit and rail service to encourage a multimodal transportation network in Oceanside.

Objective iii: Support mixed use developments in transit focus areas and transit-oriented developments.

Policy 5.2: The City shall require developers to construct, where appropriate, transit facilities when their development is on a transit service route including bus stop amenities to include lighted shelters, benches, and route information signs (where appropriate) through coordination with NCTD.

Chapter 6 – Bicycle Facilities

Goal 1: Provide a safe, interconnected network of bicycle facilities within Oceanside for recreational and commuter users.

Policy 6.3: The users.

Chapter 7 – Pedestrian Facilities

- The goals and policies contained in this chapter are taken from the Pedestrian Master Plan (PMP), as the PMP is a planning document consistent with the Circulation Element for the City's long range pedestrian planning efforts. See the *City of Oceanside Pedestrian Master Plan* below.

City of Oceanside Pedestrian Master Plan

The City of Oceanside Pedestrian Master Plan (City of Oceanside 2009) is an overall guide for the city to identify, plan, design, construct, and maintain pedestrian facilities to enhance pedestrian circulation within the city. It is intended to make walking a safer and more convenient mode of travel while being accessible by all persons in Oceanside. The Plan includes the following goals, objectives, and policies related to the project:

Goal 1: Develop and maintain a safe pedestrian network that is free of barriers and hazards; that has sufficient lighting, signs, signals, street crossings, and buffers from vehicular traffic in order to create a sense of security for the pedestrian. Utilize corrective measures through engineering, education, and enforcement.

Goal 3: Develop a complete pedestrian network that provides continuous and convenient access to transit, employment centers, retail, neighborhoods, schools, beaches, parks, public places and other essential pedestrian destinations.

Goal 4: Ensure that pedestrian facilities meet local, State and federal access requirements. Utilize "Universal Access" principles that go beyond the minimum standards, since all pedestrians benefit from this approach.

Objective i. Support projects, improvements, and programs that create a safer pedestrian walking environment.

Objective ii. Encourage development patterns that promote walking and increase connectivity.

Policy 7.2: The City shall encourage pedestrian facility improvements such as signs, signals, streets crossings, and proper lighting especially in areas where there is high pedestrian activity and/or safety issues.

Policy 7.6: The City shall encourage future development to avoid sidewalk obstructions such as newspaper stands, signage, etc.

Policy 7.7: The City shall require the construction of a minimum five-foot wide sidewalk in all new developments and street improvements but will encourage sidewalk widths that go beyond the minimum five-foot ADA standards in areas with high pedestrian activity.

Policy 7.8: The City shall encourage the inclusion of public walkways, open space, or trails for pedestrian usage in large, private developments.

Policy 7.14: The City shall encourage and promote quality pedestrian access to transit stations and bus stops in Oceanside.

Policy 7.17: The City shall require that pedestrian circulation and facilities be developed consistent with the City's Recreational Trails Element.

City of Oceanside 2017 Bicycle Master Plan Update

The City of Oceanside 2017 Bicycle Master Plan Update (City of Oceanside 2017) seeks to maximize efficiencies offered by multimodal connections between transit and bikeways, and to promote a viable alternative to automobile travel. The Plan identifies the existing conditions, analyzes the needs and future growth of the city and develops recommendations to achieve a bicycle friendly atmosphere within the City of Oceanside. The Plan includes the following goals which represent the fundamental criteria for the City's planned bikeway system.

Goal 1: Popular Bikeway system design and layout will consider all segments of the cycling population.

Goal 2: Systemic The bikeway system will endeavor to be a complete system emphasizing local and regional continuity and connectivity.

Goal 3: Destination-Oriented The bikeway system will be destination-oriented, especially towards employment centers, residential areas and high use activity centers – including access to other modes of local and regional transportation systems. Facilities will endeavor to include, but not be limited to, bike lockers and locking racks.

Goal 4: Safety Safety will be the bikeway system's paramount concern, focusing on maximum visibility for the cyclist, signage, bikeway segment selection and utilizing easily recognized markers to clearly identify paths, lanes and routes.

Goal 5: Designed to Standards The bikeway system will conform to the minimum design standards established by the California Department of Transportation (Caltrans).

Goal 7: Minimize Liability Exposure Bikeway system design and layout will minimize the City's and adjacent property owners' liability exposure to issues such as trespassing, loss of privacy, damage and property loss associated with bike routes.

Goal 8: Minimize Cost Whenever possible, bikeway system design and layout will minimize potential financial burden to the City by engaging development to implement bike segments, locating segments within existing right-of-way and minimizing the need for acquisition.

Goal 9: Environmentally Sensitive Whenever possible, the bikeway system will utilize environmentally sensitive routing to minimize environmental impacts.

a) Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less-than-Significant Impact. The project would not conflict with applicable programs, plans, ordinances, or policies addressing the circulation system, as further discussed below. This includes the SANDAG 2050 RTP/SCS, the City of Oceanside General Plan (City of Oceanside 2018), the City of Oceanside 2017 Bicycle Master Plan Update (City of Oceanside 2017), the City of Oceanside Pedestrian Master Plan (City of Oceanside 2009), and the existing and proposed pedestrian, bicycle and transit facilities and services in the study area.

Transit Services

As discussed in Chapter 3, SCEA Criteria and Transit Priority Project Consistency Analysis, the project would be consistent with applicable goals and policies presented within SANDAG 2050 RTP/SCS. The project site is within a Transit Priority Area and is adjacent to the North County Transit District (NCTD) Crouch Street Station (Figure 2-2). The NCTD Crouch Street Station is an existing rail transit system that provides service between the cities of Oceanside and Escondido, with connections to additional rail service via the Coaster and Breeze Bus Route 318. Consistent with Chapter 2, Goals 1 and 2, of the City's General Plan Circulation Element, the project would further the City's goals of reducing reliance on automobile travel through development of infill residential and commercial directly adjacent to a major transit stop (Crouch Street Station). The proposed development would also be consistent with the applicable goals, objectives, and policies of Chapter 5, including Goal 1, Objective iii, and Policy 5.2, which aim to support new development in transit focused areas, such as the project site.

Roadway, Bicycle, and Pedestrian Facilities

The project proposes to extend S. Oceanside Boulevard from its existing terminus west of the project site to Crouch Street (Figure 2-7, S. Oceanside Boulevard Improvements), completing the missing segment in the local road network. This extension would include a 46-foot right-of-way (ROW) dedication along the northern site frontage, with a 36-foot curb to curb roadway, including 18-foot travel lanes with shared lane markings (sharrows) to provide bicycle circulation, a 5.5-foot sidewalk and 4.5-foot landscape area on the south side of S. Oceanside Boulevard. No sidewalk would be provided along the northside of S. Oceanside Boulevard adjacent to Loma Alta Creek per the Wildlife Agencies, as pedestrian access to the biologically sensitive area is discouraged (see Section 2.1.5).

In addition, the existing ROW width for the segment of S. Oceanside Boulevard between the project site and the Crouch Street Station driveway would be 56 feet and would include the existing 5-foot sidewalk on the north side of S. Oceanside Boulevard. The project would also construct a 5-foot raised sidewalk and curb and gutter on Crouch Street, along a portion of the project boundary (Figure 2-9, Crouch Street Improvements).

Consistent with the applicable goals, objectives, and policies of the City of Oceanside Pedestrian Master Plan (and Chapter 7 of the Circulation Element), including Goals 1, 3, and 4; Objectives i and ii; and Policies 7.2, 7.6, 7.7, 7.8, 7.14, and 7.17; the project would provide new sidewalks along both the proposed extension of S. Oceanside Boulevard and along a portion of Crouch Street, addressing a gap in the existing pedestrian network. The proposed sidewalks would be designed to meet the City's standard minimum width of 5 feet. The project would also include crosswalks and curb ramps extending from the project site across S. Oceanside Boulevard, providing direct pedestrian access to the Crouch Street Station. Landscaping would be provided along both S. Oceanside Boulevard and Crouch Street, consistent with General Plan Policy 3.21, which requires landscaping along new and improved roadways. Finally, the project would include a 0.5-mile nature trail for pedestrian use.

Within the project study area, a Class II bicycle lane (on-street painted bicycle lane) currently exists along both sides of Oceanside Boulevard, from the Interstate 5 ramps to Crouch Street. A Class II bicycle lane also exists on both sides of Crouch Street, just north of Oceanside Boulevard. No bicycle facilities exist along S. Oceanside Boulevard. The City of Oceanside Bicycle Master Plan Update (Oceanside 2017) contemplates the Oceanside-Escondido Inland Rail Trail, a proposed Class I Bike path (separated bike path outside of the vehicular ROW), which would generally follow Oceanside Boulevard and the NCTD railroad tracks. The path is proposed to be approximately 7.17 miles long and connect residential and commercial land uses, and provide beach access, between Oceanside and the City of Vista. Development of the proposed project would not obstruct or divide any existing bike lanes, as there are currently no bike lanes adjacent to the project site, nor would it interfere with City's ability to construct any planned bicycle or pedestrian facilities in the future, including the future Oceanside-Escondido Inland Rail Trail. Consistent with Chapter 6, including Goal 1 and Policy 6.3, the project would provide both pedestrian and bicycle access to transit facilities via direct access to the Crouch Street Station provided by the proposed crosswalks, curb ramps, and proposed sharrows on S. Oceanside Boulevard. The project would also include an on-site "bike café," which would provide opportunities for residents to repair their bicycles, consistent with Policy 6.7. The project also includes a bikeshare program, as detailed in Section 2.2.9.

Regarding the proposed roadway improvements, the alignment for S. Oceanside Boulevard is constrained by the existing ROW on both the west and east sides of the project site as well as the adjacent Loma Alta Creek. The proposed ROW for the extension of S. Oceanside Boulevard along the project frontage would not include the

full width identified within Table 3-1 or Table 3-3 of the Circulation Element due to the request of the Wildlife Agencies. This creates a technical conflict with General Plan Policy 3.3, which requires all streets within the City to be designed in accordance with the adopted City of Oceanside design standards. Specifically, the ROW along the extension of S. Oceanside Boulevard would be slightly reduced from City standards (by approximately 10 feet less than required) to accommodate for adequate buffering from Loma Alta Creek. Therefore, extending S. Oceanside Boulevard through the project site would be a design feature/condition of approval of the project to provide access and complete the City's circulation system.

Although the S. Oceanside Boulevard extension would not meet City standards and conflict with Policy 3.3 of the Circulation Element, the proposed improvements meet the intent of Chapter 3, Goal 1, to provide a transportation network that supports safe and efficient travel for all modes of transportation, and would be consistent with Chapter 3, Policies 3.10, 3.11, 3.16, and 3.18. The proposed curb-to-curb width of 36 feet for vehicle travel is also consistent with the Circulation Element. The proposed ROW width and design improvements balance the needs of protecting Loma Alta Creek while still providing adequate vehicle circulation and improved pedestrian access. The proposed vehicle path of travel meets the required design width, while the proposed sidewalk along the south side of S. Oceanside Boulevard is wider than required and will provide continuous pedestrian access along S. Oceanside Boulevard where it currently does not exist. Furthermore, because there is no pedestrian access along the north side of S. Oceanside Boulevard, west of the project site, there is no need to provide a sidewalk on the north side of S. Oceanside Boulevard. By not providing a sidewalk on the north side, a greater wetlands buffer adjacent to and greater protection of the creek can be implemented. The Circulation Element anticipated that not all improvements may be able to be accommodated by the City's standards; therefore, General Plan Circulation Element Policy 3.7 provides for flexibility when special conditions such as "sensitive areas that may preclude straightforward preparation of street improvement plans" and "development proposals that must deal with . . . environmental features" (City of Oceanside 2012). The narrowing of ROW by 10 feet on the north side of S. Oceanside Boulevard would be consistent with the allowances under Policy 3.7.

Finally, access to the site would be provided by two driveways along S. Oceanside Boulevard. Primary site access would be provided via the easternmost driveway, which would feature the retail plaza and enhanced paving. Driveways would be designed in accordance with City standards within Municipal Code Chapter 31, Article 5 – Driveways, and all final design plans would be reviewed by the City for compliance and approval, consistent with General Plan Policy 3.9. Ultimately, the project would not result in a conflict with the Circulation Element of the General Plan in a manner that would cause an adverse effect on the environment. Therefore, based on the above, the project would not conflict with an applicable program, plan, ordinance, or policy addressing the performance of the circulation system, including public transit, roadway, bicycle or pedestrian facilities. Impacts would be **less than significant.**

b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision(b)?

Less-than-Significant Impact. CEQA Guidelines Section 15064.3(b) focuses on the newly adopted VMT metric for determining the significance of transportation impacts. Consistent with OPR's Technical Advisory, the City uses screening criteria to identify VMT reducing projects (City of Oceanside 2020). Per the City's TIA Guidelines for VMT and LOS Assessment (Oceanside 2020), Table 6.17-1 presents the projects that are considered to be VMT-reducing, such that they do not require a project-specific VMT analysis.

Table 6.17-1. City of Oceanside Screened Out Projects

Project Type
Projects located in a Transit Priority Areas (TPA) or Smart Growth Opportunity Area as identified in the most recent SANDAG San Diego Forward Regional Plan and is consistent with the General Plan at the time of project application.1,2
Projects located in a low-VMT generating area identified on the most recent SANDAG SB 743 VMT Screening map
Locally serving K-12 schools
Day care centers
Local parks
Locally serving retail uses less than 50,000 square feet, including: gas stations, banks, restaurants, grocery stores and shopping centers
Community institutions (Public libraries, fire stations, local government)
Locally serving hotels (e.g., non-destination hotels, non-regionally serving)
Student housing projects on or adjacent to college campuses
Local serving community colleges that are consistent with the assumptions noted in the most recent SANDAG Regional Transportation Plan/Sustainable Communities Strategy
Affordable housing projects3
Assisted living facilities
Senior housing (as defined by HUD)
Transit projects
Bike projects
Pedestrian projects
Safety improvement projects (e.g., RRFBs and high visibility crosswalks at uncontrolled locations, pedestrian count down timers, additionally projects identified through the Highway Safety Improvement Program)
Safe Routes to School
Projects generating less than 500 daily vehicle trips (if inconsistent with adopted General Plan)
Projects generating less than 1,000 daily vehicle trips (if consistent with adopted General Plan)

Source: City of Oceanside 2020.
Notes:
Projects located in a TPA must be able to access the transit station within a ½ mile walking distance or 6-minute walk continuously without discontinuity of sidewalk or obstructions to the route. Qualifying transit stops means a site containing an existing rail transit station served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods (OPR, 2017). A high-quality transit corridor may also be considered if a corridor with fixed route bus service has service intervals no longer than 15 minutes during peak commute hours (OPR, 2017).
Smart Growth Opportunity Area Map is provided in Appendix B (of the City's Guidelines). The most recent version available shall be used.
If a project is a mix of affordable housing and market rate housing or unscreened use, only the affordable housing component would qualify as screened out. Additionally, any removal of affordable housing automatically requires CEQA VMT analysis.

In accordance with City criteria, the project will have a less than significant transportation impact and does not require a project specific VMT analysis. As demonstrated in Section 6.11, Land Use and Planning, the project is consistent with the General Plan and is located within both a Transit Priority Area and a Smart Growth Opportunity Zone as defined in the Regional Plan. Specifically, the project is within 0.5 miles of the Crouch Street Station that serves Breeze Bus Route 318 and the NCTD Sprinter. Given the location of the project and its proposal to provide higher density housing and complimentary commercial immediately adjacent to transit, no additional VMT analysis is required for the project (see Appendix K). The project will have a **less-than-significant impact** as it would not conflict with or be inconsistent with CEQA Guidelines Section 15064.3(b).

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Less-than-Significant Impact. The project proposes residential and commercial uses contemplated by the existing zoning and General Plan designation as compatible with the surrounding commercial, governmental, residential and open space uses. As described in Chapter 2, Project Description, and above under Section 6.17(a), development of the project would include the extension of S. Oceanside Boulevard from the existing cul-de-sac to Crouch Street (see Figure 2-7, S. Oceanside Boulevard Improvements). The overall amount of ROW along the extension of S. Oceanside Boulevard would be slightly reduced from City standards to accommodate buffering from Loma Alta Creek required by the Wildlife Agencies, and to provide for a wider than standard sidewalk and landscaping along the southern side of the roadway. In addition, a sidewalk on the north side would not connect to any other pedestrian improvements and is therefore not proposed. Further, the curb-to-curb distance for vehicular travel would still comply with the Street Design Criteria's standards for a local street. Therefore, the reduction in ROW would not result in a geometric design feature that could substantially increase hazards. The addition of sharrows to facilitate travel by bicycles and the widened sidewalk that would connect to the existing pedestrian pathways along S. Oceanside will also improve existing conditions. Therefore, the proposed extension of S. Oceanside Boulevard would not substantially increase roadway hazards due to a geometric design feature or incompatible uses.

Finally, the project would include two driveways along S. Oceanside Boulevard. Proposed driveways are designed in accordance with City standards within Municipal Code Chapter 31, Article 5 – Driveways, and all final design plans would be reviewed by the City for compliance and approval with those standards. The project's Transportation Study (Appendix K) includes an evaluation of LOS and vehicle queues at the project driveways. Although the City no longer uses LOS to determine impacts under CEQA, the two project driveways were determined to operate at acceptable LOS under all study scenarios. Additionally, the Transportation Study determined that the project driveways would not have any excessive vehicle queues under all scenarios (Appendix K). Therefore, the project would not introduce a geometric design feature or incompatible use that would substantially increase hazards in the project vicinity. Impacts would be **less than significant.**

d) Would the project result in inadequate emergency access?

Less-than-Significant Impact. The project would complete a long contemplated missing link in the City's roadway network by constructing the extension of S. Oceanside Boulevard. The addition of another complete east-west roadway would facilitate emergency access to the project site and study area. The project would include two access points for emergency responders, via the two proposed driveways along S. Oceanside Boulevard. Proposed driveways would be designed in accordance with City standards within Municipal Code Chapter 31, Article 5 – Driveways, and final design plans would be reviewed by the City for compliance and approval. All vehicular gates would be set back 30 feet off the street and equipped with an Opticom and Knox key switch override.

The proposed project would also be designed to provide adequate width, a turn-around radius, and access throughout the project site for emergency vehicles in accordance with California Fire Code, Title 24 Part 9, Appendix D and City Municipal Code Chapter 11 – Fire Protection requirements. Specifically, the proposed turn around radius width would be a minimum inside turning radius of 30 feet and a minimum outside turning radius of 50 feet per the City's requirements. Parking would be prohibited on the proposed fire

lanes. The project would also meet or exceed the City's minimum fire apparatus access road width requirements of 28-feet. Additionally, the eastern, main driveway would be at least 35-feet wide to allow for aerial ladder truck access in accordance with the California Fire Code and City Municipal Code since the proposed buildings will be over 35 feet tall. Finally, the project would not require the full closure of any public or private streets or roadways during construction or operations and would not impede access of emergency vehicles to the project or any surrounding areas. As California Fire Code and the City of Municipal Code requirements regarding emergency access are intended to ensure adequate emergency access and the project would meet or exceed such requirements, and as the analysis in Section 6.9, Hazards and Hazardous Materials, and Section 6.15, Public Services, demonstrates that the project conforms to the applicable emergency access plans, the proposed project would not result in inadequate emergency access and impacts would be **less than significant.**

e) Cumulative Impacts

Less Than Significant Impact. As discussed above, the project would be consistent with plans and policies addressing the circulation system, with the exception of the ROW width along the proposed extension of S. Oceanside Boulevard. However, this reduced ROW would allow for adequate buffering from Loma Alta Creek and for inclusion of a full sidewalk and landscaping along the south side of this roadway adjacent the project site. The reduced ROW would not lead to an adverse effect on the environment and would not contribute to any cumulative transportation impact related to plan or policy inconsistency. Impacts related to plan and policy consistency would not be cumulatively considerable.

As shown, the project is screened from conducting a VMT analysis due to its location in a Transit Priority Area and being within 0.5-mile walking distance to the Crouch Street Station, and is therefore considered to have a less-than-significant impact. As discussed above under Section 6.17(a) and under Chapter 3, SCEA Criteria and Transit Priority Project Consistency Analysis, the project would be consistent with the SANDAG 2050 Regional Plan/SCS. Per OPR guidelines, "A project that falls below an efficiency-based threshold that is aligned with long-term environmental goals and relevant plans would have no cumulative impact distinct from the project impact. Accordingly, a finding of a less-than-significant project impact would imply a less than significant cumulative impact, and vice versa" (OPR 2018). Thus, the proposed project would result in **less-than-significant** cumulative VMT impacts.

Finally, the project would not result in a geometric design feature that would substantially increase hazards in the project vicinity, nor would the project provide inadequate emergency access to the site. The proposed extension of S. Oceanside Boulevard would improve traffic flow and safety in and around the site by closing the gap in the City's existing street network, and would benefit both the project and any cumulative-related traffic that may access this road. Likewise, the proposed sidewalk improvements and sharrows would improve access in the area for pedestrians and bicycles. Therefore, the project would not contribute to cumulative transportation impacts related to geometric design hazards or emergency access. Impacts related geometric design hazards and emergency access **would not be cumulatively considerable.**

6.18 Tribal Cultural Resources

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. TRIBAL CULTURAL RESOURCES				
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☒	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

To date, the City has received two requests for consultation pursuant to Assembly Bill (AB) 52. These requests were formally made by the Rincon Band of Luiseño Indians and the San Luis Rey Band of Mission Indians in response to the City's AB 52 outreach letters. The City responded to the tribe's request for consultation under AB 52 as described below. Tribal consultation is ongoing.

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

Less-than-Significant Impact. No tribal cultural resources (TCRs) that are historical resources, as defined by PRC Section 5020.1(k), are present within areas that would be impacted by the project. As discussed in Section 6.5, Cultural Resources, the project would not involve the demolition of any existing structures or resources. The project site is not identified as a historical site as defined by the City of Oceanside Guidelines and is not listed or eligible to be listed in the state or National registers. Therefore, the proposed project would have a **less-than-significant impact** on historical TCRs.

b) ***A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.***

Less-than-Significant Impact with Mitigation. Consultation and coordination has been initiated to identify any potential TCRs located on the site or in the project vicinity. The City of Oceanside sent notices on April 14, 2021, regarding the project and inviting the tribes to consult. Two tribes, the San Luis Rey Band of Mission Indians and the Rincon Band of Luiseño Indians, responded to the city requesting consultation and copies of the project plans and reports on May14, 2021, and April 29, 2021, respectively.

The Cc~~c~~ity replied to Cheryl Madrigal of the Rincon Band of Luiseño Indians via email on April 29, 2021, providing a copy of the cultural resources report and a link to other project-related materials. ~~No response has been received to date.~~ Ms. Madrigal responded on behalf of the Tribe on May 12, 2021 requesting that the City provide the proposed mitigation measures to the Tribe for review. On July 23, 2021 The city responded stating that the project was still under review. On August 26, 2021 the Tribe responded, requesting information regarding mitigation measures. On July 13, 2022 the Tribe was provided with updated reports and was notified that the CEQA document would be released for public review soon. The Tribe responded to the City on July 14, 2022 and consulted with the City again on August 25, 2022. On September 16, 2022, the Tribe provided a letter to the City stating the Tribe agrees with the mitigation measures adopted for the project. The Tribe also requested a correction to this section of this document to document the Tribe's participation in the consultation process for this project with the City. The Tribe also requested to be notified of any changes to the project plans and to be provided with a copy of the monitoring report, when available.

The ~~c~~City replied to Cami Mojado of the San Luis Rey Band of Mission Indian via email on June 4, 2021, providing a copy of the cultural resources report and a link to other project-related materials. The City also provided a copy of the City's standard conditions of approval. The City and Cami Mojado continued contact via email between June 16 and June 21, 2021, to schedule a consultation meeting. The City last emailed Ms. Mojado on June 21, 2021, to which no response has been received.

The City Is continuing to consult with the tribes. No evidence of known TCRs has been presented. The project site has been previously graded to provide for flat pads. Such prior grading activity may have impacted potential resources between 1964 and 1990. However, because the proposed project would result in cuts that may be deeper than previous activity, there is the potential for the discovery of unknown TCRs during proposed grading activities. Thus, the project would have a potentially significant impact to unknown subsurface TCRs.

Mitigation Measure (MM) TCR-1 is recommended to reduce impacts to unknown TCRs. With implementation of the following measure, impacts to TCRs would be reduced to **less than significant**.

MM-TCR-1 While no tribal cultural resources (TCRs) that meet the CEQA criteria have been identified that may be affected by the project, the following approach for the inadvertent discovery of TCRs is imposed to reduce potential impacts to unanticipated TCRs to less than significant.

The City shall require that, pursuant to MM-CUL-1a through MM-CUL-1h, a Traditionally and Culturally Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe and archaeological monitor are present during ground-disturbing activities with the greatest potential to encounter Native American cultural resources, consistent with, and as required by MM-CUL-1.

The archaeological and Luiseño Native American monitors shall have the authority to temporarily halt work to inspect areas as needed for potential cultural material or deposits. Should a potential TCR be inadvertently encountered, all construction work involving ground-disturbance occurring within 50 feet of the find shall immediately stop and the City notified. If the unanticipated resource is archaeological in nature, appropriate management requirements shall be implemented as outlined in MM-CUL-1. Ground disturbance in this area shall not commence until the qualified archaeological principal investigator, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether or not additional study is warranted. The 50 foot buffer may be adjusted based on the recommendation of the qualified archaeological principal investigator. Should it be required, temporary flagging may be installed around this resource in order to avoid any disturbances from construction equipment. Depending upon the significance of the find under CEQA (14 CCR 15064.5[f]; PRC Section 21082), the archaeological monitor in correspondence with the qualified archaeological principal investigator may simply be required to record the find to appropriate standards (thereby addressing any data potential).

If the qualified archaeological principal investigator observes the discovery to be potentially significant under City, CEQA or Section 106 of the NHPA, additional efforts such as preparation of an archaeological treatment plan, testing, and/or data recovery may be warranted prior to allowing construction to proceed in this area. The feasibility for avoidance of any identified resource will also be discussed with the City. The City shall be notified of any identified Native American cultural resource, regardless of significance, and provided the opportunity to provide management recommendations prior to moving forward in construction in areas that might disturb the identified resource. If the City determines through consultation with NAHC-listed representatives that the potential resource appears to be a TCR (as defined by PRC Section 21074), any affected tribe shall be provided a reasonable period of time to conduct a site visit and make recommendations regarding future ground disturbance activities as well as the treatment and disposition of any discovered TCRs. Depending on the nature of the potential resource and Tribal recommendations, review by a qualified archaeologist may be required. Implementation of proposed recommendations will be made based on the determination of the City that the approach is reasonable and feasible. All activities shall be conducted in accordance with regulatory requirements.

c) Cumulative Impacts

Less-than-Significant Impact.

Historic Resources

No significant historic tribal resources have been identified on the site or are expected to occur. Thus, the project would have a **less-than-significant cumulative impact** related to historic tribal resources.

Tribal Cultural Resource

As described above, no evidence has been provided to date that the project site contains any TCR's; however, Mitigation Measure TCR-1 is recommended to ensure a Traditionally and Culturally Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe is present during ground disturbing activities to avoid impacts to known TCRs. Cumulative projects located in the region would have the potential to result in a cumulative impact associated with the loss of TCRs through development activities that could cause a substantial adverse change in the significance of a tribal resource. Cumulative projects that involve ground-disturbing activities within previously undisturbed soils would have the potential to result in significant impacts to tribal resources. However, these projects would be regulated by applicable federal, state, and local regulations and would be required to comply with AB 52 and provide for Native American monitoring if there are potential impacts to TCRs. The loss of TCRs on a regional level may be adequately mitigated through the data recovery and collection methods specified in these regulations, as their value may also lie in cultural mores and religious beliefs of applicable groups. Therefore, given that the proposed project and all related projects with the potential to impact TCRs would be required to adhere to AB 52. If determined appropriate, these projects would include a Native American monitor, and would adhered to all applicable mitigation measures to reduce or avoid impacts, Therefore, cumulative impacts related to adverse changes in the significance of a TCR, defined in PRC Section 21074 as either (1) a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, or (2) a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1would be **less than significant**.

6.19 Utilities and Service Systems

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

The following analysis utilizes information provided in the sewer report for the Ocean Creek Project, City of Oceanside, California, prepared by Dexter Wilson dated August 2021, included as Appendix L in this Sustainable Communities Environmental Assessment.

a) Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Less-than-Significant Impact.

Water

Water service to the proposed Ocean Creek Mixed Use Project (project) would be provided by the City of Oceanside Water Utilities Department. The nearest public water lines are a 10-inch water line located in

S. Oceanside Boulevard adjacent to the northwest corner of the project site and terminating at the existing cul-de-sac and an 8-inch water line in Skylark Drive, northeast of the project site. Additionally, an existing 12-inch concrete water mainline traverses the project site in a general northwest to southeast direction. These lines are served by the City's Fire Mountain 320 Pressure Zone. See Figure 6.19-1, which shows existing water facilities at the project site.

To determine water facilities required to serve the project site, IEC performed a Water System Hydraulic Impact Study for Ocean Creek (Project Number D20-00004) (Appendix H2) which analyzed the project and recommended potential off-site water system improvements.

As analyzed in Appendix H2, both potable water demand and fire flow demand were analyzed using the City of Oceanside Water Utilities Department, Water, Sewer, and Recycled Water Design & Construction Manual, Section 2, Potable Water Systems Design Guidelines (Design & Construction Manual). According to the Design & Construction Manual, during maximum day demands, the public water system must maintain a minimum residual pressure of 45 pounds per square inch (psi); during peak hour demands, the public water system must maintain a minimum residual pressure of 35 psi; and residual pressure under maximum day demands plus fire flow must be greater than 20 psi (City of Oceanside Water Utilities Department 2018).

Other design criteria for water systems include pipeline velocity must not exceed 7.5 feet per second under maximum domestic demands (no fire flow) and for fire flow conditions, velocities shall not exceed 15 feet per second for less than 12-inch diameter existing mains, and velocities shall not exceed 10 feet per second for 12-inch diameter existing mains and above.

To determine the required water facilities, the peak hour demand was calculated based on the projected potable water demand and fire flow. The proposed project's potable water demand is calculated in Table 6.19-1. As calculated, the expected average water demand is 118,390 gallons per day (gpd).

Table 6.19-1. Ocean Creek Mixed Use Project Water Demand

Land Use	Water Unit Factor	Quantity	Average Water Demand (gpd)
Residential	400 gpd/unit	295 units	118,000
Commercial	130 gpd/1,00 sf	3,000 sf	390
		Total	**118,390**

Source: Appendix H2.
Note: gpd = gallons per day.

Fire hydrant flow requirements vary by the type of land use and are established by the local fire protection agency. The City's Design & Construction Manual identifies the fire flow requirement for multi-family residential development to be 3,000 gpm at 20 psi residual and for commercial development to be 4,000 gpm and 20 psi residual for water system planning purposes (City Of Oceanside Water Utilities Department 2018). The Oceanside Fire Department also requested the project provide fire flows of 3,000 gpm.

As described in Appendix H2, for the proposed project, the maximum day demand (82.22 gpm) plus 3,000 gpm fire flow is greater than the peak hour demand (96 gpm); therefore, the maximum day demand plus fire flow requirement governs the water system sizing.

To meet the projected water demand and fire flow requirements, the analysis included an assessment of existing off-site water utilities (Figure 6.19-1).

As further described in Appendix H2, the modeling analysis used computer software to determine residual pressures throughout the existing water distribution system and the proposed public fire hydrants. The computer model analyses confirmed the ability of the existing and proposed water system to provide satisfactory domestic and fire protection service. The results of the computer model analyses confirm that the water system for the proposed project is adequate for both domestic and fire protection service. For fire protection, the results of the computer model analyses show that a fire flow of 3,000 gpm can be delivered by any two proposed adjacent fire hydrants along South Oceanside Blvd. within the proposed project with residual pressures at the hydrants greater than 87 psi. No additional improvements are required to provide water services to the project site.

The project proposes to abandon the existing 12-inch main that runs through the project site due to potential landslide concerns along Crouch Street. As analyzed in Appendix H2, a comparative analysis was performed on the existing system without the proposed project and proposed system improvements, and with the project demand and proposed off-site improvements to compare residual pressure differences within the Talone Zone.

Four alternatives were evaluated to determine whether they could improve water pressure loss due to the abandonment of the existing 12-inch line across the project site. As described in Appendix H2, and shown on Figure 2-8, Off-Site Water System Improvements, Alternative 3 includes repairing or restoring approximately 1,040 linear feet of the existing 12-inch abandoned line in Parkwood Lane between Beechwood Lane and Blue Springs Lane. The proposed 12-inch line in Parkwood Lane would be hung across an existing bridge to span Loma Alta Creek. Model results indicate that majority of the pressure losses due to the abandonment of the 12-inch line crossing the project site can be offset with this connection. Specifically, residual pressure would be greater than 20 psi, and fire flow would be at least 1,500 gpm as shown in Table 6.19-2, which is the design fire flow for single family neighborhoods. With the improvements to the off-site water system, the abandonment of the on-site 12-inch water main through the project site would be offset by other system improvements.

Table 6.19-2. Model Results for the Most Critical Nodes

Model ID	Static Pressure (psi)	Fire-Flow Demand (gpm)	Residual Pressure (psi)	Hydrant Available Flow at 20 psi/10 fps (gpm)
J88	68.12	1,500	22.06	2,300
J90	66.40	1,500	21.27	1,782

Note: psi = pounds per square inch; fps = feet per second; gpm = gallons per minute.

The improvements to the water system proposed both within the project site and off-site connections in S. Oceanside Boulevard, Crouch Street, and Skylark Drive, as well as the repair/restoration of the 12-inch line in Parkwood Lane, have been analyzed as part of the project throughout this SCEA. Further, as described in Section 6.19(b), below, the proposed project is included in the City's project water demands and has determined through the 2020 Urban Water Management Plan (UWMP) that it has sufficient supplies to serve projected demands and no new or expanded water supply facilities would be required to

serve the project (City of Oceanside 2021a). Therefore, through improvements of on- and off-site water facilities, the project would not result in relocation or construction of new or expanded water facilities that would cause significant environmental effects not already addressed in this environmental document. Impacts would be **less than significant.**

Wastewater

The proposed project would receive sewer service from the City's Water Utilities Department. The nearest public sewer line is a 10-inch polyvinyl chloride line that extends east through the existing S. Oceanside Boulevard cul-de-sac and redirects south traversing the western boundary of the project site, where proposed Building C would be located. South of the project site, this existing sewer line redirects east, connecting with the existing residential homes south of the project site. See Figure 6.19-2 for an overview of existing sewer lines in the project vicinity.

The design criteria used for the evaluation of the off-site sewage system impacts by the proposed project are based on the Design & Construction Manual.

The project proposes to receive sewer service by connecting to the City's existing facilities in S. Oceanside Boulevard. The project would construct a new 10-inch sewer line within the proposed extension of S. Oceanside Boulevard, connecting to the existing sewer line within the existing S. Oceanside Boulevard cul-de-sac.

To analyze the impact of the proposed project on the existing sewer system, a hydraulic analysis was conducted in Appendix M, Overview of Sewer Service. The existing gravity sewer line that will be extended in S. Oceanside Boulevard eastward by the proposed project was analyzed to the point where it connects to the 15-inch diameter trunk sewer line in Oceanside Blvd.

As-built drawings of the existing sewer system were reviewed so that the pipe sizes and slopes could be inputted. Existing flows within the sewer lines that will be utilized to serve the proposed project were estimated for areas downstream of the project site because the proposed project will be the most upstream development along the stretch of gravity sewer along S. Oceanside Boulevard. Table 6.19-3 provides a summary of existing flows from off-site, downstream development.

Table 6.19-3. Existing Sewer Flows Along South Oceanside Boulevard.

Description	Quantity	Unit Flow Factor	Total Avg. Flow
Single-Family Residential (St. Malo Heights)	34 DUs	170 gpd/DU	5,780
Single-Family Residential (1902 Grandview)	25 DUs	170 gpd/DU	4,250
Commercial	24.4 Ac	1,000 gpd/Ac	24,400
		Total	**34,430**

Source: Appendix M.

The proposed project's estimated sewage flows of approximately 41,300 gpd were then added to the existing flows to determine if sufficient capacity exists in the existing sewer line. Appendix L2 presents the results of the hydraulic analysis for the proposed project. Gravity sewer lines are designed to convey peak wet weather flow. Pipes that are 10-inches in diameter and smaller are designed to convey this flow with a maximum depth-to-diameter (d/D) ratio of 0.50. Pipes that are 12-inches and larger in diameter are

designed for a maximum d/D ratio of 0.67. With the additional sewer flow from the proposed project, all sections of the line will flow less than half full (i.e., d/D ratio < 0.5) during peak flow conditions as shown in Table 6.19-4.

Table 6.19-4. Projected Existing Downstream Sewer Flows

Existing Downstream Sewer Section	d/D Ratio		
	Existing Flow	Existing plus Project Flow	Maximus d/D Oceanside Design & Construction Manual
8-Inch Diameter	0.26	0.42	0.5
10-Inch Diameter	0.23	0.35	0.5

Source: Appendix M.

Therefore, through improvements of on-site sewage facilities and connections to existing sewer facilities in S. Oceanside Boulevard, the proposed project would not result in relocation or construction of new or expanded wastewater facilities resulting in a significant environmental effects not already addressed in this environmental document. Impacts are **less than significant.**

Wastewater Treatment

The City is served by the San Luis Rey Wastewater Treatment Plant (SLRWWTP) and the La Salina Wastewater Treatment Plant (LSWWTP). The SLRWWTP is a secondary wastewater treatment plant that serves areas of the City east of Interstate 5, treats wastewater from the Rainbow Municipal Water District and a portion of the City of Vista. The City is in the process of decommissioning the LSWWTP and would augment flows to the SLRWWTP (City of Oceanside 2015). Both plants discharge treated effluent through the Oceanside Ocean Outfall (City of Oceanside n.d.). The SLRWWTP's capacity for secondary treatment is 15.4 million gallons per day (mgd), and its capacity for tertiary treatment is 0.7 mgd (City of Oceanside 2016).

According to Appendix M, the estimated average sewer flow of the proposed project would be 41,300 gpd with a projected peak flow of 194,472 gpd (135 gpm). The daily sewage flow would represent approximately 1.2% of the total secondary treatment capacity at the SLRWWTP.

The Oceanside Sewer Master Plan (City of Oceanside 2015) projected near and long term (2050) sewage treatment demands for the City. The projects were based on then current San Diego Association of Governments (SANDAG) 2050 population projections. As noted in the Sewer Master Plan, "the study area population is expected to continue to grow through year 2050. The majority of this growth is projected to occur in the next 15 to 20 years." The 2050 population is projected to be approximately 217,000 people. The population projections are repeated below in Table 6.19-5.

Table 6.19-5. Sewer Master Plan Population Projections

Year	2010	2015	2020	2025	2030	2035	2050
Projected Population	183,1095	189,275	195,455	202,529	209,602	212,024	217,364

As shown in Table 6.19-5, the population projections in the 2015 Sewer Master Plan exceed the current SANDAG Regional Plan projects analyzed in Section 6.14, Population and Housing. At the time the Sewer Master Plan was prepared, the Project Site had been identified in the City's Fifth Cycle Housing Element for up to 451 dwelling units and was included in local and regional planning efforts including The Regional Plan. Based on the reduction in population projection since the 2015 Sewer Master Plan, and based on the fact that the proposed project's 295 units were anticipated by the previous projections, the City has sufficient treatment capacity for the proposed project.

Therefore, because the proposed project is consistent with the underlying land use and zoning of the project site, and is anticipated growth in the City and the City's facilities planning efforts, and the total project-generated sewage flows would represent 1.2% of the SLRWWTP's capacities, the proposed project would not result in relocation or construction of new or expanded wastewater treatment facilities resulting in a significant environmental effects not already addressed in this environmental document. Impacts are **less than significant.**

Stormwater Drainage

Stormwater drainage from the project site is received by the City's Water Utilities Department storm drain system and the existing storm drains within and adjacent to the project site. A storm drain inlet exists in the northern portion of the project site along S. Oceanside Boulevard and directly across from the westernmost Crouch Street Sprinter Station driveway. An existing 36-inch reinforced concrete pipe storm drain connects to this storm drain inlet, which directs stormwater flows under S. Oceanside Boulevard to Loma Alta Creek.

The project would utilize the existing discharge points to Loma Alta Creek. In compliance with permit conditions, the proposed project would not increase runoff volumes from the site from existing to the proposed condition. This result would be accomplished with a private underground detention systems and biofiltration basin proposed as part of the project, the impacts of which have been analyzed as part of the proposed project throughout this analysis. The proposed project would result in an overall reduction in peak flow rates with implementation of on-site detention and biofiltration. Existing inlets would not experience an increase in runoff in the proposed condition (Appendix H1). Therefore, through improvements of on-site stormwater drainage facilities, the project would not result in relocation or construction of new or expanded stormwater drainage facilities resulting in a significant environmental effect. Impacts are **less than significant.**

Electricity

Electric service is available and would be provided to the project site by San Diego Gas & Electric (SDG&E). The project site is in an urbanized area of the City and electric infrastructure currently exists within and surrounding the project site. There are existing overhead SDG&E electric power lines that traverse the project site along the same pathway as the existing 12-inch concrete water mainline described under the Water subsection above. The project includes two easement vacations and relocation of these SDG&E power lines that currently exist on the project site. These overhead electrical lines would be relocated to Crouch Street, similar to the relocation of the existing water mainline. The proposed, electric power lines would connect the project site through an existing electrical manhole along Crouch Street. The two SDG&E easement vacations are included as project components, and therefore have been analyzed as part of the project throughout this SCEA. Given that the project would connect to existing electric infrastructure adjacent the project site and is consistent with the underlying land use and

planned intensity for the project site as analyzed in Section 6.14, the relocation of these existing on-site overhead electric power lines and the construction of new electrical connections on Crouch Street would not result in a significant environmental effect not already addressed in this environmental document. Impacts would be **less than significant.**

Natural Gas

Natural Gas service is available and would be provided to the project site by SDG&E to the extent permitted under the then-current building code. As discussed in Section 6.6, Energy, the proposed project would result in increased use of natural gas during operation compared to existing conditions; however, the results would be a nominal increase in natural gas over the City's typical annual natural gas consumption, and the project would not require upsizing existing natural gas facilities. The project site is in an urbanized area of the City and natural gas infrastructure currently exists surrounding the project site, and all utilities that have been identified on the project plans would be placed within right-of-way or within the developed portion of the project site, the impacts of which have been analyzed throughout this analysis. Given that the project would connect to existing infrastructure adjacent the project site and is consistent with the underlying land use and planned intensity for the project site as analyzed in Section 6.14, the construction of new natural gas facilities within existing and future right-of-way would not result in a significant environmental effect not already addressed in this environmental document. Impacts would be **less than significant.**

Telecommunications

The project site is within an urbanized area of the City with existing telecommunication services in the project area. The project would be served by either Cox or AT&T for telecommunications services. All utilities that have been identified on the project plans would be placed within right-of-way or within the developed portion of the project site, the impacts of which have been analyzed throughout this analysis. Given that the project would connect to existing infrastructure adjacent the project site and is consistent with the underlying land use and planned intensity for the project site as analyzed in Section 6.14, the construction of new telecommunication facilities within existing and future right-of-way would not result in a significant environmental effect not already addressed in this environmental document. Impacts would be **less than significant.**

Therefore, the project would not result in a significant environmental effect due to construction of any new telecommunications facilities needed to serve the project. Impacts would be **less than significant.**

b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less-than-Significant Impact. As shown above in Table 6.19-1, the average potable water demands for the proposed project is approximately 118,390 gpd (Appendix H2). To receive water service, the project would connect to exiting water lines in the vicinity of the project site as explained in Section 6.19(a).

Citywide water supply planning is completed via the 2020 UWMP (City of Oceanside 2021a). The 2020 UWMP analyzed the City's ability to provide sufficient water supplies during normal, dry and multiple dry years. The UWMP determined that, with implementation of conservation measures, the City would have sufficient capacity to serve existing and future planned growth between 2020 and 2045.

The City's current water supplies include raw and treated water purchased from San Diego County Water Authority (SDCWA), desalinated local groundwater from the Mission Basin, and non-potable recycled water. Raw water purchased from SDCWA is treated at the City's Robert A. Weese Water Filtration Plant. The City primarily receives water from the SDCWA. The City is also actively developing indirect potable reuse as a future supply, anticipated to be available by 2022. Fully advanced treated water will be produced at the City's Advanced Water Treatment facility and injected into the Mission Basin for eventual extraction and treatment at the Mission Basin Groundwater Purification Facility for potable use (City of Oceanside 2021a). By 2030, 60% of the City's total demands are expected to be met using local supplies (groundwater, indirect potable reuse, and non-potable recycled water) (City of Oceanside 2021a). As provided in the UWMP, the City's projected water supplies are summarized in Table 6.19-6, below.

Table 6.19-6. Summary of Projected Supplies (AFY)

Supply	2025	2030	2035	2040	2045
Purchased SDCWA Supply	14,881	9,578	97,50	9,808	9,980
Groundwater	2,800	2,800	2,800	2,800	2,800
Recycled Water (Non-Potable)	3,000	5,040	5,040	5,040	5,040
Advanced Treated Water (Potable Re-use)	3,360	6,720	6,720	6,720	6,720
Total	**24,041**	**24,138**	**24,310**	**24,368**	**24,540**

Source: City of Oceanside 2021a.

The UWMP performed a demand and supply assessment (Section 7.3) which looked at single and multiple dry year scenarios. As stated in the UWMP, during a single-dry year, demands are expected to increase by an average of 7%. To meet these demands, availability of non-potable recycled water is expected to increase to meet the increased non-potable recycled water demand because there is sufficient treatment capacity at the SLRWRF to produce enough additional recycled water to meet demands during a single dry year. To make up the remaining supply needed to serve the increased demands under a single dry year, the City will purchase additional water from SDCWA. The City anticipates that SDCWA will have sufficient supplies to allow for these additional purchases because SDCWA projects 100% reliability in the single-dry year scenario with changes in demand and supply consistent with the analysis completed by the City. Table 6.19-7 shows how the City would provide potable and non-potable water under the Single Dry Year Scenario through 2045.

Table 6.19-7. Single Dry Year Scenario

	2025	2030	2035	2040	2045
Potable					
Supply Totals	22,470	20,395	20,578	20,640	20,8324
Demand Totals	22,470	20,395	20,578	20,640	20,8324
Difference	0	0	0	0	0
Non-Potable					
Supply Totals	3,024	5,382	5,382	5,328	5,382
Demand Totals	3,024	5,382	5,382	5,328	5,382
Difference	0	0	0	0	0

Source: City of Oceanside 2021a.

The UWMP also considers a Five-Consecutive Year Drought Supply and Demand Scenario. This comparison examines the effect of the driest five-year historical sequence occurring in the future. The historical dry year period was identified as the five-year period from 2011–2015, which is consistent with SDCWA's 2020 UWMP. During an extended event, recycled water production would increase to meet additional recycled water demands due to available treatment capacity and wastewater flows at the SLRWRF (3.0 mgd or 3,362 acre-feet per year), while indirect potable reuse and groundwater supplies would remain consistent with normal year projections. To make up the remaining supply needed to meet increased demands during each year of the multiple dry year scenario, the City will purchase additional water from SDCWA. These additional purchases are anticipated to be accommodated for all years, as SDCWA projects 100% reliability in all future years due to the diversification of its supplies and availability of carryover supplies. Table 6.19-8 depicts the results of the UWMP analysis.

Table 6.19-8. Five-Consecutive-Year Drought Supply and Demand Comparison

Years		2025	2030	2035	2040	2045
Potable						
First Year	Supply Totals	22,572	20,488	20,673	20,735	20,920
	Demand Totals	22,572	20,488	20,673	20,735	20,920
	Difference	0	0	0	0	0
Second Year	Supply Totals	22,654	20,562	20.748	20,810	20,995
	Demand Totals	22,654	20,562	20.748	20,810	20,995
	Difference	0	0	0	0	0
Third Year	Supply Totals	22,737	20,638	20,823	20,886	21,072
	Demand Totals	22,737	20,638	20,823	20,886	21,072
	Difference	0	0	0	0	0
Fourth Year	Supply Totals	22,821	20,714	20,900	20,963	21,150
	Demand Totals	22,821	20,714	20,900	20,963	21,150
	Difference	0	0	0	0	0
Fifth Year	Supply Totals	22,821	20,714	20,928	20,991	21,178
	Demand Totals	22,821	20,714	20,928	20,991	21,178
	Difference	0	0	0	0	0
Non-Potable						
First Year	Supply Totals	3,218	5407	5,407	5,407	5,407
	Demand Totals	3,218	5407	5,407	5,407	5,407
	Difference	0	0	0	0	0
Second Year	Supply Totals	3,230	5,426	5,426	5,426	5,426
	Demand Totals	3,230	5,426	5,426	5,426	5,426
	Difference	0	0	0	0	0
Third Year	Supply Totals	3,242	5,446	5,446	5,446	5,446

Table 6.19-8. Five-Consecutive-Year Drought Supply and Demand Comparison

Years		2025	2030	2035	2040	2045
	Demand Totals	3,242	5,446	5,446	5,446	5,446
	Difference	0	0	0	0	0
Fourth Year	Supply Totals	3,254	5,446	5,446	5,446	5,446
	Demand Totals	3,254	5,446	5,446	5,446	5,446
	Difference	0	0	0	0	0
Fifth Year	Supply Totals	3,258	5,474	5,474	5,474	5,474
	Demand Totals	3,258	5,474	5,474	5,474	5,474
	Difference	0	0	0	0	0

SANDAG's Interim Series 14 Growth Forecast, Version 17, was used for population projections and as the basis for the City's demand projections in the 2020 UWMP. As shown in the UWMP, Table 3-4: Population – Current and Projected, the UWMP projected a population of 184,657 residents by 2045 (City of Oceanside 2021a). This total is slightly greater than the latest SANDAG projections, which anticipate a total population of 184,273 residents by 2050. Therefore, the population projections in the UWMP are generally consistent with, though slightly greater than, SANDAG's projections in the latest Regional Plan.

The proposed project is consistent with the population projections contained within the SANDAG Series 14 population estimates, and as analyzed in Section 6.14. Because the proposed project would be in compliance with the General Plan and Zoning code, the water demand of the project has been already planned for in the City and Regional water supply documents that are based on the buildout of the City.

The City has also developed the Oceanside Water Conservation Master Plan (City of Oceanside 2015) that further ensures water availability to the City during drought years. Additionally, the project would include water conserving landscaping along with efficient irrigation design consistent with the City's water planning efforts.

The SDCWA has developed a Water Shortage Contingency Plan (SDCWA 2020) that identifies ways in which the region can reduce water consumption during catastrophic events and in drought years. As part of the Water Shortage Contingency Plan, the Drought Ordinance established four drought stages of actions that can be taken to reduce water demand up to 40% or more. Because the occupants of the project would be a customer within the City's service area, the project would have to adhere to any extraordinary conservation measures imposed by the City.

Overall, the City has sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. Impacts would be **less than significant.**

c) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Less-than-Significant Impact. The proposed project would receive sewer service from the City. As discussed above in Section 6.19(a), the residential homes would connect with an existing sewer line and the project would construct a new 10-inch sewer line within the proposed extension of S. Oceanside Boulevard.

As shown in Table 6.19-9, the proposed project would result in an average sewage flow of 41,300 gpd (Appendix M).

Table 6.19-9. Ocean Creek Mixed Use Project Projected Sewer Flows

Land Use	Quantity (Units)	Generation Factor	Average Sewerage Flow (GPD)
Multi-Family Residential	295	140 gpd/unit	41,300
Commercial	3,000 SF	1,000 gpd/ac	
Total			

Source: Appendix M.

The City is served by the San Luis Rey Wastewater Treatment Plan (SLRWWTP) and the La Salina Wastewater Treatment Plant (LSWWTP). The SLRWWTP is a secondary wastewater treatment plant that serves areas of the City east of Interstate 5, treats wastewater from the Rainbow MWD and a portion of the City of Vista. The LSWWTP is also a secondary wastewater treatment plant that historically treats wastewater from areas west of Interstate 5, downtown and along the coast. However, the City is in the process of decommissioning the LSWWTP and would augment flows to the SLRWWTP (City of Oceanside 2015). Both plants discharge treated effluent through the Oceanside Ocean Outfall (City of Oceanside n.d.). The SLRWWTP's capacity for secondary treatment is 15.4 mgd, and its capacity for tertiary treatment is 0.7 mgd (City of Oceanside 2016).

According to Appendix M, the estimated average sewer flow of the proposed project would be 41,300 gpd with a projected peak flow of 194,472 gpd (135 gpm). The daily sewage flow would represent approximately 1.2% of the total secondary treatment capacity at the SLRWWTP.

As disclosed in Section 6.14, the proposed project would be in compliance with the General Plan and Zoning code, and therefore wastewater demand of the project has been already planned for in the City's wastewater system plans that are based on the buildout of the City. Based on the available capacity of the system with the proposed improvements, the facilities and infrastructure serving the proposed project would be able to handle the projected flow rates. Therefore, the proposed project would not result in a determination that the City does not have adequate capacity to serve the project's projected wastewater treatment demand in addition to the provider's existing commitments. The project would have a **less-than-significant impact.**

d) Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less-than-Significant Impact. The project site would be provided solid waste disposal services by Waste Management as with the rest of the City. The solid waste collected from the City is now disposed of at the El Sobrante Landfill located in Corona, California. The El Sobrante Landfill has a maximum permitted throughput of 16,054 tons per day with estimated remaining capacity of 128,616,066 tons (USA Waste of California 2021) and projected closure date of August 1, 2047 (CalRecycle 2018). The Greenhouse Gas Emissions Analysis prepared by Ldn (Appendix F) estimated that the proposed project would generate approximately 67.9 tons of solid waste per year from the residences and 17.3 tons per year from proposed commercial uses, which equates to approximately 0.23 tons of solid waste per day. This represents 0.0014% of the daily landfill throughput capacity. Therefore, the El Sobrante Landfill has sufficient permitted capacity remaining to serve the proposed project, and the proposed project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure.

Additionally, the proposed project would participate in the City's recycling programs, which would further reduce solid waste sent to El Sobrante Landfill. On March 17, 2021, the City Council approved the 2020 Zero Waste Plan, which expands upon existing programming outlined in the 2012 Zero Waste Plan. The goal of both the Zero Waste Plan and AB 341 is to divert 75% of waste by 2020.

The City's most recent state-reported diversion rate was 67% in 2018; however, the City anticipates a significant increase in diversion rates within the 2020 and 2021 reporting periods due to the recent roll-out of commercial food scraps recycling. The City's goal is to achieve a 75 to 90% diversion/recycling rate by 2020 based on their Complete Zero Waste Plan (City of Oceanside 2021b). The Zero Waste Plan Update includes recommendation to reassess 2010 Zero Waste Plan elements that are outdated or inapplicable and add new policy areas and programs to address priorities for waste reduction, reuse, repair and recovery and implementation of the SB 1383 Action Plan and adopt mandatory ordinances for expanded residential and commercial composting, which the project would be consistent with. The project would also provide compost and recycling bins for residents and tenants in accordance with this plan. Construction waste would be recycled in accordance with this plan. The proposed project would be subject to the Zero Waste Plan, which is consistent with AB 341

Therefore, the project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals, and project impacts would be **less than significant.**

e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less-than-Significant Impact. The proposed project would comply with state policies like the California Solid Waste Reuse and Recycling Access Act of 1991 and Assembly Bill 341 (Solid Waste Diversion). As stated above, the City prepared an Update to the Zero Waste Plan, which is aligned with AB 341, which both have a goal to divert 75% of waste. Refer to Section 6.19(d) above for further evaluation.

During both construction and operation, the proposed project would comply with the City's Solid Waste and Recycling Code (Chapter 13 of the City's Municipal Code) by separating recyclables from solid waste. The proposed project would also be required to comply with required solid waste and recycling measures as provided in the California Green Building Code. Recycling bins for residential and commercial tenants would be provided. Collaboration with the applicable solid waste service providers would ensure compliance with the Zero Waste Plan and the relevant statutes that the plan addresses. Therefore, the proposed project would be consistent with regulations related to solid waste, and would have a **less-than-significant impact.**

f) Cumulative Impacts

Less-than-Significant Impact. The geographic context for the analysis of cumulative impacts associated with utilities and service systems consists of the City, because the City would provide utilities to the proposed project.

The cumulative projects would result in an increase in water and sewer service demand. Title 24 building requirements that include substantially more efficient fittings for water, which would reduce the demand generated by new development within the City. The proposed project would not lead to the need for improved sewer and water facilities beyond those improvements already included in the project. In addition, all future projects would be required to complete similar sewer and water service studies to evaluate impacts to facilities and would be required to provide improvements. As such, the project contribution towards cumulative utility impacts would be **less than significant.**

Citywide water supply planning is completed via the 2020 UWMP (City of Oceanside 2021a). The proposed project would be in compliance with the General Plan and Zoning code, and therefore water demand of the project has been already planned for in the City and Regional water supply documents that are based on the buildout of the City. The proposed project would also be subject to the City's water conservation measures and Water Shortage Contingency Plan in the event of a severe drought. The City has sufficient water supplies from available entitlements and resources to serve the proposed project in addition to planned cumulative General Plan buildout growth. Therefore, cumulative impacts related to water demand would be **less than significant.**

The El Sobrante Landfill has a maximum permitted throughput of 16,054 tons per day with estimated remaining capacity of 128,616,066 tons and projected closure date of August 1, 2047 (CalRecycle 2020). The proposed project would generate approximately 0.23 tons of solid waste per day (Appendix F) and would comply with City's Complete Zero Waste Plan Update (City of Oceanside 2021b). Considering the project's minimal contribution towards cumulative waste demands and the city-wide implementation of their waste reduction plan, the proposed project would not contribute significant amounts of solid waste, which would result in the exceedance of landfill capacity; therefore, cumulative landfill impacts would be **less than significant.**

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SOURCE: Infrastructure Engineering Corporation

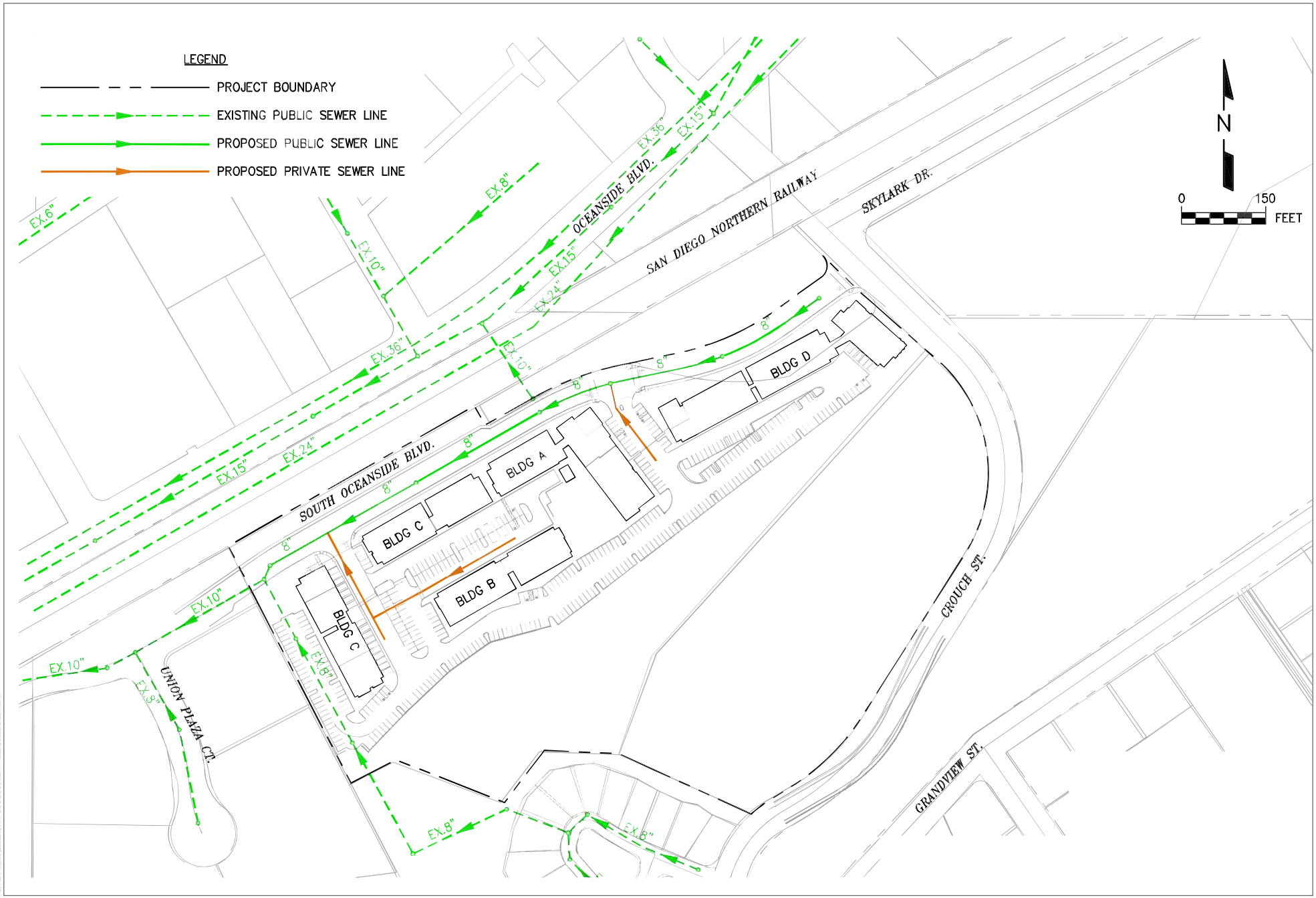
FIGURE 6.19-1

Existing and Proposed Water System (On-site)

Ocean Creek Mixed Use Apartments

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SOURCE: Dexter Wilson Engineering, Inc., 2021

FIGURE 6.19-2

Existing and Proposed Sewer System

Ocean Creek Mixed Use Apartments

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6.20 Wildfire

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a) Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

b) Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

c) Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

d) Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

d) Cumulative Impacts?

No Impact. The Ocean Creek project (project) site is not located within a state responsibility area or lands classified as Very High Fire Hazard Severity Zones (VHFHSZs) (see Figure 6.9-2, Fire Hazard Severity

Zones). The nearest VHFHSZs are over 1 mile from the project site. The project would not cause a significant exposure of people or structures to risks related to post-wildfire conditions or exacerbate wildfire risks considering the project design, site conditions and surrounding conditions. The project would comply with all applicable City and State regulations pertaining to fire safety, including the California Building Code and brush management requirements. The project would also provide a through connection for Oceanside Boulevard, improving potential evacuation route paths for the area. No negative impact to an adopted emergency response plan or emergency evacuation plan would occur. Therefore, because the project site is not in or near lands classified as very high fire hazard severity zones and would comply with regulations intended to provide for fire safety, the project would have **no impact** related to wildfire.

6.21 Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XXI. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☒	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

a) ***Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?***

Less-than-Significant Impact with Mitigation Incorporated. The preceding analysis does not reveal any significant immitigable impacts to the environment. The project site is located within a developed and urban area and is currently vacant However, implementation of the proposed project could result in potentially significant impacts to biological resources, cultural resources, tribal cultural resources, and geology and soils.

Prior to construction related ground-disturbing activities during nesting season, the proposed project would conduct surveys to ensure avoidance of impacts to nesting raptors and/or birds protected by the federal Migratory Bird Treaty Act and California Fish and Game Code, Sections 3503 and 3513 (**MM-BIO-2**). Project implementation would result in the loss of 8.62 acres of non-native grasslands as a result of

construction related grading. To reduce impacts related to grading, grading of native habitat would be monitored by a qualified biologist and temporary fencing would be installed along the limits of grading to prevent inadvertent disturbance to areas outside the limits of grading (**MM-BIO-3** and **MM-BIO-4**). Upon completion of construction, the project would dedicate 4.31 acres of non-native grasslands or other City-approved native vegetation community through compensatory preservation, which would be protected by permanent fencing (**MM-BIO-1** and **MM-BIO-5**).

The proposed project would include the removal of approximately 0.6 acres of non-native plant species from the slope of Loma Alta Creek, which would have a potentially significant impact on riparian habitat. To reduce impacts to riparian habitat, the proposed project would implement mitigation measures **MM-BIO-6** through **MM-BIO-8**, to require notification to CDFW of the proposed project's restoration plans.

With the implementation of mitigation measures **MM-BIO-1** through **MM-BIO-8**, the proposed project would not significantly contribute to a cumulative biological impact. Cumulative impacts on biological resources would be less than significant.

As discussed in Section 6.5, Cultural Resources, no cultural resources were identified within the project site, and the entire developable portion of the project site has been graded and filled. However, project construction has the potential to result in deeper excavations than previously performed on the site that could uncover unknown archaeological resources. Discoveries of unknown archaeological resources would be considered potentially significant impacts. However, with required adherence to mitigation measures **MM-CUL-1a** through **MM-CUL-1h** to reduce the project's impacts on archaeological resources to a less than significant level. Cumulative impacts on cultural resources would be less than significant.

As discussed in Section 6.18, Tribal Cultural Resources, no evidence of known TCRs have been presented from consulting tribes. Additionally, the project site has been previously graded and filled. However, project construction would require deep excavation, which has the potential to uncover previously unidentified TCRs. The discovery of unknown TCRs would be considered potentially significant impacts. To reduce potential impacts to unanticipated TCRs, the proposed project would require the presence of a Native American Monitor during ground-disturbing activities (**MM-TCR-1**). Implementation of **MM-TCR-1** would reduce the projects incremental contribution to cumulative TCR impacts to less than significant. Cumulative impacts on tribal cultural resources would be less than significant.

A portion of the project site is underlain by the Santiago Formation, Sespe/Vaqueros Formation, and Pleistocene age old paralic deposits, which are known to produce scientifically significant paleontological resources and have high paleontological resource sensitivity. Although no paleontological resources or unique geological features were identified within the project site, intact unique paleontological resources may be encountered during excavation into previously undisturbed sedimentary deposits. Ground-disturbing activities associated with construction of the project has the potential to destroy unique paleontological resources. Thus, to reduce potential impacts to unique paleontological resources, the proposed project would require a qualified paleontologist to monitor grading in undisturbed Santiago Formation, Sespe/Vaqueros Formation, or Pleistocene old paralic deposits and halt or divert grading activity in the event paleontological resources are discovered (**MM-GEO-1**). As such, the project's contribution to cumulative impacts to unique paleontological resources would be reduced to less than significant with the implementation of **MM-GEO-1.**

Overall, cumulative impacts would be **less than significant with mitigation incorporated.**

b) ***Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)***

Less-than-Significant Impact. As concluded throughout this SCEA, cumulative impacts related to all of theabove environmental factors would be **less than significant.**

c) ***Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?***

Less-than-Significant Impact. Based on the preceding environmental analysis, the proposed project would not have significant environmental effects on human beings, either directly or indirectly**.** Impacts would be **less than significant.**

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