# Findings of Fact for the Oceanside Coast Highway Corridor Study (SCH No. 2016051078)

## I. Introduction

The Findings of Fact (Findings) presented herein address the environmental effects associated with the Coast Highway Corridor Study Project (hereinafter referred to as the project) that are described and analyzed within the Final Environmental Impact Report (EIR) (the Comprehensive EIR contained in Volume 3 of the Final EIR is collectively comprised of the Draft EIR and the Partially Recirculated Draft EIR). These Findings have been made pursuant to Public Resources Code Sections 21081 and 21081.6, as well as the California Environmental Quality Act (CEQA) Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) Sections 15090, 15091, 15092, and 15093. Public Resources Code Section 21081 and CEQA Guidelines Section 15091 require that the City of Oceanside, as the Lead Agency for this project, prepare written findings for any identified significant environmental effects along with a brief explanation of the rationale for each finding. The possible specific findings under CEQA Guidelines Section 15091(a) are:

(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR.

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

In accordance with Public Resources Code Section 21081 and CEQA Guidelines Sections 15092 and 15093, whenever significant effects cannot be mitigated to below a level of significance, the City of Oceanside as the decision-making Lead Agency is required to balance, as applicable, the economic, legal, social, technological, or other benefits of the project against its significant unavoidable environmental impacts when determining whether to approve the project. If the benefits of a project outweigh the significant unavoidable adverse environmental effects, the adverse effects may be considered "acceptable," in which case the Lead Agency must adopt a formal statement of overriding considerations. (The City of Oceanside prepared a Statement of Overriding Considerations for the project separate from these Findings of Fact, which is included as part of the project submittal package presented to the City Council for approval.) In addition, when making the findings, the Lead Agency shall also adopt a program for reporting on or monitoring the changes, which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures

must be fully enforceable through permit conditions, agreements, or other measures. (CEQA Guidelines, §§ 15091(d), 15097.)

Pursuant to the requirements of CEQA, the City Council hereby makes the following environmental findings in connection with the proposed Coast Highway Corridor Study Project (SCH No. 2016051078). These findings are based upon the evidence presented in the record of these proceedings, both written and oral, the Draft EIR, the Partially Recirculated Draft EIR, and all of their content, the Comments and Responses to Comments on the EIR (collectively the Draft EIR and the Partially Recirculated Draft EIR), and staff and consultants' reports presented through the hearing process, which comprise the Final EIR.

These Findings have been organized as follows:

**Section I, Introduction,** provides an introduction to these Findings.

**Section II, Project Objectives**, provides the list of goals and objectives established for the project by the City of Oceanside.

**Section III, Project Overview,** provides a summary of the components proposed under the Coast Highway Corridor Study project.

**Section IV, Public Participation and Record of Proceedings,** provides a summary of public participation in the environmental review and an overview of the administrative record that has been developed for the project.

**Section V, Mitigation Monitoring and Reporting Program,** provides the findings regarding the Mitigation Monitoring and Reporting Program as required by CEQA Section CEQA Guidelines, §§ 15091(d), 15097.

**Section VI, Environmental Issues Determined Not to be Affected by the Project,** sets forth findings for regarding the environmental impacts which were determined during the scoping period to clearly not manifest at levels that were deemed to be significant for consideration in the EIR.

**Section VII, Environmental Issues Determined to Be Less than Significant,** sets forth findings regarding the environmental issues areas which were determined to result in less than significant impacts without the need for the incorporation of mitigation.

**Section VIII, Findings Regarding Potentially Significant Environmental Effects that can be Reduced to Less Than Significant Through Mitigation Measures,** sets forth findings regarding significant or potentially significant environmental impacts identified in the Final EIR which the City of Oceanside has determined can be lessened or reduced to a less than significant level through the imposition of mitigation measures included in the MMRP for the project.

**Section IX, Findings Regarding Potentially Significant Environmental Effects that Remain Significant and Unavoidable After Mitigation,** sets forth findings regarding significant environmental impacts identified in the Final EIR, which the City of Oceanside has adopted mitigation measures that will substantially lessen or reduce significant impacts, but the City of Oceanside has determined will remain significant and unavoidable after mitigation.

**Section X, Findings Regarding Alternatives,** sets forth findings regarding alternatives to the project, which were determined not to be implemented by the City of Oceanside.

# II. Project Objectives

As set forth in the EIR, the City of Oceanside, as lead agency, has defined the following goals and objectives of the proposed project, as follows:

**Goal 1:** Transform Coast Highway into a "Complete Streets" that accommodates all roadway users (pedestrians, bicyclists, and automobiles).

**Objectives:**

1.1 Improve the pedestrian environment

1.2 Provide a continuous striped bicycle lane

1.3 Improve traffic flow and implement traffic calming measures to reduce traffic intrusion to adjacent neighborhoods

**Goal 2:** Improve safety for all roadway users.

**Objectives**:

2.1 Slow traffic speeds and improve traffic flow

2.2 Implement roundabouts in place of traffic signals where feasible to reduce auto and pedestrian conflicts at intersections

2.3 Add new, mid-block pedestrian crossing opportunities between major intersections to facilitate pedestrian crossing of the roadway

**Goal 3:** Facilitate implementation of the Coast Highway Vision and Strategic Plan.

**Objectives**:

3.1 Encourage redevelopment and continued investment within the Incentive District by providing development incentives in exchange for community benefits to enhance and revitalize the project area

3.2 Increase on-street parking supply corridor-wide to support new land uses

3.3 Foster a built environment along Coast Highway that includes:

- Streets and spaces that are pedestrian-scale and pleasurable to walk within
- Architecture that announces gateways, key intersections, and public spaces
- A consistent street frontage throughout the nodes
- Building architecture that is high quality and provides variation and diversity

# III. Project Overview

The Coast Highway Corridor Study Project would modify an approximate 3.5-mile-long segment of the Coast Highway corridor that runs through the city of Oceanside as well as create new development guidelines and regulations to encourage redevelopment and revitalization of the area. The proposed project consists of two components, the Complete Streets improvements and the Coast Highway Incentive

District (herein referred to as the Incentive District). When referring specifically to each project component, the terms "Complete Streets improvements" and "Incentive District" are used to describe the individual component. When referring to the area which encompasses both the Complete Streets improvements and the Incentive District, the term "project area" is used.

The Complete Streets improvements include proposed modifications to the Coast Highway corridor and roadway, including lane conversions, street improvements, intersection roundabouts, and increased parking and bicycle facilities. The 3.5-mile stretch of Coast Highway currently operates with four travel lanes, two northbound and two southbound, with limited on-street parking and no designated bicycle facilities. Implementation of the proposed project would improve infrastructure for all modes of transportation, including bicycle, pedestrian, and transit services, while also accommodating forecast future traffic volumes within the corridor. Specifically, the Complete Streets improvements would convert Coast Highway from four lanes to two lanes (one travel lane in each direction) for the length of the corridor, with segments of two southbound travel lanes between State Route (SR) 76 and Surfrider Way, and south of Kelly Street to Eaton Street.

Key elements of the Complete Streets improvements include a continuous Class II striped bicycle lane from Harbor Drive to the southern city limit, 10 mid-block crosswalks to facilitate safe and convenient pedestrian crossings of the corridor, 12 roundabouts in place of traffic signals where physically feasible and where the intersection traffic volumes support implementation, traffic-calming measures, and streetscape enhancements, such as removing dead trees and replanting trees. The 12 roundabouts would include dedicated, setback pedestrian crosswalks along all roadways leading into the roundabout. In combination with the 10 mid-block crosswalks, the proposed project would result in 22 new pedestrian crosswalks along Coast Highway, which would increase pedestrian safety and allow for greater access to the coastal area. These enhancements to the landscaping and roadway would help implement the vision of the corridor established within the Coast Highway Vision and Strategic Plan (Vision Plan).

The Incentive District is an amendment to the Zoning Ordinance. If adopted, the Incentive District would be an optional zoning program that individual developers could choose to apply for new development or redevelopment within the Incentive District boundary in lieu of the existing zoning. However, if a developer or property owner does not choose to adhere to the Incentive District, then future development may still occur solely consistent with the existing zoning. The Incentive District would facilitate implementation of the Vision Plan by encouraging redevelopment and revitalization of the Coast Highway corridor.

The primary purpose of the Incentive District is to encourage redevelopment and revitalization of the Coast Highway corridor through land use regulations, design and development criteria, and development incentives that will encourage sustainable, high-quality development. The Incentive District incents development and redevelopment by offering a streamlined development review process, expanding the land uses permitted by right, reforming parking standards, and allowing increased height of buildings in certain planning areas, with discretionary approval. In addition, the Incentive District includes a Residential Density Incentive Program that allows for increased residential density for nodal development in exchange for public benefits. These benefits include providing one or more of the following: additional open space, public parking, additional commercial floor area, and payment to a Public Improvement Fee. Furthermore, the Incentive District would provide form-based design and development standards to

achieve the pedestrian-scale and architectural variation of buildings advocated in the Vision Plan. Implementation of the Incentive District would require amendments to the City of Oceanside's General Plan, Local Coastal Program (LCP), and Zoning Ordinance.

# IV. Public Participation and Record of Proceedings

## Public Input

The City of Oceanside has provided opportunities for public review and comment, including but not limited to the public forums set forth below:

- Draft EIR Notice of Preparation Public Comment Period: June 1, 2016 – July 1, 2016
- Notice of Preparation Scoping Meeting: June 23, 2016
- Draft EIR Public Review Period: July 13, 2017 – August 28, 2017
- Partially Recirculated Draft EIR Public Review Period: November 14, 2018 – January 14, 2019

## Record of Proceedings

For purposes of CEQA compliance and these Findings and Statement of Overriding Considerations, the Record of Proceedings for the project consists of the following documents and other evidence at a minimum:

- The Notice of Preparation and all other public notices issued by the City of Oceanside in conjunction with the project;
- The Draft EIR;
- The Partially Recirculated Draft EIR;
- The Final EIR;
- All written comments and verbal public testimony presented during the public comment period on the Draft EIR and the Partially Recirculated Draft EIR or during a noticed public hearing for the project at which such testimony was taken;
- The Mitigation Monitoring and Reporting Program;
- All findings, ordinances, and resolutions recommended by the Planning Commission and adopted by the City Council in connection with the project and all documents incorporated by reference therein;
- All final reports, studies, memoranda, maps, staff reports, or other planning documents relating to the project prepared by the City of Oceanside, consultants to the City of Oceanside, or responsible or trustee agencies with respect to the City of Oceanside's compliance with the requirements of CEQA and with respect to the City of Oceanside's actions on the project;
- All documents submitted to the City of Oceanside by other public agencies or members of the public in connection with the project, through the close of the public hearing;
- Any transcript or minutes of the proceedings at which the decision-making body of the City of Oceanside heard testimony on, or considered any environmental document on the project, and any transcript or minutes of proceedings before any advisory body to the City of Oceanside that

were presented to the decision-making body prior to action on the environmental document or on the project.

- Any documentary or other evidence submitted to the City of Oceanside at such information sessions, public meetings, and public hearings;
- Matters of common knowledge to the City of Oceanside, including, but not limited to federal, state, and local laws and regulations;
- The City of Oceanside's General Plan/Local Coastal Program and Municipal Code;
- Any documents expressly cited in these findings in addition to those cited above, including the Coast Highway Vision and Strategic Plan; and,
- Any other materials required to be in the record of proceedings by Section 21167.6(e) of CEQA.

The custodian of the documents comprising the record of proceedings is the City Clerk, whose office is located at 300 North Coast Highway, Oceanside, CA 92054. Copies of all of these documents, which constitute the record of proceedings upon which the City of Oceanside's decision is based, are and at all relevant times have been available upon request at the offices of the City of Oceanside.

# V. Mitigation Monitoring and Reporting Program

CEQA requires the lead agency approving a project to adopt a Mitigation Monitoring and Reporting Program for the changes to the project that it had adopted or made a condition of project approval in order to ensure compliance with project implementation. (CEQA Guidelines, §§ 15091(d), 15097.) A Mitigation Monitoring and Reporting Program has been prepared for the project and has been adopted concurrently with these Findings. (See Pub. Res. Code §21081.6 (a) (1).) The Mitigation Monitoring and Reporting Program designates responsibility and anticipated timing for the implementation of mitigation measures that are to be implemented for the project. The City of Oceanside will track compliance with project mitigation measures. The City of Oceanside has prepared the Mitigation Monitoring and Reporting Program for the project separate from these Findings of Fact, which is included as part of the project submittal package presented to the City Council for approval. The City of Oceanside finds that the Mitigation Monitoring and Reporting Program meets the requirements of Public Resources Code Section 21081.6 by providing for the implementation and monitoring of Project conditions intended to mitigate potential environmental effects of the Project.

# VI. Environmental Issues Determined Not to be Affected by the Project

Based on the public's responses to the project's Notice of Preparation, the environmental issue areas of agricultural resources and mineral resources were determined by the City of Oceanside to be inapplicable to the project due to the nature of the project and the absence of any potential impact related to agricultural or mineral resources. No substantial evidence has been presented to or identified by the City of Oceanside which would modify or otherwise alter the City of Oceanside's no impact determination for the agricultural resources and mineral resources environmental issue areas.

# VII. Environmental Issues Determined to Be Less than Significant

Based on the City of Oceanside's review of the Comprehensive EIR contained in Volume 3 of the Final EIR, the City of Oceanside finds that the project would result in less than significant impacts for the following thresholds of significance[1] without the need for mitigation:

A. Aesthetics

1. The project will not have a substantial adverse effect on a scenic vista.
2. The project will not substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway.
3. The project will not substantially degrade the existing visual character or quality of the site and its surroundings.
4. The project will not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.
5. The project will not substantially contribute to a cumulatively considerable impact related to aesthetics.

B. Air Quality

1. The project will not conflict with or obstruct implementation of the applicable air quality plan.
5. The project will not create objectionable odors affecting a substantial number of people.

C. Biological Resources

6. The project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
7. The project will not substantially contribute to a cumulatively considerable impact related to biological resources.

D. Cultural Resources

6. The project will not substantially contribute to a cumulatively considerable impact related to biological resources.

E. Geology, Soils, and Seismicity

1. The project will not expose people or structures to potential substantial adverse effects, including risk of loss, injury, or death involving:

[1] Numbering of the thresholds of significance correspond to the numbering used in the Comprehensive EIR contained in Volume 3 of the Final EIR.

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.

ii. Strong seismic ground-shaking.

iii. Seismic-related ground failure, including liquefaction.

iv. Landslides.

2. The project will not result in substantial soil erosion or the loss of topsoil.

3. The project will 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 onsite or offsite landslides, lateral spreading, subsidence, liquefaction, or collapse.

4. The project will not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994)[2], creating substantial risks to life or property.

5. The project will not have soils incapable of adequately supporting septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater

6. The project will not substantially contribute to a cumulatively considerable impact related to geology, soils, and seismicity.

F. Greenhouse Gas Emissions

2. The project will not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gas.

G. Hazards and Hazardous Materials

1. The project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

2. The project will 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.

3. The project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school.

5. Because the project is not located within an area covered by an airport land use plan or, where such a plan has not been adopted, or within 2 miles of a public airport or public use airport, the project will not result in a safety hazard for people residing or working in the project area.

6. Because the project is not located within the vicinity of a private airstrip, the project will not result in a safety hazard for people residing or working in the project area.

[2] The California Building Code, based on the International Building Code and the now defunct Uniform Building Code, no longer includes a Table 18-1-B. Instead, Section 1803.5.3 of the California Building Code describes the criteria for analyzing expansive soils.

7. The project will not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.
8. The project will not substantially contribute to a cumulatively considerable impact related to hazards and hazardous materials.

H. Hydrology and Water Quality

1. The project will not violate water quality standards or waste discharge requirements.
2. The project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been approved).
3. The project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion, siltation on- or offsite.
4. The project will 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 substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.
5. The project will not 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.
6. The project will not otherwise substantially degrade water quality.
7. The project will not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.
8. The project will not place structures within a 100-year flood hazard area which would impede or redirect flood flows.
9. The project will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.
10. The project will not result in inundation by seiche, tsunami or mudflow.
11. The project will not substantially contribute to a cumulatively considerable impact related to hydrology and water quality.

I. Land Use and Planning

1. The project will not physically divide an established community.
2. The project will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan,

specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

3. The project will not substantially contribute to a cumulatively considerable impact related to land use and planning.

J. Noise and Vibration

1. The project will not exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

5. Because the project is not located within an airport land use plan area or, where such a plan has not been adopted, within two miles of a public airport or public use airport, the project will not expose people residing or working in the area to excessive noise levels.

6. Because the project is not located within the vicinity of a private airstrip, the project will not expose people residing or working in the project area to excessive noise levels.

K. Population and Housing

1. The project will not induce substantial 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) beyond the growth characterized by the project description and addressed in the technical analyses of this EIR.

2. The project will not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

3. The project will not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

4. The project will not substantially contribute to a cumulatively considerable impact related to population and housing.

L. Public Services

1. The proposed project will 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 government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for the following public services:

    i. Fire and Police Protection

    ii. Schools

    iii. Libraries

2. The project will not substantially contribute to a cumulatively considerable impact related to public services.

M. Recreation and Parks

1. The project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial deterioration of the facility would occur or be accelerated.
2. The project will not include recreational facilities or require the construction or expansion of recreational facilities in order to maintain performance objectives, which might have an adverse physical impact on the environment.
3. The project will not substantially contribute to a cumulatively considerable impact related to recreation and parks.

N. Transportation and Traffic

2. The project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.
3. The project will not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
5. The project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

O. Utilities and Service Systems

1. The project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.
2. The project will not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
3. The project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
4. The project will have sufficient water supplies available to serve the project from existing entitlements and resources, and will not need new or expanded entitlements.
5. The project will result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the provider's existing commitments.
6. The project will be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.
7. The project will comply with federal, state, and local statutes and regulations related to solid waste.
8. The project will not substantially contribute to a cumulatively considerable impact related to utilities and service systems.

# VIII. Findings Regarding Potentially Significant Environmental Effects that can be Reduced to Less Than Significant through Mitigation Measures

The City of Oceanside, having reviewed and considered the information contained in the Final EIR, finds pursuant to Public Resources Code §21081(a)(1) and CEQA Guidelines Section 15091(a)(1) that changes or alterations have been required in, or incorporated into, the proposed project which will mitigate, avoid, or substantially lessen to below a level of significance the following potential significant environmental effects as identified in the Comprehensive EIR contained in Volume 3 of the Final EIR.

## Air Quality

**Air Quality Threshold of Significance 4: Expose Sensitive Receptors to Substantial Pollutant Concentrations**

**Finding:** Construction-related activities occurring under the Incentive District could result in the emission of toxic air contaminants (TACs) above significance thresholds, which could result in potentially significant impacts to nearby sensitive receptors. In addition, impacts related to operational TAC emissions could be considered potentially significant when considering the various development projects that could be constructed under the Incentive District.

The City of Oceanside finds that changes or alterations have been required in or incorporated into the project, which avoid or substantially lessen these significant environmental effects. Specifically, the project will be conditioned as follows:

> **MM Incentive District AIR-3:** Prior to the issuance of a grading or building permit, whichever is required first, individual development projects proposed under the Incentive District shall comply with the following requirements:
>
> a. Projects locating sources of TAC emissions near sensitive receptors within the advisory guideline recommendations in the CARB *Air Quality and Land Use Handbook* (or future adopted subsequent document) shall conduct a health risk assessment to sufficiently demonstrate that impacts would not exceed the adopted significance thresholds inclusive of project-level design features, as appropriate and feasible. The types of projects that would be required to comply with this measure and more detail on the required features and recommendations are provided in Table 9 (CARB Recommendations on Siting and New Sensitive Land Uses).
>
> b. Projects requiring the use of diesel-fueled heavy-duty construction equipment that generates on-site emissions of 1 pound or more per day of diesel particulate matter for a period of 6 months or more within 500 feet of sensitive receptors shall conduct a health risk assessment to sufficiently demonstrate that impacts would not exceed the adopted significance thresholds inclusive of project-level design features, as appropriate and feasible.

**Facts in Support of Findings:** The primary TACs that could be emitted during construction would be diesel PM from construction equipment exhaust. Diesel PM is emitted by heavy equipment operations during grading, excavation, and transportation activities.

The construction period for the potential development and redevelopment of an individual project as result of adoption of the Incentive District would be much less than the 30-year period used for risk determination for residential exposures. Because off-road heavy-duty diesel equipment would be used only for short time periods of generally 1 to 2 years for typical development projects, project-level construction during future development projects would typically not expose sensitive receptors to substantial emissions of TACs that exceed the established significance thresholds. However, given the potential amount of development associated with implementation of the Incentive District it is reasonable to assume that on a programmatic level some large-scale construction activities that generate TAC emissions exceeding the established significance thresholds could occur near sensitive receptors, thereby potentially resulting in significant impacts.

In addition, potential development and redevelopment under the Incentive District would generally result in an increase in density in the project corridor, and it is possible that sensitive uses could be located near sources of TAC emissions within the distances specified in the CARB advisory recommendations.

Implementation of MM Incentive District AIR-3, which requires compliance with requirements established by CARB and incorporation of project-design features to reduce impacts of diesel-fueled heavy-duty construction equipment, will reduce potentially significant impacts related to operational TAC emissions associated with the construction and operation of development and redevelopment projects under the Incentive District to a less than significant level.

For the reasons discussed above and in the Final EIR in Section 3.2, Air Quality, the City of Oceanside finds that implementation of MM Incentive District AIR-3 will reduce the significant project impact associated with TACs to a less than significant level.

# Biological Resources

**Biological Resources Threshold of Significance 1: Substantial Adverse Effects to Candidate, Sensitive, or Special-Status Species**

**Findings:**

***Complete Streets Improvements***

Construction of the Complete Streets improvements has the potential to significantly impact migratory birds (including raptors) and several special-status wildlife species due to construction-related noise as well as Western yellow bats if removal of skirted palm trees is required for roundabout installation.

***Incentive District***

Construction and operation of development and redevelopment projects under the Incentive District have the potential to significantly impact migratory birds (including raptors) and several special-status wildlife species due to construction-related noise, pocketed free-tailed bats and western yellow bats if removal of skirted palm trees is required, and special-status plant species, especially along the rail line, north of Loma Alta Creek, and south of Vista Way.

The City of Oceanside finds that changes or alterations have been required in or incorporated into the project, which avoid or substantially lessen these significant environmental effects. Specifically, the project will be conditioned as follows:

**MM Complete Streets BIO-1:** Tree removal shall take place outside of the migratory bird breeding season (February 15 through August 31). If avoidance is not feasible and tree removal is required during the avian breeding season, the following measures shall be followed:

a. A nesting bird survey of trees planned for removal and within 300 feet of construction activities shall be conducted by a qualified avian biologist no more than 1 week prior to commencement of tree removal activities. A qualified avian biologist refers to a person with the ability to identify birds present in San Diego County to the species level by sight or sound and who is familiar with the breeding and nesting behaviors of native bird species.

b. If active nests with eggs or chicks of bird species protected under the MBTA are detected within trees or shrubs planned for removal, the trees will remain in place until it has been determined by the avian biologist that the nest is no longer active. If active nests are detected within 300 feet of physical construction activities, an appropriate buffer shall be determined by the avian biologist and no work shall take place within the buffer until it is determined that the nest is no longer active. Additional visits after the initial survey shall be conducted as necessary to determine that nests are no longer active.

**MM Complete Streets BIO-2:** For physical construction activities occurring less than 300 feet from potential light-footed Ridgeway's rail habitat associated with Buena Vista Lagoon (activities south of 33.169759°, -117.357623°, including the activities planned near the Buena Vista Audubon Society building), focused protocol surveys shall be conducted by a permitted biologist. If no rails are detected, construction may commence. If rails are detected, consultation with the USFWS would be required and may include non-disturbance areas within 300 feet of territories, implementation of noise attenuation measures, and/or daily biological monitoring and daily noise monitoring during the course of construction activities to confirm that construction activities are not adversely impacting nesting or foraging activities.

**MM Complete Streets BIO-3:** This mitigation measure shall be required if removal of palm trees is proposed as part of the Complete Streets project. To avoid impacts to western yellow bats, a qualified biologist (a biologist with the ability to identify bat guano and assess habitat suitability for western yellow bats) shall inspect the base of palm skirts for guano prior to removal of skirted palm trees (i.e., palm trees with several layers of accumulated dead fronds). If bats are detected, tree removal shall avoid the yellow bat maternity season (June 1 through August 31). If tree removal cannot avoid the maternity season, bat protection protocols shall be identified and implemented by a qualified bat biologist and approved by CDFW. The protocols may require installation of bat exclusionary devices, followed by up to 4 weeks of nightly monitoring by a qualified biologist to confirm bats are being excluded without harm until it is determined bats are no longer present. The protocols may also require construction of substitute bat habitat (i.e., bat boxes, artificial tree structures) in the vicinity of bat-occupied palm trees, followed by monitoring by a qualified biologist to confirm bats are using the bat habitat.

**MM Incentive District BIO-1:** If tree removal is required for a project proposed under the Incentive District, tree removal and construction activities shall take place outside of the migratory bird breeding season (February 15 through August 31). If avoidance is not feasible and tree removal is required during the avian breeding season, the following measures shall be followed:

a. A nesting bird survey of trees planned for removal and within 300 feet of construction activities shall be conducted by a qualified avian biologist no more than 1 week prior to commencement of tree removal activities. A qualified avian biologist refers to a person with the ability to identify birds present in San Diego County to the species level by sight or sound and who is familiar with the breeding and nesting behaviors of native bird species.

b. If active nests with eggs or chicks of bird species protected under the MBTA are detected within trees or shrubs planned for removal, the trees will remain in place until it has been determined by the avian biologist that the nest is no longer active. If active nests are detected within 300 feet of physical construction activities, an appropriate buffer shall be determined by the avian biologist and no work shall take place within the buffer until it is determined that the nest is no longer active. Additional visits after the initial survey shall be conducted as necessary to determine that nests are no longer active.

**MM Incentive District BIO-2:** For development activities occurring less than 300 feet from potential light-footed Ridgeway's rail habitat associated with Buena Vista Lagoon (development southwest of the intersection of Eaton Street and South Coast Highway), focused protocol surveys shall be conducted by a permitted biologist. If no rails are detected, construction may commence. If rails are detected, consultation with the USFWS would be required and may include non-disturbance areas within 300 feet of territories, implementation of noise attenuation measures, and/or daily biological monitoring and daily noise monitoring during the course of construction activities to confirm that construction activities are not adversely impacting nesting or foraging activities.

**MM Incentive District BIO-3:** This mitigation measure shall be required if removal of palm trees (which may contain western yellow bats) is proposed as part of a project proposed under the Incentive District. To avoid impacts to western yellow bats, a qualified biologist (a biologist with the ability to identify bat guano and assess habitat suitability for western yellow bats.) shall inspect the base of palm skirts for guano prior to removal of skirted palm trees (i.e., palm trees with several layers of accumulated dead fronds). If bats are detected, tree removal shall avoid the yellow bat maternity season (June 1 through August 31). If tree removal cannot avoid the maternity season, project-specific bat mitigation protocols shall be identified and implemented by a qualified bat biologist and approved by CDFW. The protocols may require installation of bat exclusionary devices, followed by up to 4 weeks of nightly monitoring by a qualified biologist to confirm bats are being excluded without harm until it is determined bats are no longer present. The protocols may also require construction of substitute bat habitat (i.e., bat boxes, artificial tree structures) in the vicinity of bat-occupied palm trees, followed by monitoring by a qualified biologist to confirm bats are using the bat habitat.

**MM Incentive District BIO-4:** To avoid impacts to narrow endemic rare plants, including Nutall's lotus, Coulter's saltbush, smooth tarplant, Orcutt's pincushion, Blochman's dudleya, cliff spurge, San Diego barrel cactus, decumbent goldenbush, sea dahlia, and spreading navarretia that may occur within the Incentive District, a qualified rare plant biologist shall conduct a preconstruction rare plant survey in areas with potential habitat for rare plants, including in areas that are considered disturbed. Qualified rare plant biologist refers to a person with knowledge of these species (appropriate plant survey windows and species identification). The qualified rare plant biologist shall work with the City of Oceanside to identify project-specific measures that are consistent with the specifications of the Multiple Habitat Conservation Program, and these measures shall be implemented prior to and concurrent with project construction, as applicable. Measures may include salvage of rare plants prior to construction, transfer of salvaged plants to similar habitat in non-impacted areas, followed up with monitoring by a qualified biologist to confirm at least 80 percent survival of salvaged plants.

**Facts in Support of Findings:**

***Complete Streets Improvements***

Migratory birds (including raptors) and several special-status wildlife species have the potential to occur within the Complete Streets improvements area and/or buffer, and could be impacted by the project as a result of tree removal and/or construction noise during the breeding season. Migratory birds may nest in trees located along the area planned for the Complete Streets improvements. If trees with nesting birds were to be removed, direct mortality to individuals or eggs could occur, which would be considered a significant impact. Implementation of MM Complete Streets BIO-1 and BIO-2 will require additional biological surveys and measures during construction to ensure impacts to migratory birds and several special-status wildlife species will be reduced to a less than significant level.

Western yellow bats may occur within skirted palm trees within the Complete Streets improvements area. Removal of skirted palm trees, if required for roundabout installation, may result in direct western yellow bat mortality or disturbance of maternity roosts, and would be considered a significant impact. Incorporation of MM Complete Streets BIO-3 will require additional biological surveys and protocols to ensure that impacts to western yellow bats will be reduced to a less than significant level.

***Incentive District***

Migratory birds (including raptors) have the potential to occur within the Incentive District area and could be impacted by future development during the breeding season. Removal of trees with nesting birds could result in direct mortality to individuals or eggs, which would be considered a significant impact. Construction noise could also result in a significant impact to breeding activities. Indirect impacts to light-footed Ridgway's rail related to noise during construction activities would occur within 300 feet or less of potential habitats for these species located at Buena Vista Lagoon. Noise above baseline levels during the breeding season at a distance of less than 300 feet would be considered a potentially significant impact to this special-status species. Implementation of MM Incentive District BIO-1 and BIO-2 will require additional biological surveys and measures during construction and/or operation to ensure impacts to migratory birds and special-status species will be reduced to a less than significant level.

Western yellow bats also have the potential to have maternity roosts within palm trees within the Incentive District and could be directly impacted by palm tree removal. Implementation of MM Incentive District BIO-3 will require additional biological surveys and protocols in the event that palm tree removal is required to ensure impacts to bat species will be reduced to a less than significant level.

Future projects implemented under the Incentive District have the potential to directly impact special-status plants where potential habitat for these species occurs within the Incentive District within the disturbed areas along the rail line, north of Loma Alta Creek, and south of Vista Way. Indirect impacts could also result from activities adjacent to habitat due to the introduction or spread of invasive species that compete with special-status plants or the generation of construction-related runoff, sedimentation, or dust that could degrade potential habitat. Implementation of MM Incentive District BIO-4 will require qualified rare plant surveys and require compliance with the specifications of the Multiple Habitat Conservation Program to ensure impacts to special-status and rare plant species are reduced to less than significant.

For the reasons discussed above and in the Final EIR in Section 3.3, Biological Resources, the City of Oceanside finds that implementation of MM Complete Streets BIO-1 through BIO-3 and MM Incentive District BIO-1 through BIO-4 will reduce the significant project impacts associated with adverse effects to candidate, sensitive, or special-status species to a less than significant level.

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**Biological Resources Threshold of Significance 2: Riparian Habitat and Sensitive Natural Communities**

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**Findings:**

***Complete Streets***

Physical construction activities that could indirectly impact riparian habitats and sensitive natural communities at Loma Alta Creek and Buena Vista Marsh include mid-block crosswalks proposed across Coast Highway adjacent to the Loma Alta Creek footpath (south of the existing Loma Alta Creek bridge) and near the Buena Vista Audubon Society driveway south of Eaton Street near Buena Vista Lagoon.

***Incentive District***

Construction and operational activities associated with the future development and redevelopment projects which could occur under the Incentive District could result in potentially significant impacts to riparian and sensitive natural habitats.

The City of Oceanside finds that changes or alterations have been required in or incorporated into the project, which avoid or substantially lessen these significant environmental effects. Specifically, the project will be conditioned as follows:

**MM Complete Streets BIO-4:** To avoid indirect impacts to riparian habitats and sensitive natural communities adjacent to the San Luis Rey River, Loma Alta Creek, and Buena Vista Lagoon, the following measures shall be implemented:

a. Species with a rating of moderate or high on the California Invasive Plant Council Inventory Database shall not be used for streetscaping in the Complete Streets project components.

b. In areas with potential for erosion or construction-generated runoff, sedimentation, or dust from construction activities to impact adjacent Habitat Group A through E communities, best management practices (BMPs), such as silt fencing and/or straw wattles, shall be installed on the downslope portion of grading or disturbance areas during project construction activities. This measure applies to Complete Streets improvements south of Eaton Street and adjacent to Loma Alta Creek.

**MM Incentive District BIO-5:** To avoid indirect and direct impacts to riparian habitats and sensitive natural communities near the San Luis Rey River, Loma Alta Creek, and Buena Vista Lagoon, the following measures shall be implemented:

a. For non-developed areas southwest of the intersection of Eaton Street and South Coast Highway, immediately north of Loma Alta Creek and along the railroad tracks, the following measures shall be implemented to protect sensitive riparian or upland vegetation communities.

    i. A site-specific assessment of biological resources by qualified biologist shall be conducted to confirm the absence or presence of sensitive biological resources prior to the City of

Oceanside's approval of project plans. The qualified biologist shall determine the site-specific habitat type.

ii. If the vegetation communities outlined in Table 3.3-1 would not be directly impacted by the proposed development project, no further assessment would be required.

iii. If there is potential for riparian, wetland, and/or sensitive upland communities to be impacted, these impacts would be required to be compensated according to vegetation community type at the ratios provided in Table 3.3-1 which supports the Multiple Habitat Conservation Program policy for no net loss of wetland/riparian vegetation and incorporates the mitigation ratios implemented in the City Subarea Plan. For impacts to these riparian and upland areas, a restoration/revegetation plan shall be prepared by a qualified restoration ecologist (experienced with riparian and upland restoration/revegetation planning) in coordination with the City of Oceanside and implemented by an experienced restoration contractor, with oversight by the City of Oceanside.

b. The City of Oceanside shall prohibit the use of species with a rating of moderate or high on the California Invasive Plant Council Inventory Database in landscape plans used for development southwest of the corner of Eaton Street and South Coast Highway that is adjacent to undeveloped habitat.

c. In areas where there is potential for erosion or construction-generated runoff, sedimentation, or dust from construction activities to impact adjacent Habitat Group A through E communities, best management practices (BMPs), such as silt fencing and/or straw wattles, shall be installed on the downslope portion of grading or disturbance areas during project construction activities. This measure applies to development southwest of intersection of Eaton Street and South Coast Highway and adjacent to Loma Alta Creek.

**TABLE 3.3-1**
**MITIGATION RATIOS FOR IMPACTS TO VEGETATION COMMUNITIES**

| Vegetation Community/Land Cover Type | MHCP Habitat Group[1] | Location of Impact within Coastal Zone, Pre-approved Mitigation Area[2], or FPA | Location of Impact Outside of FPA |
|---|---|---|---|
| **Riparian and Wetlands[1]** | | | |
| Disturbed Wetland (11200 ) | A | 1:1 to 2:1 | 1:1 to 2:1 |
| Emergent Wetland (52440) | A | 4:1 | 4:1 |
| Coastal Brackish Marsh (52200) | A | 4:1 | 4:1 |
| Coastal and Valley Freshwater Marsh (52410) | A | 4:1 | 4:1 |
| Brackish water Estuary (64133) | A | 4:1 | 4:1 |
| Non-Vegetated Floodplain or Channel (64200) | A | 1:1 to 2:1 | 1:1 to 2:1 |
| Non-Native Riparian (65000) | A | 3:1 | 3:1 |
| **Uplands** | | | |
| Diegan Coastal Sage Scrub (32500) | C | 3:1 | 3:1 |
| Flat-topped Buckwheat (32800) | D | 1:1 | 0.5:1 |

[1] The wetlands mitigation ratios should provide a standard for each habitat type but may be adjusted depending on the functions and values of both the impacted wetlands as well as the wetlands mitigation proposed by the project. The City of Oceanside may also consider the types of wetland habitat being impacted and utilized for mitigation in establishing whether these standards have been met. All impacts to riparian/wetland habitats and mitigation for such impacts must be reviewed and approved
by Federal and State agencies with jurisdiction over these vegetation communities.

[2] Pre-approved mitigation areas are depicted on Figure 3.3-1

SOURCE: SANDAG 2003; City of Oceanside 2010.

**Facts in Support of Findings:**

***Complete Streets Improvements***

Work adjacent to the San Luis Rey River, Loma Alta Creek, and Buena Vista Lagoon could result in indirect impacts to riparian habitats and sensitive natural communities by contributing to the spread of invasive species or generation of construction-related runoff, sedimentation, or dust. However, work adjacent to the San Luis Rey River will be limited to road restriping and will not require asphalt grinding or other activities that will result in creation of debris, sedimentation, or run-off. Therefore, no indirect impacts will occur to riparian habitat and other sensitive natural communities near the San Luis Rey River. Physical construction activities that could indirectly impact riparian habitats and sensitive natural communities at Loma Alta Creek and Buena Vista Marsh include mid-block crosswalks proposed across Coast Highway adjacent to the Loma Alta Creek footpath (south of the existing Loma Alta Creek bridge) and near the Buena Vista Audubon Society driveway south of Eaton Street near Buena Vista Lagoon. Incorporation of MM Complete Streets BIO-4 will require additional biological measures to be implemented for areas near riparian habitats in order to ensure impacts will be reduced to a less than significant level.

***Incentive District***

Future development and redevelopment which could occur under the Incentive District could result in direct impacts to riparian habitat and other sensitive natural communities through habitat removal or alteration, specifically within non-developed areas southwest of the intersection of Eaton Street and South Coast Highway, immediately north of Loma Alta Creek and along the railroad tracks. In addition, potential indirect effects, such as spread of invasive species or generation of construction-related runoff, sedimentation, or dust, may occur to adjacent vegetation communities associated with Loma Alta Creek and Buena Vista Lagoon. Incorporation of MM Incentive District BIO-5, which requires implementation of various additional biological measures specific to different biological areas, will ensure that potentially significant impacts to riparian habitat and other sensitive natural communities will be reduced to a less than significant level.

For the reasons discussed above and in the Final EIR in Section 3.3, Biological Resources, the City of Oceanside finds that implementation of MM Complete Streets BIO-4 and MM Incentive District BIO-5 will reduce the significant project impacts associated with adverse effects to riparian habitat and sensitive natural communities to a less than significant level.

**Biological Resources Threshold of Significance 3: Federally Protected Wetlands**

**Findings:**

***Complete Streets Improvements***

No federal or state wetlands or other waters occur within the Complete Streets improvements area; therefore, no direct impacts to jurisdictional wetlands or waters will occur. Physical construction activities that could indirectly impact federal or state wetlands or other waters include mid-block crosswalks proposed across Coast Highway adjacent to the Loma Alta Creek footpath (south of the existing Loma Alta Creek bridge) and near the Buena Vista Audubon Society driveway south of Eaton Street near Buena Vista Lagoon.

***Incentive District***

While no significant impacts are anticipated to currently known wetland resources, the presence and distribution of wetland resources can change over time and a formal wetland delineation was not conducted throughout the entire Incentive District area. For this reason, significant impacts to jurisdictional wetlands and water could occur as a result of future development within the Incentive District area.

The City of Oceanside finds that changes or alterations have been required in or incorporated into the project, which avoid or substantially lessen these significant environmental effects. Specifically, the project will be conditioned as follows:

> **MM Complete Streets BIO-4**, which is presented above under Threshold of Significance 2, shall be implemented to address impacts to federal or state wetlands or other waters for the Complete Streets project component.
>
> **MM Incentive District BIO-6:** Individual development projects implemented under the Incentive District that would impact the areas southwest of the intersection of Eaton Street and South Coast Highway or adjacent to or within Loma Alta Creek may include jurisdictional wetlands or waters and shall be subject to a site-specific assessment of biological resources prior to the City of Oceanside's approval of project plans. If it is determined through the site-specific assessment that excavation, fill, or other modification of wetlands and waters under the jurisdiction of the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board, and California Department of Fish and Wildlife would occur as a result of the project, the project proponent shall be required to conduct a formal jurisdictional delineation in accordance with the U.S. Army Corps of Engineers Wetland Delineation Manual (Environmental Laboratory 1987), and Regional Supplement to the Corps of Engineers Wetlands Delineation Manual: Arid West Region (Version 2.0) (USACE 2008). Permits from the respective regulatory agencies shall also be required, and will likely require mitigation resulting in no net loss of jurisdictional wetlands and waters. It is intended that implementation of the mitigation required through the project permits be consistent and meet the Multiple Habitat Conservation Program goal of no net loss of jurisdictional wetlands and waters.

**Facts in Support of Findings:**

***Complete Streets Improvements***

To account for indirect impacts to jurisdictional wetlands or waters associated with the construction of the Complete Streets improvements, MM Complete Streets BIO-4, which requires specific biological

measures for areas around jurisdictional wetlands or waters, will be implemented to ensure impacts will be reduced to less than significant.

***Incentive District***

While no significant impacts are anticipated to occur to currently known wetland resources with implementation of the Incentive District, MM Incentive District BIO-6 will ensure all potentially significant impacts to federally protected wetlands will be reduced to a less than significant level. MM Incentive District BIO-6 requires a site-specific assessment of biological resources prior to the City of Oceanside's approval of project plans as well as subsequent actions to be implemented depending the results of the survey.

For the reasons discussed above and in the Final EIR in Section 3.3, Biological Resources, the City of Oceanside finds that implementation of MM Complete Streets BIO-4 and MM Incentive District BIO-6 will reduce the significant project impacts associated with adverse effects to federally protected wetlands to a less than significant level.

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**Biological Resources Threshold of Significance 4: Interfere with Migratory Wildlife Corridors or Native Wildlife Nursery Sites**

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**Findings:** Future development that may occur under the Incentive District will be prioritized within urban/developed areas which have limited potential to support wildlife movement or habitat linkages, but may occur within undeveloped habitat that function as habitat linkages. These types of impacts are similar to the direct impacts discussed for sensitive vegetation communities such as habitat removal or alteration, such as invasive species, construction-related runoff, sedimentation, and dust, or indirect impacts, such as construction and/or operational noise.

The City of Oceanside finds that changes or alterations have been required in or incorporated into the project, which avoid or substantially lessen these significant environmental effects. Specifically, the project will be conditioned as follows:

> **MM Incentive District BIO-5**, which is presented above under Biological Resources Threshold of Significance 2, shall be implemented.

**Facts in Support of Findings:** Development or redevelopment that could occur under the Incentive District could result in direct impacts previously discussed for sensitive vegetation communities, such as habitat removal or alteration, and indirect impacts such as invasive species, construction-related runoff, sedimentation, and dust, or indirect impacts, such as construction and/or operational noise. With implementation of MM Incentive District BIO-5, potentially significant impacts to migratory wildlife corridors or native wildlife nursery sites will be reduced to a less than significant level by requiring specific biological measures per each biological habitat affected by future development.

For the reasons discussed above and in the Final EIR in Section 3.3, Biological Resources, the City of Oceanside finds that implementation of MM Incentive District BIO-5 will reduce the significant project impacts associated with interference with migratory wildlife corridors or native wildlife nursery sites to a less than significant level.

**Biological Resources Threshold of Significance 6: Conflict with Applicable Habitat Conservation Plans**

**Findings:** The entire Incentive District is within the Multiple Habitat Conservation Program (MHCP) established for portions of Northwestern San Diego County. The Incentive District is outside of but adjacent to the hardline areas within Buena Vista Lagoon. The remainder of the Incentive District, including Loma Alta Creek, is outside of the Focused Planning Areas. The developed area within the Incentive District is not considered a conserved vegetation community under the MHCP. In undeveloped areas southwest of the intersection of Eaton Street and South Coast Highway Incentive District projects could affect MHCP Habitat Group A communities, including sensitive riparian and upland vegetation communities. These potential effects will be limited to the non-developed areas southwest of the intersections of Easton Street and Coast Highway and along the railroad tracks.

The City of Oceanside finds that changes or alterations have been required in or incorporated into the project, which avoid or substantially lessen these significant environmental effects. Specifically, the project will be conditioned as follows:

> **MM Incentive District BIO-5,** which is presented above under Biological Resources Threshold of Significance 2, shall be implemented to address consistency of the projects developed under the Incentive District with the MHCP.

**Facts in Support of Findings:** Future development under the Incentive District could result in conflicts with the MHCP, especially in the non-developed areas southwest of the intersections of Easton Street and Coast Highway and along the railroad tracks. Incorporation of MM Incentive District BIO-5 requires specific biological measures for each biological habitat affected by future development, which will reduce potentially significant impacts related to conflicts with the MHCP to a less than significant level.

For the reasons discussed above and in the Final EIR in Section 3.3, Biological Resources, the City of Oceanside finds that implementation of MM Incentive District BIO-5 will reduce the significant project impacts associated with conflicts with applicable habitat conservation plans, including the MHCP, to a less than significant level.

# Cultural Resources

**Cultural Resources Threshold of Significance 1: Adverse Change to Significance of a Historical Resources**

**Finding:**

***Complete Streets Improvements***

Although the Complete Streets improvements area is largely developed, it is possible that subsurface prehistoric and historic-period archaeological resources have been paved over and are obscured. The Complete Streets improvements area should be considered sensitive for the presence of archaeological resources and it should be noted that the project has the potential to significantly impact undocumented subsurface archaeological deposits that may qualify as historical resources pursuant to CEQA.

***Incentive District***

The project area is considered sensitive for the presence of archaeological resources and future projects within the Incentive District area may significantly impact previously undocumented subsurface archaeological resources that may qualify as historical pursuant to CEQA. Furthermore, the Incentive District area contains resources that may qualify as historical resources. As such, future projects within the Incentive District area have the potential to significantly impact historical resources.

The City of Oceanside finds that changes or alterations have been required in or incorporated into the project, which avoid or substantially lessen these significant environmental effects. Specifically, the project will be conditioned as follows:

**MM Complete Streets CR-1**: Prior to the issuance of a grading permit, the City of Oceanside shall enter into a pre-excavation agreement with a representative of the San Luis Rey Band of Mission Indians, otherwise known as a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement. 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 San Luis Rey Band 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 cultural items located and/or discovered through a monitoring program in conjunction with the construction of the Complete Streets improvements, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground-disturbing activities, such as the installation and/or removal of infrastructure and existing foundations, that may impact the native soils subsurface to the existing road bed.

**MM Complete Streets CR-2**: Prior to the issuance of a grading permit, the grading contractor shall provide a written and signed letter to the City Planner stating that a qualified archaeologist and Luiseño Native American Monitor have been retained at the grading contractor's expense to implement the monitoring program, as described in the pre-excavation agreement.

**MM Complete Streets CR-3**: Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analyses, 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 Planner for approval.

**MM Complete Streets CR-4**: The qualified archaeologist shall maintain ongoing collaborative consultation with the Luiseño Native American monitor during all ground-disturbing activities that may impact subsurface native soils. The requirement for the monitoring program shall be noted on all applicable construction documents, including demolition plans, grading plans, etc. The grading contractor shall notify the City Planner of the start and end of all ground-disturbing activities.

**MM Complete Streets CR-5**: 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 onsite during any ground-disturbing activities that may impact subsurface native soils.

**MM Complete Streets CR-6:** The qualified archaeologist or the Luiseño Native American monitor may halt ground-disturbing activities if unknown 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 given to the San Luis Rey Band so that they may be repatriated at the site on a later date. If a determination is made that the unearthed artifact deposits or cultural features are considered potentially significant, the San Luis Rey Band shall be notified and consulted with in regard to the respectful and dignified treatment of those resources.

The avoidance and protection of the significant cultural resource and/or unique archaeological resource is the preferable mitigation. If, however, a data recovery plan is authorized by the City as the lead agency under CEQA, the San Luis Rey Band shall be notified and consulted regarding the drafting and finalization of any such recovery plan. For significant 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 project area will be collected using professional archaeological collection methods. 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 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 San Luis Rey Band for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions.

**MM Complete Streets CR-7:** Any and all uncovered tribal cultural resources of Native American importance shall be returned to the San Luis Rey Band of Mission Indians, and/or the Most Likely Descendant, if applicable, and not be curated.

**MM Complete Streets CR-8**: As specified by California Health and Safety Code Section 7050.5, if human remains are found in the project area during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office by telephone. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition pursuant to PRC 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established, surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. By law, the Coroner will determine within 2 working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC will make a determination as to the Most Likely Descendant. If 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 occur only on-site in the presence of a Luiseño Native American monitor.

**MM Complete Streets CR-9:** The qualified archeologist, or an archaeologist working under the direction of the qualified archaeologist, and the Luiseño Native American monitor shall conduct pre-construction cultural resources sensitivity training to inform construction personnel of the types of cultural resources that may be encountered, and of the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains. The applicant/owner shall ensure that construction personnel are made available for and attend the training and shall retain documentation demonstrating attendance.

**MM Incentive District CR-1:** Individual development projects implemented under the Incentive District shall be subject to a Phase I cultural resources inventory (cultural resources inventory) prior to the City of Oceanside's approval of project plans. This requirement shall be implemented for all projects for which the Incentive District is employed (Administrative Approval, Development Plan Review, and Conditional Use Permit processing requirements as specified in Section 1203 of the Coast Highway Incentive District). The cultural resources inventory would consist of: a cultural resources records search to be conducted at the South Coastal Information Center; scoping with the California Native American Heritage Commission (NAHC); a pedestrian archaeological survey if visible ground surface is present; and recordation of all identified archaeological resources on California Department of Parks and Recreation 523 forms. The cultural resources inventory shall be carried out by a qualified archaeologist, defined as an archaeologist meeting the Secretary of the Interior's Standards for professional archaeology, and shall be conducted in consultation with the appropriate Native American groups as identified through outreach to the NAHC and through consultation.

If potentially significant cultural resources are encountered during the survey, and if the project has the potential to impact those resources, the City of Oceanside shall require that the resources be evaluated for their eligibility for listing in the California Register of Historical Resources (CRHR) and for significance as unique archaeological resource. Recommendations shall be made for the treatment of unique archaeological resources or resources found eligible for the CRHR should the development project have the potential to adversely impact the resources. These studies shall be conducted in consultation with the City of Oceanside and the appropriate Native American groups as identified through consultation. project redesign and preservation in place shall be the preferred means of mitigation to avoid impacts to significant cultural resources, including prehistoric and historic archaeological sites, locations of importance to Native Americans, human remains, historical buildings, structures, and landscapes. Methods of avoidance may include, but shall not be limited to, project redesign or identification of protection measures such as capping or fencing. If it is demonstrated that resources cannot be avoided, the qualified archaeologist shall develop additional treatment measures, which may include data recovery or other appropriate measures, in consultation with the City of Oceanside and appropriate Native American groups as identified through consultation.

In addition, the project proponent shall retain archaeological monitors and Native American monitors during ground-disturbing activities that have the potential to impact significant cultural resources as determined by a qualified archaeologist in consultation with the City of Oceanside and the appropriate Native American groups.

During project-level construction, should prehistoric or historic subsurface cultural resources be discovered, all activity in the vicinity of the find shall stop and a qualified archaeologist shall be contacted to assess the significance of the find. If any find is determined to be significant, meaning it qualifies as a unique archaeological resource or is determined eligible for the CRHR, the archaeologist shall determine, in consultation with the City of Oceanside and the appropriate Native American groups, suitable avoidance measures, data recovery measures, or other appropriate mitigation, such as capping.

All significant cultural materials recovered, either prior to or during construction, shall be, as necessary and at the discretion of the consulting archaeologist and in consultation with the appropriate Native American groups, subject to scientific analysis, professional museum curation, and documentation according to current professional standards. If materials need to be recovered, protocols for proper removal and treatment shall be implemented. The specific protocols for proper removal shall be detailed in a monitoring or data recovery plan prior to recovery of the materials.

**MM Incentive District CR-2:** Project-level development on individual properties containing structures at least 50 years old shall be subject to a historic built environment survey, which will include an evaluating of the potential historic significance of the structures, prior to the City of Oceanside's approval of project plans. This requirement shall be implemented for all projects on properties for which the Incentive District is employed and that contain existing structures (Administrative Approval, Development Plan Review, and Conditional Use Permit processing requirements as specified in Section 1203 of the Coast Highway Incentive District). The survey shall be carried out by a qualified historian or architectural historian meeting the Secretary of the Interior's Standards for Architectural History. If potentially significant historic resources are encountered during the survey, demolition or substantial alteration of such resources identified shall be avoided, as specified by the qualified historian or architectural historian.

**Facts in Support of Findings:** Construction of both the Complete Streets improvements and the Incentive District have the potential to impact subsurface prehistoric and historic-period archaeological resources which could have been paved over and are obscured. Furthermore, the Incentive District area contains resources that may qualify as historical resources. With implementation of MM Complete Streets CR-1 through CR-9, MM Incentive District CR-1 and CR-2, potentially significant impacts related to historical resources will be reduced to a less than significant level.

For the reasons discussed above and in the Final EIR in Section 3.4, Cultural Resources, the City of Oceanside finds that implementation of MM Complete Streets CR-1 through CR-9, MM Incentive District CR-1 and CR-2 will reduce the significant project impacts associated with causing adverse changes to the significance of historical resources to a less than significant level.

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**Cultural Resources Threshold of Significance 2: Adverse Change to Significance of an Archaeological Resources**

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**Finding:**

***Complete Streets Improvements***

Although the Complete Streets improvements area is largely developed, it is possible that subsurface prehistoric and historic-period archaeological resources have been paved over and are obscured. Therefore, the Complete Streets improvements have the potential to significantly impact undocumented subsurface archaeological deposits that may qualify as unique archaeological resources.

***Incentive District***

The Incentive District contains known archaeological resources, and is considered sensitive for the presence of archaeological resource that could qualify as unique archaeological resources under CEQA Guidelines Section 15064.5. As such, future projects within the Incentive District could significantly impact previously undocumented subsurface archaeological resources that may qualify as unique archaeological resources.

Specifically, the project will be conditioned to incorporate MM Complete Streets CR-1 through CR-9 and MM Incentive District CR-1 and CR-2 (provided above under Threshold of Significance 1), which will reduce project-related significant impacts to previously unidentified archaeological resources within the Complete Streets improvements and Incentive District project areas.

**Facts in Support of Findings:**

***Complete Streets Improvements***

Although the Complete Streets improvements area is largely developed, the research conducted for the EIR, including a records search, indicates that previously recorded archaeological resources have been documented within and in the vicinity of the Complete Streets improvements project area and that areas within the vicinity of the project are sensitive for the presence of prehistoric archeological resources. Thus, the Complete Streets improvements have the potential to significantly impact undocumented subsurface archaeological deposits that may qualify as unique archaeological resources. Implementation of MM Complete Streets CR-1 through CR-9 will reduce significant impacts related to archaeological resources to a less than significant level.

***Incentive District***

The Incentive District contains three known archaeological resources, and is considered sensitive for the presence of archaeological resource that could qualify as unique archaeological resources under CEQA Guidelines Section 15064.5. As such, future projects within the Incentive District could significantly impact previously undocumented subsurface archaeological resources that may qualify as unique archaeological resources. With implementation of MM Incentive District CR-1 and CR-2, will reduce significant impacts related to archaeological resources to a less than significant level.

For the reasons discussed above and in the Final EIR in Section 3.4, Cultural Resources, the City of Oceanside finds that implementation of MM Complete Streets CR-1 through CR-9, MM Incentive District CR-1 and CR-2 will reduce the significant project impacts associated with causing adverse changes to the significance of archaeological resources to a less than significant level.

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**Cultural Resources Threshold of Significance 3: Directly or Indirectly Destroy a Unique Paleontological Resources**

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**Finding:** Given that the Incentive District is underlain by paleontologically sensitive formations and that the depths of ground disturbance associated with future projects in the Incentive District are unknown, there exists the possibility that unique paleontological resources or unique geologic features may be impacted by future projects proposed under the Incentive District.

The City of Oceanside finds that changes or alterations have been required in or incorporated into the project, which avoid or substantially lessen these significant environmental effects. Specifically, the project will be conditioned as follows:

> **MM Incentive District CR-3**: For project-level development in the Incentive District involving ground disturbance, a qualified paleontologist shall be retained to determine the necessity of conducting a study of the project area(s) based on the potential sensitivity of the project for paleontological resources, and the potential for the project to impact paleontologically sensitive geological deposits. If deemed necessary, the paleontologist shall conduct a paleontological resources inventory designed to identify potentially significant resources. The paleontological resources inventory would consist of a paleontological resources records search to be conducted at the SDNHM; a field survey, if deemed appropriate by the paleontologist; and recordation of all identified

paleontological resources. The paleontologist shall provide recommendations regarding additional work for the project. Impacts to significant paleontological resources, if identified, shall be avoided.

In addition, the project proponent shall retain paleontological monitors during construction for ground-disturbing activities that have the potential to impact significant paleontological resources as determined by a qualified paleontologist.

In the event that paleontological resources are discovered, the project proponent will notify a qualified paleontologist. The paleontologist will document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. If fossil or fossil-bearing deposits are discovered during construction, excavations within 50 feet of the find will be temporarily halted or diverted until the discovery is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The paleontologist will notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If avoidance is determined to be infeasible, the qualified paleontologist shall implement a paleontological mitigation program. At each fossil locality, field data forms shall be used to record pertinent geologic data, stratigraphic sections shall be measured, appropriate sediment samples shall be collected and submitted for analysis, and any other activities necessary for the timely and professional documentation and removal of fossils shall be conducted. Any fossils encountered and recovered shall be prepared to the point of identification, catalogued, and donated to a public, nonprofit institution with a research interest in the materials. Accompanying notes, maps, and photographs shall also be filed at the repository.

**Facts in Support of Findings:** Future development under the Incentive District could reach depths that are in native soils and have the potential to significantly impact unknown buried paleontological resources. Incorporation of MM Incentive District CR-3 requires a site-specific paleontological study for each future project within the Incentive District that has ground disturbance to assess and specifically mitigate any impacts to paleontological resources on a site-by-site basis.

For the reasons discussed above and in the Final EIR in Section 3.4, Cultural Resources, the City of Oceanside finds that implementation of MM Incentive District CR-3 will reduce the significant project impacts associated with damaging or destroying unique paleontological resources to a less than significant level.

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**Cultural Resources Threshold of Significance 4: Disturb Human Remains**

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**Finding:** No known human remains exist within the project area. However, since the nature of the proposed project will involve ground-disturbing activities, it is possible that such actions could unearth, expose, or disturb previously unknown human remains.

Specifically, the project will be conditioned to incorporate MM Complete Streets CR-8 and MM Incentive District CR-1 (provided above under Threshold of Significance 1), which will reduce project-related significant impacts to disturbing unknown buried human remains within the Complete Streets improvements and Incentive District project areas.

**Facts in Support of Findings:** While there are no known cemeteries or burial sites located within the project area, ground-disturbing activities associated with construction of the Complete Streets improvements and future projects proposed under the Incentive District could potentially disturb

unknown buried human remains. Implementation of MM Complete Streets CR-8 and MM Incentive District CR-1, which require implementation of the protocols for the discovery of human remains established by California Health and Safety Code Section 7050.5 and Public Resource Code 5097.98, will reduce significant impacts related to the disturbance of human remains to a less than significant level.

For the reason discussed above and in the Final EIR in Section 3.4, Cultural Resources, the City of Oceanside finds that implementation of MM Complete Streets CR-8 and MM Incentive District CR-1 will reduce the significant project impacts associated with disturbing unknown human remains to a less than significant level.

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**Cultural Resources Threshold of Significance 5: Tribal Cultural Resources**

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**Finding:** The Sacred Lands File search conducted by the Native American Heritage Commission and Assembly Bill 52/Senate Bill 18 consultation conducted by the City of Oceanside have not identified any tribal cultural resources within the project area. However, this does not preclude the possibility that tribal cultural resources may be encountered as a result of further consultation or during ground disturbance during project implementation. As such, it is possible that project implementation may impact tribal cultural resources.

Specifically, the project will be conditioned to incorporate MM Complete Streets CR-1 through CR-9 and MM Incentive District CR-1 and CR-2 (provided above under Threshold of Significance 1), which will reduce project-related significant impacts to tribal cultural resources within project area.

**Facts in Support of Findings:** While there are no known tribal cultural resources within the project area, ground-disturbing activities associated with construction of the Complete Streets improvements and future projects proposed under the Incentive District have the potential to significantly impact unknown buried tribal cultural resources. Implementation of MM Complete Streets CR-1 through CR-9 and MM Incentive District CR-1 and CR-2 will required to ensure that the appropriate measures as agreed upon with the San Luis Rey Band of Mission Indians are in place during construction of the Complete Streets improvements and future projects proposed under the Incentive District. These measures include, but are not limited to, requirement of a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement by the City of Oceanside and the San Luis Rey Band of Mission Indians, the presence of a Luiseño Native American monitor in addition to a qualified archaeologist during all pre-construction meetings and ground-disturbing construction activities, and agreement that any and all uncovered tribal cultural resources of Native American importance shall be returned to the San Luis Rey Band of Mission Indians. Therefore, incorporation of MM Complete Streets CR-1 through CR-9 and MM Incentive District CR-1 and CR-2 will reduce significant impacts related to tribal cultural resources d to a less than significant level.

For the reasons discussed above and in the Final EIR in Section 3.4, Cultural Resources, the City of Oceanside finds that implementation of MM Complete Streets CR-1 through CR-9 and MM Incentive District CR-1 and CR-2 will reduce the significant project impacts related to tribal cultural resources to a less than significant level.

**Hazards and Hazardous Materials Threshold of Significance 4: Located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5**

**Finding:** Future soil excavation activities within the Incentive District could encounter contaminated soil, soil vapor, and/or groundwater contamination.

The City of Oceanside finds that changes or alterations have been required in or incorporated into the project, which avoid or substantially lessen these significant environmental effects. Specifically, the project will be conditioned as follows:

**MM Incentive District HAZ-1**: To assess the status of the remediation of the contaminated sites listed above, as well as checking for any newly contaminated sites, individual project proponents for each proposed project within the Incentive District area (the applicant or its contractor) shall conduct a Phase I Environmental Site Assessment in general accordance with ASTM Standard 1527-13, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*, or later versions if any. The ASTM standard requires checking for active contaminated sites within a specified radius that have the potential to affect a given project. In the event that the extent of contamination from a site extends to a proposed project site, the applicant or its contractor for each proposed project would implement MM Incentive District HAZ-2.

**MM Incentive District HAZ-2**: If the Phase I Environmental Site Assessment prepared in accordance with MM Incentive District HAZ-1 determines that contamination is present on a project site proposed for development, the following additional measures shall be required:

a. The applicant's construction contractor(s) shall prepare and implement a site-specific Health and Safety Plan in accordance with 29 CFR 1910.120 to protect construction workers and the public during all excavation and grading activities. This plan shall be submitted to the City of Oceanside for review prior to commencement of construction. Note that the project applicant or its contractor would also be required to implement MM Incentive District HAZ-2b, Soil and Groundwater Management Plan, described further below. The Health and Safety Plan shall include, but is not limited to, the following elements:

   - Designation of a trained, experienced site safety and health supervisor who has the responsibility and authority to develop and implement the site health and safety plan.
   - A summary of all potential risks to construction workers and maximum exposure limits for all known and reasonably foreseeable on-site chemicals.
   - Specified personal protective equipment and decontamination procedures, if needed.
   - Emergency procedures, including route to the nearest hospital.
   - Procedures to be followed in the event that evidence of potential soil contamination (such as soil staining, noxious odors, debris, or buried storage containers) is encountered. These procedures shall be in accordance with hazardous waste operations regulations and specifically include, but not be limited to, the following: immediately stopping work in the vicinity of the unknown hazardous materials release, notifying the County of San Diego Department of Environmental Health, and retaining a qualified environmental firm to perform sampling and remediation.

b. In support of the Health and Safety Plan described above, the applicant or its contractor shall develop and implement a Soil and Groundwater Management Plan that includes a materials disposal plan specifying how the construction contractor will remove, handle, transport, and dispose of all excavated material and groundwater from dewatering activities in a safe, appropriate, and lawful manner. The plan must identify protocols for soil and groundwater testing and disposal, identify the approved disposal site, and include written documentation that the disposal site will accept the waste. Contract specifications shall mandate full compliance with all applicable local, state, and federal regulations related to the identification, transportation, and disposal of hazardous materials, including those encountered in excavated soil or groundwater.

**Facts in Support of Findings:** Future soil excavation activities within the Incentive District could encounter contaminated soil, soil vapor, and/or groundwater contamination at or associated with Buck's Texaco (628 South Coast Highway), Pop's Hot Rod Garage (305 Wisconsin Avenue), Rashid South Hill Shell (1202 South Coast Highway), H.G. Fenton (1517 South Coast Highway), Mobil 18 GCL (1742 South Coast Highway), Econo Lube'N Tube (1942 South Coast Highway), and Golden State Gas Inc. (1943 South Coast Highway). While regulatory compliance would require best management practices during construction, the potential for contaminated soil and soil vapor to be encountered and released into the environment during project construction is considered a significant impact. Implementation of MM Incentive District HAZ-1 and HAZ-2 will require preparation of a site-specific Phase I Environmental Site Assessment to determine the appropriate hazardous materials and/or remediation activities required on a project-by-project basis, which will reduce impacts to less than significant.

For the reasons discussed above and in the Final EIR in Section 3.7, Hazards and Hazardous Materials, the City of Oceanside finds that implementation of MM Incentive District HAZ-1 and HAZ-2 will reduce the significant project impacts associated with the potential for contaminated soil and soil vapor to be encountered and released into the environment to a less than significant level.

## Noise and Vibration

**Noise and Vibration Threshold of Significance 2: Expose Persons to Excess Ground-borne Vibration or Noise Levels**

**Finding:** Due to the densely developed area within the Incentive District boundaries and the inability to know the exact nature of future proposed projects under the Incentive District, development within the Incentive District zone could be adjacent to other properties with existing structures (e.g., residences, commercial businesses). Therefore, construction activities that use typical heavy construction equipment associated with future development under the Incentive District could result in temporary significant ground-borne vibration impacts that will exceed the threshold of human perception to sensitive receptors.

The City of Oceanside finds that changes or alterations have been required in, or incorporated into the project, which avoid or substantially lessen these significant environmental effects. Specifically, the project will be conditioned as follows:

**MM Incentive District NOI-1**: For development projects considered under the Incentive District provisions, a project-level vibration analysis would be required if the construction plans for the project would include the use of any of the following:

a) Typical heavy construction equipment within 25 feet of existing inhabited structures. Typical heavy equipment is defined as equipment with an engine size of 600 horsepower or greater and includes: large dozers, large excavators, and large loaders.

b) Vibratory compaction rollers for use within 80 feet of inhabited structures.

c) Pile drivers for use within 150 feet of inhabited structures.

If none of the construction methods mentioned in the list enumerated above are proposed within the described boundaries, no further analysis would be required, since the distances to sensitive receptors would create enough of a buffer to ensure impacts are less that significant.

The purpose of each project-level vibration analysis would be to determine if the specific project-level construction would generate vibration levels exceeding the human perception threshold of 0.1 in/sec PPV at the receptor. project-specific details that would be required in each analysis would include, but not be limited to, type, size, and horsepower of the actual construction equipment to be used; specific locations of each activity; and actual distances from the activity to inhabited buildings. Vibration levels of actual equipment to be used shall be estimated from FTA vibration guidance documents (FTA 2006), attenuated with distance to the inhabited structures, and compared to the Caltrans vibration threshold for human perception. If applicable, the intervening ground between equipment and structures would be considered for its soil properties for additional vibration attenuation.

If the project-specific analysis determines that a project-specific significant impact could occur, mitigation shall be required to reduce the impact to less than significant. Alternative construction methods and equipment that generate lower vibration levels shall be considered. Estimated construction vibration levels would be required to not to exceed the vibration threshold of human perception at inhabited buildings (0.1 in/sec PPV at the receptor). Field vibration measurement surveys of actual construction vibration would be considered, as determined to be required by the vibration specialist, as part of construction vibration compliance with the threshold.

This requirement shall be implemented for all projects under the Incentive District (Administrative Development Plan Review, Development Plan Review, and Conditional Use Permit processing requirements as specified in Section 1203 of the Coast Highway Incentive District).

**Facts in Support of Findings:** With regard to construction activities of the potential development under the Incentive District, ground-borne vibration would be generated by the operation of heavy equipment primarily during site clearing and grading activities and to a lesser degree by off-site haul trucks traveling on surface streets. Construction activities that use typical heavy construction equipment associated with future development under the Incentive District could result in temporary significant ground-borne vibration impacts that would exceed the threshold of human perception to sensitive receptors. The type of structures and construction methods and equipment of each of the potential developments of the Incentive District is unknown at this time. Depending on the location of future development projects occurring under the provisions of the Incentive District, sensitive receptors may be located near the development that will be potentially be affected by construction vibration. Implementation of MM Incentive District NOI-1 will require a site-specific vibration analysis on a project-by-project basis, which will reduce vibration impacts to a less than significant level.

For the reasons discussed above and in the Final EIR in Section 3.10, Noise and Vibration, the City of Oceanside finds that implementation of MM Incentive District NOI-1 will reduce the significant project impacts associated vibration effects related to development proposed under the Incentive District to a less than significant level.

**Transportation and Traffic Threshold of Significance 1: Conflict with an Applicable Plan, Ordinance, or Policy Establishing Measures of Effectiveness for the Performance of the Circulation System**

**Finding:** The Existing Conditions + Project scenario was modeled with implementation of the Complete Streets improvements and with a land use condition representative of existing land uses within the city in 2013. As detailed in the EIR, implementation of the Complete Streets improvements would result in an unacceptable LOS (LOS E or LOS F) at two study intersections, both of which are locations where roundabouts would be installed:

27. Coast Highway & Oceanside Boulevard – LOS F during PM peak-hour
35. Coast Highway & Cassidy Street – LOS F during PM peak-hour

Thus, a potentially significant impact would occur at these two study intersections under the Existing Conditions + Project scenario.

The City of Oceanside finds that changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen these significant environmental effects. Specifically, the project will be conditioned as follows:

**MM Complete Streets TR-1:** In order to mitigate the deficient LOS at the two study area intersections under the Existing Conditions + Project scenario, the City of Oceanside shall implement the following measures to improve intersection operations to an acceptable LOS. The City of Oceanside shall include the project modifications in the Complete Streets construction plans or completed prior to the finalization of the construction plans. The improvements shall be completed either prior to or concurrent with the Complete Streets improvements.

The specific measures for the two degraded study intersections in the Existing Conditions + Project scenario are as follows:

| | | | | Mitigated Conditions | | |
|---|---|---|---|---|---|---|
| | **Location** | **Mitigation Measure** | **Additional Comments** | **Delay (sec)** | **LOS** | **Reduced to Less than Significant** |
| 27 | Coast Hwy & Oceanside Blvd | Maintain Existing Traffic Signal | Merging of two lanes into one lane would occur north of intersection before Wisconsin Avenue | 41.2 | D | **Yes[1]** |
| 35 | Coast Hwy & Cassidy St | Maintain Existing Signal | No other adjustments required | 19.2 | B | **Yes** |

NOTE: [1] Because Intersection 27 is in the City of Oceanside's jurisdiction, LOS D is considered an acceptable LOS.

SOURCE: IBI 2018

**Facts in Support of Findings:** Implementation of MM Complete Streets TR-1 will improve operations at the two degraded intersections under the City of Oceanside's jurisdiction to an acceptable LOS in the Existing Conditions + Project Scenario by requiring that the City of Oceanside maintain the existing traffic signal instead of installing a roundabout. Therefore, with maintenance of the existing traffic signals at these two intersections as required by MM Complete Streets TR-1, potentially significant traffic impacts under the Existing Conditions + Project scenario will be reduced to a less than significant level.

For the reason discussed above and in the Final EIR in Section 3.14, Transportation and Traffic, the City of Oceanside finds that implementation of MM Incentive District Complete Streets TR-1 will reduce the significant traffic impacts under the Existing + Project scenario to a less than significant level.

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**Transportation and Traffic Threshold of Significance 4: Interfere with Emergency Response Plan or Evacuation Plan**

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**Finding:** Construction of the Complete Streets improvements and future development and redevelopment under the Incentive District could potentially result in temporary roadway interferences and/or closures, which would result in potentially significant impacts to emergency access, including during an evacuation.

The City of Oceanside finds that changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen these significant environmental effects. Specifically, the project will be conditioned as follows:

> **MM Complete Streets TR-3:** Prior to the start of construction of the Complete Streets improvements, the City of Oceanside shall require the construction contractor to prepare a Traffic Control Plan. The Traffic Control Plan will show all signage, striping, delineated detours, flagging operations, and any other devices that will be used during construction to guide motorists safely through the construction area and allow for adequate access and circulation to the satisfaction of the City of Oceanside. The Traffic Control Plan will be prepared in accordance with the City of Oceanside's traffic control guidelines and will be prepared to ensure that access will be maintained to individual properties, and that emergency access will not be restricted. The Traffic Control Plan will ensure that congestion and traffic delay are not substantially increased as a result of the construction activities. In addition, the City of Oceanside shall provide written notice at least 2 weeks prior to the start of construction to owners/occupants along streets to be affected during construction.
>
> During construction, the City of Oceanside will maintain continuous vehicular and pedestrian access to residential driveways from the public street to the private property line, except where necessary construction precludes such continuous access for reasonable periods of time. Access will be reestablished at the end of the workday. If a driveway needs to be closed or interfered with as described above, the City of Oceanside shall notify the owner or occupant of the closure of the driveway at least 5 working days prior to the closure. The Traffic Control Plan shall include provisions to ensure that the construction of the Complete Streets improvements does not interfere unnecessarily with the work of other agencies such as emergency service providers, mail delivery, school buses, and municipal waste services.
>
> **MM Incentive District TR-1:** Prior to submittal of grading plans for development and redevelopment projects under the Incentive District that would result in temporary interferences along roadways within the project area, project applicants and/or private developers shall prepare a Traffic

Control Plan for approval by the City of Oceanside Transportation Division. The Traffic Control Plan will show all signage, striping, delineated detours, flagging operations, and any other devices that will be used during construction to guide motorists safely through the construction area and allow for adequate access and circulation to the satisfaction of the City of Oceanside. The Traffic Control Plan will be prepared in accordance with the City of Oceanside's traffic control guidelines and to ensure that access will be maintained to individual properties, and that emergency access will not be restricted. The Traffic Control Plan will ensure that congestion and traffic delay are not substantially increased as a result of the construction activities. In addition, the project applicants and/or private developers shall provide written notice at least 2 weeks prior to the start of construction to owners/occupants along streets to be affected during construction.

During construction, continuous vehicular and pedestrian access to residential driveways from the public street to the private property line will be maintained, except where necessary construction precludes such continuous access for reasonable periods of time. Access will be reestablished at the end of the workday. If a driveway needs to be closed or interfered with as described above, the project applicants and/or private developers shall notify the owner or occupant of the closure of the driveway at least 5 working days prior to the closure. The Traffic Control Plan shall include provisions to ensure that the construction does not interfere unnecessarily with the work of other agencies such as emergency service providers, mail delivery, school buses, and municipal waste services.

**Facts in Support of Findings:** Construction of the project would involve temporary lane closures which will include partial lane closures, construction vehicles and equipment entering and exiting the project area, and pedestrian and/or bicycle lane closures. Construction of the Complete Streets improvements will require temporary interference along Coast Highway. While all construction activities for the Complete Streets improvements will be phased to not occur simultaneously throughout the corridor, the partial lane and intersection closures along Coast Highway and proposed intersections could potentially result in temporary impacts to emergency access.

Future development and redevelopment projects which may occur under the Incentive District could also include construction activities that could result in temporary interferences along the Coast Highway corridor or surrounding roadways. Temporary interferences could include, but are not limited to, temporary lane closures during periods of loading and/or unloading of trucks, construction vehicles and equipment entering and exiting the project sites, and other construction activities, such as trenching for utility connections, near roadways within the project area. Therefore, there is a potential that temporary emergency access impacts could occur. Implementation of MM Complete Streets TR-3 and MM Incentive District TR-1 will require preparation and implementation of Traffic Control Plan during temporary lane closures, which will reduce impacts to less than significant.

For the reasons discussed above and in the Final EIR in Section 3.14, Transportation and Traffic, the City of Oceanside finds that implementation of MM Complete Streets TR-3 and MM Incentive District TR-1 will reduce significant project impacts related to interference with emergency response plan or evacuation plan to a less than significant level.

# IX. Findings Regarding Significant Environmental Effects that Remain Significant and Unavoidable After Mitigation

The Final EIR identifies four environmental issue areas in which the project will result in a significant impact on the environment even after the application of all feasible mitigation measures identified in the Final EIR: Air Quality, Greenhouse Gas Emissions, Noise and Vibration, and Transportation and Traffic. The City of Oceanside finds that the following environmental impacts of the project are significant and unavoidable and cannot be reduced below significance through feasible mitigation measures.

## Air Quality

**Air Quality Threshold of Significance 2: Air Quality Violation**

**Finding:** Future project-specific construction activities that would occur as a result of the Incentive District would cause temporary, short-term emissions of nonattainment air pollutants in the San Diego Air Basin — specifically, $O_3$ precursors (i.e., VOCs and $NO_X$), and $PM_{10}$ and $PM_{2.5}$—as a result of construction activities.

In addition, future development that could occur as a result of the Incentive District could result in an increase in the total amount of VMT since the Incentive District would allow for an increase in overall intensity of development within the Incentive District. Such an increase may result in an increase in the total amount of vehicle miles travelled (VMT) due to increased overall density, which may result in an overall increase in mobile source emissions despite the improved transportation efficiency and per-capita emissions reductions expected from increasingly stringent vehicle emissions standards. Therefore, the operation of projects developed under the Incentive District would result in a potentially significant impact.

The City of Oceanside finds that even with the feasible changes or alterations that have been required in, or incorporated into the project, which lessen these significant environmental effects, impacts will remain significant. Specifically, the project will be conditioned as follows:

> **Incentive District Air-1a:** Prior to the issuance of a grading or building permit, whichever is required to be obtained first, individual development projects proposed under the Incentive District shall comply with the following land preparation, excavation, and/or demolition mitigation measures during construction activities:
>
> - All soil excavated or graded should be sufficiently watered to prevent excessive dust. Watering should occur with complete coverage of disturbed soil areas. Watering should be a minimum of twice daily on unpaved/untreated roads and on disturbed soil areas with active operations.
> - All clearing, grading, earth moving and excavation activities should cease: (a) during periods of winds greater than 20 mph (averaged over 1 hour as measured by an on-site anemometer or an off-site anemometer that is representative of the construction area), if disturbed material is easily windblown, or (b) when visible dust plumes impact public roads, occupied structures, or neighboring property.

- Vehicles traveling over unpaved roadways shall be limited to 15 miles per hour or less. Signs shall be posted at construction sites identifying the maximum speed limit.
- All trucks hauling dirt, sand, soil, or other loose material shall be covered or maintain at least 2 feet of freeboard, in accordance with the requirements of California Vehicle Code (CVC) Section 23114.
- If more than 5,000 cubic yards of fill material will be imported or exported from the site, all haul truck access points shall be equipped with a gravel pad, rumble pad, or similar control to reduce vehicle trackout.
- Adjacent streets with visible dust, dirt, sand, or soil material accumulation shall be cleaned and the accumulated material removed using street sweepers.
- Stockpiles of soil or other fine loose material shall be stabilized by watering, covered with tarp, or other appropriate method to prevent wind-blown fugitive dust.
- Where acceptable to the local fire department, weed control should be accomplished by mowing instead of digging, thereby, leaving the ground undisturbed and with a mulch covering.
- Locate construction staging areas away from sensitive receptor areas, such as schools, to the extent practicable.
- Minimize the free drop height of excavated soil during batch-drop operations (i.e., earthwork with front-end loader or backhoe) so that the generation of dust is limited to the immediate area around the truck bed or storage pile.
- Install project landscaping in appropriate areas as soon as construction in an area is complete to minimize exposed soils.

**MM Incentive District AIR-1b:** Prior to the issuance of a grading or building permit, whichever is required to be obtained first, individual proposed projects shall comply with the following construction equipment mitigation measures:

- Construction equipment, on-road trucks, and emission control devices shall be properly maintained and tuned in accordance with manufacturer specifications.
- Construction contractors shall be required to comply with California's on-road and off-road vehicle emissions regulations, including the CARB idling restrictions and the USEPA/CARB on-road and off-road diesel vehicle emissions standards, as required by 13 CCR, Sections 2485, 2025(h), and 2449.
- Off-road diesel-powered construction equipment greater than 50 hp (e.g., excavators, graders, dozers, scrappers, tractors, loaders, etc.) shall be outfitted with Best Available Control Technology (BACT) devices certified by CARB such as certified Level 3 Diesel Particulate Filter or equivalent. A copy of each unit's certified BACT documentation and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
- Route construction trucks away from sensitive receptor areas.
- Where available, use electricity from power poles rather than temporary diesel or gasoline powered generators.

**MM Incentive District AIR-1c:** Construction contractors shall ensure that interior architectural coatings have a maximum of 10 grams per liter of VOC for both residential and commercial development.

**MM Incentive District AIR-2:** Prior to the issuance of a building permit, individual development projects proposed under the Incentive District regulations shall comply with the following mitigation measures:

a. Provide direct pedestrian and bicycle access from any Incentive District residential development with a density of four or more residences per acre and in any mixed-use or commercial development to the public right-of-way. Low-, medium-, and high-density Incentive District developments shall provide curbs and sidewalks all public street frontages. Curbs and sidewalks shall also be provided on both sides of all internal streets, unless an equivalent or superior pedestrian path is provided within the development.

b. For medium- to high-density residential, mixed-use, or commercial developments in the Incentive District area where transit services exist but no transit stop is located within 0.5 mile of the development site, or where transit service does not exist and the development project is within a transit district's sphere of influence, development projects shall provide plans indicating locations of bus turnouts and loading areas with shelters that are acceptable to the local transit provider.

c. Promote the expanded use of renewable fuel and low-emission vehicles by including one or both of the following project components: preferential parking for ultra-low emission, zero-emission, and alternative-fuel vehicles; and/or electric vehicle supply equipment within the development that meets or exceeds the Tier 1 standards in the current 2016 Title 24 and 2016 California Green Building Standards. Nothing in this measure shall supersede an individual development project's legal responsibility to meet the applicable mandatory minimum requirements of the version of the Title 24 and California Green Building Standards in effect at the time of building permit issuance.

d. Development projects shall be required to reduce energy consumption by designing buildings that meet or exceed the Tier 1 building energy budget standards in the current 2016 Title 24 and 2016 California Green Building Standards. Nothing in this measure shall supersede an individual development project's legal responsibility to meet the applicable mandatory minimum requirements of the version of the Title 24 and California Green Building Standards in effect at the time of building permit issuance.

e. Development projects shall be required to reduce water consumption by installing water-efficient fixtures, appliances, toilets/urinals, and landscape irrigation systems that meet or exceed the Tier 1 standards in the current 2016 Title 24 and 2016 California Green Building Standards. Nothing in this measure shall supersede an individual development project's legal responsibility to meet the applicable mandatory minimum requirements of the version of the Title 24 and California Green Building Standards in effect at the time of building permit issuance.

f. Development projects shall promote transportation demand management principles such as peak hour trip reduction, staggered work hours, ride sharing, telecommuting, and the use of public transportation or other measures, as appropriate.

While MM Incentive District AIR-1a through AIR-1c represent feasible measures to reduce potential impacts associated with construction, impacts would not be reduced to a less than significant level. Additional feasible mitigation measures cannot be developed without knowing the exact timing or location of the construction projects. Because there is no way to accurately predict the intensity of construction of development projects under the Incentive District or their implementation timing, impacts related to resulting in an air quality violation is considered significant and unavoidable even with implementation of MM Incentive District AIR-1a through AIR-1c.

**Facts in Support of Findings:** Information regarding the size, duration, and construction requirements of specific development projects would be required in order to quantify impacts associated with the construction activities of these individual projects. However, what is known at this time is that the

construction of potential future projects under the Incentive District would be required to comply with applicable State and SDAPCD air quality regulations, including CARB's on-road and off-road vehicle rules on idling limits; $NO_X$, $PM_{10}$, and $PM_{2.5}$ exhaust standards; and SDAPCD Rules 55 and 51 (Fugitive Dust and Nuisance) that limit fugitive dust emissions. Additionally, the maximum residential density in the Incentive District would allow for 63 dwelling units per acre. Retail and commercial uses would also be allowed within the Incentive District.

Construction of individual development projects could exceed the SDAPCD thresholds specified for daily emissions of criteria air pollutants. Thus, even with compliance with the applicable rules and regulations, future construction activities associated with the land uses permitted by the Incentive District would have the potential to contribute substantially to an existing or projected air quality violation. Therefore, this impact would be potentially significant.

The Traffic Impact Analysis, which is provided in Appendix G of the EIR, evaluates daily per capita vehicles miles traveled for 2008 base-year conditions and for 2035 both with and without project implementation. Per-capita emissions of mobile source exhaust pollutants (from vehicles), in particular VOC, $NO_X$, and CO, are expected to decline in future years relative to existing conditions due to improved vehicle emission standards and fuel economy standards that have been adopted by the USEPA and State of California (i.e., emissions standards through vehicle model year 2025). Under current USEPA standards, by vehicle model year 2025, passenger cars and light-duty trucks are required to achieve 54.5 miles per gallon (if emissions reductions are achieved exclusively through fuel economy improvements) and 163 grams of $CO_2$ emissions per mile. According to the USEPA, a model-year 2025 vehicle would emit approximately one-half of the greenhouse gas emissions from a model-year 2010 vehicle (USEPA 2012). Nonetheless, future development that could occur as a result of adoption of the Incentive District could result in an increase in the total amount of VMT due to increased overall density, which may result in an overall increase in mobile source emissions despite the improved transportation efficiency and per-capita emissions reductions expected from increasingly stringent vehicle emissions standards. For these reasons, the operation of projects developed under the Incentive District would result in a potentially significant air quality impacts.

With implementation of MM Incentive District AIR-1a through AIR-1c, a maximum of 63 dwelling units per acre, and up to 30,000 square feet of retail development per acre could occur simultaneously and result in less-than-significant impacts (i.e., emissions below the daily emissions thresholds). Construction of this level of development could occur in the following ways:[3].

- Up to six 1-acre lots
- Up to three 2-acre lots
- Up to one 5-acre and four 1-acre lots
- Up to one 5-acre lot and two 2-acre lots
- Up to two 5-acre lots

[3] Since the average lot size is between 1 and 2 acres, the analysis focused on 1 and 2 acres with a maximum of 5 acres as an outside development size.

Construction activities exceeding these development levels would likely result in emissions above the daily thresholds resulting in short-term emissions of nonattainment air pollutants which would result in a significant contribution to existing or projects air quality violations. While MM Incentive District AIR-1a through AIR-1c represent feasible measures to reduce potential impacts associated with construction, impacts would not be reduced to a less-than-significant level if simultaneous development exceed the development levels stated above. Additional feasible mitigation measures cannot be developed without knowing the exact timing or location of the construction projects. Because there is no way to accurately predict the intensity of development projects under the Incentive District or their implementation timing, this impacts related to resulting in an air quality violation is considered significant and unavoidable even with implementation of MM Incentive District AIR-1a through AIR-1c.

The City of Oceanside finds that even with incorporation of MM Incentive District AIR-1a-c and MM Incentive District AIR-2, the significant air quality impacts resulting from construction of simultaneous projects under the Incentive District, which exceed the established development levels, cannot be reduced to a less than significant level. Therefore, air quality impacts are considered significant and unavoidable.

**Air Quality Threshold of Significance 3: Cumulatively Considerable Net Increase of Any Criteria Pollutant**

**Finding:** Implementation of the Incentive District would generate pollutant emissions from construction and operation of potential future development under the Incentive District. Future development that could occur as a result of adoption of the Incentive District could result in an increase in density or in the total amount of VMT relative to existing conditions, which may result in an overall increase in building and mobile source emissions, despite the improved energy and transportation efficiency and emissions reductions expected from buildings and mobile sources meeting increasingly stringent energy efficiency and vehicle emissions standards.

The City of Oceanside finds that changes or alterations have been required in, or incorporated into, the project, which lessen these significant environmental effects but not below a level of significance. Specifically, MM Incentive District AIR-1a–c and MM Incentive District AIR-2 will be required. The specific requirements of these measures are provided under Air Quality Threshold of Significance 2 above.

The City of Oceanside further finds that even with incorporation of MM Incentive District AIR-1a-c and MM Incentive District AIR-2, the significant project impacts related to a cumulatively considerable net increase of any criteria pollutant cannot be reduced to a less than significant level. Therefore, cumulative construction and operational air quality impacts are considered significant and unavoidable.

Additional feasible measures beyond the mitigation identified above cannot be developed without knowing the exact nature of the proposed developments, including but not limited to the types and sizes of the proposed uses and associated trip generation rates. Development under the Incentive District would potentially result in a cumulatively considerable net increase of a criteria pollutant for which the project region is nonattainment. Therefore, even with implementation of MM Incentive District AIR-1a–c and MM Incentive District AIR-2, impacts would be significant and unavoidable.

**Facts in Support of Findings:** MM Incentive District AIR-1a–c and MM Incentive District AIR-2 would reduce construction and operational emissions from future development that could occur as a result of adoption of the Incentive District by requiring that the additional measures listed above be incorporated into future projects proposed under the Incentive District on a project-by-project basis prior to issuance of a building permit. Implementation of MM Incentive District AIR-1a–c and MM Incentive District AIR-2 will ensure that each project proposed under the Incentive District mitigates impacts to air quality during construction and operation to the lowest level of significance feasible on a project-by-project basis. However, while MM Incentive District AIR-1a–c and MM Incentive District AIR-2 will help to reduce environmental effects to air quality, detailed information regarding individual development projects within the Incentive District is not currently available. Thus, it cannot be determined with certainty that the above measures would reduce impacts to a less-than-significant level.

Additional feasible measures beyond the mitigation identified above cannot be developed without knowing the exact nature of the proposed developments, including but not limited to the types and sizes of the proposed uses and associated trip generation rates. Development under the Incentive District would potentially result in a cumulatively considerable net increase of a criteria pollutant for which the project region is nonattainment. Therefore, even with implementation of MM Incentive District AIR-1a–c and MM Incentive District AIR-2, impacts would be significant and unavoidable.

**Air Quality Cumulative Threshold of Significance**

**Finding:** The project would result in the emission of criteria pollutants during construction of the Complete Streets improvements and the development of the Incentive District. Operation of the potential development projects under the Incentive District would result in mobile source emissions generated by vehicle trips from future development and population growth.

The City of Oceanside finds that all feasible changes or alterations have been required in, or incorporated into the project, which lessen these significant environmental effects but not below a level of significance. Specifically, MM Incentive District AIR-1a-c and MM Incentive District AIR-2 will be required. The specific requirements of these measures are provided under Air Quality Threshold of Significance 2 above.

The City of Oceanside further finds that even with incorporation of MM Incentive District AIR-1a-c and MM Incentive District AIR-2, the significant project impacts related to a cumulatively considerable air quality impacts cannot be reduced to a less than significant level. Therefore, construction and operational air quality impacts are considered significant and unavoidable.

**Facts in Support of Findings:** Based on the project-specific level of emissions, the project's cumulative impacts would be potentially significant because its maximum daily construction emissions could potentially exceed the SDAPCD screening level thresholds for maximum daily emissions. As detailed information regarding individual development projects within the Incentive District is not currently available, it cannot be determined with certainty that MM Incentive District AIR-1a through AIR-1c would reduce construction emissions from future development that could occur as a result of adoption of the Incentive District to a less than significant level. Additional feasible measures cannot be developed without knowing the exact timing or location of the construction projects. Because there is no way to

accurately predict the intensity of construction associated with the Incentive District or the construction timing, this impact is considered cumulatively significant and unavoidable.

Per capita operational emissions from development projects under the Incentive District are expected to decline in future years relative to existing conditions, in particular mobile source exhaust pollutants from vehicles (i.e., mobile source volatile organic compound, oxides of nitrogen, and carbon monoxide (CO) emissions), due to improved vehicle emission standards and fuel economy standards that have been adopted by the USEPA and State of California (i.e., emissions standards through vehicle model year 2025). Nonetheless, future development that could occur as a result of adoption of the Incentive District could result in an increase in the total amount of vehicle miles traveled due to increased overall density, which may result in an overall increase in mobile source emissions, despite the improved transportation efficiency and per capita emissions reductions expected from mobile sources meeting increasingly more stringent vehicle emissions standards.

Similarly, there is no way to accurately predict the intensity of development projects associated with the entire project and other non-Incentive District projects. As a result, cumulative operational impacts with respect to non-Incentive District projects are also considered cumulatively significant and unavoidable.

# Greenhouse Gas Emissions

**Greenhouse Gas Emissions Threshold of Significance 1: Generate Significant Levels of Greenhouse Gas Emissions**

**Finding:** Given the amount of development that could occur with implementation of the Incentive District, it is reasonable to assume that in the aggregate, development projects could eventually result in a net increase in greenhouse gas emissions over current emission levels in excess of the County's proposed screening level threshold which is 900 MT of $CO_2e$ per year.

The City of Oceanside finds that all feasible changes or alterations have been required in, or incorporated into the project, which lessen these significant environmental effects but not below a level of significance. Specifically, MM Incentive District AIR-2 will be required. The specific requirements of these measures are provided under Air Quality Threshold of Significance 2 above.

The City of Oceanside further finds that even with incorporation of MM Incentive District AIR-2, the significant project impacts related to greenhouse gas impacts cannot be reduced to a less than significant level. Therefore, greenhouse gas impacts are considered significant and unavoidable.

**Facts in Support of Findings:** Given the amount of development that could occur with implementation of the Incentive District, it is reasonable to assume that in the aggregate, development projects could eventually result in a net increase in greenhouse gas emissions over current emission levels in excess of the County's proposed screening level threshold which is 900 MT of $CO_2e$ per year. Therefore, implementation of the Incentive District could result in significant greenhouse gas emissions, and mitigation is required. Compliance with current and future Title 24 standards and MM Incentive District AIR-2 would result in development projects which are more energy efficient than current development, relying on a wide array of strategies such as, possibly, solar water heating and photovoltaic roofs, Energy

Star appliances, etc., resulting a reduction in greenhouse gas emissions as compared to current practices. Even with implementation of MM Incentive District AIR-2, the net increase in greenhouse gas emissions in the aggregate could still exceed the County's greenhouse gas emissions thresholds and therefore, impacts are considered significant and unavoidable. There are no additional feasible mitigation measures available to further reduce this impact.

**Greenhouse Gas Emission Cumulative Threshold of Significance**

**Finding:** Cumulative development of the entire project (Complete Streets improvements and the Incentive District) in the aggregate could result in a net increase in greenhouse gas emissions over current emission levels in excess of the County's proposed screening level threshold, which is 900 MT of $CO_2e$ (metric tons of carbon dioxide equivalent) per year. Therefore, implementation of the Complete Streets improvements and Incentive District could result in significant greenhouse gas emissions.

The City of Oceanside finds that all feasible changes or alterations have been required in, or incorporated into the project, which lessen these significant environmental effects but not below a level of significance. Specifically, MM Incentive District AIR-2 will be required. The specific requirements of these measures are provided under Air Quality Threshold of Significance 2 above.

The City of Oceanside further finds that even with incorporation of MM Incentive District AIR-2, the significant project impacts related to greenhouse gas impacts cannot be reduced to a less than significant level. Therefore, greenhouse gas impacts are considered significant and unavoidable.

**Facts in Support of Findings:** Compliance with current and future Title 24 standards and MM Incentive District AIR-2 would result in development projects which are more energy-efficient than current development, relying on a wide array of strategies such as, possibly, solar water heating and photovoltaic roofs, Energy Star appliances, etc., resulting a reduction in greenhouse gas emissions as compared to current practices. There are no additional feasible mitigation measures available. Even with MM Incentive District AIR-2, the net increase in greenhouse gas emissions in the aggregate could exceed thresholds, and impacts are considered potentially cumulatively significant and unavoidable.

As the entire project would be considered potentially cumulatively significant and unavoidable, and because greenhouse gas impacts are exclusively cumulative in nature, operational impacts with respect to non-Incentive District projects are also considered potentially cumulatively significant and unavoidable.

# Noise and Vibration

**Noise and Vibration Threshold of Significance 3: Permanent Increase in Ambient Noise Levels**

**Finding:** Traffic noise levels under the Future (2035) with Project traffic scenario would increase in some locations compared to Future (2035) without Project traffic noise levels due primarily to redistribution of traffic volumes that would occur from lane reduction along the Coast Highway corridor.

The City of Oceanside finds that there are no feasible changes or alterations that can be incorporated into the project, which could lessen these significant environmental effects below a level of significance and therefore, impacts related to a permanent increase in noise levels will be significant and unavoidable.

**Facts in Support of Findings:** Future roadway noise levels without the project were calculated along various arterial segments adjacent to the Coast Highway corridor as compared to calculated 2035 baseline traffic noise levels that would occur with implementation of the project. The Future with Project traffic scenario includes both the Complete Streets improvement and a predicted net traffic change associated with the development under the Incentive District.

Based on the Traffic Impact Analysis, contained in Appendix G of the EIR, the Future with Project scenario generates lower vehicle miles traveled per capita by approximately 11 percent when compared to the baseline Future without Project condition. This result is expected, as the project seeks to promote smart growth with strategies such as encouraging and emphasizing multimodal transportation to increase access and mobility. This would be a benefit to some roadway segments, as it would reduce traffic volumes and traffic noise levels. Traffic noise levels were reduced at 14 roadway segments with the implementation of the Complete Streets improvements.

However, some locations would experience an increase in traffic noise under the Future with Project traffic scenario. Of these increases, the only significant increase would be along the roadway segment of Michigan Avenue east of Coast Highway. In this location, the increase in traffic noise compared to the 2035 Future without project condition is predicted to be as much as 5.1 dBA CNEL, which would be a significant increase in noise levels due to the project because this increase would exceed the significance threshold of a 5 dBA CNEL increase. Because of the configuration of existing land uses in this area, these impacts could not be avoided with implementation of the project. Specifically, vehicles traveling on this roadway segment access driveways of existing residential and commercial uses along this roadway segment. Thus, the addition of sound walls or other attenuation approaches are not feasible in this location. Therefore, noise impacts would be significant and unavoidable along this roadway segment.

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**Noise and Vibration Threshold of Significance 4: Substantial Temporary or Periodic Increase in Ambient Noise Levels**

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**Finding:** Construction activities would increase existing ambient noise levels at noise-sensitive receptors (i.e. residences, schools, daycare centers, senior care facilities) in proximity to the construction activity. Similarly, construction activities could substantially increase ambient noise levels at noise-sensitive receptors (i.e., existing residences and schools) near future construction activity within the Incentive District.

The City of Oceanside finds that all feasible changes or alterations have been required in, or incorporated into the project, which lessen these significant environmental effects but not below a level of significance. Specifically, the project will be conditioned as follows:

> **MM Complete Streets NOI-1:** The following field techniques shall be implemented by the City of Oceanside's construction contractor to reduce construction-related noise at nearby noise-sensitive receptors (residential uses):

a. Unless safety provisions require otherwise, the Complete Streets construction contractor shall adjust all audible back-up alarms to the lowest volume appropriate for safety purposes (i.e., still maintaining adequate signal-to-noise ratio for alarm effectiveness). The contractor shall consider signal persons, strobe lights, or alternative safety equipment and/or processes as allowed, for reducing reliance on high-amplitude sonic alarms.

b. The construction contractor shall place stationary noise sources at the construction site, such as generators and air compressors, away from affected noise-sensitive receivers (residential and school uses). Non-noise-producing mobile equipment, such as trailers, shall be located in the direct sound pathways between suspected major noise-producing sources and sensitive receptors.

c. Noise-producing equipment (e.g., jackhammers and pavement breakers) shall use noise-attenuating shields, shrouds, or portable barriers or enclosures, to reduce operating noise.

d. Line or cover hoppers, storage bins, and chutes shall include sound-deadening material (e.g., apply wood or rubber liners to metal bin impact surfaces).

e. To the extent practicable and available, the construction contractor shall use construction equipment manufactured or modified to reduce noise and vibration emissions, such as: electric instead of diesel-powered equipment, hydraulic tools instead of pneumatic tools, and electric saws instead of air- or gasoline-driven saws.

**MM Complete Streets NOI-2:** Where feasible, the City of Oceanside's contractor shall install temporary, field-erected noise barriers to block the line of sight between construction equipment and sensitive receptors prior to construction (in the Complete Streets project area these are limited to residential uses). Noise barriers could include sound blankets hanging on existing fences, or the use of freestanding portable sound walls. Noise barriers should be a minimum of 8 feet in height and continuous between the source of noise and adjacent or nearby noise-sensitive receptors. Noise barriers are most effective when placed directly adjacent to either the noise source or receptor.

Barrier construction may include, but is not necessarily limited to, using appropriately thick wooden panel walls (at least 0.5-inch-thick), as shown in Figure 3.10-2, which are tall enough to block the line of sight between the dominant construction noise source(s) and the noise-sensitive receptor. Such barriers can reduce construction noise by 5 to 15 dBA at nearby noise-sensitive receptor locations, depending on barrier height and length, and the distance between the barrier and the noise-producing equipment or activity. Alternatively, field-erected noise curtain assemblies could be installed around specific equipment sites or zones of anticipated mobile or stationary activity, resembling the sample shown in Figure 3.10-3. These techniques are most effective and practical when the construction activity noise source is stationary (e.g., auger or drill operation) and the specific source locations of noise emissions are near the ground, and barriers can be placed as close to the equipment/activity as possible. Barrier layout and other implementation details would vary by construction site.

**MM Incentive District NOI-2:** For individual development projects proposed under the Incentive District, the following field techniques shall be implemented by the project construction contractor to reduce construction-related noise at noise-sensitive receptors within 100 feet of construction activity:

a. Unless safety provisions require otherwise, the Incentive District construction contractor shall adjust all audible back-up alarms to the lowest volume appropriate for safety purposes (i.e., still maintaining adequate signal-to-noise ratio for alarm effectiveness). The contractor shall consider signal persons, strobe lights, or alternative safety equipment and/or processes as allowed, for reducing reliance on high-amplitude sonic alarms.

b. The construction contractor shall place stationary noise sources at the construction site, such as generators and air compressors, as far away as possible from affected noise-sensitive receivers

(residential and school uses). Non-noise-producing equipment, such as trailers, may be located as a sound barrier between suspected major noise-producing sources and sensitive receptors.

c. Noise-producing equipment (e.g., jackhammers and pavement breakers) shall use noise-attenuating shields, shrouds, or portable barriers or enclosures, to reduce operating noise.

d. Line or cover hoppers, storage bins, and chutes shall include sound-deadening material (e.g., apply wood or rubber liners to metal bin impact surfaces).

e. To the extent practicable and available, the construction contractor shall use construction equipment manufactured or modified to reduce noise and vibration emissions, such as: electric instead of diesel-powered equipment, hydraulic tools instead of pneumatic tools, and electric saws instead of air- or gasoline-driven saws.

**MM Incentive District NOI-3:** Where feasible, temporary, field-erected noise barriers to block the line of sight between construction equipment and sensitive receptors shall be installed prior to construction of the individual development projects under the Incentive District. Noise barriers could include sound blankets hanging on existing fences, or freestanding portable sound walls. Noise barriers should be a minimum of 8 feet in height and continuous between the source of noise and adjacent or nearby noise-sensitive receptors. Noise barriers are most effective when placed directly adjacent to either the noise source or receptor.

Barrier construction may include, but is not necessarily limited to, using appropriately thick wooden panel walls (at least 0.5-inch thick), as shown in Figure 3.10-2, which are tall enough to block the line of sight between the dominant construction noise source(s) and the noise-sensitive receptor. Such barriers can reduce construction noise by 5 to 15 dBA at nearby noise-sensitive receptor locations, depending on barrier height and length, and the distance between the barrier and the noise-producing equipment or activity. Alternatively, field-erected noise curtain assemblies could be installed around specific equipment sites or zones of anticipated mobile or stationary activity, resembling the sample shown in Figure 3.10-3. These techniques are most effective and practical when the construction activity noise source is stationary (e.g., auger or drill operation) and the specific source locations of noise emissions are near the ground, and barriers can be placed as close to the equipment/activity as possible. Barrier layout and other implementation details would vary by construction site.

The City of Oceanside further finds that even with incorporation of MM Complete Streets NOI-1 and NOI-2 and MM Incentive District NOI-2 and NOI-3, the significant project impacts related to causing a substantial temporary or periodic increase in ambient noise levels cannot be reduced to a less than significant level. Therefore, these noise impacts are considered significant and unavoidable.

**Facts in Support of Findings:** Construction noise would average approximately 80 dBA $L_{eq}$ at 100 feet from a construction activity, which would temporarily increase existing ambient noise levels of approximately 65 dBA $L_{eq}$ at sensitive receptor locations along the project corridor (i.e., an approximate 15 dBA increase). As discussed in the Noise and Vibration Study Technical Report (ESA 2017; 2018), a substantial temporary increase in ambient noise levels is defined as a direct project-related increase of 10 dBA $L_{eq}$ or greater (FTA 2006). Therefore, these impacts would be considered significant.

Construction noise would average approximately 80 dBA $L_{eq}$ at 100 feet from construction activities, which would temporarily increase existing ambient noise levels of approximately 65 dBA, by approximately 15 dBA $L_{eq}$ at existing residences located within the Incentive District. As discussed in the Noise and Vibration Study Technical Report (ESA 2017; 2018), a substantial temporary increase in ambient noise levels is defined as a direct project-related increase of 10 dBA $L_{eq}$ or greater (FTA 2006). Therefore, these impacts would be considered significant.

Barrier material is assumed to be solid and dense enough to demonstrate acoustical transmission loss that is at least 10 dBA greater than the estimated noise level of the equipment or activity. These suggested barrier types do not represent the only ways to achieve the indicated noise reduction in dBA; they represent examples of how such noise attenuation might be attained by an implemented measure under the right conditions.

With the noise reduction achieved with the noise barriers of MM Complete Streets NOI-2, the attenuated construction noise levels at a source would be reduced by 5 to 15 dBA Leq, which would attenuate to a less than substantial increase in daytime ambient noise levels at an adjacent residential uses. However, MM Complete Streets NOI-2 (i.e., barriers) may not be feasible to implement at all locations at all times during construction activities, due to potential physical constraints at a location, which allow for line of sight between a noise source and a residence. For example, existing fences may not be tall enough or sturdy enough to support noise blankets being attached and the placement of temporary barriers could endanger construction crew members and equipment and may restrict removal of impacted materials beneath the barriers. Therefore, impacts will be significant and unavoidable with regard to a temporary substantial increase in ambient noise levels.

Similar to the Complete Streets component of the project, MM Incentive District NOI-3 may not be feasible to implement at all locations at all times during construction activities, due to potential physical constraints at a location, which do not block line of sight between a noise source and a residence. For example, existing fences may not be tall enough or sturdy enough to support noise blankets being attached and the placement of temporary barriers could endanger construction crew members and equipment. Therefore, impacts will be significant and unavoidable with regard to a temporary substantial increase in ambient noise levels.

**Noise and Vibration Cumulative Threshold of Significance**

**Finding:** The construction of the project includes the near-term construction of the Complete Streets improvements, and the construction of potential redevelopment under the Incentive District. During construction of the project, due primarily to the dense development of the project area, noise would occur near sensitive receptors, likely resulting in a substantial temporary increase in ambient noise.

Vehicular traffic associated with development within the Incentive District would generate mobile noise. Future traffic noise levels from the project and related projects along two street segment locations, Wisconsin Avenue, between Freeman Street and Ditmar Street and Washington Avenue, west of Coast Highway would be cumulatively significant.

The City of Oceanside finds that there are no feasible changes or alterations that can be incorporated into the project, which could lessen these significant environmental effects below a level of significance and therefore, impacts related to cumulative noise impacts related to roadway traffic along Wisconsin Avenue, between Freeman Street and Ditmar Street and Washington Avenue, west of Coast Highway will be significant and unavoidable.

**Facts in Support of Findings:** The construction of the project includes the near-term construction of the project-level Complete Streets improvements, and the construction of potential redevelopment under the

Incentive District. The street improvements will occur in specific locations with a scheduled near-term start date and expected end date. The potential development and redevelopment under the Incentive District could occur at any qualifying parcel in the commercial area of the Incentive District at any time. Because the timing or sequencing of individual projects proposed under the Incentive District cannot be determined with any certainty any quantitative analysis to ascertain the daily construction noise levels of multiple, concurrent activities would be speculative. Therefore, it is possible that the Complete Streets project component and individual development projects implemented under the Incentive District could occur simultaneously, as well as in proximity to each other.

Due primarily to the dense development of the project area, project construction noise would occur near sensitive receptors, likely resulting in a substantial temporary increase in ambient noise. Implementation of MM Complete Streets NOI-1 and NOI-2 and MM Incentive District NOI-1 through NOI-3 would reduce construction noise impacts. However, mitigation measures may not be feasible to implement at all locations at all times during construction activities, due to potential physical constraints at a location thereby allowing for line of sight between a noise source and a residence. Therefore, noise levels during construction could exceed the threshold resulting in a potentially significant and unavoidable temporary increase in ambient noise levels. Therefore, project construction noise combined with other nearby projects could in combination result in a cumulatively substantially temporary increase in the ambient noise environment in the project area. Therefore, project construction could contribute to a cumulatively considerable construction noise impact.

Vehicular traffic associated with development within the Incentive District would generate mobile noise. Future noise levels in two street segment locations, along the along Wisconsin Avenue, between Freeman Street and Ditmar Street and along Washington Avenue, west of Coast Highway would be cumulatively significant. In both locations, the project's contribution would be perceptible (greater than 3 dBA) and would exceed the 5 dBA noise significance threshold. Therefore, the project contributes considerably to the significant cumulative impacts for the Future Conditions + Project traffic noise conditions along these two street segments.

Sound walls are often used to minimize roadway noise impacts. However, due to the need for access points (for example, driveways to residences and street access to the Saint Mary Star of the Sea School), a continuous wall could not be provided and the barrier would not effectively shield the noise-sensitive uses from the roadway noise. In addition, the addition of sound walls would not be desirable, as the wall would detract from the community character and visual quality of these neighborhoods. For these reasons, the addition of continuous sound walls to reduce the significant traffic noise impacts would not be desirable or feasible. No other effective mitigation approaches are available. Therefore, the project's contribution to cumulative traffic noise impacts along Wisconsin Avenue (between Freeman Street and Ditmar Street) and Washington Avenue (west of Coast Highway) is considered significant and unavoidable.

**Transportation and Traffic Threshold of Significance 1: Conflict with an Applicable Plan, Ordinance, or Policy Establishing Measures of Effectiveness for the Performance of the Circulation System**

**Finding:** Based on the thresholds established by the City of Oceanside and Caltrans, under the Future Conditions + Project Scenario the following ten study intersections would operate deficiently:

4. Coast Highway & Surfrider Way – LOS F during PM peak-hours
6. Coast Highway & Pier View Way – LOS E during PM peak-hours
15. Seagaze Street & Ditmar Street – LOS E during PM peak-hours
21. Coast Highway & Wisconsin Boulevard – LOS F during PM peak-hours
27. Coast Highway & Oceanside Boulevard – LOS F during PM peak-hours
29. Coast Highway & Morse Street – LOS F during PM peak-hours
35. Coast Highway & Cassidy Street – LOS F during PM peak-hours
42. Vista Way & Ditmar Street – LOS F during PM peak-hours
52. Oceanside Boulevard & I-5 Southbound On-/Off-Ramps – LOS D during AM and PM peak-hours
56. Vista Way & I-5 Southbound On-/Off-Ramps – LOS F during PM peak-hours

The City of Oceanside finds that all feasible changes or alterations have been required in, or incorporated into the project, which lessen these significant environmental effects but not below a level of significance. Specifically, the project will be conditioned as follows:

**MM Complete Streets TR-2:** In order to mitigate the deficient LOS at the seven degraded study area intersections predicted under the Future Conditions + Project scenario, the City of Oceanside shall implement the following measures to improve intersection operations to an acceptable LOS. The City of Oceanside shall include the project modifications in the Complete Streets construction plans prior to the finalization of the construction plans. The improvements shall be completed either prior to or concurrent with the Complete Streets improvements. The nine mitigation measures for the eight degraded study intersections in the Future Conditions + Project scenario are in the following summary table. The Oceanside Boulevard and I-5 SB On-/Off-Ramps intersection has two specific measures to address both the AM and PM peak hours.

| | | | | Mitigated Conditions | | |
|---|---|---|---|---|---|---|
| | Location | Mitigation Measure | Additional Comments | Delay (sec) | LOS | Reduced to Less than Significant |
| 4 | Coast Hwy & Surfrider Way | Maintain Existing Traffic Signal | None | 19.6 | B | Yes |
| 6 | Coast Hwy & Pier View Way | Maintain Existing Traffic Signal | None | 8.7 | A | Yes |

| | Location | Mitigation Measure | Additional Comments | Mitigated Conditions | | |
|---|---|---|---|---|---|---|
| | | | | Delay (sec) | LOS | Reduced to Less than Significant |
| 15 | Seagaze St & Ditmar St | Convert AWSC to Traffic Signal | None | 13.2 | B | Yes |
| 27 | Coast Hwy & Oceanside Blvd | Maintain Existing Traffic Signal | None | 47.4 | D | Yes |
| 29 | Coast Hwy & Morse St | Maintain existing Traffic Signal | None | 25.9 | C | Yes |
| 35 | Coast Hwy & Cassidy Street | Maintain existing Traffic Signal | Implementation of this mitigation measure won't fully mitigate the 's impacts to this intersection | 66.4 | E | No |
| 42 | Vista Way & Ditmar St | Convert SSSC to Traffic Signal | None | 18.3 | B | Yes |
| 52 | Oceanside Blvd & I-5 SB On-/Off-Ramps (AM Peak-Hour) | Southbound configuration will include two left turn lanes and a shared thru-right lane with a storage length of 100 feet | None | 33.9 | C | Yes |
| 52 | Oceanside Blvd & I-5 SB On-/Off-Ramps (PM Peak-Hour) | Southbound configuration will include two left turn lanes and a shared thru-right lane with a storage length of 100 feet | Implementation of this mitigation measure won't fully mitigate the project's impacts to this intersection | 44.2 | D | No[1] |

Note:
[1] Under the Future Conditions without project scenario, Intersection 52 (PM Peak-Hour) would operate at LOS C. Under the Future Conditions + Project scenario, this intersection would be degraded to LOS D, which is considered a significant impact under Caltrans guidelines. While the mitigation measure would reduce delay by 1.8 seconds, this intersection would still operate at LOS D and remain deficient.

SOURCE: IBI 2018

The City of Oceanside finds that even with incorporation of MM Complete Streets TR-2, the significant project impacts as the following four intersections cannot be lessened to a less than significant level and therefore, are considered significant and unavoidable:

21. Coast Highway & Wisconsin Boulevard – LOS F during PM peak-hours
35. Coast Highway & Cassidy Street – LOS F during PM peak-hours
52. Oceanside Boulevard & I-5 Southbound On-/Off-Ramps – LOS D during PM peak-hours
56. Vista Way & I-5 Southbound On-/Off-Ramps – LOS F during PM peak-hours

**Facts in Support of Findings:** While implementation of MM Complete Streets TR-2 would improve operations at seven of the ten study intersections to an acceptable LOS, the four intersections listed above [Intersections 21, 35, 52, and 56 (PM peak-hours)] would continue to operate at a deficient level even with mitigation incorporated.

Mitigation measures were evaluated to in order to improve the capacity at the Coast Highway and Wisconsin Avenue (Intersection 21). In order to improve capacity and reduce impacts to an operating condition that is less than significant under the Future Conditions + Project scenario, the capacity of the proposed single-lane roundabout would need to be increased to a two-lane roundabout. However, the mid-corridor intersection at Coast Highway and Wisconsin Avenue has limited right-of-way, which prevents the installation of a two-lane roundabout. In addition, a signalized intersection is also not a viable solution as this intersection is integral to the continuity of the Complete Streets improvements throughout the corridor. As there are no feasible mitigation measures, impacts to the intersection of Coast Highway and Wisconsin Avenue will remain significant and unavoidable under the Future Conditions + Project scenario with implementation of the project.

In order to improve impacts to Coast Highway and Cassidy Street (Intersection 35) to a better operating condition than under the Future Conditions + Project scenario, this intersection would need to maintain the existing traffic signal. However, doing so would disrupt the flow of traffic along Coast Highway due to the roundabout north of the intersection at Morse Street and immediately south of the intersection at Kelly Street. Even with maintaining the traffic signal, LOS would not be improved to an acceptable level. Furthermore, a signalized intersection is also not a viable solution as this intersection is integral to the continuity of the Complete Streets improvements throughout the corridor. For these reasons, project impacts to the intersection of Coast Highway and Cassidy Street would remain significant and unavoidable under the Future Conditions + Project scenario.

Mitigation measures were evaluated to reduce the significant impacts to Oceanside Boulevard and I-5 Southbound On-/Off-Ramps (PM Peak-Hour) (Intersection 52) under the Future Conditions + Project scenario. New through traffic lanes on Oceanside Boulevard at this location would be necessary to improve capacity. This type of improvement was determined to be infeasible due to the proximity of the roadway to the adjacent Sprinter rail tracks to the south and the proximity of the intersection to the I-5 overpass above Oceanside Boulevard. The roadway right-of-way below the freeway overpass is very constrained by surrounding development and would not accommodate roadway widening. While the intersection is forecast to operate at an unacceptable level of service per Caltrans guidelines, the intersection conditions would not cause significant queuing of vehicles on the southbound off-ramp and would not impact mainline traffic conditions on I-5. For these reasons, project impacts to the intersection of Oceanside Boulevard and I-5 Southbound On-/Off-Ramps (PM Peak-Hour) would remain significant and unavoidable under the Future Conditions + Project scenario.

In order to improve conditions to Vista Way and I-5 Southbound On-/Off-Ramps (Intersection 56) to an operating condition that is less than significant under the Future Conditions + Project scenario, lane modifications would be required to construct new through traffic lanes in either the westbound or eastbound directions on Vista Way/SR 78. The City of Oceanside determined that the addition of a westbound through lane at this location is infeasible due to the limited right-of-way available on Vista Way west of the intersection. Furthermore, with the recent road diet installed by the City of Oceanside along Vista Way east of this intersection, lane modifications would be inconsistent with the vision and goals of the City of Oceanside. Moreover, the City of Oceanside determined that the addition of an eastbound through lane is also infeasible. The configuration of the traffic lanes and bridge to the east of the intersection is not compatible with three eastbound through lanes on Vista Way. Caltrans and SANDAG have plans to reconfigure the I-5/SR 78/Vista Way interchange in the future, where the

proposed reconfiguration would address the significant traffic impact identified for the intersection at Vista Way and I-5 Southbound On-/Off-Ramp (Intersection 56). However, while this is currently in Caltrans and SANDAG's long-term plans, funding is not guaranteed with enough certainty to include the improvements in a CEQA-required future analysis scenario. Therefore, project impacts to the intersection of Vista Way and I-5 Southbound On-/Off-Ramps will remain significant and unavoidable under the Future Conditions + Project scenario.

The City of Oceanside finds that even with incorporation of MM Complete Streets TR-2, the significant project impacts as the four intersections listed above [Intersections 21, 35, 52, and 56 (PM peak-hours)] cannot be reduced to a less than significant level. Therefore, traffic impacts in the Future Conditions + Project scenario are considered significant and unavoidable

# X. Findings Regarding Alternatives

CEQA Guidelines Section 15126.6 requires that an EIR consider a range of reasonable alternatives to the proposed project, or to the location of the proposed 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. Four alternatives to the proposed project were evaluated to consider if they would reduce significant effects identified while still meeting the project objectives. As well, different alternatives were identified during the public scoping and input process based on community desirability. In addition, the No Project Alternative was also analyzed in Chapter 5 of the EIR consistent with the requirements of CEQA (CEQA Guidelines, §15126.6(e)). For a complete summary of comparative impacts of the alternatives relative to the project, see Table 5-22 in Chapter 5, Alternatives, in the EIR.

Because the project will cause significant and unavoidable environmental impacts related to Air Quality, Greenhouse Gas emissions, Noise and Vibration, and Transportation and Traffic, the City of Oceanside must consider a reasonable range of alternatives to the project, evaluating whether these alternatives could avoid or substantially lessen the unavoidable significant effects while achieving most of the objectives of the project.

## No Project Alternative

As directed by Section 15126.6(a)(3)(A) of the CEQA Guidelines, when a project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the No Project Alternative will be the continuation of the existing plan, policy, or operation into the future.

CEQA requires that an EIR include an analysis of a No Project Alternative. The No Project Alternative analyzes what would be expected to occur if the proposed project were not approved.

Under the No Project Alternative, the project area would remain as it is under existing conditions. The Complete Streets improvements would not be implemented and Coast Highway would continue to consist of four travel lanes. More specifically, under the No Project Alternative, no roundabouts, mid-block crosswalks, raised medians, continuous bicycle lanes, or enhanced streetscaping would be provided. The amount of public parking would remain the same as under existing conditions. Furthermore, the special management area for the Incentive District would not be established and the project area would continue to be developed and/or redeveloped using the existing land use designations from the City of Oceanside's

General Plan and the existing Zoning Ordinance. Thus, private development would continue to be allowed under the City of Oceanside's existing Municipal Code, Zoning Ordinance, and General Plan policies and regulations.

**Finding:** The No Project Alternative would not meet any of the project objectives.

**Facts in Support of Finding:** The No Project Alternative would avoid the significant and unavoidable impacts related to air quality, greenhouse gas emissions, noise and vibration, and transportation and traffic of the project. However, the No Project Alternative would result in greater impacts to cultural resources because the No Project Alternative would not implement the mitigation measures for the project that ensure the protection of cultural resources with future development.

While the No Project Alternative would reduce the majority of environmental impacts of the project, this alternative would not achieve any of the project objectives. Because neither the Complete Streets improvements nor the Incentive District would be implemented, Coast Highway would not be transformed into a "Complete Street". The roadway calming and streetscaping features would not occur and the goals of the Vision Plan would not be implemented through the creation of an optional zoning ordinance aimed at incentivizing development and redevelopment throughout the corridor. Furthermore, development would continue to occur as directed by the City of Oceanside's General Plan/Local Coastal Program and Zoning Ordinance, where the type of future development the City of Oceanside would prefer to see along Coast Highway would not be incentivized.

Therefore, for the reasons stated above, the City of Oceanside rejects the No Project Alternative on the grounds that this alternative fails to achieve any of the project objectives. The City of Oceanside finds that the No Project Alternative should not be adopted in place of the project.

## Description of Alternative 1 (Four Lanes between Oceanside Boulevard and Vista Way + Incentive District)

Alternative 1 includes implementation of a modified version of the Complete Streets improvements in conjunction with the Incentive District. The modified Complete Streets improvements under this alternative would limit the Complete Streets improvements from Harbor Drive to Oceanside Boulevard. The modified Complete Streets improvements would convert Coast Highway from four travel lanes to two travel lanes, ergo, one lane of travel in each direction. Coast Highway would transition back to four travel lanes from Oceanside Boulevard to the southern boundary of the city and would provide 7 roundabouts instead of the 12 roundabouts included in the project. This alternative would remove the proposed mid-block crosswalk at the Sprinter Station and Loma Alta Creek. Alternative 1 would also provide streetscaping improvements along Coast Highway from Oceanside Boulevard to Vista Way, which include sidewalk enhancements and parkway landscaping. Additionally, under this alternative, all other components associated with the Incentive District would remain the same as the proposed project.

Alternative 1 was developed to respond to community and City of Oceanside staff recommendations to consider the comparable effects of limiting the geographic area of the Complete Streets improvements to an area closer to the business-oriented uses along the Coast Highway corridor while still implementing the Incentive District throughout the entire corridor. Under Alternative 1, the Complete Streets

improvements were determined to end at Oceanside Boulevard as that intersection was determined to be the midpoint of the Coast Highway corridor.

**Finding:** Alternative 1 is rejected because this project alternative would result in similar environmental impacts as the project but would not meet all of the project objectives.

**Facts in Support of Finding:** Alternative 1 (Four Lanes between Oceanside Boulevard and Vista Way + Incentive District) would not avoid or lessen the significant and unavoidable air quality, greenhouse gas emissions, and noise and vibration impacts of the project. However, Alternative 1 would avoid and/or lessen significant impacts to transportation and traffic compared to the project.

Under the Existing Conditions + Alternative 1 scenario, implementation of the modified Complete Streets improvements under Alternative 1 would not cause any of the study area intersections to operate deficiently. Compared to the proposed project, which would cause two intersections to operate deficiently in Existing Conditions + Project, this alternative would avoid significant traffic impacts.

Under the Future Conditions + Alternative 1 scenario, the modified Complete Streets improvements would degrade seven intersections to a deficient LOS, compared to ten intersections under the proposed project. Six of the intersections significantly impacted under Alternative 1 would also occur in the Future Conditions + Project scenario (Intersections 6, 15, 21, 42, 52, and 56); however, an additional intersection (Intersection 47 – Coast Highway & Kelly Street) would also be significantly impacted under this alternative, which differs from the project. Once mitigation specific to Alternative 1 is incorporated, Alternative 1 would reduce significant impacts at four study intersections [Intersections 6, 15, 42, 47, and 52 (AM peak hours only)] but will be unable to fully mitigate significant impacts to three intersections (Intersections 21, 52 (PM peak-hours), and 56). Because there are no feasible mitigation measures to fully reduce significant impacts at these three intersections, traffic impacts in the Future Conditions + Alternative 1 will be significant and unavoidable.

Compared to the proposed project, Alternative 1 would avoid significant impacts at four of the ten study area intersections impacted by the project prior to mitigation (Intersections 4, 27, 29, and 35), where Alternative 1 would avoid the significant and unavoidable impact to Intersection 35 that occurs with implementation of the project. Furthermore, Alternative 1 would eliminate the need for three of the mitigation measures that the proposed project would require for Intersections 4, 27, and 29. While the project would result in significant and unavoidable impacts to four intersections, Alternative 1 would only result in significant and unavoidable impacts to three intersections.

Alternative 1 would fully achieve five of the project objectives (Objectives 2.3, Goal 3 and Objectives 3.1 through 3.3) and would partially achieve seven of the project objectives (Goal 1 and Objectives 1.1 through 1.3, and Goal 2 and Objectives 2.1 and 2.2). Because Alternative 1 would limit the Complete Streets improvements between Harbor Drive and Oceanside Boulevard, this alternative would only partially achieve the objectives related to transforming Coast Highway into a “Complete Street”. While this alternative would provide streetscape improvements along Coast Highway from Oceanside Boulevard to Vista Way, which include sidewalk enhancements and parkway streetscaping, none of the roadway improvements would be implemented in South Oceanside. Without installation of the Complete Streets improvements south of Oceanside Boulevard, Alternative 1 would not aid in reducing traffic speeds, increasing roadway safety for all modes of transportation, and installing roundabouts and midblock

crosswalks in the South Oceanside community. Because the Incentive District would be implemented the same as the project, this alternative would fully achieve the project objectives related to facilitating implementation of the Vision Plan.

For the reasons stated above, the City of Oceanside rejects Alternative 1 on the grounds that this alternative fails to avoid most of the significant and unavoidable impacts of the project and fails to achieve the project objectives to the same extent as the project. Therefore, the City of Oceanside finds that the Alternative 1 should not be adopted in place of the project.

## Description of Alternative 2 (Four Lanes between Morse Street and Vista Way + Incentive District)

Alternative 2 also includes implementation of a modified version of the Complete Streets improvements in conjunction with the Incentive District. The modified version of the Complete Streets improvements under this alternative would limit the Complete Streets improvements from Harbor Drive to Morse Street. The modified version of the Complete Streets improvements would convert Coast Highway from four travel lanes to two travel lanes with one lane of travel in each direction from Harbor Drive to Morse Street and then would transition back to four travel lanes from Morse Street to the southern boundary of the city. This alternative would provide 7 roundabouts instead of the 12 roundabouts included in the project. Alternative 2 would also provide streetscaping improvements along Coast Highway from Morse Street to Vista Way, which include sidewalk enhancements and parkway landscaping. Additionally, under this alternative, all other components associated with the Incentive District would remain the same as the proposed project.

Alternative 2 was developed to respond to community and City of Oceanside staff recommendations to consider the comparative effects of a second alternative that limited the Complete Streets improvements to closer to the business-oriented areas of the Coast Highway corridor while still implementing the Incentive District. The Complete Streets improvements were limited to Morse Street under this alternative so that the Complete Streets improvements extended further along the corridor but still allowed for four travel lanes in South Oceanside.

**Finding:** Alternative 2 is rejected because this project alternative would result in similar environmental impacts as the project but would not meet all of the project objectives.

**Facts in Support of Finding:** Alternative 2 (Four Lanes between Morse Street and Vista Way + Incentive District) would not avoid or lessen the significant and unavoidable air quality, greenhouse gas emissions, and noise and vibration impacts of the project. However, Alternative 2 would avoid and/or lessen significant impacts to transportation and traffic compared to the project. Under the Existing Conditions + Alternative 2 scenario, implementation of the second version of the modified Complete Streets improvements would not cause any of the study area intersections to operate deficiently. Compared to the proposed project, which would cause two intersections to operated deficiently in Existing Conditions + Project, this alternative would avoid significant traffic impacts and would reduce some delays at certain intersections.

Under the Future Conditions + Alternative 2 scenario, the modified Complete Streets improvements would degrade seven intersections to a deficient LOS, compared to ten intersections under the proposed

project. Six of the intersections significantly impacted under Alternative 2 would also occur in the Future Conditions + Project scenario (Intersections 6, 15, 21, 42, 52, and 56); however, an additional intersection (Intersection 47 – Coast Highway & Kelly Street) would also be significantly impacted under this alternative, which differs from the project. Once mitigation specific to Alternative 2 is incorporated, Alternative 2 would reduce significant impacts at four study intersections [Intersections 6, 15, 42, 47, and 52 (AM peak hours only)] but will be unable to fully mitigate significant impacts to three intersections (Intersections 21, 52 (PM peak-hours), and 56). Because there are no feasible mitigation measures to fully reduce the significant impacts at these three intersections, traffic impacts in the Future Conditions + Alternative 2 will be significant and unavoidable.

Compared to the proposed project, Alternative 2 would avoid significant impacts at four of the ten study area intersections impacted by the project prior to mitigation (Intersections 4, 27, 29, and 35), where Alternative 2 would avoid the significant and unavoidable impact to Intersection 35 that occurs with implementation of the project. Furthermore, Alternative 2 would eliminate the need for three of the mitigation measures that the proposed project would require for Intersections 4, 27, and 29. While the project would result in significant and unavoidable impacts to four intersections, Alternative 2 would only result in significant and unavoidable impacts to three intersections.

Similar to Alternative 1, Alternative 2 would fully achieve 5 of the 12 project objectives (Objectives 2.3, Goal 3 and Objectives 3.1 through 3.3) and would partially achieve seven of the 12 project objectives (Goal 1 and Objectives 1.1 through 1.3, and Goal 2 and Objectives 2.1 and 2.2). Because Alternative 2 would limit the Complete Streets improvements between Harbor Drive and Oceanside Boulevard, this alternative would only partially achieve the objectives related to transforming Coast Highway into a "Complete Street", which accommodates all roadway users (pedestrians, bicyclists, and automobiles). While this alternative would provide streetscaping improvements along Coast Highway from Oceanside Boulevard to Vista Way, which include sidewalk enhancements and parkway streetscaping, none of the roadway improvements would be implemented in South Oceanside. Without the installation of the Complete Streets improvements in South Oceanside, this Alternative would not aid in reducing traffic speeds, increasing roadway safety for all modes of transportation, and installing roundabouts and midblock crosswalks. Because the Incentive District would be implemented the same as the project, this alternative would fully achieve the project objectives related to facilitating implementation of the Vision Plan.

For the reasons stated above, the City of Oceanside rejects Alternative 2 on the grounds that this alternative fails to avoid most of the significant and unavoidable impacts of the project and fails to achieve the project objectives to the same extent as the project. Therefore, the City of Oceanside finds that the Alternative 2 should not be adopted in place of the project.

## Description of Alternative 3 (Complete Streets Improvements and Incentive District to Morse Street and Existing Conditions between Morse Street and Vista Way)

Alternative 3 includes modifying both the Complete Streets improvements and the Incentive District to extend from Harbor Drive to Morse Street, which would reduce the geographic area where the Complete Streets improvements and Incentive District would be implemented compared to the proposed project.

The modified Complete Streets improvements would convert Coast Highway from four travel lanes to two travel lanes with one lane of travel in each direction from Harbor Drive to Morse Street. Coast Highway would transition back to four travel lanes from Morse Street to the southern boundary of the city. With the reduction in the geographic area, this alternative would provide 7 roundabouts instead of the 12 roundabouts included in the project. Alternative 3 would also provide streetscaping improvements along Coast Highway from Morse Street to Vista Way, which include sidewalk enhancements and parkway landscaping. In addition, Alternative 3 would adopt the Incentive District as an optional zoning ordinance for the parcels within the modified boundaries, with the southern boundary ending at Morse Street.

Alternative 3 was developed in response to public comments in favor of considering an alternative that maintained four lanes throughout the southern portion of Coast Highway and removed the Incentive District from the South Oceanside community.

**Finding:** Alternative 3 is rejected because it would result in similar environmental impacts as the project, with the exception of an additional significant and unavoidable noise impact along Michigan Avenue, west of Coast Highway, in the Future Conditions + Project traffic scenario, and would not meet all of the project objectives.

**Facts in Support of Finding:** Alternative 3 (Complete Streets Improvements and Incentive District to Morse Street and Existing Conditions between Morse Street and Vista Way) would not avoid or lessen the significant and unavoidable air quality and greenhouse gas emissions impacts of the project. While Alternative 3 would avoid and/or lessen significant impacts to transportation and traffic compared to the project, Alternative 3 would result in greater impacts related to a permanent increase in ambient noise levels compared to the project.

Under the Future Conditions + Alternative 3 scenario, the modified Complete Streets improvements would degrade five intersections to a deficient LOS, compared to ten intersections under the proposed project. Four of the intersections significantly impacted under Alternative 3 would also occur in the Future Conditions + Project scenario (Intersections 6, 15, 21, and 52); however, an additional intersection [Intersection 24 – Wisconsin Boulevard & Ditmar Street (South)] would also be significantly impacted under this alternative, which differs from the project. Once mitigation specific to Alternative 3 is incorporated, Alternative 3 would reduce significant impacts at two study intersections [Intersections 6, 15, and 52 (AM peak hours only)] but will be unable to fully mitigate significant impacts to three intersections [Intersections 21, 24, and 52 (PM peak-hours)]. Because there are no feasible mitigation measures to fully reduce the significant impacts at these three intersections, traffic impacts in the Future Conditions + Alternative 3 will be significant and unavoidable.

Compared to the proposed project, Alternative 3 would avoid significant impacts at six of the ten study area intersections impacted by the project prior to mitigation (Intersections 4, 27, 29, 35, 42, and 56), where Alternative 3 would avoid the significant and unavoidable impact to Intersection 35 that occurs with implementation of the project. Furthermore, Alternative 3 would eliminate the need for four of the mitigation measures that the proposed project would require for Intersections 4, 27, 29, and 42. While the project would result in significant and unavoidable impacts to four intersections, Alternative 3 would only result in significant and unavoidable impacts to three intersections.

Alternative 3 would result in significant impacts related to causing a permanent increase in ambient noise levels along Michigan Avenue, east of Coast Highway, similar to the project and Michigan Avenue, west of Coast Highway, which is an additional roadway segment compared to the project. In addition, Alternative 3 would result in cumulative noise impact along Wisconsin Avenue between Freeman Street and Ditmar Street, and Washington Avenue west of Coast Highway, similar to the project. Similar to the project, Alternative 3 cannot be redesigned to reduce these significant and unavoidable impacts because of the reconfiguration of Coast Highway at these three intersections and the configuration of existing land uses in this area, which make standard noise reduction measures, such as sound walls, infeasible in these locations. Therefore, similar to the project, there are no feasible mitigation measures that could reduce the significant impacts to these four roadway segments and as such, impacts will be significant and unavoidable. Compared to the project, Alternative 3 will result in greater noise impacts due to the additional significant and unavoidable impact along Michigan Avenue, west of Coast Highway.

Alternative 3 would only be able to fully achieve three of the project objectives (Objective 2.3, Objective 3.1 and Objective 3.3). This alternative would achieve these three project objectives as it would provide new mid-block pedestrian crosswalks throughout the corridor, encourage redevelopment and continued investment within the Incentive District by providing development incentives in exchange for community benefits to enhance and revitalize the project area, and foster a built environment along Coast Highway that is pedestrian-scale and pleasurable to walk within, includes architecture that announces gateways, key intersections, and public spaces and is high-quality and provides variation and diversity. However, since Alternative 3 would limit both the Complete Streets improvements and the Incentive District between Harbor Drive and Morse Street, this alternative would only partially achieve nine of the project objectives (Goal 1/Objectives 1.1 through 1.3; Goal 2/Objectives 2.1 and 2.2; Goal 3/Objective 3.2) as this alternative would not implement the project components in South Oceanside.

For the reasons stated above, the City of Oceanside rejects Alternative 3 on the grounds that this alternative does not achieve the project objectives to the same degree as the proposed project and that it results in comparable environmental impacts as the proposed project, with the exception of an additional significant and unavoidable noise impact along Michigan Avenue, west of Coast Highway, in the Future Conditions + Project traffic scenario.

## Description of Alternative 4 (Complete Streets Improvements Only, No Incentive District)

Alternative 4 includes only the Complete Streets improvement component of the proposed project and the Incentive District would not be implemented. As with the project, Alternative 4 would convert Coast Highway from four lanes to two lanes (one travel lane in each direction) for the length of the corridor, with segments of two southbound travel lanes between SR 76 and Surfrider Way, and south of Kelly Street to Eaton Street and would implement all other key elements of the Complete Streets improvements. The special management area for the Incentive District would not be established under this alternative. Growth would occur in the project area similar to current trends under existing land use regulations. Similar effects to the development and redevelopment enabled under the Incentive District could occur in the project area under existing growth regulations, but possibly not as quickly as with implementation of the Incentive District.

**Finding:** Alternative 4 is rejected because this project alternative would generally result in similar environmental impacts as the project and would not be able to meet all of the project objectives.

**Facts in Support of Finding:** Alternative 4 would provide for the implementation of the Complete Streets improvement component of the project but would not create the Incentive District. Alternative 4 would not reduce the significant and unavoidable air quality and greenhouse gas emissions impacts of the project to a less than significant level. In addition, Alternative 4 would lessen the significant and unavoidable noise and vibration impacts of the project to a less than significant level. However, while Alternative 4 would lessen the transportation and traffic environmental impacts compared to the project, the degree of the reduction to the significant future noise and traffic impacts that would occur under Alternative 4 is not precisely known since modeling was not conducted for the alternatives.[4] Alternative 4 would continue to allow for development and redevelopment within the project area. However, because the Incentive District is not part of Alternative 4, the cultural resources mitigation measures associated with the Incentive District would not be implemented. The mitigation measures provide additional safeguards for the protection of cultural resources. For these reasons, Alternative 4 would result in a potentially significant impact to cultural resources.

Alternative 4 would only fully achieve 8 of the 12 project objectives (Goal/Objectives 1 and Goals/Objectives 2) and it would not achieve the 4 of the 12 project objectives related to the Incentive District (Goal/Objectives 3). This alternative would implement that Complete Streets improvements throughout the entire Coast Highway corridor and would implement a "Complete Street" with roundabouts and mid-block crosswalks throughout the entire Coast Highway corridor, which would increase safety for all modes of transportation through traffic calming measures, slowing traffic speeds, providing a continuous bicycle lane, and improving the pedestrian environment. However, this alternative would remove the Incentive District component and as such would not achieve any of the project objectives related to the Incentive District and would not help to facilitate the Vision Plan. Furthermore, while development would continue to occur as directed by the City of Oceanside's General Plan/Local Coastal Program and Zoning Ordinance, the type of future development the City of Oceanside would prefer to see along Coast Highway would not be incentivized.

For the reasons stated above, the City of Oceanside rejects Alternative 4 on the grounds that this alternative fails to avoid the significant and unavoidable impacts of the project and results in an additional significant impact to cultural resources. Furthermore, the City of Oceanside rejects Alternative 4 on the grounds that this alternative fails to achieve the project objectives to the same extent as the project. Therefore, the City of Oceanside finds that the Alternative 4 should not be adopted in place of the project.

[4] CEQA Guidelines Section 15126.6(d), Evaluation of alternatives, requires that the EIR provide sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the project. The Guidelines do not require an equivalent level of analysis for alternatives and the project.