
Executive Summary

ES.1 Introduction

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

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

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

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

ES.2 Project Description and Location

ES.2.1 Project Location

The proposed site consists of the former Pacifica Elementary School located at 4991 Macario Drive (Assessor's Parcel Numbers [APNs] 122-190-19, 122-190-22, and 157-070-42) and encompasses 14.55 acres (Figure 3-1, Project Location). The proposed project site is located at the corner of Monica Circle and Macario Drive. The project site is bound to the north by single-family homes fronting Claire Drive; to the east by single-family homes fronting Roja Drive; to the south by single-family homes fronting North Redondo Drive; and to the west by open space. The project site is approximately 0.5 miles from the San Luis Rey Transit Center. The project site is located approximately 2 miles north of State Route (SR) 76 and approximately 6 miles north of SR 78.

The project site has a General Plan land use designation of CI – Civic Institutional. Properties abutting the project site are designated as SFD-R – Single Family Detached Residential to the north, east, and south, and OS – Open Space to the west. Areas in the surrounding neighborhood are designated with various residential designations (SFD-R, MDA-R, MDB-R, and MDC-R), Civic Institutional (CI), Open Space (OS), and various commercial designations (GC, NC, and SC).

The project site is currently zoned as PS – Public/Semipublic. Areas immediately surrounding the site are zoned RS – Single-Family Residential and OS – Open Space. Zoning designations in the surrounding neighborhood also

include various residential designations (RS, RM-A, RM-B, and RM-C), PS, Open Space (OS), and various commercial designations (CG, CN, and CS-L). These zoning designations are described in detail in Section 4.10, Land Use and Planning, of this EIR.

ES.2.2 Project Description

The proposed project would amend the General Plan land use designation to Medium Density Residential (MDB-R) and would amend the zoning to Planned Development (PD). The proposed project consists of development of 164 three-story attached townhomes. Approximately 1.73 acres of the 14.55-acre project site consists of 20- to 30-foot-tall slopes along the northern, southeastern, and western portions of the project site, resulting in a net area of 12.82 acres and a net density of 12.8 dwelling units per acre (du/ac). Of the 12.82 net acres, only 10.23 are proposed for development. The remaining undeveloped areas include natural setbacks to the adjacent open space to the west.

Townhomes would range in size from approximately 1,200 square feet to 1,800 square feet with two, three, or four bedrooms and an attached two-car garage (see building summary below in Table ES-1). Each townhome would include private open space in the form of a patio and/or deck. Common recreational spaces, consisting of approximately 59,460 square feet, would be designed with amenities such as tot lots, an off-leash dog park, pickleball courts, barbecue areas, and a space for a variety of outdoor games.

Table ES-1. Proposed Building Summary

Plan Types	Square Footage	Number of Units	Percentage of Total Units	Floor Plan Type	Private Open Space (square feet)	Garage Spaces ¹
1	1,210	14	9	2 bed/2.5 bath	83	2
2	1,497	76	46	3 bed/2.5 bath	107	2
3	1,791	74	45	4 bed/4 bath	220	2
Totals		164	100	N/A	N/A	N/A

Notes: N/A = not applicable.

¹ An additional 61 spaces (uncovered) would be provided for guest parking.

The proposed residential development would be set back 15 feet from Monica Circle, approximately 74 feet from the northern and southern boundary, and approximately 65 feet from the eastern boundary. The western boundary is bordered by open space, and a habitat setback and stormwater basin would buffer the development from the adjacent open space area. This buffer area would be a minimum of 100 feet.

Primary access to the site would utilize a new driveway at the corner of Monica Circle and Macario Drive. This main entrance would be enhanced with decorative paving, landscaping, signage, and a small publicly accessible pocket park. A secondary driveway for emergency vehicle access only would be provided via an extension of Malaga Drive on the eastern boundary of the project site.

Open Space

A total of approximately 59,460 square feet of common open space is proposed, and a total of 23,950 square feet of private open space is proposed. The common open space areas consist of a dog park, fire pits for community gathering, pickleball courts, open lawn, a barbeque area, internal trails, and landscaping to help encourage pedestrian connectivity. Private open space would consist of balconies or patios within residences. Overall, a total of 83,410 square feet of usable space would be provided within the project site, which breaks

down to 508 square feet per unit. A summary of the usable open space areas proposed as part of the project is outlined in Table ES-2 below.

Table ES-2. Usable Open Space

Location of Open Space	Proposed Open Space (square feet)	Required Open Space (square feet)
Common Open Space		
Courtyards, landscape areas, and amenity areas	59,460	24,600
Private Open Space		
Balconies and patios	23,950	Minimum dimension of 5 feet
Total Usable Open Space	83,410	49,200
Total per Residence (164)	508 square feet per unit	300 square feet per unit

Primary access to the site would utilize a new driveway at the corner of Monica Circle and Macario Drive. A secondary driveway for emergency vehicle access only would be provided via an extension of Malaga Drive on the eastern boundary of the project site. The proposed residential buildings would be connected by a private loop road within the project site with two internal drive aisles that connect the northern and southern portions of the loop road. Circulation and emergency access drives have been designed in consultation with Oceanside Fire staff to provide 28-foot minimum widths with designated truck turnarounds and key staging areas throughout the project site.

ES.2.3 Project Objectives

Section 15124(b) of the CEQA Guidelines requires that an environmental impact report (EIR) include a statement of the project objectives that “include[s] the underlying purpose of the project and may discuss the project benefits.” The following objectives have been identified for the project:

1. Support the housing needs of the City of Oceanside (City) by developing high-quality, workforce housing that balances density with price points and long-term maintenance costs, such that new homes remain financially attainable to entry-level home buyers
2. Maximize residential densities, to the extent feasible, within proximity to transit, education facilities, commercial uses, and trails to reduce reliance on automobiles and potentially minimize greenhouse gas (GHG) emissions
3. Show sensitivity to adjacent properties, open space, and community amenity areas with appropriate setbacks and orientation of buildings and facades
4. Design the community using compatible architectural styles to the existing neighborhood with a scale and treatment that improve the visual image of the surrounding area
5. Create a highly connected and efficient system of sidewalks and pathways layered with a vehicular circulation system that adequately accommodates traffic and connects to the existing neighborhood
6. Provide well-designed common open space areas that are connected throughout the project site while utilizing current water and energy conservation practices
7. Preserve natural land resources by redeveloping underutilized parcels and promoting infill development to reduce urban sprawl

ES.2.4 Discretionary Actions

The approvals required for the project include a General Plan land use amendment and a change in zoning. The project would be redesignated as a General Plan land use of MDB-R – Medium Density Residential-B (10-15 du/ac), and a zone of PD – Planned Development. The proposed Planned Development District would provide zoning, use regulations, and development standards for future development of the site. A Planned Development Plan (The Pacifica Planned Development Plan) has been prepared in accordance with the City of Oceanside Zoning Ordinance – Article 17, and is included herein as Appendix B. The Planned Development Plan provides direction for the assignment of land uses, development intensities, and development regulation, as well as design guidelines that will provide a framework for the specific development of the site.

Consistent with the City's General Plan and Zoning Ordinance, the project requires certain entitlements be submitted, reviewed, and approved by the City. The requested entitlements include a Planned Development Plan, General Plan Amendment, Zone Amendment, and Tentative Map Approval. The City would use this EIR and associated documentation in its decision to approve or deny the required discretionary permits. Other responsible and/or trustee agencies, including the Regional Water Quality Control Board, can use this EIR and supporting documentation in their decision-making process to issue additional approvals.

ES.3 Areas of Controversy

Pursuant to Section 15082 of the CEQA Guidelines, the City circulated a Notice of Preparation (NOP) published November 1, 2022, to interested agencies, organizations, and parties. The NOP was also sent to the State Clearinghouse at the California Office of Planning and Research. The State Clearinghouse assigned a state identification number (SCH No. 2022110021) to this EIR.

A public scoping meeting was held on November 14, 2022, at 6:00 p.m. at the Mission Branch Library Community Room to gather additional public input. The initial 30-day public scoping period ended on November 30, 2022.

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

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ES.4 Effects Not Found to Be Significant

The project would result in no impact or less-than-significant impacts to the following: aesthetics, agriculture and forestry resources, energy, greenhouse gas emissions, hazards and hazardous materials, hydrology and water

quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, utilities and service systems, transportation, and wildfire.

ES.5 Impacts Determined to Be Significant

Table ES-3 provides a summary of significant project-related impacts pursuant to the CEQA Guidelines, Section 15123(b)(1). Impacts associated with air quality, biological resources, cultural resources, geology and soils, ~~transportation~~, and tribal cultural resources, were identified as significant. However, implementation of mitigation measures would reduce impacts to a less-than-significant level for all identified environmental topic areas.

Table ES-3. Summary of Significant Environmental Impacts

Impact	Mitigation Measures	Level of Significance After Mitigation
Air Quality		
<p>Impact AQ-1: The project would result in significant impacts related to TAC exposure during construction from construction diesel exhaust emissions</p>	<p>MM-AQ-1 Tier 4 Interim Construction Equipment. Prior to the commencement of any construction activities, the applicant or its designee shall provide evidence to the City of Oceanside (City) that for off-road equipment with engines rated at 300 horsepower or greater, no construction equipment shall be used that is less than Tier 4 Interim or equivalent (i.e., Tier 4 Final or other diesel particulate filter control that achieves equal or increased coarse particulate matter [PM₁₀] exhaust reduction). An exemption from these requirements may be granted by the City if the applicant documents that equipment with the required tier is not reasonably available and equivalent reductions in PM₁₀ exhaust emissions are achieved from other construction equipment. The applicant shall be responsible for preparation of a new air quality assessment demonstrating that health risks are below significance thresholds of 10 in 1 million with the revised equipment mix. Before an exemption may be considered by the City, the applicant shall be required to demonstrate that two construction fleet owners/operators in the San Diego region were contacted and that those owners/operators confirmed Tier 4 equipment or equivalent could not be located within the San Diego region. The City shall review the exemption request and provide a determination within 10 business days from receipt of the request.</p>	<p>Less than significant</p>
Biological Resources		
<p>Impact BIO-1: The project would result in potential impacts to migratory birds if construction activities were to occur during the breeding season.</p>	<p>MM-BIO-1 Nesting Bird Survey. To avoid any direct impacts to raptors and/or any migratory birds protected under the Migratory Bird Treaty Act (16 USC 703 et seq.) and California Fish and Game Code (3503 and 3503.5), removal of habitat shall occur outside of the nesting season for these species (i.e., outside of February 15 <u>January 1</u> through August 31, annually). If, however, removal of habitat must occur during the nesting period, the proposed project applicant or its designee shall retain a biologist to conduct a pre-construction survey to determine the presence or absence of nesting birds in the proposed area of disturbance, as well as a 500-foot buffer around the project site, to the extent the applicant has access within the buffer. The pre-construction survey must be conducted within 72 hours prior to the start of construction and shall be repeated if construction activities discontinue for more than 3 consecutive days.</p> <p>Impacts to active nests are typically avoided as follows. Clearing and construction shall be postponed or halted within the following buffers to be established by the biologist:</p>	<p>Less than significant</p>

Table ES-3. Summary of Significant Environmental Impacts

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>(1) no work within 50 feet of a non-listed and non-raptor avifauna nest; and (2) no work within 500 feet of a raptor nest. Raptor nests are not anticipated within the immediate project site due to lack of suitable nesting habitat; however, trees within 500 feet of the project boundary could support raptor nesting. The construction avoidance area shall be clearly demarcated in the field with highly visible construction fencing or flagging, and construction personnel shall be instructed on the sensitivity of nest areas. To the extent possible, the no-construction buffer zones shall be avoided until the nesting cycle is complete. If construction-related activities must take place within an active nest buffer area, the proposed project applicant or its designee shall present a plan to the City with measures to monitor and minimize impacts to nesting birds. No ground-disturbance activities shall occur within the avoidance buffer zone until the qualified biologist has determined that the nest is no longer active and the young are not dependent on the nest.</p>	
Cultural Resources		
<p>Impact CUL-1: Despite no significant archaeological resources being identified within the project site, in the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities, impacts could be potentially significant.</p>	<p>MM CUL-1 In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist meeting the Secretary of the Interior’s Professional Qualification Standards can evaluate the significance of the find. Construction activities may continue in other areas but should be redirected a safe distance from the find. If the new discovery is evaluated and found to be significant under the California Environmental Quality Act (CEQA) and avoidance is not feasible, additional work, such as data recovery, may be warranted. In such an event, a data recovery plan should be developed by the qualified archaeologist in consultation with the City of Oceanside (City) and Native American representatives, if applicable. Ground-disturbing work can continue in the area of the find only after impacts to the resources have been mitigated and with City approval.</p>	<p>Less than significant</p>
<p>Impact CUL-2: impacts to unknown human remains could be potentially significant. The project would be</p>	<p>MM-CUL-2 As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or their authorized representative, shall immediately notify the San Diego County Office of the Medical Examiner by telephone. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains</p>	

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Impact	Mitigation Measures	Level of Significance After Mitigation
<p>required to comply with Section 7050.5 of the California Health and Safety Code and would implement the City’s cultural mitigation measure MM-CUL-2, which would ensure that any potential impacts to human remains would not occur.</p>	<p>shall occur until the Medical Examiner has made the necessary findings as to origin and disposition pursuant to California Public Resources Code, Section 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected and so consultation and treatment could occur as prescribed by law. If suspected Native American remains are discovered, the remains shall be kept in situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on site in the presence of a Luiseño Native American monitor. By law, the Medical Examiner will determine within 2 working days of being notified if the remains are subject to their authority. If the Medical Examiner identifies the remains to be of Native American ancestry, they shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC shall make a determination as to the Most Likely Descendant.</p>	
<p>Geology and Soils</p>		
<p>Impact GEO-1: Development of the proposed project would require excavations for building foundations and utilities, and any excavations into the potentially fossil-bearing strata within the Santiago Formation and/or Pleistocene-age deposits could result in potentially significant impacts to paleontological resources.</p>	<p>MM-GEO-1 A qualified paleontologist shall attend the pre-construction meeting to consult with the grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues (a qualified paleontologist is defined as an individual with an MS or PhD in paleontology or geology who is familiar with paleontological procedures and techniques, who is knowledgeable in the geology and paleontology of San Diego County, and who has worked as a paleontological mitigation project supervisor in the County for at least 1 year).</p> <p>MM-GEO-2 A paleontological monitor should be on site on a full-time basis during the original cutting of previously undisturbed deposits of high paleontological resource potential (Pleistocene-age deposits and the Santiago Formation) to inspect exposures for contained fossils. (A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials. The paleontological monitor shall work under the direction of a qualified paleontologist.)</p> <p>MM-GEO-3 If fossils are discovered, the paleontologist (or paleontological monitor) shall recover them. In most cases, fossil salvage can be completed in a short period of time. However, some fossil specimens (such as a complete large mammal skeleton) may require an extended salvage period. In these instances, the paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading to</p>	<p>Less than significant</p>

Table ES-3. Summary of Significant Environmental Impacts

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>allow recovery of fossil remains in a timely manner. Because of the potential for the recovering of small fossil remains, such as isolated mammal teeth, it may be necessary to set up a screen-washing operation on the site.</p> <p>MM-GEO-4 Fossil remains collected during monitoring and salvage shall be cleaned, repaired, sorted, and cataloged as part of the mitigation program.</p> <p>MM-GEO-5 Prepared fossils, along with copies of all pertinent field notes, photos, and maps, shall be deposited (as a donation) in a scientific institution with permanent paleontological collections such as the San Diego Natural History Museum. Donation of the fossils should be accompanied by financial support for initial specimen storage. Fossil lab and/or curation costs (if necessary due to fossil recovery) are the responsibility of the project proponent.</p> <p>MM-GEO-6 A final summary report shall be completed that outlines the results of the mitigation program. This report shall include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils.</p>	
Transportation		
<p>Impact TRA-1: Two VMT reduction strategies have been included as mitigation measures (MM) in order to encourage alternative modes of transportation.</p>	<p>MM TRA 1 — Creation and distribution of a “new resident” information packet addressing alternative modes of transportation (CAPCOA T 7: Implement Commute Trip Reduction Marketing).</p> <p>MM TRA 2 — Provide on site bike parking (CAPCOA T 10: Provide End of Trip Bicycle Facilities).</p>	<p>Less than significant</p>
Tribal Cultural Resources		
<p>Impact TCR-1: In order to ensure impacts to tribal cultural resources remain less than significant, mitigation measures have been included.</p>	<p>MM-TCR-1 Prior to the issuance of a Grading Permit, the Applicant/Owner shall enter into a pre-excavation agreement, otherwise known as a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement with the “Traditionally and Culturally Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe.” A copy of the agreement shall be included in the Grading Plan Submittals for the Grading Permit. The purpose of this agreement shall be to formalize protocols and procedures between the Applicant/Owner and the “Traditionally and Culturally Affiliated (TCA) Native American</p>	

Table ES-3. Summary of Significant Environmental Impacts

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>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 36CFR79.</p> <p>MM-TCR-2 Prior to the issuance of a Grading Permit, the Applicant/Owner or Grading Contractor shall provide a written and signed letter to the City of Oceanside Planning Division stating that a Qualified Archaeologist and Luiseño Native American Monitor have been retained at the Applicant/Owner or Grading Contractor’s expense to implement the monitoring program, as described in the pre-excavation agreement.</p> <p>MM-TCR-3 The Qualified Archaeologist shall maintain ongoing collaborative consultation with the Luiseño Native American monitor during all ground disturbing activities. The requirement for the monitoring program shall be noted on all applicable construction documents, including demolition plans, grading plans, etc. The Applicant/Owner or Grading Contractor shall notify the City of Oceanside Planning Division of the start and end of all ground disturbing activities.</p> <p>MM-TCR-4 The Qualified Archaeologist and Luiseño Native American Monitor shall attend all applicable pre-construction meetings with the General Contractor and/or associated Subcontractors to present the archaeological monitoring program. The Qualified Archaeologist and Luiseño Native American Monitor shall be present on-site full-time during grubbing, grading and/or other ground altering activities, including the placement of imported fill materials or fill used from other areas of the project site, to identify any evidence of potential archaeological or tribal cultural resources. All fill materials shall be absent of any and all tribal cultural resources.</p> <p>MM-TCR-5 In order for potentially significant archaeological artifact deposits and/or cultural resources to be readily detected during mitigation monitoring, a written “Controlled Grade Procedure” shall be prepared by a Qualified Archaeologist, in consultation with</p>	

Table ES-3. Summary of Significant Environmental Impacts

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>the Luiseño Native American monitor, other TCA Luiseño Tribes that have participated in the state-prescribed process for this project, and the Applicant/Owner, subject to the approval of City representatives. The Controlled Grade Procedure shall establish requirements for any ground disturbing work with machinery occurring in and around areas the Qualified Archaeologist and Luiseño Native American monitor determine to be sensitive through the cultural resource mitigation monitoring process. The Controlled Grade Procedure shall include, but not be limited to, appropriate operating pace, increments of removal, weight and other characteristics of the earth disturbing equipment. A copy of the Controlled Grade Procedure shall be included in the Grading Plan Submittals for the Grading Permit.</p> <p>MM-TCR-6 The Qualified Archaeologist or the Luiseño Native American monitor may halt ground disturbing activities if unknown tribal cultural resources, archaeological artifact deposits or cultural features are discovered. Ground disturbing activities shall be directed away from these deposits to allow a determination of potential importance. Isolates and clearly non-significant deposits will be minimally documented in the field, and before grading proceeds these items shall be secured until they can be repatriated. If items cannot be securely stored on the project site, they may be stored in off-site facilities located in San Diego County.</p> <p>If the Qualified Archaeologist and Luiseño Native American monitor determine that the unearthed tribal cultural resource, artifact deposits or cultural features are considered potentially significant TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this project shall be notified and consulted regarding the respectful and dignified treatment of those resources. The avoidance and protection of the significant tribal cultural resource and/or unique archaeological resource is the preferable mitigation. If, however, it is determined by the City that avoidance of the resource is infeasible, and it is determined that a data recovery plan is necessary by the City as the Lead Agency under CEQA, TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this project shall be notified and consulted regarding the drafting and finalization of any such recovery plan. For significant tribal cultural resources, artifact deposits or cultural features that are part of a data recovery plan, an adequate artifact sample to address research avenues previously identified for sites in the area will be collected using professional archaeological collection methods. The data recovery plan shall also incorporate and reflect the tribal values of the TCA</p>	

Table ES-3. Summary of Significant Environmental Impacts

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>Luiseño Tribes that have participated in the state-prescribed consultation process for this project. If the Qualified Archaeologist collects such resources, the Luiseño Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect the tribal cultural resources that are unearthed during the ground disturbing activities, the Luiseño Native American monitor, may at their discretion, collect said resources and provide them to the appropriate TCA Luiseño Tribe, as determined through the appropriate process, for respectful and dignified treatment in accordance with the Tribe’s cultural and spiritual traditions. Ground disturbing activities shall not resume until the Qualified Archaeologist, in consultation with the Luiseño Native American Monitor, deems the cultural resource or feature has been appropriately documented and/or protected.</p> <p>MM-TCR-7 The landowner shall relinquish ownership of all tribal cultural resources unearthed during the cultural resource mitigation monitoring conducted during all ground disturbing activities, and from any previous archaeological studies or excavations on the project site to the appropriate TCA Luiseño Tribe, as determined through the appropriate process, for respectful and dignified treatment and disposition, including reburial at a protected location on-site, in accordance with the Tribe’s cultural and spiritual traditions. All cultural materials that are associated with burial and/or funerary goods will be repatriated to the Most Likely Descendant as determined by the Native American Heritage Commission per California Public Resources Code Section 5097.98. No tribal cultural resources shall be subject to curation.</p> <p>MM-TCR-8 Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusions of the archaeological monitoring program (e.g., data recovery plan) shall be submitted by the Qualified Archaeologist, along with the Luiseño Native American monitor’s notes and comments, to the City of Oceanside Planning Division for approval.</p>	

ES.6 Significant and Unavoidable Impacts

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

ES.7 Analysis of Alternatives

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

ES.7.1 No Project Alternative

Under the No Project Alternative, the proposed project and associated improvements would not be implemented, and the project site would remain undeveloped. The City’s Zoning Ordinance designates the project site PS – Public/Semipublic. Article 16 of the Zoning Ordinance states that the PS zone is intended to “allow consideration of a large public or semipublic use separately from regulations for an underlying base zoning that may or may not be appropriate in combination with the public or semipublic use.” Although nothing would be developed under this alternative, it does not preclude future development on site, as uses allowed under the PS zone would still be allowed under the current land use designation for the site. For purposes of this analysis, no development would occur under this alternative.

ES.7.2 Reduced Footprint Alternative

A site plan has not been generated for the Reduced Footprint Alternative; however, it is assumed that the design would be reconfigured to reduce the overall square footage of the building footprint and increase the height of the buildings. Under the Reduced Footprint Alternative, the project would be developed with the same number of units (164 units), but instead of three-story buildings (38 feet tall), there would be four-story buildings (48 feet tall), thereby reducing the overall footprint of the project. The project site is set down relative to the surrounding single-family homes, and 20- to 30-foot slopes buffer the proposed development footprint from existing residences. However, surrounding land uses may be less amenable to increased building heights in the vicinity of existing single-family homes, and impacts to visual effects and neighborhood character may be increased in comparison to the proposed project.

The Reduced Footprint Alternative would increase the amount of open space and buffer area in relation to surrounding single-family residences and site access would remain the same as the proposed project. Overall, environmental impacts associated with the Reduced Footprint Alternative would remain relatively the same; however, the increase in open space and recreational area would provide additional conveniences to future residences and surrounding land uses.

The same discretionary actions as required for the project would also be required for this alternative, including a General Plan Amendment, Rezone, Tentative Map, and Planned Development Plan.

ES.7.3 Environmentally Superior Alternative

Table ES-4 provides a qualitative comparison of the impacts for each alternative compared to the proposed project. As shown in Table ES-4, the No Project Alternative would eliminate all of the significant impacts identified for the project. However, the No Project Alternative would not meet any of the project objectives. CEQA Guidelines Section 15126.6(e)(2) states that if the No Project Alternative is identified as the environmentally superior alternative, then an environmentally superior alternative should be identified among the other alternatives.

Among the other alternatives, not including the proposed project, the Reduced Footprint Alternative would be considered the environmentally superior alternative because it would potentially provide a reduced level of impact in some environmental analysis areas, albeit minimal, including air quality, cultural resources, and TCRs. However, under this alternative, it is still assumed that impacts would occur and mitigation would be required. Specifically, impacts to air quality, biological resources, cultural resources, geology and soils, transportation, and TCRs would remain less than significant with mitigation incorporated, similar to the proposed project. However, impacts associated with visual effects and neighborhood character would be increased compared to the proposed project.

The Reduced Footprint Alternative would meet all proposed project objectives with the exception of meeting Objective 4.

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

Table ES-4. Comparative Summary of Alternatives under Consideration and Proposed Project

Environmental Topic	Proposed Project Impact	No Project Alternative Impact	Reduced Footprint Alternative Impact
Air Quality	LTSM	No Impact (Reduced)	LTS (Reduced)
Biological Resources	LTSM	No Impact (Reduced)	LTSM (Same)
Cultural Resources	LTSM	No Impact (Reduced)	LTSM (Same)
Geology and Soils	LTSM	No Impact (Reduced)	LTSM (Same)
Transportation	LTSM	No Impact (Reduced)	LTSM (Same)
Tribal Cultural Resources	LTSM	No Impact (Reduced)	LTSM (Same)

Notes: Impact Status: LTSM = less than significant with mitigation; LTS = less-than-significant.

ES.8 Issues to be Resolved by Lead Agency

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

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