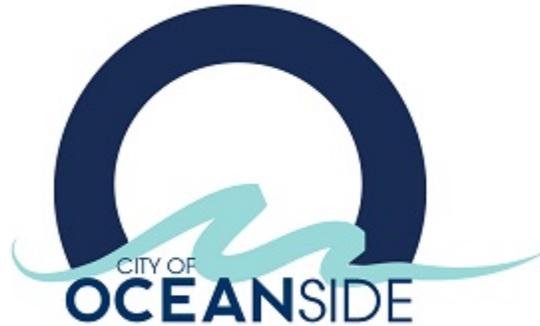


# Rio Rockwell Residential Development Project

## Draft Initial Study/ Mitigated Negative Declaration



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**June 2020**



**Rio Rockwell Residential Development Project  
Initial Study/Mitigated Negative Declaration**

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## Table of Contents

RIO ROCKWELL RESIDENTIAL DEVELOPMENT PROJECT .....	1
SECTION 1.0 INTRODUCTION .....	3
1.1 Purpose of Environmental Review .....	3
1.2 Statutory Authority and Requirements.....	3
1.3 Technical Information and Studies .....	3
SECTION 2.0 EXISTING SETTING .....	5
2.1 Regional Setting.....	5
2.2 Existing Site Conditions .....	5
SECTION 3.0 PROJECT DESCRIPTION .....	12
3.1 Background.....	12
3.2 Project Site Location.....	12
3.3 Proposed Project .....	13
3.4 Discretionary Actions: .....	16
3.5 Other Public Agencies Whose Approval is Required (Responsible or Trustee Agencies): 16	
3.6 AB 52/SB 18 - Native American Tribe Consultation .....	16
SECTION 4.0 ENVIRONMENTAL CHECKLIST.....	43
4.1 Consultation .....	43
4.1.1 Federal, State, and Other Local Agencies Consulted:.....	43
4.2 Environmental Factors Potentially Affected .....	44
4.3 Determination: On the Basis of this Initial Evaluation:.....	44
4.4 Evaluation of Environmental Impacts:.....	45
SECTION 5.0 ENVIRONMENTAL ANALYSIS .....	47
5.1 AESTHETICS .....	47
5.2 AGRICULTURE & FOREST RESOURCES.....	50
5.3 AIR QUALITY .....	53
5.4 BIOLOGICAL RESOURCES.....	62
5.5 CULTURAL RESOURCES.....	78
5.6 ENERGY.....	84
5.7 GEOLOGY AND SOILS.....	93
5.8 GREENHOUSE GAS EMISSIONS.....	99
5.9 HAZARDS AND HAZARDOUS MATERIALS.....	104
5.10 HYDROLOGY AND WATER QUALITY .....	109
5.11 LAND USE/PLANNING .....	116
5.12 MINERAL RESOURCES.....	118
5.13 NOISE .....	120
5.14 POPULATION AND HOUSING.....	129
5.15 PUBLIC SERVICES .....	130
5.16 RECREATION .....	135
5.17 TRANSPORTATION.....	137
5.18 TRIBAL CULTURAL RESOURCES.....	150

5.19	UTILITIES/SERVICE SYSTEMS.....	153
5.20	WILDFIRE.....	157
5.21	MANDATORY FINDINGS OF SIGNIFICANCE .....	160
SECTION 6.0	REFERENCES .....	162
SECTION 7.0	PREPARERS AND PERSONS CONSULTED .....	165
SECTION 8.0	MITIGATION MONITORING AND REPORTING PROGRAM.....	167
SECTION 9.0	APPENDICES .....	181

## Figures

Figure 1 – Regional Vicinity Map .....	7
Figure 2 – Project Vicinity Map.....	8
Figure 3 – Project Site Ownership Delineation.....	9
Figure 4 –Proposed Rio Rockwell Site.....	10
Figure 5 – Existing Rancho Del Oro Site .....	11
Figure 6 – Rio Rockwell Site Hardline Preserve .....	17
Figure 7 – Rancho Del Oro Site Hardline Preserve .....	18
Figure 8 – General Plan Land Use and Zoning Designation .....	19
Figure 9 – Tentative Tract Map A and B .....	20
Figure 10 – Conceptual Rio Rockwell Site Plan.....	21
Figure 11 – Conceptual Floor Plans (Plan 1 and Plan 2) .....	22
Figure 12 – Conceptual Floor Plans (Plan 3 and Plan 4) .....	23
Figure 13 – Conceptual Floor Plans (Plan 5 and Plan 6) .....	24
Figure 14 – Conceptual Floor Plans (Plan 7) .....	25
Figure 15 – Conceptual Elevations (Attached Building Type A).....	26
Figure 16 – Conceptual Elevations (Attached Building Type B).....	27
Figure 17 – Conceptual Elevations (Attached Building Type C).....	28
Figure 18 – Conceptual Elevations (Attached Building Type D) .....	29
Figure 19 – Conceptual Elevations (Attached Building Type E).....	30
Figure 20 – Conceptual Elevations (Attached Building Type F) .....	31
Figure 21 – Conceptual Elevations (Detached Unit Plan 5) .....	32
Figure 22 – Conceptual Elevations (Detached Unit Plan 6) .....	33
Figure 23 – Conceptual Elevations (Detached Unit Plan 7) .....	34
Figure 24 – Conceptual Open Space .....	35
Figure 25 – Conceptual Open Space Recreation Area .....	36
Figure 26 – Conceptual Landscape Plan .....	37
Figure 27 – Conceptual Wall and Fences (A) .....	38
Figure 28 – Conceptual Wall and Fences (B) .....	39
Figure 29 – Conceptual Lighting Plan.....	40
Figure 30 – Emergency Fire Access.....	41
Figure 31 – Conceptual Frazee/Old Grove Road Roundabout .....	42



## Tables

Table A – Construction-Related Criteria Pollutant Emissions.....	56
Table B – Operational Criteria Pollutant Emissions .....	56
Table C – Rio Rockwell Site’s Contribution to Criteria Pollutants in the Air Basin .....	57
Table D – Rio Rockwell Plant Communities .....	65
Table E – Rancho Del Oro Site Habitat Acreage Onsite .....	69
Table F – Off-Road Construction Equipment Modeled in CalEEMod and Fuel Used .....	88
Table G – On-Road Construction Vehicle Trips Modeled in CalEEMod and Fuel Used .....	89
Table H – Rio Rockwell Site Greenhouse Gas Annual Emissions.....	100
Table I – GHG Reduction Measures for New Developments and Project Consistency.....	101
Table J – Construction Noise Levels at the Nearest Homes and School.....	121
Table K – Existing Project Traffic Noise Contributions.....	123
Table L – Existing Plus Cumulative Projects Traffic Noise Contributions.....	123
Table M – Proposed Homes Exterior Backyard Noise Levels from Nearby Roads .....	124
Table N – Proposed Residential Interior Noise Levels from Nearby Roads.....	125
Table O – Traffic Impact Significant Thresholds .....	138
Table P – Existing Intersection Operations .....	139
Table Q - Existing Street Segment Operations.....	139
Table R – Near-Term Intersection Operations.....	141
Table S – Near-Term Street Segment Operations .....	142
Table T - Old Grove Road / Frazee Road Intersection Operations During School Dismissal <sup>a</sup> ....	145

**ACRONYMS & ABBREVIATIONS**

<b>Acronym/Abbreviation</b>	<b>Definition</b>
AB52	Assembly Bill 52
ADT	average daily traffic
afy	acre feet per year
Applicant	Sheldon Development, LLC
APN	Assessor's Parcel Number
AQMP	Air Quality Management Plan
ASTs	above ground storage tanks
BMPs	Best Management Practices
CAAQS	California Ambient Air Quality Standards
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Code
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
Cfs	cubic feet per second
CGS	California Geologic Survey
CHSC	California Health and Safety Code
City	City of Oceanside
CMP	Congestion Management Program
CNEL	Community Noise Equivalent Value
CO	Carbon monoxide
County	San Diego County
CWA	Clean Water Act
DAMP	Drainage Area Management Plan
db	Decibel
dBA	A-weighted decibels
EDR	Environmental Data Resources, Inc.
EIR/EIS	Environmental Impact Report/Environmental Impact Study
EPA	Environmental Protection Agency
ESA	Environmental Site Assessment
FAR	Floor area ratio
FEMA	Federal Emergency Management Agency



## Rio Rockwell Residential Development Project Initial Study/Mitigated Negative Declaration

FHWA	Federal Highway Administration
FTA	Federal Transit Administration
GHG	Greenhouse gas
GPA	General Plan Amendment
GPCD	Gallons per capita per day
GWRS	Groundwater replenishment system
HCM	Highway Capacity Manual
HVAC	Heating, ventilation, and air condition
IS	Initial Study
Leq	Equivalent sound level
LIP	Local Implementation Plan
LOS	Level of service
LRA	Local responsibility area
LSTs	Localized Significant Thresholds
M-1	Light Industrial
M-2	Industrial Manufacturing
MERV	Minimum Efficiency Reporting Value
Mgd	million gallons per day
MLD	most likely descendent
MND	Mitigated Negative Declaration
MRZ	Mineral Resource Zone
MS4	Municipal Separate Storm Sewer System
MSL	mean sea level
MTCO <sub>2</sub> e	million metric tons of carbon dioxide equivalent
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCCP	Natural Communities Conservation Plan
NO <sub>2</sub>	Nitrogen dioxide
NPDES	National Pollution Discharge Elimination System
OPD	Oceanside Police Department
OSHA	Occupational Safety and Health Administration
PM <sub>2.5</sub>	fine particulate matter
PM <sub>10</sub>	Respirable particulate matter
ppm	Parts per million



## Rio Rockwell Residential Development Project Initial Study/Mitigated Negative Declaration

PPV	Peak particle velocity
Project Site	Rio Rockwell and Rancho Del Oro Sites
RA	Resource Area
RCPG	Regional Comprehensive Plan and Guide
RCNM	Roadway Construction Noise Model
RWQCB	Regional Water Quality Control Board
SB18	Senate Bill 18
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SLF	Sacred Lands File
SO <sub>2</sub>	Sulfur dioxide
SRA	State responsibility area
SR-55	State Route 55
SR-91	State Route 91
SWRCB	State Water Resources Control Board
SWPPP	Storm Water Pollution Prevention Plan
TAC	Toxic air contaminant
TMDLs	Total maximum daily loads
TTM	Tentative Tract Map
USACE	U.S. Army Corps of Engineers
USTs	Underground storage tanks
UWMP	Urban Water Management Plan
V/C	volume-to-capacity
VHFHSZ	Very High Fire Hazard Severity Zone
VOC	volatile organic compound
WoUS	Waters of the United States
ZC	Zone Change



**Rio Rockwell Residential Development Project  
Initial Study/Mitigated Negative Declaration**

**RIO ROCKWELL RESIDENTIAL DEVELOPMENT PROJECT  
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

<p><b>Project Title:</b> Rio Rockwell Residential Development Project</p>	<p><b>Reference Application Numbers:</b> GPA18-00001, ZA18-00007, T18-00007, &amp; D18-00014</p>
<p><b>Lead Agency:</b> City of Oceanside 300 North Coast Highway Oceanside, CA 92054</p>	<p><b>Contact Person and Telephone No.:</b> Sergio Madera, Principal Planner (760) 435-3539</p>
<p><b>Project Proponent and Address:</b> Sheldon Development, LLC 901 Dove Street, Suite 230, Newport Beach, CA 92660</p>	<p><b>Contact Person and Telephone No.:</b> Steve Sheldon (949) 777-9400</p>
<p><b>Project Location:</b> City of Oceanside APNs: 158-101-28-00, 158-103-15-00, and 160-020-49-00</p>	
<p><b>Existing General Plan Designation:</b> 158-101-28-00: General Commercial (GC) 158-103-15-00: Family Detached Residential (SFD-R); Open Space (OS) 160-020-49-00: Open Space (OS)</p>	<p><b>Existing Zoning Classification:</b> 158-101-28-00: Limited Commercial (CL) 158-103-15-00: Single Family Residential (RS) 160-020-49-00: Open Space with a Historic Overlay District (OS-H)</p>



**Rio Rockwell Residential Development Project  
Initial Study/Mitigated Negative Declaration**

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## **SECTION 1.0 INTRODUCTION**

### **1.1 Purpose of Environmental Review**

The California Environmental Quality Act (CEQA) requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects. This Initial Study has been prepared to disclose and evaluate short-term construction related impacts and long-term operational impacts associated with the implementation of the City of Oceanside (City) Rio Rockwell Residential Development Project (Proposed Project).

Pursuant to Section 15367 of the State CEQA guidelines, City of Oceanside is the Lead Agency and has the principal responsibility of approving and implementing the Proposed Project. As the Lead Agency, the City is required to ensure that the Proposed Project complies with CEQA and that the appropriate level of CEQA documentation is prepared. Through preparation of an Initial Study as the Lead Agency, the City would determine whether to prepare an Environmental Impact Report (EIR), Negative Declaration or Mitigated Negative Declaration (MND). If the Lead Agency finds that there is no evidence that a project activity either as proposed or as modified to include the mitigation measures identified in the Initial Study prior to its public circulation, would not cause a significant effect on the environment, the Lead Agency may prepare a Negative Declaration or Mitigated Negative Declaration. Based on the conclusions of this Initial Study, the City has recommended that the appropriate level of environmental documentation for the Proposed Project is a Mitigated Negative Declaration.

### **1.2 Statutory Authority and Requirements**

This Initial Study/Mitigated Negative Declaration has been prepared in accordance with the CEQA, Public Resources Code Section 21000 et seq. State CEQA Guidelines and City of Oceanside CEQA Environmental Procedures.

### **1.3 Technical Information and Studies**

The following technical studies and information have been incorporated in the environmental impact evaluation prepared for the Rio Rockwell Residential Development Project:

*Appendix A – Air Quality, Energy, and Greenhouse Gas Emissions Impact Analysis, Rio Rockwell Residential Project, Vista Environmental, May 2020*

*Appendix B – Biological Resource Assessment for the Rio Rockwell Project, Carlson Strategic Land Solutions, June 2020*

*Appendix C – 2018 Breeding Season Coastal California Gnatcatcher Survey Results for the Rancho Del Oro Project Oceanside, California, Kidd Biological, Inc., July 5, 2018*



**Rio Rockwell Residential Development Project  
Initial Study/Mitigated Negative Declaration**

Appendix D – *Paleontological and Cultural Resources Assessment for the Old Grove at Frazee Project, City of Oceanside, Cogstone, March 2019*

Appendix E – *Preliminary Drainage Study for Rio Rockwell, O’Day Consultants, Inc., March 2020*

Appendix F – *Preliminary Geotechnical Percolation Study for Proposed Water Quality Improvements, Proposed Residential Development, Intersection of Old Grove Road and Frazee Road, Oceanside, California, Albus-Keefe & Associates, Inc., February 2019*

Appendix G – *Priority Development Project Storm Water Quality Management Plan for Rio Rockwell, O’Day Consultants, Inc., June 2020*

Appendix H – *Preliminary Geotechnical Investigation, Proposed Residential Development, Intersection of Old Grove Road and Frazee Road, Oceanside, California, Albus-Keefe & Associates, Inc., March 2020*

Appendix I – *Noise Impact Analysis, Rio Rockwell Residential Project, City of Oceanside, Vista Environmental, March 2020*

Appendix J – *Phase I Environmental Site Assessment and Limited Soil Sampling, SCS Engineers, October 27, 2016*

Appendix K – *Traffic Impact Analysis Oceanside Rio Rockwell Project, Linscott, Law & Greenspan, Engineers, June 2020*

## **SECTION 2.0 EXISTING SETTING**

### **2.1 Regional Setting**

The Project Site is located within the City of Oceanside which covers approximately 42.18 square miles in the northwestern area of San Diego County, California. Adjacent areas include the Cities of Vista and Bonsall to the east; the Cities of Carlsbad and San Marcos to the south; Marine Base Camp Pendleton to the north; and the Pacific Ocean to the west, as shown in **Figure 1 – Regional Vicinity Map**.

### **2.2 Existing Site Conditions**

The Project Site consists of two sub-sites, the Rio Rockwell Site and the Rancho Del Oro Site as shown in **Figure 2 – Project Vicinity Map**.

#### Rio Rockwell Site

The Rio Rockwell Site consists of two parcels – Parcel A (APN: 158-101-28-00), which is approximately 1.69 net acres (2.76 gross acres), and Parcel B (a portion of APN: 158-103-15-00), which is approximately 9.85 net acres, for a total of 11.54 net acres, of which 7.48 acres would be developed with residential uses, and 4.06 acres would remain as open space. Parcel A is an existing vacant parcel with a General Plan land use designation of General Commercial (GC) and Zoning Classification of Limited Commercial (CL), located at the southern portion of the Project Site (Figure 3). Parcel A is generally flat with exception of a moderate slope down to the property line adjacent Frazee Road and Old Grove Road. A portion of a 40-foot easement for public road and incidentals, which contains significant water and sewer infrastructure, straddles the northern border of Parcel A. Parcel B is a City-owned parcel totaling over 60-acres. The City and Applicant have entered into a purchase and sale agreement for the approximately 10-acres depicted in **Figure 3 - Project Site Ownership Delineation**. The City would subdivide an approximately 10-acre section from the 64-acre parcel to create a separate approximately 10-acre parcel through a Certificate of Compliance.

As part of the Proposed Project, the approximate southern 10-acres of APN 158-103-15-00, Parcel B would be incorporated into the Project Site, as shown on **Figure 4 – Proposed Rio Rockwell Site**. The General Plan land use designation of Parcel B is Single Family Detached Residential (SFD-R) and the Zoning Classification is Single Family Residential (RS). The remainder of APN 158-103-15-00, which is not part of the proposed development, is designated Open Space (OS) and SFD-R. Parcel B is designated as Hardline Preserve in the City’s Draft Subarea Habitat Conservation Plan/Natural Community Conservation Plan (Draft Subarea Plan); however, the City, Applicant, and resource agencies have agreed to no net loss of Hardline Preserve identified in the Subarea Plan through the substitution of hardline preserve elsewhere within the City (Rancho Del Oro Site).

The Rio Rockwell Site is located within the San Luis Rey Planning Area and is a vacant site, previously disturbed by maintenance activities. The Rio Rockwell Site can be accessed by SR-76,

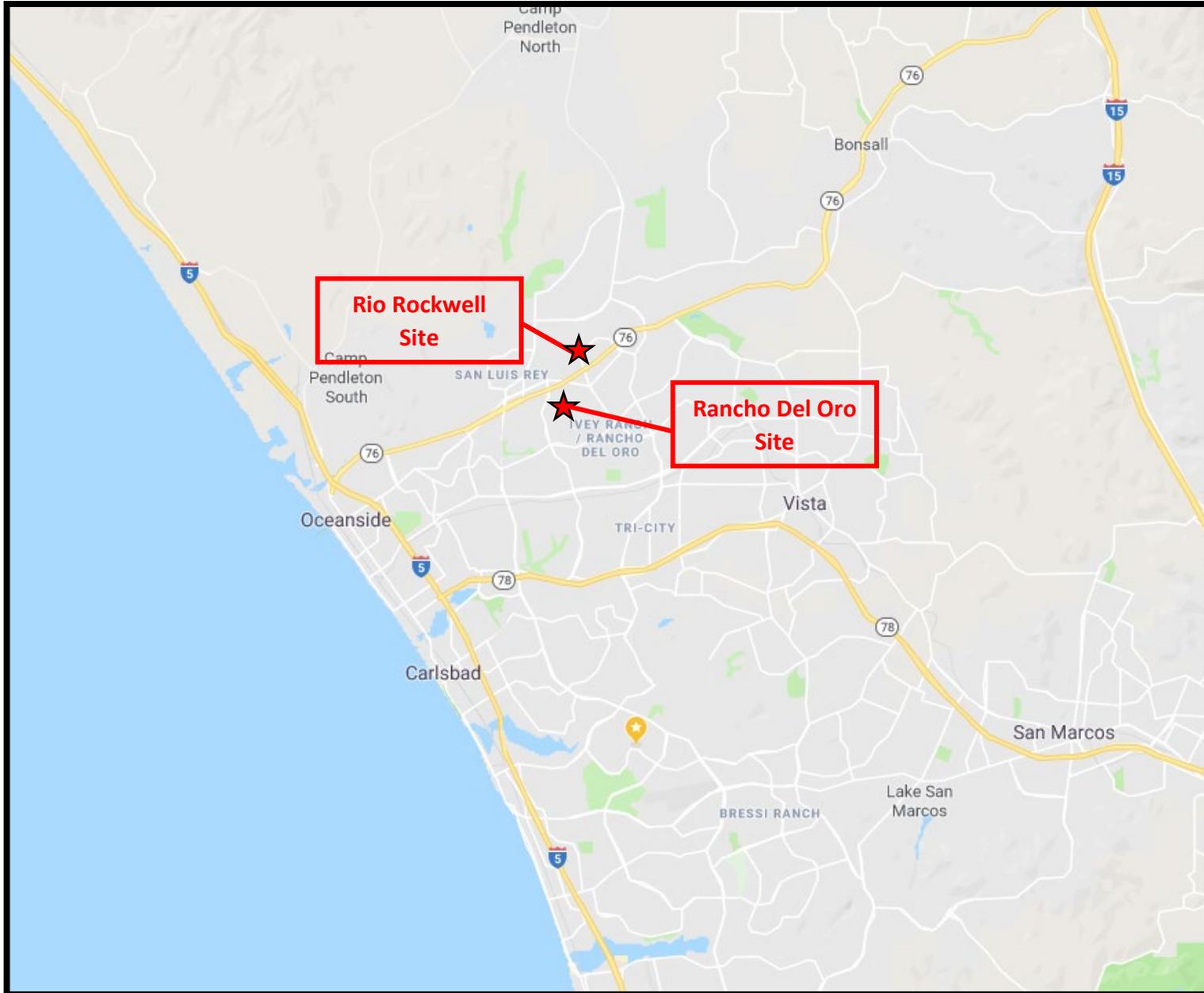


## Rio Rockwell Residential Development Project Initial Study/Mitigated Negative Declaration

via the intersections of SR-76 and Old Grove Road located approximately 0.3 miles to the south and SR-76 and Frazee Road located approximately 0.6 miles to the southeast.

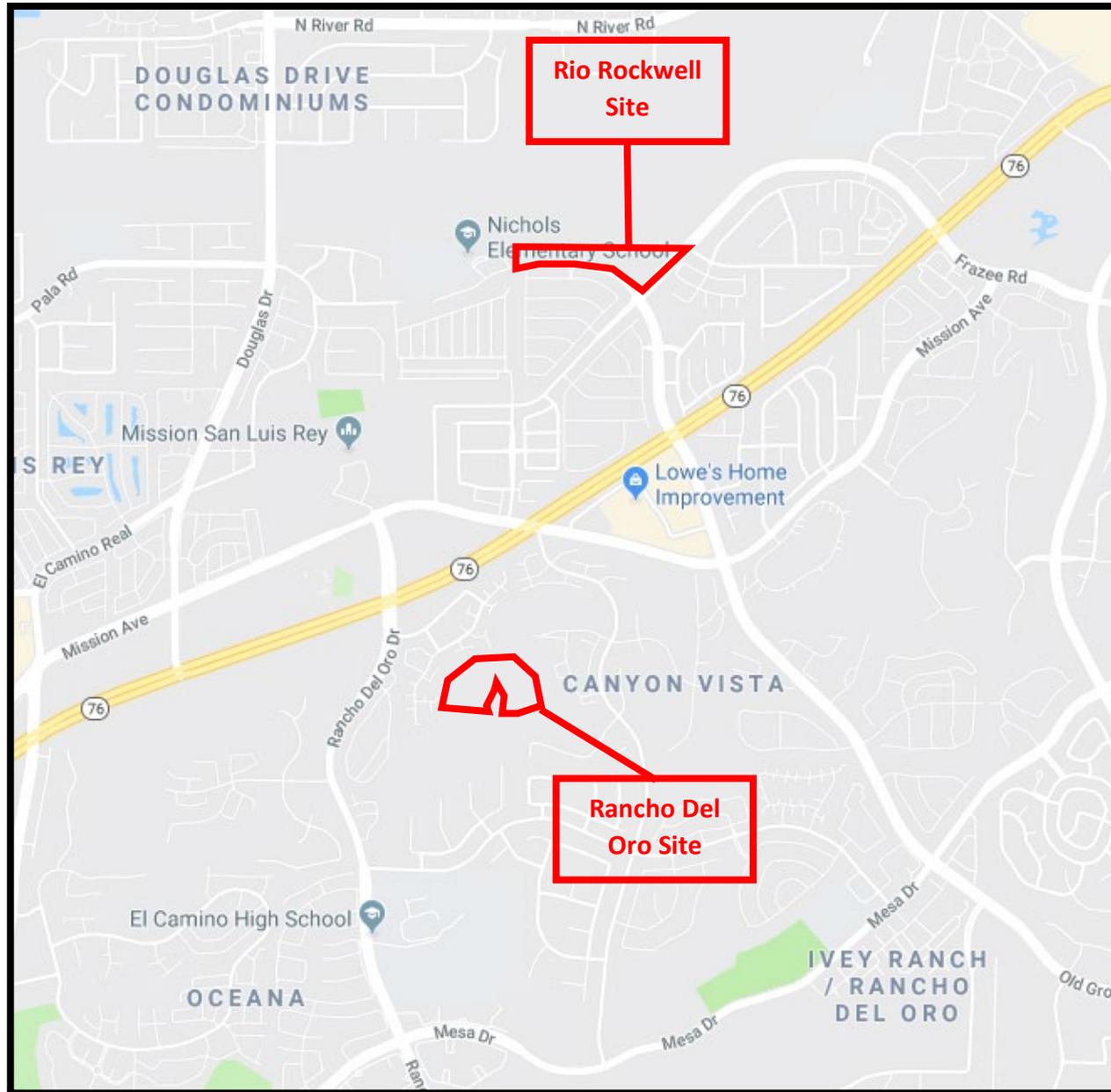
### Rancho Del Oro Site

The Rancho Del Oro Site is the northern 6.3-acre portion of the 28.65-acre City owned parcel (APN: 160-020-49-00 in the northeast portion of the City, as shown on **Figure 5 – Existing Rancho Del Oro Site**). The General Plan land use designation of the Rancho Del Oro Site is Open Space (OS) and the Zoning Classification is Open Space with a Historic Overlay district (OS-H). The Rancho Del Oro Site's existing land use designation limits development in order to provide open space, subject to the City's Zoning Ordinance. The Rancho Del Oro Site is currently vacant with vegetation. The Rancho Del Oro Site can be accessed by SR-76, via the intersection of SR-76 and Rancho Del Oro Drive located approximately 800 feet to the northwest.



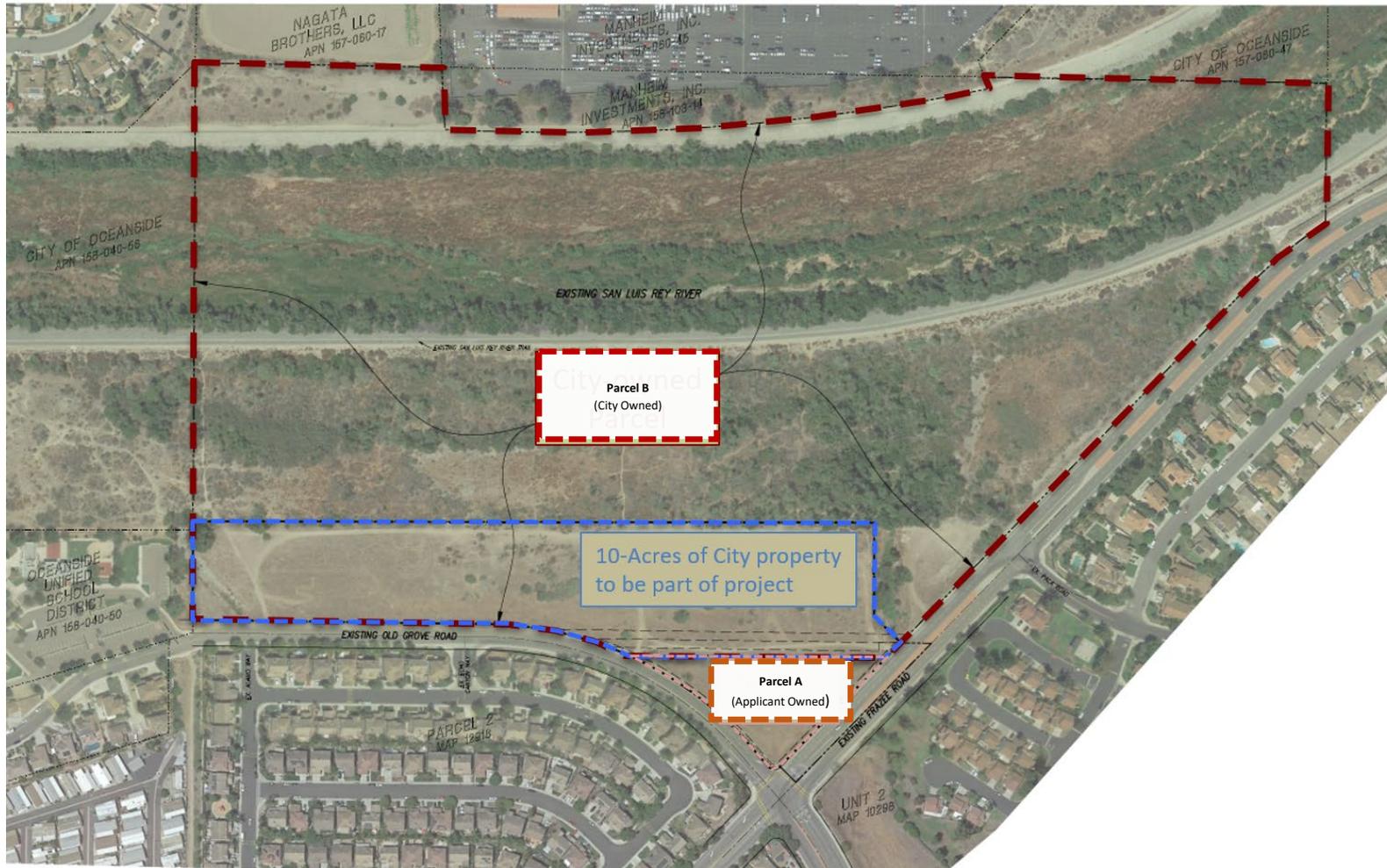
**Figure 1: Regional Vicinity Map**

Source: Google Maps



**Figure 2: Project Vicinity Map**

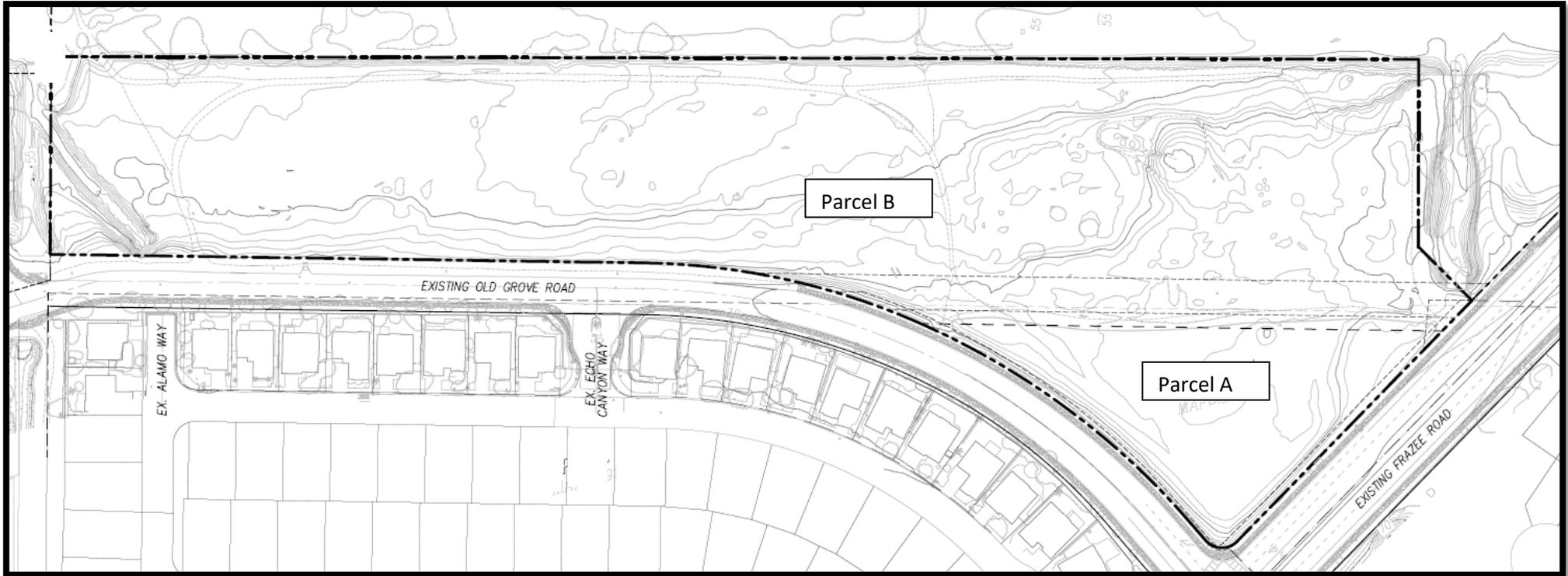
Source: Google Maps



**Figure 3: Project Site Ownership Delineation**

Source: Carlson SLS, &  
Land Use & Zoning GIS Map Viewer

<http://oceansidefiles.com/uploads/Water/PlanningViewer/index.html>



**Figure 4: Proposed Rio Rockwell Site**

Source: O'Day Consultants, Inc.

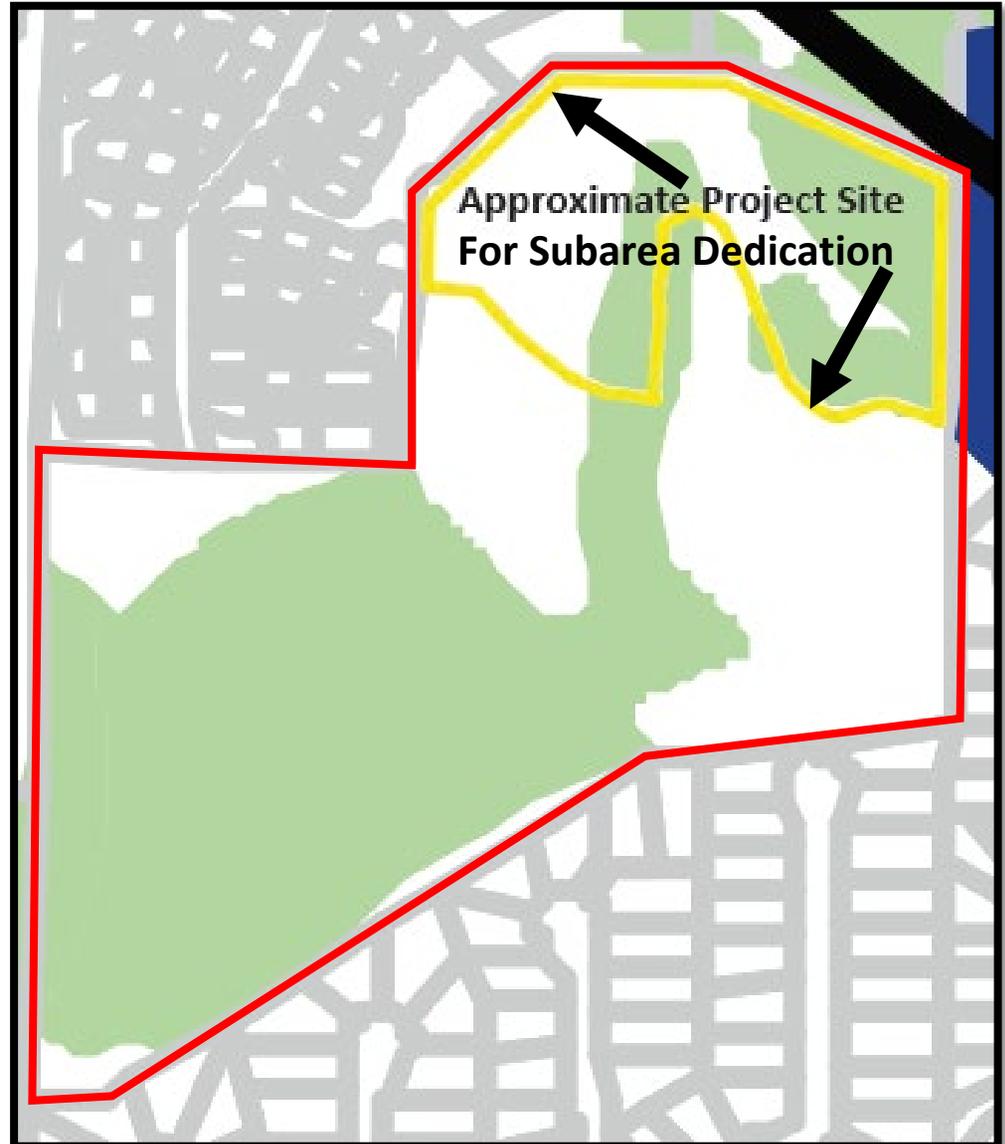
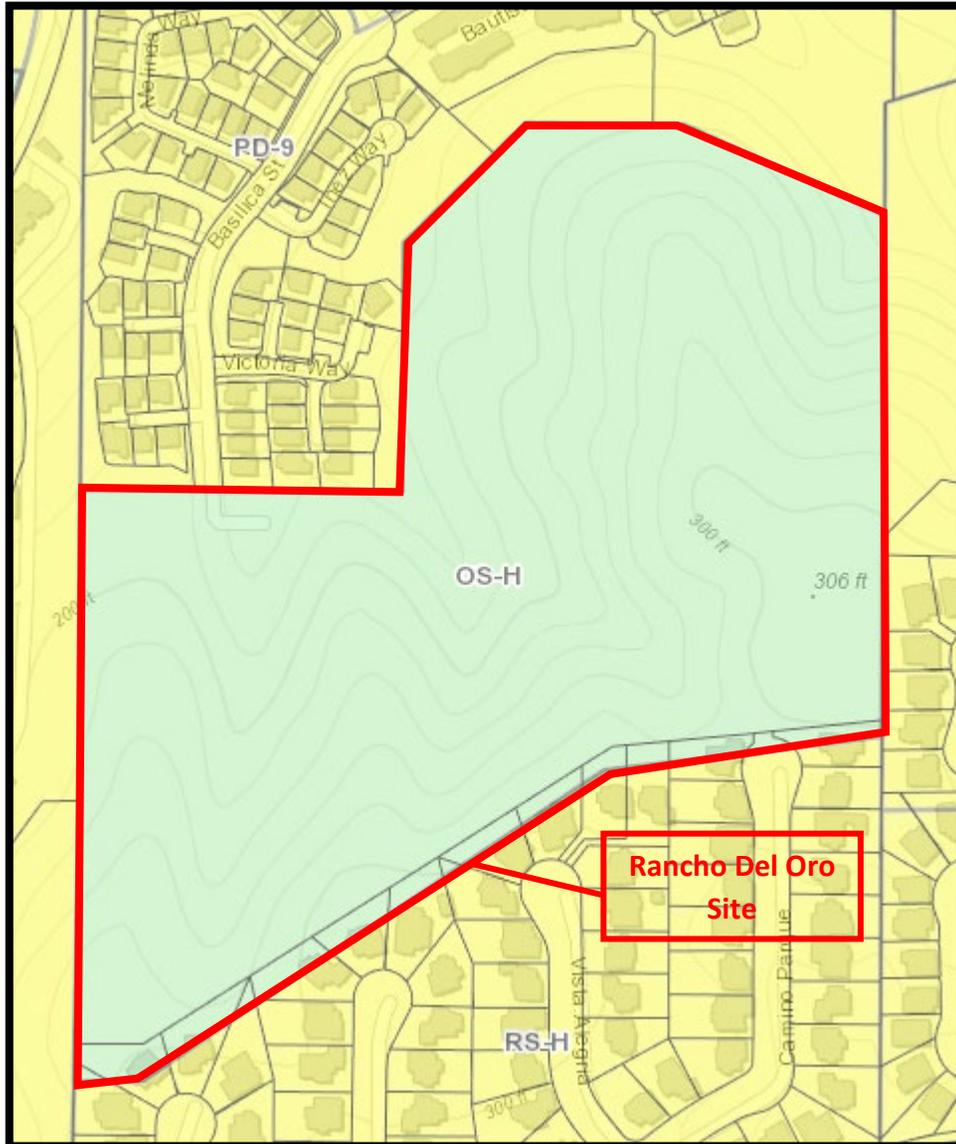


Figure 5: Existing Rancho Del Oro Site

Source: Carlson SLS, &  
Land Use & Zoning GIS Map Viewer

<http://oceansidefiles.com/uploads/Water/PlanningViewer/index.html>

## **SECTION 3.0 PROJECT DESCRIPTION**

### **3.1 Background**

The Project Site is comprised of two physically separated geographical areas. The primary Project Site involves development of residential dwelling units and is approximately 11.54 acres (Rio Rockwell Site). Portions of the Rio Rockwell Site are located within the Oceanside Draft Subarea Plan and the northern boundary of Rio Rockwell Site is adjacent to the Mitigation Lands as specified in a restrictive covenant (DOC# 2014-0419421) associated with the Army Corp of Engineers' San Luis Rey River Levee project. Of the 11.54 acres, approximately 10-acres occurs within the Subarea Hardline Preserve area. However, the approximately 10-acres that occur within the Subarea Hardline Preserve area is identified as disturbed lands and is primarily ruderal vegetation with small patches of sandbar willow and southern cottonwood and willow riparian forest found along the northern Rio Rockwell site boundary.

The secondary Project Site is approximately 6.3 acres and no development is proposed at this location (Rancho Del Oro Site). The City has agreed to encumber the Rancho Del Oro Site with the Draft Subarea Plan Hardline Preserve designation to ensure no net loss of hardline preserve area, as shown on **Figure 6 – Rio Rockwell Site Hardline Preserve** and **Figure 7 – Rancho Del Oro Site Hardline Preserve**.

### **3.2 Project Site Location**

The Project Site consists of two sites, the Rio Rockwell Site and the Rancho Del Oro Site as shown in **Figure 2**.

#### Rio Rockwell Site

The Rio Rockwell Site located on approximately 11.54-acres is in the City of Oceanside, San Diego County California on the U.S Geological Survey (USGS) Map San Luis Rey topographic map, Section 9, Township 11 South, Range 4 West. The Rio Rockwell Site is located west of Frazee Road and north of Old Grove Road and is bound by open space to the north, Nichols Elementary School to the west, Frazee Road to the east, and Old Grove Road to the south. Immediate surrounding land uses include residential development to the south and east, an elementary school to the west, and the San Luis Rey River and River Trail to the north.

#### Rancho Del Oro Site

The approximately 6.3-acre Rancho Del Oro Site is in the City of Oceanside, San Diego County California on the USGS 7.5-Minute San Luis Rey topographic map, Section 9, Township 11 South, Range 4 West. The Rancho Del Oro Site is located east of Rancho Del Oro Drive and south of Highway 76. The Rancho Del Oro Site is generally bound by Basilica Street and Craven Road to the north, Rancho Del Oro Drive to the west, Mission Gate Drive to the east, and Via Rancho Road to the south. Immediate surrounding land uses include residential development to the northwest

and open space to the northeast, south and southwest. Directly east of the Rancho Del Oro Site is open space area designated as Hardline Preserve in the Draft Subarea Plan.

### **3.3 Proposed Project**

The Applicant proposes to construct a for-sale 104-unit Planned Development Plan on the Rio Rockwell Site. The Applicant, through consultation with the City of Oceanside and California Department of Fish and Wildlife and US Fish and Wildlife Service, proposes to transfer a portion of the existing Draft Subarea Hardline Preserve area at the Rio Rockwell Site, approximately 6 acres, to the Rancho Del Oro Site (**Figure 6** and **Figure 7**). Biological surveys for both project sites were conducted to assess the biological merits of the proposed transfer. Appendices B, C, and D provide further detailed information associated with the existing habitat of the Rio Rockwell and Rancho Del Oro Sites and specific types of habitat each site supports.

#### Rio Rockwell Site

The Applicant is requesting a General Plan Amendment and Zone Change on the Rio Rockwell Site (**Figure 8 – General Plan Land Use and Zoning Designation**). The Proposed Project would include a change in General Plan Land Use Designations of General Commercial (GC) on Parcel A and Single Family Detached Residential (SFD-R) on Parcel B to Medium Density Residential (MDR-B). The Proposed Project would include a change in zoning classifications of Limited Commercial (CL) on Parcel A and Single Family Residential (RS) on Parcel B to Planned Development District (PD) with an underlying zoning of Medium Density Residential (RM-B). Two tentative maps are proposed that would present specific lot configurations for the Rio Rockwell Site, as shown on **Figure 9 – Tentative Tract Map A and B**, resulting in Map ‘A’ and Map ‘B’. The two maps would be based on the two residential unit types proposed.

The proposed General Plan land use designation of MDR-B allows for density of development between 10.0-15.0 dwelling units per acre (du/ac). The Proposed Project would develop 104 total units on 7.48 acres of the 11.54 net acres, resulting in a proposed density of 9.1 du/ac. The Land Use Element, Section 2.32(C) – *Potential Range of Residential Densities* states “residential projects with densities below the base density shall be considered to be consistent with the land use designation”, therefore, the number of dwelling units proposed is consistent with the General Plan. The northern portion of the Rio Rockwell Site is being purchased from the City and would result in the construction of 68 residential units. The Surplus Lands Act (Government Code Section 54233) requires that not less than 15 percent of the total number of residential units developed on the parcel to be sold as affordable housing. The ownership units need to remain affordable to, and occupied by, lower income households for a period of at least 45 years. The Surplus Lands Act further requires initial occupants to be lower income households, subject to an equity sharing agreement consistent with State Law, with all limitations/requirements to be contained in a covenant or restriction recorded against the surplus land prior to land use entitlement of the project. In compliance with the Surplus Lands Act, 11 residential units would be provided to lower income households (15 percent of the 68 units on the land to be purchased from the City). Each of these units will be provided for sale to lower income households for a period of 45 years.

The Proposed Project would include 54 for-sale, three-story attached and 50 for-sale, two-story detached single-family homes, featuring seven (7) floor plans ranging from 1,100 to 2,050 square feet (SF) as shown on **Figure 10 – Conceptual Rio Rockwell Site Plan**, **Figures 11 through 14 – Conceptual Floor Plans** and **Figures 15 through 23 – Conceptual Elevations**. Both detached and attached units would include private enclosed two-car garages and a total of 45,258 SF of private open space including private balconies and backyards, as detailed in **Figure 24 – Conceptual Open Space Plan**. 55 uncovered, surface guest parking stalls, in both parallel and perpendicular layouts, would be situated throughout the Rio Rockwell Site, including three (3) ADA accessible spaces (**Figure 10**). A total of 19 parking spaces within private driveways for residential guest use would also be provided, yielding a total of 282 parking spaces for the proposed development. The Proposed Project would include 86,068 SF of community and common outdoor open space and 156,623 SF of fuel modification/biological buffer (**Figure 24**). Recreation amenities include three open park areas, a dog park, and barbeque cooking area with fire pit and lounge seating as shown on **Figure 25 – Conceptual Open Space Recreation Areas**. Internal private streets with 5-foot wide sidewalks would connect the community and the common recreation areas, as shown in **Figure 26 – Conceptual Landscape Plan**. A total of 260,309 SF of landscaped area would be provided on the Rio Rockwell Site which includes the fuel modification/biological buffer. An approximate 100-foot wide fuel modification/biological buffer located along the northern property line would provide permanent open space landscaped area, providing visual relief for the community. A 6-foot high wall or fence would be located at the rear of the residential units abutting the buffer zone, as shown in **Figure 27 – Conceptual Wall and Fence Plan (A)** **Figure 28 – Conceptual Wall and Fence Plan and (B)**. A 6-foot concrete masonry unit (CMU) wall would provide sound attenuation for the residences adjacent Old Grove Road. A 5'-6" black metal fence would be located on the Rio Rockwell Site frontages. Internal 5'-6" vinyl fencing would be provided for residential yard delineation. Lighting would include typical residential security lighting for all residences, parking areas, recreation and pedestrian areas consistent with the City of Oceanside Municipal Code Lighting Ordinance, as shown in **Figure 29 – Conceptual Lighting Plan**.

Vehicular access would be provided to the Rio Rockwell Site via three driveways; two on Old Grove Road and one on Frazee Road. None of the proposed entrances would be gated. Internal vehicular access is provided via private streets with a minimum width of 32-feet and private drive aisles with a minimum width of 28-feet. Pedestrian access would be provided via public sidewalks on Old Grove Road and Frazee Road and connect with interior sidewalks at each ingress/egress. Two pedestrian emergency access gate locations would be near the intersection of Frazee Road and Old Grove Road. A 12-foot wide maintenance access road would be located at the northern end of drive aisle 'E', of Map 'B', for the underground stormwater detention basin (**Figure 9**). Each unit would take access to its two-car garage from the internal private streets. Fire access to the Rio Rockwell Site would be provided via the internal private roads and drive aisles as depicted in **Figure 30 – Emergency Fire Access Plan**.

Construction of the Proposed Project consists of site preparation, including 122 cubic yards (CY) of cut, 78,955 CY of fill and 78,833 CY of import as a result of the grading would occur. Grading would include raising the area for housing to be filled with import material to avoid flooding from the San Luis Rey River located to the north of the Rio Rockwell Site. Excavation for the

underground vault used for stormwater detention and treatment would occur at the northern rear of the Rio Rockwell Site (**Figure 9**). Building construction, architectural coating, and paving would also occur on the Rio Rockwell Site. Project buildout is expected to take approximately 16 months. Street improvements are proposed as a part of the project. Improvements to both Old Grove Road and Frazee Road, such as street, sidewalk, and curb and gutter improvements within the public right-of-way would occur, including repaired sidewalks, curb and gutter, and the addition of a traffic circle at the intersection of Old Grove Road and Frazee Road, as shown on **Figure 31 – Conceptual Frazee/Old Grove Road Roundabout**. The proposed roundabout would include entering and exiting median divided traffic lanes with an exclusive right-turn lane for all flows of traffic, as well as pedestrian crosswalks across each roadway and mountable area in the center roundabout median (**Figure 31**).

The proposed residential development would provide 8-inch sewer and water lines within the community which would connect to existing sewer and water infrastructure located within Old Grove Road (**Figure 9**). An existing 24-inch water line and 18-inch sewer line located in the Pala Road easement that bisects the Project Site would be abandoned once new 24-inch water line and 18-inch sewer line utilities are constructed in Frazee Road/Old Grove Roads as a part of the Proposed Project.

The design of the Rio Rockwell Site includes an appropriately landscaped, 1,785.5 linear foot biological buffer with an average width of 100-feet, consistent with the Draft Subarea Plan's conservation and buffer requirements along the San Luis Rey River.<sup>1</sup> Landscaping of the proposed buffer would include Coastal Sage and other native vegetation denoted in **Figure 26**. The approximately four-acre biological buffer would serve a secondary purpose, also serving as a fire buffer zone required for the wildland interface with the Open Space to the north of the Rio Rockwell Site.

#### Rancho Del Oro Site

The Rancho Del Oro Site is owned by the City of Oceanside and would remain in the City's ownership. The exchange would result in a net-benefit to the Hardline Preserve area within the City because the replacement acreage at the Rancho Del Oro Site is considered environmentally superior since it contains endangered habitat and gnatcatchers were found on-site. No impacts would occur at the Rancho Del Oro Site as the intent of this project site is to be set aside as a conservation area and included as a Hardline Preserve area under the Draft Subarea Plan.

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<sup>1</sup> City of Oceanside, *Oceanside Draft Subarea Habitat Conservation Plan/Natural Communities Conservation Plan*, Section 5, pg. 5-18, (Draft 2008)

### **3.4 Discretionary Actions:**

The Applicant is requesting approval of the following entitlements for the Proposed Project:

- GPA 18-000001: A General Plan Amendment (GPA) application to amend the Rio Rockwell Site's General Plan Land Use designation from Single Family Residential (SFD-R) and General Commercial (GC) to Medium Density - B Residential (MDB-R);
- ZA18-00007: A Zone Amendment (ZA) application to amend the Rio Rockwell Site's zoning designation from Residential Single Family (RS) and Limited Commercial (CL) to Planned Development (PD);
- T18-00007: A Tentative Map (T) to subdivide the Rio Rockwell Site into individual lots for single-family residences, for condominium purposes, and for common facility lots; and
- D18-00014: A Development Plan (D) application consisting of civil design plans, site development plans, architectural design plans, color and materials board, landscape plans and a Planned Development Document to establish development and design standards for the Rio Rockwell Site.

### **3.5 Other Public Agencies Whose Approval is Required (Responsible or Trustee Agencies):**

The Initial Study/Mitigated Negative prepared for the Rio Rockwell Residential Development Project would be used as the supporting CEQA environmental documentation for the following approvals and permits:

1. N/A

### **3.6 AB 52/SB 18 - Native American Tribe Consultation**

The Applicant requested a Sacred Lands File (SLF) records search from the Native American Heritage Commission (NAHC) on January 24, 2019. The NAHC responded on January 28, 2019 indicating a sacred land record was within a half mile radius or within the Rio Rockwell Site. The NAHC recommended the La Jolla Band of Luiseno Indians and the San Luis Rey Band of Mission Indians be contacted for more information. The NAHC provided a list of 33 Native American contacts that may have interest in consultation for the Proposed Project. The Lead Agency prepared consultation invitation letters to the Native American Tribes on the NAHC list that were mailed on March 17, 2020. The City received a response from 3 tribes, and a summary of the consultation is provided in Section 18, Tribal Cultural Resources.



**GPA18-00001 - RIO ROCKWELL (RANCHO DEL ORO SITE)**

EXISTING PRESERVES



Legend

-  APN: 160-020-49
-  Hardline Preserve
-  Pre-approved Mitigation Area
-  Rancho Del Oro Site

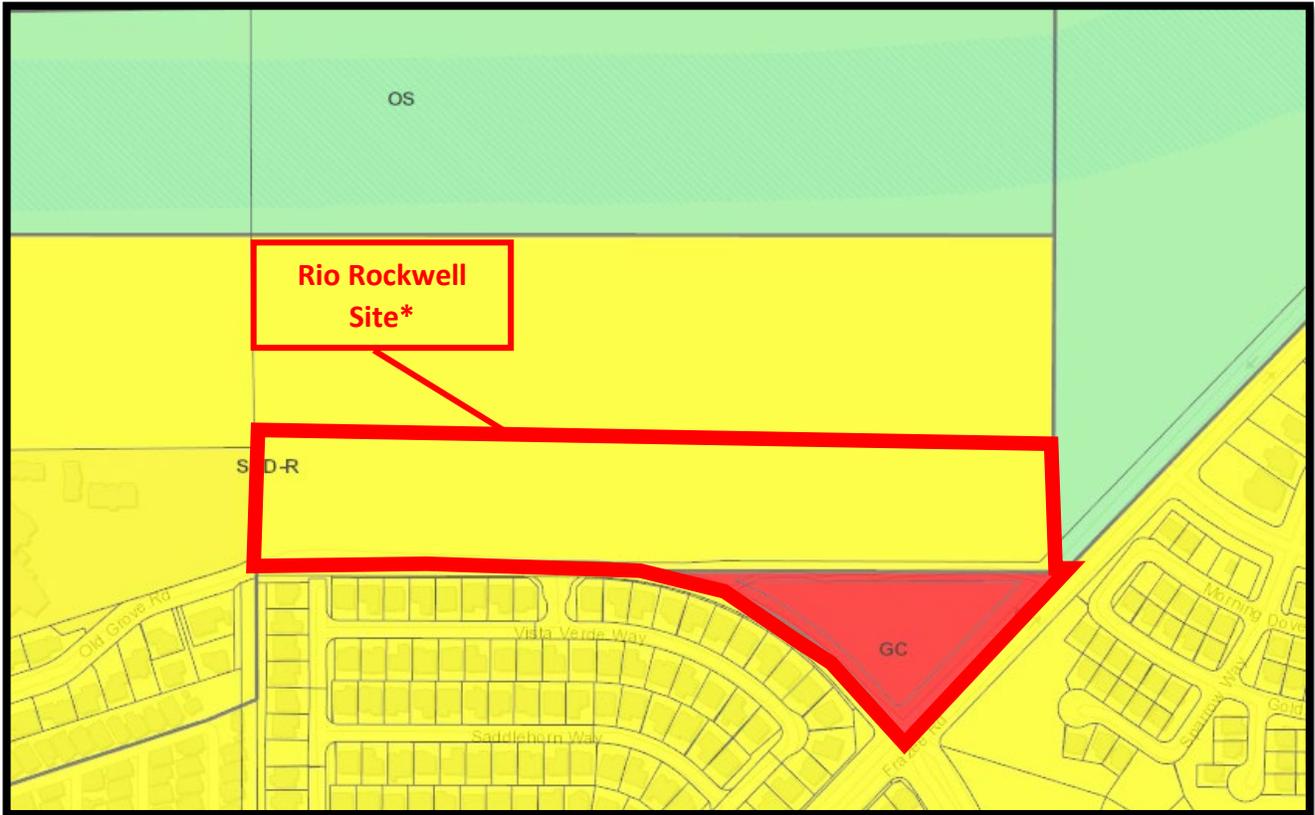
PROPOSED PRESERVES



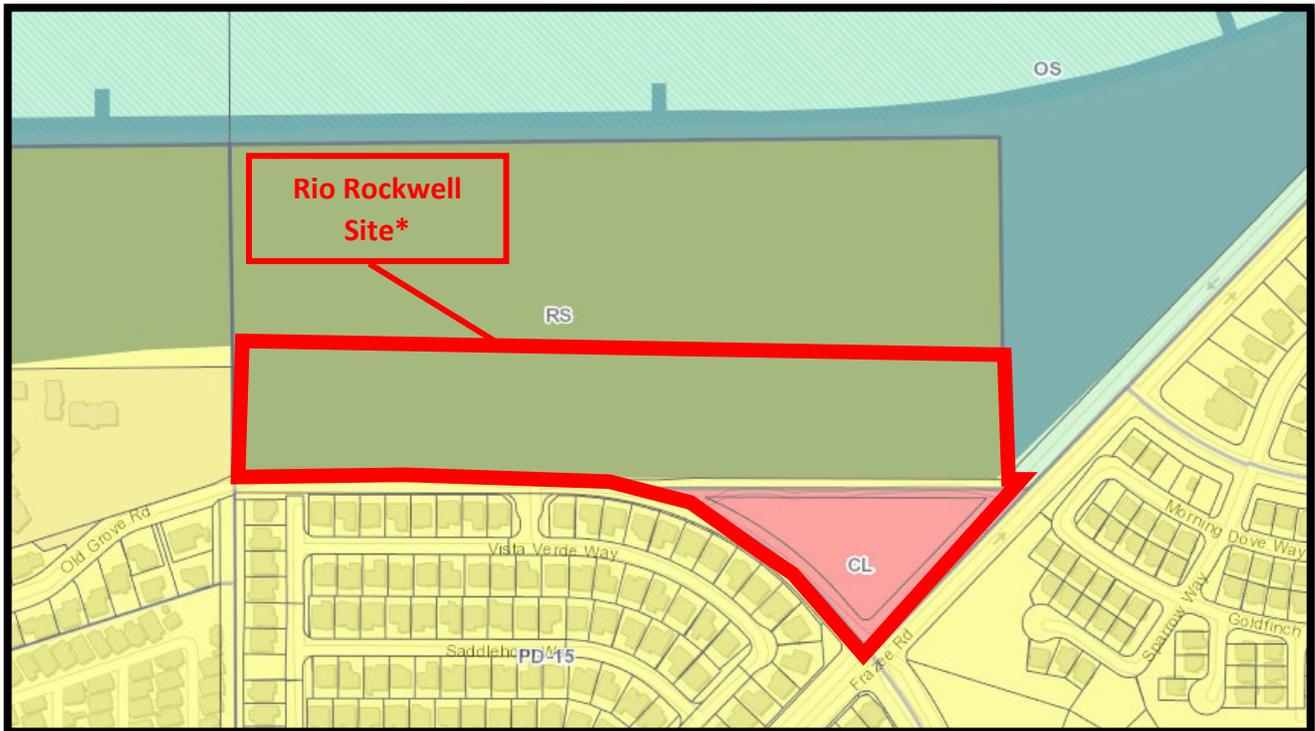
Figure 7: Rancho Del Oro Site Hardline Preserve

Source: City of Oceanside

**GENERAL PLAN LAND USE DESIGNATION**



**ZONING DESIGNATION**



**Figure 8: General Plan and Zoning Designations**

\*approximate project site

Source: Land Use & Zoning GIS Map Viewer

<http://oceansidefiles.com/uploads/Water/PlanningViewer/index.html>

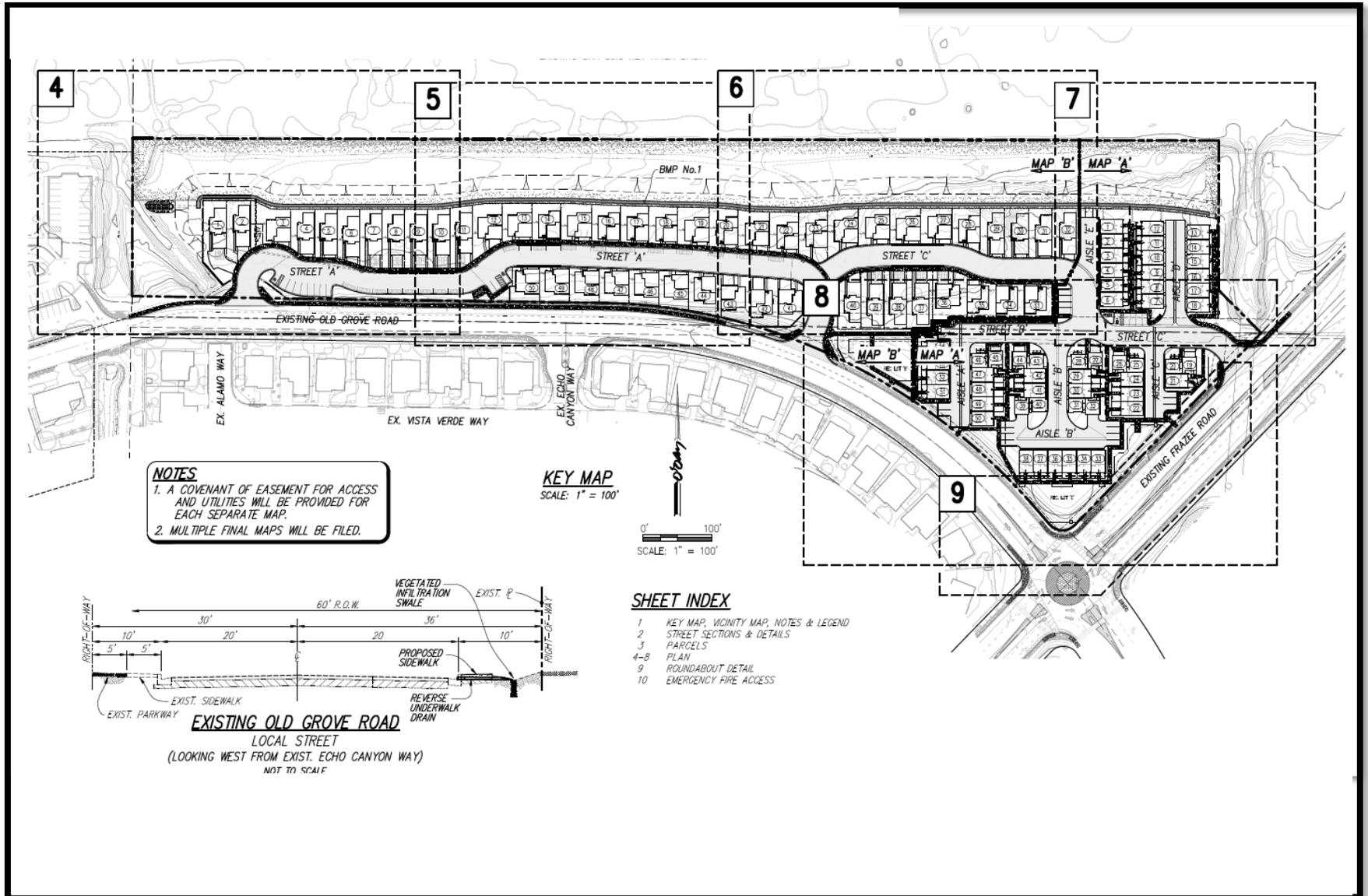
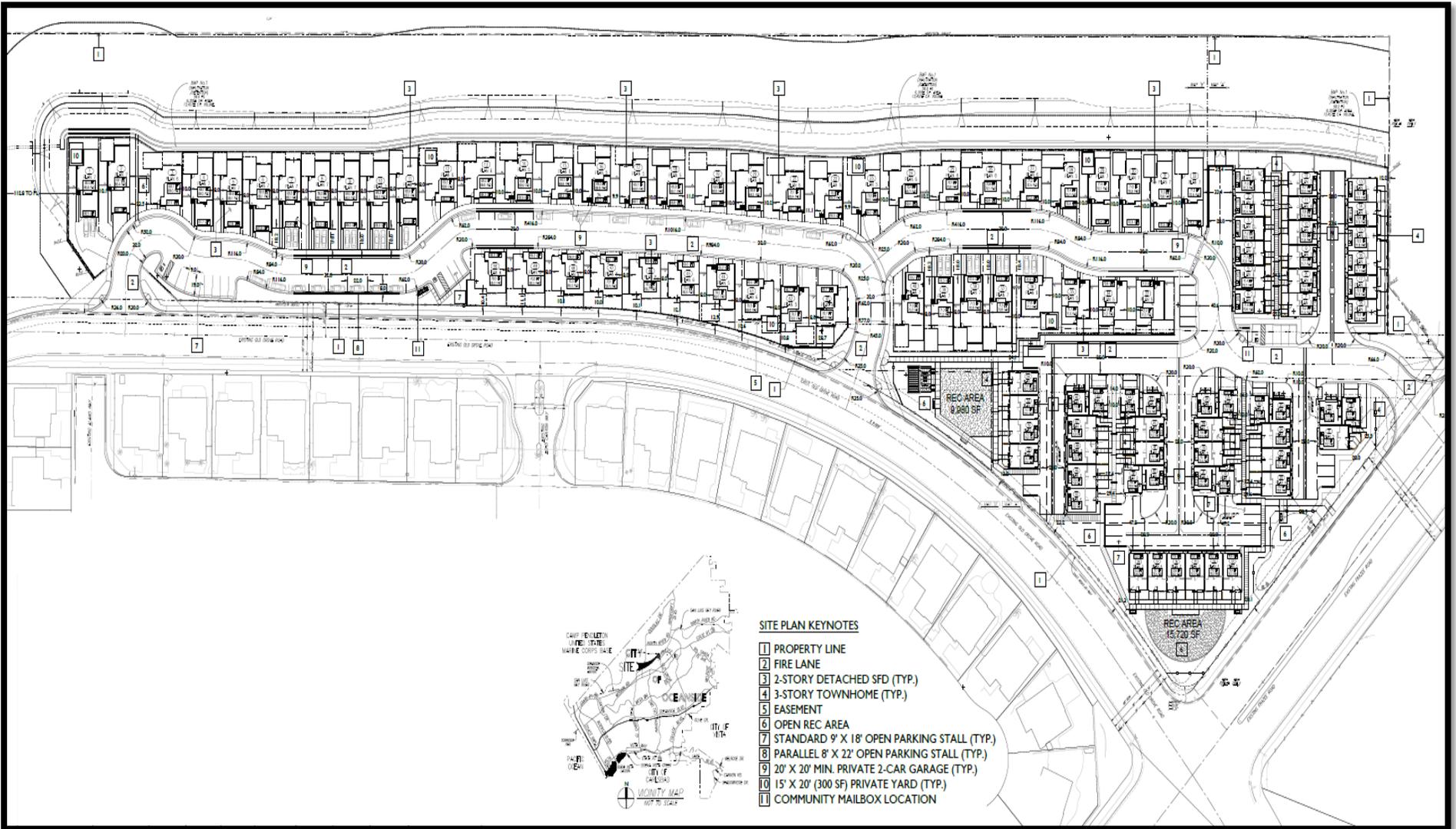


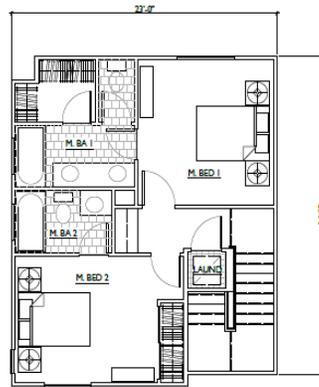
Figure 9: Tentative Tract Map A and B

Source: O'day Consultants, Inc.

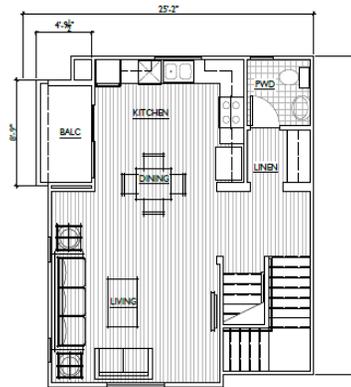


**Figure 10: Conceptual Rio Rockwell Site Plan**

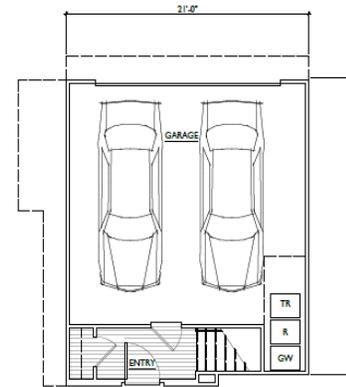
Source: Summa Architecture



THIRD FLOOR



SECOND FLOOR

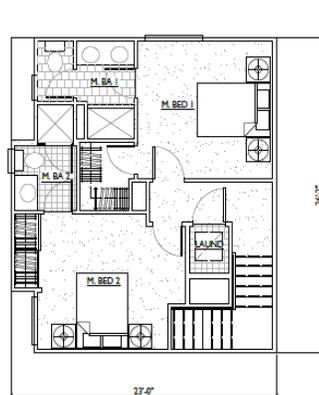


FIRST FLOOR

GROSS FOOTAGES

<b>PLAN 2:</b>	<b>2BD/2.5BA</b>
1ST FLR -	78 S.F.
2ND FLR -	583 S.F.
3RD FLR -	594 S.F.
<b>TOTAL NET</b>	<b>1,255 S.F.</b>

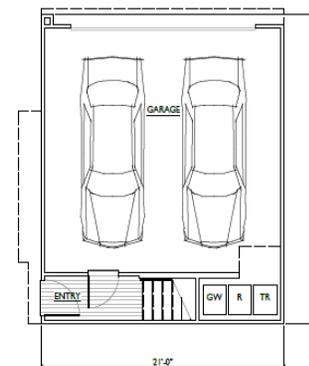
BALCONY-	38 S.F.
GARAGE-	443 S.F.



THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

GROSS FOOTAGES

<b>PLAN 1: 2BD/2.5BA</b>	
1ST FLR -	58 S.F.
2ND FLR -	553 S.F.
3RD FLR -	568 S.F.
<b>TOTAL GROSS</b>	<b>1,179 S.F.</b>

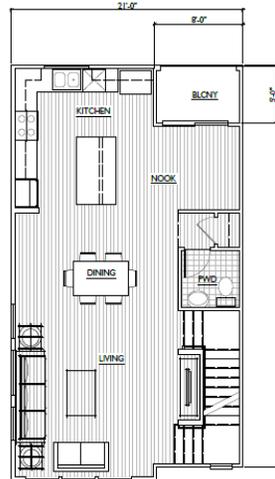
BALCONY-	38 S.F.
GARAGE-	462 S.F.

**Figure 11: Conceptual Floor Plans (Plan 1 and Plan 2)**

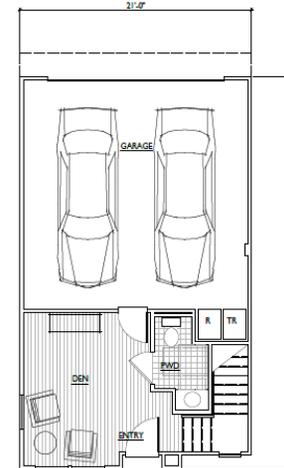
Source: Summa Architecture



THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

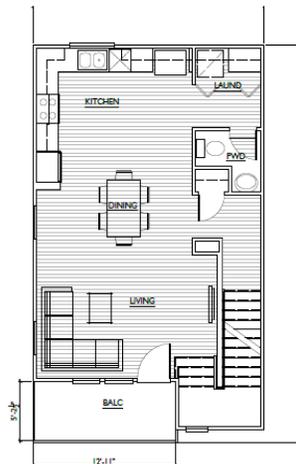
GROSS FOOTAGES

PLAN 4:	3BD/2.5BA
1ST FLR-	266 S.F.
2ND FLR-	717 S.F.
3RD FLR-	717 S.F.
TOTAL NET	1,700 S.F.

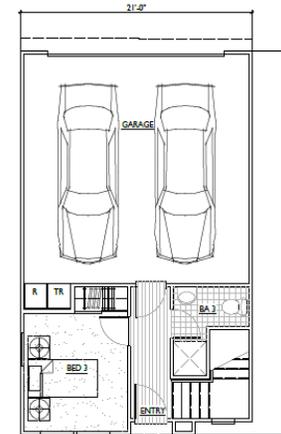
BALCONY-	41 S.F.
GARAGE-	442 S.F.



THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

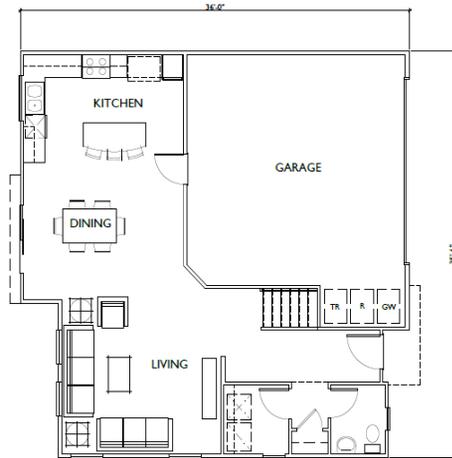
GROSS FOOTAGES

PLAN 3:	3BD/3.5BA
1ST FLR-	256 S.F.
2ND FLR-	648 S.F.
3RD FLR-	654 S.F.
TOTAL NET	1,558 S.F.

BALCONY-	64 S.F.
GARAGE-	440 S.F.

Figure 12: Conceptual Floor Plans (Plan 3 and Plan 4)

Source: Summa Architecture

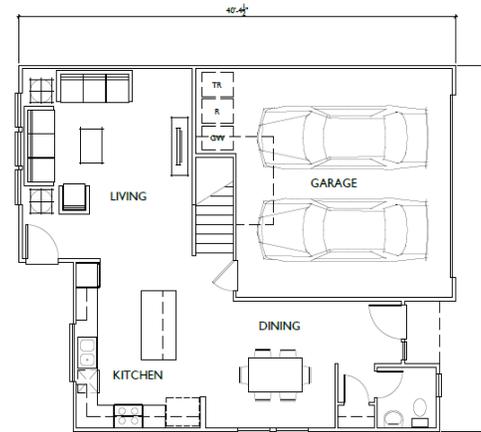


FIRST FLOOR

GROSS FOOTAGES

PLAN 6: 3BD/2.5BA+LOFT  
1ST FLR - 769 S.F.  
2ND FLR - 1,114 S.F.  
TOTAL GROSS 1,883 S.F.

GARAGE- 451 S.F.

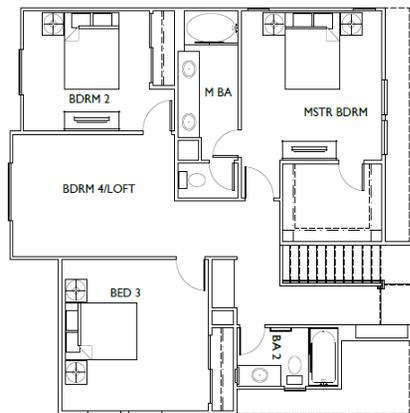


FIRST FLOOR

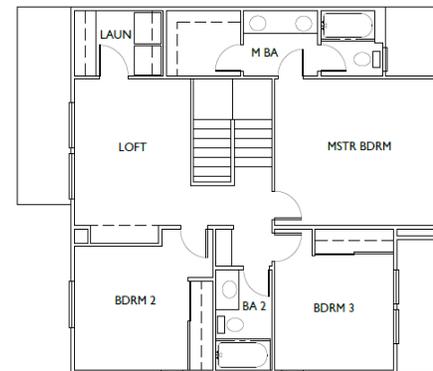
GROSS FOOTAGES

PLAN 5: 3BD/2.5BA+LOFT  
1ST FLR - 743 S.F.  
2ND FLR - 1,002 S.F.  
TOTAL GROSS 1,745 S.F.

GARAGE- 442 S.F.



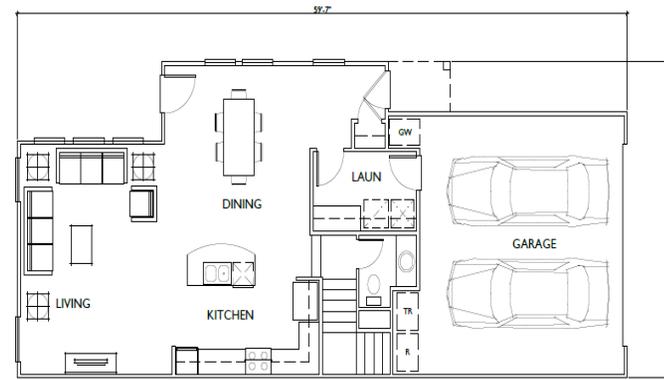
SECOND FLOOR



SECOND FLOOR

**Figure 13: Conceptual Floor Plans (Plan 5 and Plan 6)**

Source: Summa Architecture



FIRST FLOOR

GROSS FOOTAGES

PLAN 5:	4BD/2.5BA
1ST FLR-	855 S.F.
2ND FLR-	1,195 S.F.
TOTAL GROSS	2,050 S.F.
GARAGE-	452 S.F.



SECOND FLOOR

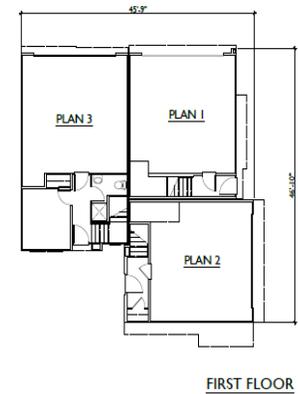
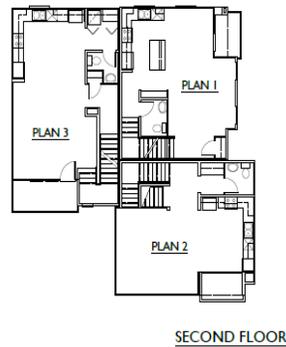
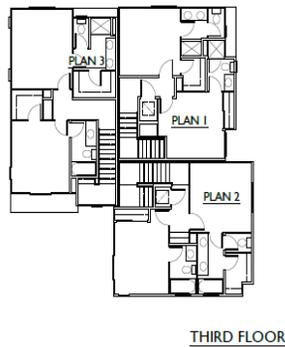
**Figure 14: Conceptual Floor Plans (Plan 7)**

Source: Summa Architecture



**MATERIAL SCHEDULE**

- 1 ROOF - CONCRETE CLASS 'S' TILE ROOFING
- 2 FASCIA - STUCCO OVER SHAPED FOAM
- 3 WALL - EXTERIOR STUCCO - SAND FINISH
- 4 TRIM - 2X @ DOORS AND WINDOWS
- 5 METAL RAILING
- 6 DECORATIVE METAL GRILLE
- 7 DECORATIVE GABLE ACCENT
- 8 DECORATIVE METAL POTSHelf
- 9 DECORATIVE SHUTTER
- 10 DECORATIVE METAL AWNING



**Figure 15: Conceptual Elevations (Attached Building Type A)**

Source: Summa Architecture



**Figure 16: Conceptual Elevations (Attached Building Type B)**

Source: Summa Architecture



Figure 17: Conceptual Elevations (Attached Building Type C)

Source: Summa Architecture



**MATERIAL SCHEDULE**

- 1 ROOF - CONCRETE CLASS 'S' TILE ROOFING
- 2 FASCIA - STUCCO OVER SHAPED FOAM
- 3 WALL - EXTERIOR STUCCO - SAND FINISH
- 4 TRIM - 2X @ DOORS AND WINDOWS
- 5 METAL RAILING
- 6 DECORATIVE METAL GRILLE
- 7 DECORATIVE GABLE ACCENT
- 8 DECORATIVE METAL POT-SHELF
- 9 DECORATIVE SHUTTER
- 10 DECORATIVE METAL AWNING

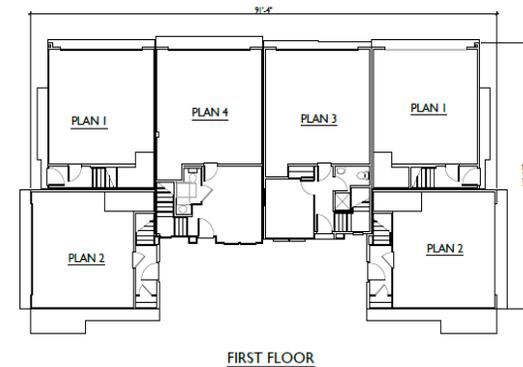
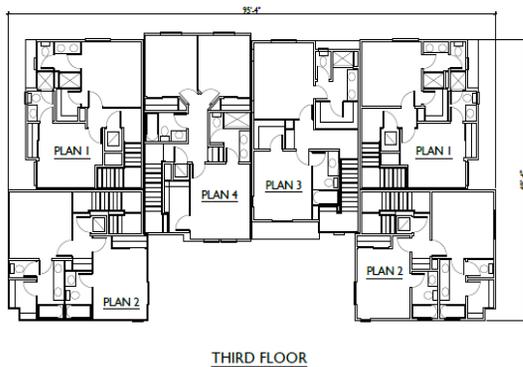


Figure 18: Conceptual Elevations (Attached Building Type D)

Source: Summa Architecture

**Rio Rockwell Residential Development Project**



**MATERIAL SCHEDULE**

- 1 ROOF - CONCRETE CLASS 'I' TILE ROOFING
- 2 FASCIA - STUCCO OVER SHAPED FOAM
- 3 WALL - EXTERIOR STUCCO - SAND FINISH
- 4 TRIM - 2X @ DOORS AND WINDOWS
- 5 METAL RAILING
- 6 DECORATIVE METAL GRILLE
- 7 DECORATIVE GABLE ACCENT
- 8 DECORATIVE METAL POTSHELF
- 9 DECORATIVE SHUTTER
- 10 DECORATIVE METAL AWNING

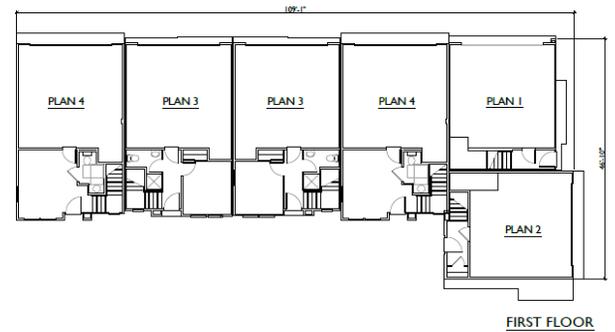
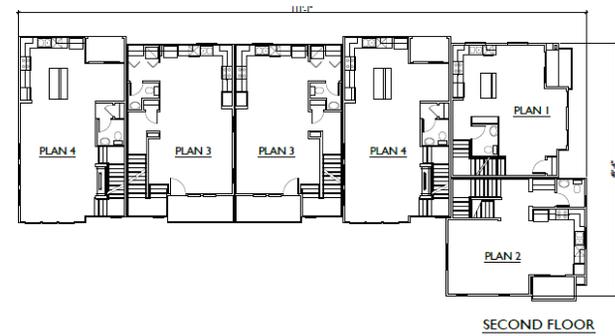
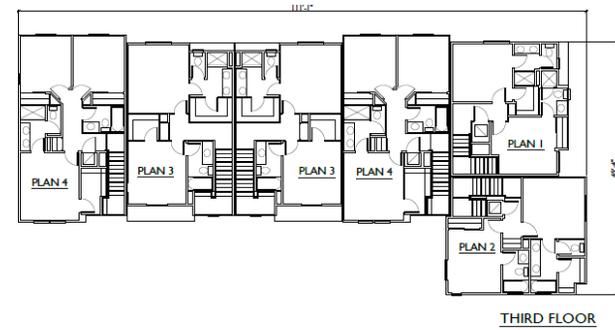


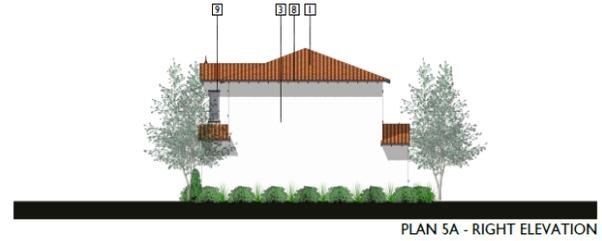
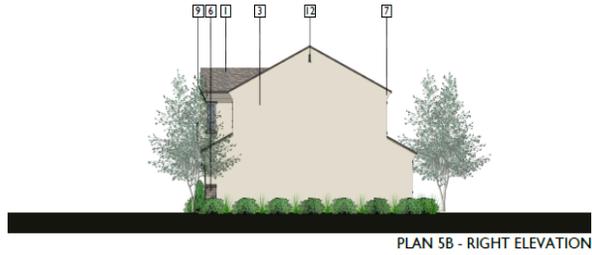
Figure 19: Conceptual Elevations (Attached Building Type E)

Source: Summa Architecture



Figure 20: Conceptual Elevations (Attached Building Type F)

Source: Summa Architecture



**MATERIAL SCHEDULE**

- 1 ROOF - CONCRETE 2" TILE ROOFING
- 2 ROOF - STANDING SEAM METAL ROOFING
- 3 WALL - EXTERIOR STUCCO - SAND FINISH
- 4 WALL - BOARD AND BATTEN - CEMENT BOARD SIDING
- 5 WALL - HORIZONTAL LAP SIDING
- 6 WALL - DECORATIVE STONE VENEER
- 7 FASCIA - STUCCO OVER SHAPED FOAM
- 8 FASCIA - RESAWN WOOD W/ RAFTER TAILS PER PLAN
- 9 TRIM - 2X @ DOORS AND WINDOWS
- 10 DECORATIVE JULIET BALCONY/RAILING
- 11 DECORATIVE METAL GRILLE
- 12 DECORATIVE GABLE ACCENT
- 13 DECORATIVE METAL POTSHIELD
- 14 DECORATIVE SHUTTER
- 15 DECORATIVE METAL AWNING
- 16 DECORATIVE TILE ACCENT



**Figure 21: Conceptual Elevations (Detached Unit Plan 5)**

Source: Summa Architecture



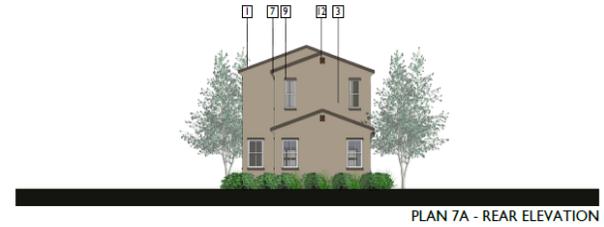
**MATERIAL SCHEDULE**

- 1 ROOF - CONCRETE 3" TILE ROOFING
- 2 ROOF - STANDING SEAM METAL ROOFING
- 3 WALL - EXTERIOR STUCCO - SAND FINISH
- 4 WALL - BOARD AND BATTEN - CEMENT BOARD SIDING
- 5 WALL - HORIZONTAL LAP SIDING
- 6 WALL - DECORATIVE STONE VENER
- 7 FASCIA - STUCCO OVER SHAPED FOAM
- 8 FASCIA - RE-SAWN WOOD W/ RAFTER TAILS PER PLAN
- 9 TRIM - 2X @ DOORS AND WINDOWS
- 10 DECORATIVE MULET BALCONY/RAILING
- 11 DECORATIVE METAL GRILLE
- 12 DECORATIVE GABLE ACCENT
- 13 DECORATIVE METAL POTSHLF
- 14 DECORATIVE SHUTTER
- 15 DECORATIVE METAL AWNING
- 16 DECORATIVE TILE ACCENT



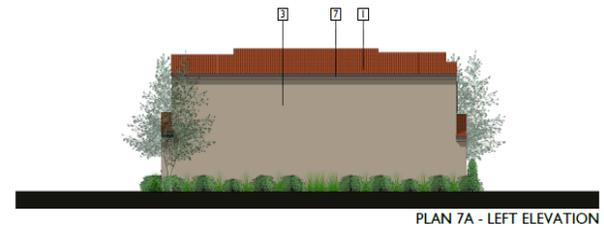
Figure 22: Conceptual Elevations (Detached Unit Plan 6)

Source: Summa Architecture



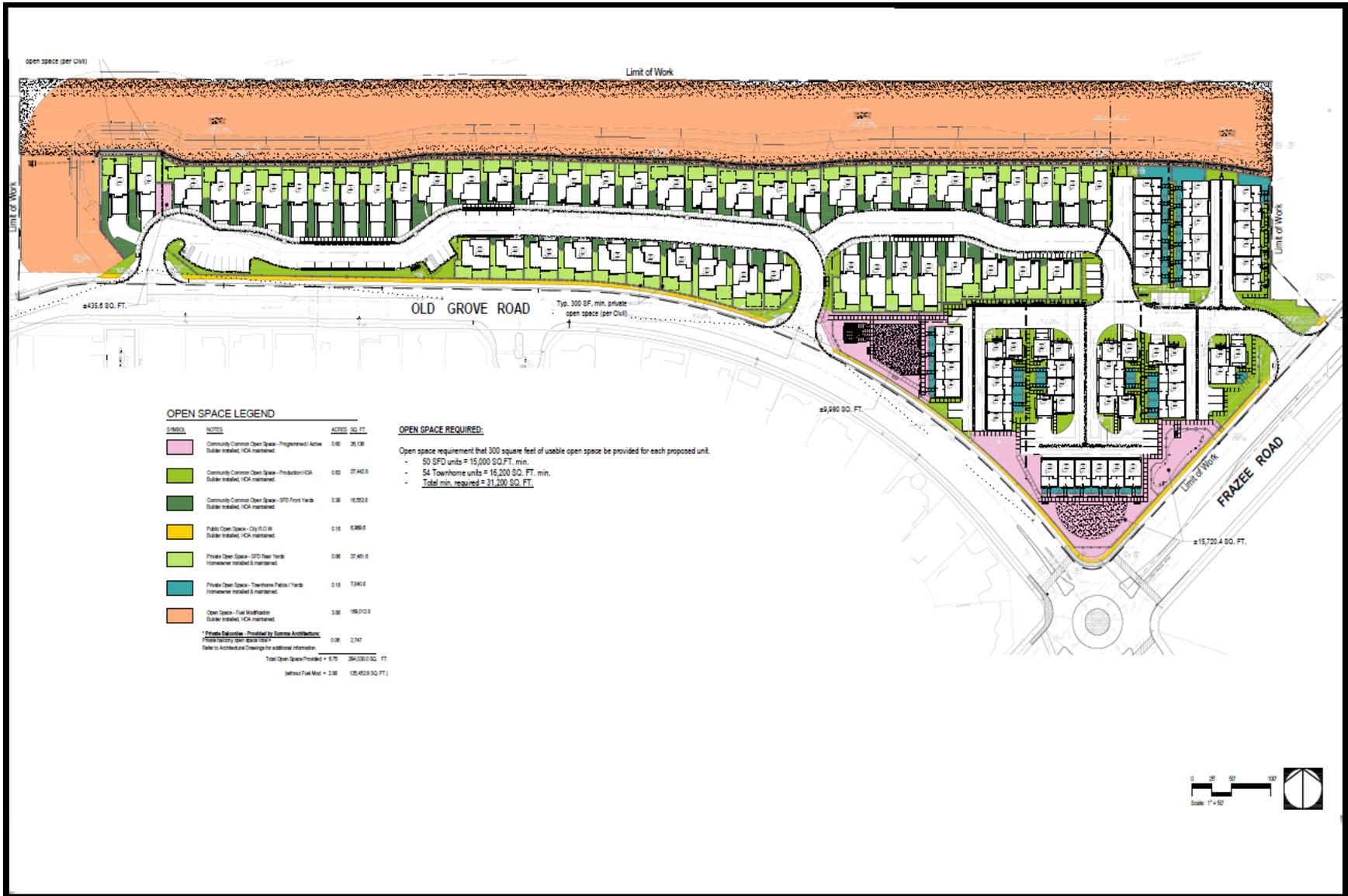
**MATERIAL SCHEDULE**

- 1 ROOF - CONCRETE 3" TILE ROOFING
- 2 ROOF - STANDING SEAM METAL ROOFING
- 3 WALL - EXTERIOR STUCCO - SAND FINISH
- 4 WALL - BOARD AND BATTEN - CEMENT BOARD SIDING
- 5 WALL - HORIZONTAL LAP SIDING
- 6 WALL - DECORATIVE STONE VENEER
- 7 FASCIA - STUCCO OVER SHAPED FOAM
- 8 FASCIA - RESAWN WOOD W/ RAFTER TAILS PER PLAN
- 9 TRIM - 2X @ DOORS AND WINDOWS
- 10 DECORATIVE JULIET BALCONY/RAILING
- 11 DECORATIVE METAL GRILLE
- 12 DECORATIVE GABLE ACCENT
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- 15 DECORATIVE METAL AWNING
- 16 DECORATIVE TILE ACCENT

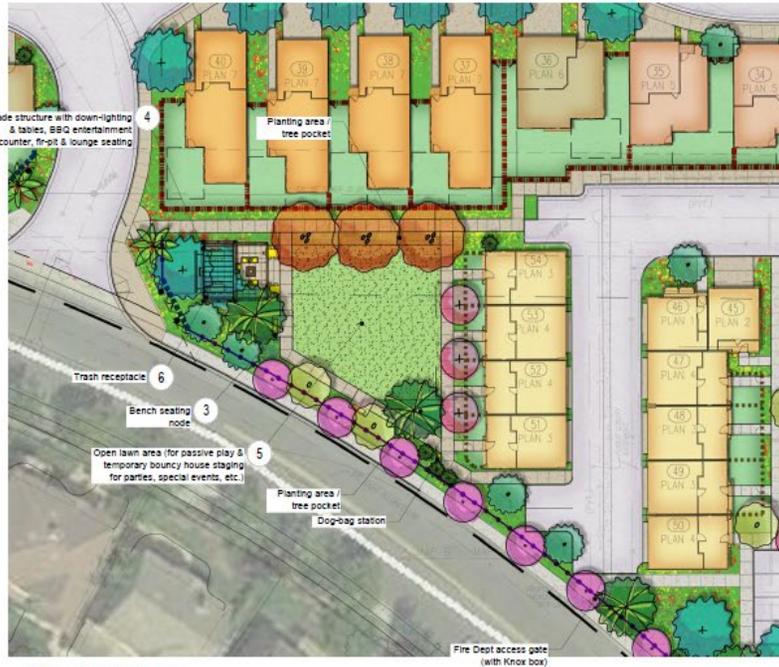


**Figure 23: Conceptual Elevations (Detached Unit Plan 7)**

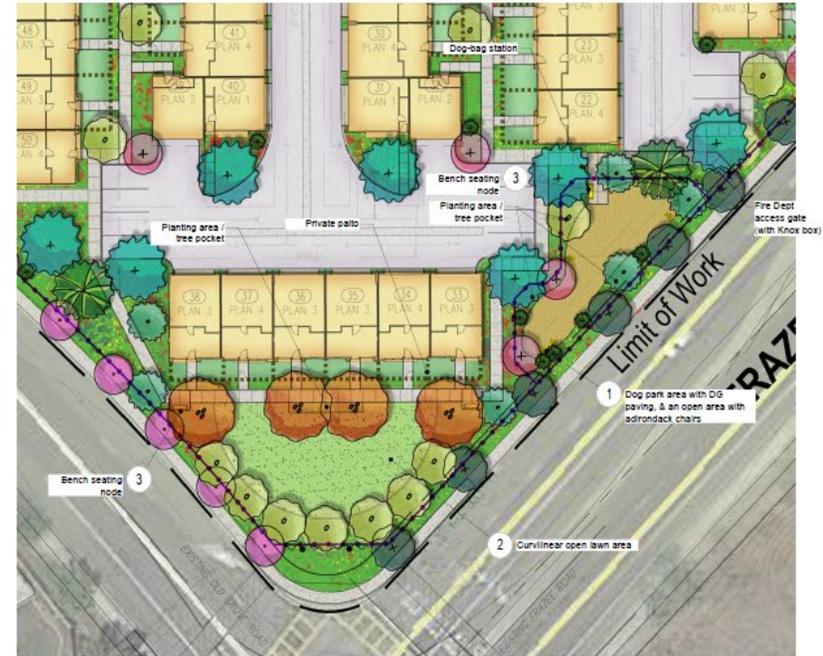
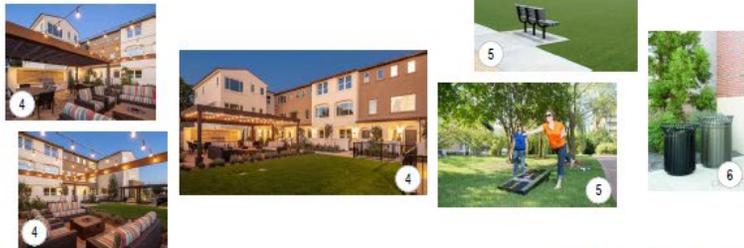
Source: Summa Architecture



**Figure 24: Conceptual Open Space**  
Source: Studio Pad Landscape Architect



**Central Park**



**Village Green**



**Schematic Open Space Enlargement Plan**

**Figure 25: Conceptual Open Space (Open Areas)**

Source: Studio Pad Landscape Architect

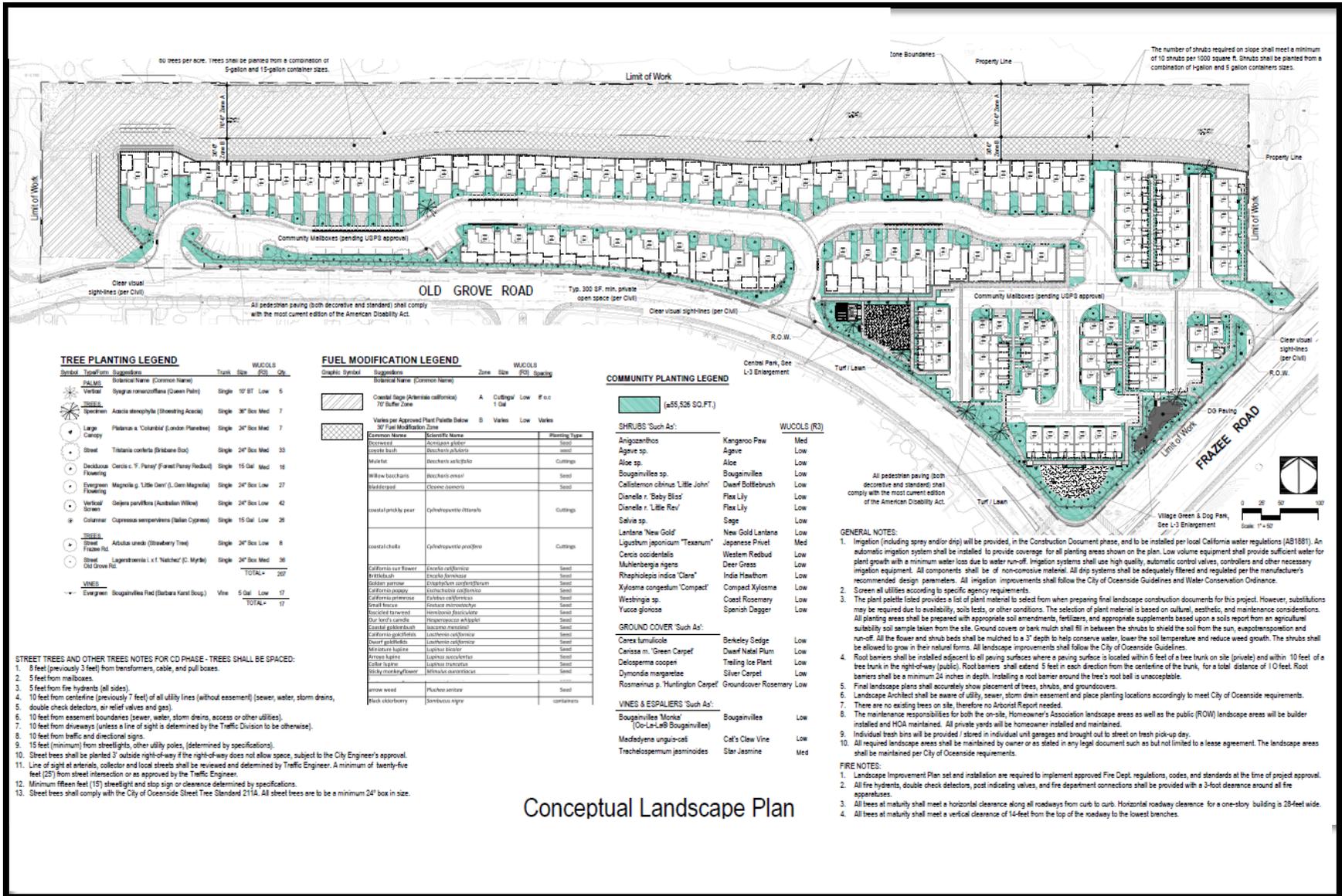
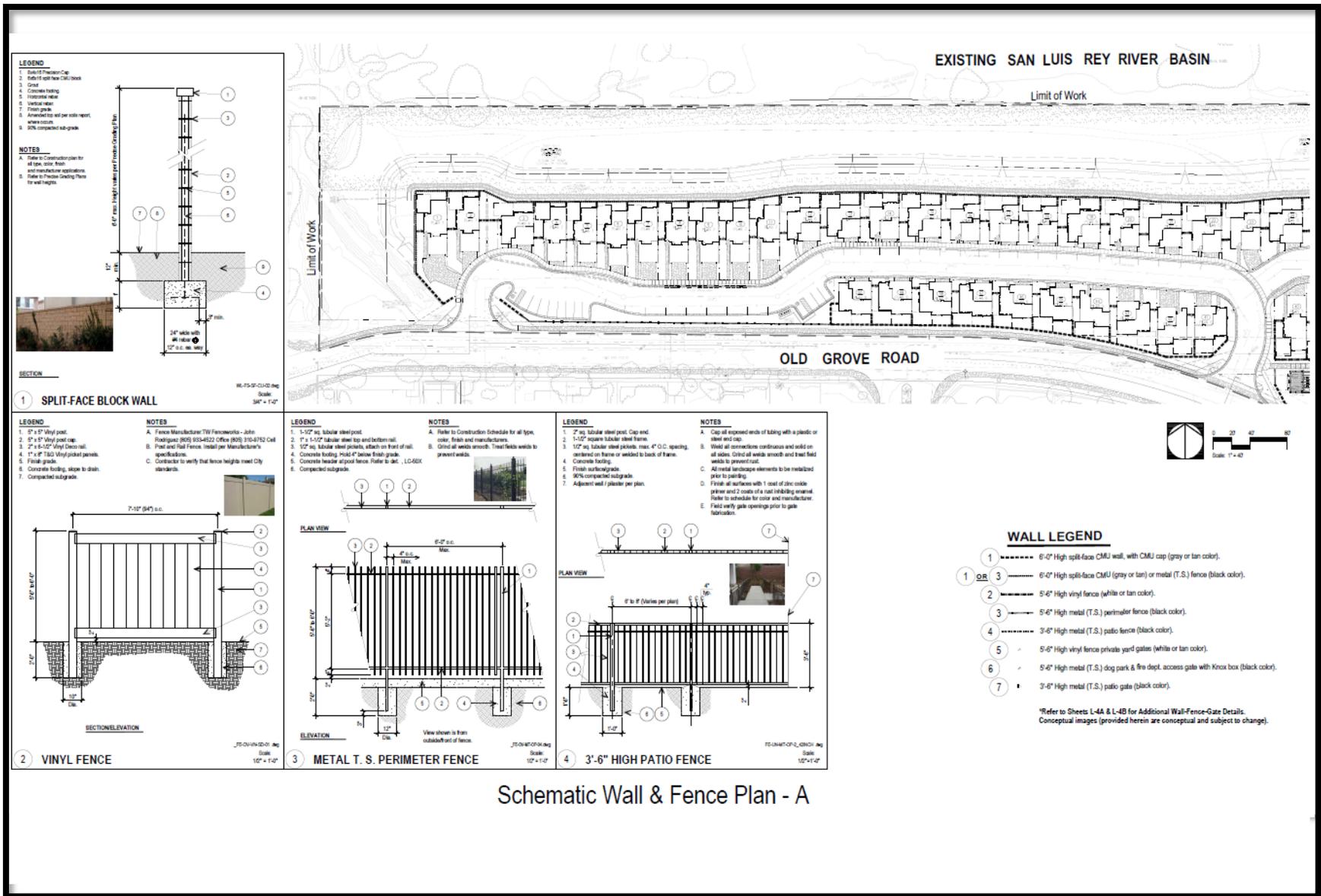


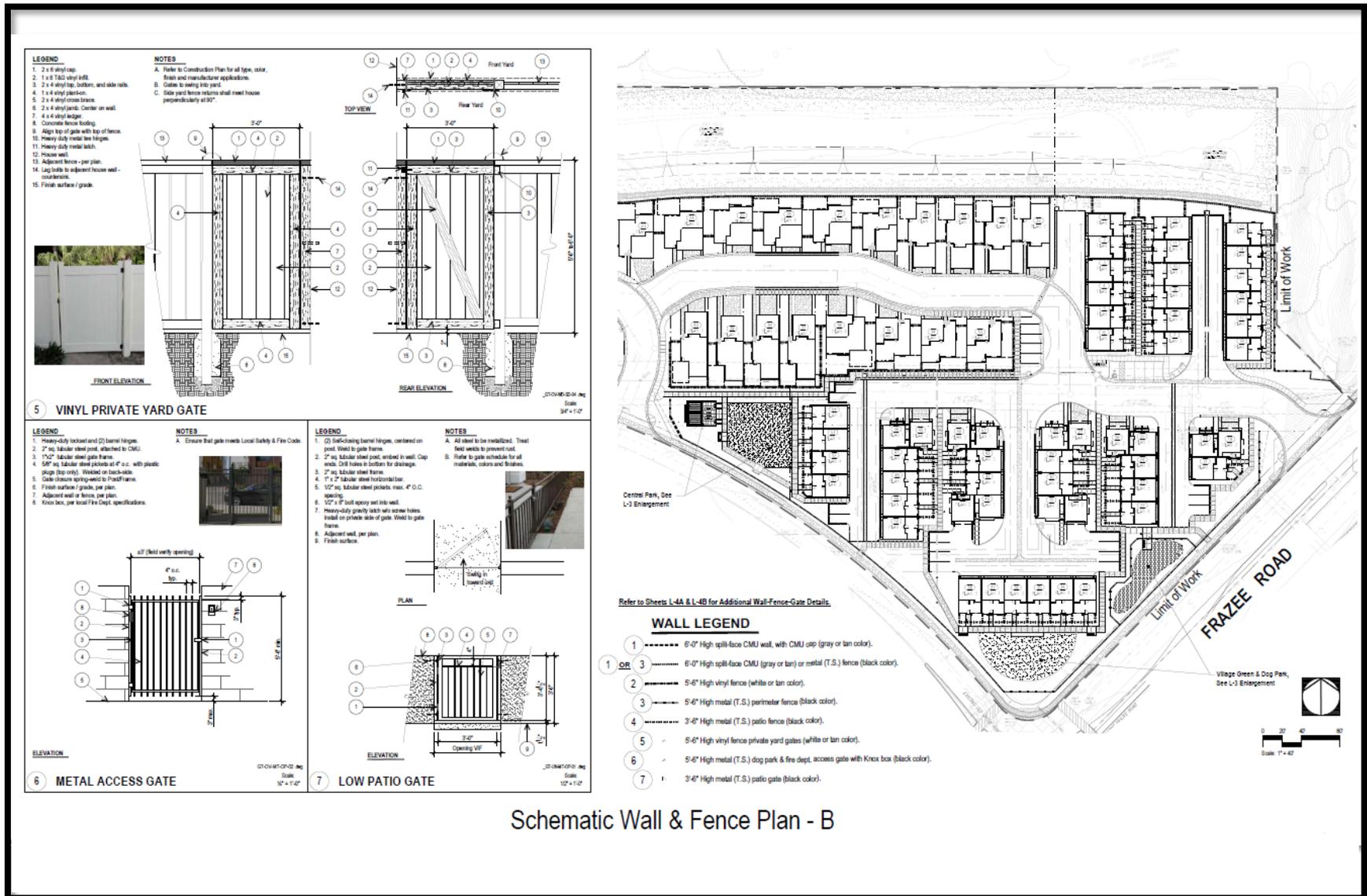
Figure 26: Conceptual Landscape Plan  
Source: Studio Pad Landscape Architect



Schematic Wall & Fence Plan - A

Figure 27: Conceptual Wall and Fences (A)

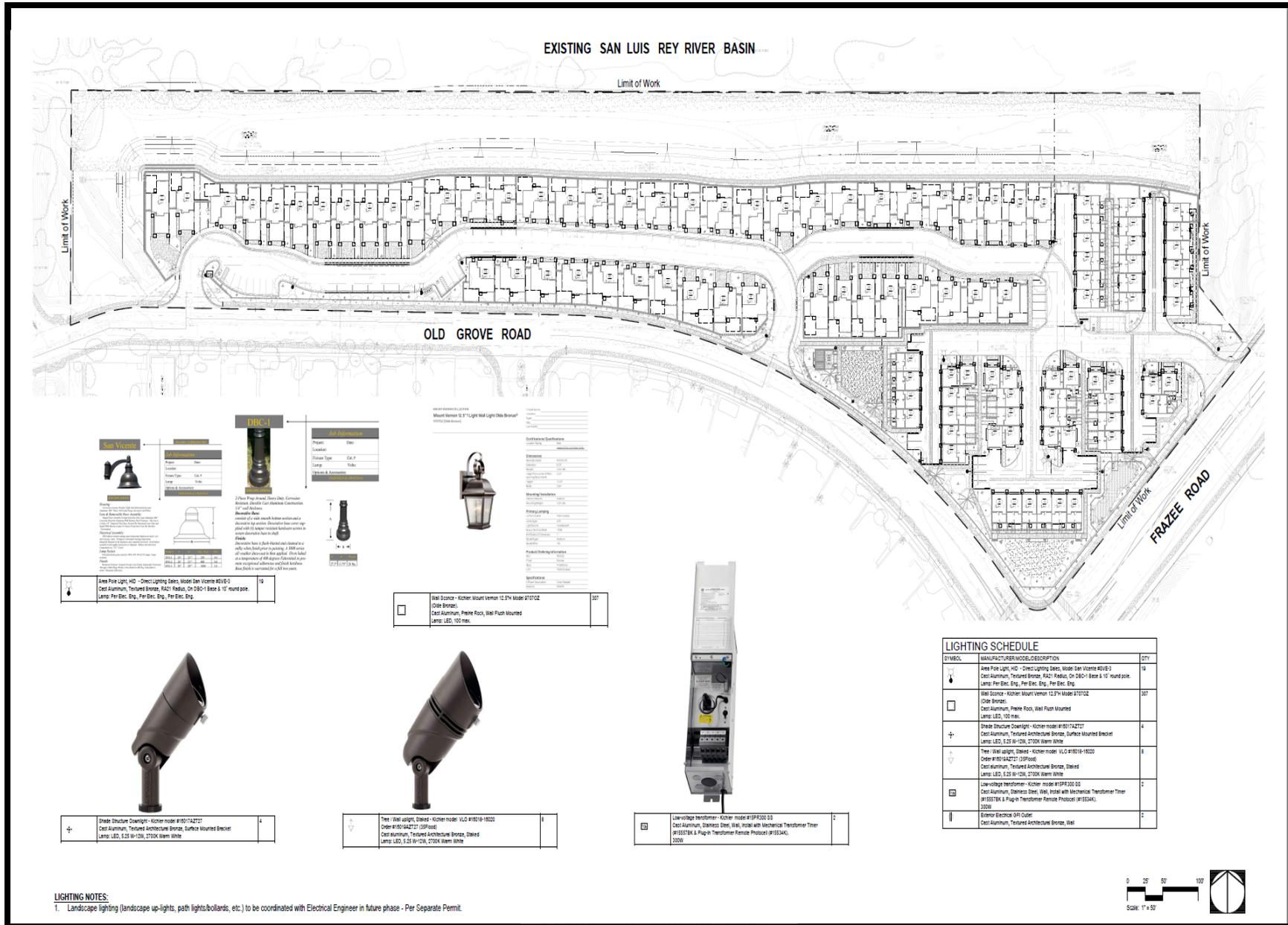
Source: Studio Pad Landscape Architect



Schematic Wall & Fence Plan - B

Figure 28: Conceptual Wall and Fences (B)

Source: Studio Pad Landscape Architect



**Figure 29: Conceptual Lighting**  
Source: Studio Pad Landscape Architect

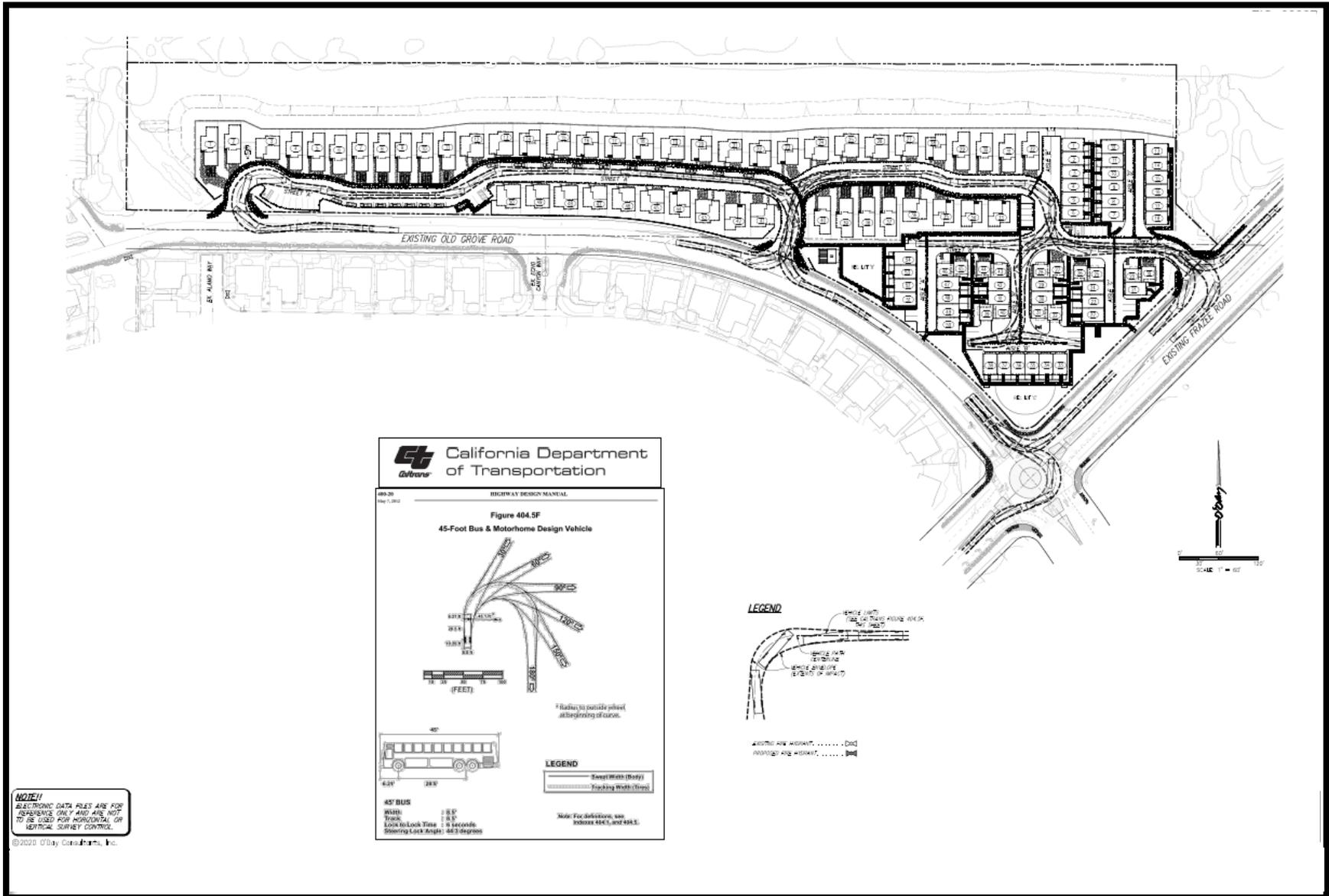


Figure 30: Emergency Fire Access Plan  
Source: O'day Consultants, Inc.

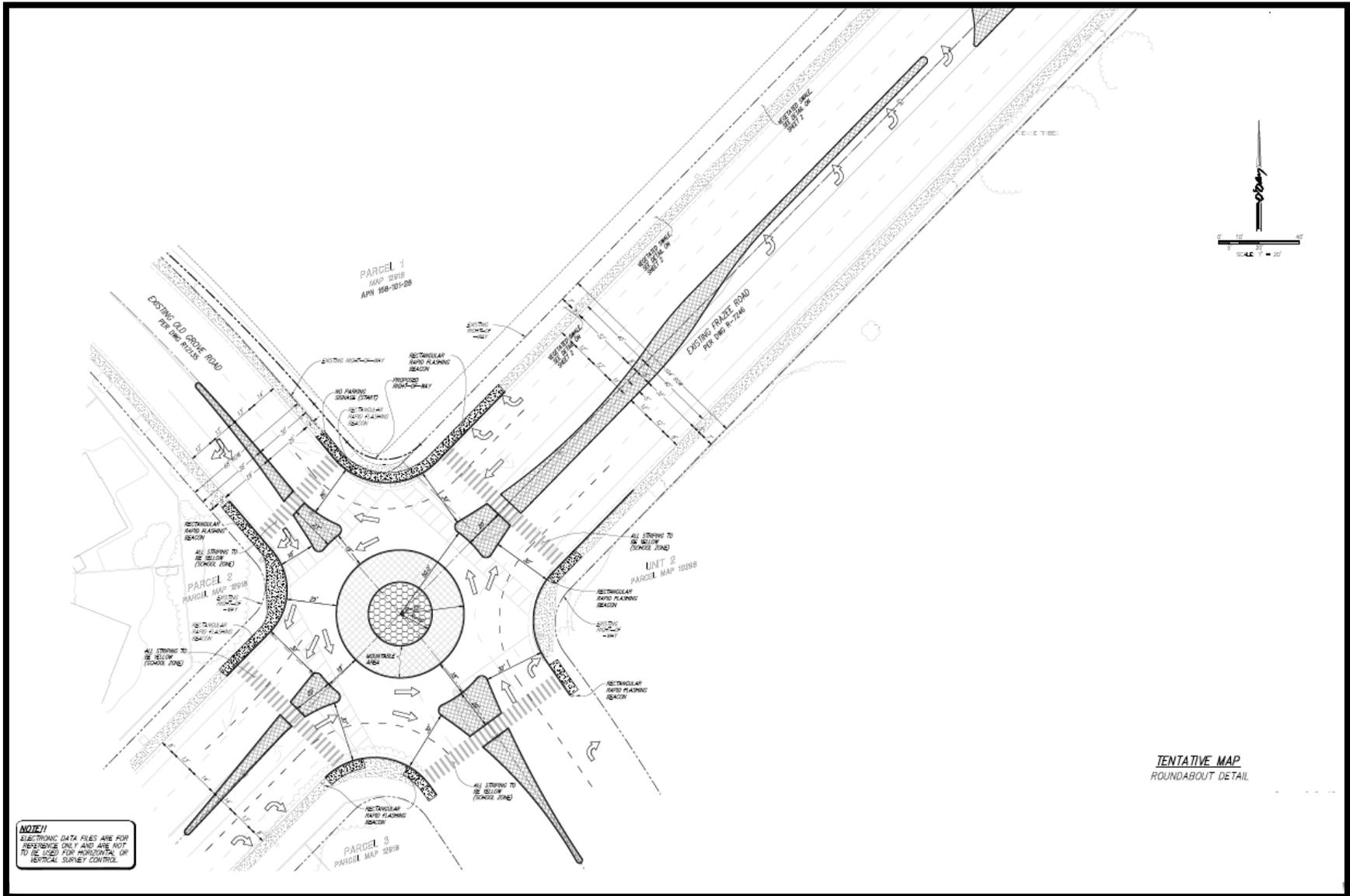


Figure 31: Conceptual Frazee/Old Grove Road Roundabout

Source: O'day Consultants, Inc.



**SECTION 4.0 ENVIRONMENTAL CHECKLIST**

**4.1 Consultation**

**4.1.1 Federal, State, and Other Local Agencies Consulted:**

United States Fish & Wildlife Service (USFWS)  
California Department of Fish & Wildlife (CDFW)

**4.1.2 Persons Consulted:**

Jeff Hunt, AICP, City Planner  
Sergio Madera, Principal Planner



**4.2 Environmental Factors Potentially Affected**

The project would not affect any environmental factors resulting in a Potentially Significant Impact or Potentially Significant Impact Unless Mitigated. A summary of the environmental factors potentially affected by this project, consisting of a Potentially Significant Impact or Potentially Significant Impact Unless Mitigated, include:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Greenhouse Gas Emissions      | <input type="checkbox"/> Population/Housing                 |
| <input type="checkbox"/> Agriculture & Forest Resources  | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Air Quality                     | <input type="checkbox"/> Hydrology/Water Quality       | <input checked="" type="checkbox"/> Recreation              |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use/Planning             | <input type="checkbox"/> Transportation                     |
| <input checked="" type="checkbox"/> Cultural Resources   | <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Energy                          | <input checked="" type="checkbox"/> Noise              | <input type="checkbox"/> Utilities/Service Systems          |
| <input checked="" type="checkbox"/> Geology/Soils        |  | <input type="checkbox"/> Wildfire                           |
|  |  | <input type="checkbox"/> Mandatory Findings of Significance |

**4.3 Determination: On the Basis of this Initial Evaluation:**

1.	I find that the project could not have a significant effect on the environment, and a <b>NEGATIVE DECLARATION</b> would be prepared.	<input type="checkbox"/>
2.	I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A <b>MITIGATED NEGATIVE DECLARATION</b> would be prepared.	<input checked="" type="checkbox"/>
3.	I find the Proposed Project may have a significant effect on the environment, and an <b>ENVIRONMENTAL IMPACT REPORT</b> is required.	<input type="checkbox"/>
4.	I find that the Proposed Project may have a “potentially significant impact” or “potentially significant unless mitigated impact” on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An <b>ENVIRONMENTAL IMPACT REPORT</b> is required, but it must analyze only the effects that remain to be addressed.	<input type="checkbox"/>
5.	I find that although the Proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or Negative Declaration pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the Proposed Project, nothing further is required.	<input type="checkbox"/>

  
Sergio Madera, Principal Planner

6/24/2020  
Date

#### **4.4 Evaluation of Environmental Impacts:**

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant with Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact”. The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced, as discussed below).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated”, describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a

previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
  - a. The significance criteria or threshold, if any, used to evaluate each question; and
  - b. The mitigation measure identified, if any, to reduce the impact to less than significance

**SECTION 5.0 ENVIRONMENTAL ANALYSIS**

**5.1 AESTHETICS**

Except as provided in Public Resources Code Section 21099, would the project:	<b>Potentially Significant Impact</b>	<b>Less than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
(a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning or other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact Analysis**

*a) Would the project have a substantial adverse effect on a scenic vista?*

**Significance Determination: Less Than Significant Impact.** The City’s Environmental Resource Management Element identifies areas of recreation, scenic, and open space land, and encourages the preservation of significant visual open spaces when such preservation is in the best interest of the public health, safety and welfare. Table ERM-2 – *Existing Open Space* and Figure ERM-8 – *Existing Open Space* show the inventory of areas serving as open space, to be dedicated or restricted in some manner to ensure their preservation. These areas include parks, schools (including their adjacent playgrounds and athletic fields), golf courses, cemeteries, churches, and visual elements such as the ocean. Eleven (11) visual open spaces are identified in the General Plan, however none of these visual open spaces are adjacent to the Project Site. The San Luis River (No. 53) and the Mission of San Luis Rey (No. 54) visual open spaces are located within one-half mile of the Rio Rockwell Site.

The Rio Rockwell Site is currently vacant and does not provide views depicting a scenic vista. The general topography of the Rio Rockwell Site and surrounding land uses is relatively flat, with residential development of two-story single-family homes directly south and east, and the San Luis Rey River directly north. Due to intervening topography and existing development, development of the Rio Rockwell Site would not obstruct views of the San Luis River (No. 53) or the Mission of San Luis Rey (No. 54) or from any of the listed visual open spaces found in Table ERM-2. Therefore, adverse impacts on scenic vistas would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

*b) Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

**Significance Determination: Less Than Significant Impact.** No scenic resources, including trees, rock outcroppings, or historic buildings are present on the Rio Rockwell Site. State scenic highways are managed by the California Department of Transportation (CalTrans) in order to protect and enhance California's natural scenic areas along portions of state highways. The nearest state highways to the Rio Rockwell Site are SR-76 and I-5, located south and west of the site respectively. Both highways are designated as eligible for scenic highway designation; however, neither highway is officially designated a state scenic highway by CalTrans. The nearest scenic highway is a portion of the SR-163<sup>2</sup>, located within City of San Diego limits, over approximately 30-miles south of the Rio Rockwell Site. Therefore, adverse impacts on scenic resources, and historic buildings within a state scenic highway would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

*c) Would the project substantially degrade the existing visual character or quality of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning or other regulations governing scenic quality?*

**Significance Determination: Less Than Significant Impact.** The residential development at the Rio Rockwell Site involves the request for a general plan amendment and zone change to parcels identified as APN 158-101-28-00 and 158-103-15-00, as well as conveyance of a portion of City owned property (APN 158-103-15-00) to the Applicant via a Certificate of Compliance. The residential development at the Rio Rockwell Site also involves a tentative map request to allow two final maps to be processed to create individual lots for multi-family residences with common facility lots (Map A) and the other for single-family residences with common facility lots (Map B). The Proposed Project would result in a zoning designation of Planned Development (PD) for the Rio Rockwell Site and result in the Proposed Project being subject to the applicable development standards outlined in the adopted Planned Development Plan (PDP) and would default to the City's Zoning Ordinance where the PDP is silent on a specific development standards. Application of these development standards would ensure the residential development at the Rio Rockwell Site does not degrade the visual quality of its surroundings as it would require separation distances from adjacent properties. The San Luis Rey River is located north of the Rio Rockwell Site. The San Luis Rey River's visual character would not be degraded due to adherence to the Draft Subarea Plan, which requires the residential development at the Rio Rockwell Site to maintain a 100-foot biological buffer from the San Luis Rey River parcel. Natural vegetation would be planted which would be consistent with existing the visual quality of the river area.

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<sup>2</sup> CalTrans State Scenic Highways Map – [https://dot.ca.gov/hq/LandArch/16\\_livability/scenic\\_highways/](https://dot.ca.gov/hq/LandArch/16_livability/scenic_highways/) Accessed July 25, 2019

The Rio Rockwell Site is a vacant site, previously disturbed by general maintenance by the City. While the buildout of the site would result in permanent visual changes, the residential development at the Rio Rockwell Site is designed to meet City development requirements and design standards, making it compatible and consistent with the character of the neighborhood and existing adjacent development. The residential development at the Rio Rockwell Site would be consistent with the Land Use Element of the General Plan's designation for medium density residential developments by proposing a density within the designated range. The proposed density is 9.1 du/ac and the maximum allowable base density for the Rio Rockwell Site is 10.0 with an allowed maximum density range of 15.0 for the proposed MDR-B land use designation of the Rio Rockwell Site. The Land Use Element, Section 2.32(C) – *Potential Range of Residential Densities* states “residential projects with densities below the base density shall be considered to be consistent with the land use designation”, therefore, the number of dwelling units proposed is consistent with the General Plan.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

*d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

**Significance Determination: Less Than Significant Impact.** The residential development at the Rio Rockwell Site is required to comply with the City's lighting ordinance, Chapter 39 of the Municipal Code. These requirements include shielding all outdoor lighting to avoid glare and spillover into neighboring homes and adjacent property. All lighting fixtures would be directed downward. Compliance with Chapter 39 – *Light Pollution Regulations* would ensure the residential development at the Rio Rockwell Site would not have substantial light and glare impacts. Therefore, potential impacts associated with new sources of substantial light or glare would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

**5.2 AGRICULTURE & FOREST RESOURCES**

Would the project:		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d)	Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Impact Analysis**

*a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

**Significance Determination: No Impact.** The Rio Rockwell Site is designated as “other land” and is not designated as Prime, Unique or Grazing farmland, or considered Farmland of Statewide or Local Importance per the Farmland Mapping and Monitoring Program<sup>3</sup>. Further, the Rio Rockwell Site is not designated as agricultural per the City’s Zoning Ordinance or General Plan Land Use Element. The Proposed Project would not convert Prime or Unique Farmland, or Farmland of Statewide or Local Importance. Therefore, no potential impacts associated with the conversion of farmland would occur.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** No Impact.

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<sup>3</sup> <https://www.conservation.ca.gov/dlrp/fmmp/Pages/SanDiego.aspx> Accessed February 28, 2020

b) *Would the project conflict with existing zoning for agriculture use, or a Williamson Contract?*

**Significance Determination: Less Than Significant Impact.** The Rio Rockwell Site is designated as “non-enrolled land” and is not a part of a Williamson Contract<sup>4</sup>. Some of the closest Williamson Contract land to the Rio Rockwell Site is in and around the Whelan Lake area, over one-mile northwest of the Rio Rockwell Site. Further, the Rio Rockwell Site is not designated as agricultural per the City’s Zoning Ordinance or General Plan Land Use Element. The Proposed Project will not result in conflicts with existing zoning for agriculture use, or a Williamson Contract. Therefore, potential impacts associated with the conflict of existing zoning for agriculture use or a Williamson Contract would be less than significant.

**Mitigation Measures:** No Mitigation required.

**Significance Determination:** Less Than Significant Impact.

c) *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

**Significance Determination: No Impact.** Forest land is defined as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits<sup>5</sup>. Timberland is defined as land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products including Christmas trees<sup>6</sup>. Timberland production zone is defined as an area which has been zoned pursuant to Section 51112 or 51113 and is devoted to and use for growing and harvesting timber, or for growing and harvesting timber and compatible uses, including, but not limited to management for fish and wildlife habitat or hunting and fishing; grazing; a residence or other structure necessary for the management of land zoned as timberland production<sup>7</sup>.

The Rio Rockwell Site is not zoned for or designated as forest land, timberland, or as a timberland production zone, pursuant to the City’s General Plan Land Use Element or Zoning Ordinance. Development of the Rio Rockwell Site pursuant to the proposed design would not result in any conflicts with other property zoned as forest land, timberland, or timberland production zones, or would it cause rezoning of forest land, timberland, or timberland production zones. Therefore, no potential impacts

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<sup>4</sup> <https://www.conservation.ca.gov/dlrp/fmmp/Pages/SanDiego.aspx> Accessed February 28, 2020

<sup>5</sup> [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=12220.&lawCode=PRC](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=12220.&lawCode=PRC) Accessed July 15, 2019

<sup>6</sup> [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=4526.&lawCode=PRC](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=4526.&lawCode=PRC) Accessed July 15, 2019

<sup>7</sup> [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=51104.&lawCode=GOV](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=51104.&lawCode=GOV) Accessed July 15, 2019

associated with the conflict of existing zoning for, or cause the rezoning of, forest land, timberland, or timberland production zones would occur.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** No Impact.

*d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?*

**Significance Determination: No Impact.** Forest land is defined as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits<sup>8</sup>. The Rio Rockwell Site does not include any land designated as forest land, therefore the conversion of forest land to non-forest land would not occur as a part of this project.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination After Mitigation:** No Impact.

*e) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agriculture use?*

**Significance Determination: No Impact.** The Project Site contains no agricultural resources or farmland which would be converted as a result of the Proposed Project. The Proposed Project would result in a General Plan land use and Zoning designation change; however, none of the Project Site is zoned for agriculture or considered Farmland<sup>9</sup>. Therefore, residential development at the Rio Rockwell Site would not result in impacts involving other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agriculture use would occur as a part of this project.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** No Impact.

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<sup>8</sup> [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=12220.&lawCode=PRC](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=12220.&lawCode=PRC) Accessed July 15, 2019

<sup>9</sup> <https://www.conservation.ca.gov/dlrp/fmmp/Pages/SanDiego.aspx> Accessed February 28, 2020

**5.3 AIR QUALITY**

Would the project:		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

An Air Quality, Energy, and Greenhouse Gas Emissions Impact Analysis was completed to determine potential impacts to air quality associated with the development of the Proposed Project (Appendix A – *Air Quality, Energy, and Greenhouse Gas Emissions Impact Analysis, Rio Rockwell Residential Project, Vista Environmental, March, 2020*). The results of the analysis are based on CalEEMod version 2016.3.2.

The Appendix A analysis was based on implementation of the following project design features:

Project Design Feature 1

The project applicant shall restrict the installation of any wood-burning fireplaces into the proposed homes and require that all fireplace inserts must be either natural gas only or electric.

Project Design Feature 2

The project applicant shall require all homes to be designed to meet the 2019 Title 24 Part 6 building energy efficiency standards. The 2019 Title 24 Part 6 standards have been developed to meet the State’s goal of zero-net-energy use for new homes that will be achieved through a variety of measures to make new homes more energy efficient and by also requiring the installation of photovoltaic systems of adequate size to generate enough electricity to meet the zero-net energy use standard.

**Impact Analysis**

a) *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

**Significance Determination: Less Than Significant Impact.** The residential development at the Rio Rockwell Site would not conflict with or obstruct implementation of the SDAPCD’s Regional Air Quality Strategy (RAQS) or the California State Implementation Plan (SIP). The following section discusses the Proposed Project’s consistency with the SDAPCD’s RAQS and SIP.

## **SDAPCD RAQS**

The SDAPCD is the agency principally responsible for comprehensive air pollution control in the San Diego Air Basin. To that end, as a regional agency, the SDAPCD works directly with the San Diego Association of Governments (SANDAG), county transportation commissions, and local governments and cooperates actively with all federal and state agencies. The SDAPCD regulates most air pollutant sources, except for motor vehicles, marine vessels, aircraft, and agricultural equipment, which are regulated by the CARB or the EPA. In addition, the SDAPCD along with the CARB maintains and operates ambient air quality monitoring stations at numerous locations throughout San Diego County, including one at Camp Pendleton. These stations are used to measure and monitor criteria pollutant levels in order to determine the attainment status of the pollutants within the Air Basin.

The California Clean Air Act requires areas that are designated nonattainment of state ambient air quality standards of any of the criteria pollutants to prepare and implement plans to attain the standards by the earliest practicable dates. As detailed in Appendix A the Air Basin is designated by the EPA for the national standards as a non-attainment area for ozone (O<sub>3</sub>) and by CARB as nonattainment for ozone, PM<sub>10</sub>, and PM<sub>2.5</sub>. The RAQS was developed to identify feasible emission control measures and provide expeditious progress toward attaining the state standard for ozone and particulate matter. The two pollutants in the RAQS are VOCs and NO<sub>x</sub>, which are precursors to the formation of ozone. Projected increases in motor vehicle usage, population, and growth create challenges in controlling and reducing air emissions. The RAQs, in conjunction with the Transportation Control Measures, were most recently revised in 2016 as part of the RAQS for San Diego County.

## **California SIP**

The SIP is the document that sets forth the State's strategies for attaining the NAAQS. The SDAPCD is the agency responsible for preparing the portion of the SIP applicable to the Air Basin. The RAQS outlines the plans and control measures designed to attain the NAAQS for ozone. The SDAPCD relies on information from CARB and SANDAG, including projected growth, mobile, area and all other source emissions in order to predict future emissions and develop appropriate strategies for the reduction of source air emissions through regulatory controls. The CARB mobile source emission projections and SANDAG growth projections are based on population and vehicle trends and land use plans developed by the incorporated cities and County of San Diego. As such, projects that propose development that is consistent with the growth anticipated by SANDAG would also be consistent with the RAQS and the SIP.

Development at the Rio Rockwell Site would consist of 50 single-family homes and 54 townhomes on approximately 7.48 acres of the 11.54-acre Rio Rockwell Site. The remaining 4.06-acre portion of the Project Site would be utilized as a natural open space buffer adjacent to the San Luis Rey River Channel. As discussed in Appendix A, Section 1.4, the southern portion of the project site is currently designated General Commercial (GC) and the remainder of the project site is designated Single Family Detached Residential (SFD-R) in the General Plan. The southern portion of the project site is zoned Limited Commercial (CL) and the remainder of the project site is zoned Single Family Residential (RS). Development of the Rio Rockwell Site would include a General Plan Amendment to re-designate the entire project site to Medium Density B Residential (MD B – R) that allows for development of between

10.0 – 15.0 dwelling units per acre and would be re-zoned to Planned Development District. Although this re-designation has not been accounted for in the City’s current General Plan, the residential development at the Rio Rockwell Site would be in substantial compliance with the Land Use Element goals and policies.

The proposed development of 50 single-family homes and 54 townhomes would result in a population increase of 297 persons (from CalEEMod printouts in Appendix A). The SANDAG population and housing forecast for the City of Oceanside (City of Oceanside General Plan Update – EDE, ECAP, and CAP PEIR; 2019) shows that an additional 780,147 persons, 49,459 single-family homes and 263,543 multiple family homes will be added to the City by 2050. The residential development at the Rio Rockwell Site would represent 0.04 percent of the anticipated population growth, 0.10 percent of the anticipated single-family homes and 0.02 percent of the anticipated multiple family homes that will be built in the City by 2050. Therefore, the housing and population growth introduced by residential development at the Rio Rockwell Site would be well within the SANDAG and RAQS growth forecasts. Further, the residential development at the Rio Rockwell Site would not permanently change the existing or planned transportation network or traffic patterns anywhere in the Air Basin. As such, the residential development at the Rio Rockwell Site would be consistent with the local general plan and SANDAG’s growth projections. Based on the above, the residential development at the Rio Rockwell Site will not result in an inconsistency with the SDAPCD RAQS. Therefore, potential impacts associated with the conflict of or obstruction of an applicable air quality plan would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

*b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*

**Significance Determination: Less Than Significant Impact.** The residential development at the Rio Rockwell Site would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard. The following calculates the potential air emissions associated with the construction and operations of the residential development at the Rio Rockwell Site and compares the emissions to the SDAPCD criteria pollutant emissions standards detailed in Appendix A, Section 8.1.

### **Construction Emissions**

The construction activities for the residential development at the Rio Rockwell Site are anticipated to include site preparation and grading of approximately 6.92 acres of the 11.54-acre Rio Rockwell Site, building construction of 50 single-family homes and 54 townhomes, paving of onsite parking areas and driveways, and application of architectural coatings. The CalEEMod model has been utilized to calculate the construction-related emissions from the residential development at the Rio Rockwell Site and the input parameters utilized in this analysis can be found in Appendix A, Section 7.1. The worst-case summer or winter daily construction-related criteria pollutant emissions from the development of the Rio Rockwell Site for each phase of construction activities are shown below in Table A – *Construction*

*Related Criteria Pollutant Emissions.* Since it is possible that building construction, paving, and architectural coating activities may occur concurrently, Table A also shows the combined criteria pollutant emissions from building construction, paving, and architectural coating phases of construction.

**Table A – Construction-Related Criteria Pollutant Emissions**

Activity	Pollutant Emissions (pounds/day)					
	VOC	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM10	PM2.5
Site Preparation	4.45	46.37	22.81	0.04	20.65	12.19
Grading	6.02	101.69	44.86	0.20	14.57	6.71
Combined Building Construction, Paving, and Architectural Coatings	72.89	39.95	40.57	0.08	3.97	2.34
- Building Construction	2.98	25.38	22.85	0.06	2.82	1.53
- Paving	1.35	12.96	15.05	0.02	0.80	0.65
- Architectural Coatings	68.56	1.61	2.67	0.00	0.35	0.16
<b>Maximum Daily Construction Emissions</b>	<b>72.89</b>	<b>101.69</b>	<b>44.86</b>	<b>0.20</b>	<b>20.65</b>	<b>12.19</b>
<b>SDAPCD Thresholds</b>	<b>75</b>	<b>250</b>	<b>550</b>	<b>250</b>	<b>100</b>	<b>55</b>
Exceeds Threshold?	No	No	No	No	No	No

Source: CalEEMod Version 2016.3.2.

Table A shows that none of the analyzed criteria pollutants would exceed the SDAPCD emissions thresholds during any phase of construction activities or from concurrent building construction, paving and architectural coating construction activities. Therefore, potential impacts associated with construction related air quality impacts would less than significant.

### Operational Emissions

The on-going operation of the residential development at the Rio Rockwell Site would result in a long-term increase in air quality emissions. This increase would be due to emissions from the project-generated vehicle trips and through operational emissions. The operations-related criteria air quality impacts created by the residential development at the Rio Rockwell Site have been analyzed through use of the CalEEMod model and the input parameters utilized in this analysis have been detailed in Appendix A, Section 7.1. The worst-case operational summer or winter VOC, NO<sub>x</sub>, CO, SO<sub>2</sub>, PM10, and PM2.5 daily emissions are summarized in Table B – *Operational Criteria Pollutant Emissions* and the CalEEMod daily emissions printouts are shown in Appendix A.

**Table B – Operational Criteria Pollutant Emissions**

Activity	Pollutant Emissions (pounds/day)					
	VOC	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM10	PM2.5
Area Sources <sup>1</sup>	5.73	1.82	9.33	0.01	0.19	0.19
Energy Usage <sup>2</sup>	0.06	0.49	0.21	0.00	0.04	0.04
Mobile Sources <sup>3</sup>	1.65	6.94	19.51	0.07	5.70	1.56
<b>Total Emissions</b>	<b>7.44</b>	<b>9.24</b>	<b>29.05</b>	<b>0.08</b>	<b>5.93</b>	<b>1.79</b>
<b>SDAPCD Thresholds</b>	<b>75</b>	<b>250</b>	<b>550</b>	<b>250</b>	<b>100</b>	<b>55</b>
Exceeds Threshold?	No	No	No	No	No	No

Notes:

<sup>1</sup> Area sources consist of emissions from hearths, consumer products, architectural coatings, and landscaping equipment.

<sup>2</sup> Energy usage consist of emissions from natural gas usage (excluding hearths).

<sup>3</sup> Mobile sources consist of emissions from vehicles and road dust.

Source: Calculated from CalEEMod Version 2016.3.2.

Table B shows that none of the analyzed operational criteria pollutants would exceed the SDAPCD emissions thresholds. Therefore, potential impacts associated with operational related air quality impacts would be less than significant.

Pursuant to the Sierra Club v. Friant Ranch Supreme Court Ruling (Case No. S219783, December 24, 2018), which found on page 6 of the ruling that EIRs need to “makes a reasonable effort to substantively connect a project’s air quality impacts to likely health consequences.” Also, on page 24 of the ruling it states “The Court of Appeal identified several ways in which the EIR could have framed the analysis to adequately inform the public and decision makers of possible adverse health effects. The County could have, for example, identified the Project’s impact on the days of nonattainment per year.” Table B above shows that the primary source of operational air emissions would be created from mobile source emissions that would be generated throughout the Air Basin. As such, any adverse health impacts created from the residential development at the Rio Rockwell Site should be assessed on a basin-wide level. As indicated in Appendix A, Table C (pg. 16) the Air Basin has been designated by EPA for the national standards as a non-attainment area for ozone. In addition, PM10 and PM2.5 have been designated by the State as non-attainment. It should be noted that VOC and NO<sub>x</sub> are ozone precursors, as such, they have been considered as non-attainment pollutants.

The California Almanac of Emissions and Air Quality 2013 Edition, prepared by CARB, shows that for the County of San Diego in the year 2020 the total VOC emissions will be 114 tons per day, NO<sub>x</sub> emissions will be 68 tons per day, SO<sub>x</sub> emissions will be 1 ton per day, PM10 emissions will be 74 tons per day, and PM2.5 emissions will be 19 tons per day. The Report does not provide any data for CO emissions. The residential development at the Rio Rockwell Site contribution to each criteria pollutant in the Air Basin is shown in Table C— *Project’s Contribution to Criteria Pollutants in the Air Basin*.

**Table C – Rio Rockwell Site’s Contribution to Criteria Pollutants in the Air Basin**

Emissions Source	Pollutant Emissions (pounds/day)					
	VOC	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM10	PM2.5
Project Emissions <sup>1</sup>	7.44	9.25	29.05	0.08	5.93	1.79
Total Emissions in Air Basin <sup>2</sup>	228,000	136,000	--	2,000	148,000	38,000
<b>Project’s Percent of Air Emissions</b>	<b>0.0033%</b>	<b>0.0068%</b>	--	<b>0.0040%</b>	<b>0.0040%</b>	<b>0.0047%</b>

Notes:

<sup>1</sup> From the project’s total operational emissions shown in Appendix A, Table I.

<sup>2</sup> California Almanac of Emissions and Air Quality 2013 Edition.

As shown in Table C, the residential development at the Rio Rockwell Site would increase criteria pollutant emissions by as much as 0.0068 percent for NO<sub>x</sub> in the Air Basin. Due to these nominal increases in the Air Basin-wide criteria pollutant emissions, no increases in days of non-attainment are anticipated to occur from operation of the Rio Rockwell Site. As such, operation of the residential development at the Rio Rockwell Site is not anticipated to result in a quantitative increase in premature deaths, asthma in children, days children will miss school, asthma-related emergency room visits, or an increase in acute bronchitis among children due to the criteria pollutants created by the residential development at the Rio Rockwell Site. Therefore, potential impacts associated with cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

*c) Would the project expose sensitive receptors to substantial pollutant concentrations?*

**Significance Determination: Less Than Significant Impact.** The residential development at the Rio Rockwell Site would not expose sensitive receptors to substantial pollutant concentrations. The criteria pollutant emissions produced in the nearby vicinity of the Rio Rockwell Site, which may expose sensitive receptors to substantial concentrations have been calculated in Appendix A, Section 8.3 for both construction and operations, which are discussed separately below. The discussion below also includes an analysis of the potential impacts from toxic air contaminant emissions. The nearest sensitive receptors to the project site are single-family homes located as near as 60 feet to the south of the project site and the nearest outdoor activity area or structure at Nichols Elementary School is as near as 180 feet west of the project site.

### **Construction-Related Sensitive Receptor Impacts**

Construction of the residential development at the Rio Rockwell Site may expose sensitive receptors to substantial pollutant concentrations of localized criteria pollutant concentrations and from toxic air contaminant emissions created from onsite construction equipment, which are described below.

#### Construction-Related Fugitive Dust Emissions

Construction activities are a source of fugitive dust (PM<sub>10</sub> and PM<sub>2.5</sub>) emissions that may have a substantial, although temporary, impact on local air quality. In addition, fugitive dust may be a nuisance to those living and working in the immediate vicinity of the proposed construction activities. Fugitive dust emissions from the residential development at the Rio Rockwell Site would be created during onsite earth moving activities. The anticipated onsite worst-case PM<sub>10</sub> emissions for each phase of construction have been provided above in Table A. However, it should be noted that fugitive dust emissions vary substantially from day to day, depending on the level and type of activity and weather conditions. Additionally, most of the PM<sub>10</sub> emissions from onsite construction activities are from inert silicates, rather than the complex organic particles released from combustion sources, which are more harmful to health.

Construction activities associated with the residential development at the Rio Rockwell Site would be required to implement emissions control measures detailed in SDAPCD's Rule 55 – Fugitive Dust Control, which restricts construction activities from creating visible dust emissions at the property line that lasts more than three minutes in any hour and requires the removal of all track-out from the nearby roadways. With implementation of SDAPCD's Rule 55, the development of the Rio Rockwell Site would not exceed the SDAPCD standards for fugitive dust and impacts associated with construction activities to the local air quality would be less than significant.

### Toxic Air Contaminants Impacts from Construction

The greatest potential for toxic air contaminant emissions would be related to diesel particulate matter (DPM) emissions associated with heavy equipment operations during construction of the Rio Rockwell Site. SDAPCD and CAPCOA methodology, health effects from carcinogenic air toxics are usually described in terms of “individual cancer risk”. “Individual Cancer Risk” is the likelihood that a person exposed to concentrations of toxic air contaminants over a 70-year lifetime will contract cancer, based on the use of standard risk-assessment methodology. Given the relatively limited number of heavy-duty construction equipment and the short-term construction schedule, the residential development at the Rio Rockwell Site would not result in a long-term (i.e., 70 years) substantial source of toxic air contaminant emissions and corresponding individual cancer risk. In addition, California Code of Regulations Title 13, Article 4.8, Chapter 9, Section 2449 regulates emissions from off-road diesel equipment in California. This regulation limits idling of equipment to no more than five minutes, requires equipment operators to label each piece of equipment and provide annual reports to CARB of their fleet’s usage and emissions. This regulation also requires systematic upgrading of the emission Tier level of each fleet, and currently no commercial operator can purchase Tier 0 or Tier 1 equipment and by January 2023 no commercial operator can purchase Tier 2 equipment. In addition to the purchase restrictions, equipment operators need to meet fleet average emissions targets that become more stringent each year between years 2014 and 2023. No significant short-term toxic air contaminant impacts would occur during construction of the Rio Rockwell Site. Therefore, construction impacts associated with the exposure of sensitive receptors to substantial pollutant would be less than significant.

### **Operations-Related Sensitive Receptor Impacts**

The on-going operations of the Rio Rockwell Site may expose sensitive receptors to substantial pollutant concentrations of local CO emission impacts from the project-generated vehicular trips and from the potential operational toxic air contaminant impacts.

### Local CO Hotspot Impacts from Project-Generated Vehicle Trips

CO is the pollutant of major concern along roadways because the most notable source of CO is motor vehicles. For this reason, CO concentrations are usually indicative of the local air quality generated by a roadway network and are used as an indicator of potential impacts to sensitive receptors. The Transportation Project-Level Carbon Monoxide Protocol (CO Protocol), prepared for Caltrans, December 1997, provides a screening method to determine if the vehicle trips generated by a project has the potential to create a CO hotspot at any of the nearby intersections. According to the CO Protocol, projects may worsen air quality if they increase the percentage of vehicles in cold start mode by two percent or more; significantly increase the traffic volume by five percent or more over existing volumes, or worsen traffic flow at an intersection, which is defined as increasing average delay at signalized intersections operating at Level of Service (LOS) E or F, or causing an intersection that would operate at LOS D or better without the project to operate at LOS E or F.

The Traffic Impact Analysis found that of the two intersections analyzed, only the signalized intersection of SR 76 and Old Grove Road would operate at LOS E or worse for the near-term conditions.

The Traffic Impact Analysis also shows that for the near-term with project conditions for SR 76 and Old Grove Road would remain at LOS E; however, the change in delay will be 1.8 seconds with development of the Rio Rockwell Site, which represents a 2.8 percent increase in delay, which is less than the five percent increase threshold detailed above. Due to the nominal increase in delay as well as the reduction in CO emissions created by newer vehicles, no local CO Hotspots are anticipated to be created at any of the nearby intersections from the vehicle traffic generated by the implementation of residential development at the Rio Rockwell Site. Therefore, potential impacts associated with CO hotspot would be less than significant.

#### Operations-Related Toxic Air Contaminant Impacts

Particulate matter (PM) from diesel exhaust is the predominant TAC in most areas and according to The California Almanac of Emissions and Air Quality 2013 Edition, prepared by CARB, about 80 percent of the outdoor TAC cancer risk is from diesel exhaust. Some chemicals in diesel exhaust, such as benzene and formaldehyde have been listed as carcinogens by State Proposition 65 and the Federal Hazardous Air Pollutants program. Due to the nominal number of diesel truck trips generated by the proposed residential project, a less than significant TAC impact would occur during on-going operations of the Rio Rockwell Site and no mitigation would be required. Operational impacts relating to the exposure of sensitive receptors to substantial pollutant concentrations would be less than significant.

Therefore, potential impacts associated with the exposure of sensitive receptors to substantial pollutant concentrations would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

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

**Significance Determination: Less Than Significant Impact.** The implementation of the residential development at the Rio Rockwell Site would not create objectionable odors affecting a substantial number of people. Individual responses to odors are highly variable and can result in a variety of effects. Generally, the impact of an odor results from a variety of factors such as frequency, duration, offensiveness, location, and sensory perception. The frequency is a measure of how often an individual is exposed to an odor in the ambient environment. The intensity refers to an individual's or group's perception of the odor strength or concentration. The duration of an odor refers to the elapsed time over which an odor is experienced. The offensiveness of the odor is the subjective rating of the pleasantness or unpleasantness of an odor. The location accounts for the type of area in which a potentially affected person lives, works, or visits; the type of activity in which he or she is engaged; and the sensitivity of the impacted receptor.

Sensory perception has four major components: detectability, intensity, character, and hedonic tone. The detection (or threshold) of an odor is based on a panel of responses to the odor. There are two types of thresholds: the odor detection threshold and the recognition threshold. The detection

threshold is the lowest concentration of an odor that will elicit a response in a percentage of the people that live and work in the immediate vicinity of the project site and is typically presented as the mean (or 50 percent of the population). The recognition threshold is the minimum concentration that is recognized as having a characteristic odor quality, this is typically represented by recognition by 50 percent of the population. The intensity refers to the perceived strength of the odor. The odor character is what the substance smells like. The hedonic tone is a judgment of the pleasantness or unpleasantness of the odor. The hedonic tone varies in subjective experience, frequency, odor character, odor intensity, and duration. Potential odor impacts have been analyzed separately for construction and operations below.

### **Construction-Related Odor Impacts**

Potential sources that may emit odors during construction activities include the application of coatings such as asphalt pavement, paints and solvents and from emissions from diesel equipment. The objectionable odors that may be produced during the construction process would be temporary and would not likely be noticeable for extended periods of time beyond the project site's boundaries. Due to the transitory nature of construction odors, impacts associated with construction-related odor would be less than significant.

### **Operations-Related Odor Impacts**

The Rio Rockwell Site would consist of the development of 50 single-family homes and 54 townhomes and associated onsite roads, parking spaces, and recreation areas. Potential sources that may emit odors during the on-going operations of the residential development at the Rio Rockwell Site would primarily occur from odor emissions from the trash storage areas. Pursuant to City regulations, permanent trash enclosures that protect trash bins from rain as well as limit air circulation would be required for the trash storage areas. Due to the distance of the nearest receptors from the Rio Rockwell Site and through compliance with SDAPCD's Rule 51, no significant impact related to odors would occur during the on-going operations of the residential development at the Rio Rockwell Site. Therefore, potential impacts associated with operations-related odor would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

**5.4 BIOLOGICAL RESOURCES**

Would the project:		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

A Biological Resource Assessment was completed to determine potential impacts to biological resources associated with the development of the Proposed Project on the Rio Rockwell Site (Appendix B – *Biological Resource Assessment for the Rio Rockwell Project*, Carlson Strategic Land Solutions, June 2020). The Biological Resource Assessment also includes information about the Rancho Del Oro Site, which is biologically superior property the City agreed to dedicate into the Oceanside Subarea Habitat Conservation Preserve to offset the loss of Hardline Preserve area on the Rio Rockwell site (**Figure 6** and **Figure 7**). No impacts would occur at the Rancho Del Oro Site, which would be included as a Hardline Preserve Area under the Oceanside Draft Subarea Habitat Conservation Plan/Natural Communities Conservation Plan (Draft Subarea Plan) and under the Multiple Habitat Conservation Plan (MHCP). The MHCP is a comprehensive, multiple jurisdictional planning program designed to create, manage, and monitor an ecosystem preserve in northwestern San Diego County. The City implemented the MHCP policies within the Draft Subarea Plan to guide preservation and conservation within the City.

As part of the Biological Resource Assessment, general biological surveys, vegetation mapping, and jurisdictional waters and wetlands delineation were conducted through multiple field investigations at the Rio Rockwell Site. A general biological survey, vegetation mapping, mapping of any jurisdictional waters and wetlands delineation, and focused coastal California gnatcatcher (*Polioptila californica californica* [CAGN]) survey were conducted through a multitude of field investigations at the Rancho Del Oro Site. The results of the biological surveys for both sites are included within Appendix B. The focused CAGN survey conducted at the Rancho Del Oro Site is included within Appendix C – *2018 Breeding Season Coastal California Gnatcatcher Survey Results for the Rancho Del Oro Project Oceanside, California*, Kidd Biological, Inc., July 5, 2018.

The Rio Rockwell Site consists primarily of ruderal/disturbed habitat with small patches of sandbar willow thicket and southern cottonwood/willow riparian forest vegetation types. One drainage feature is located along the western extent of the Project Site, identified as Feature 1 in Appendix B, which would be avoided. Approximately 10 acres of the Rio Rockwell Site is identified as Hardline Preserve in the Draft Subarea Plan area. However, the approximately 10 acres within the Subarea Hardline Preserve area is primarily ruderal vegetation with small patches of sandbar willow and southern cottonwood and willow riparian forest along the northern Rio Rockwell Site boundary.

As part of the Proposed Project, the Property Owner/Developer would plant native vegetation within a 100-foot average width of the northern portion of the Rio Rockwell Site to provide an open space area between the Rio Rockwell Site's northern property line and the edge of the proposed residential development, as shown in Figure 26. This open space area provides a buffer between the existing riparian habitat in the Mitigation Lands, including the San Luis Rey River Trail to the north and the San Luis Rey River beyond, and the proposed residential development. This buffer area will be planted with riparian vegetation along the northern most boundary transitioning to a cactus scrub habitat closer to the proposed residential development. The buffer would ensure avoidance of potential direct and indirect impacts to the southern cottonwood and willow riparian forest biological resources located off-site within the riparian habitat associated with the San Luis Rey River. In the existing condition, this proposed open space buffer area contains predominately ruderal species with small patches of sandbar willow. The open space buffer would be planted with riparian species (Mulefat (*Bacharris salifolia*) and Elderberry (*Sambucus nigra*) between the northern property line and transition to a traditional upland plant palette as it approaches the proposed residential development (cactus scrub/coastal sage scrub). The open space buffer would be consistent with the requirements of the Draft Subarea Plan to provide a minimum 100-foot biological buffer for upland habitats, beginning at the outer edge of riparian vegetation associated with the San Luis Rey River.

The Rancho Del Oro Site consists primarily of coastal sage scrub and non-native grassland vegetation types. A small area of the Site (>1 acre) was found to support ornamental vegetation. The Rancho Del Oro Site is owned by the City of Oceanside and will remain in the City's ownership. Inclusion of the Rancho Del Oro Site into the City's mapping of the Draft Subarea Hardline Preserve area (see Figure 5 of Appendix B) would ensure no net loss of Hardline Preserve acreage identified in the Draft Subarea Plan. The Rancho Del Oro Site contains superior coastal California sage scrub habitat with diversity of plant species and is occupied with the federally endangered CAGN. The Rancho Del Oro Site contains

large ornamental trees and open grasslands and provides nesting and foraging habitat for avian species, specifically raptors.

Designation of the of the Rancho Del Oro as Hardline Preserve in the Draft Subarea Plan provides superior biological value compared to the vegetation community found within the Hardline Preserve area on the Rio Rockwell Site. Potential impacts at the Rio Rockwell Site occur predominately to ruderal species and a small patch of sandbar willow. The Rancho Del Oro Site supports high quality coastal sage scrub habitat, which is considered sensitive by the California Department of Fish and Wildlife (CDFW) and Habitat Type C under the Draft Subarea Plan. The Rancho Del Oro Site has been documented as supporting the federally threatened coastal California gnatcatcher. Although the Rancho Del Oro Site is not currently located within a Hardline Preserve, it is located immediately east of the Mission View On-Site Preserve. The Rancho Del Oro Site is located within a designated Local Gnatcatcher Corridor within Constrained Area I. The Draft Subarea Plan places emphasis on conserving and enhancing a regionally important “stepping stone” for gnatcatcher across the Draft Subarea Plan area. Designation of the Rancho Del Oro as Hardline Preserve in the Draft Subarea Plan would contribute to the regional conservation efforts and movement of the coastal California gnatcatcher.

### **Impact Analysis**

*a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

**Significance Determination: Less Than Significant with Mitigation Incorporated.**

### **Rio Rockwell Site:**

Existing plant communities and the designated Draft Subarea Plan habitat groups were mapped on the Rio Rockwell Site and are shown in Table D – *Rio Rockwell Plant Communities*. The determination of potential impacts was based on the Rio Rockwell Site Plan (Figure 10) and the affected habitat type.

**Table D – Rio Rockwell Plant Communities**

Habitat Type	Draft Subarea Plan Habitat Group <sup>1</sup>	Total (acres)	Permanent Impacts (acres)	Avoidance (acres)
Sandbar Willow Thicket (61209)	A	0.76	0.64	0.12
Southern Cottonwood and Willow Riparian Forest (61330)	A	0.40	0.00	0.40
Disturbed Habitat (11300)	F	10.38	8.09	2.29
<b>Total</b>	-	<b>11.54</b>	<b>8.73</b>	<b>2.81</b>

**Notes:**

<sup>1</sup>. Habitat Group A consists of wetland/riparian communities that are subject to the Draft Subarea Plan goal of no net loss in acreage, function, and value.

Habitat Group B consists of rare upland communities, subject to Draft Subarea Plan goal to avoid impact as much as possible and conserve on-site existing habitat areas.

Habitat Group C consists of coastal sage scrub, with a Draft Subarea Plan goal to minimize impacts as much as possible.

Habitat Group D consists of chaparral communities (with the exception of southern maritime chaparral), with a Draft Subarea Plan goal to minimize impacts to these communities within Focused Planning Areas (FPAs).

Habitat Group D consists of annual (nonnative) grasslands, with a Draft Subarea Plan goal to minimize impacts within FPAs as much as possible.

Group F consist of other lands such as disturbed or agricultural, which should be considered for avoidance if active uses are discontinued and these lands may support habitat for plants or wildlife species.

*Sources: Carlson SLS 2017, Revised 2020*

The Rio Rockwell Site supports Southern cottonwood willow riparian forest, which is considered a sensitive habitat by CDFW, and is within the open space buffer area and would be avoided. Further, this community has been designated as Habitat Group A under the Draft Subarea Plan, which are subject to the goal of no net loss in acreage, function and value. Although not considered sensitive by CDFW, sandbar willow thicket also meets the definition of Habitat Group A due to the dominance of riparian plant species.

**Sensitive Plant Species:**

Development of the Rio Rockwell Site would result in the direct removal of common and ruderal plant species. Common plant species present within the site occur in large numbers throughout the region and their removal does not constitute an impact on a candidate, sensitive, or special status species. Therefore, potential impacts to common and ruderal plant species would be less than significant.

Potential short-term and long-term indirect impacts to the on-site avoided and surrounding plant species may occur as a result of the residential development at the Rio Rockwell Site. Plant species located within the on-site avoidance areas include those classified as the disturbed habitats, and riparian habitats associated with the San Luis Rey River. As discussed above, the Rio Rockwell Site would include an open space buffer averaging 100 feet wide from the northern property line, which is effectively the edge of the riparian habitat associated with the San Luis Rey River. This open space buffer would ensure avoidance of direct and indirect impacts to the southern cottonwood and willow riparian forest biological resources located off-site within the area between the San Luis Rey River Trail, and the on-site southern cottonwood and willow riparian forest. In the existing condition, the proposed open space buffer area consists of predominately ruderal species with small patches of sandbar willow.

In addition to the buffer, the Property Owner/Developer would implement standard Best Management Practices (BMP's) and typical restrictions and requirements that address dust control, erosion, and runoff, including the federal Clean Water Act and National Pollution Discharge Elimination System (NPDES), which would ensure that short-term and long-term indirect impacts to adjacent plant species would be less than significant.

Seven sensitive plant species have the potential to occur on the Rio Rockwell Site due to the presence of suitable habitat, including San Diego sagewort, southern tarplant, smooth tarplant, golden-rayed pentachaeta, white rabbit-tobacco, Engelmann oak, and Fish's milkwort. Suitable habitat was determined based on the literature review and habitat observed on-site. However, no individual plants were observed on-site during the site assessment, which was conducted during the known blooming periods for these species. Therefore, no potential impacts to sensitive plant species would occur.

### **Sensitive Wildlife Species:**

Development of the Rio Rockwell site would result in the disruption and removal of habitat, consisting primarily of ruderal plant community and a small portion of sandbar willow, and the loss and displacement of non-sensitive common wildlife species. Due to the limited amount of native habitat (0.64 acre of sandbar willow thicket) to be removed and the level of existing disturbance from human activity on-site and within the vicinity (e.g., nearby development), these impacts would not be expected to reduce the general wildlife populations below self-sustaining levels within the region and impacts to non-sensitive wildlife species do not meet the significance thresholds identified in 5.4(a) of Appendix G. Therefore, potential impacts to common wildlife species would be less than significant.

Potential adverse indirect impacts to common wildlife include increased vehicular traffic and a corresponding increase in roadkill and noise; an increase in predatory and feral pets; an increase in litter, pollutants, dust, oil, and other human debris; and, an increase in nighttime lighting. Common wildlife species using habitats on-site would avoid habitats affected by these "spillover" impacts, thereby decreasing diversity beyond the actual development envelope. These impacts by themselves would not be expected to reduce general wildlife populations below self-sustaining levels within the region; therefore, elimination or disruption of habitat for these common wildlife species would be less than significant.

Six sensitive wildlife species were determined to have the potential to occur on the Rio Rockwell Site, including Cooper's hawk, northern harrier, white-tailed kite, least Bell's vireo, yellow warbler, and yellow-breasted chat. The site and surrounding areas also have the potential to support migratory birds and raptors that are discussed further in Appendix B, Section 5.7.3. Three of the six species are proposed Covered Species under the Draft Subarea Plan, including Cooper's hawk, least Bell's vireo, and yellow-breasted chat. Potential impacts to these species may occur should ground disturbances occur during typical nesting season (Jan 1 through August 31 for Raptors and February 15 through August 15 for other avian species). A discussion of potential impacts and associated mitigation measures and condition of approvals for these species is discussed further, below.

**Least Bell's vireo:**

The residential development at the Rio Rockwell Site would not directly impact suitable breeding habitat for this species (southern cottonwood willow riparian forest). However, indirect impacts to this species may occur if construction activities occur during breeding season. Additionally, approximately 9.56 acres of the site is located within USFWS designated critical habitat for the least Bell's vireo (*Vireo bellii pusillus* [LBV]). The residential development at the Rio Rockwell Site would result in potential impacts to approximately 6.82 acres of designated critical habitat, which includes 0.64-acres of sandbar willow thicket and 6.18-acres of disturbed habitat. The Primary Constituent Elements (PCE's) defined for the least Bells' vireo include riparian woodland vegetation that generally contains both canopy and shrub layers and includes some associated upland habitats (USFWS 1994). Additional constituent elements include presence of dense cover and dense stratified canopy for foraging. Of the 6.82 acres of designated critical habitat, a total of 0.64 acres consists of sandbar willow and 6.18 acres of disturbed habitat, neither of which are considered PCE for the LBV (Appendix B, Figure 19 (pg. 67)). No direct impacts to critical habitat supporting least Bell's vireo PCE's in the form of breeding habitat (southern cottonwood willow riparian forest) would occur as a result of implementation of the residential development at the Rio Rockwell Site.

However, due to the proximity of the San Luis Rey River, in order to prevent any indirect impacts to the species, **MM BIO-1** would require that the Property Owner/Developer remove the sandbar willow outside of typical LBV nesting season (March 15th through September 15th). **MM BIO-2** would require the Property Owner/Developer to begin all grading operations outside of the LBV breeding season (March 15th through September 15th) and such grading operations shall remain continuous through the season without interruption, or any restart of grading shall occur outside of LBV breeding season. **MM BIO-3** would require that the Property Owner/Developer adhere to the minimization and best standard practices as outlined in the Draft Subarea Plan.

Per CNDDB, LBV occurrences have been limited to the high-quality habitat found within the San Luis Rey River and no known occurrences have been recorded within the sparse and low quality of sandbar willow found on-site. Regardless, to further mitigate the impacts to the sandbar willow found onsite, designated Draft Subarea Plan Habitat Group A, **MM BIO-4** would require that the Property Owner/Developer incorporate a 1:1 ratio of planting riparian species (mulefat, willow sp.) into the riparian transitional area of the 100-foot buffer adjacent to the San Luis Rey River for a no net loss of acreage function, and value, of a Draft Subarea Plan Habitat Group A. Therefore, with implementation of **MM BIO-1** through **MM BIO-4**, potential impacts associated with the Least Bell's vireo would be less than significant.

**Cooper's hawk:**

The proposed residential development at the Rio Rockwell Site would avoid direct impacts to southern cottonwood willow riparian forest, which is suitable habitat for this species. However, indirect impacts to this species may occur if found breeding within 300-feet surrounding the Rio Rockwell Site during ground disturbing activities and/or construction. **MM BIO-5** would require that the Property Owner/Developer complete a pre-construction survey in compliance with the MBTA. Therefore, with

implementation of **MM BIO-5**, potential impacts associated with the Cooper's Hawk would be less than significant.

**Yellow-breasted chat:**

The proposed residential development at the Rio Rockwell Site would avoid direct impacts to southern cottonwood willow riparian forest, which is suitable habitat for this species. However, indirect impacts to this species may occur if found breeding within 300-feet surrounding the Rio Rockwell Site during ground disturbing activities and/or construction. **MM BIO-5** would require that the Property Owner/Developer complete a pre-construction survey in compliance with the MBTA. Therefore, with implementation of **MM BIO-5**, potential impacts associated with the Yellow-breasted chat would be less than significant.

**Remaining sensitive species:**

The remaining three sensitive species - northern harrier, white-tailed kite, and yellow warbler - are not proposed Covered Species under the Draft Subarea plan. Northern harrier and yellow warbler are listed as California Species of Special Concern by CDFW and white-tailed kite is listed as a California Fully Protected Species. None of these species carry a Federal or State listing as threatened or endangered. However, they are all protected under the MBTA during breeding. These species are dependent on riparian plant communities for foraging and breeding. The proposed residential development at the Rio Rockwell Site would avoid direct impacts to southern cottonwood willow riparian forest, which is suitable habitat for these species. However, indirect impacts to these species may occur if found breeding within 300-feet surrounding the Rio Rockwell Site during ground disturbing activities and/or construction. **MM BIO-5** would require that the Property Owner/Developer complete a pre-construction survey in compliance with the MBTA. Therefore, with implementation of **MM BIO-5**, potential impacts associated with the remaining sensitive species would be less than significant.

Therefore, with implementation of **MM BIO-1** through **MM BIO-5**, impacts associated with substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service, including migratory and/or nesting birds, would be less than significant.

**Rancho Del Oro Site:**

The Rancho Del Oro Site would be designated as Hardline Preserve per the Draft Subarea Plan, which provides superior biological habitat to offset the removal of the Hardline Preserve designation of the Rio Rockwell Site. The Rancho Del Oro Site is not located within USFWS critical habitat for federally threatened and endangered species. The closest USFWS critical habitat is located approximately 0.30 miles east of the Rancho Del Oro site for the coastal California gnatcatcher (*Polipotila californica* [CAGN]). The Rancho Del Oro Site contains ornamental, non-native grasslands, and coastal sage scrub, which is suitable habitat for the coastal California gnatcatcher. Within 2-miles of the Rancho Del Oro Site there were occurrences of eight listed special status wildlife species and one candidate to become listed. Those species include: CAGN, LBV, southwestern willow flycatcher (*Empidonax traillii extimus*

[SWFL]), Stephen’s Kangaroo rat (*Dipodomys stephensi*), Swainson’s hawk (*Buteo swainsoni*), tidewater goby (*Eucyclogobius newberryi*), and tricolored blackbird (*Agelaius tricolor*). Two listed special status plant species were identified within the 2-mile radius, which include San Diego ambrosia (*Ambrosia pumila*), and thread-leaved brodiaea (*Brodiaea filifolia*). Of the total eight listed special status wildlife species mapped within the surrounding 2-miles of the Rancho Del Oro project site, the recorded buffer area for three listed species occurs within a portion of the project site. Those species include the following: Swainson’s hawk, Stephen’s kangaroo rat, and San Diego ambrosia. However, based on the habitat observed during the field visit, the following wildlife species have moderate to high potential to occur onsite: CAGN, Stephen’s kangaroo rat, Swainson’s Hawk, and tricolored blackbird due to suitable habitat found onsite for foraging or nesting. Both special status plants identified within 2-miles of the Rancho Del Oro site have moderate potential to occur onsite due to the suitable habitat found onsite. Preliminary mapping is shown in Appendix B which breaks down the Rancho Del Oro Site into the habitat types identified in Table E – *Rancho Del Oro Site Habitat Acreage Onsite* below.

**Table E – Rancho Del Oro Site Habitat Acreage Onsite**

Habitat Type	Acreage
Coastal Sage Scrub	2.63
Disturbed Coastal Sage Scrub	0.05
Non-Native Grasslands	2.71
Ornamental	0.91
<b>Total</b>	<b>6.30</b>
<i>Sources: Carlson SLS 2017, Revised 2020</i>	

The Coastal Sage Scrub observed on the Rancho Del Oro Site is considered high quality because of its health, species diversity and plant diversity. CAGN were detected during breeding season surveys conducted on the Rancho Del Oro Site during the 2018 breeding season. The site supports a large patch of suitable CAGN habitat that is mostly dominated by coastal sage scrub and is adjacent to additional suitable CAGN habitat. Presence of CAGN indicates that the area supports habitat essential for the species’ conservation. Appendix B, remarks that designating this area as Hardline Preserve in the Draft Subarea Habitat Conservation Plan/Natural Community Conservation Plan would be encouraged in providing essential habitat for CAGN populations and aid in conserving the region’s biodiversity. The Rancho Del Oro Site contains large ornamental trees and open grasslands providing nesting and foraging habitat for avian species, including raptors.

The Rancho Del Oro Site is owned by the City of Oceanside and will remain in the City’s ownership. Inclusion of the Rancho Del Oro Site within the City’s mapping of the Draft Subarea Hardline Preserve area would offset removal of the Hardline Preserve designation from the Rio Rockwell Site. The Rancho Del Oro Site contains superior coastal California sage scrub habitat with diversity of plant species and is occupied with the federally endangered CAGN. The Rancho Del Oro Site contains large ornamental trees and open grasslands and provides nesting and foraging habitat for avian species, specifically raptors. Designation of the Rancho Del Oro Site as Hardline Preserve provides superior biological value compared to the vegetation community found within the Hardline Preserve area on the Rio Rockwell

Site. Potential impacts at the Rio Rockwell Site occur predominately to ruderal species and a small patch of sandbar willow. The Rancho Del Oro Site supports high quality coastal sage scrub habitat, which is considered sensitive by the California Department of Fish and Wildlife (CDFW) and Habitat Type C under the Draft Subarea Plan. The Rancho Del Oro Site has been documented as supporting the federally threatened coastal California gnatcatcher. Although the Rancho Del Oro Site is not currently located within a Hardline Preserve, it is located immediately east of the Mission View On-Site Preserve. The Rancho Del Oro Site is located within a designated Local Gnatcatcher Corridor within Constrained Area I. The Draft Subarea Plan places emphasis on conserving and enhancing a regionally important “stepping stone” for gnatcatcher across the Draft Subarea Plan area. Designation of the Rancho Del Oro Site as a Hardline Preserve area would contribute to the regional conservation efforts and movement of the coastal California gnatcatcher.

No impacts would occur at the Rancho Del Oro Site as it would be set aside as it would be included as a Hardline Preserve area under the Draft Subarea Plan. Therefore, no potential impacts associated with substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service, including migratory and/or nesting birds, would occur at the Rancho Del Oro Site.

**Mitigation Measures:**

**MM BIO-1:** Prior to issuance of grading permits on the Rio Rockwell Site, the Property Owner/Developer shall remove the sandbar willow outside of typical nesting season (March 15th through September 15th).

**MM BIO-2:** Prior to the issuance of grading permits on the Rio Rockwell Site, the Property Owner/Developer shall begin all grading operations outside of the Vireo bellii pusillus [LBV] breeding season (March 15th through September 15th) and such grading operations shall remain continuous through the season without interruption. If grading operations stop for more than three days during LBV breeding season, one of the following shall occur prior to resuming grading operations:

1. All grading operations shall not restart until after the end of the LBV breeding season (September 15); or
2. An LBV survey of on-site suitable habitat and suitable habitat within a 300-foot area surrounding construction activities, consistent with the Draft Subarea Plan, shall be conducted by a qualified biologist before any grading or ground disturbance activity commences during the breeding season (March 15 to September 15). The survey shall be conducted in accordance with accepted protocols. Following negative results for nesting LBV, the grading operations may recommence. However, should LBV nesting be observed, either on-site or within 300-feet of the construction activities, the grading shall not restart until nesting is complete and the fledging have left.

**MM BIO-3:** Prior to the issuance of grading permits on the Rio Rockwell Site, the Property Owner/Develop shall adhere to the minimization and best standard practices as outlined in the Draft Subarea Plan:

1. Construction limits for the project shall be delineated with flags and/or fencing prior to the initiation of any grading or construction activities to clearly identify the limits of the project disturbances.
2. Prior to grading and construction, a training program shall be developed and implemented by the qualified biologist to inform key workers on the project about the listed species, its habitat, and the importance of complying with avoidance and minimization measures.
3. All construction work shall occur during daylight hours. The construction contractor shall limit all construction-related activities that would result in high noise levels according to the construction hours determined by the City.
4. Equipment storage, fueling, and staging areas shall be located on upland sites with minimal risks of direct drainage into riparian areas or other sensitive habitats. These designated areas shall be in such a manner as to prevent any runoff from entering sensitive habitats. All necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters.
5. Erodible fill material shall not be deposited into water courses. Brush, loose soils, or other similar debris material shall not be stockpiled within stream channels or on their banks.
6. To avoid attracting predators of the target species of concern, the site shall be kept as clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site(s). Pets of project personnel shall not be allowed on-site where they may encounter any listed species.
7. Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the Proposed Project footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the project and shall be specified in the construction plans. Construction limits will be fenced with orange snow screen. Exclusion fencing should be maintained until the completion of all construction activities. All employees shall be instructed that their activities are restricted to the construction areas.

**MM BIO-4:** Prior to the issuance of grading permits on the Rio Rockwell Site, the Property Owner/Developer shall include in the landscape plans that the sandbar will found onsite will be replanted at a 1:1 ratio of planting riparian species (mulefat, willow sp.) into the riparian transitional area of the 100-foot buffer between the Project Site and the adjacent San Luis Rey River for no net loss of acreage function, and value, of a Draft Subarea Plan Habitat Group A.

**MM BIO-5:** Prior to the issuance of grading permits on the Rio Rockwell Site that would impact potentially suitable nesting habitat for raptors or songbirds, the Property Owner/Developer shall demonstrate to the satisfaction of the City that either of the following have been or will be accomplished:

1. Vegetation removal activities shall be scheduled outside the nesting season (September 1 to February 14 for songbirds; September 1 to January 14 for raptors) to avoid potential impacts to nesting birds.
2. Any construction activities that occur during typical nesting season (February 15 to August 31 for songbirds; January 15 to August 31 for raptors) will require that all suitable habitat, on-site and within 300-feet surrounding the site (as feasible), be thoroughly surveyed for the presence of nesting birds by a qualified biologist before commencement of clearing. If active nests are identified, the biologist would establish buffers around the vegetation (500 feet for raptors and sensitive species, 200 feet for non-raptors/non-sensitive species). All work within these buffers would be halted until the nesting effort is finished (i.e. the juveniles are surviving independent from the nest). The onsite biologist would review and verify compliance with these nesting boundaries and would verify the nesting effort has finished. Work can resume within these areas when no other active nests are found. Alternatively, a qualified biologist may determine that construction can be permitted within the buffer areas and would develop a monitoring plan to prevent any impacts while the nest continues to be active (eggs, chicks, etc.). Upon completion of the survey and any follow-up construction avoidance management, a report shall be prepared and submitted to City for mitigation monitoring compliance record keeping.

**Significance Determination After Mitigation:** Less Than Significant.

*b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

**Significance Determination:** No Impact.

**Rio Rockwell Site:**

**Sensitive Plant Communities:**

One plant community considered sensitive by CDFW, southern cottonwood willow riparian forest (0.40 acre), was mapped on the Rio Rockwell Site. This plant community is also designated under Habitat Group A, which is subject to a no-net-loss in acreage, function, and value pursuant to the Draft Subarea Plan. Table D – *Rio Rockwell Impacts to Plant Communities* shows potential impacts to the plant communities on the Rio Rockwell Site.

**CDFW Jurisdiction:**

The Rio Rockwell Site supports 0.11 acre of jurisdictional streambed pursuant to Section 1602 of the California Fish and Game Code, as regulated by CDFW. Residential development on the Rio Rockwell Site will not impact jurisdictional streambed. Therefore, no impacts would occur at the Rio Rockwell Site.

**Rancho Del Oro Site:**

No waters or riparian habitats were present on the Rancho Del Oro Site; however, it supports high quality coastal sage scrub habitat considered to be sensitive by the CDFW and Habitat Type C under the Draft Subarea Plan. The Rancho Del Oro Site supports the federally threatened coastal California gnatcatcher. The dedication and preservation of the Rancho Del Oro Site provides superior biological value compared to the vegetation community found within the Hardline Preserve area on the Rio Rockwell Site. The Rancho Del Oro Site is located within a designated Local Gnatcatcher Corridor within Constrained Area I. The Draft Subarea Plan places emphasis on conserving and enhancing a regionally important “stepping stone” for gnatcatcher across the Draft Subarea Plan area. Dedication and preservation of the Rancho Del Oro Site and inclusion into the City’s mapping of the Hardline Preserve Area would contribute to the regional conservation efforts and movement of the coastal California gnatcatcher. Therefore, no impacts associated with a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service would occur at the Rancho Del Oro Site.

**Mitigation Measures:** No mitigation measures would be required.

**Significance Determination After Mitigation:** No Impact.

*c) Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

**Significance Determination:** No Impact.

**Rio Rockwell Site:**

The Rio Rockwell site supports 0.03 acre of jurisdictional non-wetland waters regulated under Section 404 of the CWA. The Proposed Project avoids Feature 1 on-site and does not impact jurisdictional waters. Therefore, no impacts associated with state or federally protected wetlands would occur at the Rio Rockwell Site.

**Rancho Del Oro Site:**

No waters or wetlands were present on the Rancho Del Oro Site. Therefore, no potential impacts associated with a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means would occur at the Rancho Del Oro Site.

**Mitigation Measures:** No mitigation measures would be required.

**Significance Determination After Mitigation:** No Impact.

*d) Would the project Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

**Significance Determination: Less Than Significant with Mitigation Incorporated.**

**Rio Rockwell Site:**

**Wildlife Movement:**

The Rio Rockwell Site supports potential live-in and movement habitat for species on a local scale (i.e., some limited live-in and marginal movement habitat for reptile, bird, and mammal species), however, it provides little to no function to facilitate wildlife movement on a regional scale. The Rio Rockwell Site is constrained to the south, east and west by residential development which further constrains potential regional wildlife movement through the Rio Rockwell Site. The Rio Rockwell Site is not identified as a regionally important dispersal or seasonal migration corridor under the Draft Subarea Plan. Movement on a local scale likely occurs with species adapted to urban environments due to the surrounding development and disturbances in the vicinity of the Rio Rockwell Site. Although implementation of the Proposed Project would result in disturbances to local wildlife movement within the Rio Rockwell Site, those species adapted to urban areas would be expected to persist on-site following construction. Therefore, potential impacts associated with wildlife movement would be less than significant and no mitigation measures would be required.

**Migratory Birds and Raptors:**

The Rio Rockwell Site supports potential nesting and foraging habitat for migratory birds, in addition to potential foraging habitat for raptors. Based on the disturbed nature of the Rio Rockwell Site (10.87 acres of the total 11.54-acre site) from human disturbances, the quality of foraging habitat is low. Higher quality foraging habitat is considered to occur in less developed areas with larger expanses of open space (e.g., San Luis Rey River). The loss of a relatively small acreage of low-quality foraging habitat as a result of the implementation of the residential development at the Rio Rockwell Site would not be expected to impact the foraging of these species. Therefore, potential impacts to foraging habitat would be considered less than significant and no mitigation measures would be required.

The Rio Rockwell Site has potential to support songbird and raptor nests due to the presence of a few shrubs, ground cover, and the limited riparian vegetation. Nesting activity typically occurs from February 15 to August 31 for songbirds and January 15 to August 31 for raptors. Disturbing or destroying active nests is a violation of the MBTA (16 U.S.C. 703 et seq.). In addition, nests and eggs are protected under Fish and Wildlife Code Section 3503. Therefore, potential direct impacts to breeding birds (e.g. through nest removal) or indirect impacts (e.g. by noise causing abandonment of the nest) would be potentially significant. Compliance with the MBTA would reduce impacts to a less than significant level, as detailed in **MM BIO-5**.

Therefore, with implementation of **MM BIO-5**, potential impacts associated with the substantial interference with the movement of any native resident or migratory fish or wildlife species or with

established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites would be less than significant.

**Rancho Del Oro Site:**

Due to the lack of connectivity to expansive open space areas and the presence of development surrounding the Rancho Del Oro Site, it does not likely support regional wildlife movement for larger mammals. However, the Rancho Del Oro Site likely provides regional movement habitat for many smaller species dependent on scrub habitats (e.g., coastal California gnatcatcher). The Rancho Del Oro Site is identified in the Draft Subarea Plan, Location I, as a Local Corridor for the coastal California gnatcatcher and coastal California gnatcatcher have been documented on the site and vicinity. The Rancho Del Oro Site is located within a designated Local Gnatcatcher Corridor within Constrained Area I. The Draft Subarea Plan places emphasis on conserving and enhancing a regionally important “stepping stone” for gnatcatcher across the Draft Subarea Plan area. Dedication and Preservation of this site and inclusion into the City’s mapping of the Hardline Preserve area would contribute to the regional conservation efforts and movement of the coastal California gnatcatcher.

No impacts would occur at the Rancho Del Oro Site as it would be included as a Hardline Preserve area under the Draft Subarea Plan. Therefore, no potential impacts associated with the substantial interference with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites would occur at the Rancho Del Oro Site.

**Mitigation Measures: MM BIO-5** as defined in Section 5.4(a) above.

**Significance Determination After Mitigation:** Less Than Significant.

*e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

**Significance Determination: No Impact.**

**Rio Rockwell Site:**

The Rio Rockwell Site supports several riparian tree species that are associated with the San Luis Rey River. The proposed development of the Project Site will not result in the removal of any tree species. The Rio Rockwell Site will not conflict with any local policies or ordinances protecting biological resources, such as tree preservations or ordinances. Therefore, no potential impacts associated with conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance would occur.

**Rancho Del Oro Site:**

The Rancho Del Oro Site contains large eucalyptus trees. However, no impacts would occur at the Rancho Del Oro Site as it would be set aside as a conservation area and included as a Hardline Preserve area under the Draft Subarea Plan. Therefore, no impacts associated with conflict with any local policies

or ordinances protecting biological resources, such as a tree preservation policy or ordinance would occur at the Rancho Del Oro Site.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** No Impact.

*f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

**Significance Determination: Less Than Significant with Mitigation Incorporated.** The Rio Rockwell Site is located within the bounds of the Draft Subarea Plan, and although the Draft Subarea Plan is not currently adopted, the City follows the Plan as guidance for planning purposes and determining the significance of impacts and mitigation. As noted in Appendix B, Section 5.2, *Draft Subarea Plan Results*, the northern portion of the Rio Rockwell Site, approximately 10-acres, falls within a Hardline Preserve Area. The Draft Subarea Plan indicates this area is intended for permanent preservation. The site is not located within any pre-approved or off-site mitigation zones, coastal zones, wildlife corridor planning zones (regional or gnatcatcher), or gnatcatcher priority conservation areas under the Draft Subarea Plan. Impacts associated with the residential development at the Rio Rockwell Site will occur to disturbed habitat areas and sandbar willow thicket vegetation. Although the quality of the sandbar willow thicket is considered low, it is designated as Habitat Group A under the Draft Subarea Plan, which is subject to a no-net-loss goal.

The residential development at the Rio Rockwell Site includes an average 100-foot buffer (totaling 4.06 acres) along the length of the northern project boundary adjacent to the riparian habitat associated with the San Luis Rey River, that would be planted with riparian species transitioning to upland coastal sage scrub habitat. The open space buffer would be consistent with the requirements of the Draft Subarea Plan to provide a minimum 100-foot biological buffer for upland habitats, beginning at the outer edge of riparian vegetation along the area south of the San Luis Rey River Trail. The avoidance and planting of this area and implementation of **MM BIO-4** would compensate for the loss of the low-quality sandbar willow Thicket and would fulfill the no-net loss of habitat objectives of the Draft Subarea Plan.

Inclusion of approximately 6 acres at Rancho Del Oro Site into the City's mapping of the Draft Subarea Hardline Preserve area would offset potential impacts to the approximately six acres of Draft Subarea Hardline Preserve area at the Rio Rockwell Site. The Rancho Del Oro Site is designated as Open Space in the City's General Plan and would conserve proposed Covered Species (coastal California gnatcatcher), as well as contribute to the regional movement of this species through the area. The Rancho Del Oro Site contains occupation of CAGN. Furthermore, the Rancho Del Oro Site contains large ornamental trees and open grasslands providing nesting and foraging habitat for avian species. Incorporation of the Rancho Del Oro Site into the Draft Subarea Plan Hardline Preserve Area would reduce potential impacts associated with development of the Rio Rockwell Site that is located within the Draft Subarea Hardline Preserve, but has inferior biological value compared to the Rancho Del Oro Site, to less than significant.

Therefore, with the preservation of the Rancho Del Oro Site and implementation of **MM BIO-4**, potential impacts associated with conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan would be less than significant.

**Rancho Del Oro Site:**

The Rancho Del Oro Site supports high quality coastal sage scrub habitat considered to be sensitive by the CDFW and Habitat Type C under the Draft Subarea Plan and the federally threatened coastal California gnatcatcher. The inclusion of the Rancho Del Oro Site into the City's mapping of the Hardline Preserve of the Draft Subarea Plan provides superior biological value compared to the vegetation community found within the Hardline Preserve area on the Rio Rockwell Site. The Rancho Del Oro Site is located within a designated Local Gnatcatcher Corridor within Constrained Area I. The Draft Subarea Plan places emphasis on conserving and enhancing a regionally important "stepping stone" for gnatcatcher across the Draft Subarea Plan area. Inclusion of the Rancho Del Oro Site into the City's mapping of the Hardline Preserve Area would contribute to the regional conservation efforts and movement of the coastal California gnatcatcher. Therefore, no potential impacts associated with conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan would occur at the Rancho Del Oro Site.

**Mitigation Measures:** **MM BIO-4**, as defined in Section 5.4(a) above.

**Significance Determination After Mitigation:** Less Than Significant Impact.

**5.5 CULTURAL RESOURCES**

Would the project:		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c)	Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

A Paleontological and Cultural Resources Assessment was completed to determine potential impacts to paleontological and cultural resources associated with the development of the Proposed Project (Appendix D – *Paleontological and Cultural Resources Assessment for the Old Grove at Frazee Project, City of Oceanside, Cogstone, March 2019*).

**Impact Analysis**

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

**Significance Determination: Less Than Significant Impact.** A Paleontological and Cultural Resources Assessment was prepared for the Rio Rockwell Site, and is included under Appendix D. Section 15064.5 of the CEQA Guidelines defines historical resources as: (1) a resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources; (2) a resource included in a local register of historical resources; or (3) “any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California...”

No historic resources are located within the Rio Rockwell or Rancho Del Oro Sites. The closest designated historical resource to the Rio Rockwell Site is the Mission San Luis Rey, per the General Plan Land Use Element and 1992 Cultural Resource Survey, located approximately .35 miles southwest. The development on the Rio Rockwell Site would not result in adverse impacts to the Mission San Luis Rey due to intervening topography and existing development between the Rio Rockwell Site and the listed resource. Therefore, potential impacts to the significance of a historical resource would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

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

**Significance Determination: Less Than Significant with Mitigation Incorporated.**

#### Archaeological Records Search

Cogstone performed a records search through the San Diego Natural History Museum (SDNHM) (Jan. 2019) and available print sources, which included the Rio Rockwell Site and a one-mile radius around the site's boundary. The results of the SDNHM and print searches indicated that there are no records of archaeological resources within the boundaries of the Rio Rockwell Site. Because any development associated with the Proposed Project is limited to the Rio Rockwell Site, there would not be any alteration to these previously recorded cultural resources.

#### Cultural Resources Records Search

A request for cultural resource records was sent on January 24, 2019 and performed on February 12, 2019 by staff of the South Coastal Information Center (SCIC) of the California Historical Resources Information System (CHRIS) located on the San Diego State University campus. The results of this record search indicate that 92 cultural resource studies have been conducted within a 1-mile radius of the Rio Rockwell Site. Of the 92 studies, 7 intersect the Rio Rockwell Site. Of the 7 studies that intersect the Rio Rockwell Site, none of the studies indicate cultural resources are located on the Rio Rockwell Site. A total of 21 cultural resources were documented within the 1-mile search radius of the Rio Rockwell Site, but none intersect the site.

In addition to the records searches listed above, the National and State registers were also searched for information associated with the cultural context of the Rio Rockwell Site. Sources include the National Register of Historic Places (NRHP), the California Register of Historic Places (CRHP), California Historical Resources Inventory (CHRI), California Historical Landmarks (CHL), and California Points of Historical Interest (CPHI). Cogstone also contacted the Oceanside Historical Society for any data pertaining to the Rio Rockwell Site. The results associated with these institutions include 24 properties, all located outside the boundaries of the Rio Rockwell Site, but within 1-mile.

Historic maps and aerial photography were examined to potentially identify extant historic structures on the property. The earliest maps and photographs identify geographical features such as the San Luis Rey River, as well as a building/structure located within the central portion of the Rio Rockwell Site as early as 1897.

Appendix D also included a pedestrian field survey of the Rio Rockwell Site conducted on February 8, 2019. The field survey did not identify any cultural resources within or immediately adjacent to the Rio Rockwell Site.

The results of the cultural resources assessment concluded that there are no known cultural resources identified or recorded within the boundaries of the Rio Rockwell Site. However, there remains the

possibility that undiscovered buried archaeological resources might be encountered during construction.

Cogstone requested a Sacred Lands File (SLF) records search from the Native American Heritage Commission (NAHC) on January 24, 2019. The NAHC responded on January 28, 2019 indicating a scared land record was within a half mile radius or within the Rio Rockwell Site. The NAHC recommended the La Jolla Band of Luiseno Indians and the San Luis Rey Band of Mission Indians be contacted for more information. The NAHC provided a list of 33 Native American contacts that may have interest in consultation for the Proposed Project. The Lead Agency prepared consultation invitation letters to the Native American Tribes on the NAHC list that were mailed on March 17, 2020. The City received a response from 3 tribes, and a summary of the consultation is provided in Section 5.18, Tribal Cultural Resources.

To properly identify, treat, and dispose of cultural resources (including historical, archaeological, and tribal cultural resources) that may be inadvertently discovered during ground-disturbing activities, **MM-CUL-1** through **MM CUL-8** would be implemented. These mitigation measures would require the Property Owner/Developer to enter into a pre-excavation and monitoring agreement between the Luiseno tribe and a qualified archaeologist to monitor the Project Site during all ground disturbing activities and attend all applicable pre-construction meetings. The Native American monitor and archaeologist would prepare procedures to identify potentially significant archaeological artifact deposits and/or cultural resources in areas determined to be sensitive. Ground disturbing activities may be stopped if unknown cultural resources, archaeological artifact deposits or cultural features are discovered. The Property Owner/Developer would relinquish ownership of all unearthed tribal cultural resources. With implementation of **MM CUL-1** through **MM CUL-8**, potential impacts to archaeological resources would be less than significant.

#### **Mitigation Measures:**

**MM-CUL-1:** Prior to the issuance of a Grading Permit, the Property Owner/Developer shall enter into a pre-excavation agreement, otherwise known as a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement with the “Traditionally and Culturally Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe”. A copy of the agreement shall be included in the Grading Plan Submittals for the Grading Permit. The purpose of this agreement shall be to formalize protocols and procedures between the Property Owner/Developer and the “Traditionally and Culturally Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe” for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and tribal cultural resources, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities. At the discretion of the Luiseño Native American Monitor, artifacts may be made available for 3D scanning/printing, with scanned/printed materials to be curated at a local repository meeting the federal standards of 36CFR79.

**MM CUL-2:** Prior to the issuance of a Grading Permit, the Property Owner/Developer or Grading Contractor shall provide a written and signed letter to the City of Oceanside Planning Division stating

that a Qualified Archaeologist and Luiseño Native American Monitor have been retained at the Property Owner/Developer or Grading Contractor's expense to implement the monitoring program, as described in the pre-excavation agreement.

**MM CUL-3:** The Qualified Archaeologist shall maintain ongoing collaborative consultation with the Luiseño Native American monitor during all ground disturbing activities. The requirement for the monitoring program shall be noted on all applicable construction documents, including demolition plans, grading plans, etc. The Property Owner/Developer or Grading Contractor shall notify the City of Oceanside Planning Division of the start and end of all ground disturbing activities.

**MM CUL-4:** The Qualified Archaeologist and Luiseño Native American Monitor shall attend all applicable pre-construction meetings with the General Contractor and/or associated Subcontractors to present the archaeological monitoring program. The Qualified Archaeologist and Luiseño Native American Monitor shall be present on-site full-time during grubbing, grading and/or other ground altering activities, including the placement of imported fill materials or fill used from other areas of the project site, to identify any evidence of potential archaeological or tribal cultural resources. All fill materials shall be absent of any and all tribal cultural resources.

**MM CUL-5:** In order for potentially significant archaeological artifact deposits and/or cultural resources to be readily detected during mitigation monitoring, a written "Controlled Grade Procedure" shall be prepared by a Qualified Archaeologist, in consultation with the Luiseño Native American monitor, other TCA Luiseño Tribes that have participated in the state-prescribed process for this project, and the Property Owner/Developer, subject to the approval of City representatives. The Controlled Grade Procedure shall establish requirements for any ground disturbing work with machinery occurring in and around areas the Qualified Archaeologist and Luiseño Native American monitor determine to be sensitive through the cultural resource mitigation monitoring process. The Controlled Grade Procedure shall include, but not be limited to, appropriate operating pace, increments of removal, weight and other characteristics of the earth disturbing equipment. A copy of the Controlled Grade Procedure shall be included in the Grading Plan Submittals for the Grading Permit.

**MM CUL-6:** The Qualified Archaeologist or the Luiseño Native American monitor may halt ground disturbing activities if unknown tribal cultural resources, archaeological artifact deposits or cultural features are discovered. Ground disturbing activities shall be directed away from these deposits to allow a determination of potential importance. Isolates and clearly non-significant deposits will be minimally documented in the field, and before grading proceeds these items shall be secured until they can be repatriated. If items cannot be securely stored on the project site, they may be stored in off-site facilities located in San Diego County. If the Qualified Archaeologist and Luiseño Native American monitor determine that the unearthed tribal cultural resource, artifact deposits or cultural features are considered potentially significant TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this project shall be notified and consulted regarding the respectful and dignified treatment of those resources. The avoidance and protection of the significant tribal cultural resource and/or unique archaeological resource is the preferable mitigation. If, however, it is determined by the City that avoidance of the resource is infeasible, and it is determined that a data recovery plan is necessary by the City as the Lead Agency under CEQA, TCA Luiseño Tribes that have

participated in the state-prescribed consultation process for this project shall be notified and consulted regarding the drafting and finalization of any such recovery plan. For significant tribal cultural resources, artifact deposits or cultural features that are part of a data recovery plan, an adequate artifact sample to address research avenues previously identified for sites in the area will be collected using professional archaeological collection methods. The data recovery plan shall also incorporate and reflect the tribal values of the TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this project. If the Qualified Archaeologist collects such resources, the Luiseño Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect the tribal cultural resources that are unearthed during the ground disturbing activities, the Luiseño Native American monitor, may at their discretion, collect said resources and provide them to the appropriate TCA Luiseño Tribe, as determined through the appropriate process, for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Ground disturbing activities shall not resume until the Qualified Archaeologist, in consultation with the Luiseño Native American Monitor, deems the cultural resource or feature has been appropriately documented and/or protected.

**MM CUL-7:** The landowner shall relinquish ownership of all tribal cultural resources unearthed during the cultural resource mitigation monitoring conducted during all ground disturbing activities, and from any previous archaeological studies or excavations on the project site to the appropriate TCA Luiseño Tribe, as determined through the appropriate process, for respectful and dignified treatment and disposition, including reburial at a protected location on-site, in accordance with the Tribe's cultural and spiritual traditions. All cultural materials that are associated with burial and/or funerary goods will be repatriated to the Most Likely Descendant as determined by the Native American Heritage Commission per California Public Resources Code Section 5097.98. No tribal cultural resources shall be subject to curation.

**MM CUL-8:** Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusions of the archaeological monitoring program (e.g., data recovery plan) shall be submitted by the Qualified Archaeologist, along with the Luiseño Native American monitor's notes and comments, to the City of Oceanside Planning Division for approval.

**Significance Determination After Mitigation:** Less Than Significant Impact.

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

**Significance Determination: Less Than Significant with Mitigation Incorporated:** In the unexpected event human remains are found, those remains would require proper treatment in accordance with applicable laws and with **MM CUL-9**. Procedures of conduct following the discovery of human remains on non-federal lands have been mandated by California Health and Safety Code (CHSC) §7050.5, PRC §5097.98 and the California Code of Regulations (CCR) §15064.5(e). According to the provisions in CEQA, should human remains be encountered, all work in the immediate vicinity of the burial must cease, and any necessary steps to ensure the integrity of the immediate area must be taken. The County Coroner would be immediately notified. The Coroner must then determine whether the remains are

Native American. If the Coroner determines the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC), who would, in turn, notify the person they identify as the most likely descendent (MLD) of any human remains. Further actions would be determined, in part, by the desires of the MLD. The MLD has 48 hours from being allowed access to the Project Site to make recommendations associated with the disposition of the remains following notification from the NAHC of the discovery. If the MLD does not make recommendations within 48 hours, the owner shall, with appropriate dignity, reinter the remains in an area of the property secure from further disturbance. Alternatively, if the owner does not accept the MLD's recommendations, the owner or the descendent may request mediation by the NAHC. With compliance with existing regulations and procedures outlined in the CHSC and the CCR and implementation of **MM CUL-9**, potential impacts associated with disturbance of human remains would be less than significant.

**MM CUL-9:** As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Office of the Medical Examiner by telephone. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Medical Examiner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 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. If suspected Native American remains are discovered, the remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a Luiseño Native American monitor. By law, the Medical Examiner will determine within two working days of being notified if the remains are subject to his or her authority. If the Medical Examiner identifies the remains to be of Native American ancestry, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC shall make a determination as to the Most Likely Descendent.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

**5.6 ENERGY**

Would the project:		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

An Air Quality, Energy, and Greenhouse Gas Emissions Impact Analysis was completed to determine potential impacts to air quality associated with the development of the Proposed Project (Appendix A – *Air Quality, Energy, and Greenhouse Gas Emissions Impact Analysis, Rio Rockwell Residential Project, Vista Environmental, March, 2020*). The results of the analysis are based on CalEEMod version **2016.3.2**.

The Appendix A analysis was based on implementation of the following project design features.

Project Design Feature 1

The project applicant shall restrict the installation of any wood-burning fireplaces into the proposed homes and require that all fireplace inserts must be either natural gas only or electric.

Project Design Feature 2

The project applicant shall require all homes to be designed to meet the 2019 Title 24 Part 6 building energy efficiency standards. The 2019 Title 24 Part 6 standards have been developed to meet the State’s goal of zero-net-energy use for new homes that will be achieved through a variety of measures to make new homes more energy efficient and by also requiring the installation of photovoltaic systems of adequate size to generate enough electricity to meet the zero-net energy use standard.

**Impact Analysis**

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

**Significance Determination: Less Than Significant Impact.** The residential development at the Rio Rockwell Site would impact energy resources during construction and operation. Energy resources that would be potentially impacted include electricity, natural gas, and petroleum-based fuel supplies and distribution systems. This analysis includes a discussion of the potential energy impacts of the Rio Rockwell Site, with emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy. A general definition of each of these energy resources are provided below.

Electricity, a consumptive utility, is a man-made resource. The production of electricity requires the consumption or conversion of energy resources, including water, wind, oil, gas, coal, solar, geothermal, and nuclear resources, into energy. The delivery of electricity involves several system components, including substations and transformers that lower transmission line power (voltage) to a level appropriate for on-site distribution and use. The electricity generated is distributed through a network of transmission and distribution lines commonly called a power grid. Conveyance of electricity through transmission lines is typically responsive to market demands.

Natural gas is a combustible mixture of simple hydrocarbon compounds (primarily methane) that is used as a fuel source. Natural gas consumed in California is obtained from naturally occurring reservoirs, mainly located outside the State, and delivered through high-pressure transmission pipelines. The natural gas transportation system is a nationwide network and, therefore, resource availability is typically not an issue. Natural gas satisfies almost one-third of the State's total energy requirements and is used in electricity generation, space heating, cooking, water heating, industrial processes, and as a transportation fuel. Natural gas is measured in terms of cubic feet.

Petroleum-based fuels currently account for a majority of the California's transportation energy sources. However, the state has been working on developing strategies to reduce petroleum use. Over the last decade California has implemented several policies, rules, and regulations to improve vehicle efficiency, increase the development and use of alternative fuels, reduce air pollutants and GHG emissions from the transportation sector, and reduce vehicle miles traveled (VMT). Accordingly, gasoline consumption in California has declined.

The following calculates the potential energy consumption associated with the construction and operations of the Rio Rockwell Site and provides a determination if any energy utilized by the construction and operation of the Rio Rockwell Site is wasteful, inefficient, or unnecessary consumption of energy resources.

### **Construction Energy**

The construction activities for the Rio Rockwell Site are anticipated to include site preparation and grading of approximately 6.92 acres of the 11.54-acre Rio Rockwell Site, building construction of 50 single-family homes and 54 townhomes, paving of on-site parking areas and driveways, and application of architectural coatings. The Rio Rockwell Site would consume energy resources during construction in three (3) general forms:

1. Petroleum-based fuels used to power off-road construction vehicles and equipment on the Project Site, construction worker travel to and from the Project Site, as well as delivery and haul truck trips (e.g. hauling of demolition material to off-site reuse and disposal facilities);
2. Electricity associated with the conveyance of water that would be used during Project construction for dust control (supply and conveyance) and electricity to power any necessary lighting during construction, electronic equipment, or other construction activities necessitating electrical power; and,
3. Energy used in the production of construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass.

### Construction-Related Electricity

During construction the Rio Rockwell Site would consume electricity to construct the new building and infrastructure. Electricity would be supplied to the project site by San Diego Gas & Electric and would be obtained from the existing electrical lines in the vicinity of the project site. The use of electricity from existing power lines rather than temporary diesel or gasoline powered generators would minimize impacts on energy use. Electricity consumed during project construction would vary throughout the construction period based on the construction activities being performed. Various construction activities include electricity associated with the conveyance of water that would be used during project construction for dust control (supply and conveyance) and electricity to power any necessary lighting during construction, electronic equipment, or other construction activities necessitating electrical power. Such electricity demand would be temporary, nominal, and would cease upon the completion of construction. Overall, construction activities associated with the residential development at the Rio Rockwell Site would require limited electricity consumption that would not be expected to have an adverse impact on available electricity supplies and infrastructure. Therefore, the use of electricity during project construction would not be wasteful, inefficient, or unnecessary.

Since the Rio Rockwell Site is located in a planned community that was designed to include development on the site, it is anticipated that only nominal improvements would be required to San Diego Gas & Electric's distribution lines and equipment with development of the Rio Rockwell Site. Where feasible, the new service installations and connections would be scheduled and implemented in a manner that would not result in electrical service interruptions to other properties. Compliance with City's guidelines and requirements would ensure that the Proposed Project fulfills its responsibilities relative to infrastructure installation, coordinates any electrical infrastructure removals or relocations, and limits any impacts associated with grading, construction, and development. Construction of the project's electrical infrastructure is not anticipated to adversely affect the electrical infrastructure serving the surrounding uses or utility system capacity.

### Construction-Related Natural Gas

Construction at the Rio Rockwell Site typically would not involve the consumption of natural gas. Natural gas would not be supplied to support construction activities, therefore there would be no demand generated by construction. Since the Rio Rockwell Site is part of a planned community that has been developed with natural gas line in the vicinity of the site, construction at the Rio Rockwell Site would be limited to installation of new natural gas connections within the Rio Rockwell Site. Development of the residential development at the Rio Rockwell Site would likely not require extensive infrastructure improvements to serve the site. Construction-related energy usage impacts associated with the installation of natural gas connections are expected to be confined to trenching in order to place the lines below surface. In addition, prior to ground disturbance, the Property Owner/Developer would notify and coordinate with San Diego Gas & Electric to identify the locations and depth of all existing gas lines and avoid disruption of gas service. Therefore, construction-related impacts to natural gas supply and infrastructure would be less than significant.

### Construction-Related Transportation Energy

Petroleum-based fuel usage represents the highest amount of transportation energy potentially consumed during construction, which would be utilized by both off-road equipment operating on the Rio Rockwell Site and on-road automobiles transporting workers to and from the Rio Rockwell Site and on-road trucks transporting equipment and supplies to the Rio Rockwell Site.

The off-road construction equipment fuel usage was calculated through use of the default off-road equipment assumptions from the CalEEMod model run that is detailed in Appendix A, Section 7.1 and the fuel usage calculations provided in the 2017 Off-road Diesel Emission Factors spreadsheet, prepared by CARB (<https://ww3.arb.ca.gov/msei/ordiesel.htm>). The 2017 Off-road Diesel Emission Factors spreadsheet provides the following formula to calculate fuel usage from off-road equipment:

$$\text{Fuel Used} = \text{Load Factor} \times \text{Horsepower} \times \text{Total Operational Hours} \times \text{BSFC} / \text{Unit Conversion}$$

Where:

Load Factor - Obtained from CalEEMod default values

Horsepower – Obtained from CalEEMod default values

Total Operational Hours – Calculated by multiplying CalEEMod default daily hours by CalEEMod default number of working days for each phase of construction

BSFC – Brake Specific Fuel Consumption (pounds per horsepower-hour) – If less than 100 Horsepower = 0.408, if greater than 100 Horsepower = 0.367

Unit Conversion – Converts pounds to gallons = 7.109

Table F – *Off-Road Construction Equipment Modeled in CalEEMod and Fuel Used* shows the off-road construction equipment fuel calculations based on the above formula, which shows that the off-road equipment utilized during construction would consume 65,805 gallons of fuel.

**Table F – Off-Road Construction Equipment Modeled in CalEEMod and Fuel Used**

Equipment Type	Equipment Quantity	Horsepower	Load Factor	Operating Hours per Day	Total Operational Hours <sup>1</sup>	Fuel Used (gallons)
<b>Site Preparation</b>						
Rubber Tired Dozers	3	247	0.40	8	240	1,224
Tractors/Loaders/Backhoes	4	97	0.37	8	320	659
<b>Grading</b>						
Excavators	2	158	0.38	8	688	2,132
Graders	1	187	0.41	8	344	1,362
Rubber Tired Dozers	1	247	0.40	8	344	1,755
Scrapers	2	367	0.48	8	688	6,257
Tractors/Loaders/Backhoes	2	97	0.37	8	688	1,417
<b>Building Construction</b>						
Cranes	1	231	0.29	7	2,100	7,263
Forklifts	3	89	0.20	8	7,200	7,355
Generator Sets	1	84	0.74	8	2,400	8,562
Tractors/Loaders/Backhoes	3	97	0.37	8	7,200	14,831
Welders	1	46	0.45	8	2,400	2,851
<b>Paving</b>						
Pavers	2	130	0.42	8	1,296	3,653
Paving Equipment	2	132	0.36	8	1,296	3,179
Rollers	2	80	0.38	8	1,296	2,261
<b>Architectural Coating</b>						
Air Compressor	1	78	0.48	6	486	1,044
<b>Total Off-Road Equipment Fuel Used during Construction (gallons)</b>						<b>65,805</b>

Notes:

<sup>1</sup> Based on: 10 days for Site Preparation; 43 days for Grading; 300 days for Building Construction; 81 days for Paving; and 81 days for Architectural Coatings.

Source: CalEEMod Version 2016.3.2; CARB, 2018.

The on-road construction-related vehicle trips fuel usage was calculated through use of the construction vehicle trip assumptions from the CalEEMod model run as a part of Appendix A and the fleet average miles per gallon rates calculated through use of the EMFAC2017 model (<https://www.arb.ca.gov/emfac/2017/>). The EMFAC2017 model printouts are provided in Appendix A. Table G – *On-Road Construction Vehicle Trips Modeled in CalEEMod and Fuel Used* shows the on-road construction vehicle trips modeled in CalEEMod and the fuel usage calculations, which shows that the on-road construction-related vehicle trips would consume 57,556 gallons of fuel.

**Table G – On-Road Construction Vehicle Trips Modeled in CalEEMod and Fuel Used**

Vehicle Trip Types	Daily Trips	Trip Length (miles)	Total Miles per Day	Total Miles per Phase <sup>1</sup>	Fleet Average Miles per Gallon <sup>2</sup>	Fuel Used (gallons)
<b>Site Preparation</b>						
Worker Trips	18	10.8	194	1,944	25.3	77
Vendor Trips	6	7.3	44	438	7.7	57
<b>Grading</b>						
Worker Trips	20	10.8	216	9,288	25.3	367
Vendor Trips	6	7.3	44	1,883	7.7	245
Haul Trips	180	20	3,605	155,000	7.7	20,156
<b>Building Construction</b>						
Worker Trips	160	10.8	1,728	518,400	25.3	20,504
Vendor Trips	51	7.3	372	111,690	7.7	14,524
<b>Paving</b>						
Worker Trips	15	10.8	162	13,122	25.3	519
<b>Architectural Coating</b>						
Worker Trips	32	10.8	346	27,994	25.3	1,107
<b>Total Fuel Used from On-Road Construction Vehicles (gallons)</b>						<b>57,556</b>

Notes:

<sup>1</sup> Based on: 10 days for Site Preparation; 43 days for Grading; 300 days for Building Construction; 81 days for Paving; and 81 days for Architectural Coatings.

<sup>2</sup> From EMFAC 2017 model (see Appendix B). Worker Trips based on entire fleet of gasoline vehicles and Vendor and Haul Trips based on only truck fleet of diesel vehicles.

Source: CalEEMod Version 2016.3.2; CARB, 2018.

As shown above in Table F and Table G, construction of the residential development at the Rio Rockwell Site would result in the consumption of 123,362 gallons of fuel. Construction activities associated with the Rio Rockwell Site would be required to adhere to all State and SDAPCD regulations for off-road equipment and on-road trucks, which provide minimum fuel efficiency standards. As such, construction activities for the residential development at the Rio Rockwell Site would not result in the wasteful, inefficient, and unnecessary consumption of energy resources. Impacts associated with transportation energy would be less than significant. Development of the Rio Rockwell Site would not result in the need to manufacture construction materials or create new building material facilities specifically to supply the Proposed Project. It is difficult to measure the energy used in the production of construction materials such as asphalt, steel, and concrete; however, it is reasonable to assume that the production of building materials such as concrete, steel, etc., would employ all reasonable energy conservation practices in the interest of minimizing the cost of doing business. Therefore, potential impacts associated with wasteful, inefficient, or unnecessary consumption of energy resources during construction of the residential development at the Rio Rockwell Site would be less than significant.

### Operational Energy

The on-going operation of 50 single-family homes and 54 townhomes would require the use of energy resources for multiple purposes including, but not limited to, heating/ventilating/air conditioning (HVAC), refrigeration, lighting, appliances, and electronics. Energy would also be consumed during operations related to water usage, solid waste disposal, and vehicle trips.

### Operations-Related Electricity

Operation of the residential development at the Rio Rockwell Site would result in consumption of electricity at the project site. According to the CalEEMod model run provided in Appendix A, operation of the residential development at the Rio Rockwell Site would utilize 15,089 kilowatt-hours per year of electricity. It should be noted that the project applicant has agreed to design the residential development at the Rio Rockwell Site to meet the 2019 Title 24, Part 6 building energy efficiency standards (Project Design Feature 2). The 2019 Title 24 Part 6 standards have been developed to meet the State's goal of zero-net-energy use for new homes and that will be achieved through a variety of measures to make new homes more energy efficient and by also requiring installation of photovoltaic systems of adequate size to generate enough electricity to meet the zero-net energy use standard. The size of the PV system required for the project pursuant to the 2019 Title 24 standards was calculated above in Appendix A, Section 7.1, and found that the Rio Rockwell Site residential development would need to install at least 270.8 Kilowatts of photovoltaic panels within the Proposed Project. Although, the CalEEMod model found that with implementation of the 2019 Title 24 Part 6 standards, that the residential development at the Rio Rockwell Site would continue to utilize a nominal amount of power, it should be noted that the electricity usage and emission rates utilized by the CalEEMod model are based on regional average usage rates for existing homes, which were not all built to the most current Title 24 Part 6, standards, therefore, the CalEEMod model provides a conservative or worst-case analysis of electricity use from the Proposed Project.

Residential development at the Rio Rockwell Site will be designed and built to minimize electricity use and that existing and planned electricity capacity and electricity supplies would be enough to support the Proposed Project's electricity demand. Therefore, potential impacts associated with electrical supply and infrastructure capacity would be less than significant and no mitigation measures would be required.

### Operations-Related Natural Gas

Operation of the residential development at the Rio Rockwell Site would result in increased consumption of natural gas at the project site. According to the CalEEMod model run in Appendix A, operation of the residential development at the Rio Rockwell Site would utilize 1,840 million British thermal units (BTU) of natural gas per year. It should be noted that the project applicant has agreed to design the residential development at the Rio Rockwell Site to meet the 2019 Title 24, Part 6 building energy efficiency standards. The 2019 Title 24, Part 6 standards require numerous energy efficiency measures to be incorporated into the proposed structures, including enhanced insulation as well as use of efficient natural gas appliances and HVAC units. Therefore, it is anticipated the residential development at the Rio Rockwell Site will be designed and built to minimize natural gas use and that existing and planned natural gas capacity and natural gas supplies would be sufficient to support the Proposed Project's natural gas demand. Therefore, potential impacts associated with natural gas supply and infrastructure capacity would be less than significant and no mitigation measures would be required.

Operations-Related Transportation Energy

Operation of the residential development at the Rio Rockwell Site would result in increased consumption of petroleum-based fuels related to vehicular travel to and from the project site. According to the CalEEMod model run provided in Appendix A, operation of the residential development at the Rio Rockwell Site would generate 1,888,099 vehicle miles traveled per year. According to the EMFAC2017 model as shown in Appendix A, the fleet average miles per gallon rate for all gasoline-powered vehicles in San Diego County in the year 2021 is anticipated to be 25.3 miles per gallon. Based on this rate, operation of the residential development at the Rio Rockwell Site would use 74,680 gallons of transportation fuel per year. It should be noted that the residential development at the Rio Rockwell Site would comply with all Federal, State, and City requirements related to the consumption of transportation energy that includes California Code of Regulations Title 24, Part 10 California Green Building Standards that require all new homes to include a dedicated circuit in the garage to be utilized for electric car charging. Therefore, it is anticipated the residential development at the Rio Rockwell Site will be designed and built to minimize transportation energy through the promotion of the use of electric-powered vehicles and it is anticipated that existing and planned capacity and supplies of transportation fuels would be sufficient to support the Proposed Project's demand. Therefore, potential impacts associated with transportation energy supply and infrastructure capacity would be less than significant and no mitigation measures would be required.

The residential development at the Rio Rockwell Site would comply with regulatory compliance measures outlined by the State and City related to Air Quality, Greenhouse Gas Emissions (GHG), Transportation/Circulation, and Water Supply. Further, the residential development at the Rio Rockwell Site would be constructed in accordance with all applicable City Building and Fire Codes. The residential development at the Rio Rockwell Site would not result in the wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. Therefore, potential impacts associated with the wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination After Mitigation:** Less Than Significant Impact.

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

**Significance Determination: Less Than Significant Impact.** The residential development at the Rio Rockwell Site would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. The City has recently adopted the *City of Oceanside Energy Climate Action Element (EACP)* and *Oceanside Climate Action Plan (CAP)* as part of a General Plan Update which are consistent with the State's Title 24 Part 6 Building Energy Efficiency Standards. It should be noted that the project applicant has agreed to design the residential development at the Rio Rockwell Site to meet the 2019 Title 24, Part 6 building energy efficiency standards (Project Design Feature 2). The 2019 Title 24 Part 6 standards have been developed to meet the State's goal of zero-net-energy use for new homes and that will be achieved through a variety of measures to make new homes more energy efficient and by

also requiring installation of photovoltaic systems of adequate size to generate enough electricity to meet the zero-net energy use standard. Through implementation of the above programs, regulations, and policies, the residential development at the Rio Rockwell Site would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, potential impacts associated with the conflict with or obstruction of a state or local plan for renewable energy or energy efficiency would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination After Mitigation:** Less Than Significant Impact.

**5.7 GEOLOGY AND SOILS**

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

A Preliminary Geotechnical Investigation was completed to determine potential impacts to geology and soils associated with the development of the Proposed Project (Appendix H – *Preliminary Geotechnical Investigation, Proposed Residential Development, Intersection of Old Grove Road and Frazee Road, Oceanside, California*, Albus-Keefe & Associates, Inc., March 2020)

A Paleontological and Cultural Resources Assessment was completed to determine potential impacts to paleontological and cultural resources associated with the development of the Proposed Project (Appendix D – *Paleontological and Cultural Resources Assessment for the Old Grove at Frazee Project, City of Oceanside*, Cogstone, March 2019).

## **Impact Analysis**

a) *Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:*

- i. *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map?*

**Significance Determination: Less Than Significant Impact.** No faults are known to project through or be immediately adjacent to the Rio Rockwell Site and the site does not lie within an "Earthquake Fault Zone" as defined by the State of California in the Alquist-Priolo Earthquake Fault Zoning Act. Appendix H, Table 3.1 presents a summary of known active faults within 10 miles of the site, based on the 2008 U.S.G.S. National Seismic Hazard Maps. The nearest fault is the Newport Inglewood Fault located approximately 8.95 miles from the Rio Rockwell Site. Therefore, potential impacts associated with the rupture of a known earthquake fault would be less than significant.

- ii. *Strong seismic shaking?*

**Significance Determination: Less Than Significant Impact.** The Rio Rockwell Site is situated in a seismically active area that has historically been affected by generally moderate to occasionally high levels of ground motion. The site lies in relatively close proximity to several active faults; therefore, during the life of the proposed structures, the property will probably experience similar moderate to occasionally high ground shaking from these fault zones, as well as some background shaking from other seismically active areas of the Southern California region. Potential ground accelerations have been estimated for the site and are detailed in Appendix H, Section 4.1 - *Seismicity*. The residential development at the Rio Rockwell Site would be designed and constructed in accordance with the current California Building Code (CBC), which would address potential impacts related to potential ground shaking. Therefore, potential impacts associated with strong seismic ground shaking would be less than significant.

- iii. *Liquefaction?*

**Significance Determination: Less Than Significant Impact.** Engineering research of soil liquefaction potential (Youd, et al., 2001) indicates that generally three basic factors must exist concurrently for liquefaction to occur. These factors include 1) a source of ground shaking, such as an earthquake, capable of generating soil mass distortions; 2) a relatively loose silty and/or sandy soil, and; 3) a relative shallow groundwater table (within approximately 50 feet below ground surface) or completely saturated soil conditions that will allow positive pore pressure generation.

The liquefaction susceptibility of the onsite subsurface soils was evaluated for the Rio Rockwell Site. The potential concurrent occurrence of the above-mentioned three basic factors and using the computer program CLiq were used in the analysis, as detailed in Appendix H. These analyses were completed under the guidance of the State of California Special Publication 117A (SP 117A): Guidelines for Evaluating and Mitigating Seismic Hazards in California (CDMG, 2008). Site investigations conducted on November 10, 2016, June 20, 2018, and October 23 through October 26, 2018 and data collected

from these site surveys was used for the purpose of this evaluation. The results of the site investigations resulted in ground probes reaching a depth of at least 50 feet below ground surface, making them usable for liquefaction analysis per SP 117A. Several thin and thick layers of granular soils below groundwater are susceptible to liquefaction. Summary results provided in Appendix H, Section 4.3 - *Liquefaction* indicate that settlement due to liquefaction ranges between about 4 and 10.5 inches. The maximum differential settlement due to liquefaction is limited to 2 inches over 40 feet. Enough thickness is anticipated of non-liquefiable soils to be present below the foundations to preclude a loss of bearing while deeper soils are liquefied. Liquefaction-triggered lateral spread in the range of 0.9 ft (due to free face) to 1.1 ft (due to ground slope) is estimated, in which a factor of safety of 2 has been used. Based on SP 117A, hazards from liquefaction should be mitigated to the extent required to reduce seismic risk to “acceptable levels”. The acceptable level of risk means, “that level that provides reasonable protection of the public safety” [California Code of Regulations Title 14, Section 3721 (a)]. The use of well-reinforced foundations, such as posttensioned slabs, grade beams with structural slabs, or mat foundations have been proven to adequately provide basal support for structures like those proposed for the Rio Rockwell Site during comparable liquefaction events.

In addition, prior to the issuance of a grading permit, the Property Owner/Developer of the Proposed Project would be required to submit grading and foundation plans to the City for review to demonstrate compliance with the City’s grading requirements as well as any applicable recommendations contained in the geotechnical study. The residential development at the Rio Rockwell Site would be designed and constructed in accordance with CBC requirements which would reduce risks associated with liquefaction. Therefore, potential impacts to people or structures from liquefaction would be less than significant.

#### *iv. Landslides?*

**Significance Determination: Less Than Significant Impact.** Landslides result from the downward movement of earth or rock materials that have been influenced by gravity. In general, landslides occur due to various factors including steep slope conditions, erosion, rainfall, groundwater, adverse geologic structure, and grading impacts. The Rio Rockwell Site is generally flat and is surrounded by similar topography and no significant slopes are proposed as part of the project design. Further, the California Department of Conservation GIS map<sup>10</sup> does not show a landslide overlay on the Rio Rockwell Site. Additionally, prior to the issuance of a grading permit, the Property Owner/Developer of the Proposed Project would be required to submit grading and foundation plans to the City for review to demonstrate compliance with the City’s grading requirements as well as any applicable recommendations contained in the geotechnical study. The residential development at the Rio Rockwell Site would be designed and constructed in accordance with CBC requirements which would reduce risks associated with landslides. Therefore, potential impacts associated with landslides would be less than significant.

**Mitigation Measures:** No Mitigation Required.

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<sup>10</sup> <https://maps.conservation.ca.gov/cgs/lsl/> accessed July 25, 2019

**Significance Determination:** Less Than Significant Impact.

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

**Significance Determination: Less Than Significant Impact.** The Rio Rockwell Site is previously disturbed and unimproved. Construction activity associated with development may result in wind driven soil erosion and loss of topsoil due to grading activities. However, all construction and grading activities would comply with City's grading ordinance (OMC – Article IIA) and the Grading Regulation Manual using BMPs, including the use of gravel bags, slope planting, and storm drain inlet protection. The residential development at the Rio Rockwell Site would implement BMPs to control project runoff and protect water quality, which would limit operational impacts as a result of the Proposed Project. Upon project completion, the Rio Rockwell Site would be developed with residential dwelling units, paved surfaces, and landscaping, which would prevent substantial erosion from occurring. Therefore, potential impacts associated with soil erosion would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

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

**Significance Determination: Less Than Significant Impact.** Lateral spreading is a phenomenon that can occur during and shortly after triggering of liquefaction. A gentle slope in the ground surface or the presence of a slope face nearby can cause the ground to slide or spread on layers of liquefied soil. The general slope of ground in the area was found to be less than 2% toward the north and the nearest free face slope was the creek located between the Rio Rockwell Site and the San Luis River Trail north of the site, with a maximum elevation difference of 12 feet and toe distance of 140 feet (based on GoogleEarth 2018). Appendix H details analyses which resulted in a factor of safety equal to 2, with the sloping ground condition estimated at a slope of 4%, double what is reported on the Rio Rockwell Site.

Additionally, the residential development at the Rio Rockwell Site would be constructed in compliance with the recommendations in the geotechnical feasibility study and the CBC. Therefore, potential impacts associated with unstable soil would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

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

**Significance Determination: Less Than Significant Impact.** Based on Appendix H, the near-surface soils within the Rio Rockwell Site are generally anticipated to possess a very low expansion potential (UBC 18-2). Infiltration of storm water is not anticipated to result in adverse geotechnical conditions at the

Rio Rockwell Site or surrounding sites. Site soils exhibit very low expansion characteristics and as such, increases in moisture due to infiltration is not anticipated to cause adverse swelling. Following site grading, the site would not be underlain by soils with hydro collapse potential and as such, infiltration is not anticipated to cause adverse effects due to soil collapse. The residential development at the Rio Rockwell Site's design and construction considerations for expansive soils are anticipated to be nominal. The residential development at the Rio Rockwell Site would be constructed to the recommendations in the geotechnical study, and to the standards prescribed by the CBC. Therefore, potential impacts associated with expansive soils would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

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

**Significance Determination: No Impact.** The Rio Rockwell Site would be served by a public sewer system. The residential development at the Rio Rockwell Site would not include the use of septic tanks or alternative wastewater disposal systems. Therefore, no potential impacts associated with septic tanks or alternative wastewater disposal systems would occur.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** No Impact.

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

**Significance Determination: Less Than Significant Impact with Mitigation Incorporated.** The Rio Rockwell Site is a previously disturbed and undeveloped lot, with a general slope of approximately 2%, as outlined in Appendix H. There are no unique geological features on the Rio Rockwell Site.

Cogstone performed a records search through the San Diego Natural History Museum (SDNHM)(Jan. 2019); online records from the University of California's Museum of Paleontology database (UCMP)(Feb. 2019); the PaleoBiology Database (PBDB)(2019); and available print sources, which included the Rio Rockwell Site and a one-mile radius around the site's boundary. The results of the SDNHM search provided records of a total of forty paleontological resources located within a 1-mile radius of the Rio Rockwell Site. Because any development associated with the Proposed Project is limited to the Rio Rockwell Site, there would not be any alteration to these previously recorded resources.

Twenty of these resources are identified from the Santiago Formation, which has produced significant terrestrial fossil vertebrate localities throughout northern San Diego County, and therefore is considered to have high paleontological sensitivity. Although the Santiago Formation is not mapped at the surface level within the boundaries of the Rio Rockwell Site, it may be encountered at depth. The

remaining twenty resources are identified as Pleistocene alluvial flood plain deposits. Pleistocene alluvial deposits are assigned a moderate paleontological sensitivity. Although Pleistocene alluvium is not mapped at the surface level within the boundaries of the Rio Rockwell Site, it is likely to be encountered at depth. The identification of these forty cultural resources support the notion that there is the potential for cultural resources to be encountered in the Rio Rockwell Site at depths of 5-feet or greater below surface. Based on the scope residential development at the Rio Rockwell Site, anticipated disturbance depths are consistent with those of providing underground utilities, such as sewer and/or water, which is estimated between a depth of 6- to 8-feet below the ground surface. Therefore, while no previously documented paleontological resources are recorded within the Rio Rockwell Site, it may be likely paleontological resources are present at depth within the boundaries of the site.<sup>11</sup> As a result, **MM GEO-1** would require that the Property Owner/Developer retain a qualified paleontologist to monitor all ground-disturbing activities occurring at a depth of five feet or greater below ground surface. With the implementation of **MM GEO-1**, impacts to unique paleontological and geological resources would be less than significant.

**Mitigation Measures:**

**MM GEO 1:** Prior to the issuance of grading permit, the Property Owner/Developer shall submit to the City of Oceanside Planning Division evidence that a qualified paleontologist has been retained for monitoring of all ground-disturbing activities occurring at a depth of approximately five feet or greater below ground surface or wherever Pleistocene alluvial flood plain deposits that are mapped at the site are excavated.

The Property Owner/Developer shall include a note on the Grading Plans that if paleontological resources are unearthed during ground-disturbing activities associated with the Proposed Project, the Contractor shall cease all earth-disturbing activities within 50 feet of the discovery while construction activities may continue in other areas. The paleontologist shall collect and process sediment samples as necessary to determine the small fossil potential on the Project site. The paleontologist shall evaluate the resource and determine if the discovery is significant. If the discovery proves to be significant, additional work such as salvage excavation and recovery may be warranted and shall be discussed in consultation with the appropriate regulatory agency. Any significant fossils recovered during mitigation should be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.

**Significance Determination After Mitigation:** Less Than Significant Impact.

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<sup>11</sup> Appendix D-*Paleontological and Cultural Resources Assessment for the Old Grove at Frazee Project, City of Oceanside*, Cogstone, March 2019.

**5.8 GREENHOUSE GAS EMISSIONS**

Would the project:		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

An Air Quality, Energy, and Greenhouse Gas Emissions Impact Analysis was completed to determine potential impacts to air quality associated with the development of the Proposed Project (Appendix A – *Air Quality, Energy, and Greenhouse Gas Emissions Impact Analysis, Rio Rockwell Residential Project*, Vista Environmental, May, 2020). The results of the analysis are based on CalEEMod version **2016.3.2**.

The Appendix A analysis was based on implementation of the following project design features.

Project Design Feature 1

The Property Owner/Developer shall restrict the installation of any wood-burning fireplaces into the proposed homes and require that all fireplace inserts must be either natural gas only or electric.

Project Design Feature 2

The Property Owner/Developer shall require all homes to be designed to meet the 2019 Title 24 Part 6 building energy efficiency standards. The 2019 Title 24 Part 6 standards have been developed to meet the State’s goal of zero-net-energy use for new homes that will be achieved through a variety of measures to make new homes more energy efficient and by also requiring the installation of photovoltaic systems of adequate size to generate enough electricity to meet the zero-net energy use standard.

**Impact Analysis**

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

**Significance Determination: Less Than Significant Impact.** The residential development at the Rio Rockwell Site would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. The residential development at the Rio Rockwell Site would consist of development of 50 single-family homes and 54 townhomes. The City recently adopted the *Oceanside Climate Action Plan (CAP)*, April 2019, which provides service population efficiency targets. The Local GHG Emissions Targets are outlined in Table 9 of the adopted CAP. Specifically, projects are reviewed against the 2025 Oceanside per service population emissions goal of 3.5 MT CO<sub>2e</sub>.

In order to determine if the residential development at the Rio Rockwell Site meets the efficiency targets set forth in the CAP, the GHG emissions from the residential development at the Rio Rockwell Site were analyzed for the project opening year of 2021 and compared to the year 2025. A summary of the results is shown below in Table H – *Rio Rockwell Site Greenhouse Gas Annual Emissions* and the CalEEMod model run for project opening year 2025.

**Table H – Rio Rockwell Site Greenhouse Gas Annual Emissions**

Category	Greenhouse Gas Emissions (Metric Tons per Year)			
	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> e
<b>Year 2020 Emissions (Based on Project Opening Year 2021)</b>				
Area Sources <sup>1</sup>	83.18	0.00	0.00	83.69
Energy Usage <sup>2</sup>	103.13	0.00	0.00	103.73
Mobile Sources <sup>3</sup>	681.63	0.03	0.00	682.50
Solid Waste <sup>4</sup>	8.47	0.50	0.00	20.99
Water and Wastewater <sup>5</sup>	39.35	0.18	0.00	45.14
Construction <sup>6</sup>	42.23	0.01	0.00	42.40
<b>Total 2020 Emissions</b>	<b>957.99</b>	<b>0.72</b>	<b>0.00</b>	<b>978.45</b>
			<b>Service Population<sup>7</sup></b>	<b>297</b>
			<b>Year 2020 Emissions per Service Population</b>	<b>3.3</b>
			<b>City of Oceanside Year 2025 Efficiency Target</b>	<b>3.5</b>

Notes:

<sup>1</sup> Area sources consist of GHG emissions from consumer products, architectural coatings, and landscaping equipment.

<sup>2</sup> Energy usage consists of GHG emissions from electricity and natural gas usage.

<sup>3</sup> Mobile sources consist of GHG emissions from vehicles.

<sup>4</sup> Waste includes the CO<sub>2</sub> and CH<sub>4</sub> emissions created from the solid waste placed in landfills.

<sup>5</sup> Water includes GHG emissions from electricity used for transport of water and processing of wastewater.

<sup>6</sup> Construction emissions amortized over 30 years as recommended in the SCAQMD GHG Working Group on November 19, 2009.

<sup>7</sup> The service population was obtained from the CalEEMod model and represents the anticipated number of residents in the residential development at the Rio Rockwell Site.

Source: CalEEMod Version 2016.3.2.

The data provided in Table H above shows that the residential development at the Rio Rockwell Site would create 957.99 MTCO<sub>2</sub>e per year based on the project opening year 2021 conditions and would result in an efficiency rate of 3.3 MT CO<sub>2</sub>e per year per service population which is within the CAP Year 2025 Efficiency Target of 3.3 MT CO<sub>2</sub>e per year. It should be noted that Year 2025 GHG emissions are based on approved statewide GHG reduction measures and the required GHG reduction measures provided in the City’s Climate Action Plan are detailed in Appendix A, Section 7.8 and includes a project design feature that restricts the installation of any wood-burning fireplaces in the proposed residence and requires that all fireplace inserts must be either natural gas or electric (Project Design Feature 1). Therefore, potential impacts associated with greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

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

**Significance Determination: Less Than Significant Impact.** The residential development at the Rio Rockwell Site would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing GHG emissions. The City recently adopted the *Oceanside Climate Action Plan* (CAP), April 2019, Table 11 from the CAP provides all the CAP Measures and details if they are applicable to project level analyses. Table I – *GHG Reduction Measures for New Developments and Project Consistency* provides a list of the applicable CAP Measures for a residential development as well as providing a project consistency analysis of each measure.

**Table I – GHG Reduction Measures for New Developments and Project Consistency**

CAP Measure	Project-Level Implementation	Project Consistency
E2 – Solar Photovoltaic Promotion Program	Measure E1 would include adoption of a Solar Ordinance for New Development. The Ordinance would require that new developments with 50 or more surface parking spaces to offset 50 percent of energy use through on-site renewable energy sources. As the Ordinance and associated enforcement program will be adopted several months after CAP adoption, the checklist measure includes the Ordinance’s requirement for renewable energy. This checklist item would be applicable wherever future development would include 50 or more surface parking spaces and would have a non-negligible electricity demand.	<b>Consistent.</b> Project Design Feature 2 is provided that requires installation of photovoltaic systems of adequate size to generate enough electricity to meet the zero-net energy use standard detailed in the 2019 Title 24, Part 6 standards.
W3 – Local Water Supply Development	Measure W3 would include capital improvements to increase the supply capacity of recycled water. While Measure W3 does not specifically call for implementation at the project-level, it is assumed that future development would use recycled water where feasible. The checklist item includes incorporation of service connections for recycled water use; this checklist item would be applicable wherever future development may feasibly offset potable water use with recycled water and where the project is in a serviceable area.	<b>Not applicable.</b> There are no sources of recycled water in the project vicinity that would allow for the feasible offset of potable water use with recycled water.
TL1 – Smart Growth Policies	Transportation forecasts are based on the proposed land use pattern from the 2017 General Plan Update that is being prepared concurrently with the CAP. Measure TL1 would include adopting smart growth development policies – specifically, the majority of new development of housing units and employment generating land uses would be sited in Smart Growth Opportunity Areas (SGOAs). Therefore, at the project-level, all projects sited outside an SGOA are assumed to develop uses that would be consistent with land use designation and all projects sited inside an SGOA are assumed to develop uses that are consistent with the character of the SGOA type. The minimum SGOA target densities identified by SANDAG are considered the most applicable criteria for determining whether a proposed land use would be consistent with the character of an SGOA type.	<b>Consistent.</b> The proposed residential project is near schools and commercial retail centers that would allow for alternative transportation methods such as walking or bicycle riding to these uses. In addition, there is currently a bus stop for North County Transit District Bus Route 313 on Old Grove Road in close proximity to the project site, that would also promote the use of transit.

**Table I – GHG Reduction Measures for New Developments and Project Consistency**

CAP Measure	Project-Level Implementation	Project Consistency
	<p>The set of checklist item includes the limitations on proposed land uses. This set of checklist item would be applicable wherever future development would result in non-negligible vehicle trip generation.</p>	
<p>TL2 – Expanded Electric Vehicle Charging Infrastructure</p>	<p>Measure TL2 would include adoption of an Electric Vehicle Infrastructure Ordinance. The Ordinance would require all residential, commercial, and industrial development projects to prewire a portion of parking spaces to allow for future installation of electric vehicle charging stations. As the Ordinance and associated enforcement program will be adopted several months after CAP adoption, the checklist measure includes the Ordinance’s requirement for prewiring parking spaces. This checklist item would be applicable wherever future development would include parking spaces.</p>	<p><b>Consistent.</b> Project Design Feature 2 is provided that requires installation of a dedicated minimum 40 ampere circuit in the garage that may be utilized for electric vehicle charging as detailed in the 2019 Title 24, Part 6 standards.</p>
<p>AF1 – Urban Forestry Program</p>	<p>Measure E1 would include adoption of a Green Streets Ordinance. The Ordinance would require that new developments projects incorporate shade trees and establishes a goal of requiring that overall new development projects incorporate an average of 200 additional trees per year.</p> <p>The criteria for determining how many trees each individual development project would need to incorporate would not be established in the Green Streets Ordinance. Until adoption of the Green Streets Ordinance, interim criteria shall be one tree per each single-family residence, one tree per three multi-family residences, and one tree for each 14 jobs.</p> <p>Based on the SANDAG Series 13 Regional Growth Forecast between 2020 and 2030, development in Oceanside is anticipated to result in approximately 367 single-family residences and 2,221 multi-family residences. Based on employment projections developed by Keyser Marston Associates, employment is anticipated to increase by approximately 28,732 between 2014 and 2035. Therefore, it is estimated that average annual development would include at least 37 single-family residences, 221 multi-family residences, and non-residential uses that create 1,368 jobs. Based on this development that meets the interim criteria would result approximately 226 additional trees per year; this would demonstrate consistency with the Measure AF1 goal of planting an additional 200 trees per year.</p> <p>This checklist item would be applicable wherever future development would develop new land uses.</p>	<p><b>Consistent.</b> The proposed Landscape Plan for the Proposed Project has been designed to include the planting of at least 68 trees onto the project site.</p>

Source: City of Oceanside Draft Climate Action Plans, April 2019.

As shown in Table I, with implementation of Project Design Feature 2, the residential development at the Rio Rockwell Site is consistent with the applicable measures provided in the CAP. Appendix A, Section 7.2 shows that the Proposed Project is consistent with the per capita GHG emissions thresholds provided in the CAP. The residential development at the Rio Rockwell Site would comply with the CAP’s project-level measures and per capita emissions thresholds and would not conflict with the applicable



## Rio Rockwell Residential Development Project Initial Study/Mitigated Negative Declaration

plan for reducing GHG emissions. Therefore, potential impacts associated with the conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

**5.9 HAZARDS AND HAZARDOUS MATERIALS**

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

A Phase I Environmental Site Assessment (ESA) was completed to determine potential impacts to hazards and hazardous materials associated with the existing Rio Rockwell Site. (Appendix J – *Phase I Environmental Site Assessment and Limited Soil Sampling*, SCS Engineers, October 2016)

**Impact Analysis**

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

**Significance Determination: Less Than Significant Impact.** Construction of the residential development at the Rio Rockwell Site would entail routine transport of potentially hazardous materials, including gasoline, oil solvents, cleaners, paint, and soil from the Rio Rockwell Site<sup>12</sup>. Proper BMPs, preparation of a SWPPP, and hazardous material handling protocols would be required to ensure safe storage, handling, transport, use, and disposal of all hazard materials during the construction phase of the

<sup>12</sup> Appendix J-Phase I Environmental Site Assessment and Limited Soil Sampling, SCS Engineers, October 2016.

residential development at the Rio Rockwell Site. Construction would also be required to adhere to any local standards set forth by the City, as well as state and federal health and safety requirements that are intended to minimize hazardous materials risks to the public, such as California OSHA requirements, the Hazardous Waste Control Act, the California Accidental Release Prevention program, and the California Health and Safety Code.

Operation of the residential development at the Rio Rockwell Site would involve residential dwelling with associated landscape and maintenance. None of the proposed land uses are typically considered hazardous to the public. Hazardous materials would be limited to private use of commercially available cleaning products, landscaping chemicals and fertilizers, and various other commercially available substances. These substances are required to comply with guidelines to minimize health risk to the public associated with hazardous materials. Therefore, potential impacts associated with the routine transport, use or disposal of hazardous materials would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

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

**Significance Determination: Less Than Significant Impact.** As discussed in Section 9(a) above, construction of the residential development at the Rio Rockwell Site would be required to comply with all applicable federal, state and local laws and regulations pertaining to the transport, use, disposal, handling and storage of hazardous waste to reduce the likelihood and severity of accidents during potential future buildout of the Rio Rockwell Site. The use of hazardous material on the Rio Rockwell Site post-construction would consist of those commonly used in a residential setting for home and landscape routine maintenance and cleaning. Proper handling of the use and disposal of hazardous materials would reduce the potential for exposure. Operation of the residential development at the Rio Rockwell Site would not involve the transport, use, or disposal of large quantities of hazardous materials as permitted by right due to the City of Oceanside's restrictions referenced in OMC Chapter 13 – *Solid Waste and Recycling*. Therefore, potential impacts to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

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

**Significance Determination: Less Than Significant Impact.** Nichols Elementary School and Cesar Chavez Middle School are within one-quarter mile of the Rio Rockwell Site. Nichols Elementary School is

located westerly adjacent to the Rio Rockwell Site and Cesar Chavez Middle School is located approximately 1,000 feet to the northeast. Construction of the residential development at the Rio Rockwell Site would be required to comply with all applicable federal, state and local laws and regulations pertaining to the transport, use, disposal, handling and storage of hazardous waste to reduce the likelihood and severity of accidents during buildout of the Rio Rockwell Site. The use of hazardous material on the Rio Rockwell Site post-construction would consist of those commonly used in a residential setting for home and landscape routine maintenance and cleaning. Proper handling of the use and disposal of hazardous materials would reduce the potential for exposure. Operation of the residential development at the Rio Rockwell Site would not involve the transport, use, or disposal of large quantities of hazardous materials as permitted by right due to the City of Oceanside's restrictions referenced in OMC Chapter 13 – *Solid Waste and Recycling*. Therefore, potential impacts associated with hazardous emissions or handling of hazardous materials within one-quarter mile of an existing school would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

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

**Significance Determination: No Impact.** According to the California Environmental Protection Agency Cortese List Data Resources<sup>13</sup>, the Rio Rockwell Site is not listed on the Department of Toxic Substances Control EnviroStor list<sup>14</sup>, the State Water Resources Control Board GeoTracker database<sup>15</sup>, or a solid waste disposal site<sup>16</sup>. Therefore, no potential impacts associated with sites listed pursuant to Government Code Section 65962.5 would occur.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** No Impact.

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

**Significance Determination: No Impact.** The closest airport to the Rio Rockwell Site is the Oceanside Municipal Airport, located approximately 2.17 miles southwest. The *Oceanside Municipal Airport Land Use Compatibility Plan* does not designate the Rio Rockwell Site within the noise, safety, or overflight,

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<sup>13</sup> <https://calepa.ca.gov/SiteCleanup/CorteseList/> accessed July 18, 2019

<sup>14</sup> <https://www.envirostor.dtsc.ca.gov> Accessed July 18, 2019

<sup>15</sup> <https://geotracker.waterboards.ca.gov/> Accessed July 18, 2019

<sup>16</sup> <https://calepa.ca.gov/wp-content/uploads/sites/6/2016/10/SiteCleanup-CorteseList-CurrentList.pdf> Accessed July 18, 2019

areas. Therefore, no potential impacts resulting in a safety hazard for people residing or working within the Rio Rockwell Site would occur.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** No Impact.

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

**Significance Determination: Less Than Significant Impact.** Rio Rockwell Site is currently vacant with no access provided from the public right-of-way. The residential development at the Rio Rockwell Site would involve the construction of three access driveways, two taking access off Old Grove Road and one taking access off Frazee Road. Specifications for each driveway would be subject to City requirements, including truck turning radius requirements and driveway width requirements for planned developments. The proposed access to the Rio Rockwell Site would be required to meet standards that allow emergency response vehicles, such as firetrucks, to service the entire development. Fire plan check would be required through the City's fire department to ensure adequate service is provided. Additionally, the residential development at the Rio Rockwell Site would be subject to review and compliance with the City's Building Code to ensure structural integrity of all proposed buildings.

The City's Public Safety Element of the General Plan, Figure PS-11 – *Relocation Routes and Refugee Centers* identifies the nearest relocation and evacuation routes. The nearest designated routes to the Rio Rockwell Site are SR-76 to the south, College Boulevard to the east, and North River Road to the north. In addition, the City has an adopted Emergency Management Plan<sup>17</sup> detailing preparedness and emergency management systems among other topics. The residential development at the Rio Rockwell Site would not impair the evacuation routes detailed in the General Plan as it is not located on these evacuation routes. The residential development at the Rio Rockwell Site would not compromise the City's Emergency Management Plan because it would be developed in conformance with the required standards set forth by the City's Zoning Ordinance, fire code regulations, and building code. These standards ensure project elements such as access, structural integrity, and clearances around structures are met so that they do not impact emergency response. Therefore, potential impacts to the implementation of or physical interference with an adopted emergency response plan or emergency evacuation plan would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

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<sup>17</sup> <https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=31899> accessed July 18, 2019

*g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?*

**Significance Determination: Less Than Significant Impact.** The Rio Rockwell Site is within a Local Responsibility Area, but not designated within a High Fire Hazard Severity Zone<sup>18</sup>. There is built environment surrounding the Rio Rockwell Site, with residential development to the south and east, a school to the west, and the San Luis Rey River to the north. The residential development at the Rio Rockwell Site incorporates a 100-foot buffer along the entirety of the northern edge of the Rio Rockwell Site. Incorporated into the proposed 100-foot buffer would be a 30-foot buffer meant to separate flammable vegetation from any building or structure. This 30-foot portion of the 100-foot buffer would act as both a fire suppression as well as ensure habitat compatibility for the proposed residential development. Further, the residential development at the Rio Rockwell Site would be subject to the standards and requirements set forth in the 2016 California Fire Code, which the City adopted by reference. The residential development at the Rio Rockwell Site would comply with construction standards outlined in Chapter 7A of the California Building Code on wildfire protection. Therefore, potential impacts exposing people or structures directly or indirectly to significant risks involving wildland fires would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

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<sup>18</sup> <https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/> Accessed February 28, 2020

5.10 HYDROLOGY AND WATER QUALITY

Would the project:		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
	i. Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii. Increase the rate or amount of surface runoff in a manner which would result in flooding in- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A Preliminary Drainage Study was completed to determine potential impacts associated with drainage (Appendix E – *Preliminary Drainage Study for Rio Rockwell*, O’Day Consultants, Inc., March 2020).

A Water Quality Management Plan was completed to determine potential impacts associated with water quality (WQMP) (Appendix G – *Priority Development Project Storm Water Quality Management Plan for Rio Rockwell*, O’Day Consultants, Inc., June 2020).

A Preliminary Geotechnical Percolation Study and a Preliminary Geotechnical Study were completed to determine potential impacts associated with drainage and water quality (Appendix F – *Preliminary Geotechnical Percolation Study for Proposed Water Quality Improvements, Proposed Residential Development, Intersection of Old Grove Road and Frazee Road, Oceanside, California*, Albus-Keefe & Associates, Inc., February 2019 and Appendix H – *Preliminary Geotechnical Investigation, Proposed Residential Development, Intersection of Old Grove Road and Frazee Road, Oceanside, California*, Albus-Keefe & Associates, Inc., March 2020).

## **Impact Analysis**

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

**Significance Determination: Less Than Significant Impact.** Construction of the residential development at the Rio Rockwell Site would include grading, excavation, and other earthmoving activities that have the potential to cause erosion that would subsequently degrade water quality and/or violate water quality standards. As required by the Clean Water Act, the Property Owner/Developer must comply with the San Diego Region Separate Storm Sewer Systems (MS4) National Pollution Discharge Elimination System (NPDES) Permit. The NPDES MS4 Permit Program, which issued by the California Regional Water Quality Control Board, San Diego Region (RWQCB), regulates storm water and urban runoff discharges from developments to natural and constructed storm drain systems in the City of Oceanside. Since the Proposed Project would disturb one or more acres of soil, the Property Owner/Developer would be required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ). Construction activities subject to the Construction General Permit include clearing, grading, and disturbances such as stockpiling or excavation. The Construction General Permit requires implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP would generally contain a site map showing the construction perimeter, proposed buildings, storm water collection and discharge points, general pre- and post-construction topography, drainage patterns across the Rio Rockwell Site, and adjacent roadways.

The SWPPP must also include BMPs designed to protect against storm water runoff; a visual monitoring program; a chemical monitoring program for “non-visible” pollutants should the BMPs fail; and a sediment monitoring plan, should the residential development at the Rio Rockwell Site discharge directly into a water body listed on the 303(d) list for sediment. The Rio Rockwell Site is within the San Luis Rey Watershed, which covers 562 square miles fully within San Diego County, including portions of the City of Oceanside (including the Project Site). Drainage on the Rio Rockwell Site currently flows in a northerly direction towards the San Luis Rey River. There are drainage structures on the east end and the west end of the Rio Rockwell Site, which convey offsite stormwater to the San Luis Rey River. Currently the site drainage is natural. The entire Rio Rockwell Site is subjugated to flooding due to being used for the San Luis Rey River’s Upper Pond detention basin during 100-year storm events. Offsite improvements include portions of Frazee Road and Old Grove Road being repaved in order to relocate existing sewer and water mains, which will be realigned to run along Old Grove Road and Frazee Road. An offsite roundabout will be constructed at the intersection of Old Grove Road and Frazee Road. No increase in runoff is expected to occur from this construction. Due to the existing drainage patterns and drainage structures in the public right-of-way, it is unfeasible to fully capture all the runoff produced in the offsite area of work. Any runoff captured and treated would be conveyed towards curb & gutters and directed into bio-swales located behind the sidewalks along Old Grove Road and Frazee Road. The bio-swales will utilize sand and gravel layers to allow for storage of the design capture volumes for offsite runoff. The bottom of the bioswale will remain open to allow for infiltration. A series of check dams will be utilized to allow for runoff to infiltrate into the soil before it enters the existing storm drain systems. Any excess runoff unable to infiltrate will be captured in perforated pipe and run

along the bottom of the gravel layer and be directed into the existing drainage systems. The treatment/storage BMP was sized to contain the entirety of the required design capture volume. If the system were to ever become fully saturated/clogged, the runoff will not be able to enter the bio-swale and will run the course of the curb & gutter towards the existing curb inlets along Old Grove Road and Frazee Road.

Grading for the residential development at the Rio Rockwell Site would include raising the area for housing to be filled with import material to avoid flooding from the San Luis Rey River. Under the operating condition, the Rio Rockwell Site drainage would contain all runoff from onsite improvements and direct flows to gutters and storm drains that outfall to a buried storage arch with an open bottom to allow for infiltration through type A hydrological soil. Through percolation test, infiltration rates were found to be between 2.3 in/hr to 0.77 in/hr. A conservative infiltration rate of 0.77 in/hr was used in sizing the BMP. The treatment storage BMP was sized to contain the entirety of the required design capture volume. The excess produced when the BMP becomes full is released thorough a riser located at the west end of the storage and treatment device which would discharge directly to the drainage swale on the western end of the Rio Rockwell Site, and ultimately connect to the San Luis River (via the existing swale). This riser will be designed to release excess water when there is 2 inches of freeboard in the arch chambers, to maximize the infiltration capacity of the BMP and surrounding type A hydrologic soil. Section A of the Construction General Permit describes the elements that must be contained in the SWPPP. Therefore, with incorporation of these policies and requirements, potential impacts associated with water quality standards or waste discharge requirements would be less than significant and no mitigation would be required.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

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

**Significance Determination: Less Than Significant Impact.** Groundwater was encountered to the depth of approximately 13 to 24 feet below the existing ground surface (Appendix H). Based on Appendix F, the average groundwater throughout the Rio Rockwell Site was determined to be 15.5 feet below ground surface. Search of well records from the Water Data Library of the California Department of Water Resources resulted in sparse historical groundwater data for this area, mostly indicating groundwater deeper than 60 feet below ground surface. The City of Oceanside's BMP Design Manual indicates a minimum of 10 feet vertical distance between any infiltration device to seasonal high groundwater<sup>19</sup>. Because the Rio Rockwell Site's groundwater was observed to be a least 10 feet from ground surface, the City's guideline is feasible. The Proposed Project includes the use of an infiltration

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<sup>19</sup> <https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=51410> (p. C-5) Accessed March 2, 2020

of storm water at the Rio Rockwell Site using a shallow chamber system at the northern portion of the proposed development.

The Proposed Project does not propose the use of local groundwater supplies or the construction of any groundwater wells. Water would be provided by the City of Oceanside's Water Utility Department which purchases their water from the San Diego County Water Authority. The Rio Rockwell Site is located south of the San Luis Rey River, which sits directly north and is outlined as a recharging area in the General Plan's Environmental Resource Management Element; however, the Proposed Project would maintain a 100-foot biological buffer from the adjacent open space area. The Rio Rockwell Site would maintain 3.86-acres of permeable surface area using open space recreation areas and landscaped areas. Therefore, potential impacts associated with the depletion of or interference with groundwater would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

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

*i. Result in substantial erosion on or off site;*

**Significance Determination: Less Than Significant Impact.** The site is undeveloped and relatively flat, with the storm water surface draining to the northerly towards the San Luis Rey River. There are drainage structures on the east end and the west end which convey offsite stormwater to the San Luis Rey River. Currently, the site drainage is natural with hydrologic type A soil. The entire Rio Rockwell Site is subjugated to flooding due to being used for the San Luis Rey River's Upper Pond detention basin during 100-year storm events. With existing drainage structures (curb & gutter, storm drain inlets) placed along Old Grove Road and Frazee Road, minimal offsite run-on is conveyed through the site.

The Proposed Project would not alter the existing drainage pattern of the Rio Rockwell Site through the alteration of the course of a stream or river. The residential development at the Rio Rockwell Site would include 3.86-acres (168,248 SF) of pervious area, including open space landscaping throughout the site, including along the perimeter of the Rio Rockwell Site. As stated above in Section 5.10(a), grading for the residential development at the Rio Rockwell Site would include raising the area for housing to be filled with import material to avoid flooding from the San Luis Rey River. The proposed improvements would convey all runoff that cannot be conveyed towards landscaped areas into storm drain inlets (via curb and gutter). These inlets would be connected in such that all runoff would be routed towards an underground storage and treatment device. This device would allow for infiltration into the existing soil, while detaining the additional runoff due to impervious improvements during a 100-year storm. All improvements proposed within the public right-of-way would be subject to the requirements outlined in Section 5.10(a) to ensure run off from the residential development at the Rio Rockwell Site does not cause adverse impacts. Therefore, potential impacts associated with substantial erosion on or off site would be less than significant.

- ii. Increase the rate or amount of surface runoff in a manner which would result in flooding in or off site;*

**Significance Determination: Less Than Significant Impact.** The Rio Rockwell Site's existing conditions for runoff generally drain from the south to the north to the San Luis River Basin. There is an existing rip rap lined swale at the western edge of the property that drains north towards the San Luis Rey River. There is also an existing drainage structure that lies partially on the east side of the property. This drainage structure drains north to the San Luis River as well and only receives a very small amount of water from on-site runoff. Appendix E, Attachment 3, shows the Rio Rockwell Site limits and existing drainage conditions.

The Residential development at the Rio Rockwell Site would result in all runoff from on-site improvements being directed to gutters and storm drains where it would outfall to a buried storage arch with open bottoms. This treatment/storage BMP would be enough to retain the 100-year storm so that outflow is not increased post development. In the event the buried storage arch with open bottoms becomes full, a small orifice and riser would be located at the west end of the structure that discharges directly to the drainage swale on the western end of the property which ultimately connects to the San Luis River. This small orifice would work to release water when the buried storage arch and soil beneath become over saturated, and the larger riser would be utilized to handle larger storms. Further, as a part of the Proposed Project, an offsite roundabout will be designed and located at the Frazee Road and Old Grove Road intersection.

A small portion of the proposed grading and improvements will remain untreated. These portions occur along the ingress and egress areas of the Rio Rockwell Site. The runoff produced here would remain minimal and would be collected into the existing surrounding curb and gutters located along Frazee Road and Old Grove Road. The proposed roadway improvements will install raised curbs on already existing asphalt/concrete. Appendix E concludes the total surface runoff flowing off the Rio Rockwell Site after development would be less than the total surface runoff flowing off the site in its existing conditions. Therefore, potential impacts associated with an increased rate or amount of surface runoff would be less than significant.

- iii. Create or contribute runoff water which would exceed capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff;*

**Significance Determination: Less Than Significant Impact.** The proposed underground storage arch with open bottoms retention system would retain runoff from the Rio Rockwell Site. Non-structural BMPs such as source control requirements, landscaping with native and/or drought tolerant species and common area landscape maintenance and litter control would also contribute towards runoff control and water quality protection. In addition, the Proposed Project would be required to comply with the NPDES permit requirements to reduce any potential water quality impacts. Runoff in excess of the underground storage arch would overflow into a riser at the northwest end of the site and drain into the San Luis Rey River. The Residential development at the Rio Rockwell Site would not create or contribute runoff water that would exceed the capacity of the drainage systems or provide additional sources of polluted runoff.

The amount of water runoff is not expected to exceed stormwater drainage capacity. The Property Owner/Developer shall prepare a SWPPP for construction activity associated with the Proposed

Project. The SWPPP shall be maintained at the construction site for the entire duration of construction. The objectives of the SWPPP are to identify pollutant sources that may affect the quality of storm water discharge and to implement BMPs to reduce pollutants in storm water discharges during construction and post construction in compliance with NPDES. Projects that comply with NPDES standards would result in a less than significant impact. In addition, storm drains located within the City limits are maintained by the City. Therefore, potential impacts associated with runoff would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

*d) Would the project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*

**Significance Determination: Less Than Significant Impact.** The residential development at the Rio Rockwell Site would include the construction of 104 for-sale residential units, private roads and drive aisles, ancillary site improvements such as landscaping, hardscape, and public right-of-way improvements. The Rio Rockwell Site is located approximately five miles from the Pacific Ocean and is located outside of the inundation zones per the San Diego County Tsunami Inundation Maps<sup>20</sup>. Seismic seiches are standing waves set up on rivers, reservoirs, ponds, and lakes when seismic waves from an earthquake pass through the area. They are in direct contrast to tsunamis which are giant sea waves created by the sudden uplift of the sea floor.<sup>21</sup> The nearest body of water to the Rio Rockwell Site is the San Luis Rey River, located to the north of the Rio Rockwell Site. As stated previously in Section 5.10, the Rio Rockwell Site is subjugated to flooding due to being used for the San Luis Rey River's Upper Pond detention basin during 100-year storm events.

The development at the Rio Rockwell Site includes residential uses, with ancillary improvements which have the potential to contain pollutants, such as automotive fluids from private vehicles, pesticides and fertilizers from private and community landscape. The grading for the residential development at the Rio Rockwell Site would include raising the area for housing to be filled with import material to avoid flooding from the San Luis Rey River. Under the operating condition, the Rio Rockwell Site drainage would contain all runoff from onsite improvements and direct flows to gutters and storm drains that outfall to a buried storage arch with open bottom. This treatment/storage BMP would be enough to retain the 100-year storm so that outflow is not increased post development. Therefore, potential impacts related to seiche, tsunami, or mudflow would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

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<sup>20</sup> <https://www.conservation.ca.gov/cgs/tsunami/maps/san-diego> Accessed March 2, 2020

<sup>21</sup> <https://earthquake.usgs.gov/learn/topics/seiche.php> Accessed March 2, 2020

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

**Significance Determination: Less Than Significant Impact.** The Rio Rockwell Site is located south of the San Luis Rey River, which sits directly north and is outlined as a recharging area in the General Plan's Environmental Resource Management Element; however, the Proposed Project would maintain a 100-foot biological buffer from the adjacent open space area. The Rio Rockwell Site would maintain 3.86-acres of permeable surface area using open space recreation areas and landscaped areas. The Rio Rockwell Site drainage would contain all runoff from onsite improvements and direct flows to gutters and storm drains that outfall to a buried storage arch with open bottom. According to the project specific WQMP (Appendix G), groundwater contamination would not be a factor based on the depth of groundwater discovered per the site-specific Preliminary Geotechnical Study, Appendix H. The proposed development would not significantly alter the existing drainage pattern of the Rio Rockwell Site or alter the course of a stream or river. Implementation of the NPDES permit requirements would reduce potential impacts from erosion and siltation during the Rio Rockwell Site's preparation and earthmoving phases to less than significant and no mitigation would be required. Therefore, potential impacts associated with the conflict or obstruction of implementation of a water quality control plan or sustainable groundwater management plan would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

**5.11 LAND USE/PLANNING**

Would the project:		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b)	Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact Analysis**

*a) Would the project physically divide an established community?*

**Significance Determination: No Impact.** The Proposed Project would involve the development of 104 residential dwelling units on a 7.48-acre area of the 11.54-acre Rio Rockwell Site. The Rio Rockwell Site is located at the corner of Old Grove Road and Frazee Road, which are established public roads within the City. Surrounding development to the Rio Rockwell Site includes single-family residences to the south and east, across Old Grove Road and Frazee Road, an elementary school to the west, and the San Luis Rey River to the north. The residential development at the Rio Rockwell Site does not physically impede or divide the existing communities, as it would include internal circulation for all proposed units and maintain access to and from the existing public roads. Therefore, no potential impacts associated with physically dividing an established community would occur.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** No Impact.

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

**Significance Determination: Less Than Significant Impact.** The Proposed Project would involve the construction of 104 dwelling units on the Rio Rockwell Site with a subdivision to create Map ‘A’ and Map ‘B’, along with a general plan amendment, zone change, and establishment of a planned development as outlined in Article 17 of the City’s Zoning Ordinance. The residential development at the Rio Rockwell Site’s density would be consistent with the proposed land use designation and zone changes. The proposed general plan designation of Medium Density Residential-B land use permits for a density of 10.0 to 15.0 dwelling units per acre (du/ac). The residential development at the Rio Rockwell Site’s density would be 9.1 du/ac, which is permitted per Section 2.32(C) – Potential Range of Residential Densities of the General Plan Land Use Element, which states “residential projects with densities below the base density shall be considered to be consistent with the land use designation.” The number of dwelling units proposed is consistent with the General Plan.

The proposed planned development permit through the City would be subject to Article 17 – *Planned Development District* which establishes a procedure for the development of parcels of land. The planned development review process allows for a level of flexibility when lots may be constrained due to external factors. The Rio Rockwell Site is constrained due to the required 100-foot buffer from the San Luis Rey River area, which is required per the Draft Subarea Plan. The residential development at the Rio Rockwell Site would be subject to development standards outlined in the adopted Planned Development Plan (PDP) and would default to the City’s Zoning Ordinance where the PDP is silent on a specific development standard. Therefore, potential impacts associated with a significant environmental impact due to conflicts with any applicable land use plan for the purpose of avoiding or mitigating an environmental effect would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

**5.12 MINERAL RESOURCES**

Would the project:		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact Analysis**

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

**Significance Determination: Less Than Significant Impact.** The California Department of Conservation classifies the Rio Rockwell Site and its surroundings as MRZ-2, defined as areas where adequate information indicates significant mineral deposits are present or where it is judged that a high likelihood for their presence exists. According to the Mineral Land Classification: Aggregate Materials in the Western San Diego County Production-Consumption Region<sup>22</sup> special report (special report), the MRZ-2 areas are comprised of four types of deposits, and the special report qualifies the San Luis Rey River area as that of Quaternary River Deposits. Quaternary River Deposits are identified as areas of river channels and water wells. The implementation of the residential development at the Rio Rockwell Site would not result in loss of availability of any known mineral resource identified in the state’s special report because the residential development at the Rio Rockwell Site does not involve the removal or extraction of minerals. The residential development at the Rio Rockwell Site would involve the construction of 104 dwelling units on 11.54 acres which front Old Grove Road and Frazee Road, and would not impact the San Luis Rey River channel because the Proposed Project would require a 100-foot buffer distance from the San Luis Rey River area, and would not impede on potential mineral resource areas associated with the river channel. Therefore, potential impacts to the availability of known mineral resources would be less than significant.

**Mitigation Measures:** No Mitigation required.

**Significance Determination:** Less Than Significant Impact.

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<sup>22</sup> <https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc> accessed July 18, 2019

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

**Significance Determination: Less Than Significant Impact.** There are two major areas of mineral deposits within the City, one of which is the San Luis Rey River Basin, which contains landfill and beach sand (non-construction quality) and construction quality sand suitable for concrete and plaster. However, most of the sand deposits are found in urbanized areas within the City and these deposits are classified as unavailable pursuant to the County of San Diego’s *River San Resources Study* (study) conducted in 1974. The study concludes that “even though it contains a great quantity of material, the San Luis Rey River probably does not have the potential for supplying an increasingly large percentage of the County’s sand needs for many years...” Therefore, potential impacts associated with the availability of a locally important mineral resource recover site would be less than significant.

**Mitigation Measures:** No Mitigation required.

**Significance Determination:** Less Than Significant Impact.

**5.13 NOISE**

Would the project result in:		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b)	Generation of excessive ground borne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A Noise Impact Analysis was completed to determine potential impacts to noise associated with the development of the Proposed Project (Appendix I - *Noise Impact Analysis, Rio Rockwell Residential Project, City of Oceanside, Vista Environmental, March 2020*).

**Impact Analysis**

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

**Significance Determination: Less Than Significant with Mitigation Incorporated.** The implementation of the residential development at the Rio Rockwell Site would not generate a substantial temporary or permanent increase in ambient noise levels in excess of standards established in the Oceanside General Plan or OMC Noise Ordinance or applicable standards of other agencies. The following section calculates the potential noise emissions associated with the construction and operations of the residential development at the Rio Rockwell Site and compares the noise levels to City standards.

**Construction-Related Noise**

The construction activities for the Proposed Project are anticipated to include site preparation and grading of approximately 7.48-acres of the 11.54-acre Rio Rockwell Site (approximately 4.06-acres of the Rio Rockwell Site would be utilized as a natural open space buffer adjacent to the San Luis Rey River Channel), building construction of 50 single-family homes(SF) and 54 townhomes (MF) that would also include paving of onsite parking areas and driveways, and application of architectural coatings. Noise impacts from construction activities associated with the residential development at the Rio Rockwell Site would be a function of the noise generated by construction equipment, equipment location, sensitivity of nearby land uses, and the timing and duration of the construction activities. The nearest sensitive receptors to the Rio Rockwell Site are single-family residences located across Old Grove Road

and Frazee Road, ranging between approximately 60 to 150 feet south and southeast of the Rio Rockwell Site. There are also two schools within the vicinity, Nichols Elementary School located adjacent, approximately 180 feet, to the west of the Rio Rockwell Site, and Cesar Chavez Middle School approximately 1,000 feet northeast of the Rio Rockwell Site.

The City’s General Plan requires that construction activities that occur within 500 feet of residential uses and creates a noise level of 50 dBA or higher to be restricted from occurring between 8 PM and 7 AM. The City’s General Plan also restricts the operation of any construction equipment that produces a noise level of 85 dBA at 100 feet. Finally, the City’s General Plan also restricts any construction activities that increases the ambient noise level by 5 dBA or more from occurring between 6 PM and 7 AM.

Section 38.17(b) of the City’s Municipal Code restricts the operation of any internal combustion engines without a muffler or other device that prevents loud explosive noises from occurring. Section 38.17(c) of the City’s Municipal Code restricts the operation of construction equipment between 10 PM and 7 AM. However, the City construction noise standards do not provide any limits to the noise levels that may be created from construction activities, and even with adherence to the City standards, the resultant construction noise levels may result in a significant substantial temporary noise increase to the nearby residents and school.

In order to determine if the proposed construction activities would create a significant substantial temporary noise increase, the Federal Transit Authority (FTA) construction noise criteria thresholds were utilized, as detailed in Appendix I, Section 4.1. Construction noise impacts to the nearby sensitive receptors were calculated through use of the Federal Highway Administration’s (FHWA) Roadway Construction Noise Model (RCNM) and the parameters and assumptions detailed in Appendix I, Section 6.1. The results are shown below in J – *Construction Noise Levels at the Nearest Homes and School*.

**Table J – Construction Noise Levels at the Nearest Homes and School**

Construction Phase	Construction Noise Level (dBA Leq) at:	
	Nearest Homes <sup>1</sup>	Nearest School <sup>2</sup>
Site Preparation	74	72
Grading	73	72
Building Construction	71	69
Paving	70	64
Painting	64	59
<b>FTA Construction Noise Threshold<sup>3</sup></b>	<b>80</b>	<b>80</b>
<b>Exceed Thresholds?</b>	<b>No</b>	<b>No</b>

<sup>1</sup> The nearest homes are located on the south side of Old Grove Road and are as near as 60 feet south of the project site. 5 dB of attenuation was added to the RCNM model in order to account for the 6-foot wall that is located along the south side of Old Grove Road.

<sup>2</sup> The nearest school is Nichols Elementary School, where the nearest outdoor activity area or structure is as near as 180 feet west of the project site

<sup>3</sup> FTA Construction Noise Threshold obtained from Appendix I, Table B.

Source: RCNM, Federal Highway Administration, 2006

Table J shows that the greatest noise impacts would occur during the site preparation phase of construction, with a noise level as high as 74 dBA Leq at the nearest homes and as high as 72 dBA at the nearest school to the project site, which are both within the FTA daytime construction noise standards of 80 dBA, outlined in Appendix I, Section 4.1 and Table B – *FTA Construction Noise Criteria*.

Therefore, potential impacts that would result in a substantial temporary increase in ambient noise levels from construction of the residential development at the Rio Rockwell Site would be less than significant.

### **Operational-Related Noise**

Potential noise impacts associated with the operations of the residential development at the Rio Rockwell Site would be from project-generated vehicular traffic on the nearby roadways. In addition, the proposed development would be adjacent to Old Grove Road and Frazee Road, which may create noise levels in excess of City standards at the proposed residential uses. The noise impacts to the nearby residents and proposed homes have been analyzed separately.

Although the residential development at the Rio Rockwell Site is not under the jurisdiction of the FTA, the FTA is the only agency that has defined what constitutes a significant noise impact from implementing a project. The FTA standards are based on extensive studies by the FTA and other governmental agencies on the human effects and reaction to noise and a summary of the FTA findings are provided in Appendix I, Section 4.1 and Table A – *FTA Project Effects on Cumulative Noise Exposure*.

### **Roadway Vehicular Noise Impacts to Nearby Residents**

Vehicle noise is a combination of the noise produced by the engine, exhaust and tires. The level of traffic noise depends on three primary factors: (1) the volume of traffic, (2) the speed of traffic, and (3) the number of trucks in the flow of traffic. The residential development at the Rio Rockwell Site would not change speed of traffic or the number of trucks in the flow of traffic since the proposed residential uses would not generate a substantial number of truck trips. Therefore, the residential development at the Rio Rockwell Site's potential offsite noise impacts were focused on the noise impacts associated with the change of volume of traffic that would occur with development of the Rio Rockwell Site.

Since, neither the General Plan nor the CEQA Guidelines define what constitutes a "substantial permanent increase to ambient noise levels", this impact analysis has utilized guidance from the Federal Transit Administration for a moderate impact that is outlined in Appendix I, Section 4.1 which shows that the project contribution to the noise environment can range between 0 and 7 dB, dependent on the existing noise levels.

The potential offsite traffic noise impacts created by the on-going operations of the residential development at the Rio Rockwell Site have been analyzed through utilization of the FHWA model and parameters described above in Appendix I, Section 6.2 and the FHWA and associated appendices. The residential development at the Rio Rockwell Site's potential offsite traffic noise impacts have been analyzed for the existing year and existing plus cumulative projects conditions that are discussed separately below.

### **Existing Conditions**

The Rio Rockwell Site's potential offsite traffic noise impacts were calculated through a comparison of the Existing scenario to the Existing with Project scenario. The results of this comparison are shown in Table K – *Existing Project Traffic Noise Contributions* below.

**Table K – Existing Project Traffic Noise Contributions**

Roadway	Segment	dBA Ldn at Nearest Receptor <sup>1</sup>			Increase Threshold <sup>2</sup>
		Existing	Existing Plus Project	Project Contribution	
Old Grove Road	Northwest of Frazee Road	52.5	53.8	1.3	+5 dBA
Old Grove Road	Southeast of Frazee Road	62.7	63.0	0.3	+2 dBA
Frazee Road	Northeast of Old Grove Road	59.7	60.0	0.3	+3 dBA

Notes:

<sup>1</sup> Distance to nearest residential use shown in Table F, of Appendix I, page 19, does not consider existing noise barriers.

<sup>2</sup> Increase Threshold obtained from the FTA’s allowable noise impact exposures detailed in Table X – FTA *Project Effects on Cumulative Noise Exposure*.

Source: FHWA Traffic Noise Prediction Model FHWA-RD-77-108.

Table K shows that the residential development at the Rio Rockwell Site’s permanent noise increases to the nearby homes from the generation of additional vehicular traffic would not exceed the FTA’s allowable increase thresholds detailed above. Therefore, potential impacts that would result in a substantial permanent increase in ambient noise levels for the existing conditions would be less than significant.

**Existing Plus Cumulative Projects Conditions**

The residential development at the Rio Rockwell Site’s potential offsite traffic noise impacts were calculated through a comparison of the Existing plus cumulative projects scenario to the Existing plus cumulative projects with project scenario. The results of this comparison are shown in Table L – *Existing Plus Cumulative Projects Traffic Noise Contributions*.

**Table L – Existing Plus Cumulative Projects Traffic Noise Contributions**

Roadway	Segment	dBA Ldn at Nearest Receptor <sup>1</sup>			Increase Threshold <sup>2</sup>
		Existing Plus Cumulative	Existing Plus Cumulative with Project	Project Contribution	
Old Grove Road	Northwest of Frazee Road	52.5	53.8	1.3	<b>+5 dBA</b>
Old Grove Road	Southeast of Frazee Road	63.1	63.4	0.3	<b>+2 dBA</b>
Frazee Road	Northeast of Old Grove Road	59.9	60.1	0.2	<b>+3 dBA</b>

Notes:

<sup>1</sup> Distance to nearest residential use shown in Table F of Appendix I, page 19, does not take into account existing noise barriers.

<sup>2</sup> Increase Threshold obtained from the FTA’s allowable noise impact exposures detailed above in Table X – FTA *Project Effects on Cumulative Noise Exposure*.

Source: FHWA Traffic Noise Prediction Model FHWA-RD-77-108.

Table L shows that the residential development at the Rio Rockwell Site’s permanent noise increases to the nearby homes from the generation of additional vehicular traffic would not exceed the FTA’s allowable increase thresholds. Therefore, potential impacts that would result in a substantial permanent increase in ambient noise levels for the existing plus cumulative projects conditions would be less than significant.

**Roadway Vehicular Noise Impacts to Proposed Homes**

The Rio Rockwell Site would consist of the development of a residential community with 104 residential dwelling units. The residential development at the Rio Rockwell Site would be adjacent to Old Grove

Road and Frazee Road, which may create noise levels in excess of City standards at the proposed residential uses. The roadway noise impacts have been analyzed below.

Proposed Homes Exterior Roadway Noise Impacts

The City’s General Plan Noise Element does not provide any specific noise limitation policies for the exterior of new homes in the City; however, the General Plan Noise Element does provide Recommendation Number 5, that details the City should be planned in order to ensure residential areas are not be impacted by noise, and projects should only be approved if noise impacts can be reduced or abated. Since the City does not provide a specific noise standard for the exterior of the proposed homes, the State’s land use compatibility noise standards were utilized instead, which detail the “Normally Acceptable” noise level for single-family homes to be 60 dBA CNEL or less and for multi-family homes to be 65 dBA CNEL or less. In order to provide a conservative analysis, the 60 dBA CNEL noise standard was utilized for both the proposed single-family homes and multi-family townhomes.

The FHWA RD-77-108 model was utilized based on the methodology detailed in Appendix I, Section 6.2 to calculate the noise levels at the backyards of representative proposed homes adjacent to Old Grove Road and Frazee Road. The noise levels were calculated at a location near the proposed building structures and five feet above ground level. A summary of the results is shown below in Table M—Proposed Homes Exterior Backyard Noise Levels from Nearby Roads.

**Table M – Proposed Homes Exterior Backyard Noise Levels from Nearby Roads**

Building Number	Roadway	Exterior Backyard Noise Levels (dBA CNEL)		Minimum Sound Wall Height (feet)
		Without Sound Wall	With Sound Wall	
MF18	Frazee Road	57	-- <sup>1</sup>	-- <sup>1</sup>
MF20	Frazee Road	<b>61</b>	58	4
MF33	Frazee Road	<b>62</b>	59	4
MF35	Frazee Road	59	-- <sup>1</sup>	-- <sup>1</sup>
MF38	Old Grove Road	54	-- <sup>1</sup>	-- <sup>1</sup>
MF50	Old Grove Road	53	-- <sup>1</sup>	-- <sup>1</sup>
MF51	Old Grove Road	54	-- <sup>1</sup>	-- <sup>1</sup>
SF44	Old Grove Road	55	-- <sup>1</sup>	-- <sup>1</sup>
SF46	Old Grove Road	55	-- <sup>1</sup>	-- <sup>1</sup>
SF48	Old Grove Road	55	-- <sup>1</sup>	-- <sup>1</sup>
SF50	Old Grove Road	55	-- <sup>1</sup>	-- <sup>1</sup>

Notes:

Exceedance of 60 dBA Ldn residential interior noise standard shown in **bold**.

<sup>1</sup> No sound wall required, since below 60 dBA Ldn standard.

Source: FHWA RD-77-108 Model.

Table M shows exterior private backyard noise levels would be as high as 62 dBA CNEL without any sound walls for the backyard areas, which would exceed the 60 dBA exterior noise standard. This would be considered a significant impact.

**MM-NOI-1** would require the construction of a minimum 4-foot high wall between Frazee Road and the backyards for Buildings MF19, MF21, MF33, and MF34. Table M shows that with implementation of the proposed sound wall detailed in **MM-NOI-1**, noise levels at all analyzed backyards would be

within the 60 dBA CNEL noise standard. With implementation of **MM-NOI-1**, potential impacts associated with noise from operation would be reduced to within required noise standards and would be less than significant.

Proposed Homes Interior Roadway Noise Impacts

The City’s General Plan Noise Element does not provide any specific noise limitation policies for the interior of new homes in the City; however the General Plan Noise Element does provide Recommendation Number 5, that details that the City should be planned in order to ensure residential areas are not impacted by noise and projects should only be approved if noise impacts can be reduced or abated. Since the City does not provide a specific noise standard for the interior of the proposed homes, the interior noise standard for new dwellings from Title 24, Chapter 1, Article 4 of the California Administrative Code (California Noise Insulation Standards) of 45 dBA CNEL or Ldn or less was utilized in this analysis.

To assess the interior noise levels related to compliance with the dBA Ldn interior noise standard, the same proposed homes analyzed for the exterior private backyard analysis were again analyzed for their interior noise levels. According to *Highway Traffic Noise: Analysis and Abatement Guidance*, prepared by U.S. Department of Transportation (December 2011) a new residential building provides a minimum of 10 dB of noise attenuation with windows open and a minimum of 25 dB of noise attenuation with windows closed, with dual-paned windows. The proposed residential structures will be required to be designed to meet the CCR Title 24, Part 6: California’s Energy Efficiency Standards that require the installation of dual paned windows in the climate zone where the Rio Rockwell Site is located. The exterior noise level at the façade of the first floor and second floors was calculated for each analyzed unit and are shown below in Table N – *Proposed Residential Interior Noise Levels from Nearby Roads*.

**Table N – Proposed Residential Interior Noise Levels from Nearby Roads**

Building Number	Roadway	Floor	Exterior Noise Level at Building Façade (dBA Ldn)	Interior Noise Levels (dBA Ldn)	
				Windows Open	Windows Closed
MF18	Frazee Road	1	57	45	32
		2	57	45	32
MF20	Frazee Road	1	60	<b>48</b>	35
		2	61	<b>49</b>	36
MF33	Frazee Road	1	61	<b>49</b>	36
		2	61	<b>49</b>	36
MF35	Frazee Road	1	59	<b>47</b>	34
		2	59	<b>47</b>	34
MF38	Old Grove Road	1	54	42	29
		2	53	41	28
MF50	Old Grove Road	1	53	41	28
		2	53	41	28
MF51	Old Grove Road	1	54	42	29
		2	54	42	29
SF44	Old Grove Road	1	55	43	30
		2	54	42	29

SF46	Old Grove Road	1	55	43	30
		2	55	43	30
SF48	Old Grove Road	1	55	43	30
		2	55	43	30
SF50	Old Grove Road	1	55	43	30
		2	55	43	30

Notes: Exceedance of 45 dBA Ldn residential interior noise standard shown in **bold**.  
Source: FHWA RD-77-108 Model.

Table N shows the analyzed Buildings MF20, MF33, and MF35 would exceed the 45 dBA Ldn interior noise standard for the windows open condition. This would result in a significant impact.

**MM-NOI-2** would require all proposed homes to be designed for a “windows closed” condition. A “windows closed” condition requires a means of mechanical ventilation per Chapter 12, Section 1205 of the Uniform Building Code. This shall be achieved with a standard forced air conditioning and heating system for each home. With implementation of **MM-NOI-2**, Table N shows the potential impacts to the interior areas of the proposed homes would be less than significant.

Therefore, with implementation of **MM-NOI-1** and **MM-NOI-2**, potential impacts associated with substantial temporary or permanent increases in ambient noise levels in excess of standards established in the local general plan or noise ordinance, or other applicable standards would be less than significant.

#### **Mitigation Measures:**

**MM NOI-1:** Prior to the issuance of a building permit, the Property Owner/Developer shall submit building plans that show a minimum 4-foot high sound wall located between Frazee Road and the backyards for Buildings MF19, MF21, MF33, and MF38. The sound wall shall be constructed of concrete masonry units (CMUs) and shall be free of any decorative cutouts or openings.

**MM NOI-2:** Prior to the issuance of a building permit, the Property Owner/Developer shall submit building plans that show a “windows closed” condition for each proposed home. A “windows closed” condition requires a means of mechanical ventilation per Chapter 12, Section 1205 of the Uniform Building Code. This shall be achieved with a standard forced air conditioning and heating system for each home.

**Significance Determination After Mitigation:** Less Than Significant Impact.

*b) Would the project result in the generation of excessive ground borne vibration or groundborne noise levels?*

**Significance Determination: Less Than Significant Impact.** The residential development at the Rio Rockwell Site would not expose persons to or generation of excessive groundborne vibration or groundborne noise levels. The following section analyzes the potential vibration impacts associated with the construction and operations of the residential development at the Rio Rockwell Site.

### **Construction Related Vibration Impacts**

The construction activities for the residential development at the Rio Rockwell Site are anticipated to include site preparation and grading of approximately 7.48-acres of the 11.54-acre Rio Rockwell Site (the remaining 4.06-acres of the Rio Rockwell Site would be utilized as a natural open space buffer adjacent to the San Luis Rey River Channel), building construction of 50 single-family homes and 54 townhomes that would also include paving of onsite parking areas and driveways, and application of architectural coatings. Vibration impacts from construction activities associated with the residential development at the Rio Rockwell Site would typically be created from the operation of heavy off-road equipment. The nearest sensitive receptors to the Rio Rockwell Site are single-family residences located across Old Grove Road and Frazee Road, ranging between approximately 60 to 150 feet south and southeast of the Rio Rockwell Site. There are also two schools within the vicinity, Nichols Elementary School located adjacent, approximately 180 feet, to the west of the Rio Rockwell Site, and Cesar Chavez Middle School approximately 1,000 feet northeast of the Rio Rockwell Site.

Construction activity can result in varying degrees of ground vibration, depending on the equipment used on the site. Operation of construction equipment causes ground vibrations that spread through the ground and diminish in strength with distance. Buildings in the vicinity of the construction site respond to these vibrations with varying results ranging from no perceptible effects at the low levels to slight damage at the highest levels. Appendix I, Table I – *Vibration Source Levels for Construction Equipment*, gives approximate vibration levels for construction activities. Construction-related vibration impacts were calculated based on vibration levels shown in Appendix I, Table I and through typical vibration propagation rates. The equipment assumptions were based on the equipment lists provided in Appendix I, Table E – *Construction Equipment Noise Emissions and Usage Factors*.

Since neither the City's General Plan nor the Municipal Code provide a quantifiable vibration threshold, guidance from the Caltrans issued the *Transportation- and Construction-Induced Vibration Guidance Manual* (2004) was utilized. The manual provides practical guidance to Caltrans engineers, planners, and consultants who must address vibration issues associated with the construction, operation, and maintenance of Caltrans projects. This manual is also used as a reference point by many lead agencies and CEQA practitioners throughout California, as it provides numeric thresholds for vibration impacts. Thresholds are established for continuous (construction-related) and transient (transportation-related) sources of vibration, which found that the human response becomes distinctly perceptible at 0.25 inch per second PPV for transient sources and 0.04 inch per second PPV for continuous sources.

The primary source of vibration during construction would be from the operation of a bulldozer. From Appendix I, Table I, a large bulldozer would create a vibration level of 0.089 inch per second PPV at 25 feet. Based on typical propagation rates, the vibration level at the nearest offsite receptor (60 feet away) would be 0.02 inch per second PPV. The vibration level at the nearest offsite receptor would be within the 0.2 inch per second PPV threshold detailed above. Therefore, potential impacts associated with construction related vibration would be less than significant.

### **Operations Related Vibration Impacts**

The Rio Rockwell Site would consist of the development of 50 single-family homes and 54 townhomes. The on-going operation of the residential development at the Rio Rockwell Site would not include the

operation of any known vibration sources other than typical vehicle operations for a residential development onsite. Therefore, potential impacts associated with operations related vibration would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

*c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

**Significance Determination: No Impact.** The residential development at the Rio Rockwell Site would not expose people residing or working in the project area to excessive noise levels from aircraft. The nearest airport is Oceanside Municipal Airport that is located as near as 2.3 miles southwest of the Rio Rockwell site. The Rio Rockwell site is located outside of the 60 dBA CNEL noise contours of Oceanside Municipal Airport. Therefore, no potential impacts from aircraft noise would occur.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** No Impact.

**5.14 POPULATION AND HOUSING**

Would the project:		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Impact Analysis**

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

**Significance Determination: Less Than Significant Impact.** The residential development at the Rio Rockwell Site would involve the construction of 104 dwelling units on the Rio Rockwell Site with a subdivision to create Map ‘A’ and Map ‘B’, along with a general plan amendment, zone change, and establishment of a planned development as outlined in Article 17 of the City’s Zoning Ordinance. The residential development at the Rio Rockwell Site’s density would be consistent with the proposed land use designation and zone changes. The proposed general plan designation of Medium Density Residential-B land use permits for a density of 10.0 to 15.0 dwelling units per acre (du/ac). The residential development at the Rio Rockwell Site’s density would be 9.1 du/ac, which is permitted per Section 2.32(C) – Potential Range of Residential Densities of the General Plan Land Use Element, which states “residential projects with densities below the base density shall be considered to be consistent with the land use designation.” The number of dwelling units proposed is consistent with the General Plan. Additionally, the Proposed Project does not extend infrastructure beyond what is required to adequately serve the Rio Rockwell Site. Therefore, potential impacts associated with unplanned population growth would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

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

**Significance Determination: No Impact.** The residential development at the Rio Rockwell Site would be developed on a vacant site and would not require the removal of existing housing or people. Therefore, no potential impacts associated with the displacement of existing people or housing would occur.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** No Impact.

**5.15 PUBLIC SERVICES**

Would the project		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	i) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact Analysis**

The City collects various impact fees on new development, consistent with the California Fee Mitigation Act. Impact fees fund the expansion of park space, public facilities, drainage facilities, and local roadways to address increased demand occasioned by population and employment growth. When new development results in specific deficiencies in public facilities (e.g., inadequate water supply or sewer capacity), the City can require that these deficiencies be mitigated through physical improvements or in-lieu fees.

*(a) Would the project result in substantial adverse physical impacts associated with the provision of or 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 objective for any of the public services:*

*i) Fire Protection?*

**Significance Determination: Less Than Significant Impact.** Fire protection services for the Project Site are provided by the Oceanside Fire Department (OFD), which operates eight (8) fire stations and employs approximately 115 full-time personnel<sup>23</sup>. The OFD has reviewed the Proposed Project for issues, including those to existing service. The closest fire station to the Project Site is Fire Station No. 5, located approximately 1.90 miles northeast on North River Road. Based on the proximity of the Project Site to existing OFD facilities, and since the Project Site is in a developed portion of the City that is within the service area of OFD, the Proposed Project would be served by OFD.

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<sup>23</sup> <https://www.ci.oceanside.ca.us/gov/fire/about/overview.asp> accessed February 28, 2020

The construction of 104 residential units would result in approximately 292 residents, based on the average household size for the City detailed in the City's Housing Element.<sup>24</sup> This would represent less than 0.1 percent of the City's existing population<sup>25</sup>, and therefore could incrementally increase demand for fire protection services. However, the Property Owner/Developer would be required to submit building plans that comply with OMC Chapter 11 – Fire Protection, and Chapter 6 – Building Construction Regulations to ensure the Proposed Project is developed in compliance with all applicable Building and Fire safety requirements, as well as pay the appropriate impact fees in effect at the time building permits are issued to offset any potential impact to fire facilities. Development of the Project Site would not result in the need for new or physically altered fire protection facilities. Therefore, potential impacts associated with fire protection would be less than significant and no mitigation would be required.

*ii) Police Protection?*

**Significance Determination: Less Than Significant Impact.** The Oceanside Police Department (OPD) provides law enforcement and crime prevention services in Oceanside and has reviewed the Proposed Project for potential issues, including impacts to existing service. OPD employs approximately 228 sworn officers and a support staff of 84. The OPD operates out of six (6) resource centers, with two (2) centers operated by OPD and the remaining four (4) operated by the City's Housing and Neighborhood Service Department. The centers are designed to provide a sense of community and security to residents of the surrounding area and serve as a component of the Department's community-policing philosophy. The locations of the resource centers are: Police Beach Facility (122 North The Strand), Downtown Resource Center (401 Mission Avenue #C-122), Chavez Resource Center (605 San Diego Street), Crown Heights Resource Center (1210 Division Street), Libby Lake Resource Center (4700 North River Road), and San Luis Rey Resource Center (521 Vandergrift Boulevard, Suite B). The OPD headquarters located at 3855 Mission Ave is approximately 1.6 miles southeast from the Rio Rockwell Site. Based on the proximity of the Project Site to OPD and since the Project Site is in a developed portion of the City that is within the service area of the OPD, the Proposed Project would be served by OPD.

The construction of 104 residential units would result in approximately 292 residents, which would represent less than 0.1 percent of the City's existing population, which could incrementally increase demand for police protection services. However, the Property Owner/Developer would be required to pay development impact fees at the time building permits are issued to offset any potential impact to police facilities. Development of the Project Site would not result in the need for new or physically altered police protection facilities. Therefore, potential impacts associated with police protection would be less than significant and no mitigation would be required.

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<sup>24</sup> <https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=24784> (Pg. II-12)

<sup>25</sup> [https://factfinder.census.gov/bkmk/table/1.0/en/ACS/17\\_5YR/DP05/1600000US0653322](https://factfinder.census.gov/bkmk/table/1.0/en/ACS/17_5YR/DP05/1600000US0653322) Accessed February 28, 2020

*iii) Schools?*

**Significance Determination: Less Than Significant Impact.** Oceanside students in kindergarten through 12th grade are served by the Oceanside Unified School District (OUSD), the Vista Unified School District (VUSD), the Bonsall Unified School District (BUSD), the Carlsbad Unified School District (CUSD), and a variety of parochial and secular private schools. The OUSD presently operates 16 elementary schools (three of which are located on Camp Pendleton), four middle schools, two traditional high schools (Oceanside HS and El Camino HS), one continuation high school (Ocean Shores HS), one K-8 charter school (Pacific View Charter) and one K-12 charter school (Coastal Academy). The VUSD serves Oceanside students at four elementary schools (Alamosa Park, Empresa, Mission Meadows, and Temple Heights), two middle schools (Madison and Roosevelt), and one high school (Mission Vista). The BUSD operates one elementary school in Oceanside (Bonsall West). Both the OUSD and VUSD operate adult education/ROP programs.

The Proposed Project would include 104 residential for-sale units which would result in approximately 292 residents, representing less than 0.1 percent of the City's existing population. The Oceanside Unified School District would provide school education services (kindergarten through 12th grade) for students who live at the Project Site. The OUSD operates 23 schools in the City. Nichols Elementary School would serve the Project Site and is located adjacent to the Project Site, to the west. According to the California Department of Education, during the 2018-2019 school year, Nichols Elementary had an enrollment of 616 students. The 2018-2019 student population is less than all previous school years prior up to 2014-2015<sup>26</sup>.

Chavez Middle School serves the Project Site for middle school aged students (6<sup>th</sup> through 8<sup>th</sup> grades) and is located approximately 0.4 miles to the northeast. According to the California Department of Education, during the 2019 school year, Chavez Middle School had an enrollment of 716 students. The 2018-2019 student population is less than all previous school years prior up to 2015-2016<sup>27</sup>.

El Camino Real High School serves the Project Site and is located approximately 1.5 miles to the southwest. According to the California Department of Education, during the 2018-2019 school year, El Camino Real High School had an enrollment of 2,958 students, which was more than the 2017-2018 school year.

The Proposed Project would be subject to Senate Bill 50 (SB 50), which requires the payment of mandatory impact fees to offset any impact to school facilities. The Property Owner/Developer would be required to pay its fair share of school fees in accordance with SB 50 based on the number of proposed dwelling units and square footage to offset the potential impact to school services. Therefore, potential impacts associated with schools would be less than significant and no mitigation would be required.

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<sup>26</sup> <https://dq.cde.ca.gov/dataquest/dqcensus/EnrGrdYears.aspx?cds=37735696119713&agglevel=school&year=2018-19>  
Accessed February 28, 2020

<sup>27</sup> <https://dq.cde.ca.gov/dataquest/dqcensus/EnrEthGrd.aspx?cds=37735690113522&agglevel=school&year=2018-19>  
Accessed February 28, 2020

*iv) Parks?*

**Significance Determination: Less Than Significant Impact.** Oceanside’s parks and recreation facilities consist of five recreation centers, two senior centers, 15 community parks, 17 neighborhood parks, one regional park, five skate parks, two pools, and two gymnasiums. Other facilities include 3.5 miles of beach, miles of trails, acres of open space, a small craft harbor, a fishing pier, two community theaters, an art museum, a surf museum, a nature center, and two municipal golf courses. In 2019, the City finalized a Parks and Recreation Master Plan Final Report (Final Report), which includes a parks and recreation facility inventory. This inventory indicates there is a broad range of passive and active opportunities, well dispersed throughout the City. The City currently has approximately 642 acres of park land. This includes 269 acres of community parks and centers (including 2 acres of El Corazon), 74 acres of neighborhood parks, and two aquatic facilities. Residents also enjoy 115 acres of school recreation areas (with existing Memorandums of Understanding). A major recreation resource for the community is the coastline. Oceanside has approximately 35 acres of usable beaches under the control of the City. The City also owns Oceanside Harbor which offers marine boating facilities and services.

The Proposed Project would include 104 residential for-sale units that would house approximately 292 residents. At least a portion of these residents would patronize the park and recreation facilities located in proximity to the Project Site. As stated above in Section 5.15(a)(iii), there are two schools located less than one mile from the Project Site. Of these two schools, Chavez Middle School has a Memorandum of Understanding with the City to utilize its open space as recreation area for City residents. Adjacent to Chavez Middle School is Mance Buchanon Community Park. The community park includes 1.14 miles of paved trails, picnic tables and picnic area, drinking fountain, five (5) multipurpose fields, four (4) play equipment areas, two (2) restrooms, and 200 parking spaces<sup>28</sup>. According to the Final Report, the Mance Buchanon Community Park is within a 5-minute driveshed from the Project Site.

The Proposed Project would include two (2) community outdoor recreation areas which would include two (2) fields, shade structure with tables and barbecue area, fire pit, lounge seating, and a dog park (**Figure 25**). The Proposed Project would also include additional landscaped areas throughout the site, including pedestrian connectivity throughout both Map ‘A’ and Map ‘B’. These on-site amenities would provide an alternative to off-site public parks and recreational facilities, allowing the residents of the Proposed Project to recreate on the Project Site while incrementally reducing impacts associated with off-site public park and recreational facilities.

According to the Final Report, it is recommended that the City, following the Quimby Act, continue to condition development projects to build parks (rather than accept the in-lieu fees) if the development is located in an area that is underserved by parks geographically and/or if it is underserved in terms of facilities. The Project Site is located within a 5-minute driveshed from the Mance Buchanon Community Park, and portions of the Project Site are located within a 14-minute walkshed from the Community Park as well. The City’s Development Services Impact Fees for new development, would be required for the Proposed project, which would levy an in-lieu fee for park improvements of \$4,431 per

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<sup>28</sup> <https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=50602> (p. 16)

residential unit<sup>29</sup>. Therefore, potential impacts associated with park facilities would be less than significant and no mitigation would be required.

*v) Other public facilities?*

**Significance Determination: Less Than Significant Impact.** It is reasonable to assume that at least a portion of the approximately 292 residents generated by the Proposed Project would patronize public facilities such as local library branches operated by the City. The Oceanside Public Library system consists of the Civic Center Library and two (2) branches, Mission Branch Library and READS Literacy Center, as well as two (2) Bookmobile libraries<sup>30</sup>. The READS Literacy Center is the closest library to the Project Site, located approximately 1.3 miles to the southwest.

According to the City's 2017-2020 Library Strategic Plan, approximately 415,000 library visits were made by the end of 2016<sup>31</sup>. The Proposed Project would add approximately 292 residents, which represents less than 0.1% of the existing City residents who are served by the Oceanside Public Library system. This nominal increase in library patrons is not expected to significantly impact the Oceanside Public Library's ability to serve existing and future users. Therefore, potential impacts associated with libraries and other public facilities would be less than significant and no mitigation would be required.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

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<sup>29</sup> <https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=48523> Accessed February 28, 2020

<sup>30</sup> <https://www.ci.oceanside.ca.us/gov/lib/about/hrslocations.asp> Accessed February 28, 2020

<sup>31</sup> <https://www.ci.oceanside.ca.us/documents/Library/lsp.pdf> (p. 4) Accessed February 28, 2020

**5.16 RECREATION**

Would the project		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Analysis**

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

**Significance Determination: Less Than Significant Impact.** The Proposed Project would involve the construction of 104 dwelling units on the Rio Rockwell Site with a subdivision, and a general plan amendment and zone change. The development of the Rio Rockwell Site would likely result in an increased use of existing neighborhood and regional parks or other recreation facilities due to the increase in residential units; however, the Proposed Project would include two open space recreational facilities as a part of the development. The Property Owner/Developer would be subject to payment of required public facilities fees toward parks at a cost of \$4,431.00 per unit to offset any increase in usage of existing public recreation facilities. Therefore, potential impacts associated with an increase in use of existing neighborhood and regional parks would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

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

**Significance Determination: Less Than Significant Impact with Mitigation Incorporated.** The Proposed Project at the Rio Rockwell Site would involve the construction of two recreational areas. These recreational areas are a part of the proposed development and therefore environmental impacts associated with the construction of the Proposed Project such as ground disturbance and biological resource disturbance are applicable to the build out of the proposed recreational facilities. As discussed in other sections of this document, potentially significant environmental impacts could occur to biological resources, cultural resources, geology and soils, and noise. These impacts would be mitigated through the implementation of mitigation measures **MM BIO-1** through **MM BIO-5**, **MM CUL-1** through **MM CUL-9**, **MM GEO-1**, **MM NOI-1** and **MM NOI-2**. Therefore, with implementation of the aforementioned mitigation measures, impacts associated with the proposed recreational facilities would be less than significant.



**Rio Rockwell Residential Development Project  
Initial Study/Mitigated Negative Declaration**

**Mitigation Measures:** **MM BIO-1** through **MM BIO-5** as defined in Section 5.4. **MM CUL-1** through **MM CUL-9** as defined in Section 5.5. **MM GEO-1** as defined in Section 5.7. **MM NOI-1** and **MM NOI-2** as defined in Section 5.13.

**Significance Determination After Mitigation:** Less Than Significant Impact.

**5.17 TRANSPORTATION**

Would the project:		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	Substantially increase hazards due to a geometric design feature (e. g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d)	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A Traffic Impact Analysis was completed to determine potential impacts to traffic associated with the development of the Proposed Project (Appendix K – *Traffic Impact Analysis Oceanside Frazee/Old Grove Road Residential*, Linscott, Law & Greenspan, Engineers, June 2020).

**Impact Analysis**

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

**Significance Determination: Less Than Significant Impact.** Linscott, Law & Greenspan, Engineers prepared a Traffic Impact Analysis (Appendix K) for the project in 2019 and revised in June 2020, to identify and evaluate the traffic impacts on the local circulation system. The traffic analysis analyzed four scenarios: 1) existing traffic intersection and roadway conditions; 2) existing plus project traffic intersection and roadway conditions; 3) existing plus near-term cumulative projects traffic intersection and roadway conditions; and 4) existing plus near-term cumulative projects plus project traffic intersection and roadway conditions. The San Diego Traffic Engineering Council/Transportation Engineers (SANTEC/ITE) Guidelines for Traffic Impact Studies (TIS) in the San Diego Region was used to determine the significance of traffic impacts associated with requiring mitigation for intersections. In respect to roadway segments, the City of Oceanside strives to maintain an average daily operating condition of LOS D or better. The following intersections and roadway segments were included in the traffic analysis for the project:

**Intersections**

1. Frazee Road / Old Grove Road
2. SR 76 / Old Grove Road

**Street Segments**

1. Old Grove Road: Echo Canyon Way to Frazee Road
2. Old Grove Road: Frazee Road to SR 76
3. Frazee Road: Old Grove Road to Pala Road

The Nichols Elementary school is located immediately to the west of the Rio Rockwell site. Due to the high traffic activity during school dismissal, a peak hour analysis of the nearby Frazee Road / Old River Road intersection at school dismissal between 3:00 and 4:00 PM is also included, in addition to the traditional 7:00 to 9:00 AM and 4:00 to 6:00 PM peak period analyses.

The weekday project trip generation was estimated using the Traffic Generation Rates for the San Diego Region, April 2002, published by SANDAG. The Proposed Project includes the development of 50 single family residential units and 54 attached town homes. Trip rates corresponding to single family units and multi-family units were used to estimate the trips generated by the residential development at the Rio Rockwell Site.

If the residential development at the Rio Rockwell Site exceeds the thresholds in Table O, then the project may be considered to have a significant project impact. A feasible mitigation measure will need to be identified to return the impact within the thresholds (pre-project + allowable increase) or the impact will be considered significant and unmitigated.

**Table O – Traffic Impact Significant Thresholds**

Level of Service with Project <sup>a</sup>	Allowable Increase Due to Project Impacts <sup>b</sup>					
	Freeways		Roadway Segments		Intersections	Ramp Metering
	V/C	Speed (MPH)	V/C	Speed (MPH)	Delay (sec.)	Delay (min.)
E & F (or ramp meter delays above 15 minutes)	0.01	1	0.02	1	2	2 <sup>c</sup>

*Source:* SANTEC/ITE *Guidelines for Traffic Impact Studies in the San Diego Region*, March 2, 2000.

**Footnotes:**

a. All level of service measurements are based upon HCM procedures for peak-hour conditions. However, V/C ratios for Roadway Segments may be estimated on an ADT/24-hour traffic volume basis (using Table 2 or a similar LOS chart for each jurisdiction). The acceptable LOS for freeways, roadways, and intersections is generally “D” (“C” for undeveloped or not densely developed locations per jurisdiction definitions). For metered freeway ramps, LOS does not apply. However, ramp meter delays above 15 minutes are considered excessive.

b. If a proposed project’s traffic causes the values shown in the table to be exceeded, the impacts are deemed to be significant. These impact changes may be measured from appropriate computer programs or expanded manual spreadsheets. The project applicant shall then identify feasible mitigations (within the Traffic Impact Study [TIS] report) that will maintain the traffic facility at an acceptable LOS. If the LOS with the proposed project becomes unacceptable (see note a above), or if the project adds a significant amount of peak hour trips to cause any traffic queues to exceed on- or off-ramp storage capacities, the project applicant shall be responsible for mitigating significant impact changes.

c. The impact is only considered significant if the total delay exceeds 15 minutes.

**General Notes:**

1. V/C = Volume to Capacity Ratio
2. Speed = Arterial speed measured in miles per hour
3. Delay = Average stopped delay per vehicle measured in seconds for intersections, or minutes for ramp meters.
4. LOS = Level of Service

**Existing Conditions**

Both intersections referenced above are calculated to currently operate at LOS D or better during Peak Hours, as shown below in Table P – *Existing Intersection Operations*. All study segments are calculated to currently operate at LOS A, as shown in Table Q – *Existing Street Segments Operations*.

**Table P – Existing Intersection Operations**

Intersection	Control Type	Peak Hour	Delay <sup>a</sup>	LOS <sup>b</sup>
1. Frazee Rd / Old Grove Rd	AWSC <sup>c</sup>	AM	11.8	B
		PM	9.2	A
2. SR 76 / Old Grove Rd	Signal	AM	49.2	D
		PM	46.1	D
<b>Footnotes:</b> a. Average delay expressed in seconds per vehicle. b. Level of Service. c. AWSC – All-Way Stop Controlled intersection. Overall intersection delay and LOS are reported.		<u>SIGNALIZED</u> Delay LOS 0.0 ≤ 10.0 A 10.1 to 20.0 B 20.1 to 35.0 C 35.1 to 55.0 D 55.1 to 80.0 E ≥ 80.1 F	<u>UNSIGNALIZED</u> Delay LOS 0.0 ≤ 10.0 A 10.1 to 15.0 B 15.1 to 25.0 C 25.1 to 35.0 D 35.1 to 50.0 E ≥ 50.1 F	

**Table Q - Existing Street Segment Operations**

Street Segment	Classification	Capacity (LOS E) <sup>a</sup>	ADT <sup>b</sup>	LOS <sup>c</sup>	V/C <sup>d</sup>
<b>Old Grove Road</b> Echo Canyon Wy to Frazee Rd Frazee Rd to SR 76	Residential Collector	10,000	2,700	A	0.270
	4-Lane Major	40,000	6,800	A	0.170
<b>Frazee Road</b> Old Grove Rd to Pala Rd	4-Lane Major	40,000	5,700	A	0.143
<b>Footnotes:</b> a. Capacities based on City of Oceanside Roadway Classification Table. b. Average Daily Traffic Volumes. c. Level of Service. d. Volume to Capacity.					

**Existing Plus Proposed Project**

The results of the traffic analysis show the residential development at the Rio Rockwell Site is estimated to generate 932 average daily trips, with 75 A.M. peak hour trips, and 93 P.M. peak hour trips. The project proposes to provide three access points, two on Old Grove Road, and one on Frazee Road. Roadway improvements proposed would include the addition of a traffic circle at the intersection of Frazee and Old Grove. It should be noted that the project proposes the construction of the traffic circle is assumed in the analysis for project impacts. As shown in Appendix K, Table 9-1 (pg. 39), with the addition of project level traffic impacts, both intersections are calculated to continue to operate at LOS D or better during peak hours, and all study segments are calculated to continue to operate at LOS A. Therefore, potential impacts from the residential development at the Rio Rockwell Site associated with the conflict with a program, plan, ordinance or policy addressing the circulation system would be less than significant.

**Existing Plus Cumulative Projects**

Cumulative projects are other projects in the study area that will add traffic to the local circulation system in the near future. City of Oceanside staff were contacted to identify relevant, pending

cumulative projects in the study area that could be constructed and generating traffic in the Proposed Project vicinity. Based on research conducted and information received from City staff, the following cumulative projects are planned for the area. Traffic generated by these projects was added to the existing traffic volumes to develop the Existing plus Cumulative Projects conditions. Descriptions of each project listed below can be found in Appendix K.

1. Hi Hope Ranch
2. Mission Cove Mixed Use
3. Pacific Coast Business Park
4. Rancho Guajome
5. Rancho Del Oro Village XII (Terraza at Racho Del Oro)
6. Oceanside Pavilion
7. Oceanpointe Development
8. Seagate Corporate Center
9. El Corazon
10. Villa Storia

The results of the traffic analysis show the projects listed above are estimated to generate 79,773 average daily trips, with 4,964 A.M. peak hour trips, and 7,449 P.M. peak hour trips. With the addition of cumulative project traffic, intersection SR 76 / Old Grove Road was calculated to operate at LOS E, where currently the intersection operates as LOS D. The traffic analysis calculated segment operations to continue to operate at LOS A.

#### **Existing Plus Cumulative Projects Plus Proposed Project**

The results of the traffic analysis for the total impacts of the residential development at the Rio Rockwell Site plus cumulative projects in the study area consider the construction of the traffic circle proposed at Frazee Road and Old Grove Road. As shown in Appendix K, Table 9-1 (pg. 37), with the addition of project level traffic impacts as well as cumulative project level impacts, the intersection SR 76 / Old Grove Road would operate at LOS E where existing conditions show it operates at LOS D; however, the increase in delay due to the project at the SR 76 / Old Grove Road intersection is less than 2.0 seconds during the AM and PM peak hours which is considered a less than significant impact per Table R below. All study segments are calculated to continue to operate at LOS A when analyzed for existing conditions plus cumulative projects plus the residential development at the Rio Rockwell Site, as shown in Table S below.

**Table R – Near-Term Intersection Operations**

Intersection	Control Type	Peak Hour	Existing		Existing + Project		$\Delta^c$	Sig?	Existing + Cumulative Projects		Existing + Cumulative Projects + Project		$\Delta^c$	Sig?
			Delay <sup>a</sup>	LOS <sup>b</sup>	Delay	LOS			Delay	LOS	Delay	LOS		
1. Old Grove Rd / Frazee Rd	AWSC <sup>d</sup> / Roundabout <sup>e</sup>	AM	11.8	B	6.2	A	(5.6)	None	12.7	B	6.5	A	(6.2)	None
		PM	9.2	A	4.9	A	(4.3)	None	9.8	A	5.5	A	(4.3)	None
2. SR 76 / Old Grove Rd	Signal	AM	49.2	D	51.0	D	1.8	None	56.3	E	57.5	E	1.2	None
		PM	46.1	D	48.0	D	1.9	None	62.8	E	64.8	E	2.0	None

**Footnotes:**

- a. Average delay expressed in seconds per vehicle.
- b. Level of Service.
- c.  $\Delta$  denotes an increase in delay due to Project. The Project feature roundabout is expected to improve operations at the Frazee Road / Old Grove intersection as compared to “without Project” conditions, resulting in a decrease in delay.
- d. AWSC – All-Way Stop Controlled intersection. Overall intersection delay and LOS are reported.
- e. The Project proposes the construction of a single-lane roundabout at the intersection of Old Grove Road / Frazee Road. The “with Project” analysis assumes this improvement in place.

SIGNALIZED		UNSIGNALIZED	
Delay	LOS	Delay	LOS
0.0 ≤ 10.0	A	0.0 ≤ 10.0	A
10.1 to 20.0	B	10.1 to 15.0	B
20.1 to 35.0	C	15.1 to 25.0	C
35.1 to 55.0	D	25.1 to 35.0	D
55.1 to 80.0	E	35.1 to 50.0	E
≥ 80.1	F	≥ 50.1	F

**Table S – Near-Term Street Segment Operations**

Street Segment	Existing Capacity (LOS E) <sup>a</sup>	Existing			Existing + Project			Existing + Cumulative Projects			Existing + Cumulative Projects + Project			Δ <sup>e</sup>
		ADT <sup>b</sup>	LOS <sup>c</sup>	V/C <sup>d</sup>	ADT	LOS	V/C	ADT	LOS	V/C	ADT	LOS	V/C	
<b>Old Grove Road</b>														
Echo Canyon Wy to Frazee Rd	10,000	2,700	A	0.270	3,630	A	0.363	2,700	A	0.270	3,630	A	0.363	0.093
Frazee Rd to SR 76	40,000	6,800	A	0.170	7,310	A	0.183	7,490	A	0.187	8,000	A	0.200	0.013
<b>Frazee Rd</b>														
Old Grove Rd to Pala Rd	40,000	5,700	A	0.143	6,030	A	0.151	5,960	A	0.149	6,290	A	0.157	0.008

**Footnotes:**

- a. Capacities based on City of Oceanside Roadway Classification & LOS table.
- b. Average Daily Traffic
- c. Volume to Capacity ratio
- d. Level of Service
- e. Δ denotes a project-induced increase in the Volume to Capacity ratio

### **School (Dismissal) Peak Hour Analysis**

Nichols Elementary School is located on Old Grove Road adjacent to and west of the Rio Rockwell Site. The operations of the Old Grove Road / Frazee Road intersection during School dismissal (3:00 PM to 4:00 PM) are addressed below. School commencement (drop off) operations are captured in the typical AM peak hour traffic counts conducted between 7:00 and 9:00 AM. Therefore, a separate assessment of the School commencement operations is not needed.

For a conservative analysis, the Cumulative projects PM peak hour traffic was assumed as the Cumulative projects traffic during School dismissal (3:00 PM to 4:00 PM), though the actual traffic is expected to be less than the PM peak hour traffic.

Figures 10-1 through 10-6 in Appendix K (pgs. 44-49) depict the Existing traffic volumes during the School dismissal hour; the Project traffic volumes during the School dismissal hour; the Existing + Project traffic volumes during the School dismissal hour; the Cumulative projects traffic volumes during the School dismissal hour; the Existing + Cumulative projects traffic volumes during the School dismissal hour; and, the Existing + Cumulative projects + Project traffic volumes during the School dismissal hour, respectively.

The Proposed Project includes the construction of a single-lane roundabout at the intersection of Old Grove Road / Frazee Road, which would improve operations. Table T summarizes the results of the Existing intersection; Existing + Project; Existing + Cumulative; and, Existing + Cumulative projects + Project analyses during the School peak hour. Table T below shows the subject intersection is calculated to currently operate at LOS B during School dismissal. With the addition of Project traffic and construction of the roundabout, the subject intersection is calculated to operate at LOS A during School dismissal for the Existing + Project analysis, which assumes the roundabout improvement in place. With the addition of Cumulative projects traffic, the subject intersection is calculated to continue to operate at LOS B during School dismissal. With the addition of Cumulative projects and Project traffic, the subject intersection is calculated to continue to operate at LOS B during School dismissal.

Refer to Appendix F of Appendix K for the all scenario peak hour intersection analyses worksheets during School dismissal and Appendix A of Appendix K contains the manual count sheets.



**Rio Rockwell Residential Development Project  
Initial Study/Mitigated Negative Declaration**

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**Table T - Old Grove Road / Frazee Road Intersection Operations During School Dismissal <sup>a</sup>**

Control Type	Existing		Existing + Project		$\Delta^d$	Sig?	Existing + Cumulative Projects		Existing + Cumulative Projects + Project		$\Delta$	Sig?
	Delay <sup>b</sup>	LOS <sup>c</sup>	Delay	LOS			Delay	LOS	Delay	LOS		
AWSC <sup>e</sup> / Roundabout <sup>f</sup>	11.2	B	6.2	A	5.0	None	12.3	B	6.9	A	5.4	None

**Footnotes:**

- a. The neighboring Nichols Elementary School dismissal is at 3:35 PM. The School dismissal peak hour is 3:00 PM to 4:00 PM.
- b. Average delay expressed in seconds per vehicle.
- c. Level of Service.
- d.  $\Delta$  denotes the decrease in delay due to the Project. The Project feature roundabout is expected to improve operations at the Frazee Road / Old Grove intersection as compared to “without Project” conditions, resulting in a decrease in delay.
- e. AWSC – All-Way Stop Controlled intersection. Overall intersection delay and LOS are reported.
- f. The Project proposes the construction of a single-lane roundabout at the intersection of Old Grove Road / Frazee Road. The “with Project” analysis assumes this improvement in place.

UN SIGNALIZED	
Delay	LOS
0.0 ≤ 10.0	A
10.1 to 15.0	B
15.1 to 25.0	C
25.1 to 35.0	D
35.1 to 50.0	E



**Rio Rockwell Residential Development Project  
Initial Study/Mitigated Negative Declaration**

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## **School Queuing**

The driveway providing inbound access to Nichols Elementary School is located approximately 200' west of the Rio Rockwell Site's western driveway. It is not expected that drop off and / or pickup queuing at the School would impact the Project's driveway. The residential development at the Rio Rockwell Site's western access would likely be the secondary, and a less frequently used access point as the two southeastern access points on the Rio Rockwell Site are closer to the 76 Expressway. Most Project traffic would utilize the Project's eastern driveways. Very few, if any, Project trips are expected to travel west on Old Grove Road, and the residential development at the Rio Rockwell Site's eastern driveway provides more direct access out of the development. All residential units are accessible via all driveways. Should the School's queue back up past the residential development at the Rio Rockwell Site's western driveway, vehicles can choose to enter / exit the Rio Rockwell Site via the eastern two driveways. In addition, a review of Nichols Elementary School's loading zone shows adequate on-site queue storage, reducing the likelihood of queues backing out onto Old Grove Road. Peak drop off and pickup periods generally last for limited periods of time, usually about 15 minutes. Residents of the area would be aware of these peak times and may choose to avoid entering or exiting the Rio Rockwell Site during those times.

Therefore, potential impacts from the residential development at the Rio Rockwell Site associated with the conflict with a program, plan, ordinance or policy addressing the circulation system would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

*b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? (In accordance with CEQA Guidelines Section 15064.3(c), the City of Oceanside, as the lead agency, will implement the provisions of Section 15064.3 of the CEQA Guidelines, when the provisions go into effect statewide beginning July 1, 2020.)*

**Significance Determination: Less Than Significant Impact.** On December 28, 2018, updates to the CEQA Guidelines were approved by the Office of Administrative Law (OAL). As part of the updates to the CEQA Guidelines, thresholds of significance for evaluation of impacts to transportation have changed. The CEQA Guidelines update eliminated the threshold of significance for evaluating impacts due to changes to air traffic patterns and consolidated the evaluation of impacts due to a conflict with adopted policies, plans, or programs into an analysis of impacts due to a conflict with programs, plans, ordinances, or policies addressing the circulation system (i.e., new Threshold a.). However, new Threshold b. of the CEQA Guidelines for Transportation and Traffic requires an evaluation of impacts due to Vehicle Miles Travelled (VMTs), instead of evaluating impacts based on Level of Service (LOS) criteria, as required by California Senate Bill (SB) 743. LOS has been used as the basis for determining the significance of traffic impacts as standard practice in CEQA documents for decades. In 2013, SB 743 was passed, which is intended to balance the need for LOS for traffic planning with the need to build infill housing and mixed-use commercial developments within walking distance of mass transit

facilities, downtowns, and town centers and to provide greater flexibility to local governments to balance these sometimes-competing needs. At full implementation of SB 743, the California Governor's Office of Planning and Research (OPR) is expected to replace LOS as the metric against which traffic impacts are evaluated, with a metric based on VMTs. As a component of OPR's revisions to the CEQA Guidelines in December 2018, lead agencies will be required to adopt VMT thresholds of significance by July 2020. At the time this Initial Study/MND was prepared, a VMT metric was not published by OPR, and the City of Oceanside in its capacity as Lead Agency, as well as surrounding local agencies in which the residential development at the Rio Rockwell Site's traffic would circulate, use LOS as the significance criteria for evaluating a project's traffic impacts. For this reason, a LOS metric and not a VMT metric is appropriately used in this Initial Study/MND.

As a result, Appendix K provides analysis on potential transportation and traffic impacts associated with the Proposed Project, of which LOS is utilized. Therefore, transportation impacts are evaluated based on current City policy, and impacts associated with conflict or inconsistency with CEQA Guidelines section 15064.3(b) would be less than significant and no mitigation would be required.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

*c) Would the project substantially increase hazards due to geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

**Significance Determination: No Impact.** The Property Owner/Developer would be responsible for various on-site circulation improvements (driveways and internal drive aisles), as well as improvements to the public right-of-way to City standards. These on-site and adjacent improvements would be designed in accordance with all applicable design standards set forth by the City, which were established to ensure safe and efficient vehicular circulation on City roadway facilities. The City reviews all site plans to ensure that adequate line-of-sight is provided at all driveways, making sure that no structures or landscaping block the views of vehicles entering and exiting a site. As such, no sharp curves, dangerous intersections, or incompatible uses would be introduced by the residential development at the Rio Rockwell Site.

The Rio Rockwell Site would be accessible through three (3) points of entry: two (2) along Old Grove Road and one (1) along Frazee Road. All three entry points would be accessible by emergency response vehicles (**Figure 30**). For parking and circulation within the proposed residential development, each driveway would connect into an internal private street meeting required 32-foot widths set by City Engineering Standards<sup>32</sup> which would connect to 28-foot wide private drive aisles in the portion of development located in Map 'A'.

The proposed roundabout at the intersection of Old Grove Road and Frazee Road would also be required to undergo review by the City's Transportation Engineering Division to ensure the proposed roundabout provides appropriate access for all vehicles needing to access the intersection. The

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<sup>32</sup> <https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=22558> (p. 85)

proposed roundabout is designed to include a mountable area for emergency vehicles needing to pass through the intersection (**Figure 9**). Therefore, no potential impacts associated with hazardous design features or incompatible land uses would occur.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** No Impact.

*d) Would the project result in inadequate emergency access?*

**Significance Determination: Less Than Significant Impact.** The Rio Rockwell Site would be accessible through three (3) points of entry: two (2) along Old Grove Road and one (1) along Frazee Road. For parking and circulation within the proposed residential development, each driveway would transition into an internal private street that would connect to private drive aisles within Map 'A' and provide access for emergency vehicles (**Figure 30**). In addition to the three vehicular access points for emergency vehicles, there would be two pedestrian emergency access points located at the southeastern area on the Frazee frontage and southwestern area on the Old Grove frontage (**Figure 9**). A maintenance access road measuring 12-foot wide would be located at the end of drive aisle 'E' of Map 'A' for maintenance of the bioretention basin; however, it could also serve as emergency access to the rear of the Rio Rockwell Site if needed. **Figure 9** shows the turning templates and emergency access plan for the residential development at the Rio Rockwell Site.

Each of the residential development at the Rio Rockwell Site's driveways would be designed and constructed to City standards and comply with City width, clearance, and turning-radius requirements. The Rio Rockwell Site would be accessible to emergency responders during construction and operation of the residential development at the Rio Rockwell Site. Because of the residential development at the Rio Rockwell Site's multiple access driveways and because it would comply with all applicable local requirements related to emergency vehicle access and circulation, the residential development at the Rio Rockwell Site would not result in inadequate emergency access. The proposed roundabout at the intersection of Old Grove Road and Frazee Road would also be required to adhere to City design standards, specifically. The proposed roundabout is designed to include a mountable area for emergency vehicles needing to pass through the intersection (Figure 9). Therefore, potential impacts associated with inadequate emergency access would be less than significant and no mitigation would be required.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

**5.18 TRIBAL CULTURAL RESOURCES**

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

Effective July 1, 2015, Assembly Bill 52 (AB52) requires meaningful consultation with California Native American Tribes on potential impacts associated with tribal cultural resources, as defined in §21074. A tribe must submit a written request to the relevant lead agency if it wishes to be notified of projects within its traditionally and culturally affiliated area. The lead agency must provide written, formal notification to the tribes that have requested it within 14 days of determining that a project application is complete or deciding to undertake a project. The tribe must respond to the lead agency within 30 days of receipt of the notification if it wishes to engage in consultation on the project, and the lead agency must begin the consultation process within 30 days of receiving the request for consultation. Consultation concludes when either 1) the parties agree to mitigation measures to avoid a significant effect, if one exists, on a tribal cultural resource, or 2) a party, acting in good faith and after reasonable effort, concludes that agreement cannot be reached. AB 52 also addresses confidentiality during tribal consultation per Public Resources Code §21082.3(c).

Senate Bill 18 (SB18) places requirements on local governments for developments within or near traditional tribal cultural places. SB18 requires local jurisdictions to provide opportunities for involvement of California Native American Tribes in the land-planning process for the purpose of preserving traditional tribal cultural places (TTCP). The Final Tribal Guidelines recommends that the NAHC provide written information as soon as possible but no later than 30 days after the receipt of the notification to inform the lead agency if the Proposed Project is determined to be in proximity to a TTCP, and another 90 days for tribes to respond to if they want to consult with the local government to determine whether the project would have an adverse impact on the TTCP. There is no statutory limit on the consultation duration. Forty-five days before the action is publicly considered by the local government council, the local government refers action to agencies, following the CEQA public review time frame. The CEQA public distribution list may include tribes listed by the NAHC who have requested consultation, or it may not. If the NAHC, the tribe, and interested parties agree upon the mitigation measures necessary for the Proposed Project, it would be included in the project’s environmental document. If both the lead agency and the tribe agree that adequate mitigation or preservation

measures cannot be taken, then neither party is obligated to act. SB 18 requires a city or county to consult with the NAHC and any appropriate Native American tribe prior to the adoption, revision, amendment, or update of a city's or county's General Plan. In addition, SB 18 provides a new definition of TTCP that requires a traditional association of the site with Native American traditional beliefs, cultural practices, or ceremonies, or the site must be shown to actually have been used for activities related to traditional beliefs, cultural practices, or ceremonies. Previously, the site was defined to require only an association with traditional beliefs, practices, lifeways, and ceremonial activities. In addition, SB 18 law amended Civil Code Section 815.3 and added California Native American tribes to the list of entities that can acquire and hold conservation easements for the purpose of protecting their cultural places.

The City of Oceanside has received a notification requests from three (3) Native American tribes, who were notified of the Proposed Project in accordance with AB52 and SB18.

### **Impact Analysis**

*a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?*

**Significance Determination: Less Than Significant Impact.** The Rio Rockwell Site is a previously disturbed and undeveloped area, and no historical structures are located on the Rio Rockwell Site. As noted in the Paleontological and Cultural Resources Assessment, neither the records search nor an intensive pedestrian survey recorded any cultural resources at the Rio Rockwell Site. The closest designated historical resource to the Rio Rockwell Site is the Mission San Luis Rey, per the General Plan Land Use Element and 1992 Cultural Resource Survey, located approximately 0.35 miles southwest. The development on the Rio Rockwell Site would not result in adverse impacts to the Mission San Luis Rey due to intervening topography and existing development between the Rio Rockwell Site and the listed resource. Therefore, potential impacts to the significance of a historical resource would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

*b) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.? In applying the criteria set forth in*

*subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe*

**Significance Determination: Less Than Significant with Mitigation Incorporated.** Assembly Bill 52 (AB 52), signed into law in 2014, amended CEQA and established new requirements for tribal notification and consultation. AB 52 applies to all projects for which a notice of preparation or notice of intent to adopt a negative declaration/mitigated negative declaration is issued after July 1, 2015. AB 52 also broadly defines a new resource category of tribal cultural resources and established a more robust process for meaningful consultation that includes:

- Prescribed notification and response timelines;
- Consultation on alternatives, resource identification, significance determinations, impact evaluation, and mitigation measures; and
- Documentation of all consultation efforts to support CEQA findings.

A tribe must submit a written request to the relevant lead agency if it wishes to be notified of projects within its traditionally and culturally affiliated area. The lead agency must provide written, formal notification to the tribes that have requested it within 14 days of determining that a project application is complete or deciding to undertake a project. The tribe must respond to the lead agency within 30 days of receipt of the notification if it wishes to engage in consultation on the project, and the lead agency must begin the consultation process within 30 days of receiving the request for consultation. Consultation concludes when either 1) the parties agree to mitigation measures to avoid a significant effect, if one exists, on a tribal cultural resource, or 2) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. AB 52 also addresses confidentiality during tribal consultation per Public Resources Code §21082.3(c).

On March 17, 2020, the City provided written notification of the Proposed Project in accordance with AB 52 and SB 18 to all of the Native American tribes that requested to receive such notification from the City and were listed on the NAHC list. Of the 21 tribes notified, three (3) requested formal government-to-government consultation under AB 52 and SB 18. As a result of these consultations, mitigation measures **MM CUL-1** through **MM CUL-9**, as described in Section 5.5, Cultural Resources of this Initial Study would be implemented, and potential impacts associated with Tribal Cultural Resources would be less than significant.

**Mitigation Measures: MM CUL-1 and MM CUL-9**, as defined in Section 5.5(b) and (c).

**Significance Determination After Mitigation:** Less Than Significant Impact.

5.19 UTILITIES/SERVICE SYSTEMS

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

**Impact Analysis**

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

**Significance Determination: Less Than Significant Impact.** The nature and scope of the Proposed Project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunication facilities. As noted in the Project Description above, the Proposed Project would provide 8-inch sewer and water lines within the community which would connect to existing sewer and water infrastructure located within Old Grove Road (Figure 9). An existing 24-inch water line and 18-inch sewer line located in the Pala Road easement that bisects the Project Site would be abandoned once new 24 inch water line and 18-inch sewer line utilities are constructed in Frazee Road/Old Grove Road as a part of the Proposed Project, which has been analyzed in the preceding analysis. Since the Rio Rockwell Site is located in a planned community that was designed to include development on the site, it is anticipated that only nominal improvements would be required to San Diego Gas & Electric's distribution lines and equipment with development of the Rio Rockwell Site. Where feasible, the new service installations and connections would be scheduled and implemented in a manner that would not result in electrical service interruptions to other properties. Compliance with City's guidelines and requirements would

ensure that the Proposed Project fulfills its responsibilities relative to infrastructure installation, coordinates any electrical infrastructure removals or relocations, and limits any impacts associated with grading, construction, and development. Construction of the project's electrical infrastructure is not anticipated to adversely affect the electrical infrastructure serving the surrounding uses or utility system capacity. Therefore, potential impacts associated with the relocation or construction of utility systems would be less than significant and no mitigation would be required.

**Mitigation Measures:** No Mitigation Required

**Significance Determination:** Less Than Significant Impact

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

**Significance Determination: Less Than Significant Impact.** The City of Oceanside General Plan identifies an average household size of 2.8 persons. The residential development at the Rio Rockwell Site would construct 104 residential units on a Project Site that is surrounded in a highly developed residential area. The residential development at the Rio Rockwell Site would connect to existing water mains that are serviced by the Oceanside Water Utilities Department, the water service provider for the City. Based on the City's 2015 Urban Water Management Plan (UWMP)<sup>33</sup>, which reported a baseline water use of 171 gallons per capita per day (GPCD) and a target of 154 GPCD in 2015, an estimated 292 new residents would result in a water demand of approximately 44,968 GPCD or 50.37 acre-feet per year (afy). Under normal conditions, the 2015 UWMP predicts total water demand of 31,728 afy in 2020 and 32,813 in 2030, of which potable and raw water account for 31,328 afy in 2020, and 32,813 afy in 2030. The estimated water demand for the residential development at the Rio Rockwell Site is 50.37 afy, which is nominal compared to the projected supply. The City would have enough water supply to service the residential development at the Rio Rockwell Site.

Currently, the City relies on approximately 14 percent groundwater from Mission Basin of the Lower San Luis Rey River Valley, and 85 percent imported water from San Diego County Water Authority (SDCWA). The residential development at the Rio Rockwell Site would be served by these systems. The City anticipates the same water supply mix to be available through 2040. With the projects and programs implemented by MWD, OCWD, and the City, water supplies are projected to meet full-service demands. The City's UWMP determined that it would be able to meet the City's projected 2040 normal water demand, which would be 33,537 AFY. The water demand of the residential development at the Rio Rockwell Site would account for a nominal percent of the City's projected 2040 water demand.

The residential development at the Rio Rockwell Site would use a relatively nominal percentage of the projected water supply available to the City in future year scenarios. The City can meet its water demand under multiple dry years with diversified supply and conservation measures. Therefore,

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<sup>33</sup> <https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=42188>

potential impacts associated with water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years the construction or expansion of water facilities would be less than significant, and no mitigation would be required.

**Mitigation Measures:** No Mitigation Required

**Significance Determination:** Less Than Significant Impact.

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

**Significance Determination: Less Than Significant Impact.** Wastewater generated by the residential development at the Rio Rockwell Site would be treated at the San Luis Rey Wastewater Treatment Plant, located at 3950 N River Rd., Oceanside. This facility has design capacities that exceed their current utilization. The residential development at the Rio Rockwell Site would generate a nominal number of gallons of wastewater per day and would be within the average daily capacity amount of wastewater treated by San Luis Rey Wastewater treatment Plant. Therefore, potential impacts associated with wastewater treatment capacity would be less than significant and no mitigation would be required.

**Mitigation Measures:** No Mitigation Required

**Significance Determination:** Less Than Significant Impact

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

**Significance Determination: Less Than Significant Impact.** The residential development at the Rio Rockwell Site would construct 104 residential units resulting in an estimate of 292 residents. Using CalRecycle's 2017 generation rate of 6.2 pounds per resident per day<sup>34</sup>, the residential development at the Rio Rockwell Site would generate approximately 1,810 pounds per day, or 0.9 tons per day of solid waste. The residential development at the Rio Rockwell Site waste would be collected by Waste Management of North County, which serves the entire City of Oceanside and transfer to nearby landfills. According to Cal Recycle<sup>35</sup>, Las Pulgas Landfill (37-AA-0903), has a max permitted capacity of 400 tons per day. The waste the residential development at the Rio Rockwell Site would generate would be nominal would not be significant in the context of the Landfill's operating permit. Operational activities will result in only a nominal amount of solid waste. Therefore, potential impacts associated with solid waste disposal would be less than significant and no mitigation would be required.

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<sup>34</sup> Cal Recycle, California's 2017 Per Capita Disposal Rate Estimate

<https://www.calrecycle.ca.gov/Igcentral/goalmeasure/DisposalRate/MostRecent>

<sup>35</sup> Cal Recycle, Solid Waste Information System (SWISS) Facility /Site Search

<https://www2.calrecycle.ca.gov/swfacilities/Directory/37-AA-0902/Index>

**Mitigation Measures:** No Mitigation Required

**Significance Determination:** Less Than Significant Impact

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

**Significance Determination: Less than Significant Impact.** As discussed above, solid waste generated by the residential development at the Rio Rockwell Site would be picked up by Waste Management and disposed at nearby landfills in San Diego County. Disposal of solid waste would be required to comply with all federal, state, and local statutes and regulations related to solid waste. This would include providing receptacles for green waste, recyclables and garbage. Therefore, potential impacts associated with compliance with solid waste statutes and regulations would be less than significant and no mitigation would be required.

**Mitigation Measures:** No Mitigation Required

**Significance Determination:** Less Than Significant Impact

**5.20 WILDFIRE**

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

**Impact Analysis**

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

**Significance Determination: Less Than Significant Impact.** As stated in 5.9(f), the Rio Rockwell Site is currently vacant with no access provided from the public right-of-way. The residential development at the Rio Rockwell Site would involve the construction of three access driveways, two taking access off Old Grove Road and one taking access off Frazee Road. Specifications for each driveway would be subject to City requirements, including truck turning radius requirements and driveway width requirements for planned developments. The proposed access to the Rio Rockwell Site would be required to meet standards that allow emergency response vehicles, such as firetrucks, to service the entire development. Fire plan check would be required through the City’s fire department to ensure adequate service is provided. Additionally, the Proposed Project would be subject to review and compliance with the City’s Building Code to ensure structural integrity of all proposed buildings.

The City’s Public Safety Element of the General Plan, Figure PS-11 – *Relocation Routes and Refugee Centers* identifies the nearest relocation and evacuation routes. The nearest designated routes to the Rio Rockwell Site are SR-76 to the south, College Boulevard to the east, and North River Road to the north. In addition, the City has an adopted Emergency Management Plan<sup>36</sup> detailing preparedness and emergency management systems among other topics. The residential development at the Rio Rockwell Site would not impair the evacuation routes detailed in the General Plan as it is not located on these

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<sup>36</sup> <https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=31899> accessed July 18, 2019

evacuation routes. The residential development at the Rio Rockwell Site would not compromise the City's Emergency Management Plan because it would be developed in conformance with the required standards set forth by the City's Zoning Ordinance, fire code regulations, and building code. These standards ensure project elements such as access, structural integrity, and clearances around structures are met so that they do not impact emergency response. Therefore, potential impacts to an adopted emergency response plan or emergency evacuation plan would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

*b) Due to slope prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

**Significance Determination: Less Than Significant Impact.** As stated in 5.9(g), the Rio Rockwell Site is within a Local Responsibility Area, but not designated within a High Fire Hazard Severity Zone<sup>37</sup>. The Proposed Project incorporates a 100-foot buffer along the entirety of the northern edge of the Rio Rockwell Site area. Incorporated into the proposed 100-foot buffer would be a 30-foot buffer meant to separate flammable vegetation from any building or structure. This 30-foot portion of the 100-foot buffer would act as both a fire suppression as well as ensure habitat compatibility for the proposed residential development. Further, the residential development at the Rio Rockwell Site would be subject to the standards and requirements set forth in the 2016 California Fire Code, which the City adopted by reference. The residential development at the Rio Rockwell Site would comply with construction standards outlined in Chapter 7A of the California Building Code on wildfire protection. Therefore, potential impacts associated with exacerbating wildfire risk would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

*c) Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

**Significance Determination: Less Than Significant Impact.** The Proposed Project incorporates a 100-foot buffer along the entirety of the northern edge of the Rio Rockwell Site area. Incorporated into the proposed 100-foot buffer would be a 30-foot buffer meant to separate flammable vegetation from any building or structure. This 30-foot portion of the 100-foot buffer would act as both a fire suppression as well as ensure habitat compatibility for the proposed residential development. The 100-foot buffer is meant to serve as a biological buffer between the riparian area identified in the Draft Subarea Plan and the Rio Rockwell Site, and is restricted from certain forms of development, such as new

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<sup>37</sup> <https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/> Accessed February 28, 2020

development, and pedestrian and bike trails. The restriction for development placed on the buffer would result in minimal maintenance. Therefore, potential impacts associated with the exacerbation of fire risk or result in temporary or ongoing impacts to the environment would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

*d) Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

**Significance Determination: Less Than Significant Impact.** As stated in 5.9(g), the Rio Rockwell Site is within a Local Responsibility Area, but not designated within a High Fire Hazard Severity Zone<sup>38</sup>. The Proposed Project incorporates a 100-foot buffer along the entirety of the northern edge of the Rio Rockwell Site area. Incorporated into the proposed 100-foot buffer would be a 30-foot buffer meant to separate flammable vegetation from any building or structure. This 30-foot portion of the 100-foot buffer would act as both a fire suppression as well as ensure habitat compatibility for the proposed residential development. Further, the residential development at the Rio Rockwell Site would be subject to the standards and requirements set forth in the 2016 California Fire Code, which the City adopted by reference. The residential development at the Rio Rockwell Site would comply with construction standards outlined in Chapter 7A of the California Building Code on wildfire protection. Therefore, potential impacts associated with the exposure of people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes would be less than significant.

**Mitigation Measures:** No Mitigation Required.

**Significance Determination:** Less Than Significant Impact.

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<sup>38</sup> <https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/> Accessed February 28, 2020

**5.21 MANDATORY FINDINGS OF SIGNIFICANCE**

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b)	Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects?)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Analysis**

*a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

**Significance Determination: Less Than Significant with Mitigation Incorporated.** As previously described, with the implementation of mitigation measure **MM BIO-1** through **MM BIO-5**, which mitigates impacts to the least Bell’s vireo, sandbar willow, raptors and songbirds, riparian habitat or other sensitive natural community biological, and jurisdictional waters/wetlands, the development of the Proposed Project would have less than significant impacts.

According to the Paleontological and Cultural Resources Assessment (Appendix D), no cultural resources have been recorded within the Project Site, and the Project Site does not contain any resources that are important to major periods of California history or prehistory. Although the Project Site does not contain any documented cultural resources, there is a possibility that undiscovered, buried resources (including paleontological and tribal cultural resources) might be encountered during construction. Therefore, implementation of **MM CUL-1** through **MM CUL-9** and **MM GEO-1** would reduce any potential impacts associated with any undiscovered resources to less than significant and

ensure that the Proposed Project would not eliminate important examples of the major periods of California history or prehistory.

*b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects?)*

**Significance Determination: Less Than Significant with Mitigation Incorporated.** The Proposed Project would result in potentially significant project-specific impacts to biological resources, cultural and paleontological resources, and noise. However, mitigation measures **MM CUL-1** through **MM CUL-9**, **MM NOI-1**, and **MM NOI-2** would reduce these impacts to less than significant levels. No additional mitigation measures would be required to reduce cumulative impacts to less than significant levels.

*c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

**Significance Determination:** All potential impacts of the Proposed Project have been identified, and mitigation measures have been provided, where applicable, to reduce potential impacts to less than significant levels. Upon implementation of mitigation measures, the Proposed Project would not have the potential to result in substantial adverse impacts on human beings either directly or indirectly. No additional mitigation measures would be required.

## **SECTION 6.0 REFERENCES**

Appendix A – *Air Quality, Energy, and Greenhouse Gas Emissions Impact Analysis, Rio Rockwell Residential Project*, Vista Environmental, May 2020

Appendix B – *Biological Resource Assessment for the Rio Rockwell Project*, Carlson Strategic Land Solutions, June 2020

Appendix C – *2018 Breeding Season Coastal California Gnatcatcher Survey Results for the Rancho Del Oro Project Oceanside, California*, Kidd Biological, Inc., July 5, 2018

Appendix D – *Paleontological and Cultural Resources Assessment for the Old Grove at Frazee Project, City of Oceanside*, Cogstone, March 2019

Appendix E – *Preliminary Drainage Study for Rio Rockwell*, O’Day Consultants, Inc., March 2020

Appendix F – *Preliminary Geotechnical Percolation Study for Proposed Water Quality Improvements, Proposed Residential Development, Intersection of Old Grove Road and Frazee Road, Oceanside, California*, Albus-Keefe & Associates, Inc., February 2019

Appendix G – *Priority Development Project Storm Water Quality Management Plan for Rio Rockwell*, O’Day Consultants, Inc., June 2020

Appendix H – *Preliminary Geotechnical Investigation, Proposed Residential Development, Intersection of Old Grove Road and Frazee Road, Oceanside, California*, Albus-Keefe & Associates, Inc., March 2020

Appendix I – *Noise Impact Analysis, Rio Rockwell Residential Project, City of Oceanside*, Vista Environmental, March 2020

Appendix J – *Phase I Environmental Site Assessment and Limited Soil Sampling*, SCS Engineers, October 27, 2016

Appendix K – *Traffic Impact Analysis Oceanside Rio Rockwell Project*, Linscott, Law & Greenspan, Engineers, June 2020

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**Rio Rockwell Residential Development Project  
Initial Study/Mitigated Negative Declaration**

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## **SECTION 8.0 MITIGATION MONITORING AND REPORTING PROGRAM**

Project Name: Rio Rockwell Residential Development (D18-000014)

Project Location:

The Project Site is comprised of two physically separated geographical areas; Rio Rockwell Site (APN 158-101-28-00 and 158-103-15-00) and Rancho Del Oro Site (APN 160-020-49-00). The Rio Rockwell Site is located on approximately 11.54 acres in the City of Oceanside, San Diego County California. The Rio Rockwell Site is located west of Frazee Road and north of Old Grove Road and is bound by open space to the north, Nichols Elementary School to the west, Frazee Road to the east, and Old Grove Road to the south. Immediate surrounding land uses include residential development to the south and east, an elementary school to the west, and the San Luis Rey River and River Trail to the north. The Rancho Del Oro Site is located on approximately 6.3 acres in the City of Oceanside. The Rancho Del Oro Site is located east of Rancho Del Oro Drive and south of Highway 76. The Rancho Del Oro Site is generally bound by Basilica Street and Craven Road to the north, Rancho Del Oro Drive to the west, Mission Gate Drive to the east, and Via Rancho Road to the south.

Entitlement Requests:

- GPA 18-000001: A General Plan Amendment (GPA) application to amend the Rio Rockwell Site's General Plan Land Use designation from Single Family Residential (SFD-R) and General Commercial (GC) to Medium Density - B Residential (MDB-R);
- ZA18-00007: A Zone Amendment (ZA) application to amend the Rio Rockwell Site's zoning designation from Residential Single Family (RS) and Limited Commercial (CL) to Planned Development (PD);
- T18-00007: A Tentative Map (T) to subdivide the Rio Rockwell Site into individual lots for single-family residences, for condominium purposes, and for common facility lots; and
- D18-00014: A Development Plan (D) application consisting of civil design plans, site development plans, architectural design plans, color and materials board, landscape plans and a Planned Development Document to establish development and design standards for the Rio Rockwell Site.

Project Description:

Sheldon Development, LLC (Applicant) proposes to construct 104 residential units, recreation area, parks, and associated parking on the approximate 11.54-acre Rio Rockwell Site. The Rio Rockwell Site would include a 4.06-acre, 1,785.5 linear foot biological buffer with an average width of 100-feet, consistent with the Draft Subarea Plan's conservation and buffer requirements. The existing Subarea Hardline Preserve area at the Rio Rockwell Site would be transferred to the Rancho Del Oro Site. The Rancho Del Oro Site is owned by the City of Oceanside and would remain in the City's ownership. The exchange would result in a net-benefit to the hardline preserve area within the City because the replacement acreage at the Rancho Del Oro Site is considered environmentally superior since it contains endangered habitat and gnatcatchers were found on-site. No impacts would occur at the Rancho Del Oro Site as the intent of this project site is to be set aside as a conservation area and included as a hardline preserve area under the Draft Subarea Plan.



**Rio Rockwell Residential Development Project  
Initial Study/Mitigated Negative Declaration**

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**Terms and Definitions:**

1. **Property Owner/Developer** – Owner or developer of Rio Rockwell Residential Development Project.
2. **Environmental Equivalent/Timing** – Any mitigation measure and timing thereof, subject to the approval of the City, which will have the same or superior result and will have the same or superior effect on the environment. The Planning Department, in conjunction with any appropriate agencies or City departments, shall determine the adequacy of any proposed "environmental equivalent/timing" and, if determined necessary, may refer said determination to the Planning Commission. Any costs associated with information required in order to make a determination of environmental equivalency/timing shall be done by the property owner/developer. Staff time for reviews will be charged on a time and materials basis at the rate in the City's adopted Fee Schedule.
3. **Timing** – This is the point where a mitigation measure must be monitored for compliance. In the case where multiple action items are indicated, it is the first point where compliance associated with the mitigation measure must be monitored. Once the initial action item has been complied with, no additional monitoring pursuant to the Mitigation Monitoring Plan will occur, as routine City practices and procedures will ensure that the intent of the measure has been complied with. For example, if the timing is "to be shown on approved building plans" subsequent to issuance of the building permit consistent with the approved plans will be final building and zoning inspections pursuant to the building permit to ensure compliance.
4. **Responsibility for Monitoring** – Shall mean that compliance with the subject mitigation measure(s) shall be reviewed and determined adequate by all departments listed for each mitigation measure. Outside public agency review is limited to those public agencies specified in the Mitigation Monitoring Plan which have permit authority in conjunction with the mitigation measure.
5. **Ongoing Mitigation Measures** – The mitigation measures that are designated to occur on an ongoing basis as part of this Mitigation Monitoring Plan will be monitored in the form of an annual letter from the property owner/developer in January of each year demonstrating how compliance with the subject measure(s) has been achieved. When compliance with a measure has been demonstrated for a period of one year, monitoring of the measure will be deemed to be satisfied and no further monitoring will occur. For measures that are to be monitored "Ongoing During Construction", the annual letter will review those measures only while construction is occurring; monitoring will be discontinued after construction is complete. A final annual letter will be provided at the close of construction.
6. **Building Permit** – For purposes of this Mitigation Monitoring Plan, a building permit shall be defined as any permit issued for construction of a new building or structural expansion or modification of any existing building, but shall not include any permits required for interior tenant improvements or minor additions to an existing structure or building.

MITIGATION NUMBER	TIMING	MEASURE	RESPONSIBLE FOR MONITORING	COMPLETION
<b>5.4 BIOLOGICAL RESOURCES</b>				
<b>MM BIO-1</b>	Prior to the issuance of grading permit.	Prior to issuance of grading permits on the Rio Rockwell Site, the Property Owner/Developer shall remove the sandbar willow outside of typical nesting season (March 15th through September 15th).	Planning and Building Department/Building Division	
<b>MM BIO-2</b>	Prior to the issuance of grading permit.	<p>Prior to the issuance of grading permits on the Rio Rockwell Site, the Property Owner/Developer shall begin all grading operations outside of the <i>Vireo bellii pusillus</i> [LBV] breeding season (March 15th through September 15th) and such grading operations shall remain continuous through the season without interruption. If grading operations stop for more than three days during LBV breeding season, one of the following shall occur prior to resuming grading operations:</p> <ol style="list-style-type: none"> <li>1. All grading operations shall not restart until after the end of the LBV breeding season (September 15); or</li> <li>2. An LBV survey of on-site suitable habitat and suitable habitat within a 300-foot area surrounding construction activities, consistent with the Draft Subarea Plan, shall be conducted by a qualified biologist before any grading or ground disturbance activity commences during the breeding season (March 15 to September 15). The survey shall be conducted in accordance with accepted protocols. Following negative results for nesting LBV, the grading operations may recommence. However, should LBV nesting be observed, either on-site or within 300-</li> </ol>	Planning and Building Department/Building Division	

MITIGATION NUMBER	TIMING	MEASURE	RESPONSIBLE FOR MONITORING	COMPLETION
		<p>feet of the construction activities, the grading shall not restart until nesting is complete and the fledging have left.</p>		
<p><b>MM BIO-3</b></p>	<p>Prior to the issuance of grading permit.</p>	<p>Prior to the issuance of grading permits on the Rio Rockwell Site, the Property Owner/Develop shall adhere to the minimization and best standard practices as outlined in the Draft Subarea Plan:</p> <ol style="list-style-type: none"> <li>1. Construction limits for the project shall be delineated with flags and/or fencing prior to the initiation of any grading or construction activities to clearly identify the limits of the project disturbances.</li> <li>2. Prior to grading and construction, a training program shall be developed and implemented by the qualified biologist to inform key workers on the project about the listed species, its habitat, and the importance of complying with avoidance and minimization measures.</li> <li>3. All construction work shall occur during daylight hours. The construction contractor shall limit all construction-related activities that would result in high noise levels according to the construction hours determined by the City.</li> <li>4. Equipment storage, fueling, and staging areas shall be located on upland sites with minimal risks of direct drainage into riparian areas or other sensitive habitats.</li> </ol>	<p>Planning and Building Department/Building Division</p>	

MITIGATION NUMBER	TIMING	MEASURE	RESPONSIBLE FOR MONITORING	COMPLETION
		<p>These designated areas shall be in such a manner as to prevent any runoff from entering sensitive habitats. All necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters.</p> <ol style="list-style-type: none"> <li>5. Erodible fill material shall not be deposited into water courses. Brush, loose soils, or other similar debris material shall not be stockpiled within stream channels or on their banks.</li> <li>6. To avoid attracting predators of the target species of concern, the site shall be kept as clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site(s). Pets of project personnel shall not be allowed on-site where they may encounter any listed species.</li> <li>7. Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the Proposed Project footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the project and shall be specified in the construction plans. Construction limits will be fenced with orange snow screen. Exclusion fencing should be maintained until the completion of all construction activities. All employees shall be instructed that their activities are restricted to the construction areas.</li> </ol>		

MITIGATION NUMBER	TIMING	MEASURE	RESPONSIBLE FOR MONITORING	COMPLETION
<b>MM BIO-4</b>	Prior to the issuance of grading permit.	Prior to the issuance of grading permits on the Rio Rockwell Site, the Property Owner/Developer shall include in the landscape plans that the sandbar will found onsite will be replanted at a 1:1 ratio of planting riparian species (mulefat, willow sp.) into the riparian transitional area of the 100-foot buffer between the Project Site and the adjacent San Luis Rey River for no net loss of acreage function, and value, of a Draft Subarea Plan Habitat Group A.	Planning and Building Department/Building Division	
<b>MM BIO-5</b>	Prior to the issuance of a grading permit.	<p>Prior to the issuance of grading permits on the Rio Rockwell Site that would impact potentially suitable nesting habitat for raptors or songbirds, the Property Owner/Developer shall demonstrate to the satisfaction of the City that either of the following have been or will be accomplished:</p> <ol style="list-style-type: none"> <li>1. Vegetation removal activities shall be scheduled outside the nesting season (September 1 to February 14 for songbirds; September 1 to January 14 for raptors) to avoid potential impacts to nesting birds.</li> <li>2. Any construction activities that occur during typical nesting season (February 15 to August 31 for songbirds; January 15 to August 31 for raptors) will require that all suitable habitat, on-site and within 300-feet surrounding the site (as feasible), be thoroughly surveyed for the presence of nesting birds by a qualified biologist before commencement of clearing. If active nests are identified, the biologist would establish buffers around the</li> </ol>	Planning and Building Department/Building Division	

MITIGATION NUMBER	TIMING	MEASURE	RESPONSIBLE FOR MONITORING	COMPLETION
		<p>vegetation (500 feet for raptors and sensitive species, 200 feet for non-raptors/non-sensitive species). All work within these buffers would be halted until the nesting effort is finished (i.e. the juveniles are surviving independent from the nest). The onsite biologist would review and verify compliance with these nesting boundaries and would verify the nesting effort has finished. Work can resume within these areas when no other active nests are found. Alternatively, a qualified biologist may determine that construction can be permitted within the buffer areas and would develop a monitoring plan to prevent any impacts while the nest continues to be active (eggs, chicks, etc.). Upon completion of the survey and any follow-up construction avoidance management, a report shall be prepared and submitted to City for mitigation monitoring compliance record keeping.</p>		
<b>5.5 CULTURAL RESOURCES</b>				
<b>MM CUL-1</b>	<p>Prior to issuance of Grading Permits.</p>	<p>Prior to the issuance of a Grading Permit, the Property Owner/Developer shall enter into a pre-excavation agreement, otherwise known as a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement with the “Traditionally and Culturally Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe”. A copy of the agreement shall be included in the Grading Plan Submittals for the Grading Permit. The purpose of this agreement shall be to formalize protocols</p>	<p>Planning and Building Department/Building Division</p>	

MITIGATION NUMBER	TIMING	MEASURE	RESPONSIBLE FOR MONITORING	COMPLETION
		<p>and procedures between the Property Owner/Developer and the “Traditionally and Culturally Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe” for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and tribal cultural resources, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities. At the discretion of the Luiseño Native American Monitor, artifacts may be made available for 3D scanning/printing, with scanned/printed materials to be curated at a local repository meeting the federal standards of 36CFR79.</p>		
<p><b>MM CUL-2</b></p>	<p>Prior to issuance of Grading Permits.</p>	<p>Prior to the issuance of a Grading Permit, the Property Owner/Developer or Grading Contractor shall provide a written and signed letter to the City of Oceanside Planning Division stating that a Qualified Archaeologist and Luiseño Native American Monitor have been retained at the Property Owner/Developer or Grading Contractor’s expense to implement the monitoring program, as described in the pre-excavation agreement.</p>	<p>Planning and Building Department/Building Division</p>	
<p><b>MM CUL-3</b></p>	<p>During all ground disturbing activities.</p>	<p>The Qualified Archaeologist shall maintain ongoing collaborative consultation with the Luiseño Native American monitor during all ground disturbing activities. The requirement for the monitoring program shall be noted on all applicable construction</p>	<p>Planning and Building Department/Building Division</p>	

MITIGATION NUMBER	TIMING	MEASURE	RESPONSIBLE FOR MONITORING	COMPLETION
		documents, including demolition plans, grading plans, etc. The Property Owner/Developer or Grading Contractor shall notify the City of Oceanside Planning Division of the start and end of all ground disturbing activities.		
<b>MM CUL-4</b>	During pre-construction and ground disturbing activities.	The Qualified Archaeologist and Luiseño Native American Monitor shall attend all applicable pre-construction meetings with the General Contractor and/or associated Subcontractors to present the archaeological monitoring program. The Qualified Archaeologist and Luiseño Native American Monitor shall be present on-site full-time during grubbing, grading and/or other ground altering activities, including the placement of imported fill materials or fill used from other areas of the project site, to identify any evidence of potential archaeological or tribal cultural resources. All fill materials shall be absent of any and all tribal cultural resources.	Planning and Building Department/Building Division	
<b>MM CUL-5</b>	During mitigation monitoring.	In order for potentially significant archaeological artifact deposits and/or cultural resources to be readily detected during mitigation monitoring, a written “Controlled Grade Procedure” shall be prepared by a Qualified Archaeologist, in consultation with the Luiseño Native American monitor, other TCA Luiseño Tribes that have participated in the state-prescribed process for this project, and the Property Owner/Developer, subject to the approval of City representatives. The Controlled Grade Procedure shall establish requirements for any ground disturbing work with machinery occurring in and around areas the Qualified Archaeologist and Luiseño Native American monitor determine to be sensitive through the cultural resource	Planning and Building Department/Building Division	

MITIGATION NUMBER	TIMING	MEASURE	RESPONSIBLE FOR MONITORING	COMPLETION
		<p>mitigation monitoring process. The Controlled Grade Procedure shall include, but not be limited to, appropriate operating pace, increments of removal, weight and other characteristics of the earth disturbing equipment. A copy of the Controlled Grade Procedure shall be included in the Grading Plan Submittals for the Grading Permit.</p>		
<p><b>MM CUL-6</b></p>	<p>Upon discovery of any tribal cultural resources, archaeological artifact deposits or cultural features.</p>	<p>The Qualified Archaeologist or the Luiseño Native American monitor may halt ground disturbing activities if unknown tribal cultural resources, archaeological artifact deposits or cultural features are discovered. Ground disturbing activities shall be directed away from these deposits to allow a determination of potential importance. Isolates and clearly non-significant deposits will be minimally documented in the field, and before grading proceeds these items shall be secured until they can be repatriated. If items cannot be securely stored on the project site, they may be stored in off-site facilities located in San Diego County. If the Qualified Archaeologist and Luiseño Native American monitor determine that the unearthed tribal cultural resource, artifact deposits or cultural features are considered potentially significant TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this project shall be notified and consulted regarding the respectful and dignified treatment of those resources. The avoidance and protection of the significant tribal cultural resource and/or unique archaeological resource is the preferable mitigation. If, however, it is determined by the City that avoidance of the resource is infeasible, and it is determined that a data recovery plan is necessary by the City as the Lead Agency under CEQA, TCA</p>	<p>Planning and Building Department/Building Division</p>	

MITIGATION NUMBER	TIMING	MEASURE	RESPONSIBLE FOR MONITORING	COMPLETION
		<p>Luißeño Tribes that have participated in the state-prescribed consultation process for this project shall be notified and consulted regarding the drafting and finalization of any such recovery plan. For significant tribal cultural resources, artifact deposits or cultural features that are part of a data recovery plan, an adequate artifact sample to address research avenues previously identified for sites in the area will be collected using professional archaeological collection methods. The data recovery plan shall also incorporate and reflect the tribal values of the TCA Luißeño Tribes that have participated in the state-prescribed consultation process for this project. If the Qualified Archaeologist collects such resources, the Luißeño Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect the tribal cultural resources that are unearthed during the ground disturbing activities, the Luißeño Native American monitor, may at their discretion, collect said resources and provide them to the appropriate TCA Luißeño Tribe, as determined through the appropriate process, for respectful and dignified treatment in accordance with the Tribe’s cultural and spiritual traditions. Ground disturbing activities shall not resume until the Qualified Archaeologist, in consultation with the Luißeño Native American Monitor, deems the cultural resource or feature has been appropriately documented and/or protected.</p>		

MITIGATION NUMBER	TIMING	MEASURE	RESPONSIBLE FOR MONITORING	COMPLETION
<b>MM CUL-7</b>	Upon discovery of any tribal cultural resources, archaeological artifact deposits or cultural features.	The landowner shall relinquish ownership of all tribal cultural resources unearthed during the cultural resource mitigation monitoring conducted during all ground disturbing activities, and from any previous archaeological studies or excavations on the project site to the appropriate TCA Luiseño Tribe, as determined through the appropriate process, for respectful and dignified treatment and disposition, including reburial at a protected location on-site, in accordance with the Tribe’s cultural and spiritual traditions. All cultural materials that are associated with burial and/or funerary goods will be repatriated to the Most Likely Descendant as determined by the Native American Heritage Commission per California Public Resources Code Section 5097.98. No tribal cultural resources shall be subject to curation.	Planning and Building Department/Building Division	
<b>MM CUL-8</b>	Prior to the release of the grading bond.	Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusions of the archaeological monitoring program (e.g., data recovery plan) shall be submitted by the Qualified Archaeologist, along with the Luiseño Native American monitor’s notes and comments, to the City of Oceanside Planning Division for approval.	Planning and Building Department/Building Division	
<b>MM CUL-9</b>	Upon discovery of any human remains.	As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Office of the Medical Examiner by telephone. No further	Planning and Building Department/Building Division	

MITIGATION NUMBER	TIMING	MEASURE	RESPONSIBLE FOR MONITORING	COMPLETION
		<p>excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Medical Examiner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 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. If suspected Native American remains are discovered, the remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a Luiseño Native American monitor. By law, the Medical Examiner will determine within two working days of being notified if the remains are subject to his or her authority. If the Medical Examiner identifies the remains to be of Native American ancestry, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC shall make a determination as to the Most Likely Descendent.</p>		
<b>5.7 GEOLOGY AND SOILS</b>				
<b>MM GEO 1</b>	Prior to the issuance of grading permit	<p>The Property Owner/Developer shall submit to the City of Oceanside Planning Division evidence that a qualified paleontologist has been retained for monitoring of all ground-disturbing activities occurring at a depth of approximately five feet or greater below ground surface or wherever Pleistocene alluvial flood plain deposits that are mapped at the site are excavated.</p>	Planning and Building Department/Planning Division	

MITIGATION NUMBER	TIMING	MEASURE	RESPONSIBLE FOR MONITORING	COMPLETION
		<p>The Property Owner/Developer shall include a note on the Grading Plans that if paleontological resources are unearthed during ground-disturbing activities associated with the Proposed Project, the Contractor shall cease all earth-disturbing activities within 50 feet of the discovery while construction activities may continue in other areas. The paleontologist shall collect and process sediment samples as necessary to determine the small fossil potential on the Project site. The paleontologist shall evaluate the resource and determine if the discovery is significant. If the discovery proves to be significant, additional work such as salvage excavation and recovery may be warranted and shall be discussed in consultation with the appropriate regulatory agency. Any significant fossils recovered during mitigation should be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.</p>		
<b>5.13 NOISE</b>				
<b>MM NOI 1</b>	<p>Prior to the issuance of a building permit</p>	<p>the Property Owner/Developer shall submit building plans that show a minimum 4-foot high sound wall located between Frazee Road and the backyards for Buildings MF19, MF21, MF33, and MF38. The sound wall shall be constructed of concrete masonry units (CMUs) and shall be free of any decorative cutouts or openings.</p>	<p>Planning and Building Department/Building Division</p>	

MITIGATION NUMBER	TIMING	MEASURE	RESPONSIBLE FOR MONITORING	COMPLETION
<b>MM NOI 2</b>	Prior to the issuance of a building permit	The Property Owner/Developer shall submit building plans that show a “windows closed” condition for each proposed home. A “windows closed” condition requires a means of mechanical ventilation per Chapter 12, Section 1205 of the Uniform Building Code. This shall be achieved with a standard forced air conditioning and heating system for each home.	Planning and Building Department/Building Division	
<b>5.18 TRIBAL CULTURAL RESOURCES</b>				
See Mitigation Measures <b>MM CUL-1</b> through <b>MM CUL-9</b> .				



**SECTION 9.0 APPENDICES**