AGENDA NO. 3

PLANNING COMMISSION *STAFF REPORT*

DATE: October 6, 2008 (Continued from the September 22, 2008 public hearing)

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE PARCEL MAP (P-19-06), DEVELOPMENT PLAN (D-26-06) AND CONDITIONAL USE PERMIT (C-49-06) TO CREATE TWO LOTS AND CONSTRUCT AN 80-UNIT RESIDENTIAL STRUCTURE. THE PROJECT IS LOCATED IN THE 3800 BLOCK OF LAKE BOULEVARD, THE RH-U DISTRICT AND THE LAKE NEIGHBORHOOD. – LIL JACKSON – SOUTHERN CALIFORNIA PRESBYTERIAN HOMES**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

(1) Adopt Planning Commission Resolution No. 2008-P56 approving a Mitigated Negative Declaration for Lil' Jackson Senior Community, in light of the whole record that the project will not have a significant effect on the environment; and

(2) Adopt Planning Commission Resolution No. 2008-P57 approving Tentative Parcel Map (P-19-06), Development Plan (D-26-06) and Conditional Use Permit (C-49-06) with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: An application to construct 80 affordable housing units was submitted on October 17, 2006. The applicant is Southern California Presbyterian Homes. After Planning Commission approves this application, the City Council will consider a Development Agreement for this project, because the developer must sign a binding agreement with the City to implement the affordable housing aspect of this application.

AGENDA NO.

Site Review:

- *Zoning and General Plan designation*

The project site is situated within a RH-U zoning district and has a UHD-R land use designation.

- *Existing uses and development on site*

Approximately two acres of the site will be developed in association with the proposed project. The two-acre portion of the larger five-acre site is currently mass graded and undeveloped.

- *Topography*

The existing site comprises 5.03 acres that fronts Lake Boulevard near Esplanade Street along the site's southerly boundary. The northern project boundary follows the Buena Vista Creek. The site is divided into two basin areas which drain from the center of the site to the west and east.

A biological assessment was completed and the scope of the project (the location of off-street parking) was scaled back to reduce development impacts on existing habitat.

- *Surrounding land uses*

The property is bordered on the east and west by high density residential developments; adjacent residential zoning districts include RM-C and RH-U. Across Buena Vista Creek (to the north) are commercial developments; these lands are zoned CC District. Along Esplanade Street are single-family developments with a zoning designation of RE-B Districts.

Project Description: The project application is comprised of three components: a Tentative Parcel Map, Development Plan, and Conditional Use Permit as follows:

Tentative Parcel Map P-19-06 represents a request to subdivide an existing 5.03-acre site into two lots pursuant to Article VI *Subdivisions of four or fewer parcels* of the Subdivision Ordinance. One lot will include the proposed development; the second lot will remain undeveloped. The undeveloped site is restricted by existing native habitat and its proximity to the Buena Vista Creek.

Development Plan D-26-06 represents a request to construct an 80-unit multiple unit structure on an approximate two-acre site pursuant to Article 10 *Residential Districts*, Article 30 *Site Regulations*, and Article 43 *Development Plan Review* of the Zoning Ordinance.

Conditional Use Permit CC-49-06 represents a request to allow a residential density above the Urban High Density Residential (RH-U) District's base density pursuant to Article 10 *Residential Districts.* The RH-U District's base density is 29 dwelling units per acre.

The applicant proposes to construct a 40-foot tall, 62,306-square foot building encompassing 80 one-bedroom residential units and providing 41 off-street parking spaces. The site is adjacent to an existing North County Transit Bus stop, which will be improved as a condition of the project's approval. The project includes extensive site landscaping. The proposal provides sufficient setbacks from the Buena Vista Creek and associated native habitats.

The project is subject to the following Ordinances and City policies:

1. General Plan Land Use Element
2. Subdivision Ordinance
3. Zoning Ordinance
4. California Environmental Quality Act (CEQA)

ANALYSIS

KEY PLANNING ISSUES

1. General Plan Compliance

The General Plan Land Use Map designation on the subject property is Urban High Density Residential (UHD-R). The proposed project is consistent with this designation and the goals and objectives of the City's General Plan as follows:

A. Land Use Element I. Community Enhancement

Goal: The consistent, significant, long term preservation and improvement of the environment, values, aesthetics, character and image of Oceanside as a safe, attractive, desirable and well-balanced community.

Objective 1.16 Housing: To ensure that decent, safe and sanitary housing is available to all current and future residents of the community at a cost that is within the reach of the diverse economic segments of Oceanside.

Policies:

A. The City shall strive to maintain a reasonable balance between rental and ownership housing opportunities, between senior and family housing, and encourage a variety of individual choices of tenure, type, and location of housing throughout Oceanside.

B. The City shall strive to produce opportunities for decent and affordable housing in a pleasant environment for all of Oceanside's citizens.

C. The City shall ensure that housing is developed in areas with adequate access to employment opportunities, community facilities, and public services.

D. The City shall encourage development of a variety of housing opportunities, with special emphasis on providing: ... (3) Housing which meets the special needs of the elderly and the handicapped.

E. The City shall protect, encourage, and where feasible, provide housing opportunities for persons of low and moderate income.

The proposed age-restricted (at least age 62) 80-unit residential development balances the existing housing stock inventory between seniors and families. The proposal is an opportunity to construct decent and affordable housing in a pleasant environment for seniors. The site is suitably situated with adequate access to public services, i.e. bus routes and commercial venues. The proposal addresses the special needs of the elderly and the handicapped-elderly. The proposal is an opportunity to provide housing for persons of low and moderate income. Therefore, the proposal satisfies the community enhancement goal and housing objective 1.16 of the Land Use Element.

B. Land Use Element II. Community Development

Goal: The continual long term enhancement of the community through the development and use of land which is appropriate and orderly with respect to type, location, timing, and intensity.

Objective 2.3 Residential Development: To direct and encourage the proper type, location, timing, and design of housing to benefit the community consistent with the enhancement and establishment of neighborhoods and a well balanced and organized City.

Policy 2.32 Potential Range of Residential Densities: B. Residential projects that possess an excellence of design features shall be granted the ability to achieve densities above the base density. Project characteristics that exceed standards established by City policy and those established by existing or approved developments in the surrounding area will be favorably considered in the review of acceptable density within the range. Such characteristics include, but are not limited to .... (11) Participation in the City's Redevelopment, Housing, or Historical Preservation programs.

The proposed 80-unit residential development contributes to the long term enhancement of the community by participating in the City's housing program. The developer proposes to provide 80 apartment units in the Lake Neighborhood to low income seniors. In addition to satisfying characteristic #11 of Land Use Policy 2.32.B, the proposed design includes superior landscape/hardscape design and materials; an architectural design that suitably addresses the massing of the building; and maintaining 3.07 acres of land as open space (2.83 acres will remain undeveloped; a 0.24-acre portion of Parcel 1 will be designated as open space). The site design and use of native

landscaping supports both the anticipated use of the lot and the environments in proximity to Buena Vista Creek. Therefore, the proposed 62,306 building satisfies the community development goal and the potential range of residential densities objective 2.32(B)(11) of the Land Use Element.

2. Subdivision Ordinance Compliance

The proposed project is subject to the Subdivision Map Act and the Oceanside Subdivision Ordinance, Article VI Subdivision of Four or Fewer Parcels. Pursuant to Section 601 of the Subdivision Ordinance, this Tentative Parcel Map has been prepared in a manner acceptable to the Engineering Department.

3. Zoning Ordinance Compliance

The project is located in the Residential High Density (RH-U) District and complies with the requirements of that zone. Table 1 summarizes the proposed and applicable development standards for the project site.

Table 1: Residential Development Standards Sections 1050 and Exception to Height Limits 3018

	Required	Proposed
Base density	29 dwelling units/acre	40.82 dwelling units/acre
Minimum lot size	10,000 SF	Lot 1: 2.2 acres Lot 2: 2.8-acres
Minimum lot width	70-feet	Lot 1: 169.2-feet Lot 2: 253.3-feet
Minimum front yard	15-feet	15-feet
Side yard	5-feet minimum & 10-foot average	10-feet minimum
Minimum rear yard	15-feet	approximately 90-feet
Maximum height	36-feet	36-feet
Height exemption	10 additional feet	4 additional feet
Maximum nonresidential FAR	1.0 FAR	0.23 FAR

Pursuant to Section 1050 *Property development regulations*, the proposal complies with requirements for outdoor living area, minimum site landscaping, fence and wall construction, signs, outdoor facilities, the screening of mechanical equipment, refuse storage areas, the undergrounding of utilities, vehicular access, and outdoor storage.

Pursuant to Section 1050(B), the Planning Commission may approve a use permit authorizing an increase in density up to 43 dwelling units per developable acre for a project exceeding the standards established by City Policy, if they find the project conforms to the provisions of Section 2.3 of the Land Use Element of the General Plan.

The proposed average number of residential dwellings units per gross developable acre of land (1.96-acres) is 40.82 units. This density complies with the requirements of the General Plan and Section 3032 *Affordable housing density bonus*, because at least 43 of the total units allowed by the maximum permitted density are designated for qualifying residents, as defined in the Civil Code (Senior Citizen Housing).

Pursuant to Section 3018 *Exceptions to height limits,* necessary mechanical appurtenances (covering not more than ten percent of the ground area covered by the structure) may exceed the maximum permitted height by 10 feet. The structural components of the proposed building between 36 feet and 40 feet provide cover for mechanical appurtenances and consist of less then 10 percent of the building's footprint.

Pursuant to Section 3032.F(1), Additional Incentives allows the City to grant incentives (including a modification of development standards) if it is found that the project with the proposed lower-income units would not be feasible without said incentives. These incentives are specific to the individual project. Staff finds that the incentive to modify off-street parking requirements is not materially detrimental to the public health, safety, and welfare, nor injurious to property and/or improvements within the project's vicinity.

Pursuant to Section 3103 *Off-street parking and loading spaces required*, multi-family residential uses require 1.5 spaces per unit (including one covered space for studious and one-bedroom units). Pursuant to Section 3109 *Parking space dimensions*, off-street parking spaces are nine feet wide by 19 feet deep. The proposed residential development would not be feasible unless a modification is considered regarding the requirement to cover off-street parking spaces and set a minimum ratio of bedrooms to parking spaces. The applicant provided a detailed analysis of off-street parking demand among lower-income residents (seniors) of multiple unit structures. Staff finds based upon this analysis that a modified parking ratio of 0.51 spaces per one-bedroom unit is sufficient. Pursuant to Section 3110 *Application of dimensional requirements*, staff finds that the requirement to cover the parking spaces would increase the width of the covered spaces by one or two feet. This would further reduce the count of off-street parking spaces, because the developable area of the site is substantively reduced by the proximity of existing sensitive habitat.

DISCUSSION

Issue: Long anticipated signalization of the intersection of Esplanade Street and Lake Boulevard.

Recommendation: Residents of the Lake Neighborhood have long anticipated the signalization of this intersection. Staff's recommends the applicant pay a fair share portion of the cost for the traffic signal currently being installed by the City at this intersection.

Issue: Construction related activity at the project site impacting the surrounding area and residents.

Recommendation: Staff recommends the applicant be responsible for satisfying all conditions of approval, including construction site upkeep, limitations on the hours-of-work, construction staging locations, and improving the bus stop adjacent to the project site.

Issue: The area of the developable site was reduced by 0.24-acres in response to comments on the Mitigated Negative Declaration.

Recommendation: The United States Fish and Wildlife Service and the California Department of Fish and Game requested the distance between the existing habitat and the paved parking area be increased. Staff finds the current site plan increases the buffer between existing habitat and new development by 0.24-acre while reducing the area for on-site parking. The revised design is acceptable to the applicant and the agencies, who made the request.

Staff recommends that 41 off-street parking spaces are adequate. Staff has reviewed on-site parking demand among similar uses and the proposed ratio has proven sufficient at other locations throughout the State.

ENVIRONMENTAL DETERMINATION

Staff has reviewed the environmental assessment and determined that the project will result in potentially significant impacts, all of which can be mitigated, to the following environmental resources: biological, cultural, noise, air quality, and transportation. Subsequently, a Mitigated Negative Declaration was prepared with mitigation measures pursuant to the provisions of the California Environment Quality Act (CEQA) with the following supplemental reports: air quality impact analysis (July, 2007); biological letter report and wetland delineation (February, 2008); report on focused protocol surveys for the least Bells vireos (July, 2008); phase I archaeological study (June, 2004); stormwater management plan (August, 2008); and traffic impact analysis (January 18, 2007). These reports are attached herein as exhibits to the Mitigated Negative Declaration.

The Planning Division advertised a draft Mitigated Negative Declaration for thirty (30) days commencing on March 4, 2008 and ending on April 3, 2008. Comments were received from the following:
- Native American Heritage Commission,
- Preserve Calavera,
- Mr. Thomas J. Dempsey,
- California Department of Fish and Game,
- North County Transit District,
- United States Fish and Wildlife Service,

- Department of Toxic Substances Control, and
- Governor's Office of Planning and Research, State Clearinghouse and Planning Unit.

The comments received (letters labeled A through G) and staff's responses to the comments are attached herein as the introduction to the final Mitigated Negative Declaration. Each correspondent received a response to their comments on the Mitigated Negative Declaration. The initial study was revised in response to comments received and a final copy of the Mitigated Negative Declaration (September 2008) is also attached herein. The final copy is a strike-out copy from the originally distributed draft Mitigated Negative Declaration.

Prior to any action on P-19-06, D-26-06, and C-49-06 Lil Jackson, it is necessary for the Planning Commission to review and act on the Mitigated Negative Declaration. Staff, in its initial study of the project, is recommending that the negative declaration be approved with findings and mitigation measures, including a finding that the new mitigation measures are equivalent or more effective in mitigation or avoiding potential significant effects and will not cause any potentially significant effect on the environment.

PUBLIC NOTIFICATION

A Notice of Project Application has been posted by the applicant on the project site within 15 days of the effective date of City Council Policy 300-14, revised November 11, 2007.

Legal notice for the Intent to Adopt a Mitigated Negative Declaration was published in the North County Times on March 4, 2008, and notices were sent to property owners of record within a 1,500-foot radius of the subject property.

Legal notice for the Planning Commission Meeting was published in the North County Times on September 12, 2008. On the same date, notices were sent to residents of the Lake Neighborhood Planning Area; property owners of record within a 1,500-foot radius of the subject property; individuals/organizations requesting notification; the applicant and interested parties. As of September 11, 2008, no communication supporting or opposing the request had been received.

SUMMARY

The proposed Tentative Parcel Map (T-19-06), Development Plan (D-26-06) and Conditional Use Permit (C-49-06) are consistent with the land use policies of the General Plan, the requirements of the Subdivision Ordinance and the Zoning Ordinance. The project meets or exceeds all applicable development standards. The project is compatible

in terms of residential product type, density, and site design with the surrounding neighborhood. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached draft resolution. Staff recommends that the Planning Commission:

- Consider the Mitigated Negative Declaration for Lil Jackson Senior Community in light of the whole record that the project will not have a significant effect on the environment and approve the Mitigated Negative Declaration by adopting Planning Commission Resolution 2008-P56; and

- Move to approve Tentative Parcel Map (T-19-06), Development Plan (D-26-06) and Conditional Use Permit (C-49-06) and adopt Planning Commission Resolution 2008-P57 as attached.

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Associate Planner

SUBMITTED BY:

Jerry Hittleman
City Planner

REVIEWED BY: _____
Richard Greenbauer, Senior Planner

JH/JH/fil

ATTACHMENTS:

1. Site Plans, Maps, Landscape Plans, Furniture specification sheets
2. Planning Commission Resolution No. 2008-P56
3. Planning Commission Resolution No. 2008-P57
4. Final Mitigated Negative Declaration, September 2008

LIL JACKSON SENIOR COMMUNITY

LAKE BOULEVARD
OCEANSIDE, CA 92056

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OCEANSIDE, CA

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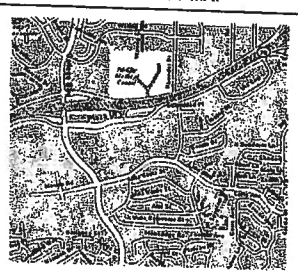
VICINITY MAP



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PROJECT INFORMATION

Existing zoning	CC (Community Commercial)
Proposed zoning	CC (Community Commercial)
APN	158-012-79
Number of lots	One (1)
Number of dwelling units	80 units
Density	36.36 units/acre
Front yard	15'
Side yard	10'
Rear yard	15'
Maximum height allowed	36'
Proposed height	42'
Off-street parking required	137 spaces
Off-street parking proposed	61 spaces (incl. 3 accessible, 1 mail carrier)
Gross floor area of proposed building	62,306 sf (3 floors)
Amount of proposed building coverage	23%
Usable open space required	80 x 300 = 24,000 sf
Common open space and usable open space provided	15,000 sf
Percent of project in streets	35%
Percent of project in pavement	6%
General Plan designation	Urban High Density Residential District

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A2.3 THIRD FLOOR PLAN
A3.1 TYPICAL UNIT PLANS
A5.1 EXTERIOR ELEVATIONS
A5.7 EXTERIOR ELEVATIONS

CIVIL

LANDSCAPE

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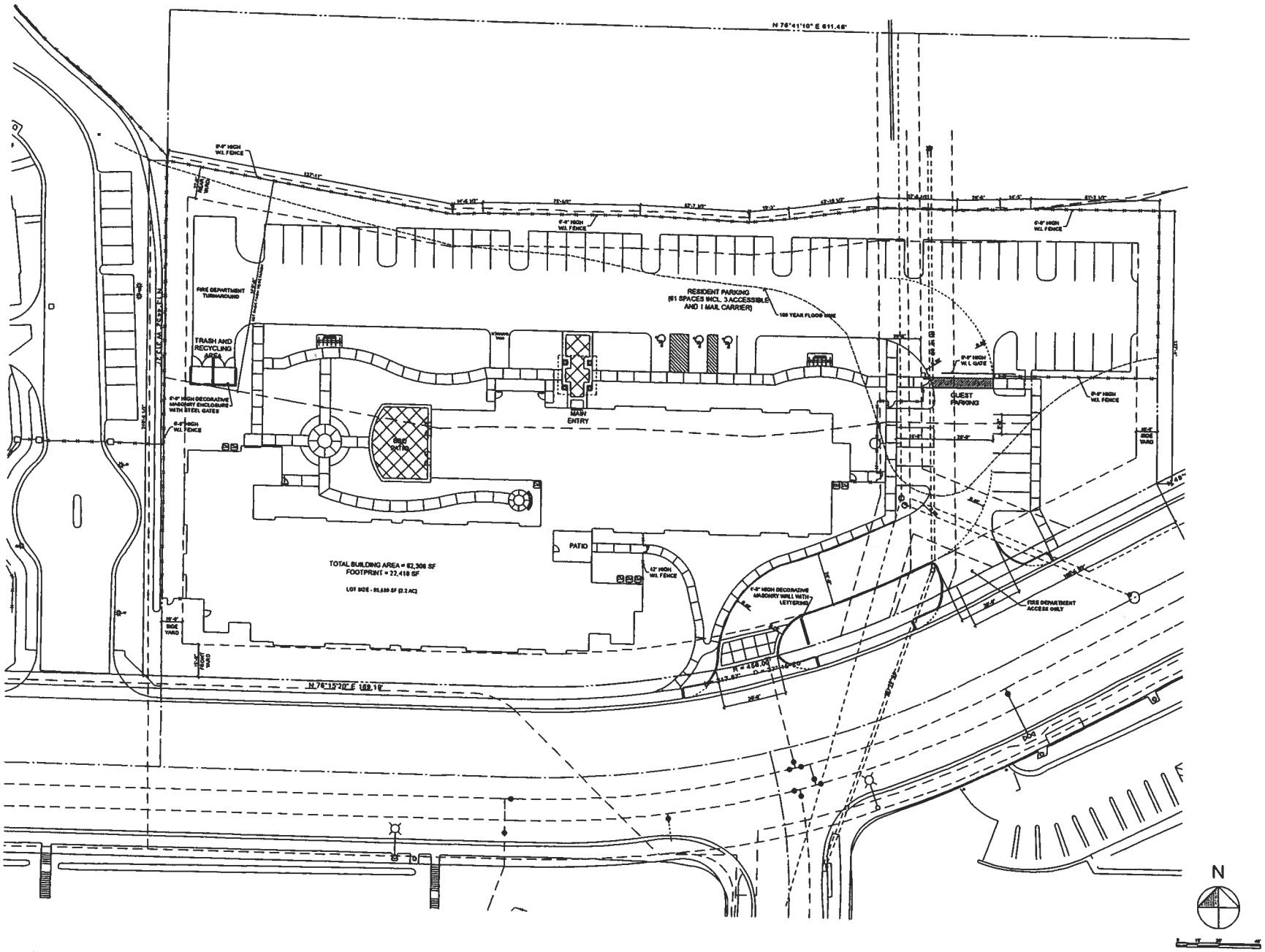
TITLE SHEET

A0.1



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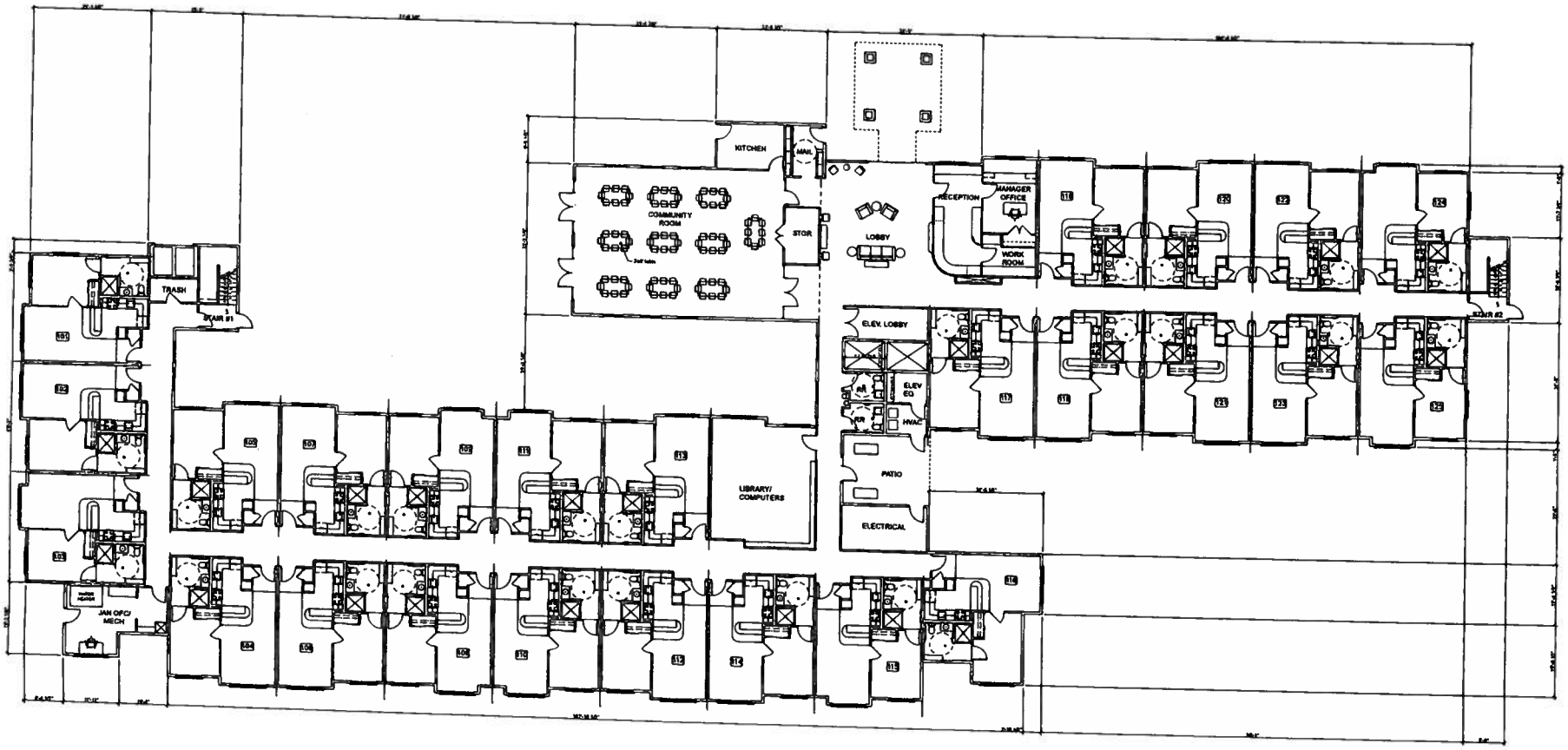
SITE PLAN

A1.1



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FIRST FLOOR PLAN

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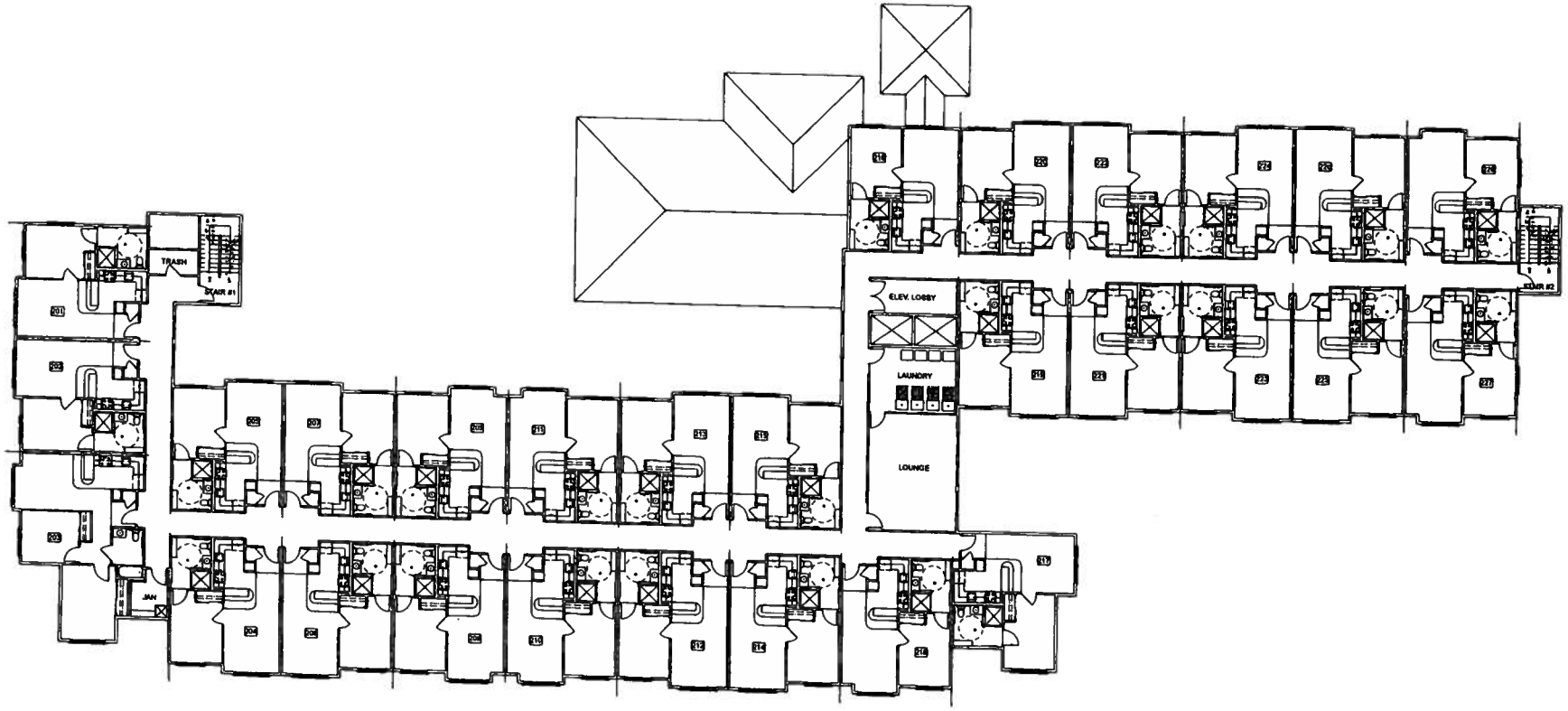

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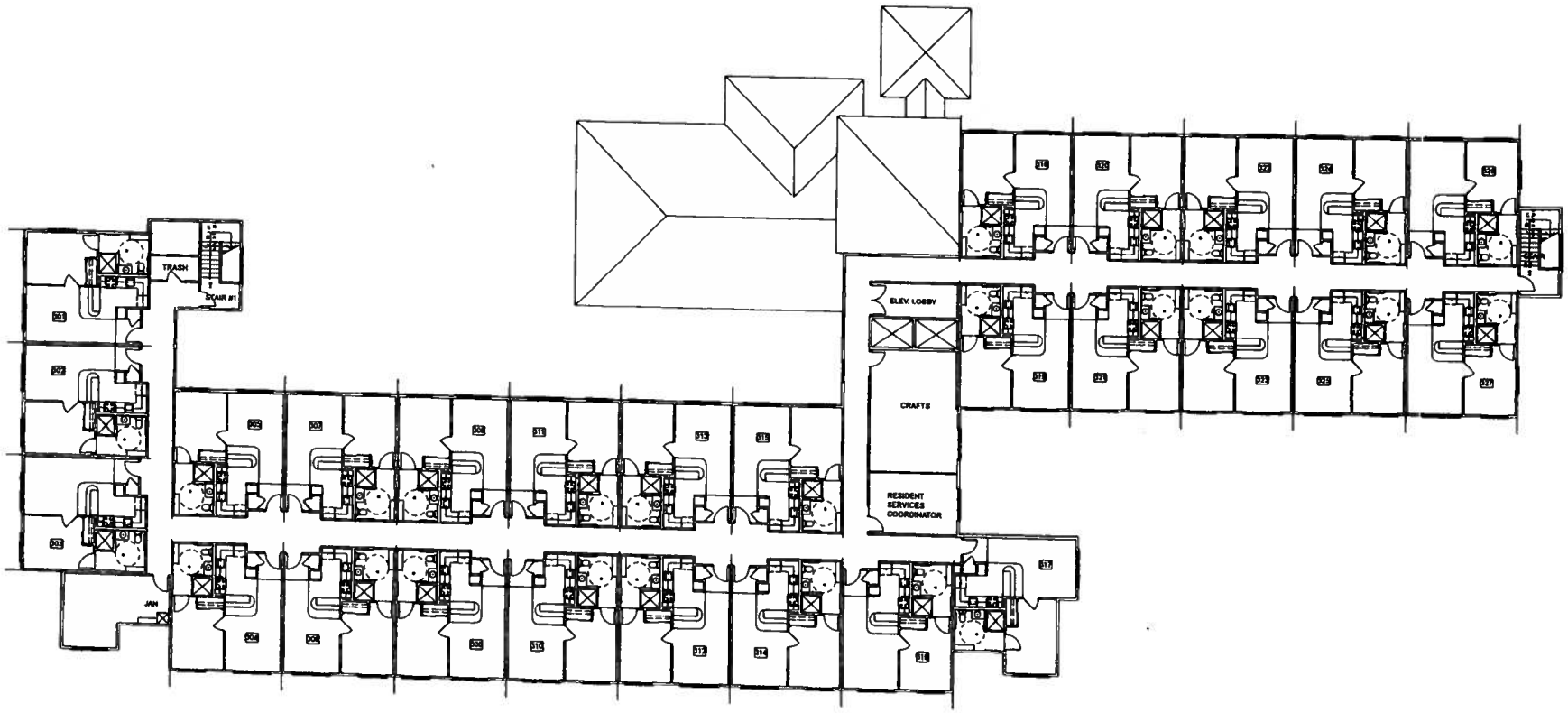
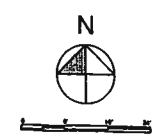
SECOND FLOOR PLAN

A2.2





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THIRD FLOOR PLAN

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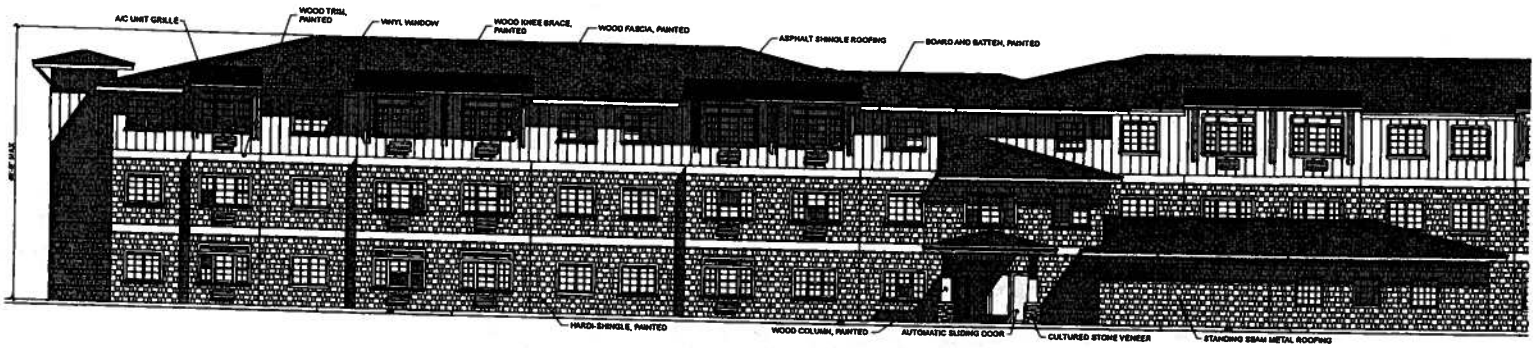
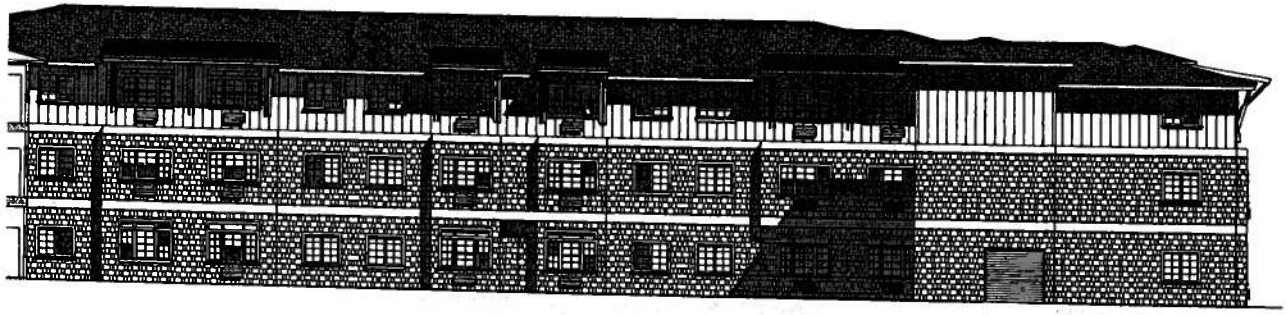


NORTH ELEVATION (EAST SIDE)



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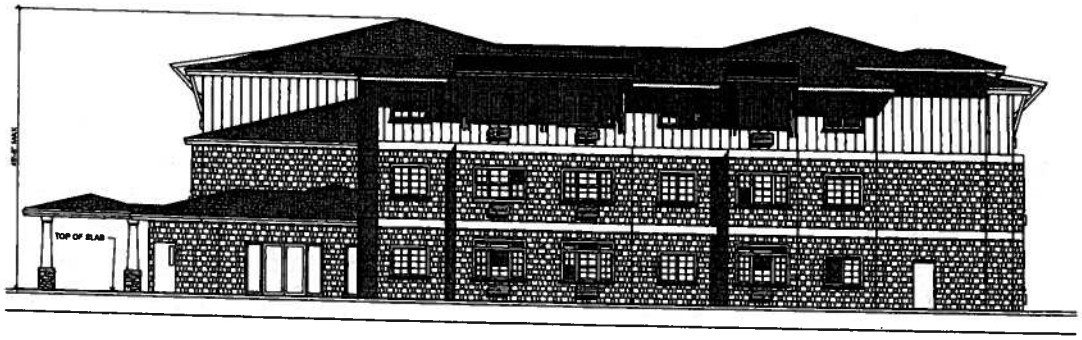

WEST ELEVATION

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EXTERIOR ELEVATIONS

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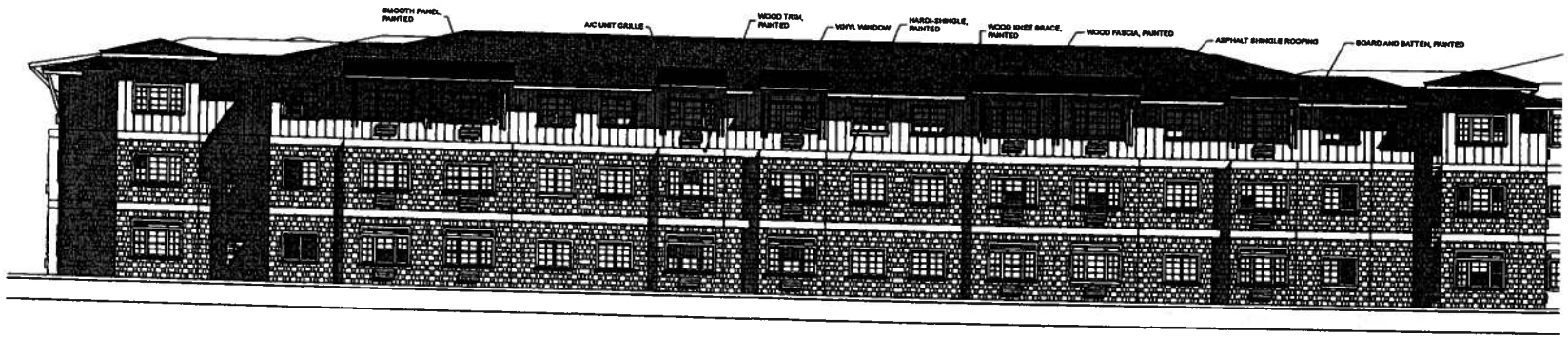
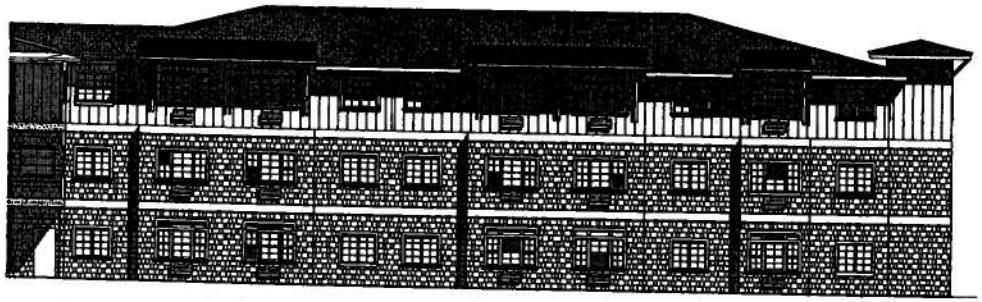


SOUTH ELEVATION (WEST SIDE)



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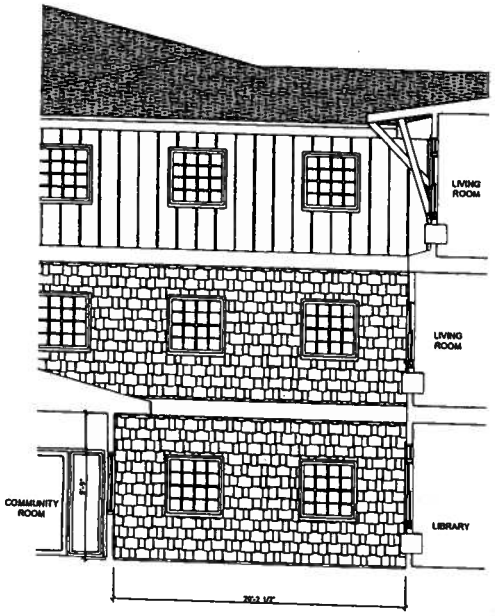

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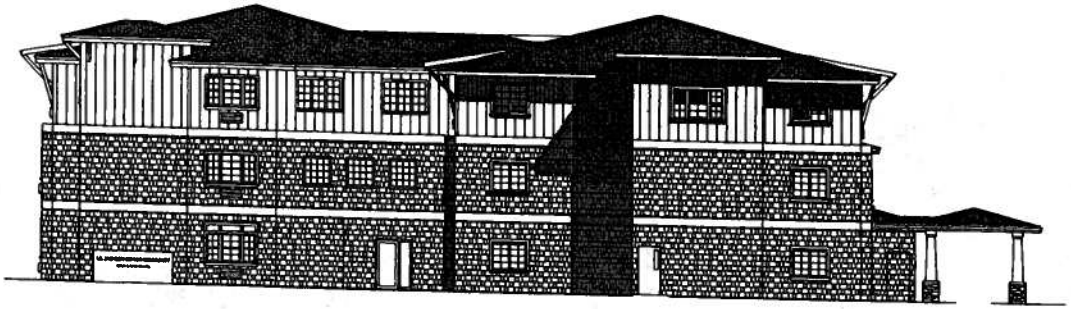

EAST ELEVATION

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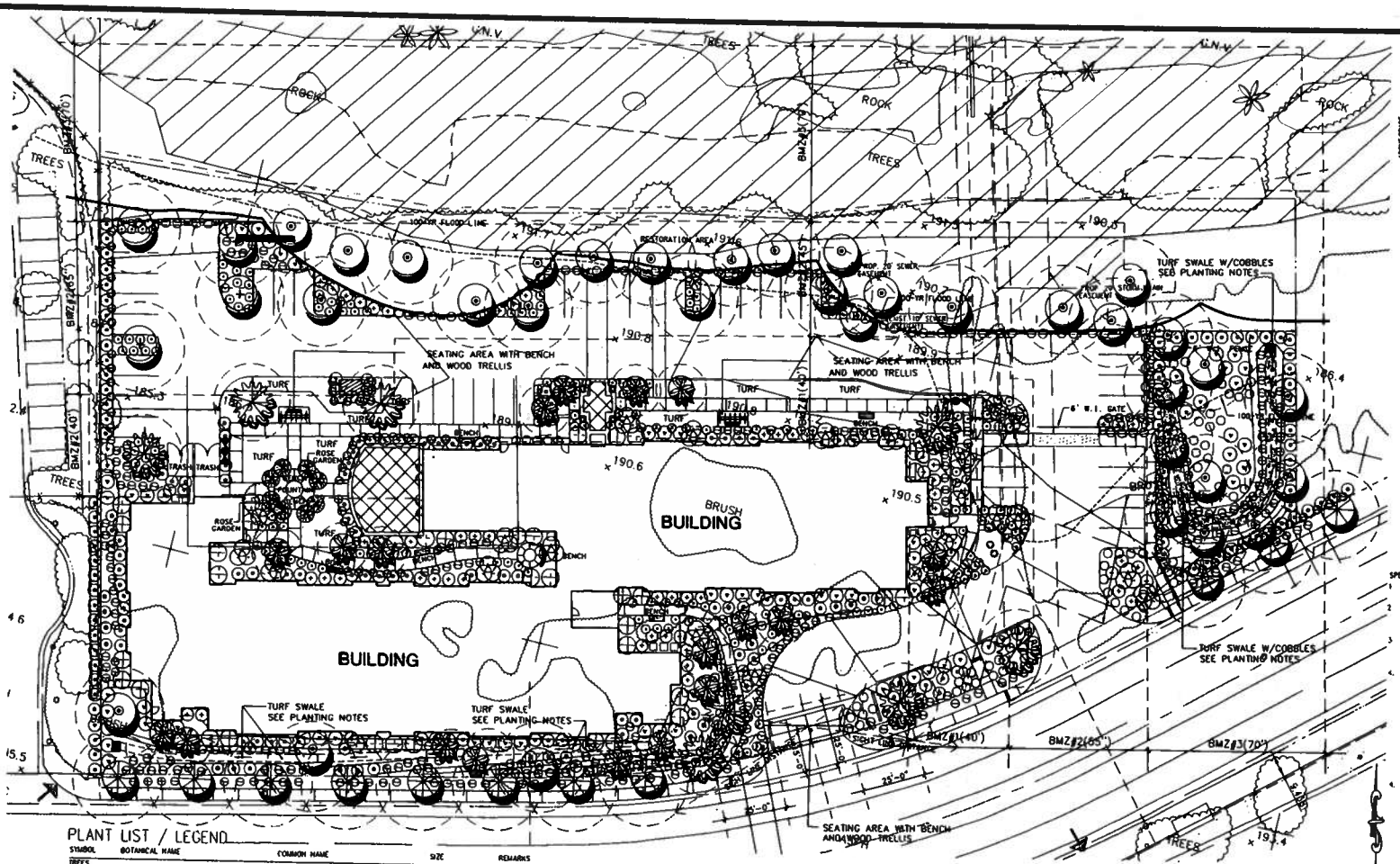
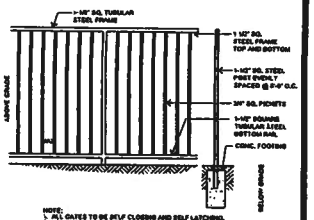
EXTERIOR ELEVATIONS

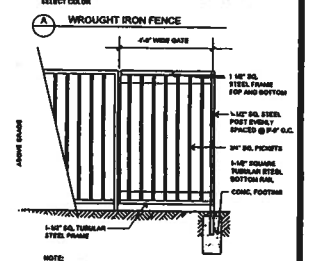
A5.2





NOTES:
1. ALL GATES TO BE SELF CLOSING AND SELF LATCHING.
2. ALL SELF LATCHING HARDWARE ARE TO BE 5/8, TUBULAR STEEL STANDARD WITH ALL STEEL CONDITIONS GROUND AND WELDED
3. ALL FENCING MEMBERS TO BE POWDER COATED, OWNER TO SELECT COLOR

A WROUGHT IRON FENCE



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B WROUGHT IRON GATE

SPECIAL PROJECT NOTES:

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2. LANDSCAPE ARCHITECT SHALL VERIFY UTILITY, SEWER, STORM DRAIN EASEMENT AND PLACE PLANTING LOCATIONS ACCORDINGLY TO MEET CITY OF OCEANSIDE REQUIREMENTS
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PLANT LIST / LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
TREES				
	ARCHONTOPHOENIX CUNNINGHAMIANA	KING PALM	36"BOX	8'-10' BTH SPECIMEN
	ARBUTUS UNEDO	STRAWBERRY TREE	24"BOX	STANDARD
	ERYTHRINA CORALLODES	NAKED CORAL TREE	36"BOX	LOW BRANCHING
	PLATANUS RACEMOSA	CALIFORNIA SYCAMORE	24"BOX/15GALLON	STANDARD
	RHUS LANCEA	AFRICAN SUMAC	36"BOX	STANDARD STREET TREE
SHRUBS				
	AGAPANTHUS AFRICANUS	LILY OF THE NILE	1 GALLON	AS SHOWN/BLUE
	CALUSTEMON 'LITTLE JOHN'	DWARF BOTTLE BRUSH	5 GALLON	AS SHOWN/RED
	DIERES VEGETA	FORTNIGHT LILY	5 GALLON	AS SHOWN
	ESCALLONIA FRADESI	ESCALLONIA	5 GALLON	AS SHOWN
	LANTANA MONTEVIDENSIS	LANTANA	1 GALLON	AS SHOWN
	LIMONIUM PEREZII	SEA LAVENDER	5 GALLON	AS SHOWN
	LIGUSTRUM JAPONICUM 'TEXANUM'	TEXAS PRIVET	5 GALLON	AS SHOWN
	PHOENIX ROBELENII	PIGMY DATE PALM	15 GALLON	MULTI
	PHORMIUM TENAX 'SUNDOWNER'	NEW ZEALAND FLAX (SMALL)	5 GALLON	AS SHOWN
	DODONEA VISCOSA 'PURPUREA'	PURPLE HOPSEED	5 GALLON	AS SHOWN
	RHAPHIOLEPIS I 'JACK EVANS'	INDIA HAWTHORN	5 GALLON	AS SHOWN
	STRELITZIA REGINAE	BIRD OF PARADISE	5 GALLON	AS SHOWN
	XYLOSMA CONGESTUM 'COMPACTA'	COMPACT XYLOSMA	5 GALLON	AS SHOWN
VINES				
	FICUS REPENS	CREEPING FIG	5 GALLON	AS SHOWN

GROUNDCOVERS				
	FRAGARIA CHILOENSIS (BUILDING AREAS)	ORNAMENTAL STRAWBERRY	FROM FLATS	12" OC TRIANGULAR SPACING
	HYPOPORUM PARWFOLIUM (SLOPE AREAS)	PROSTRATE HYPOPORUM	FROM FLATS	12" OC TRIANGULAR SPACING
	NOTE ALL GROUND COVER AREAS INCLUDING BARE AREAS SHALL RECIEVE 3" OF BARK MULCH			12" OC TRIANGULAR SPACING
TURF	FESTUCA ARUNDINACEA 'MARATHON II'	HYBRID TALL FESCUE	SOD	
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GRAPHICAL SCALE
SCALE: 1" = 20'-0"

Darsono Design Associates, Inc.
LANDSCAPE ARCHITECTURE PLANNING
8854 MT. LA PLATTA DRIVE, SAN DIEGO, CA 92117
PHONE (858) 541-3007 FAX (858) 541-2988

JULY 29, 2004

REVISIONS	DATE	BY

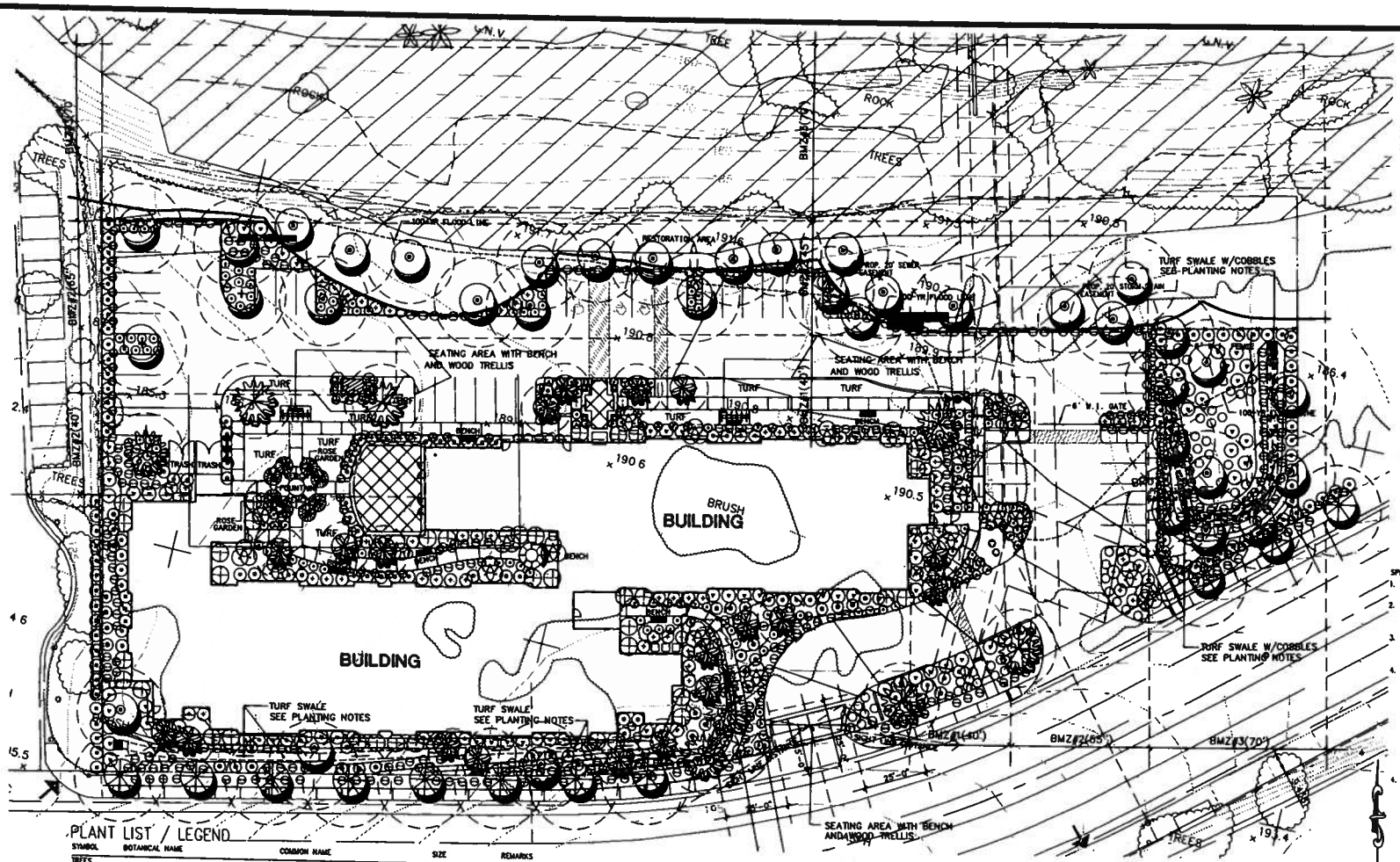
LANDSCAPE CONCEPT PLAN

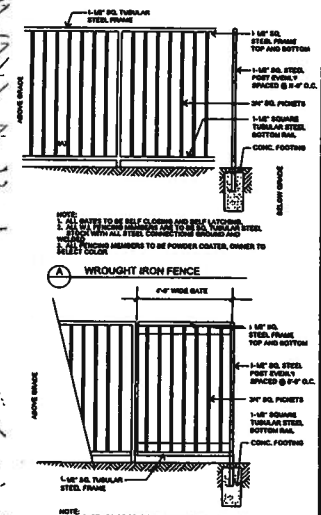
LIL JACKSON - SENIOR COMMUNITY

THE CITY OF OCEANSIDE, CALIFORNIA

LANDSCAPE CONCEPT PLAN
LIL JACKSON
SENIOR COMMUNITY
THE CITY OF OCEANSIDE, CALIFORNIA

SHEET 1 OF 1





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LANDSCAPE CONCEPT PLAN
LIL JACKSON – SENIOR COMMUNITY
THE CITY OF OCEANSIDE, CALIFORNIA

GRAPHICAL SCALE
SCALE: 1" = 20'-0"

Barsano Design Associates, Inc.
LANDSCAPE ARCHITECTURE PLANNING
5014 MT. LA PLATTA DRIVE, SAN DIEGO, CA 92117
PHONE (858) 541-2007 FAX (858) 541-2009
JULY 28, 2008

REVISIONS	DATE	BY

LANDSCAPE CONCEPT PLAN
LIL JACKSON
SENIOR COMMUNITY
THE CITY OF OCEANSIDE, CALIFORNIA

SHEET 1 OF 1

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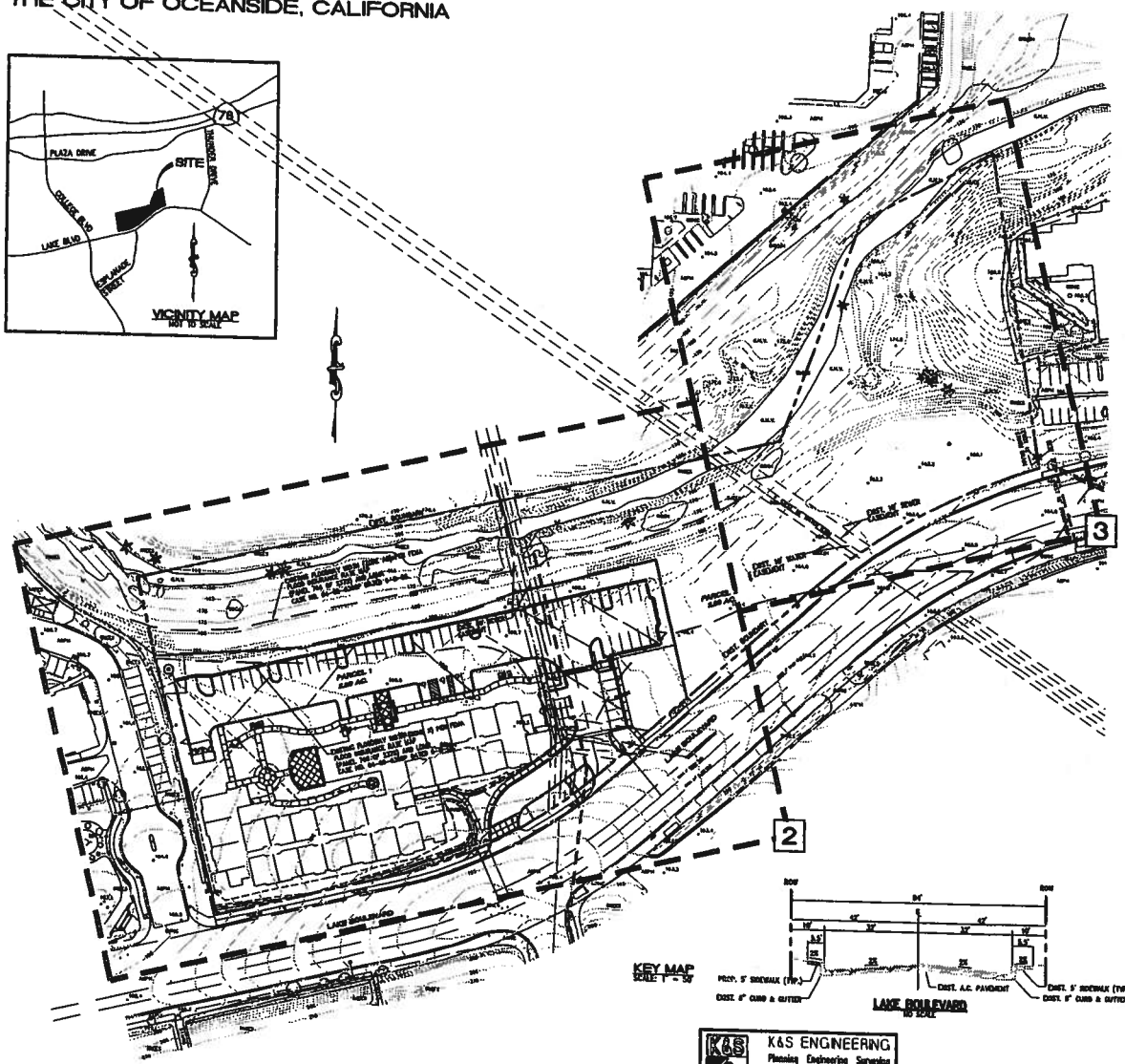
TENTATIVE PARCEL MAP / DEVELOPMENT PLAN

LIL JACKSON - SENIOR COMMUNITY

THE CITY OF OCEANSIDE, CALIFORNIA



GENERAL NOTES

1. GENERAL PROJECT DESCRIPTION:

   80 UNIT SENIOR APARTMENT PROJECT WITH ON GRADE PARKING.

2. GROSS AREA WITHIN SUBDIVISION: 210,061 SF/5.03 ACRES
   GROSS PROJECT AREA: 210,061 SF/5.03 ACRES

   NET DEVELOPABLE AREA: XXX
   (GROSS AREA LESS UNDEVELOPABLE SLOPES)

   BUILDING COVERAGE BASED ON NET AREA: XX.XX%

3. EXISTING ZONING: CC (COMMUNITY COMMERCIAL)
   PROPOSED ZONING: CC (COMMUNITY COMMERCIAL)

4. GENERAL PLAN DESIGNATION: URBAN HIGH DENSITY RESIDENTIAL DISTRICT

5. EXISTING LAND USE: VACANT LAND
   PROPOSED LAND USE: SENIOR COMMUNITY LIVING

6. TOTAL NUMBER OF LOTS: 1

7. DWELLING UNITS: 80 APARTMENT UNITS

8. PROPOSED DENSITY (NET AREA) 80 UNITS / 2.2 ACRES = 36.36 DU / AC

9. GRADING:

   A. CUT AND FILL SLOPES WILL BE 2 : 1 OR FLATTER EXCEPT AS SHOWN.
   B. GRADING SHOWN HEREON IS PRELIMINARY AND MAY BE ALTERED DURING FINAL DESIGN

9. PROJECT USE AREAS OF NET DEV. ACRES — S.F. — % OF NET

   BUILDING COVERAGE
   LANDSCAPE / HARDSCAPE
   UNDEVELOPED OPEN SPACE
   PAVEMENT (PRIVATE STREET)
   TOTAL

10. USABLE OPEN SPACE — REQUIRED — PROVIDED

    PRIVATE OPEN SPACE
    SHARED OPEN SPACE

11. OFFSITE ACCESS PAVEMENT: XX'

12. OFF-SITE STREET PARKING: XX

13. CUT SLOPE MAX HEIGHT: 2.5'

14. FILL SLOP MAX HEIGHT: 3.7'

TYPICAL DEVELOPMENT CONSTRUCTION SEQUENCE

1. SITE DEMOLITION AND CLEARING
2. MASS GRADING
3. OFFSITE BUILDING CONSTRUCTION
4. LANDSCAPING
5. OCCUPANCY

SHEET INDEX

SHEET 1	COVER SHEET, NOTES, AND DETAILS
SHEET 2	PRELIMINARY GRADING PLAN (WEST PORTION)
SHEET 3	PRELIMINARY GRADING PLAN (EAST PORTION)

LEGEND

- PROJECT BOUNDARY
- PROPOSED LOT LINE
- PROPOSED CURB AND GUTTER
- CONCRETE DRIVEWAY (W-10)
- PROPOSED SEWER LATERAL
- PROPOSED DOMESTIC WATER LATERAL
- PROPOSED RECLAIMED WATER LATERAL
- PROPOSED DOUBLE-CHECK DETECTOR ASSEMBLY
- PROPOSED 6" FIRE MAIN
- PROPOSED FIRE HYDRANT ASS'Y
- PROPOSED STORM DRAIN AND GRATED INLET
- PROPOSED 2:1 SLOPE
- PROPOSED CONTOUR
- EXISTING CONTOUR
- EXISTING SEWER
- EXISTING WATER

GENERAL DESIGN NOTES

1. ALL STREET DESIGNS CONFORM TO THE CITY OF OCEANSIDE DESIGN STANDARDS AND AS REQUIRED BY THE CITY OF OCEANSIDE ENGINEER.
2. ONSITE STORM DRAIN AND SEWER TO BE PRIVATE
3. EASEMENTS AS REQUIRED BY THE CITY ENGINEER, PUBLIC UTILITIES AND DISTRICTS.
4. ALL PROPOSED UTILITIES TO BE UNDERGROUND
5. AREA DRAINS WILL BE REQUIRED IN LANDSCAPE AREAS (TO BE DETERMINED IN FINAL DESIGN).
6. SLOPE RATIOS SHALL BE 2 : 1 MINIMUM.
7. CONTOUR INTERVAL IS 2 FEET
8. GRADING QUANTITIES:

   CUT: 2,600 CY — EXPORT: 0 CY
   FILL: 2,600 CY — IMPORT: 0 CY

9. FINAL MAP MAY BE RECORDED IN MULTIPLE FINAL MAPS.

PUBLIC UTILITIES

WATER SUPPLY	CITY OF OCEANSIDE
SEWER	PRIVATE
STORM DRAIN	PRIVATE
GAS AND ELECTRIC	SDG&E
TELEPHONE	PACIFIC BELL TELEPHONE
CABLE	COX CABLEVISION
FIRE	CITY OF OCEANSIDE
POLICE	CITY OF OCEANSIDE
SCHOOLS	OCEANSIDE UNIFIED SCHOOL DISTRICT

NOTE: UNDERGROUND UTILITIES SHOWN HEREON ARE FROM PUBLIC AVAILABLE RECORDS

SITE ADDRESS

LAKE BOULEVARD
OCEANSIDE, CA

ASSESSOR'S PARCEL NO.

159-012-29-00

LEGAL DESCRIPTION

PARCEL 2, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AS SHOWN ON PAGE 4736 OF PARCEL MAPS, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MAY 19, 1976.

SOURCE OF TOPOGRAPHY

TOPOGRAPHY SHOWN ON THESE PLANS WAS PRODUCED BY PHOTOGRAMMETRIC METHODS FROM 1:3072 SCALE AERIAL PHOTOGRAPHY DATED 8-29-06 FOR K&S ENGINEERING BY MORENO AERIAL PHOTO SURVEYS. TOPOGRAPHY SHOWN HEREON CONFORMS TO NATIONAL MAP ACCURACY STANDARDS.

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS ALTA SURVEY MAP IS THE TANGENT BETWEEN THE THE TWO CURVES ALONG THE SOUTHERLY LINE OF PARCEL 2 OF PM 4736 AS SHOWN ON SAID MAP, I.E. N 48°05'00"E

BENCH MARK

CITY OF OCEANSIDE BENCH MARK

FOUND P.K. NAIL ON TOP OF NORTHERLY END CATCH BASIN AT THE SOUTH EASTERLY CURB RETURN OF LAKE BLVD. AND ESPLANADE. (PER BOOK 133, PAGE 29, ELEV. = 197.337')

1984 ADJUSTED ELEVATION = 197.104 FEET

OWNER / APPLICANT

816 BURCHETT STREET
GLENDALE, CA 91203-3642

PHONE: 818.247.0420
FAX: 818.285.0056

APPLICANT'S REPRESENTATIVE

CONTACT: K & S ENGINEERING

ADDRESS: 7809 MISSION CENTER COURT, SUITE 100
SAN DIEGO, CA 92108

PHONE: 619.298.5365

REVISIONS	DATE	BY

K&S ENGINEERING
Planning Engineering Surveying
(619)298-5365 7809 Mission Center Court, Suite 100 San Diego, CA 92108

KAMAL S. SHEIS R.C.E. 46592 EXP. 6.30.2008

REGISTERED PROFESSIONAL ENGINEER KAMAL S. SHEIS No. 46592 EXP. 6/30/08 CIVIL STATE OF CALIFORNIA

TENTATIVE PARCEL MAP / DEVELOPMENT PLAN

LIL JACKSON
SENIOR COMMUNITY

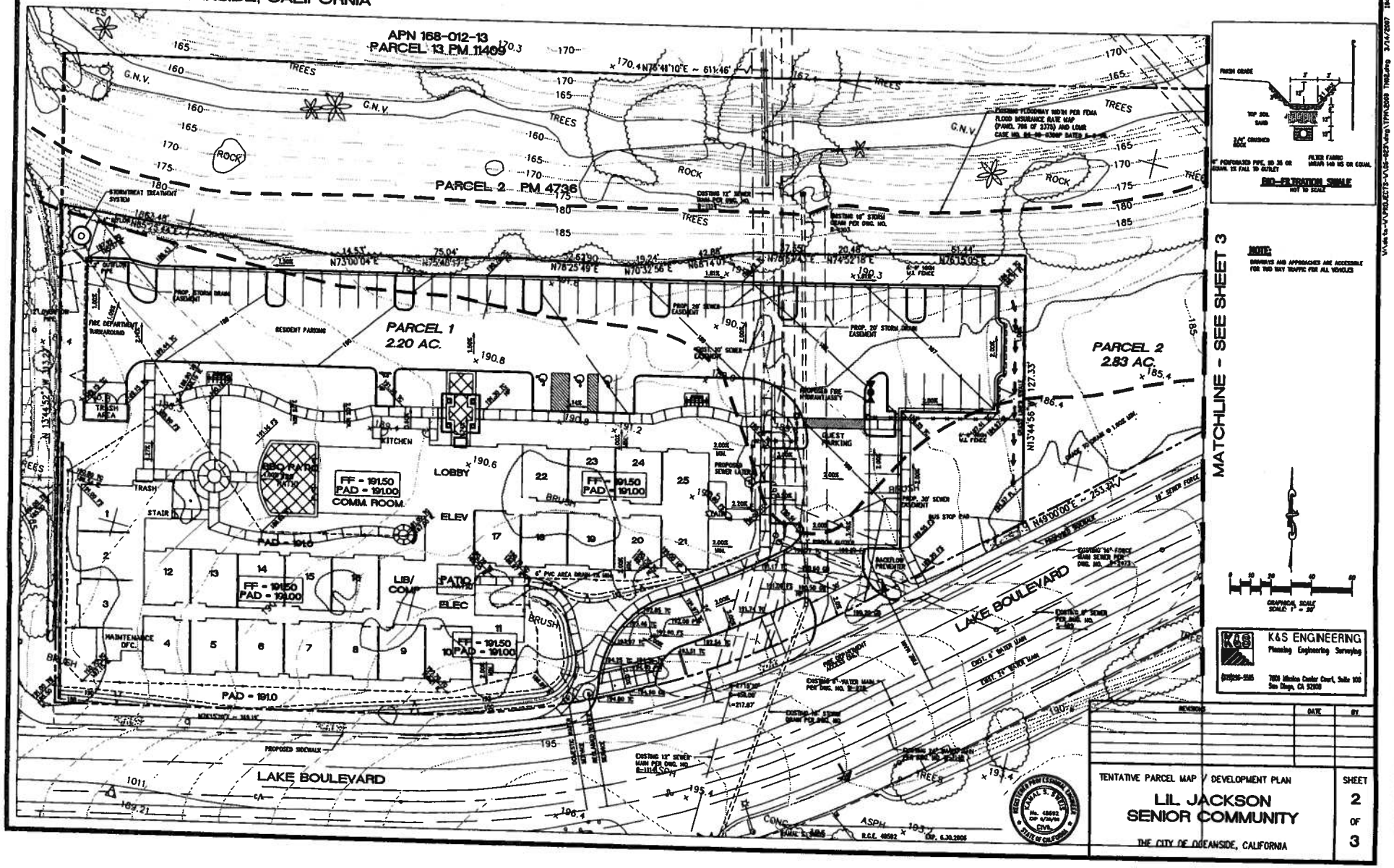
THE CITY OF OCEANSIDE, CALIFORNIA

SHEET 1 OF 3

TENTATIVE PARCEL MAP / DEVELOPMENT PLAN

LIL JACKSON - SENIOR COMMUNITY

THE CITY OF OCEANSIDE, CALIFORNIA



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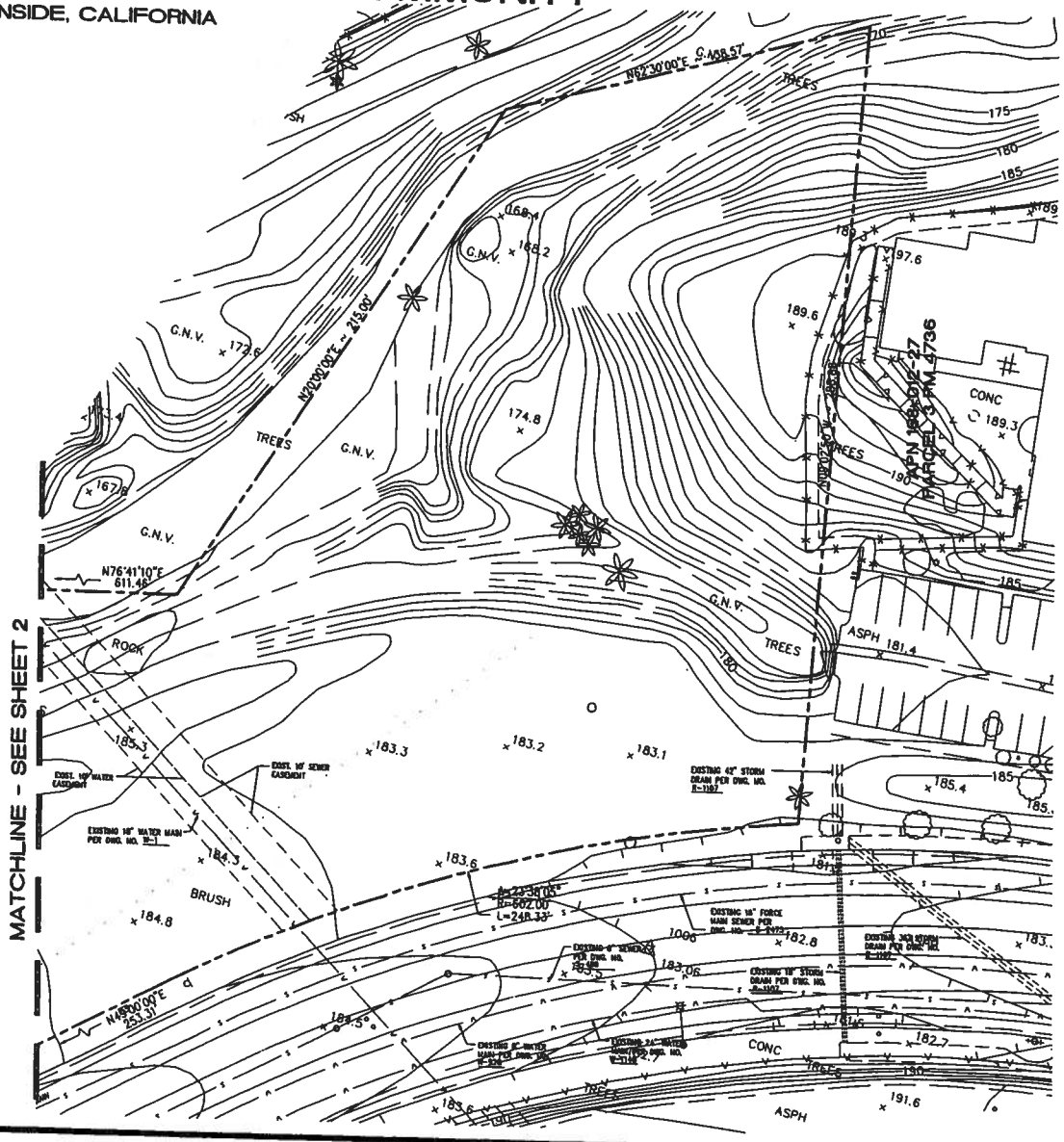

K&S ENGINEERING
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San Diego, CA 92108

KAMAL S. SIDDS R.C.E. 46582 EXP. 6.30.2006

REVISIONS	DATE	BY

TENTATIVE PARCEL MAP / DEVELOPMENT PLAN

LIL JACKSON
SENIOR COMMUNITY

THE CITY OF OCEANSIDE, CALIFORNIA

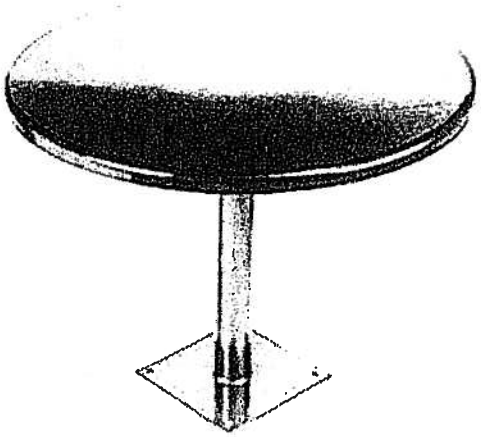
SHEET 3 OF 3

VICTOR STANLEY, INC.

Steelsites Series **RPCT-30**

▸ view all featured products in series

▸ p



Model RPCT-30: Steelsites™ Series Table

Model RPCT-30: All steel 30-inch (762 mm) round café table.

Sizes:
RPCT-24: 24-inch (609.6 mm) round top.
RPCT-30: 30-inch (762 mm) round top.
RPCT-36: 36-inch (914.4 mm) round top.
RPCT-42: 42-inch (1066.8 mm) round top.

Options:
Available as standard with in-ground or surface mount. Optional uml available.

Standard:
All fabricated metal components are steel shotblasted, etched, phos preheated and electrostatically powder-coated with TGIC polyester p coatings.

More Options | Product Library

Coordinating Products

Production Series
PRSCC-8

Production Series
PRSCA-8

Steelsites Series
FTRS-24

Steelsites Series
NTRS-19

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VICTOR STANLEY, INC.

Production Series PRSCA-8

▶ view all featured products in series

▶ p

Model PRSCA-8: Armless all-steel café chair. Shown with removable ac glides.

Sizes:
Width 23 inches (584.2 mm)

Standard:
All fabricated metal components are steel shot-blasted, etched, phospha preheated and electrostatically powder-coated with TGIC polyester powe coatings.

More Options | Product Library

Model PRSCA-8: Production Series™ Seat

Coordinating Products

Production Series
PRSCC-8 w/ PRSCT-36R

Steelsites Series
SPCT-24

Steelsites Series
RPCT-30

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VICTOR STANLEY, INC.

Tables & Chairs - Production Series PRSCT-36R

view all featured products in series Previous 2 of 4 Next

PRSCT-36R: Production Series™ Café Table

Model PRSCT-36R: Round café table. Shown with optional umbrella ho

Sizes:
PRSCT-36R: 36-In (914.4 mm) round top.
PRSCT-42R: 42-In (1066.8 mm) round top.

Options:
Standard mounting includes surface mount tabs with removable adjusta glides. Available with optional umbrella hole.

Standard:
All fabricated metal components are steel shot-blasted, etched, phospha preheated and electrostatically powder-coated with TGIC polyester pow coatings.

More Options | Product Library

Coordinating Products

Production Series
PRS-36

Production Series
PRSCC-8

Production Series
PRSCA-8

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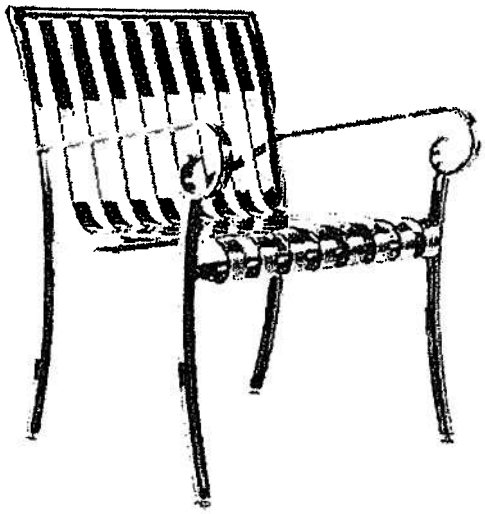
Production Series **PRSCC-8**

print close window



Model PRSCC-8: Production Series™ Seat

Model PRSCC-8: All-steel café chair. Shown with removable adjustable glides.

Sizes:
Width 23 inches (584.2 mm)

Standard:
All fabricated metal components are steel shot-blasted, etched, phosphatized, preheated and electrostatically powder-coated with TGIC polyester powder coatings.

Coordinating Products

Production Series
PRSCA-8

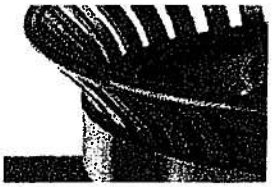
Production Series
PRSCC-8 w/ PRSCT-36R

Steelsites Series
SPCT-24

Steelsites Series
RPCT-30

Powder Coating Color Options

Powder Coating Colors



VS Bronze

VS Black

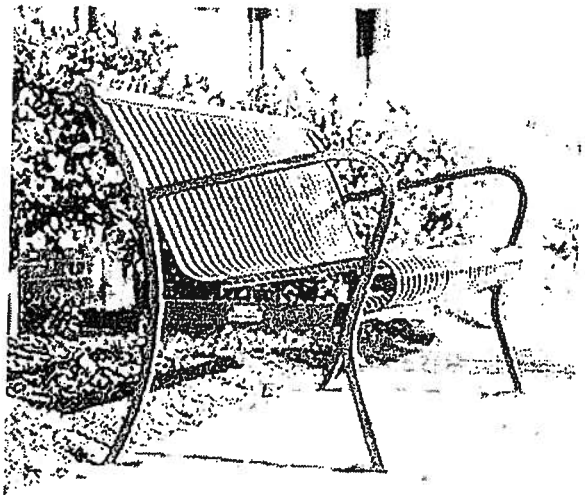
All of our steel products are available in ten standard powder coating colors. We also offer other colors (including the RAL range) at a small additional cost. Contact us for details.

Publicote™ is our name for an elaborate powder coating process that provides a baked resin coating on all exposed steel frames, bench legs, table assemblies, mounting pipe brackets and on all finished steel products. This process includes steel shotblasting, thorough cleaning and surface preparation, and a final coating of nontoxic sealer that makes the subsequent powder

VICTOR STANLEY, INC.

Benches - Production Series PRS-127

view all featured products in series 1 of 6 Next



Model PRS-127: Production Series™ Bench

Model PRS-127: It's solid steel frame and vertical steel scrolls give durability and elegance. The PRS-127 is shown in 6-foot (1.8 Meters

Options:
Armrests are available.

Lengths:
Available as backless model PRS-112. Available as a standard 4-foo Meters), 6-foot (1.8 Meters) and 8-foot (2.4 Meters) lengths.

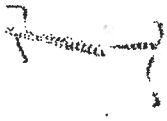
Standard:
All fabricated metal components are steel shot-blasted, etched, phos preheated and electrostatically powder-coated with TGIC polyester p coatings.

More Options | Product Library

Worldwide Installations:

- Heston Park, London Borough of Hounslow, England
- Valkeisenpark, Kuopio (2 of 2), Finland

Coordinating Products



Production Series
PRS-112

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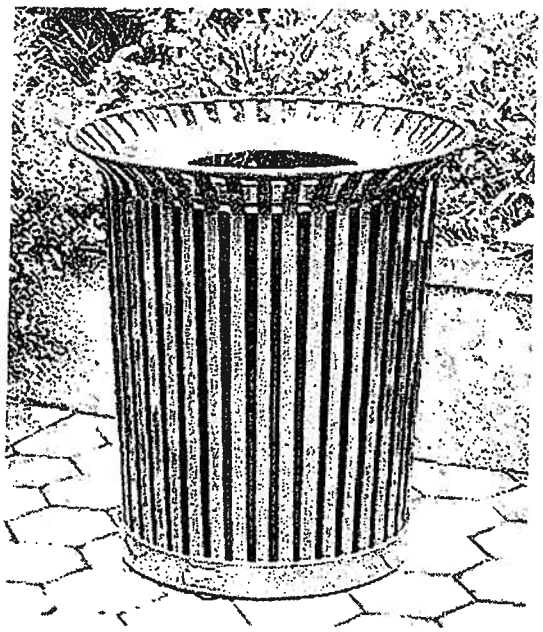
VICTOR STANLEY, INC.

Litter Receptacles - Production Series PRS-36

▶ view all featured products series

1 of 2 Next

▶ p



Model PRS-36: Production Series™ Litter Receptacle

Model PRS-36: This beautifully tapered receptacle is a picturesque ad any outdoor setting. The PRS-36 is shown here in 36-gallon (136 liters

Standard Capacities:
PRS-24: 24-gallon (90 liters)
PRS-36: 36-gallon (136 liters)
PRS-45: 45-gallon (170 liters)

Standard:
All fabricated metal components are steel shotblasted, etched, phosph preheated and electrostatically powder-coated with TGIC polyester pov coatings.

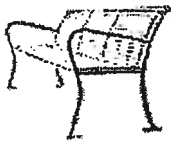
Other standard features include a formed lid attached to the frame with coated steel aircraft cables, a high-density plastic liner, and rubber-tipp feet on the base.

Interior plastic liners for our litter receptacles offer substantial value an produced on molds that we designed and own. These plastic cans are ribbed, and molded for durability, ease of use, and greater capacity.

More Options | Product Library

Coordinating Products

Steelsites RB Series
RMFC-24



Production Series
PRSS-124

Production Series
PRS-112

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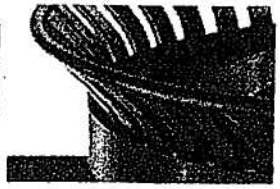
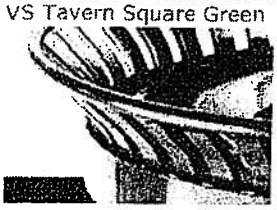
VS Green


VS Tavern Square Green

VS Teal

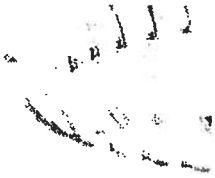

VS Blue

VS Burgundy

VS Red

coating dramatically more effective. The entire process utilizes no toxic solvents and represents our ongoing commitment to operating a modern, effective manufacturing process in a responsible and environmentally sound manner.

Standard Colors: Sample images may not be accurate representations of actual colors. Color representations vary from monitor to monitor.


VS White

VS Gray

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PLANNING COMMISSION
RESOLUTION NO. 2008-P56

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A MITIGATED NEGATIVE DECLARATION ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: P-19-06, D-26-06, C-49-06
APPLICANT: Southern California Presbyterian Homes
LOCATION: 3800 block of Lake Boulevard (across from Esplanade Street)

THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DOES RESOLVE AS FOLLOWS:

WHEREAS, a Notice of Intent to Adopt a Mitigated Negative Declaration was prepared and circulated for public and agency review and property notification was given in accordance with the California Environmental Quality Act; and

WHEREAS, the Planning Commission, after giving the required notice, did on the 22nd day of September, 2008 conduct a duly advertised public hearing on the content of the Mitigated Negative Declaration and Mitigation and monitoring and reporting program; and

WHEREAS, studies and investigations made by this Commission and in its behalf reveal the following facts:

FINDINGS:

For the Mitigated Negative Declaration:

1. The Mitigated Negative Declaration and Initial Study were completed in compliance with the provisions of the California Environmental Quality Act (CEQA).
2. Pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto, a Mitigated Negative Declaration has been prepared stating that if the mitigation measures are met there will not be an adverse impact upon the environment.
3. The new mitigation measures are equivalent or more effective in mitigation or avoiding potential significant effects than the proposed draft mitigation measures and would not cause any potentially significant effect on the environment.
4. The Mitigated Negative Declaration and Mitigation and Monitoring and Reporting Program (M.M.R.P.) have been determined to be accurate and adequate documents,

which reflect the independent judgment and analysis of the Planning Commission. On the basis of the entire record before it, the Planning Commission finds that there is no substantial evidence that the project, with implementation of the mitigation measures proposed, will have a significant impact on the environment.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve the Mitigated Negative Declaration and adopt the mitigation measures provided therein subject to the following conditions:

Mitigation and monitoring and reporting program:

1. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site. Construction contractors shall comply with the following requirements throughout grading and construction.
   a) During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to control dust from leaving the site. At a minimum, this shall include wetting down such areas in the late morning and after work is completed for the day. Increased water frequency shall be required whenever wind speed exceeds 15 miles per hour.
   b) The amount of disturbed area shall be minimized.
   c) On-site vehicle speeds shall be limited to 15 mph or less.
   d) Gravel pads shall be installed at all access points to individual construction sites to prevent tracking of mud onto driveways or public roads.
   e) Soil stockpiled and not worked for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting material to or from the site shall be tarped.
   f) After clearing, grading, earth moving, or excavation is completed, disturbed areas not worked for more than 14 shall be treated by watering or revegetating, or spreading of soil binders until the area is paved or otherwise developed so that dust generation will not occur.
   g) The construction contractor or applicant shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. The designee(s)' duties shall include being

accessible by phone on holiday and weekend periods when work may not be in progress. The name and telephone number of the designee(s) shall be provided to the SDAPCD prior to land use clearance for finish grading.

h) Prior to land use clearance, the dust control requirements shall be shown on grading and building plans.

2. Construction contractors shall adhere to the following requirements during project grading and construction to reduce emissions of ozone precursors and particulate emissions from diesel exhaust (classified as carcinogenic by the State of California).

a) Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) shall be utilized.

b) The engine size of construction equipment shall be the minimum practical size.

c) The number of pieces of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.

d) Construction equipment shall be properly maintained per the manufacturer's specifications.

e) Catalytic converters shall be installed on gasoline-powered equipment.

f) Diesel catalytic converters shall be installed.

g) Small diesel powered equipment shall be replaced by electric equipment whenever feasible.

h) Construction worker trips shall be minimized by promoting carpooling.

3. The applicant shall follow the Department of Toxic Substances Control's interim Guidance for Lead-Based Paint.

4. Low volatile organic compound architectural coatings shall be used whenever feasible.

5. In order to mitigate the impact to southern willow scrub, all permits and authorizations from regulatory agencies for impacts to jurisdictional resources shall be obtained prior to the issuance of grading permits for the project. Implementation of all conditions and requirements in the permit/authorization shall be implemented by the project. Compensation for the loss of southern willow scrub will be negotiated and approved through the permitting process and would include one of the following options:

a) To mitigate impacts to the six small willows, 12 willows will be planted elsewhere on the site within southern willow scrub habitat, in an area currently inhabited by invasive non-native plant species. This alternative will require preparation of a Revegetation Plan including requirements for monitoring and reporting to ensure success of the plantings;

b) An area of 0.02 acres (852 square feet) of disturbed southern willow scrub habitat within the drainage on-site will be identified, have invasive non-native plant species removed, and be maintained free of invasives for a period of five years. This alternative will require monitoring and reporting; or

c) A financial contribution will be made to the Mission Resource Conservation District to aid in their efforts of wetland enhancement and restoration within the Buena Vista Creek watershed. If this option is approved during the permitting process and implemented, the District shall provide written guarantee that wetland enhancement/restoration efforts will be implemented on or in the vicinity of the project site.

6. The following mitigation measures shall be implemented to prevent both direct and indirect impacts and are consistent with the City's Subarea Plan.

a) All mitigation measures identified in this MND shall be complied with as stated in the Mitigation Monitoring and Reporting Program.

b) A qualified biologist shall be retained by the applicant to review the final grading plans, access routes and staging areas, monitor all aspects of construction, educate contractors about the biological sensitivities associated with the area and ensure compliance with mitigation measures.

c) The qualified biologist shall conduct a training session for all project personnel prior to any grading/construction activities. At a minimum the training shall include a description of the target species of concern, its habitats, the general provisions of the Endangered Species Act (Act) and the Multiple Habitat Conservation Program (MHCP), the need to adhere to the provision of the Act and the MHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the target species of

concern as they relate to the project, any provisions for wildlife movement, and the access routes to and project site boundaries within which the project activities must be accomplished.

d) A water pollution and erosion control plan shall be developed that describes sediment and hazardous materials control, dewatering or diversion structures, fueling and equipment management practices and other factors as deemed necessary. Erosion control measures shall be monitored on a regularly scheduled basis, particularly during times of rainfall. Corrective measures shall be implemented in the event erosion control strategies are inadequate. Sediment/erosion control measures shall be continued at the project site until the revegetation efforts are successful at soil stabilization.

e) The footprint of habitat disturbance shall be minimized to the maximum extent feasible. Access to sites shall be via pre-existing access routes to the greatest extent possible.

f) Placement of equipment and personnel within environmentally sensitive habitat areas, stream channels or on sand and gravel bars, banks and adjacent upland habitats used by target species of concern shall be avoided. Activities that can not be conducted without placing equipment or personnel in sensitive habitats shall be timed to avoid the breeding season of the target species of concern.

g) Equipment storage, fueling and staging areas shall be located to minimize risks of direct drainage into riparian areas or other environmentally sensitive habitats. These designated areas shall be located in such a manner as to prevent runoff from entering sensitive habitats. All necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. All project related spills of hazardous materials shall be reported to appropriate entities including but not limited to the City of Oceanside, USFWS, CDFG, and State Water Quality Control Board (SWQCB) and shall be cleaned up immediately and contaminated soils removed to approved disposal areas.

h) Erodible fill material shall not be deposited into water courses. Brush, loose soils, or other similar debris material shall not be stockpiled within the stream channel or on its banks.

i) Stockpiling of materials and other aspects of construction staging shall be limited to disturbed areas without native vegetation, areas to be impacted by project development or in non sensitive habitats.

j) "No-fueling zones" shall be established within a minimum of 10 meters (33 feet) from all drainages and fire sensitive areas.

k) Scheduling of construction activities shall minimize potential impacts to biological resources. Construction adjacent to drainages shall occur during periods of minimum flow (i.e. summer through first rain of fall) to avoid excessive sedimentation and erosion and to avoid impacts to drainage dependent species. Construction near riparian areas or other sensitive habitats shall be scheduled to avoid the breeding season (March through September) and potential impacts to breeding bird species.

l) Human and pet access to preserve areas shall be limited to designated trails by use of natural vegetation, topography, signs and limited fencing.

m) Artificial lighting adjacent to the preserve area shall be eliminated except where essential for roadway, facility use and safety and security purposes. Where use of artificial lighting is necessary it shall be limited to low-pressure sodium sources. Use of low voltage outdoor or trail lighting, spotlights or bug lights is prohibited. All light sources shall be shielded so that lighting is focused downward to restrict any light spillover onto sensitive habitat. Use of night lighting, if necessary, shall be the lowest illumination necessary and directed away from sensitive habitat.

n) The qualified biologist shall monitor construction activities throughout the duration of the project to ensure that all practicable measures are being employed to avoid incidental disturbance of habitat and any target species of concern outside the project footprint. Construction monitoring reports shall be completed and provided to the City of Oceanside, USFWS and CDFG summarizing how the project complies with applicable conditions. The project biologist shall be

empowered to halt work activity if necessary and to confer with staff from the City of Oceanside, USFWS and CDFG to ensure the proper implementation of species and habitat protection measures.

o) The removal of native vegetation shall be avoided and minimized to the maximum extent practicable. Temporary impacts shall be returned to pre-existing contours and revegetated with appropriate native species. All revegetation plans shall be prepared and implemented consistent with Appendix C of the MHCP (Revegetation Guidelines of the Final MHCP Plan - Volume II) and shall require written concurrence of the USFWS and CDFG.

p) To avoid attracting predators of the target species of concern, the project site shall be kept clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site. Pets of project personnel shall not be allowed on site where they may come in contact with any listed species.

q) Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed 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 shall be fenced with orange snow screen. Exclusion fencing shall be maintained until the completion of all construction activities. All employees shall be instructed that their activities are restricted to the construction areas.

r) Any habitat destroyed that is not in the identified project footprint shall be disclosed immediately to the City of Oceanside, USFWS and CDFG and shall be compensated at a minimum ratio of 5:1.

s) If dead or injured listed species are located, initial notification must be made within three working days, in writing to the USFWS Division of Law Enforcement in Torrance California and by telephone and in writing to the applicable jurisdiction, Carlsbad Field Office of the USFWS, and CDFG.

t) The City of Oceanside shall have the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project conditions and BMPs. The USFWS and CDFG may accompany the City representatives on this inspection.

u) Any planting stock to be brought onto the site for landscaping or ecological restoration shall be first inspected by a qualified pest inspector to ensure it is free of pest species that could invade natural areas, including but not limited to Argentine ants, fire ants, and other insect pests. Any planting sock found to be infested with such pests shall not be allowed on the project site or within 300 feet of natural habitats. The stock shall be quarantined, treated or disposed of according to best management principles by qualified experts in a manner that precludes invasions into natural habitats.

v) All mitigation sites shall be conserved through conservation easement, and proof of recordation shall be provided to the City of Oceanside prior to land disturbance.

w) Use of retaining walls shall be minimized. Development on the site shall be configured to existing topography to minimize grading and landform alteration.

7. In order to prevent future indirect impacts (edge effects) to sensitive habitats, a barrier shall be constructed along the eastern property boundary and at the top of the slope along the northern property boundary. This impermeable barrier (a six-foot tall, four-inch narrowly spaced wrought iron fence), with the biological buffers provided, will provide adequate protection to the native habitats located on and adjacent to the site. This type of fence will prevent domestic predators from encroaching into the preserved creek area.

8. In accordance with the City's Subarea Plan, a restoration plan shall be prepared and implemented that describes the portions of the biological buffer to be restored, the revegetation specifications, the performance standards, and the maintenance and monitoring requirements. This plan will also include a long-term management and monitoring program as appropriate. The Restoration Plan shall be reviewed and approved by the City and the wildlife agencies prior to issuance of a grading permit.

9. In order to ensure the long-term biological value of avoided resources on the project site, the avoided riparian habitat and the 50-foot wide biological buffer will be designated as biological open space and legally protected through one of the following mechanisms:

a) The City of Oceanside shall maintain ownership of the entire biological open space area and the area shall be designated as open space through a deed restriction, open space lot establishment, or other mechanism. The City shall manage this land in perpetuity consistent with the other City-owned lands managed under the City's Subarea Plan; or

b) A conservation easement shall be established over the biological open space area. The conservation easement shall be held by a qualified land management entity with the Wildlife Agencies as third party beneficiaries. The land management entity shall have the funding to implement long-term management and monitoring of the open space.

10. Prior to approval of grading improvement plans, the applicant shall implement a grading monitoring plan to mitigate potential impacts to undiscovered buried archaeological resources on the project site to the satisfaction of the City of Oceanside.

11. In the event that cultural resources are discovered, work must cease, and the City Planner shall be contacted immediately. A qualified archaeologist shall be consulted to assess the significance of the resource and to provide proper management and/or handling recommendations.

12. In the event that no cultural resources are discovered, a brief letter stating that archeological monitoring was conducted and no resources were encountered shall be sent to the lead agency by the consulting archaeologist that the grading monitoring activities have been complete.

13. Prior to approval of grading improvement plans, the applicant shall implement a grading monitoring plan which outlines activities that may affect the Santiago Peak Formation, timing, reporting, etc. to the satisfaction of the City. The Plan shall outline the process/ verification that will occur to ensure that all grading activity that could potentially alter the Santiago Formation is monitored by a qualified paleontologist. In the event that paleontological resources are discovered, work must cease, and the City Planner shall be

contacted immediately. A qualified paleontologist shall be consulted to assess the significance of the resource and to provide proper management and or handling recommendations. In the event that no paleontological resources are discovered, a brief letter stating that paleontological monitoring was conducted and no resources were encountered shall be sent to the City by the consulting paleontologist. This letter shall be filed in the project file and mitigation monitoring reporting program documents.

14. In the unlikely event that human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner shall be notified of any human remains found immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC) which will determine and notify a most likely descendant. With the permission of the landowner or his/her authorized representative, the most likely descendant may inspect the site of the discovery. The most likely descendant may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

15. Equipment will use available noise suppression devices and properly maintained mufflers. Construction noise will be reduced by using quiet or "new technology", equipment, particularly the quieting of exhaust noises by use of improved mufflers where feasible. All internal combustion engines used at the Project site will be equipped with the type of muffler recommended by the vehicle manufacturer. In addition, all equipment will be maintained in good mechanical condition to minimize noise created by faulty or poorly maintained engine and other components.

16. During all site preparation, grading and construction, contractors shall minimize the staging of construction equipment and unnecessary idling of equipment in the vicinity of residential land uses.

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17. In order to alleviate traffic conditions at Lake Boulevard and Esplanade Street, the applicant shall pay a fair share portion of the cost of the traffic signal currently being installed by the City at this intersection. Installation of this signal will allow this intersection to operate at LOS C.

PASSED AND ADOPTED Resolution No. 2008-P56 on September 22, 2008 by the following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____

Claudia Troisi, Chairperson
Oceanside Planning Commission

ATTEST:

_____

Jerry Hittleman, Secretary

I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 2008-P56.

Dated: September 22, 2008

PLANNING COMMISSION
RESOLUTION NO. 2008-P57

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A TENTATIVE PARCEL MAP, DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: P-19-06, D-26-06, C-49-06
APPLICANT: Southern California Presbyterian Homes
LOCATION: 3800 block of Lake Boulevard (across from Esplanade Street)

THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DOES RESOLVE AS FOLLOWS:

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Tentative Parcel Map, Development Plan and Conditional Use Permit under the provisions of Articles 10, 30, 31, 40, 41, and 43 of the Zoning Ordinance and Article VI of the Subdivision Ordinance of the City of Oceanside to permit the following:

a two-lot subdivision of an existing 5.03-acre lot, construction of a 62,306-square foot building consisting of an 80-unit age-restricted residential structure, and development above the base density of the RH-U District

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 22nd day of September, 2008 conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; a Mitigated Negative Declaration has been prepared stating that if the mitigation measures are met there will not be an adverse impact upon the environment

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and city ordinance;

WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS HEREBY GIVEN that the project is subject to certain fees, dedications, reservations and other exactions as provided below:

Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	$3,503 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is $2,843-$15,964 per acre)
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	$.713 per square foot or $2,072 per unit for residential
School Facilities Mitigation Fee	Ordinance No. 91-34	$2.63 per square foot residential
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	$15.71 per vehicle trip
Thoroughfare Fee	Ordinance No. 83-01 Resolution No. 06-R0334-1	$255 per vehicle trip
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Residential is typically $35,160 and $430.
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Residential is typically $48,280.
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically $23,358.
Inclusionary housing in lieu fees—Residential only.	Chapter 14-C of the City Code	$1,000 per development project + $100 per unit plus $10,275 per unit

WHEREAS, the current fees referenced above are merely fee amount estimates of the impact fees that would be required if due and payable under currently applicable ordinances and resolutions, presume the accuracy of relevant project information provided by the applicant, and are not necessarily the fee amount that will be owing when such fee becomes due and payable;

WHEREAS, unless otherwise provided by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 32B of the Oceanside City Code and the City expressly reserves the right to amend the fees and fee calculations consistent with applicable law;

WHEREAS, the City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law;

WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS FURTHER GIVEN that the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020;

WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes effective 10 days from its adoption in the absence of the filing of an appeal or call for review;

WHEREAS, the documents or other material which constitute the record of proceedings upon which the decision is based will be maintained by the City of Oceanside Planning Division, 300 North Coast Highway, Oceanside, California 92054.

WHEREAS, studies and investigations made by this Commission and in its behalf reveal the following facts:

FINDINGS:

For the Tentative Parcel Map P-19-06:

1. The proposed two-lot subdivision is consistent with the General Plan, including Objective 2.3 *Residential development*. The-two lot subdivision will benefit the community with the enhancement of multi-family residential units within the Lake Neighborhood.
2. The City Development Engineer has reviewed the proposal and finds that the site is physically suitable for a multi-family residential development.
3. The site is designated UHD-R, which has a density range of 29 to 43 dwelling units per gross acre. The proposed 40.8 dwelling units per gross acre are within the potential density range for this designation.
4. The design of the subdivision and the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their

habitat. One of the two proposed lots shall remain undeveloped. The other lot will include sufficient structural setbacks to reduce impacts to the environment to a less than significant level.

5. The design of the subdivision and the multi-family residential structure will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. The existing easements are not obstructed by the proposed improvements.

6. The two-lot subdivision complies with all other applicable ordinances, regulations, and guidelines of the City of Oceanside, including but not limited to the Local Floodplain Ordinance, because the proposed improvements are proposed to be constructed beyond the limits of the one-hundred year flood plain.

For the Development Plan D-26-06:

1. That the site plan and physical design of the project as proposed is consistent with the purposes of the Zoning Ordinance. The proposed 80-unit multi-family residential development complies with development and land use regulations set forth by the Oceanside Zoning Ordinance, including building height, required yards, and floor area.

2. That the Development Plan as proposed conforms to the General Plan of the City, including Objectives 1.16 *Housing* and 2.3 *Residential development*. The proposed 80-unit multi-family residential development encourages the property type, location, and design of housing to benefit the community consistent with the enhancement and establishment of the Lake Neighborhood and a well balanced and organized City.

3. The area covered by the Development Plan can be adequately, reasonably and conveniently served by existing and planned public services, utilities, and public facilities.

4. The project, as proposed, is compatible with the existing and potential development on adjoining properties and in the surrounding neighborhood. The proposed density is between the base and maximum potential density of the RH-U District. The surrounding area includes senior housing, and multi-family and single-family residential units.

5. The site plan and physical design of the project is consistent with the policies contained within Section 1.24 of the Land Use Element of the General Plan. The development preserves and enhances the unique beauty and character of the City's natural topographic features and does not contribute to slope instability, flooding, or erosion hazards to life and property. A geotechnical analysis has been completed and the structure is situated outside of the boundaries of the floodplain. Undevelopable lands have been identified and protected to preserve their significant natural resources. The structure and off-street parking provide adequate setbacks from native plants and riparian areas.

For the Conditional Use Permit C-49-06:

1. The proposed location of the age-restricted multi-family residential land use is in accord with the objectives of the ordinance and the purposes of the RH-U District. The proposal provides an opportunity for an intensive form of residential development, 40.8 dwelling units per gross acre, in the 3800 block of Lake Boulevard.

2. The proposed location of the age-restricted multi-family residential land use and the proposed conditions under which it would be operated and maintained will be consistent with the General Plan. Pursuant to Section 2.32.B11, the proposal to construct dwelling units above the base density is offered in conjunction with the applicant's participation in the City's Housing program. The project will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of the residential use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city.

3. The proposed multi-family residential land use will comply with the provisions of the ordinance, including any specific condition required for the proposed increase in density in the RH-U District. The requested reduction in the required number of off-street parking spaces shall not be materially detrimental to public health, safety, and welfare, or injurious to property and/or improvements within the projects' vicinity. The requested reduction in the required number of off-street parking spaces shall not result in an overall development pattern that is incompatible with other structures in the immediate vicinity. The off-street parking incentives will make the project

economically feasible with minimum deviations from established standards and minimal impacts to health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approves P-19-06, D-26-06 and C-49-06 subject to the following conditions:

Building:

1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building Division plan check. (Currently the 2007 California Building Code, and 2007 California Electrical Code)
2. The granting of approval under this action shall in no way relieve the applicant/project from compliance with all State and Local building codes.
3. Site development, common use areas, access and adaptability of apartments and condominiums shall comply with the State's Disabled Accessibility Regulations (2007 California Building Code (CBC), Chapter 11A).
4. The building plans for this project are required by State law to be prepared by a licensed architect or engineer and must comply with this requirement prior to submittal for building plan review.
5. All electrical, communication, CATV, etc. service lines within the exterior lines of the property shall be underground (City Code Sec. 6.30).
6. All outdoor lighting must comply with Chapter 39 of the City Code (Light Pollution Ordinance). Where color rendition is important, high-pressure sodium, metal halide or other such lights may be utilized and shall be shown on building and electrical plans.
7. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the plans.
8. The developer shall monitor, supervise and control all building construction and supporting activities so as to prevent these activities from causing a public nuisance, including, but not limited to, strict adherence to the following:
   a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for work that is not inherently noise-producing. Examples of work not permitted on Saturday are concrete and grout pours, roof nailing and activities of similar noise-

producing nature. No work shall be permitted on Sundays and Federal Holidays (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Day) except as allowed for emergency work under the provisions of the Oceanside City Code Chapter 38 (Noise Ordinance).

b) The construction site shall be kept reasonably free of construction debris as specified in Section 13.17 of the Oceanside City Code. Storage of debris in approved solid waste containers shall be considered compliance with this requirement. Small amounts of construction debris may be stored on-site in a neat, safe manner for short periods of time pending disposal.

9. Separate/unique addresses will/may be required to facilitate utility releases. Verification that the addresses have been properly assigned by the City's Planning Division must accompany the Building Permit application.

10. A complete Soils Report, Structural Calculations, & Energy Calculations/documentation will be required at time of plans submittal to the Building Division for plan check.

11. A private sewer system design must be submitted to the Building Division and approved prior to the construction of the sewer system. If a Gravity flow system is not used, a mechanical system must be submitted and approved by all City of Oceanside Departments.

Fire Prevention:

12. Smoke detectors are required and detector locations must be indicated on the plans.

13. A minimum fire flow of 3,000 gallons per minute shall be provided.

14. The size of fire hydrant outlets shall be 2.5 inches by 2.5 inches by 4 inches.

15. All proposed and existing fire hydrants within 400 feet of the project shall be shown on the site plan.

16. The fire hydrants shall be installed and tested prior to placing any combustible materials on the job site.

17. Provide on-site hydrants and mains capable of supplying the required fire flow.

18. Detailed plans of underground fire service mains shall be submitted to the Oceanside Fire Department for approval prior to installation.

19. Blue hydrant identification markers shall be placed as per Oceanside's Engineers Design and Processing Manual Standard Drawing No. M-13.

20. All weather access roads shall be installed and made serviceable prior to and maintained during time of construction.

21. The Fire Department access roadway shall be provided with adequate turning radius for Fire Department apparatus (a 50-foot outside and 30-foot inside radius).

22. All streets less than 32 feet wide shall be posted "NO PARKING FIRE LANE" per Vehicle Code Section 22500.1 and in accordance with the Fire Department Standard Guidelines for Emergency Access.

23. All security gates shall have a Knox-box override and as required have strobe activation capability.

24. Fire extinguishers are required and shall be included on the plans submitted for plan check.

25. An approved fire sprinkler system must be installed throughout the building. The system shall be designed per N.F.P.A. 13, and U.B.C. Standard 9-1. The sprinkler system requires 24-hour supervision.

26. The Fire Department connection shall not be affixed to the building. The Fire Department connection must be located at least 40 feet away from the building, within 40 feet of a fire hydrant, and on the address side of the building, unless otherwise accepted by the Fire Department. The hydrant shall be located on the same side of the street as the Fire Department connection.

27. Provide a fire alarm system as required per C.F.C. Article 10 and N.F.P.A. 72

28. Buildings shall meet Oceanside sprinkler ordinance in effect at the time of building permit application.

29. In accordance with the California Fire Code Sec. 901.4.4, approved address for residential occupancies shall be placed on the structure in such a position as to be plainly visible and legible from the street or roadway fronting the property. Numbers shall be contrasting with their background.

30. Multi-tenant buildings require identification on the rear exit doors with individual suite numbers or letters.

31. Commercial buildings and multi-family dwellings require 6 inch address numbers.

32. Plans shall be submitted to the Fire Prevention Bureau for plan check review and approval prior to the issuance of building permits. A site plan indicating the fire access and hydrant locations must also be submitted on CD Rom.

33. Buildings shall meet Oceanside Fire Department's current codes at the time of building permit application.

34. Hammerhead turn-around is required to meet Fire Department minimum requirements without obstructions placed in the turn-around.

35. Except as otherwise provided, no person shall own, erect, construct or occupy any building or structure, or any part thereof, or cause the same to be done, which fails to support adequate radio coverage for City emergency service workers operating on the 800 MHz Countywide Coordinated Communication System, or the current radio system in use. Further, owners must maintain a reasonable standard of reliable radio communication within their buildings and structures once a Certificate of Occupancy is issued. The B.D.A. coverage enhancers must be maintained as a condition of occupancy and tested annually. When tested, if the 800 MHz signal strength readings (R.S.S.I.) fall below 65 in any portion of the building, either above or below grade as measured by an 800 MHz portable radio, the purchase and installation of one or more bidirectional amplifier radio coverage enhancers is required. A minimum signal strength of (-95 dBm) in 90 percent of the area of each floor building from both the 800 MHz Countywide Communications Systems and from within the building is required.

Engineering:

36. For the demolition of any existing structures or surface improvements, grading plans shall be submitted and erosion control plans be approved by the City Engineer prior to the issuance of a demolition permit. No demolition shall be permitted without an approved erosion control plan.

37. With the exception of the access points approved by the City Engineer, vehicular access rights to Lake Boulevard shall be relinquished by the property owner. The location of access to/from Parcel 2 shall be approved by the City Engineer at the time of development of said Parcel.

38. All right-of-way alignments, street dedications, exact geometrics and widths shall be dedicated and improved as required by the City Engineer.

39. Design and construction of all improvements shall be in accordance with standard plans, specifications of the City of Oceanside and subject to approval by the City Engineer.

40. Prior to issuance of a building permit, all improvement requirements shall be covered by a development agreement and secured with sufficient improvement securities or bonds guaranteeing performance and payment for labor and materials, setting of monuments, and warranty against defective materials and workmanship.

41. Prior to approval of the final map or any increment, all improvement requirements, within such increment or outside of it if required by the City Engineer, shall be covered by a subdivision agreement and secured with sufficient improvement securities or bonds guaranteeing performance and payment for labor and materials, setting of monuments, and warranty against defective materials and workmanship.

42. The subdivision shall be recorded as one. The subdivision may be developed in phases. A construction-phasing plan for the construction of on-site public and private improvements shall be reviewed and approved by the City Engineer prior to the recordation of the final map. Prior to the issuance of any building permits all off-site improvements including landscaping, landscaped medians, frontage improvements shall be under construction to the satisfaction of the City Engineer. Prior to issuance of any certificates of occupancy the City Engineer shall require the dedication and construction of necessary utilities, arterials and streets and other improvements outside the area of any particular final map, if such is needed for circulation, parking, access or for the welfare or safety of future occupants of the development. The boundaries of any multiple final map increment shall be subject to the approval of the City Engineer.

43. The subdivider shall provide the City of Oceanside with a certification from each public utility and each public entity owning easements within the proposed project stating that: (a) they have received from the developer a copy of the proposed map; (b) they object or do not object to the filing of the map without their signature; (c) in case of a street dedication affected by their existing easement, they will sign a "subordination certificate" or "joint-use certificate" on the map when required by the governing body. In addition, the

subdivider shall furnish proof to the satisfaction of the City Engineer that no new encumbrances have been created that would subordinate the City's interest over areas to be dedicated for public road purposes since submittal of the project.

44. Prior to the issuance of any grading, improvement or building permits for a model complex, a construction-phasing plan for the entire project shall be reviewed and approved by the City Planner, City Engineer, and Building Official. All improvements shall be under construction to the satisfaction of the City Engineer prior to the issuance of any building permits. All public and private improvements including landscaping and off-site streets or arterials that are found to be required to serve the model complex shall be completed prior to the issuance of any certificates of occupancy.

45. Where off-site public or private improvements, including but not limited to slopes, utility facilities, and drainage facilities, or on-site public facilities are to be constructed and/or maintained, the developer shall, at his own expense, obtain all necessary easements or other interests in real property and, in case of public facilities, shall dedicate the same to the City of Oceanside or to the appropriate utility company as required. The developer shall provide documentary proof satisfactory to the City of Oceanside that such easements or other interest in real property have been obtained prior to the approval of the final map or issuance of appropriate grading, building or improvement permit for the development. Additionally, the City of Oceanside, may at its sole discretion, require that the developer obtain at his sole expense a title policy insuring the necessary title for the easement or other interest in real property to have vested with the City of Oceanside or the developer, as applicable.

46. Pursuant to the State Map Act, improvements shall be required at the time of development. A covenant, reviewed and approved by the City Attorney, shall be recorded attesting to these improvement conditions and a certificate setting forth the recordation shall be placed on the map.

47. Prior to the issuance of a grading permit, the developer shall notify and host a neighborhood meeting with all of the area residents located within 300 feet of the project site, and residents of property along any residential streets to be used as a "haul route", to

inform them of the grading and construction schedule, haul routes, and to answer questions.

48. The developer shall monitor, supervise and control all construction and construction-supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

49. Dirt, debris and other construction material shall not be deposited on any public street or within the City's stormwater conveyance system.

50. All grading and related site preparation and construction activities shall be limited to the hours of 7:00 a.m.to 6:00 p.m., Monday through Friday. No engineering related construction activities shall be conducted on Saturdays, Sundays or legal holidays unless written permission is granted by the City Engineer with specific limitations to the working hours and types of permitted operations. All on-site construction staging areas shall be as far as possible (minimum 100 feet) from any existing residential development. Because construction noise may still be intrusive in the evening or on holidays, the City of Oceanside Noise Ordinance also prohibits "any disturbing excessive or offensive noise which causes discomfort or annoyance to reasonable persons of normal sensitivity."

51. The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

52. A haul route shall be obtained at least 7 days prior the start of hauling operations and must be approved by the City Engineer. Hauling operations shall be 8:00 a.m. to 3:30 p.m. unless approved otherwise.

53. A traffic control plan shall be prepared according to the City traffic control guidelines and be submitted to and approved by the City Engineer prior to the start of work within open City rights-of-way. Traffic control during construction of streets that have been opened to public traffic shall be in accordance with construction signing, marking and other protection as required by the Caltrans Traffic Manual and City Traffic Control Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless approved otherwise.

54. Approval of this development project is conditioned upon payment of all applicable impact fees and connection fees in the manner provided in chapter 32B of the Oceanside

City Code. All drainage fees, traffic signal fees and contributions, highway thoroughfare fees, park fees, reimbursements, and other applicable charges, fees and deposits shall be paid prior to recordation of the map or the issuance of any building permits, in accordance with City Ordinances and policies. The developer shall also be required to join into, contribute, or participate in any improvement, lighting, or other special district affecting or affected by this project. Approval of the tentative map and development plan shall constitute the developer's approval of such payments, and his agreement to pay for any other similar assessments or charges in effect when any increment is submitted for final map or building permit approval, and to join, contribute, and/or participate in such districts.

55. Public streets shall be improved with portland cement concrete curbs, gutters, and sidewalks.

56. Streets shall provide a minimum of 10 feet parkway between the face of curb and the right-of-way line along all public street frontages. Sidewalk improvements shall comply with ADA requirements. A minimum four feet wide continuous strip of the parkway shall be kept unpaved. All improvements, structures, including retaining wall(s), and the landscaping of the unpaved portion of the parkway shall be maintained by the owner of the subject property or by a Home Owners' Association in perpetuity.

57. Sight distance and clear space easement requirements at intersections and vehicular access points shall conform to the corner sight distance criteria as provided by SDRSD DS-20A and or DS-20B for each direction of traffic. The project's civil engineer shall submit an appropriate "Sight Distance Letter" to the City Engineer certifying compliance with this requirement.

58. Streetlights shall be maintained and installed on all public streets within the project and along the project's frontage per City Standards. The system shall provide uniform lighting, and be secured prior to occupancy. The developer shall pay all applicable fees, energy charges, and/or assessments associated with City-owned (LS-2 rate schedule) streetlights and shall also agree to the formulation of, or the annexation to, any appropriate street lighting district.

59. The alignments and all geometrics for streets, alleys, and driveways shall meet the City's applicable standards, unless alignment or geometric deviations are otherwise approved by satisfying sight distance and fire truck turning movement requirements approved with the tentative map and development plan.

60. Pavement sections for all streets, alleys, driveways and parking areas within the project and along the project's frontage shall be based upon approved soil tests and traffic indices. The pavement design is to be prepared by the developer's soil engineer and must be approved by the City Engineer, prior to paving.

61. Prior to approval of the grading plans, the developer shall provide appropriate documentation from a geotechnical engineer on the current state of the street's structural section to the satisfaction of the City Engineer. If such documentation is not available, the developer's geotechnical engineer shall perform a field investigation of the existing pavement on all streets adjacent to the project boundary. The limits of the study shall be half-street (including median, if any) plus 12 feet along the project's frontage. If required, the field investigation shall be performed according to a specific boring plan prepared by a licensed Geotechnical Engineer and approved by the City Engineer. In the absence of such approved boring plan, the field investigation shall include a minimum of one pavement boring per every 100 linear feet of street frontage. Should the existing structural section be determined to be less than the current minimum standard for AC and Class II Base as set forth in the table for City of Oceanside Pavement Design Guidelines in the City of Oceanside Engineers Manual, the developer shall remove and reconstruct the pavement section as determined by the pavement analysis submittal process detailed below.

62. Upon review of the pavement investigation, the City Engineer shall determine whether the developer shall: 1) Repair all failed pavement sections, header cut and grind per the direction of the City Engineer, and construct a two-inch thick rubberized AC overlay; or 2) Perform R-value testing and submit a study that determines if the existing pavement meets current City standards/traffic indices. Should the study conclude that the pavement does not meet current requirements, rehabilitation/mitigation recommendations shall be

provided in a pavement analysis report, and the developer shall reconstruct the pavement per these recommendations, subject to approval by the City Engineer.

63. All street improvements shall be completed to the satisfaction of the City Engineer.

64. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during construction of the project, shall be repaired or replaced as directed by the City Engineer.

65. All existing overhead utility lines within the subdivision and within the full width street or right-of-way abutting the new subdivision that do not meet the criteria for a Waiver as described in Section 901.G.3 of the Subdivision Ordinance, and all new extension services for the development of the project, including but not limited to, electrical, cable and telephone, shall be placed underground prior to issuance of a building permit for Parcel 2 per Section 901.G of the Subdivision Ordinance (R91-166) and as required by the City Engineer and current City policy.

66. At the request of the developer of Parcel 2, the Deferral Provisions of Section 901.G.4 may be applied to existing overhead utilities. If the deferral provisions apply, the developer of Parcel 2 shall make an in-lieu payment prior to the issuance of the building permit, based upon the length of utilities to be placed underground at the rate in effect at said approval or as established by the City Engineer per Section 901.G of the Subdivision Ordinance (R91-166) and as required by current City policy. For the determination of the dollar amount of the in-lieu payment, the developer of Parcel 2 shall submit undergrounding plans and quantity takeoff estimates for review and approval by the City Engineer. The plans should be prepared by a qualified professional in full compliance with the design requirements set forth by Section 901.G. Prior to submittal to the City Engineer, the plans and estimates shall be approved by all utility companies whose overhead lines are required to be undergrounded.

67. The developer shall comply with all the provisions of the City's cable television ordinances including those relating to notification as required by the City Engineer.

68. Grading and drainage facilities shall be designed and installed to adequately accommodate the local stormwater runoff and shall be in accordance with the City's Engineers Manual and as directed by the City Engineer.

69. The developer shall obtain any necessary permits and clearances from all public agencies having jurisdiction over the project due to its type, size, or location, including but not limited to the U. S. Army Corps of Engineers, California Department of Fish & Game, U. S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board (including NPDES), San Diego County Health Department, prior to the issuance of grading permits.

70. The approval of the tentative map or development plan shall not mean that proposed grading or improvements on adjacent properties (including any City properties/right-of-way or easements) is granted or guaranteed to the developer. The developer is responsible for obtaining permission to grade or to construct on adjacent properties. Should such permission be denied, the resulting changes to the Tentative Map/Development Plan shall be subject to a Substantial Conformity review. Changes not meeting substantial conformity requirements shall be submitted for appropriate public hearing action.

71. Prior to any grading of any part of the subdivision/development, a comprehensive soils and geologic investigation shall be conducted of the soils, slopes, and formations in the project. All necessary measures shall be taken and implemented to assure slope stability, erosion control, and soil integrity. No grading shall occur until a detailed grading plan, to be prepared in accordance with the Grading Ordinance and Zoning Ordinance, is approved by the City Engineer.

72. The extent and location of the proposed grading including "over excavation" should be clearly depicted on a grading plan. The consultant shall provide recommendations and the means for temporary excavations for removals during construction and the sequence of construction. Cross sections depicting the location of adjacent structures and public ways where the excavations would remove the lateral support shall be part of the excavation plans.

73. The means and methods of verifying that the required compaction grouting has been achieved shall be provided. A certification that the required densification of the earth materials above the sandstone bedrock has been accomplished shall be required prior to approval of any proposed improvements or structures.

74. It is the responsibility of the property owner/developer to evaluate and determine that all soil imported as part of this development is free of hazardous and/or contaminated material as defined by the City and the County of San Diego Department of Environmental Health. Exported or imported soils shall be properly screened, tested, and documented regarding hazardous contamination.

75. This project shall provide year-round erosion control including measures for the site required for the phasing of grading. Prior to the issuance of grading permit, an erosion control plan, designed for all proposed stages of construction, shall be reviewed, secured by the developer with cash securities and approved by the City Engineer.

76. Precise grading and private improvement plans shall be prepared, reviewed, secured and approved prior to the issuance of any building permits. The plan shall reflect all pavement, flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, and signage, footprints of all structures, walls, drainage devices and utility services. Parking lot striping and any on-site traffic calming devices shall be shown on all Precise Grading and Private Improvement Plans.

77. Landscaping plans, including plans for the construction of walls, fences or other structures at or near intersections or project entrances, must conform to intersection sight distance requirements.

78. Landscape and irrigation plans must be submitted to the City Engineer prior to the issuance of a preliminary/rough grading permit and approved by the City Engineer prior to the issuance of occupancy permits. Frontage and median landscaping shall be installed prior to the issuance of any certificates of occupancy. Any project fences, sound or privacy walls and monument entry walls/signs shall be shown on, bonded for and built from the landscape plans. These features shall also be shown on the precise grading plans for purposes of location only. Plantable, segmental walls shall be designed, reviewed and constructed by the grading plans and landscaped/irrigated through project landscape plans. All plans must be approved by the City Engineer and a pre-construction meeting held, prior to the start of any improvements.

79. The developer shall establish a mechanism that will insure installation and maintenance of landscaping in perpetuity for open space areas and down-sloped areas visible from a

collector-level or above roadway. These areas shall be indicated on the final map. Future buyers shall be made aware of any estimated monthly costs. The disclosure, together with the CC&R's, shall be submitted to the City Engineer for review prior to the recordation of final map.

80. The drainage design on the development plan/tentative map is conceptual only. The final design shall be based upon a hydrologic/hydraulic study to be approved by the City Engineer during final engineering. All drainage picked up in an underground system shall remain underground until it is discharged into an approved channel, or as otherwise approved by the City Engineer. All public storm drains shall be shown on City standard plan and profile sheets. All storm drain easements shall be dedicated where required. The developer shall be responsible for obtaining all easements for storm drainage facilities.

81. All storm drains shall be designed and constructed per current editions of the City's Engineers Design and Processing Manual, the San Diego County Hydrology and Drainage Design Manuals, and San Diego Area Regional Standard Drawings.

82. For any increase of stormwater flows, from the development site to other properties, the developer shall secure appropriate easement(s) from and maintenance agreement(s) with the owner(s) of the impacted properties to the satisfaction of the City Engineer. Upon approval by City Engineer and the City Attorney, the appropriate documents shall be recorded prior to issuance of any permits for the development. Should the developer be unable to secure such easement(s) or agreement(s), the resulting changes to the Development Plan shall be subject to a Substantial Conformity review. Changes not meeting substantial conformity requirements shall be submitted for appropriate public hearing action.

83. A portion of this project is located in a FEMA mapped flood plain. The developer shall comply with applicable FEMA regulations. The developer shall record a covenant against the property indemnifying and holding the City harmless from any claims regarding drainage and flooding prior to issuance of any grading, building or improvement permit.

84. Storm drain facilities shall be designed and located such that the inside travel lanes on streets with collector or above design criteria shall be passable during conditions of a 100-year frequency storm.

85. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and disposed of in accordance with all state and federal requirements, prior to stormwater discharge either off-site or into the City drainage system.

86. Unless an appropriate barrier is approved on a landscape plan, a minimum 42-inch high barrier, approved by the City Engineer, shall be provided at the top of all slopes whose height exceeds 20 feet or where the slope exceeds 4 feet and is adjacent to an arterial street or state highway.

87. The development shall comply with all applicable regulations established by the United States Environmental Protection Agency (USEPA) as set forth in the National Pollutant Discharge Elimination System (NPDES) permit requirements for urban runoff and stormwater discharge and any regulations adopted by the City pursuant to the NPDES. regulations or requirements. Further, the developer may be required to file a Notice of Intent with the State Water Resources Control Board to obtain coverage under the NPDES. General Permit for Storm Water Discharges Associated with Construction Activity and may be required to implement a Storm Water Pollution Prevention Plan (S.W.P.P.P.) concurrent with the commencement of grading activities. S.W.P.P.P.s include both construction and post construction pollution prevention and pollution control measures and identify funding mechanisms for post construction control measures. The developer shall comply with all the provisions of the Clean Water Program during and after all phases of the development process, including but not limited to: mass grading, rough grading, construction of street and landscaping improvements, and construction of dwelling units. The developer shall design the Project's storm drains and other drainage facilities to include Best Management Practices to minimize non-point source pollution, satisfactory to the City Engineer.

88. Upon acceptance of any fee waiver or reduction by the developer, the entire project will be subject to prevailing wage requirements as specified by Labor Code section 1720(b)(4). The developer shall agree to execute a form acknowledging the prevailing wage requirements prior to the granting of any fee reductions or waivers.

89. The developer shall prepare and submit an Operations & Maintenance (O&M) Plan to the City Engineer with the first submittal of engineering plans. The O&M Plan shall be

prepared by the developer's Civil Engineer. It shall be directly based on the project's SWMP previously approved by the project's approving authority. At a minimum the O&M Plan shall include the designated responsible parties to manage the stormwater BMP(s), employee's training program and duties, operating schedule, maintenance frequency, routine service schedule, specific maintenance activities, copies of resource agency permits, cost estimate for implementation of the O&M Plan and any other necessary elements.

90. The developer shall enter into a City-Standard Stormwater Facilities Maintenance Agreement with the City obliging the developer to maintain, repair and replace the Storm Water Best Management Practices (BMPs) identified in the project's approved SWMP, as detailed in the O&M Plan into perpetuity. The Agreement shall be approved by the City Attorney prior to issuance of any precise grading permit and shall be recorded at the County Recorder's Office prior to issuance of any building permit. Security in the form of cash (or certificate of deposit payable to the City) or an irrevocable, City-Standard Letter of Credit shall be required prior to issuance of a precise grading permit. The amount of the security shall be equal to 10 years of maintenance costs, as identified by the O&M Plan, but not to exceed a total of $25,000. The developer's Civil Engineer shall prepare the O&M cost estimate.

91. At a minimum, maintenance agreements shall require the staff training, inspection and maintenance of all BMPs on an annual basis. The project proponent shall complete and maintain O&M forms to document all maintenance activities. Parties responsible for the O&M plan shall retain records at the subject property for at least 5 years. These documents shall be made available to the City for inspection upon request at any time.

92. The Agreement shall include a copy of executed on-site and off-site access easements necessary for the operation and maintenance of BMPs that shall be binding on the land throughout the life of the project to the benefit of the party responsible for the O&M of BMPs, satisfactory to the City Engineer. The agreement shall also include a copy of the O&M Plan approved by the City Engineer.

93. The BMPs described in the project's approved SWMP shall not be altered in any way, shape or form without formal approval by either an Administrative Substantial

Conformance issued by the City Planner or the project's final approving authority at a public hearing. The determination of whatever action is required for changes to a project's approved SWMP shall be made by the City Planner.

94. The developer shall provide a copy of the title/cover page of the approved SWMP with the first engineering submittal package. The appropriate document shall be submitted for review and approval by the City Engineer. All Stormwater documents shall comply with the latest edition of submission requirements.

95. The approval of the tentative map/development shall not mean that closure, vacation, or abandonment of any public street, right-of-way, easement, or facility is granted or guaranteed to the developer. The developer is responsible for applying for all closures, vacations, and abandonments as necessary. The application(s) shall be reviewed and approved or rejected by the City of Oceanside under separate process(es) per codes, ordinances, and policies in effect at the time of the application. The City of Oceanside retains its full legislative discretion to consider any application to vacate a public street or right-of-way.

96. The project shall modify the traffic signal at the primary project driveway/Esplanade Street at Lake Boulevard. The modifications shall include all necessary traffic signal detection and pedestrian crossing hardware needed to adequately serve the project driveway and the eastbound to project site left turn movements from Lake Boulevard. The project shall also stripe a new left turn pocket on eastbound Lake Boulevard to the project driveway and shall be 100 feet in length with a 60-foot bay-taper. These improvements shall be completed prior to the issuance of building permits and to the satisfaction of the City Engineer.

97. The project shall provide a minimum 28-foot drive aisle width between the primary project driveway and the emergency access only driveway to adequately provide for "U-turn" maneuver that entering vehicles from the east must make when entering the project parking facility. This improvement shall be completed prior to issuance of certificate of occupancy and to the satisfaction of the City Engineer.

98. The emergency access driveway shall be adequately signed and gated. The signing should be clearly visible from Lake Boulevard to prevent potential confusion among motorist

accessing the project site. This improvement shall be completed prior to issuance of certificate of occupancy and to the satisfaction of the City Engineer.

99. Landscape plans, shall meet the criteria of the City of Oceanside Landscape Guidelines and Specifications for Landscape Development (latest revision), Water Conservation Ordinance No. 91-15, Engineering criteria, City code and ordinances, including the maintenance of such landscaping, shall be reviewed and approved by the City Engineer prior to the issuance of building permits. Landscaping shall not be installed until bonds have been posted, fees paid, and plans signed for final approval. The following special landscaping requirements shall be required prior to plan approval:

a) Final landscape plans shall accurately show placement of all plant material such as but not limited to trees, shrubs, and groundcovers.

b) Landscape Architect shall verify utility, sewer, storm drain easement and place planting locations accordingly to meet City of Oceanside requirements.

c) All required landscape areas shall be maintained by owner. The landscape areas shall be maintained per City of Oceanside requirements.

d) Proposed landscape species shall be native or naturalized to fit the site and meet climate changes indicative to their planting location. The selection of plant material shall also be based on cultural, aesthetic, and maintenance considerations. In addition proposed landscape species shall be low water users as well as meet all Fire Department requirements.

e) All planting areas shall be prepared with appropriate soil amendments, fertilizers, and appropriate supplements based upon a soils report from an agricultural suitability soil sample taken from the site.

f) Ground covers or bark mulch shall fill in between the shrubs to shield the soil from the sun, evapotranspiration and run-off. All the flower and shrub beds shall be mulched to a 3" depth to help conserve water, lower the soil temperature and reduce weed growth.

g) The shrubs shall be allowed to grow in their natural forms. All landscape improvements shall follow the City of Oceanside Guidelines.

h) Root barriers shall be installed adjacent to all paving surfaces, where a paving surface is located within six feet of a trees trunk. Root barriers shall extend five feet in each

direction from the centerline of the trunk, for a total distance of 10 feet. Root barriers shall be 24 inches in depth. Installing a root barrier around the tree's root ball is unacceptable.

i) For the planting and placement of trees and their distances from hardscape and other utilities/ structures the landscape plans shall follow the City of Oceanside's (current) Tree Planting Distances and Spacing Standards.

j) The Platanus adjacent to Lake Boulevard (street tree) shall remain the Platanus Mexicana 'Alamo'- California Sycamore. All other Sycamores used on the project shall be Platanus racemosa – Western Sycamore.

k) Street trees are to all be Platanus Mexicana 'Alamo' - California Sycamore. Street tree planting in new areas shall generally require a uniform tree variety per street(s) in order to assure ease of maintenance and maintain general aesthetic appearance.

l) In the gaps between the Platanus Mexicana 'Alamo' - California Sycamore (street trees) from the view on Lake Boulevard place the Rhus lancea - African Sumac centered between the back of sidewalk and the buildings along the street.

m) Re-space the street trees to be thirty (30) feet O.C. per the City of Oceanside Landscape Development Manual.

n) Add more trees and shrubs in the planting area on the south east corner of the project adjacent to Lake Boulevard.

o) More trees are to be added along the project boarder facing the Buena Vista Creek.

p) More benches are to be added in the rose garden area as well as other places along the walkways of the project.

q) Add and align trees along the project walkways.

r) An automatic irrigation system shall be installed to provide coverage for all planting areas shown on the plan. Low precipitation equipment shall provide sufficient water for plant growth with a minimum water loss due to water run-off.

s) Irrigation systems shall use high quality, automatic control valves, controllers and other necessary irrigation equipment. All components shall be of non-corrosive material. All drip systems shall be adequately filtered and regulated per the manufacturer's recommended design parameters.

t) All irrigation improvements shall follow the City of Oceanside Guidelines and Water Conservation Ordinance.

u) The landscape plans shall be in conformance with all plans affiliated with the project.

v) Landscape plans shall comply with Biological and/or Geotechnical reports, as required, shall match the grading and improvement plans, comply with SWMP/ Best Management Practices and meet the satisfaction of the City Engineer.

w) Existing landscaping on and adjacent to the site shall be protected in place and supplemented or replaced to meet the satisfaction of the City Engineer.

100. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-way and within any adjoining public parkways shall be permanently maintained by the owner, his assigns or any successors-in-interest in the property. The maintenance program shall include: a) normal care and irrigation of the landscaping b) repair and replacement of plant materials c) irrigation systems as necessary d) general cleanup of the landscaped and open areas e) parking lots and walkways, walls, fences, etc. Failure to maintain landscaping shall result in the City taking all appropriate enforcement actions including but not limited to citations. This maintenance program condition shall be recorded with a covenant as required by this resolution.

101. In the event that the conceptual landscape plan (CLP) does not match the conditions of approval, the resolution of approval shall govern.

Planning:

102. This Tentative Parcel Map (P-19-06) approves only a two-lot subdivision as shown on the plans and exhibits presented to the Planning Commission for review and approval. This Tentative Parcel Map (P-19-06) approval shall lapse 24 months after the effective date of approval, unless this time period is extended by the provisions of Section 408 or 409 of the Subdivision Ordinance.

103. This Development Plan (D-26-06) approves only the development of an 80-unit, age-restricted, multi-family residential structure on a 2.2-acre site. This Development Plan (D-26-06) approval shall lapse two years after the effective date of approval unless the applicant has complied with Section 4308 of the Zoning Ordinance.

104. Conditional Use Permit (C-49-06) approves a residential density of 40.8 dwelling units per acre, which is above the district's base density of 29 dwelling units per gross acre. This Conditional Use Permit (C-49-06) approval shall lapse two years after the effective date of approval or conditional approval unless the applicant has complied with Section 4108 of the Zoning Ordinance.

105. This Conditional Use Permit shall be called for review by the Planning Commission if complaints are filed and verified as valid by the Code Enforcement Office concerning the violation of any of the approved conditions or does not conform with the information contained in or representations made in the application, any supporting material submitted to the City or during any hearing on the application.

106. A request for changes in conditions of approval of the tentative parcel map, development plan, or conditional use permit, or a change to the tentative parcel map, development or conditional use permit that would affect a condition of approval, shall be treated as a new application. The City Planner may waive the requirement for a new application if the changes requested are minor, do not involve substantial alterations or addition to the plan or the conditions of approval, and are consistent with the intent of the project's approval or otherwise found to be in substantial conformance.

107. Failure to meet any conditions of approval for this development shall constitute a violation of the Tentative Parcel Map, Development Plan, and Conditional Use Permit.

108. Prior to the transfer of ownership and or operation of the site the owner shall provide a written copy of the applications, staff report and resolutions for the project to the new owner and or operator. This notification's provision shall run with the life of the project and shall be recorded as a covenant on the property.

109. A covenant or other recordable document approved by the City Attorney shall be prepared by the property owner and recorded prior to the approval of the Final Map. The covenant shall provide that the property is subject to this resolution, and shall generally list the conditions of approval.

110. A management plan shall be prepared by the developer and approved by the City Planner prior to the issuance of building permits. The management plan shall describe the

provisions for 24-hour on-site management and security; graffiti abatement; and off-street parking guidelines.

a) Prior to the issuance of building permits, compliance with the applicable provisions of the City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed and approved by the City Planner. These requirements, including the obligation to remove or cover with matching paint all graffiti within 24 hours, shall be noted on the Landscape Plan and shall be recorded in the form of a covenant affecting the subject property.

b) Off-street parking spaces shall be kept available and useable for the parking of tenant's automobiles at all times. The off-street parking spaces shall be used for the purpose of vehicular parking and the owner or tenant shall not lease or rent the parking space separately from a dwelling unit.

111. Unless expressly waived, all current zoning standards and City ordinances and policies in effect at the time building permits are issued are required to be met by this project. The approval of this project constitutes the property owner's and developer's agreement with all statements in the Description and Justification, and other materials and information submitted with this application, unless specifically waived by an adopted condition of approval.

112. The developer is prohibited from entering into any agreement with a cable television franchisee of the City, which gives such franchisee exclusive rights to install, operate, and or maintain its cable television system in the development.

113. This project is subject to the provisions of Chapter 14C of the City Code regarding Inclusionary Housing.

114. This project shall comply with all provisions of the City's Affirmative Fair Housing Marketing Agreement policy. Such agreement shall be submitted to and approved by the Housing and Neighborhood Services Director prior to the recordation of a Final Map or the issuance of a building permit for the project, whichever comes first.

115. Forty three (43) residential units shall be designated for Qualifying Residents as defined in the Civil Code (Senior Citizen Housing).

116. Pedestrian entry gates shall be provided at project entry points. These gates shall be separate and independent from the vehicular entry gates and shall be unlocked and accessible at all times. The final location and type shall be included on the landscape plan and is subject to the review and approval of the City Planner and City Engineer.

117. Side and rear elevations and window treatments shall be trimmed to substantially match the front elevations. A set of building plans shall be reviewed and approved by the City Planner prior to the issuance of building permits.

118. Elevations, siding materials, colors, roofing materials and floor plans shall be substantially the same as those approved by the Planning Commission. These shall be shown on plans submitted to the Building Division and Planning Division.

119. The location of off-street parking spaces and landscaping shall be designed to prevent automobile headlights from disturbing the occupants of the residential units.

120. The entire ADA-compliant concrete boarding pad shall be moved approximately 22 feet further east so that it sits 60 feet from the end of the curb radius of the project's driveway.

121. The ADA-compliant boarding pad design shall satisfy NCTD requirements for the location of the boarding area, the trash can, and shelter.

122. The developer shall provide bicycle racks to accommodate parking for at least five bicycles on-site. For each bicycle parking space required, a stationary object shall be provided to which a user can secure both wheels and the frame of a bicycle with a user-provided six-foot cable and lock. The stationary object may be either a freestanding bicycle rack or a wall-mounted bracket.

Water:

123. The developer will be responsible for developing all water and sewer utilities necessary to develop the property. Any relocation of water and/or sewer utilities is the responsibility of the developer and shall be done by an approved licensed contractor at the developer's expense.

124. The property owner will maintain private water and wastewater utilities located on private property.

125. Water services and sewer laterals constructed in existing right-of-way locations are to be constructed by approved and licensed contractors at developer's expense.

126. All Water and Wastewater construction shall conform to the most recent edition of the Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by the Water Utilities Director.

127. The following conditions shall be met prior to the approval of engineering design plans. All public water and/or sewer facilities not located within the public right-of-way shall be provided with easements sized according to the Water, Sewer, and Reclaimed Water Design and Construction Manual. Easements shall be constructed for all weather access.

128. The following conditions shall be met prior to the approval of engineering design plans. No trees, structures or building overhang shall be located within any water or wastewater utility easement.

129. The following conditions shall be met prior to the approval of engineering design plans. All lots with a finish pad elevation located below the elevation of the next upstream manhole cover of the public sewer shall be protected from backflow of sewage by installing and maintaining an approved type backwater valve, per the Uniform Plumbing Code (U.P.C.).

130. The following conditions shall be met prior to the approval of engineering design plans. The developer shall construct a public reclamation water system that will serve each lot and or parcels that are located in the proposed project in accordance with the City of Oceanside Ordinance No. 91-15. The proposed reclamation water system shall be located in the public right-of-way or in a public utility easement.

131. The following conditions shall be met prior to the approval of engineering design plans. A separate irrigation meter and approved backflow prevention device is required and shall be displayed on the plans.

132. The following conditions of approval shall be met prior to building permit issuance. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to be paid to the City and collected by the Water Utilities Department at the time of Building Permit issuance.

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133. The following conditions of approval shall be met prior to occupancy. All new development of single-family and multi-family residential units shall include hot water pipe insulation and installation of a hot water recirculation device or design to provide hot water to the tap within 15 seconds in accordance with City of Oceanside Ordinance No. 02-OR126-1.

PASSED AND ADOPTED Resolution No. 2008-P57 on August 25, 2008 by the following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____

Claudia Troisi, Chairperson
Oceanside Planning Commission

ATTEST:

_____

Jerry Hittleman, Secretary

I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 2008-P57.

Dated: September 22, 2008

~~DRAFT~~ FINAL
MITIGATED NEGATIVE DECLARATION
for the
LIL JACKSON SENIOR COMMUNITY PROJECT

Prepared for:

CITY OF OCEANSIDE
300 N. Coast Highway
Oceanside, CA
Contact: Juliana van Hacht
760.435.3520

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605 Third Street
Encinitas, CA 92024
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760.479.4271

~~FEBRUARY~~ SEPTEMBER 2008

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List of Acronyms

ACOE	U.S. Army Corps of Engineers
BMP	Best Management Practices
CBC	California Building Code
CDFG	California Department of Fish and Game
CEQA	California Environmental Quality Act
CGS	California Geological Survey
CO	carbon monoxide
EA	Environmental Assessment
FIRM	Flood Insurance Rate Map
HCM	Highway Capacity Manual
HSA	Hydraulic Sub-Area
HUD	United States Department of Housing and Urban Development
LOS	Level of Service
MND	Mitigated Negative Declaration
MHCP	Multiple Habitat Conservation Plan
MLD	Most likely descendant
NAHC	Native American Heritage Commission
NEPA	National Environmental Policy Act
NPDES	National Pollutant Discharge Elimination System
NOx	nitrogen oxides
PM_{10}	particulate matter less than 10 microns in size
RAQS	Regional Air Quality Standard
ROC	reactive organic compound
RWQCB	Regional Water Quality Control Board
SDAQMD	San Diego Air Quality Management District
SR 78	State Route 78
SUSMP	Standard Urban Stormwater Management Plan
SWMP	Stormwater Management Plan
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resource Control Board
UBC	Uniform Building Code
USFWS	United States Fish and Wildlife Service
VOC	volatile organic compound

LETTERS OF COMMENT AND RESPONSES

This section of the Final Mitigated Negative Declaration (MND) presents copies of comments received on the Draft MND during the public review period. The City of Oceanside's responses to each comment are also included. Each comment letter is lettered and the issues within each comment letter are bracketed and numbered. Comment letters are followed by responses, which are numbered to correspond with the bracketed comments.

The City's responses to comments on the Draft MND represent a good-faith, reasoned effort to address the environmental issues identified by the comments. Under the California Environmental Quality Act (CEQA) Guidelines, the City is not required to provide written responses to comments received on the Draft MND. However, the City has opted to prepare written responses.

LIST OF AGENCIES AND INDIVIDUALS THAT COMMENTED ON THE DRAFT MND

A draft version of this MND was circulated for public review from March 3, 2008 to April 4, 2008. This section contains all written comments received during the public comment period as well as responses to these comments. A total of eight comment letters were received by the City. *Table 1* provides an index to comment letters.

TABLE 1
Comment Letters

Document Letter No.	Agency/Respondent, Date of Comment Letter	Response No.
Public Agencies		
A	Native American Heritage Commission, March 24, 2008	A-1 through A-10
B	Preserve Calavera, March 30, 2008	B-1 through B-16
C	Dempsey Letter, March 31, 2008	C-1 through C-5
D	California Department of Fish and Game, March 27, 2008	D-1 through D-11
E	North County Transit District, March 31, 2008	E-1 through E-9
F	United States Fish and Wildlife Service, April 2, 2008	F-1 through F-48
G	Department of Toxic Substances Control, April 2, 2008	G-1 through G-12
H	State Clearinghouse and Planning Unit, April 7, 2008	H-1 through H-4

Responses to all comments received during the public review period were prepared and are included in the Final MND. In response to comments received on the Draft MND, the following changes have been made to the project:

Project Design Changes

- The site plan was revised to decrease the project footprint.

- Increase the biological buffer to a minimum of 50 feet.
- Reduce the number of parking spaces from 61 to 41
- Conceptual landscape plan revised to conform to the new site plan.
- Reference to the proposed biological open space being held in a conservation easement has been deleted. Options for management of the proposed biological open space have been included. Final management scenario will be determined prior to the issuance of grading permits. This information has been clarified as a mitigation measure in the Final MND.
- The biofiltration devise chosen for the project was revised from a bio clean storm treat devise to a bioretention treatment system.

Biological Mitigation Measures

In response to comments received, the project was redesigned to incorporate a minimum 50-foot biological buffer instead of an average 50-foot biological buffer stated in the Draft MND. This resulted in a decrease in the proposed development area; in particular a decrease in parking spaces. Biological mitigation measures were clarified. These changes do not require the document to be recirculated because they do not result in any significant new impacts or a significant increase in severity of any impact.

Traffic Mitigation Measures

Due to the pressing need for the implementation of mitigation measure TRAF-1, the City is currently in the process of installing the traffic signal at Lake Boulevard and Esplanade Street. Therefore, this mitigation measure was revised to state that the applicant shall pay a fair share of the cost of installation of the traffic signal. This change does not raise a significant new impact or a substantial increase in the severity of an impact.

Hydrology and Water Quality Section Revisions

The analysis in the Hydrology and Water Quality Section of the Draft MND was revised to reflect the reduced project development area. Due to the decrease in the project development area, a decrease in stormwater runoff and water quality impacts will result from the project. In addition, the type of biofiltration devise proposed for the project has been changed from a bio clean storm treat devise to a bioretention treatment system. These changes are reflected in the revised Storm Water Mitigation Plan as well as the Final MND. These changes do not require the document to be recirculated because they do not result in any significant new impacts or a significant increase in severity of any impact.

Other Changes

A number of changes have been made to the Draft MND for clarification or amplification purposes, but none of these changes result in a new significant impact or a substantial increase in the severity of a previously identified impact.

CEQA GUIDELINES REGARDING RECIRCUALTION AND SUBSTITUTION OF MITIGATION MEASURE IN A PROPOSED MND

Pursuant to CEQA Guidelines, Section 15073.5, the City is required to recirculate a draft MND when the document is substantially revised after public notice of its availability but prior to its adoption. A substantial revision is identified as 1) a new avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance, or 2) the City determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significant and new measures or revisions must be required.

Under CEQA Guidelines Section 15073.5(c), recirculation is not required under the following circumstances:

1 Mitigation measures are replaced with equal or more effective measures pursuant to Section 15074.1.

2 New project revisions are added in response to written or verbal comments on the project's effects identified in the proposed negative declaration which are not new avoidable significant effects.

3 Measures or conditions of project approval are added after circulation of the negative declaration which are not required by CEQA, which do not create new significant environmental effects and are not necessary to mitigate an avoidable significant effect.

4 New information is added to the negative declaration which merely clarifies, amplifies or makes insignificant modifications to the negative declaration.

In addition, CEQA Guidelines Section 15074.1, regarding substitution of mitigation measures is provided below:

a As a result of the public review process for a proposed mitigated negative declaration, including any administrative decisions or public hearings conducted on the project prior to its approval, the lead agency may conclude that certain mitigation measures identified in the mitigated negative declaration are infeasible or otherwise undesirable. Prior to approving the project, the lead agency may, in accordance with this section, delete those

mitigation measures, and substitute for them, other measures which the lead agency determines are equivalent or more effective.

b Prior to deleting and substituting for a mitigation measure, the lead agency shall do both of the following:

1 Hold a public hearing on the matter. Where a public hearing is to be held in order to consider the project, the public hearing required by this section may be combined with that hearing. Where no public hearing would otherwise be held to consider the project, then a public hearing shall be required before a mitigation measure may be deleted and a new measure adopted in its place.

2 Adopt a written finding that the new measure is equivalent or more effective in mitigation or avoiding potential significant effects and that is in itself will not cause any potentially significant effect on the environment.

c No recirculation of the proposed mitigated negative declaration pursuant to Section 15072 is required where the new mitigation measures are made conditions of, or are otherwise incorporated into, project approval in accordance with this section.

d "Equivalent or more effective" means that the new measure will avoid or reduce the significant effect to at least the same degree as, or to a greater degree than, the original measure and will create no more adverse effect of its own than would have the original measure.

Decision

The City of Oceanside provides the following explanation of the decision regarding no recirculation. The Draft MND fully discloses significant impacts and mitigation measures that would reduce impacts to less than significant. Changes made to the Draft MND were conducted to further reduce impacts to biological resources, which in turn reduced the projects development area and reduced potential impacts to water quality. Other changes were made to either update the Draft MND due to a change in the existing conditions (i.e. ongoing construction of traffic signal) or provide further clarification. These revisions made to the Draft MND are not considered substantial and do not require recirculation in accordance with 15073.5(c) of the CEQA Guidelines.

As stated above, CEQA Guidelines Section 15074.1(a) permits the lead agency to conclude that certain mitigation measures identified in the Draft MND are infeasible or otherwise undesirable and may, in accordance with this section, delete those mitigation measures and substitute them for other measure which the lead agency determines are equivalent or more effective. The

revisions made to the biological and traffic mitigation measures were made to clarify mitigation details and/or increase effectiveness of the proposed mitigation.

In accordance with CEQA Guidelines Section 15074.1(b), the scheduled public hearing for the project will satisfy the need to disclose MND changes to the draft document in a public forum. It is further noted that all mitigation measures provided in the Final MND will be made conditions of project approval. Finally, findings regarding changes to each mitigation measure will be presented to decision makers and the public at the public hearing.

As stated in CEQA Guideline Section 15074.1(c), recirculation of the Draft MND is not required when new mitigation measures are included as conditions of approval for the project. All mitigation measures (including new measures) would be included as conditions of approval for the project.

In accordance with CEQA Guideline Section 15074.1(d), all new mitigation measures have been provided to enhance the effectiveness of the mitigation. Mitigation measure modifications and new measures will not create additional adverse effects.

Comment Letter A

STATE OF CALIFORNIA — Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net

March 24, 2008

RECEIVED
MAR 26 2008
Planning Department

Ms. Juliana van Hacht
CITY OF OCEANSIDE
300 N. Coast Highway
Oceanside, CA 92054

Re: SCH#2008031010; CEQA Notice of Completion; proposed Mitigated Negative Declaration for a the Lil Jackson Senior Community Project; City of Oceanside; San Diego County, California

Dear Ms. Van Hacht:

The Native American Heritage Commission is the state agency designated to protect California's Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c (CEQA guidelines). Section 15382 of the 2007 CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action: — A-1

√ Contact the appropriate California Historic Resources Information Center (CHRIS) for possible 'recorded sites' in locations where the development will or might occur.. Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/653-7278)/ http://www.ohp.parks.ca.gov. The record search will determine:

- If a part or the entire APE has been previously surveyed for cultural resources.
- If any known cultural resources have already been recorded in or adjacent to the APE.
- If the probability is low, moderate, or high that cultural resources are located in the APE.
- If a survey is required to determine whether previously unrecorded cultural resources are present. — A-2

√ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for pubic disclosure.
- The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center. — A-3

√ Contact the Native American Heritage Commission (NAHC) for:

- A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity that may have additional cultural resource information. Please provide this office with the following citation format to assist with the Sacred Lands File search request: USGS 7.5-minute quadrangle citation with name, township, range and section:. — A-4

- The NAHC advises the use of Native American Monitors to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE). In some cases, the existence of a Native American cultural resources may be known only to a local tribe(s). — A-5

√ Lack of surface evidence of archeological resources does not preclude their subsurface existence.

- Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
- A culturally-affiliated Native American tribe may be the only source of information about a Sacred Site/Native American cultural resource.
- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans. — A-6

√ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.

- CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens. A-7

√ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony. A-8

√ Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation A-9

Please feel free to contact me at (916) 653-6251 if you have any questions. A-10

Sincerely,

Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

Native American Contacts
Los Angeles County
March 24, 2008

Pauma & Yuima
Christobal C. Devers, Chairperson
P.O. Box 369 Luiseno
Pauma Valley , CA 92061
paumareservation@aol.com
(760) 742-1289
(760) 742-3422 Fax

San Luis Rey Band of Mission Indians
Mark Mojado, Cultural Resources
1889 Sunset Drive Luiseno
Vista , CA 92081 Cupeno
(760) 724-8505
(760) 586-4858 (cell)

Rincon Band of Mission Indians
Angela Veltrano, Rincon Culture Committee
P.O. Box 68 Luiseno
Valley Center , CA 92082
council@rincontribe.org
(760) 749-1051
(760) 749-8901 Fax

Mel Vernon
San Luis Rey Band of Mission Indians
1044 North Ivy Street Luiseno
Escondido , CA 92026
(760) 703-1514 - cell
(760) 746-8692
melvern@aol.com

San Luis Rey Band of Mission Indians
Russell Romo, Chairman
12064 Old Pomerado Road Luiseno
Poway , CA 92064
(858) 748-1586

San Luis Rey Band of Mission Indians
Carmen Mojado, Co-Chair
1889 Sunset Drive Luiseno
Vista , CA 92081
cjmojado@slrmissionindians.org
(760) 724-8505

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American with regard to cultural resources for the proposed, SCH#2008031010; CEQA Notice of Completion; proposed Mitigated Negative Declaration for the Lil Jackson Senior Community Project; City of Oceanside; San Diego County, California.

Response to Comment Letter A
Native American Heritage Commission
March 24, 2008

A-1: Comment noted. This comment speaks to the Native American Heritage Commission's (NAHC) role in the State and the CEQA requirements related to cultural resource impacts. This comment does not speak to the adequacy of the Draft MND, therefore no response is necessary.

A-2: As indicated in Section 4.14.4 Cultural Resources, a Phase I Archaeological Assessment was completed by Historical, Environmental, Archaeological Research, Team in June 2004 and is included as Appendix C to the Draft MND. Research consisted of literature and archival records searches at the appropriate resource data repositories, including the South Coast Information Center at San Diego State University, and inspection of topographic documentation to locate any previously recorded resources within the area in order to determine the potential for archaeological resources within the project area. A site reconnaissance was conducted to determine the extent of resource presence onsite.

A-3: As indicated in Section 4.14.4 Cultural Resources, and in the Phase I Archaeological Assessment (prepared by Historical, Environmental, Archaeological Research, Team in June 2004) included as *Appendix C*, the site was determined to have a potential cultural resources value due to previous recorded resources, therefore a full survey and written report were prepared to document the findings. The report concluded that no current resources are located at the project site and therefore site locations were not provided.

A-4: The NAHC was contacted to request a Sacred Lands File record search. The NAHC responded to this request indicating that the Sacred Lands File failed to indicate the presence of Native American cultural resources in the immediate project area.

A-5: The City contacted the San Luis Rey Band of Mission Indians on April 10, 2008, inquiring as to whether they would like to consult regarding potential cultural resource presence/significance of the project site. The San Luis Rey Band of Mission Indians did not have any concerns regarding the project.

A-6: The proposed project recognizes that lack of surface evidence of archaeological resources does not preclude their subsurface existence. As indicated in Section 14.5, mitigation measures CR-1, CR-2, and CR-3 address the potential to encounter unexpected cultural resources during grading activities, including preparation of a grading monitoring plan and requirements for stopping work and further analysis of the resource by a qualified

archaeologist. Mitigation measure CR-4 specifically requires monitoring of activities that may impact the Santiago Peak Formation.

A-7: As indicated in the Draft MND Section 4.14. Cultural Resources, mitigation measure CR-5 specifies that any human remains uncovered during earth moving activities shall result in an immediate stop to disturbance activity. This mitigation measure further describes the process for contacting the NAHC to search for a "Most Likely Descendant." Appropriate and dignified treatment of these remains and any associated grave liens would be met.

A-8: The proposed project would be consistent with Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec §15064.5 (d) of the CEQA guidelines with regards to accidental discovery of any human remains.

A-9: Comment Noted. The City and project applicant have made every reasonable attempt to avoid potentially significant cultural resources during project planning.

A-10: Comment noted. The City appreciates the NAHC's comment on the proposed project and will coordinate with the requested program analyst as necessary.

Comment Letter B

Preserve Calavera

March 30, 2008

Juliana von Hacht, Associate Planner
City of Oceanside , Planning Division
300 N. Coast Highway
Oceanside, CA 92054

Subject : Comments on MND- Lil Jackson Senior Community
P-19-06, C-49-06

Dear Ms. Von Hacht :

Preserve Calavera is a grassroots organization focused on preserving and protecting the natural resources of coastal north county. We are concerned about the Lil Jackson Senior Community project because of its direct and indirect impact on the Buena Vista watershed. It is just a few feet upstream from two preserves, both of which will require significant public resources to restore and maintain. Buena Vista Creek discharges to the Buena Vista Lagoon and is part of an impaired portion of the watershed. It is therefor vitally important that all upstream development fully protects any adverse impacts to these downstream resources.

We have reviewed the MND, associated technical studies and the draft Oceanside Subarea Plan (SAP)related to this project. We acknowledge that this is one of the better environmental reviews and Mitigation and Monitoring Plans that we have seen for a project of this size. However, there remain a number of issues that require further action to assure that the downstream resources are fully protected. B-1

The following are our specific comments on this project:

Biological Resources

- Insufficient discussion of creek buffer/wetland delineation

The Bio Resources report provides full discussion of the federal and state methodologies for determining jurisdictional wetlands. However, the analysis only states that on the western part of the site the biological buffer is an "average distance from the edge of wetland habitat to the top of slope is 50 linear feet." It further states that on the eastern portion of the site the buffer averages over 200 feet. Since no wetlands delineation was mapped it is not possible to determine whether this buffer is actually measured from the jurisdictional wetlands. Furthermore since this is an "average" how much of this buffer is less than the 50' minimum for B-2 B-3 B-4

5020 Nighthawk Way – Oceanside, CA 92056
www.preservecalavera.org

a biological buffer, and is the full 50' additional planning buffer provided? Please provide further clarification of this buffer, and how it complies with permit, MHCP, and SAP buffer guidelines. B-4 B-5

- Mitigation alternatives do not all address impacts to the downstream resources

Alternative # 3 is too vague to assure any real benefit to this section of the watershed. While we agree that the Mission Resource Conservation District is doing a lot of great work in the watershed, to our knowledge these projects are all miles away from the project site. Of more direct benefit would be addressing the Buena Vista Creek Preserve - formerly managed by TET. This area needs invasive plant removal, some revegetation, and improved trash control. Another option would be contributing to the restoration projects on the Buena Vista Creek Ecological Reserve now being managed by CNLM. B-6

- mitigation for on-going impacts from maintenance of storm water pipe

An existing 18-inch pipe will be replaced with a 24-inch pipe that transects the site in a north/south direction and is surrounded by biological easement on three sides. Please clarify on-going, intermittent maintenance on this storm drain and how impacts to resources in the easement will be avoided/minimized with this maintenance. B-7

- landscape plan

While the landscape plan requires further review and properly restricts the use of invasive plants, it does not provide enough guidance for any area adjacent to wetlands, particularly one upstream from two preserves. Since seed dispersal is easily carried downstream we are concerned about how the plant palette on this site could impact the downstream area. We would like to see at least the northern half of the site be conditioned to use native plants appropriate for use adjacent to sensitive habitat- such as the list included on Table 5-4 in the SAP. This would have a secondary benefit of reducing water use. B-8 B-9

Hydrology and Water Quality

- FEMA flood mapping

The MND concludes there is not an issue with flooding because only a portion of the parking and landscaped areas will be within Zone X classified as areas of moderate or minimal hazard from flooding. However, Figure 3 indicates about 2/3rds of the total property is within the 100 year flood zone. Furthermore the storm drains upstream from this area are insufficient to carry even low volume flows- resulting in intersection flooding and roadway flooding along Lake Blvd from even minor rainfall events. Flooding of a parking lot adds more pollutants downstream than flooding of the current site. Please provide further discussion that demonstrates how flooding will not result in adding pollutants to the watershed from this parking lot. B-10 B-11 B-12

- Excess parking

The choice to exceed parking requirements seems counterproductive- particularly given the increased storm water flow rates and volume. This site is located along what is identified as a major regional transit route- connecting directly to regional light rail service. It is damaging to the watershed to provide more parking than is required since it means converting open land to a parking lot. We encourage you to reduce parking to the minimum required and to add TDM measures to optimize the use of public and alternative transportation. B-13

- Low Impact Development (LID)

The discussion of the stormwater system does not really demonstrate that any LID design has been incorporated into the project- except vegetated swales (which seem a poor choice given the increased flow volume).

Please revise the project to include better LID appropriate for this type of land use such as extended dry detention basins, turf block fire lanes, roof drains diverted to flat pervious areas, and cisterns used to supplement irrigation. B-14

- Increased storm water run-off amount

The MND concludes that although the run-off amounts will increase by 9.47 cfs that the proposed 24-inch storm drain and the creek channel can handle this increase. It is unclear how this can comply with the new requirements of the SD Regional Water Control Board for no hydromodification. The downstream channel is highly eroded because of the volume and velocity that exits the highly constrained Buena Vista Creek channel in this reach of the creek and then exits to a natural condition on the western side of College Blvd. The increased velocity and volume is a significant concern in the downstream reach of the watershed. Better BMP's are needed to address both flow volume and velocity. B-15

Thank you for your consideration of these comments. We look forward to working with you toward a project that meets the community needs for senior housing while fully protecting this important watershed. B-16

Sincerely,

Diane Nygaard
On behalf of Preserve Calavera

Cc: Marci Koski FWS, Christine Beck DFG, Tamara Spear DFG, Eric Bbecker, RWQCB

Response to Comment Letter B
Preserve Calavera
March 30, 2008

B-1: Comment noted. Preserve Calavera reviewed the notice of intent to adopt an MND for the Proposed Project and notes its adjacency with Buena Vista Creek and generally notes potential downstream concerns associated with development of the project site. Once constructed surface drainage would flow south towards the proposed development and away from Buena Vista Creek, into a private subsurface storm drain system of inlets and pipes; a bioretention treatment system and a vegetated biofilter swale for filtration purposes prior to discharging into Buena Vista Creek. Section 14.8 Hydrology and Water Quality addresses the water quality concerns associated with the proposed project and the best management practices that will be incorporated into the project design to reduce impacts to downstream resources.

B-2: The project has been redesigned to provide the required 50 foot minimum biological buffer. The applicant and the City met with the California Department of Fish and Game and the U.S. Fish and Wildlife Service on May 9, 2008 at the project site and have determined that the proposed uses are permitted within the additional 50-foot planning buffer for this project. The site plan has been revised accordingly. Revisions made to the site plan and Draft MND do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft MND.

B-3: The biological buffer distance was measured from the edge of the mapped jurisdictional wetlands.

B-4: The project has been redesigned to provide fewer parking spaces and to relocate some of the parking spaces, to allow for the required minimum 50-foot biological buffer. The additional 50-foot planning buffer has also been applied to the project. According to a meeting held with the applicant, the City, project consultants and the Wildlife Agencies, the proposed uses within the additional 50-foot planning buffer are considered acceptable for the proposed project. Therefore, the project site design has been revised to be consistent with the 50-foot biological and additional 50-foot planning buffer in accordance with the wildlife agencies. BIO-4 describes the proposed biological and planning buffers. Revisions made to the site plan and Draft MND do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft MND.

B-5: The proposed buffer complies with the MHCP and SAP buffer guidelines by providing the required minimum 50-foot biological buffer. The proposed uses within the planning buffer were determined to be acceptable by the wildlife agencies. BIO-4 has been added to the Final MND, which describes the requirements of the biological and planning buffers.

B-6: BIO-1 has been revised in the Final MND to require the appropriate permits and approvals for impacts to jurisdictional resources. Through the permitting process with the regulatory agencies, the appropriate wetland mitigation will be determined and implemented. Onsite enhancement/restoration by the project proponent or financial contribution to the Mission Resource Conservation District are considered appropriate mitigation options, pending approval by the agencies. BIO-1c has been revised to require use of the financial contribution in wetland enhancement efforts in the vicinity of the site. Revisions made to the Draft MND do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft MND.

B-7: An existing utility easement surrounds the existing 18-inch storm water pipe; the area located outside of the utility easement would be surrounded by the proposed biological easement (now referred to as the biological conservation easement). Therefore any potential maintenance associated with the proposed 24-inch storm water easement occurs within the existing utility easement area and would be prohibited to occur within the biological easement area.

B-8: In addition as a condition of project approval, no invasive plants are permitted on the project site. Further, native plants have been incorporated into the landscape plan, which are suitable to be located adjacent to wetlands.

B-9: See response to comment B-8. The project would be conditioned to only contain native plants appropriate for use adjacent to sensitive habitat such as the list included in Table 5-4 in the Draft Subarea Plan.

B-10: Figure 3 of the Draft MND, identifies the FEMA Flood Line. The FEMA Flood Line was revised through a Letter of Map Revision (LOMR) dated July 8, 2004. Therefore according to the FEMA Flood Line LOMR all proposed development activities, except for a portion of the storm water pipeline, would be located outside of the 100-year flood zone.

B-11: All drainage of the project would be accommodated through onsite drainage systems; therefore the project would not influence existing drainage facilities within adjacent roadways. The City's storm water engineer has concluded that there are no current drainage problems within the project area, and that all storm water concerns are fully addressed in the Storm Water Mitigation Plan (SWMP), and SMWP Operation and Maintenance Plan.

B-12: As stated in response to comment B-10, the proposed development is not located within the currently designated 100-year flood zone. In addition, a six-inch tall curb would be located along the northern edge of the parking lot and a six-foot tall wall would be located along the western project boundary and wrap around to the northern and southern corners of the project site. These boundary devises would retain storm water within the project site. It is also noted that the finished grade of the project site would decrease from the northern edge of the site towards the proposed building to the storm water catch basin. Water draining from the parking lot would therefore be directed to this catch basin which would help filter pollutants before drainage water is discharged into the channel. Therefore, water quality impacts from a 100-year flood event would not be significant.

B-13: As described in Section 14.14, the City of Oceanside requires 1.5 parking spaces per residential unit. The project proposes to develop 80 dwelling units, therefore a total of 120 parking spaces are required for the project. The Draft MND analyzed a total of 63 parking spaces; which is below the City's requirement. Therefore, the applicant did not exceed the City's parking requirements. The City allowed the submittal of a parking study to validate the request for reduced parking. The parking study revealed that for similar senior housing projects, the number of resident vehicles per dwelling unit ranges from 19 to 71 percent; the applicant is planned to provide 75 percent of the required parking space. However, to incorporate the minimum 50-foot biological buffer, the applicant and the City have agreed to reduce the number of parking spaces from 63 to 41 spaces. This reduction of parking results in the project providing 34 percent of the required parking; which is within the parameters of the parking study. Revisions made to the Draft MND do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft MND.

B-14: Page 4-36 of the Draft MND discussed the site design, source control and treatment control BMPs that have been incorporated into the project design. As discussed in the Storm Water Mitigation Plan, the project LID BMPs are also referred to as site design BMPs; which reduce the need for or size of source and/or treatment control BMPs. Due to the site plan changes, some of the BMP have been revised. The new measures include: 1) minimization of impervious areas; 2) conservation of natural areas, 3) minimization of directly connected impervious areas, 4) maximizing canopy interception and water

conservation, 5) minimizing soil compaction, 6) maximizing retention and detention, and 7) incorporation of several additional measures to protect slopes and channels. Revisions made to the Draft MND do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft MND.

B-15: The City Engineer has determined that no volume or velocity concerns are associated with the Buena Vista Creek channel and that the Storm Water Mitigation Plan and Preliminary Hydrology studies are accurate. No additional BMPs are required for the project. It is also noted that due to the site plan revisions, which reduces the amount of impervious surfaces, the project would result in less runoff than previously proposed. Revisions made to the Draft MND do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft MND.

B-16: Comment noted.

Comment Letter C

RECEIVED
MAR 3 1 2008
Planning Department

March 31, 2008

Thomas J. Dempsey (760 726 9422)
3641 Esplanade Street
Oceanside Ca. 92056

Public comments to be included on P -19 – 06, D – 26 – 06,C – 49 – 06 Lil Jackson Senior Community MND.

Juliana von Hacht, Associate Planner
City of Oceanside
300 North Coast Highway
Oceanside Ca. 92054

Add- Clean-up and removal of all construction material and all scrap trash on a date certain of adjacent and City owned property. C-1

Add-Construction Hours No Sunday hours should be authorized prior violations in the Lake Area were at Motel 6 Plaza Drive, Pacific Place 3500 Lake Blvd and the Sunset Apartments now Bethany Summit Condominiums at 3634 College. C-2

Add-Construction staging as well as temporary stock piling will not be allowed on any street median at any time. C-3

Add- Applicant should provide Bus turnout for West bound bus routes at Lake Blvd Esplanade Street access to coincide with current East bound bus stop at Esplanade Street. C-4

Please include my comments within the Planning Documents Conditions to be presented to the Oceanside Planning Commission for approval. C-5

Thank you.

Sincerely
Thomas J Dempsey
Thomas J. Dempsey

Response to Comment Letter C
Thomas J. Dempsey
March 31, 2008

C-1: Clean up and removal of all construction material and all scrap trash will be conducted in accordance with City standards.

C-2: In accordance with the City Noise Ordinance, construction activities will be prohibited on Sundays.

C-3: In accordance with City standards, construction staging and temporary stock piling will be prohibited from occurring within the street median.

C-4: Bus turn outs for westbound bus route along Lake Boulevard will be provided.

C-5: The listed comments/requests will be considered for inclusion in the Conditions of Approval of the proposed project.

Comment Letter D

State of California – The Resources Agency ARNOLD SCHWARZENEGGER, Governor
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
South Coast Region
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201

March 27, 2008

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APR - 2 2008
Planning Department

Juliana von Hacht
City of Oceanside
Planning Division
300 N. Coast HWY.
Oceanside, CA 92054

Lil Jackson Senior Community Draft Mitigated Negative Declaration, City of Oceanside (SCH # 2008031010)

Dear Ms. Von Hacht:

The California Department of Fish and Game (Department) has reviewed the Draft Mitigated Negative Declaration (DMND) for the Lil Jackson Senior Community Project, dated February 2008, and offers the following comments and recommendations. The comments provided herein are based upon information provided in the DMND, our knowledge of sensitive and declining vegetation communities and species in the County of San Diego, our participation in regional conservation planning efforts, and a Department site visit by David Lawhead on March 24, 2008. D-1

The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA; Sections 15386 and 15381, respectively) and is responsible for ensuring appropriate conservation of the state's biological resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (CESA) and other sections of the Fish and Game Code. The Department is responsible for the administering the State's Lake and Streambed Alteration Agreement program (Section 1600). The Department also administers the Natural Community Conservation Planning (NCCP) Program. The City of Oceanside (City) currently participates in the NCCP program through its draft Multiple Habitat Conservation Program (MHCP) Subarea Plan. The City's draft Subarea Plan encompasses the proposed project. D-2

The proposed development project is situated on a 5.03-acre lot adjacent to, and north of, Lake Boulevard, east of College Blvd. The property is currently owned by the City, but the project would divide the property into two parcels. The City would retain the northeastern 2.83 acres of the site, and this parcel would be would be dedicated as permanent open space. This parcel supports a segment of Buena Vista Creek, as well as a small portion of uplands. The 2.2-acre parcel to the west would be transferred to the developer sponsoring the senior community development. The development proposal consists of one three-story building which would include 80 affordable senior apartment units. In addition, the development would include a community room, community kitchen, lounge, laundry rooms, and other amenities. A large parking lot would surround the building complex to the north and east. The main building is proposed to be set back at least 100 feet from the top of the slope bordering Buena Vista Creek. The proposed project is located on an old fill site, which will require remedial grading and compaction to build the project. Remedial grading may impact wetlands in adjacent Buena Vista Creek, and the replacement of a storm drainage pipe emptying into the creek will also impact a small amount (0.01 acres) of wetlands. Several options for mitigating impacts to D-3

Conserving California's Wildlife Since 1870

Ms. Hacht
March 27, 2008
Page 2 of 3

wetlands are proposed, including planting of 12 willow trees on site, removal of exotic invasive plants from 0.02 acres of willow habitat in Buena Vista Creek, or a financial contribution to the Mission Resource Conservation District to aid in its habitat enhancement efforts within Buena Vista Creek. The upland areas of the property are judged to be disturbed with no habitats present. D-3

The Department offers the following comments and recommendations to assist the City and project proponent in creating a project that adequately conserves sensitive biological resources on-site, and is consistent with the City's Draft MHCP Subarea Plan. D-4

1. The Department's primary concern is adequately buffering the riparian habitat in Buena Vista Creek from the direct and indirect impacts of the proposed project. The City's Draft MHCP Subarea Plan indicates that for projects proposed in the vicinity of creeks within the City, a minimum 50-foot wide biological buffer and a 50-foot planning buffer will be maintained. The Department is concerned that the 50-foot biological buffer is not maintained along the entire boundary with the proposed development. The DMND indicates on page 4-22, Biological Mitigation (BIO-3) 3.b., that the "average" distance from the edge of wetland habitat to the proposed impact area is 50 linear feet. However, after visiting the site, it is clear that in some locations the southern willow scrub habitat is much closer to the development boundary. The particular area of concern is on the slopes south of the creek, from just west of the storm drain to the eastern end of the development footprint. In both the most recent biological survey conducted by Everett and Associates (2008), as well as the 2001 survey by Dudek and Associates, the willow habitat is mapped as coming up almost to the top of the southern slope is this area. This appears to put the development proposal in conflict with the standards of the draft Subarea Plan. D-5 D-6

   The Department recommends that the configuration of the project parking lot be modified to expand the width of the buffer zone to a minimum of 50 feet between the project and the southern willow scrub habitat along the eastern third of the project's northern boundary. To accommodate any loss of parking spaces, the eastern boundary of the project could be expanded to the east onto the existing fill pad that is proposed to be retained by the City. The expanded buffer zone would be incorporated into the City's retained open space parcel in exchange for loss of disturbed habitat to accommodate the reconfigured parking lot. This minor redesign would bring the project into compliance with the City's draft Subarea Plan. This improved buffer would also reduce the threats of construction-related sediment flow into Buena Vista Creek. D-7

2. Table 2-1 (page 2-10) in the DMND indicates that remedial grading will be necessary because of the poorly compacted alluvial soils deposited on the site. As a part of this remedial work, the DMND states that "dewatering methods will be required to facilitate the removal and recompaction of the alluvium found below the groundwater table." The DMND needs to address the potential impacts of alluvium removal, recompaction, and dewatering (especially length of time) on the riparian habitat in adjacent Buena Vista Creek. The Department questions whether alluvium removal and compaction can be done without impacting the southern streambank, especially since some southern willow scrub habitat is present on the slopes above the stream. The DMND should also address if dewatering activities will have a significant impact to adjacent riparian habitat. These potential impacts are not addressed in the DMND, and no mitigation measures are proposed. These issues should be addressed in the final MND. D-8

Ms. Hacht
March 27, 2008
Page 3 of 3

3. The project proposes to mitigate impacts to wetland habitat from the replacement of one storm drain on-site by one of three methods: 1) planting of 12 willow trees on-site; 2) removal of invasive non-native plants from 0.02 acres of southern willow scrub habitat on-site; or 3) a financial contribution to the Mission Resource Conservation District (MRCD) to aid in restoration efforts within the Buena Vista Creek watershed. The Department prefers a more widespread focus on mitigation for impacts to Buena Vista Creek for this particular project, and would support a financial contribution to the MRCD, as long as the City and project applicant can get a commitment from the MRCD to focus their efforts in the near future on the reach of Buena Vista Creek that flows through the project site. The exact amount of financial contribution will need to be determined, and will be finalized by the Department through the Streambed Alteration Agreement (1602) process. D-9

4. On page 4-15 of the DMND indicates that the undeveloped parcel that the City will retain will have a dedicated Biological Open Space Easement placed on it to conserve the sensitive habitat areas on the parcel. It is our understanding that the City cannot give itself an open space easement, so please explain what entity will hold the easement. D-10

We appreciate the opportunity to comment on the DMND for this project and to assist the City and project proponent in further minimizing and mitigating project impacts to biological resources. If you have questions or comments regarding this letter, please contact David Lawhead of the Department at (858) 627-3997. D-11

Sincerely,

Edmund J. Pert
Regional Manager
South Coast Region

cc: State Clearinghouse
Marci Koski, USFWS, Carlsbad Field Office

EP:dl

Response to Comment Letter D
California Department of Fish and Game
March 27, 2008

D-1: Comment noted. California Department of Fish and Game (CDFG) reviewed the Draft MND for the Proposed Project and notes its adjacency with Buena Vista Creek and generally notes potential downstream concerns associated with development of the project site.

D-2: Comment noted. This comment speaks to CDFG's role pursuant to CEQA requirements and the acts and programs applicable to the project. This comment does not speak to the adequacy of the Draft MND, therefore no response is necessary.

D-3: Comment noted. This comment outlines the author's understanding of the project and does not relate to the adequacy of the Draft MND. Therefore, no response is necessary.

D-4: Comment noted. This comment summarized the intent of CDFG providing comments and recommendations to the City for the proposed project and does not relate to the adequacy of the Draft MND. Therefore, no response is necessary.

D-5: The project's parking lot has been redesigned to reduce the number of parking spaces to allow adequate space for the required minimum 50-foot biological buffer area. The redesign of the buffer to extent at least 50 feet was discussed at a meeting on May 9, 2008 between the project team, City, City's consultants, CDFG and USFWS. It was determined at this meeting that the proposed project uses, as depicted in the project site plan provided as Figure 3 of the Draft MND, would be permitted within the additional 50-foot planning buffer. Changes to the site plan consist of a reduction in parking spaces from 61 to 41 spaces and a reduction in the project's development impact area along the northern boundary of the project site. These revisions were implemented to reduce potential impacts to biological resources, and do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft MND.

D-6: See response to comment D-5.

D-7: See response to comment D-5. The land located to the east of the proposed development area is not adequate in size to accommodate the loss is parking spaces within the development area. However, the configuration of the parking lot has been modified to

eliminate 20 parking spaces for a total of 41 parking spaces. This allows for the project to meet the minimum 50-foot biological buffer requirement of the Draft Subarea Plan.

D-8: Table 2-1, Summary of Standard Project Design Features and Construction, has been revised to be consistent with preferred recompaction method (i.e. grouting program). As indicated in Table 2-1, dewatering during construction isn't necessary. Further, Table 2-1 outlines construction BMPs, such as a SWPPP, which will further reduce potential erosion or sediment into Buena Vista Creek. Finally, no impacts to the southern embankment of Buena Vista Creek would occur. Revisions made to the Draft MND do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft MND.

D-9: BIO-1 has been revised in the Final MND to require the appropriate permits and approvals for impacts to jurisdictional resources. Onsite enhancement/restoration by the project proponent or financial contribution to the Mission Resource Conservation District has been added to Mitigation Measure BIO-1 as an appropriate mitigation option. BIO-1c has been revised to require use of a financial contribution in view of wetland enhancement efforts in the vicinity of the site. Through the permitting process with the regulatory agencies, the final wetland mitigation strategy will be determined. Revisions made to the Draft MND do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft MND.

D-10: The Draft MND has been revised to incorporate mitigation measure BIO-5; which clarifies how the biological open space area within the site, which includes the avoided riparian habitat and the biological buffer, will be protected from future development through one of two mechanisms. These mechanisms include the establishment of a conservation easement to be held by a qualified land management entity or the City maintains ownership through a deed restriction and manages. Revisions made to the Draft MND do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft MND.

D-11: The City appreciates CDFGs comments on the Draft MND and will continue to coordinate with the requested staff as necessary. The Final MND has been revised accordingly.

Comment Letter E

N C T D

March 31, 2008

RECEIVED
APR - 2 2008
Planning Department

Ms. Juliana von Hacht
Planning Department
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054

RE: Notice of Intent to Adopt a Mitigated Negative Declaration for the Lil Jackson Senior Community (P-19-06, D-26-06, C-49-06 Revision)

Dear Ms. von Hacht:

Thank you for the opportunity to review the notice of intent to adopt a mitigated negative declaration for the Lil Jackson Senior Community project, an affordable 80-unit senior apartment complex on the north side of Lake Boulevard at Esplanade Street. E-1

The North County Transit District (NCTD) currently operates fixed route bus service (Route 325 and 338) past this proposed development site that connects with other regional and local bus service nearby at Plaza Camino Real and the Vista Transit Center. E-2

The draft mitigated negative declaration incorrectly states that there are no bus stops located adjacent to the project site, as NCTD has requested that a new bus stop be built at the project site. E-3 NCTD previously submitted comments regarding this development in letters dated March 22, 2007, and November 14, 2006. In the letters, NCTD requested construction of an ADA-compliant boarding pad, a passenger waiting shelter, trash can, and an ADA-accessible path. E-4 NCTD appreciates that all of these requests were incorporated into the revised site plans. However, two minor corrections need to be made to the plans for them to be correct. These are noted below:

1. ADA-Compliant Boarding Pad Location – The entire ADA-compliant concrete boarding pad should be moved approximately 22-feet further east so that it sits a safe 60-feet from the end of the curb radius of the project's driveway. E-5

2. ADA-Compliant Boarding Pad Design – The facilities on the ADA-compliant concrete boarding pad have been shown reversed from how they should situated. Specifically, the trash can should be on the western-most portion of the pad and the open "ADA boarding area" should be on the eastern-most portion of the pad, with the 13-foot long shelter in the middle. Specific information on the design of the boarding pad has been re-included with this letter. E-6

In addition, NCTD requests the following: E-7

NORTH COUNTY TRANSIT DISTRICT
810 Mission Avenue, Oceanside, CA 92054-2825
760-967-2828

Ms. Juliana von Hacht
March 31, 2008
Page 2

Bicycle Racks – To accommodate employees and visitors arriving via bicycle, the developer should install bicycle racks to accommodate parking for at least 5 bicycles onsite. Please consult with City staff for their desired bicycle furniture (traditional u-loops or bike lockers, and color) and appropriate locations for such facilities. Bicycle racks should be located at a sufficient distance away from any walls or other obstacles that would impede access to the racks from all sides. E-7

Once the City's review of this development application has been completed, please send a list of the conditions of approval to NCTD for our files. And once the developer is ready to install these facilities, please have them contact Kurt Luhrsen so our transportation services staff can review the siting of the improvements to ensure compliance with the ADA. E-8

Thank you again for the opportunity to review the site plan for this project. If you have any questions regarding my comments, please contact Kurt Luhrsen at (760) 966-6546 or email him at kluhrsen@nctd.org. He would also be pleased to review any plan modifications once they have been generated to ensure the changes will meet the needs of the Transit District and our bus passengers. E-9

Sincerely,

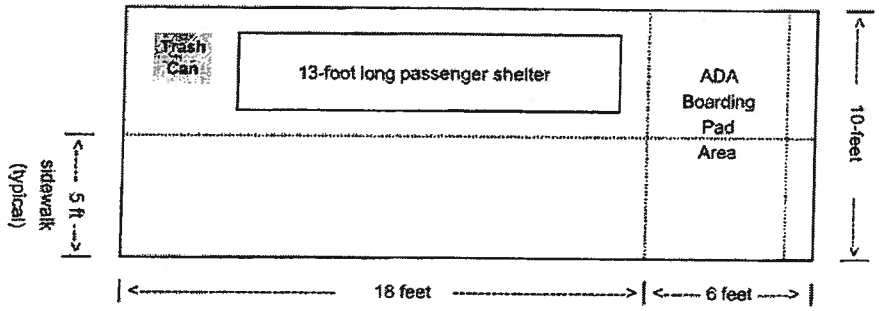
Christine Eary

Christine Eary
Associate Planner
SANDAG on behalf of NCTD

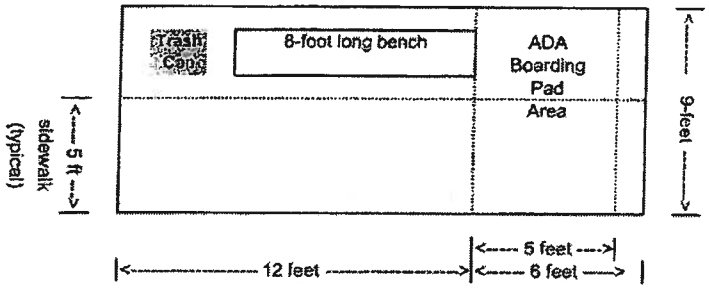
Attachments

NCTD's Bus Stop Pad Dimensions

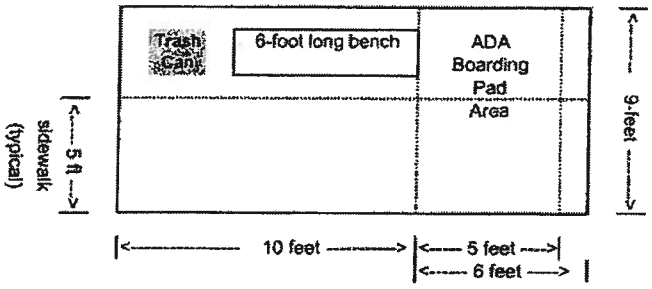
OPTION 1: Desired Shelter Pad Dimension for a 13-foot Shelter



OPTION 2: Desired Bench Pad Dimension for an 8-foot Bench



OPTION 3: Desired Bench Pad Dimension for a 6-foot Bench



NOTE 1: The minimum pad depth (from face of curb) to be compliant with the Americans with Disabilities Act (1990) is 8-feet.

NOTE 2: No street furniture (benches, shelters, or trash cans) should be installed within 2 1/2 feet of the curb to avoid being hit by passing buses or trucks.

Response to Comment Letter E
North County Transit District
March 31, 2008

E-1: Comment noted. The North County Transit District reviewed the notice of intent to adopt an MND for the Proposed Project. This comment does not speak to the adequacy of the Draft MND, therefore no response is necessary.

E-2: Comment noted. This comment specifies the fixed bus route service that traverses past the proposed project site. This comment does not speak to the adequacy of the Draft MND, therefore no response is necessary.

E-3: The Final MND has been clarified to state that there are no bus stops currently located adjacent to the Proposed Project site; however, a stop is proposed at the project site. The proposed stop has been noted in the project description.

E-4: Comment noted. This comment acknowledges the City/applicants past efforts to include suggestions and does not relate to the adequacy of the Draft MND, therefore no response is needed.

E-5: The site plan has been updated in accordance with this request. The ADA-compliant boarding pad has been moved 22 feet east.

E-6: The site plan has been updated in accordance with the requests of the NCTD to reverse the facilities on the ADA compliant concrete building pad.

E-7: Comment noted. Bicycle racks will be made a condition of project approval.

E-8: Comment noted. A list of the approved, conditions of approval will be submitted to the NCTD for record keeping purposes. The City will follow up with the transportation services staff as requested.

E-9: Comment noted. The City appreciates NCTDs comments on the project and will coordinate with the appropriate transportation services staff will be contacted for further consultation as appropriate.

Comment Letter F

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road
Carlsbad, California 92011

In Reply Refer To:
FWS-SDG-08B0421-08TA0462

APR 02 2008

Ms. Juliana von Hacht
Associate Planner
City of Oceanside Planning Division
300 North Coast Highway
Oceanside, California 92054

Subject: Comments on the Draft Lil Jackson Senior Community Project Mitigated Negative Declaration, City of Oceanside, San Diego County, California (SCH# 2008031010)

Dear Ms. von Hacht:

The U.S. Fish and Wildlife Service (Service) has reviewed the draft Mitigated Negative Declaration (MND), dated February 2008, for the above referenced project. The attached comments are based on information provided in the MND; the February 21, 2008, Biological Letter Report prepared by Everett and Associates; our knowledge of sensitive and declining vegetation communities and species in the County of San Diego, and our participation in regional conservation planning efforts. The City of Oceanside (City) is currently working with the Service and California Department of Fish and Game through the preparation of its Multiple Habitat Conservation Program (MHCP) Subarea Plan (SAP). The proposed project would involve the construction of 80 affordable senior apartment units on a 5.03-acre parcel directly adjacent to and south of Buena Vista Creek. Approximately 2.21 acres would be developed, and the remaining 2.82 acres would be preserved under a conservation easement. In general, our main concern regarding the development of this project involves ensuring that an adequate buffer of natural vegetation exists between the project footprint and Buena Vista Creek, and that the project is consistent with the City's draft SAP. F-1

The primary concern and mandate of the Service is the protection of public fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and endangered animals and plants occurring in the United States. The Service is also responsible for administering the Federal Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). F-2

TAKE PRIDE IN AMERICA

Ms. Juliana von Hacht (FWS-SDG-08B0421-08TA0462) Page 2

We appreciate the opportunity to comment on this MND. Any questions concerning the contents of this letter should be directed to Marci Koski at 760-431-9440, extension 304. F-3

Sincerely,

Therese O'Rourke
Assistant Field Supervisor
U.S. Fish and Wildlife Service

Enclosures (2)

cc: State Clearinghouse (by fax only)
David Lawhead, CDFG

ENCLOSURE 1

Specific Comments on the Lil Jackson Senior Community Project MND, City of Oceanside, California

The Service appreciates the opportunity to comment on the MND for the Lil Jackson Senior Community Project. The comments provided herein are based on information provided in the MND, our knowledge of sensitive and declining vegetation communities in the County of San Diego, and our participation in regional conservation planning efforts. We offer the following comments and recommendations to assist the City in avoiding, minimizing, and adequately mitigating project-related impacts to biological resources, and to ensure that any approved project is consistent with all applicable requirements of the City's draft Subarea Plan (SAP). F-4

1. The City's SAP contains conservation and buffer requirements along tributaries and creeks, which specify that a minimum 50-foot biological buffer, plus a minimum 50-foot planning buffer, must be established for upland habitats, beginning at the outer edge of riparian vegetation. The MND states that "along the western portion of the creek, north of the area proposed for construction the average distance from the edge of wetland habitat to the proposed impact area is 50 linear feet." In the final MND, please include a *minimum* 50 foot buffer line on Figure 3 that demonstrates that all project impacts are outside the 50 foot biological buffer. F-5

2. As stated above, a 50-foot planning buffer is also required next to the biological buffer. While the MND indicates that the project proposes a 100-foot buffer by keeping the building set back 100 feet from riparian vegetation, the project does not meet the requirements of the City's SAP because the parking lot takes up the entire planning buffer. According to the SAP, "Foot paths, bikeways, and passive recreational uses may be incorporated into planning buffers, but buildings, roads, or other intensive uses are prohibited." The project should be revised so that the parking lot and associated access roads are not located within the planning buffer, perhaps by situating these features entirely in the disturbed area to the east of the building. F-6

3. Other than mitigating for impacts to 0.01 acre of southern willow scrub, the proposed project does not currently propose any restoration to the Buena Vista Creek buffer. According to the SAP, "in the event that natural habitats do not currently (at the time of the proposed action) cover the 100-foot buffer area, habitats appropriate to the location and soils shall be restored as a condition for the proposed action. In most cases coastal sage scrub vegetation shall be the preferred habitat to restore within the biological buffer." Therefore, the final MND should require that the applicant (a) prepare and implement a restoration plan, and (b) submit the restoration plan to the City and Service for review and approval prior to the issuance of the grading permit for the project. The implementation of the restoration plan should commence prior to, or concurrent with, the initiation of construction. F-7

4. The Biological Letter Report indicates that the site was assessed in February 2007 and January 2008, which is too early to detect the presence of migratory birds such as the federally endangered least Bell's vireo (*Vireo bellii pusillus*; vireo) and southwestern willow flycatcher (*Empidonax traillii extimus*; flycatcher). While the report concluded that no sensitive, threatened, or endangered species of plants or animals were observed on F-8

Ms. Juliana von Hacht (FWS-SDG-08B0421-08TA0462) Enclosure 1, Page 2

the site and none are considered likely to occur, the report also contained vireo and flycatcher survey results conducted by Dudek and Associates in the spring and summer of 2000. While the survey results were negative for both species, the results concluded that "the creek appears to be capable of supporting vireo, though its limited width, adjacent land use (commercial and residential), and adjacent traffic noise probably limit its attractiveness. The existing habitat appears to be too constrained and urban to support flycatcher." Therefore, given the potential for the creek to support vireo, Service protocol surveys should again be conducted within the project area. F-8

5. If the vireo is detected in Buena Vista Creek, the Final MHCP Plan (Volume II, page 4-323) and the City's SAP require that a 100-foot biological buffer adjacent to occupied least Bell's vireo habitat be established and managed for natural biological values as part of the City's preserve system. F-9

6. The MND states that the proposed building's set-backs from the 100-foot buffer will eliminate the need for vegetation thinning or fuel modification within the buffer area. However, based on the description of the building location, it seems that the building is located at the edge of the 100-foot buffer. If the project is revised so that the parking lot is removed from the planning buffer, the 100-foot buffer would consist entirely of vegetation, which may require fuel management. Please include a figure that shows all fuel modification zones or provide a statement that clarifies why a fuel modification zone is not required. If a fuel modification zone is not required or is reduced from the standard 100-foot width (which cannot encroach into the 50-foot biological buffer), approval must be obtained from the City's fire marshal and provided to the Wildlife Agencies. F-10

7. The MND indicates that the portion of the parcel not impacted by the project will be placed under a biological open space easement; however, a conservation easement is the appropriate mechanism by which habitat can be protected and included in the City's preserve system. The MND should be changed to reflect this. Additionally, because the final MHCP indicates that this section of Buena Vista Creek is designated as hardline preserve, the stream and buffer should be managed and monitored in perpetuity to MHCP standards (see Enclosure 2, standards 9 and 10 for details). F-11

8. It is unclear as to whether or not a Clean Water Act section 404 permit will be required from the Army Corps of Engineers (Corps) for the replacement of the storm drain pipe (including the installation of a new headwall and rip-rap dissipater just below the crest of Buena Vista Creek's embankment) and discharge of stormwater runoff into the creek. Given the proximity of the project to sensitive habitat and the potential for vireo to be affected by project construction, the Corps may need to consult with the Service under section 7 of the Act. This process, if necessary, should be initiated as soon as possible in order to avoid delays to project implementation. F-12

ENCLOSURE 2

U.S. Fish and Wildlife Service's Standard Recommendations

The following conditions should be added to the final MND where appropriate:

1. For restoration of Buena Vista Creek's biological buffer, the applicant shall submit final upland habitat creation/restoration/enhancement plans to the Service and California Department of Fish and Game, collectively referred to as the Wildlife Agencies, for review and approval at least 30 days prior to initiating project impacts. These plans shall be based on the final MND and the comments provided by the Wildlife Agencies. In addition to the measures proposed in the MND, the final plans shall include the following information and conditions: F-13 F-14

   a. All final specifications and topographic-based grading, planting and irrigation plans (with 10-foot contours). All upland creation/restoration/enhancement sites shall be prepared for planting by decompacting the top soil in a way that mimics natural upland habitat top soil to the maximum extent practicable while maintaining slope stability. Topsoil and plant materials salvaged from the upland habitat areas to be impacted shall be transplanted to, and/or used as a seed/cutting source for, the upland habitat restoration/creation areas to the maximum extent practicable as approved by the Service. Planting and irrigation shall not be installed until the Service has approved of upland habitat restoration/creation site grading. All planting shall be installed in a way that mimics natural plant distribution, and not in rows; F-15

   b. Planting palettes (plant species, size and number/acre) and seed mix (plant species and pounds/acre). The upland plant palette proposed in the draft plans shall include native species specifically associated with the habitat type(s). Unless otherwise approved by the Service, only locally native species (no cultivars) obtained from as close to the project area as possible shall be used. The source and proof of local nativeness of all plant material and seed shall be provided; F-16

   c. Container plant survival shall be 80% of the initial plantings for the first 5 years. At the first and second anniversary of plant installation, all dead plants shall be replaced unless their function has been replaced by natural recruitment; F-17

   d. A final implementation schedule that indicates when all upland habitat impacts, as well as creation/restoration/enhancement grading, planting and irrigation shall begin and end. Upland habitat creation/restoration/enhancement grading, planting and irrigation shall be completed during the concurrent or next planting season (i.e., late fall to early spring) after finishing grading within the creation/restoration/enhancement area. Any temporal loss of upland habitat caused by delays in creation/restoration/enhancement shall be mitigated through upland habitat preservation/creation/restoration/enhancement at a 0.5:1 ratio for every 6 months of delay (i.e., 1:1 for 12 months delay, 1.5:1 for 18 months delay, etc.). In the event that the project applicant is wholly or partly prevented from performing obligations under the final plans (causing temporal losses due to delays) because of unforeseeable circumstances or causes beyond the reasonable F-18

Ms. Juliana von Hacht (FWS-SDG-08B0421-08TA0462) Enclosure 2, Page 2

control, and without the fault or negligence of the project applicant, the project applicant shall be excused by such unforeseeable cause(s); F-18

e. Five years of success criteria for upland creation/restoration/enhancement areas including: a total of 40-65 percent absolute cover; evidence of natural recruitment of multiple species; 0 percent coverage for Cal-IPC List A and B species, and no more than 10 percent coverage for other exotic/weed species; F-19

f. A qualitative and quantitative vegetation monitoring plan with a map of proposed sampling locations. Photo points shall be used for qualitative monitoring and stratified-random sampling shall be used for all quantitative; F-20

g. Contingency measures in the event of creation/restoration/enhancement failure; F-21

h. Annual mitigation maintenance and monitoring reports shall be submitted to the Wildlife Agencies after the maintenance and monitoring period and no later than December 1 of each year; and F-22

i. If maintenance of a coastal sage scrub creation/restoration/enhancement area is necessary between February 15 and August 31, a biologist permitted by the Service will survey for vireo and gnatcatchers within the creation/restoration/enhancement area, access paths to it, and other areas susceptible to disturbances by site maintenance. Surveys will consist of three visits separated by two weeks starting March 1 of each maintenance/monitoring year. Work will be allowed to continue on the site during the survey period. However, if vireo or gnatcatchers are found during any of the visits, the applicant will notify and coordinate with the Agencies to identify measures to avoid and/or minimize effects to the vireo or gnatcatcher (e.g., nests and an appropriate buffer will be flagged by the biologist and avoided by the maintenance work). F-23

2. The project applicant shall temporarily fence (with silt barriers) the limits of project impacts (including construction staging areas and access routes) to prevent additional upland habitat impacts and prevent the spread of silt from the construction zone into adjacent habitats (including non-native grassland) to be avoided. Fencing shall be installed in a manner that does not impact habitats to be avoided. F-24 The applicant shall submit to the Service for approval, at least 30 days prior to initiating project impacts, the final plans for initial clearing and grubbing of upland habitat and project construction. These final plans shall include photographs that show the fenced limits of impact and all areas (including riparian/wetland or coastal sage scrub) to be impacted or avoided. F-25 If work occurs beyond the fenced or demarcated limits of impact, all work shall cease until the problem has been remedied to the satisfaction of the Wildlife Agencies. Any upland habitat impacts that occur beyond the approved fenced shall be mitigated at a minimum 5:1 ratio. Temporary construction fencing shall be removed upon project completion. F-26

3. Impacts from fugitive dust will be avoided and minimized through watering and other appropriate measures. F-27

Ms. Juliana von Hacht (FWS-SDG-08B0421-08TA0462) Enclosure 2, Page 3

4. The clearing and grubbing of, and construction adjacent to, sensitive habitats shall occur outside of the bird breeding season (February 15 to August 31, or sooner if a qualified biologist demonstrates to the satisfaction of the Wildlife Agencies that all nesting is complete). F-28

5. If project construction (other than clearing and grubbing of sensitive habitats) is necessary adjacent to preserved on and offsite habitat during the bird breeding season (February 15 to August 31, or sooner if a qualified biologist demonstrates to the satisfaction of the Wildlife Agencies that all nesting is complete), a qualified biologist shall conduct pre-construction surveys in the adjacent habitat to determine the location of any active bird nests in the area, including raptors and ground nesting birds. The survey should begin not more than three days prior to the beginning of construction activities. The Wildlife Agencies will be notified if any nesting birds are found. During construction, no activity shall occur within 300 feet of active nesting territories (500 feet for raptors or listed species), unless measures are implemented to minimize the noise and disturbance to those adjacent birds. Exceptions to this measure includes cases where surveys confirm that adjacent habitat is not occupied or where noise studies confirm that construction noise levels are below 60 dBA hourly L_{eq} along the edge of adjacent habitat. If construction activities are not completed prior to the breeding season and noise levels exceed this threshold, noise barriers shall be erected to reduce noise impacts to occupied habitat to below 60 dBA hourly L_{eq} and/or the culpable activities shall be suspended. F-29

6. A monitoring biologist approved by the Service shall be onsite during: a) initial clearing and grubbing of upland habitat; and b) project construction within 500 feet of preserved habitat to ensure compliance with all conservation measures. The biologist must be knowledgeable of vireo biology and ecology. The applicant shall submit the biologist's name, address, telephone number, and work schedule on the project to the Service at least 30 days prior to initiating project impacts. The biologist shall perform the following duties: F-30

   a. To allow salvage and transplant of live plants to the mitigation sites as practicable and approved by the Service, ensure that clearing and grubbing of upland habitat is done above ground in a way that precludes potential bird nesting but does not cause soil and/or root disturbance; F-31

   b. Perform a minimum of three focused surveys, on separate days, to determine the presence of vireo in the project impact footprint outside the vireo breeding season. Surveys will begin a maximum of seven days prior to performing vegetation clearing/grubbing and one survey will be conducted the day immediately prior to the initiation of remaining work. If any vireo are found within the project impact footprint, the biologist will direct construction personnel to begin vegetation clearing/grubbing in an area away from the vireo. In addition, the biologist will walk ahead of clearing/grubbing equipment to flush birds towards areas of habitat to be avoided. It will be the responsibility of the biologist to ensure that birds will not be injured or killed by vegetation clearing/grubbing. The biologist will also record the number and location of vireo disturbed by vegetation clearing/grubbing. The applicant will notify the Service at least seven days prior F-32

Ms. Juliana von Hacht (FWS-SDG-08B0421-08TA0462) Enclosure 2, Page 4

to vegetation clearing/grubbing to allow the Service to coordinate with the biologist on bird flushing activities;

c. Perform a minimum of three focused surveys, on separate days, to determine the presence of birds, nest building activities, egg incubation activities, or brood rearing activities in or within 500 feet of the project impact limits of any vegetation clearing/grubbing or project construction proposed within the bird breeding season. The surveys will begin a maximum of seven days prior to vegetation clearing/grubbing or project construction and one survey will be conducted the day immediately prior to the initiation of work. Additional surveys will be done once a week during project construction in the breeding season. These additional surveys may be suspended as approved by the Wildlife Agencies. The applicant will notify the Wildlife Agencies at least seven days prior to the initiation of surveys, and within 24 hours of locating any vireo;

d. If a vireo nest is found in or within 500 feet of initial vegetation clearing/grubbing or project construction, the biologist will postpone work within 500 feet of the nest and contact the Wildlife Agencies to discuss: 1) the best approach to avoid/minimize impacts to nesting birds (e.g., sound walls); and 2) a nest monitoring program acceptable to the Wildlife Agencies. Subsequent to these discussions, work may be initiated subject to implementation of the agreed upon avoidance/minimization approach and nest monitoring program. Nest success or failure will be established by regular and frequent trips to the site, as determined by the biologist and through a schedule approved by the Wildlife Agencies. The biologist will determine whether bird activity is being disrupted. If the biologist determines that bird activity is being disrupted, the applicant will stop work and coordinate with the Wildlife Agencies to review the avoidance/minimization approach. Coordination between the applicant and Wildlife Agencies to review the avoidance/minimization approach will occur within 48 hours. Upon agreement as to the necessary revisions to the avoidance/minimization approach, work may resume subject to the revisions and continued nest monitoring. Nest monitoring will continue until fledglings have dispersed or the nest has been determined to be a failure, as approved by the Wildlife Agencies; F-32

e. Be on site during all vegetation clearing/grubbing and project construction in sensitive habitats to be impacted or within 500 feet of habitat to be avoided; F-33

f. Oversee installation of and inspect the fencing and erosion control measures within or up-slope of upland habitat restoration and/or preservation areas a minimum of once per week and daily during all rain events to ensure that any breaks in the fence or erosion control measures are repaired immediately; F-34

g. Periodically monitor the work area to ensure that work activities do not generate excessive amounts of dust; F-35

h. Train all contractors and construction personnel on the biological resources associated with this project and ensure that training is implemented by F-36

Ms. Juliana von Hacht (FWS-SDG-08B0421-08TA0462) Enclosure 2, Page 5

construction personnel. At a minimum, training will include: 1) the purpose for resource protection: 2) a description of the vireo and its habitats; 3) the conservation measures given in the MND that should be implemented during project construction to conserve the vireo, including strictly limiting activities, vehicles, equipment, and construction materials to the fenced project footprint to avoid sensitive resource areas in the field (i.e., avoided areas delineated on maps or on the project site by fencing); 4) environmentally responsible construction practices as outlined in measure 7 below; 5) the protocol to resolve conflicts that may arise at any time during the construction process; 6) the general provisions of the Act, the need to adhere to the provisions of the Act, the penalties associated with violating the Act; F-36

i. Halt work, if necessary, and confer with the Wildlife Agencies to ensure the proper implementation of species and habitat protection measures. The biologist will report any violation to the Wildlife Agencies within 24 hours of its occurrence; F-37

j. Submit weekly letter reports (including photographs of impact areas) to the Service during clearing of upland habitat and/or project construction within 500 feet of avoided habitat. The weekly reports will document that authorized impacts were not exceeded, work did not occur within the 500-foot setback except as approved by the Service, and general compliance with all conditions. The reports will also outline the duration of vireo monitoring, the location of construction activities, the type of construction which occurred, and equipment used. These reports will specify numbers, locations, and sex of vireo (if present), observed vireo behavior (especially in relation to construction activities), and remedial measures employed to avoid, minimize, and mitigate impacts to vireo. Raw field notes should be available upon request by the Service; and F-38

k. Submit a final report to the Wildlife Agencies within 60 days of project completion that includes: as-built construction drawings with an overlay of habitat that was impacted and avoided, photographs of habitat areas that were to be avoided, and other relevant summary information documenting that authorized impacts were not exceeded and that general compliance with all conditions of the MND was achieved. F-39

7. The applicant shall ensure that the following conditions are implemented during project construction:

a. Disposal or temporary placement of excess fill, brush or other debris shall not be allowed in waters of the United States or their banks;

b. All equipment maintenance, staging, and dispensing of fuel, oil, coolant, or any other such activities shall occur in designated areas outside of waters of the United States within the fenced project impact limits. These designated areas shall be located in previously compacted and disturbed areas to the maximum extent practicable in such a manner as to prevent any runoff from entering waters F-40

Ms. Juliana von Hacht (FWS-SDG-08B0421-08TA0462) Enclosure 2, Page 6

of the United States, and shall be shown on the construction plans. Fueling of equipment shall take place within existing paved areas greater than 100 feet from waters of the United States. Contractor equipment shall be checked for leaks prior to operation and repaired as necessary. "No-fueling zones" shall be designated on construction plans. F-40

8. The applicant shall post a performance bond or letter of credit for grading, planting, irrigation, and 5 years of maintenance and monitoring of for the upland buffer restoration (including a 20% contingency to be added to the total costs). This bond or letter of credit is to guarantee the successful implementation of the CSS mitigation construction, maintenance and monitoring. The applicant shall submit a draft bond or letter of credit with an itemized cost list to the Wildlife Agencies for approval at least 30 days prior to initiating project impacts. The applicant shall submit the final bond or letter of credit for the amount approved by the Wildlife Agencies within 60 days of receiving Wildlife Agency approval of the draft bond. F-41

9. The project applicant shall execute and record a perpetual biological conservation easement over the habitat to be avoided/preserved on site. The easement shall be in favor of an agent approved by the Wildlife Agencies. The Wildlife Agencies shall be named as third party beneficiaries. The easement shall be approved by the Wildlife Agencies prior to its execution and should follow a Wildlife Agency-approved template. There should be no active trails in the easement areas. F-42

10. The applicant shall prepare and implement a perpetual management, maintenance and monitoring plan for all on site biological conservation easement areas. The applicant shall also establish a non-wasting endowment for an amount approved by the Wildlife Agencies based on a Property Analysis Record (PAR) (Center for Natural Lands Management ©1998) or similar cost estimation method to secure the ongoing funding for the perpetual management, maintenance and monitoring of the biological conservation easement area by an agency, non-profit organization, or other entity approved by the Wildlife Agencies. The applicant shall submit a draft plan including: 1) a description of perpetual management, maintenance and monitoring actions and the PAR or other cost estimation results for the non-wasting endowment; 2) proposed land manager's name, qualifications, business address, and contact information, to the Wildlife Agencies for approval at least 30 days prior to initiating project impacts. The applicant shall submit the final plan to the Wildlife Agencies and a contract with the approved land manager, as well as transfer the funds for the non-wasting endowment to a non-profit conservation entity, within 60 days of receiving approval of the draft plan. F-43

11. The applicant shall install permanent protective fencing along any interface with developed areas and/or use other measures approved by the Wildlife Agencies to deter human and pet entrance into on site habitat. Fencing should have no gates and be designed to prevent intrusion by pets, especially cats. Signage for the biological conservation easement area shall be posted and maintained at conspicuous locations. Plans for fencing and/or other preventative measures shall be submitted to the Wildlife Agencies for approval at least 30 days prior to initiating project impacts. Fencing shall be installed prior to completion of project construction. F-44

Ms. Juliana von Hacht (FWS-SDG-08B0421-08TA0462) Enclosure 2, Page 7

12. The applicant shall ensure that development landscaping adjacent to on- or off-site habitat does not include exotic plant species that may be invasive to native habitats. Exotic plant species not to be used include any species listed on the California Invasive Plant Council's (Cal-IPC) "Invasive Plant Inventory" List. This list includes such species as pepper trees, pampas grass, fountain grass, ice plant, myoporum, black locust, capeweed, tree of heaven, periwinkle, sweet alyssum, English ivy, French broom, Scotch broom, and Spanish broom. A copy of the complete list can be obtained from Cal-IPC's web site at http://www.cal-ipc.org. In addition, landscaping should not use plants that require intensive irrigation, fertilizers, or pesticides adjacent to preserve areas and water runoff from landscaped areas should be directed away from the biological conservation easement area and contained and/or treated within the development footprint. The applicant shall submit a draft list of species to be included in the landscaping to the Wildlife Agencies for approval at least 30 days prior to initiating project impacts. The applicant shall submit to the Wildlife Agencies the final list of species to be included in the landscaping within 30 days of receiving approval of the draft list of species. F-45

13. The applicant shall develop a resident education program in coordination with the Wildlife Agencies. The applicant shall submit a draft program to the Wildlife Agencies at least 30 days prior to initiating project impacts. The program shall advise residents of the potential impacts to the listed species and the potential penalties for taking such species. The program shall include, but not be limited to, information pamphlets and signage of the fencing between the development and the biological conservation easement. Pamphlets shall be distributed to all residences. At a minimum, the program shall include the following topics: occurrence of the listed and sensitive species in the area; their general ecology; sensitivity of the species to human activities; how to prevent the spreading of non-native ants and other insect pests from developed areas into preserved areas; impacts from free-roaming pets (particularly domestic and feral cats); legal protection afforded these species; penalties for violations of federal and State laws; reporting requirements; and project features designed to reduce the impacts to these species and promote continued successful occupation of the preserved areas. The applicant shall submit the program to the Wildlife Agencies at least 30 days prior to initiating project impacts. The applicant shall submit to the Agencies the final program within 60 days of receiving approval of the draft program. F-46

14. The applicant shall ensure that development lighting adjacent to all on site habitat shall be directed away from and/or shielded so as not to illuminate native habitats. The applicant shall submit a lighting plan to the Wildlife Agencies at least 30 days prior to initiating project impacts. F-47

15. If night work is necessary, night lighting shall be of the lowest illumination necessary for human safety, selectively placed, shielded and directed away from natural habitats. F-48

Response to Comment Letter F
United States Fish and Wildlife Service
April 2, 2008

F-1: This comment outlines the author's understanding of the project and does not relate to the adequacy of the Draft MND. Therefore, no response is necessary.

F-2: Comment noted. This comment speaks to the U.S. Fish and Wildlife Service (USFWS) role related to biological resources. This comment does not speak to the adequacy of the Draft MND, therefore no response is necessary.

F-3: Comment noted. The appropriate USFWS staff will be contacted for further consultation as appropriate.

F-4: Comment noted. This comment speaks to the reasoning of providing comments on the proposed project. This comment does not speak to the adequacy of the Draft MND; therefore, no response is necessary.

F-5: The project's parking lot has been redesigned to reduce the number of parking spaces to allow adequate space for the 50-foot biological buffer area. The City, applicant, City's consultants, CDFG and USFWS met at the project site to discuss the types of land uses that could be accommodated in the 50-foot planning buffer. It was determined at this meeting that the proposed project uses depicted in the 50-foot planning buffer shown on Figure 3 of the Draft MND would be permitted. Changes to the site plan to accommodate the buffers consist of a reduction in parking spaces from 61 to 41 and a reduction in the project's development impact area along the northern boundary of the project site. These revisions were implemented to reduce potential impacts to biological resources and do not raise important new issues related to significant effects on the environment. These changes do not affect the significance conclusions contained in the Draft MND.

F-6: See response to comment F-5.

F-7: The Draft MND has been revised to implement the requirements of a restoration plan stated in this comment as a mitigation measure (i.e. Mitigation Measure BIO-4). Revisions made to the Draft MND do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft MND.

F-8: Comment noted. Everett and Associates conducted the requested least Bell's vireo protocol surveys on 4/16/08, 4/29/08, 5/9/08, 5/20/08, 6/2/08, 6/12/08, 6/23/08 and 7/3/08. The results of the protocol surveys were negative and have been summarized in a Report on Focused Protocol Surveys for Least Bells Vireo dated July 7, 2008 and included as Appendix B-2 of the Final MND. No revisions to the Draft MND resulted from the negative protocol surveys.

F-9: See response to comment F-8. The results of the least Bell's vireo protocol surveys were negative. Therefore, the 100-foot biological buffer is not required and has therefore not been incorporated into the project design.

F-10: The proposed parking lot has been revised to reduce the number of parking spaces to allow for the minimum 50-foot biological buffer; however, the revisions to the parking lot did not result in relocating the parking lot to the east of the proposed structure. As discussed in response to comment F-5 the proposed uses within the 50-foot planning buffer were determined to be permitted for the proposed project. In addition, the City Fire Marshall is supportive of the current project design and will not require brush management within the buffer areas. The Fire Marshall was present at the May 9, 2008 site meeting where the lack of brush management was discussed and agreed upon. Revisions made to the Draft MND do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft MND.

F-11: The Draft MND has been revised to incorporate Mitigation Measure BIO-5, which clarifies the logistics of the proposed biological preserve area. Mitigation Measure BIO-5 outlines the two legal mechanisms that can be used to conserve the open space area in perpetuity. Revisions made to the Draft MND do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft MND.

F-12: See response to Comment F-8. It is likely that impacts to the southern willow scrub during installation of the storm drain pipe within Buena Vista Creek channel will necessitate the use of a "Nationwide" permit from the US Army Corps of Engineers to ensure compliance with Section 404 of the Federal Clean Water Act. The necessity for formal or informal consultation with the USFWS, to ensure compliance with Section 7 of the Federal Endangered Species Act, would be determined by the US Army Corps of Engineers after they've had a chance to review the project's biological resource and proposed impact information. Mitigation Measure BIO-1 has been revised in the Final MND to clarify that the project proponent shall obtain all permits or authorizations from

the regulatory agencies that may be necessary. Revisions made to the Draft MND do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft MND.

F-13: The Draft MND has been revised to include Mitigation Measure BIO-4; which requires the preparation of an upland habitat creation/restoration/enhancement plans prior to issuance of a grading permit. This plan will be reviewed by the City, CDFG and USFWS prior to finalization. Revisions made to the Draft MND do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft MND.

F-14: Comment noted. The upland revegetation plan will incorporate the appropriate information and conditions suggested in the USFWS Standard Recommendations.

F-15: Comment noted. The upland revegetation plan will incorporate the appropriate recommendations relating to grading, planting, and irrigation.

F-16: Comment noted. The upland revegetation plan will incorporate the appropriate recommendations relating to plant palettes and seed mixes.

F-17: Comment noted. The upland revegetation plan will incorporate the appropriate recommendations relating to success criteria.

F-18: Comment noted. The upland revegetation plan will incorporate the appropriate recommendations relating to implementation scheduling.

F-19: Comment noted. The upland revegetation plan will incorporate the appropriate recommendations relating to success criteria.

F-20: Comment noted. The upland revegetation plan will incorporate the appropriate recommendations relating to monitoring.

F-21: Comment noted. The upland revegetation plan will incorporate the appropriate recommendations relating to contingency measures.

F-22: Comment noted. The upland revegetation plan will incorporate the appropriate recommendations relating to reporting.

F-23: Comment noted. The upland revegetation plan will incorporate the appropriate recommendations relating to maintenance restrictions.

F-24: As discussed in Section 14.4, Mitigation Measure BIO-2 requires that the construction limits be fenced with orange snow screen. In addition, exclusion fencing shall be maintained until the completion of all construction activities. These measures are consistent with the City's Draft Subarea Plan, and are considered sufficient to identify the project work area and to prevent unauthorized impacts to adjacent open space.

F-25: As specified in detail in Mitigation Measure BIO-2 of the Draft MND, the approved work area will be established onsite through the use of construction fencing. A biological construction monitor will provide periodic updates to the City and Wildlife Agencies. These measures would assure the Wildlife Agencies that the proposed work, including vegetation removal, is being implemented in accordance with approved project plans.

F-26: Comment noted. As noted in Mitigation Measure BIO-2r, if work occurs beyond the fenced or demarcated limits of impact, all work shall cease until the problem has been remedied to the satisfaction of the City and the Wildlife Agencies. Any unauthorized impacts shall be mitigated at a ratio of 5:1.

F-27: As discussed in Draft MND Section 14.3, Air Quality, Mitigation Measure AQ-1, any unpaved areas will be watered to control dust from leaving the site during construction. At a minimum, this shall include wetting down such areas in the late morning and after work is completed for the day. In addition, Draft MND Section 14.4, Mitigation Measure BIO-2, requires that construction limits are fenced with orange snow screen. Fencing will prevent unauthorized construction vehicle intrusion into unpaved areas which will further reduce potential construction dust impacts.

F-28: As discussed in Draft MND Section 14.4, Mitigation Measure BIO-2f and BIO-2k, construction activities would be avoided during the bird breeding season.

F-29: As discussed in Draft MND Section 14.4, Mitigation Measure BIO-2f and BIO-2k, construction activities would be required to avoid the bird breeding season.

F-30: As stated in Draft MND Section 14.4, Mitigation Measure BIO-2b, a qualified biologist shall be retained by the applicant to review the final grading plans, access routes and staging areas, periodically monitor construction, educate contractors about the biological sensitivities associated with the area and ensure compliance with mitigation measures.

F-31: Comment noted. Salvage and transplant of plant materials is not anticipated for this project.

F-32: Comment noted. Refer to response to comment F-30. As specified in Draft MND Mitigation Measures BIO-2f and BIO-2k, construction activities will be required to avoid the bird breeding season. Additionally, a majority of the proposed work area for the project is located in disturbed habitat. Therefore, least Bell's vireo or other nesting birds would not be anticipated to occur on the site during construction. Therefore, implementation of this recommendation is not necessary for this project.

F-33: Comment noted. Refer to response to comment F-30.

F-34: Comment noted. Refer to response to comment F-30.

F-35: Comment noted. Refer to response to comment F-30.

F-36: Comment noted. Refer to response to comment F-30. As described in Draft MND Mitigation Measure BIO-2c, the qualified biological monitor shall train all project personnel prior to any grading or construction activities.

F-37: Comment noted. Refer to response to comment F-30.

F-38: Comment noted. Refer to response to comment F-30. Reporting to the City and the Wildlife Agencies will be provided by the biological construction monitor.

F-39: Comment noted. Refer to response to comment F-30. Reporting to the City and the Wildlife Agencies as outlined in Mitigation Measure BIO-2 will be provided by the biological construction monitor.

F-40: Comment noted. Mitigation measure BIO-2 of the Draft MND describes the no fueling zone requirements and numerous other Best Management Practices that will be implemented by the contractors on this project site to avoid unintended impacts to Waters of the US.

F-41: The Draft MND has been revised to include Mitigation Measure BIO-4, which requires the preparation of an upland revegetation plan to be prepared for the proposed project. This plan will describe the details of any necessary performance bonds. This plan will be subject to the review and approval of the Wildlife Agencies. Revisions made to the Draft

MND do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft MND.

F-42: The Draft MND has been revised to include Mitigation Measure BIO-5, which clarifies the options for execution of a legal conservation mechanism to protect the proposed biological open space. Revisions made to the Draft MND do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft MND.

F-43: Comment noted. The Draft MND has been revised to include Mitigation Measure BIO-5, which requires funding assurances for long-term management and monitoring of the proposed open space. Revisions made to the Draft MND do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft MND.

F-44: Draft MND Mitigation Measure BIO-3, requires that a permanent barrier be constructed along the eastern property boundary and at the top of the slope along the northern boundary to deter human and pet entrance into sensitive habitat areas.

F-45: As a condition of approval, the project landscape plan will not include any invasive species listed on the California Invasive Plant Council's Invasive Plant Inventory List.

F-46: Comment noted. Refer to response to comments F-42 and F-43. The Draft MND has been revised to incorporate Mitigation Measure BIO-4 which requires the preparation of a long-term management and monitoring (if appropriate) program for the proposed open space/biological preserve. Should the City/Applicant/Wildlife Agencies deem a resident education program an appropriate component of the long-term management plan, tools and measures described in this comment may be included.

F-47: As indicated in Draft MND Mitigation Measure BIO-2m, artificial lighting shall be limited to low-pressure sodium sources. Further, this Mitigation Measure states that all light sources shall be shielded so that lighting is focused downward to restrict spill over.

F-48: The suggested night lighting requirements have been added to Mitigation Measure BIO-2m. This revision to the Draft MND does not raise important new issues related to significant effects on the environment, and does not affect the significance conclusions contained in the Draft MND.

Comment Letter G

Linda S. Adams
Secretary for
Environmental Protection

Department of Toxic Substances Control

Maureen F. Gorsen, Director
5796 Corporate Avenue
Cypress, California 90630

Arnold Schwarzenegger
Governor

RECEIVED
APR - 7 2008
Planning Department

April 2, 2008

Ms. Juliana Von Hacht
City of Oceanside Planning Department
300 North Coast Highway
Oceanside, California 92054

INITIAL STUDY AND NEGATIVE DECLARATION (ND) FOR LIL JACKSON SENIOR COMMUNITY (SCH# 2008031010)

Dear Ms. Von Hacht:

The Department of Toxic Substances Control (DTSC) has received your submitted document for the above-mentioned project. As stated in your document: "The proposed project will consist of the development of 80 affordable senior apartment units within one, three-story building. Once constructed, the project will provide age and income restrictions to potential residents. In addition to the apartment units, the proposed structure will include a community room, community kitchen, lounge, laundry room, arts and crafts room, library and computer room, and covered and uncovered patios. An air conditioning system will be provided within the proposed structure. The building footprint for the senior center will be approximately 22,735 square feet. The structure will have approximate dimensions of 120 feet and 320 feet, with a maximum height of 42 feet". G-1

Based on the review of the submitted document DTSC has the following comments:

1) The ND should identify and determine whether current or historic uses at the project area may have resulted in any release of hazardous wastes/substances. G-2

2) The document states that the ND would identify any known or potentially contaminated sites within the proposed project area. For all identified sites, the ND should evaluate whether conditions at the site may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies: G-3

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Ms. Juliana Von Hacht
April 2, 2008
Page 2

- National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
- Site Mitigation Program Property Database (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control.
- Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
- Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations. G-3
- Leaking Underground Storage Tanks (LUST) / Spills, Leaks, Investigations and Cleanups (SLIC): A list that is maintained by Regional Water Quality Control Boards.
- Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
- The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).

3) The ND should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. G-4 If hazardous materials or wastes were stored at the site, an environmental assessment should be conducted to determine if a release has occurred. If so, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. G-5 It may be necessary to determine if an expedited response action is required to reduce existing or potential threats to public health or the environment. If no immediate threat exists, the final remedy should be implemented in compliance with state lows, regulations and policies. G-6

Ms. Juliana Von Hacht
April 2, 2008
Page 3

4) The project construction may require soil excavation and soil filling in certain areas. Appropriate sampling is required prior to disposal of the excavated soil. If the soil is contaminated, properly dispose of it rather than placing it in another location. Land Disposal Restrictions (LDRs) may be applicable to these soils. Also, if the project proposes to import soil to backfill the areas excavated, proper sampling should be conducted to make sure that the imported soil is free of contamination. G-7

5) Human health and the environment of sensitive receptors should be protected during the construction or demolition activities. A study of the site overseen by the appropriate government agency might have to be conducted to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment. G-8

6) If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the ND should identify how any required investigation and/or remediation will be conducted, and the appropriate government agency to provide regulatory oversight. G-9

7) If weed abatement occurred, onsite soils may contain herbicide residue. If so, proper investigation and remedial actions, if necessary, should be conducted at the site prior to construction of the project. G-10

8) In future CEQA documents, please provide the contact person's title and e-mail address. G-11

If you have any questions regarding this letter, please contact Mr. Al Shami, Project Manager, at (714) 484-5472 or "ashami@DTSC.ca.gov". G-12

Sincerely,

Greg Holmes
Unit Chief
Southern California Cleanup Operations Branch - Cypress Office

cc: see next page

Ms. Juliana Von Hacht
April 2, 2008
Page 4

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044

Mr. Guenther W. Moskat, Chief
Planning and Environmental Analysis Section
CEQA Tracking Center
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

CEQA #2098

Response to Comment Letter G
Department of Toxic Substances Control
April 2, 2008

G-1: This comment outlines the author's understanding of the project and does not relate to the adequacy of the Draft MND. Therefore, no response is necessary.

G-2: Section 4.14.7 Hazards and Hazardous Materials of the Draft MND addresses current and historic hazardous materials uses in the project area that may have resulted in release of hazardous wastes/substances. Additionally, a Phase I Environmental Site Assessment was prepared for the project by Pacific Southwest Group in May 2005. The project site is not included on a list of sites containing hazardous materials and no known current or historic uses have resulted in hazardous releases that adversely impact the project site.

G-3: Known or potentially contaminated sites within the Proposed Project area were assessed and summarized in the May 2005 *Phase I Environmental Site Assessment.* This report, along with additional concerns associated with hazards and hazardous materials, were summarized in Section 4.14.7 Hazards and Hazardous Materials. Per the Phase I Environmental Site Assessment, past uses of the property and adjoining properties do not pose an environmental concern to the project site. Additionally, the *Phase I Environmental Site Assessment* included a database listing of regulatory agencies, referred to as an Environmental Record Search. None of the sites listed on the Environmental Records Search pose an environmental concern to the project site either because of remoteness or because of relative slope and gradient.

G-4: As indicated in Section 4.14.7 Hazards and Hazardous Materials, a Phase I Environmental Site Assessment was prepared by Pacific Southwest Group in May 2005 to determine if hazardous substances have been released. According to this report, there have been no activities on the project site which may have contributed to environmental concerns in the area. This study determined that current site conditions are not an environmental concern and therefore do not require further investigation.

G-5: The Phase I Environmental Site Assessment prepared for the project site by Pacific Southwest Group in May 2005, indicated that a review of Sanborn maps, building permits and aerial photographs were conducted and that no known hazard-producing land uses have occurred on the project site. Therefore, past activities of storage of hazardous materials or wastes on the project site is considered unlikely. In addition, no hazardous concerns were identified in the Phase I Site Assessment.

G-6: See Response to G-2, G-3 and G-5. The proposed project would not pose a risk to human health or the environment, therefore compliance with laws aimed at promoting remedy of hazardous waste sites would not apply to the project.

G-7: It is estimated that the project will result in approximately 2,600 cubic yards of cut and fill material which will balance onsite. It was determined that current site conditions in regards to hazards and hazardous wastes are not a significant environmental concern. Reuse of soils on the site would be conducted in accordance with all federal, state, and local regulations.

G-8: According to the May 2005 Pacific Southwest Group Phase I Environmental Site Assessment there are no known hazardous materials located on or adjacent to the project site that would pose a risk to human health or the environment.

G-9: No hazardous conditions were identified on the project site that could impact the proposed project. The findings from the Phase I Environmental Site Assessment state that neither the project site nor adjoining properties pose and environmental concern to the project site. As part of the project's compliance with all federal, state, and local regulations, the appropriate government agency would be contacted if unexpected contamination were encountered during construction/demolition activities. Further, because interactions with the groundwater table are not anticipated during project construction, potential contaminant issues are not expected.

G-10: See response to comment G-9. No known weed abatement or other activities have occurred on the project site that would result in pesticide, herbicides, or agricultural chemical residue.

G-11: Comment noted. It should be noted that pages 1-3 and 4-2 of the Draft MND identified the appropriate contact person, their title, mailing address and phone number.

G-12: The City appreciates the Department of Toxic Substance Control's comments on the Draft MND and will coordinate with the requested project manager as necessary.

Comment Letter H

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT

ARNOLD SCHWARZENEGGER
GOVERNOR

CYNTHIA BRYANT
DIRECTOR

April 3, 2008

RECEIVED
APR - 7 2008
Planning Department

Juliane Von Hacht
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054

Subject: Lil Jackson Senior Community
SCH#: 2008031010

Dear Juliane Von Hacht:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on April 2, 2008, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly. H-1

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly. H-2

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. H-3

Sincerely,

Terry Roberts

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2008031010
Project Title Lil Jackson Senior Community
Lead Agency Oceanside, City of

Type MN Mitigated Negative Declaration
Description D

If approved, the proposed project will consist of the development of 80 affordable senior apartment units within one, three-story building. Once constructed, the project will provide age and income restrictions to potential residents. In addition to the apartment units, the proposed structure will include a community room, community kitchen, lounge, laundry room, arts and crafts room, library and computer room, and covered and uncovered patios. An air conditioning system will be provided within the proposed structure. The building footprint for the senior center will be approximately 22,735 square feet. The structure will have approximate dimensions of 120 feet and 320 feet, with a maximum height of 42 feet.

Lead Agency Contact

Name Juliane Von Hacht
Agency City of Oceanside
Phone (760) 435-3520 **Fax**
email
Address 300 North Coast Highway
City Oceanside **State** CA **Zip** 92054

Project Location

County San Diego
City Oceanside
Region
Cross Streets College Boulevard
Parcel No. 168-012-28-00
Township 11S **Range** 4W **Section** 34 **Base**

Proximity to:

Highways 78, I-5
Airports
Railways San Diego Northern
Waterways Buena Vista Creek
Schools
Land Use City of Oceanside General Plan: Urban High Density Residential; City of Oceanside Zoning Ordinance: Community Commercial

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Landuse; Cumulative Effects; Growth Inducing

Reviewing Agencies California Coastal Commission; Department of Fish and Game, Region 5; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 11; Department of Housing and Community Development; Regional Water Quality Control Board, Region 9; Department of Toxic Substances Control; Native American Heritage Commission; State Lands Commission; Resources Agency

Date Received 03/03/2008 **Start of Review** 03/04/2008 **End of Review** 04/02/2008

Note: Blanks in data fields result from insufficient information provided by lead agency.

STATE OF CALIFORNIA — Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net

Clear 4-2-08

RECEIVED
APR - 1 2008
STATE CLEARING HOUSE

March 24, 2008

Ms. Juliana van Hacht
CITY OF OCEANSIDE
300 N. Coast Highway
Oceanside, CA 92054

Re: SCH#2008031010; CEQA Notice of Completion; proposed Mitigated Negative Declaration for a the Lil Jackson Senior Community Project; City of Oceanside; San Diego County, California

Dear Ms. Van Hacht

The Native American Heritage Commission is the state agency designated to protect California's Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c (CEQA guidelines). Section 15382 of the 2007 CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

√ Contact the appropriate California Historic Resources Information Center (CHRIS) for possible 'recorded sites' in locations where the development will or might occur. Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/653-7278)/ http://www.ohp.parks.ca.gov. The record search will determine:

- If a part or the entire APE has been previously surveyed for cultural resources.
- If any known cultural resources have already been recorded in or adjacent to the APE.
- If the probability is low, moderate, or high that cultural resources are located in the APE.
- If a survey is required to determine whether previously unrecorded cultural resources are present.

√ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for pubic disclosure.
- The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.

√ Contact the Native American Heritage Commission (NAHC) for:

- A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity that may have additional cultural resource information. Please provide this office with the following citation format to assist with the Sacred Lands File search request: USGS 7.5-minute quadrangle citation with name, township, range and section: .
- The NAHC advises the use of Native American Monitors to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE). In some cases, the existence of a Native American cultural resources may be known only to a local tribe(s).

√ Lack of surface evidence of archeological resources does not preclude their subsurface existence.

- Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
- A culturally-affiliated Native American tribe may be the only source of information about a Sacred Site/Native American cultural resource.
- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.

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√ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.

- CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

√ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

√ Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation

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Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,

Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

Response to Comment Letter H
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit
April 3, 2008

H-1: Comment noted. The Draft MND was circulated to selected state agencies and reviewed accordingly. This comment outlines the State Clearinghouse's MND distribution process and does not relate to the adequacy of the Draft MND. Therefore, no response is necessary.

H-2: Comment noted. The City will contact the Native American Heritage Commission (the agency that submitted comments to the State Clearinghouse for submittal to the City) should questions arise from review of the Commission's comment letter.

H-3: Comment noted. This comment states that the City has complied with the State Clearinghouse review requirements for this MND. Because this does not relate to the adequacy of the Draft MND, no response is necessary.

H-4: See response to Comment Letter A.

SECTION 1.0
INTRODUCTION

1.1 INTRODUCTION

Southern California Presbyterian Homes plans to construct a senior housing community in the City of Oceanside (City).

1.2 CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

The City is the lead agency pursuant to the California Environmental Quality Act (CEQA), and is responsible for analyzing and approving the proposed Lil Jackson Senior Community CEQA document. The City has determined that a Mitigated Negative Declaration (MND) is the appropriate environmental document to be prepared in compliance with CEQA. This finding is based on the Initial Study/Environmental Checklist (Section 4.0 of this document). As provided for by CEQA Section 21064.5, an MND may be prepared for a project subject to CEQA when the project will not result in significant environmental impacts that can not be mitigated to a level below significance.

This ~~draft~~ final MND has been prepared by the City, and in conformance with Section 15070, subsection (a), of the State CEQA Guidelines. The purpose of the MND and the Initial Study is to determine the potential significant impacts associated with the construction of the Lil Jackson Senior Community and incorporated mitigation measures into the project design as necessary to reduce or eliminate the significant or potentially significant effects of the project.

1.3 OTHER AGENCIES THAT MAY USE THE MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY

This MND is intended to be used by responsible and trustee agencies that may have review authority over the project. Southern California Presbyterian Homes will obtain all permits as required by law. The City is the lead agency for this project. Other agencies, such as the State Regional Water Quality Control Board (RWQCB), the County of San Diego, the California Department of Fish and Game (CDFG), United States Fish and Wildlife Service (USFWS), U.S. Army Corps of Engineers (ACOE) and the San Diego Air Quality Management District (SDAQMD), may be interested in the MND and Initial Study Checklist.

1.4 CONTENT AND FORMAT OF MITIGATED NEGATIVE DECLARATION

This MND includes the following:

Section 1.0 **Introduction:** Provides an introduction to the MND.

Section 2.0 **Project Description:** Provides a detailed description of the proposed project evaluated in this MND. This section also includes project location, site selection, project characteristics, construction, and operation and maintenance.

Section 3.0 **Findings:** Provides finding that the project will not have a significant effect on the environment and rationale supporting this finding.

Section 4.0 **Initial Study Environmental Checklist/Discussion of Environmental Impacts:** Provides an analysis of environmental issues and concerns surrounding the project.

Section 5.0 **Mitigation Monitoring and Reporting Program:** Provides a list and responsibility assignments for all mitigation measures. This section also describes timing considerations for each mitigation measure.

Section 6.0 **Report Preparers:** Provides a list of report preparation personnel.

Section 7.0 **References and Supporting Information:** Provides bibliographic information related to resources utilized during the document preparation.

1.5 PUBLIC REVIEW PROCESS

In accordance with CEQA, a good faith effort has been made during the preparation of this MND to contact affected agencies, organizations and persons who may have an interest in this project.

In reviewing the MND and Initial Study, affected public agencies and the interested public should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project are proposed to be avoided or mitigated.

Comments may be made on the MND in writing before the end of the comment period. Following the close of the public comment period, the City will consider this MND and comments thereto in determining whether to approve the proposed project.

Written comments on the MND should be sent to the following address by 5:00 p.m., April 3, 2008.

Juliana von Hacht, Associate Planner
City of Oceanside
300 North Coast Highway
Oceanside, CA, 92054

Phone: (760) 435-3520
Fax: (760) 754-2958

Approval and certification of this CEQA document will occur by the Oceanside Planning Commission. Date and time information on the Planning Commission meeting where this document will be considered can be determined by contacting Juliana von Hacht.

SECTION 2.0
PROJECT DESCRIPTION

2.1 PROJECT LOCATION

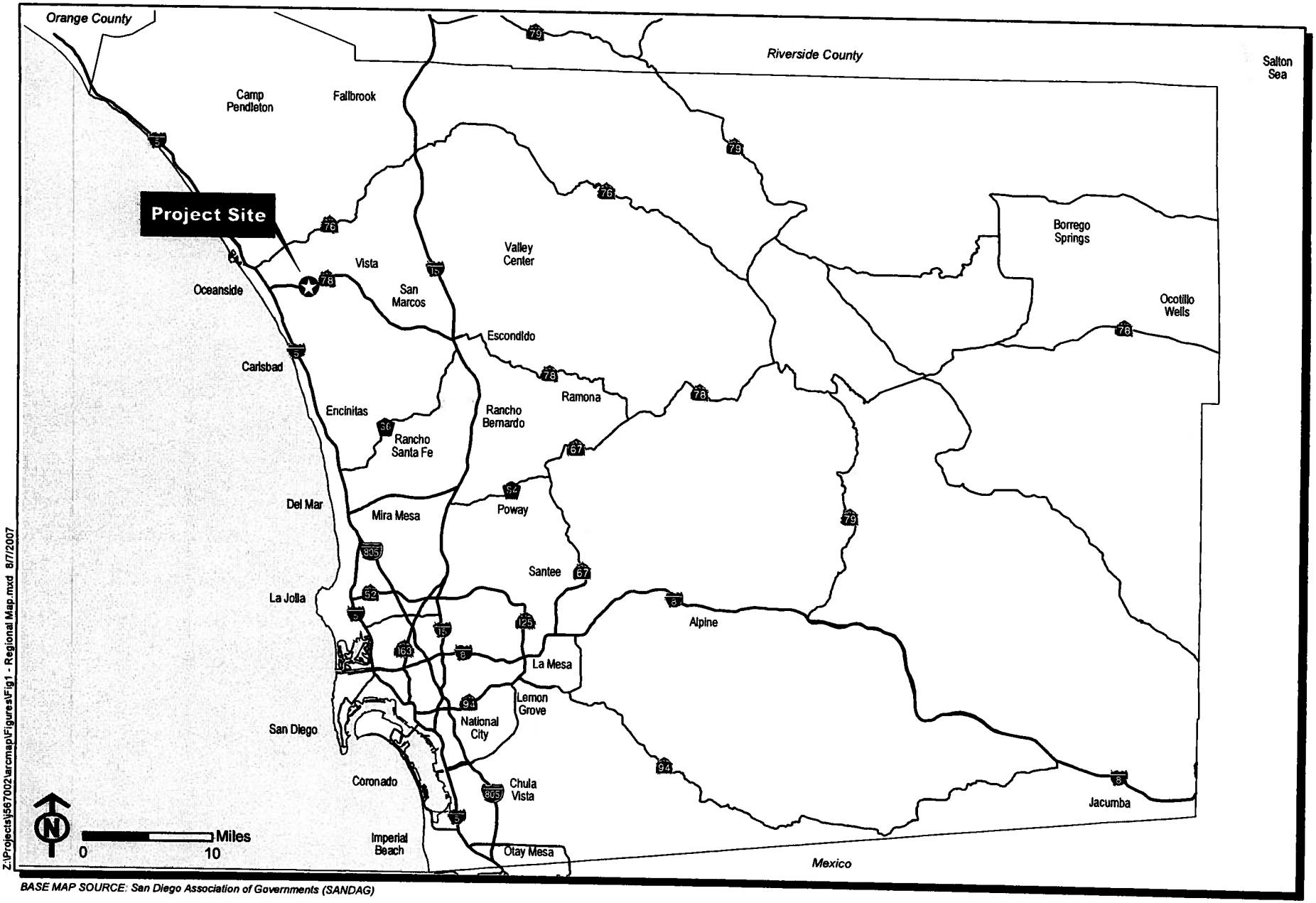
The Lil Jackson Senior Community project is located in the City of Oceanside in northern San Diego County, California (see *Figure 1, Regional Map*). Regional access is provided to the project site via State Route 78 (SR 78) (see *Figure 2, Vicinity Map*). The project site is south of SR 78 and east of College Boulevard. The site consists of 5.03 acres immediately north of Lake Boulevard, at its intersection with Esplanade Street. The project is bounded by Buena Vista Creek to the north, an existing assisted living center to the east, Lake Boulevard to the south, and retirement apartment homes to the west.

2.2 PROJECT DESCRIPTION

The Lil Jackson Senior Community project consists of approximately 5.03 acres along Lake Boulevard. The project site consists of a single parcel which is owned by the City of Oceanside. The project will involve the subdivision of the parcel. The City will retain ownership of the eastern and northern 2.83 acres (Buena Vista Creek, sensitive habitats and a water easement) and the applicant will obtain ownership of the remaining 2.2 acres ~~(area proposed for development)~~. Of the 2.2 acres to be obtained by the applicant, 1.96 acres would be developed and 0.24 acres would be designated as biological open space. In addition, the 2.83 acres of land to remain in City ownership will also be designated as biological open space, therefore increasing the biological open space to 3.07 acres.

If approved, the proposed project will consist of the development of 80 affordable senior apartment units within one, three-story building. Once constructed, the project will provide age and income restrictions to potential residents. In addition to the apartment units, the proposed structure will include a community room, community kitchen, lounge, laundry room, arts and crafts room, library and computer room, and covered and uncovered patios (see *Figure 3, Project Site Plan*). An air conditioning system will be provided within the proposed structure. The building footprint for the senior center will be approximately 22,735 square feet. The structure will have approximate dimensions of 120 feet and 320 feet, with a maximum height of 42 feet (see *Figures 4a and 4b, Building Elevations*). The proposed structure will be setback ~~at least~~approximately ~~100~~ 90 feet from the top of slope bordering Buena Vista Creek. The proposed structure will front Lake Boulevard with paved parking located to the rear and side of the project site. The project proposes to provide a total of ~~61~~ 41 parking spaces (~~57 plus~~ including 3 handicapped and 1 mail carrier space), all of which will be uncovered. The parking areas will be screened from the public street through landscaping, which include xeroscape landscape materials (see *Figure 5, Landscape Concept Plan*). The project will also provide

recreational facilities such as outdoor patios, gardens, seating areas, shade structures and barbeques.

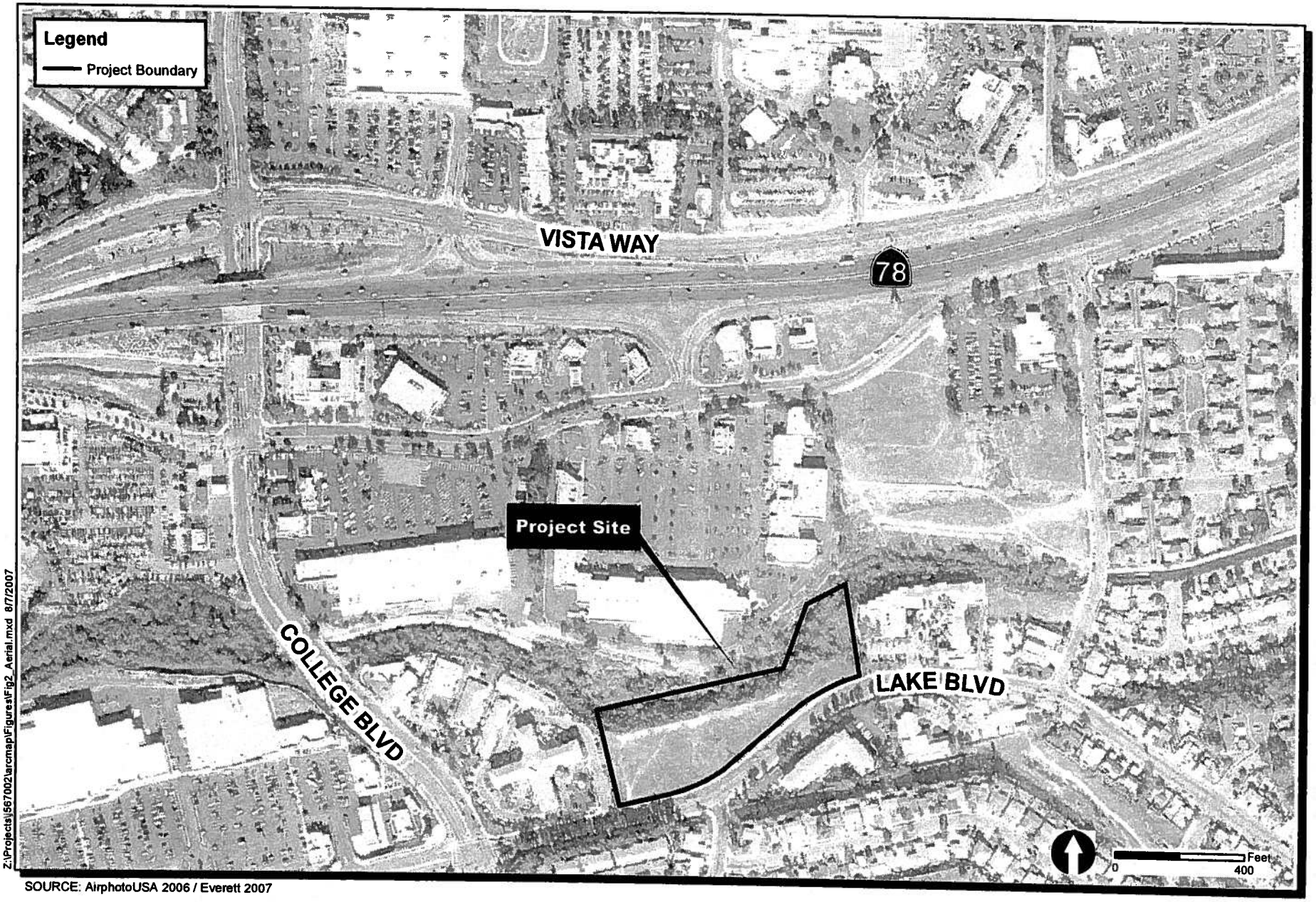


BASE MAP SOURCE: San Diego Association of Governments (SANDAG)

Lil Jackson Senior Community MND

Regional Map

FIGURE 1



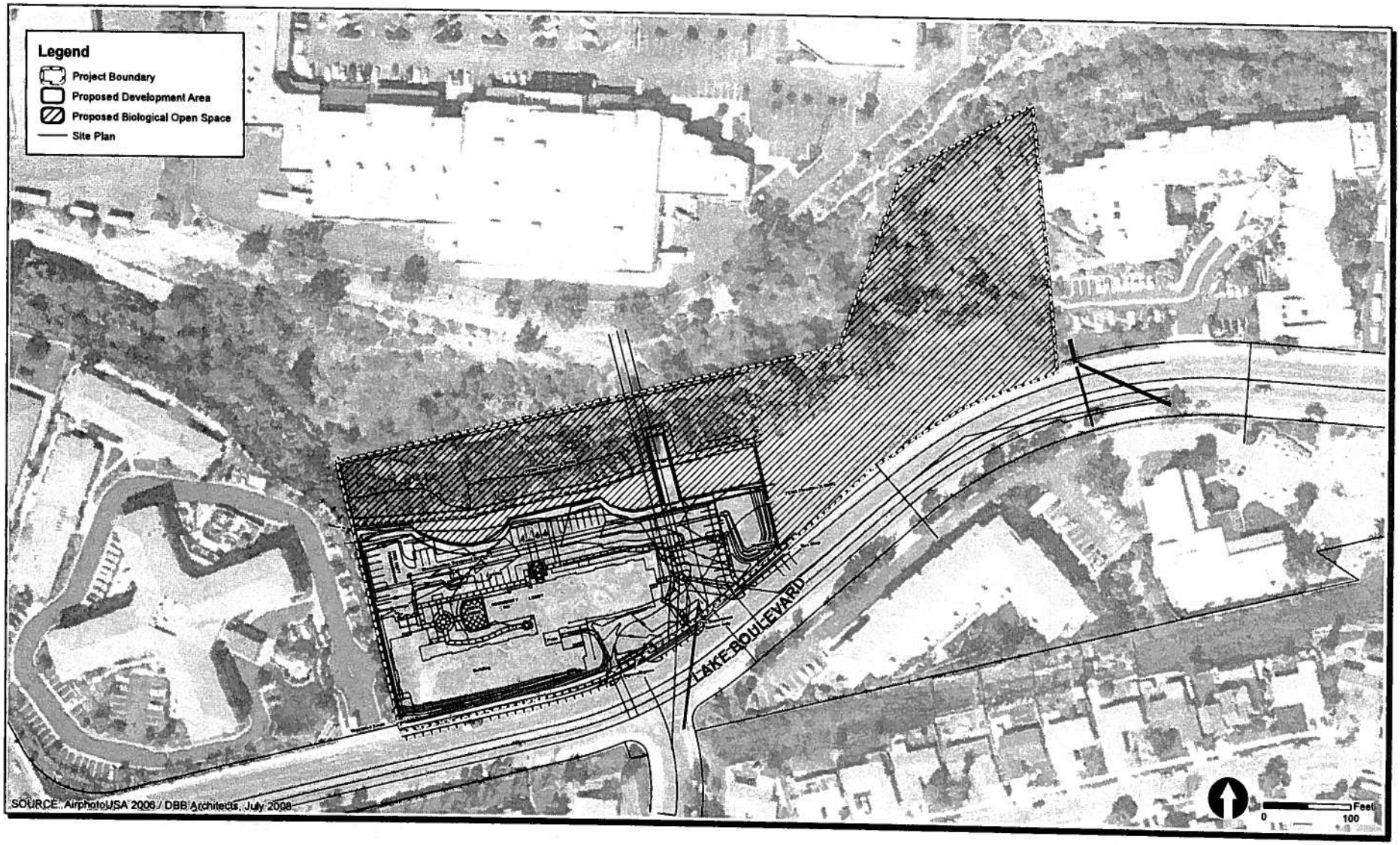
Z:\Projects\567002\arcmap\Figures\Fig2_Aerial.mxd 8/7/2007

SOURCE: AirphotoUSA 2006 / Everett 2007

Lil Jackson Senior Community MND

Vicinity Map

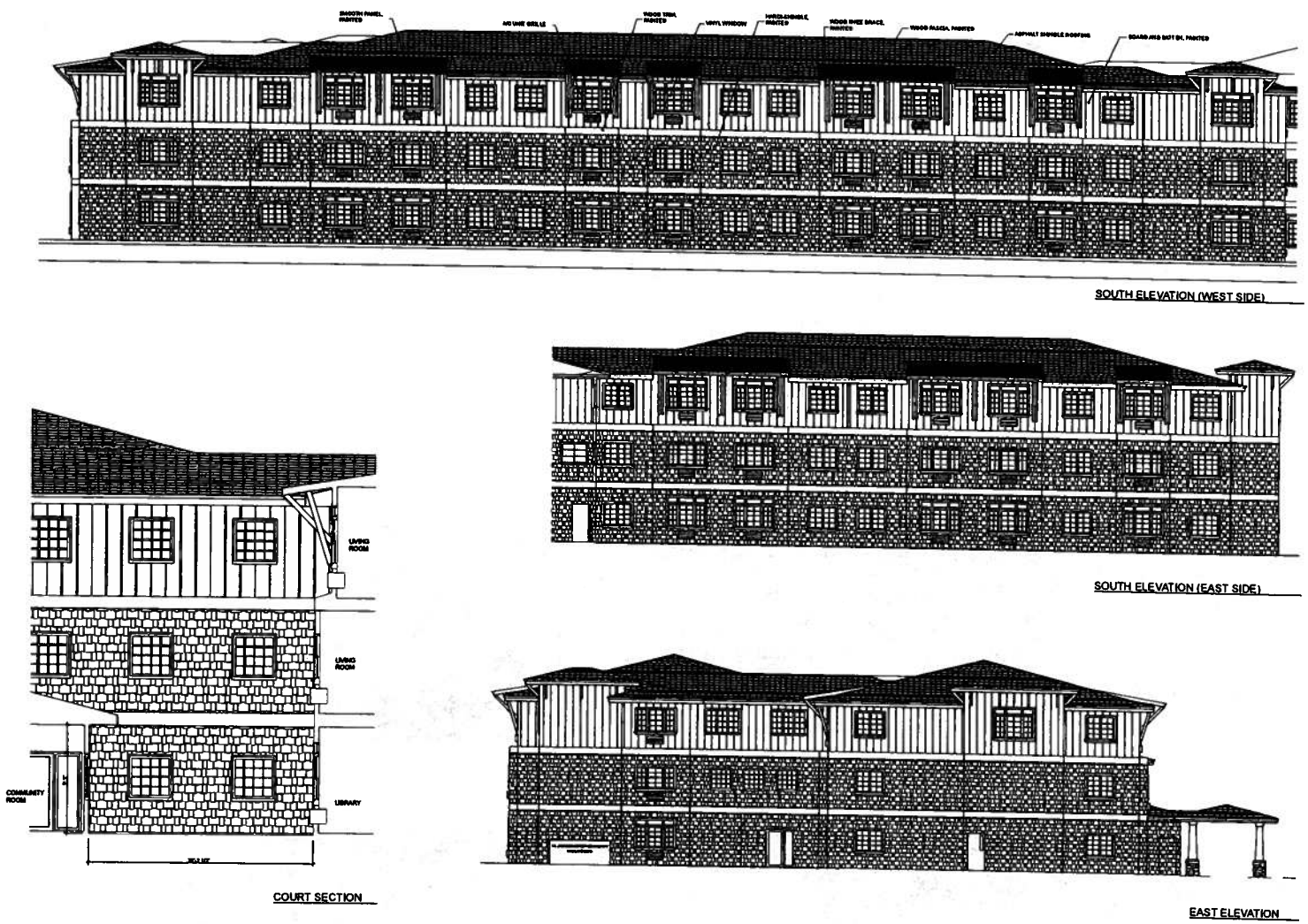
FIGURE 2



Lil Jackson Senior Community MND

Project Site Plan

FIGURE 3

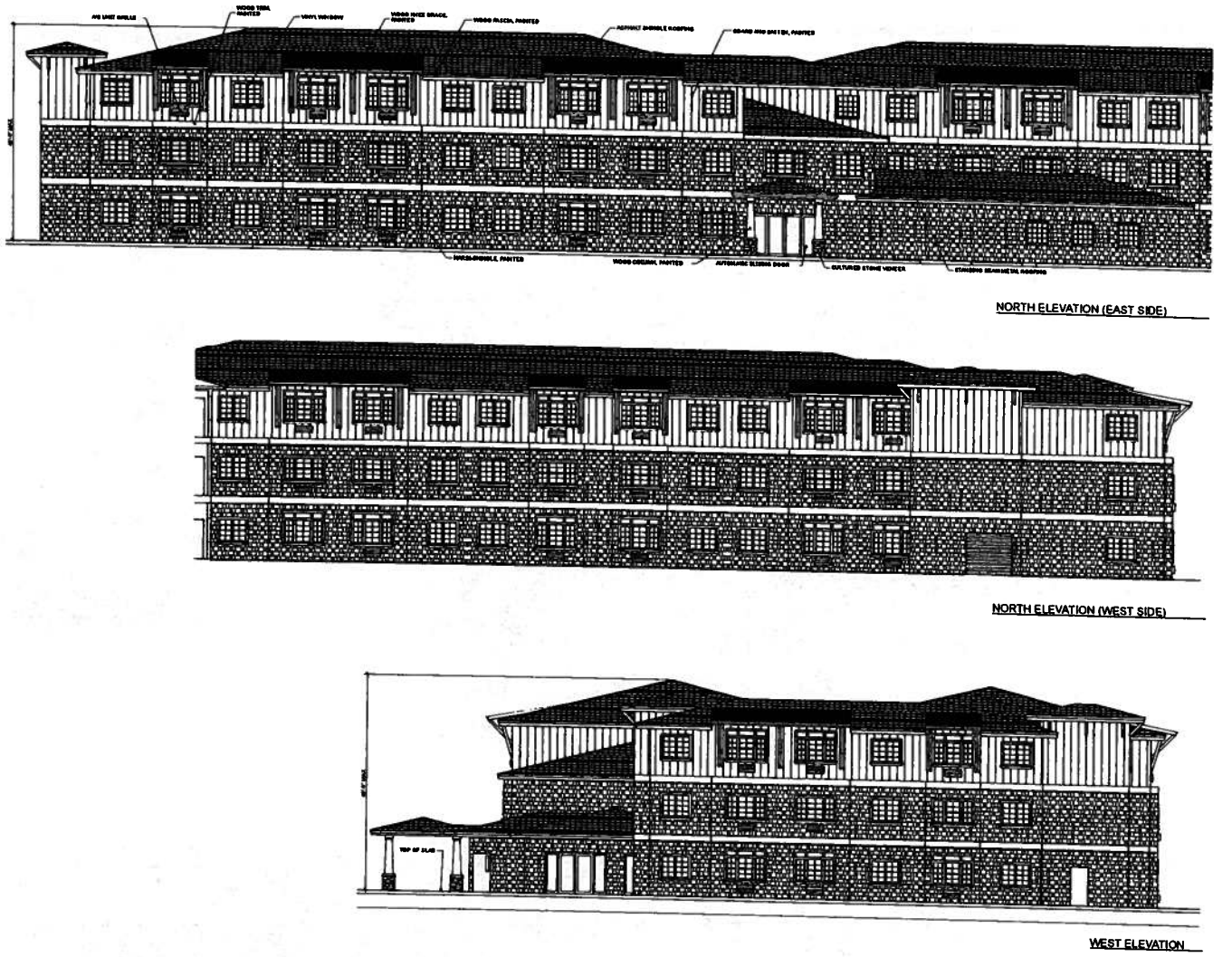


SOURCE: DBB Architects

Lil Jackson Senior Community MND

Building Elevation

FIGURE 4a

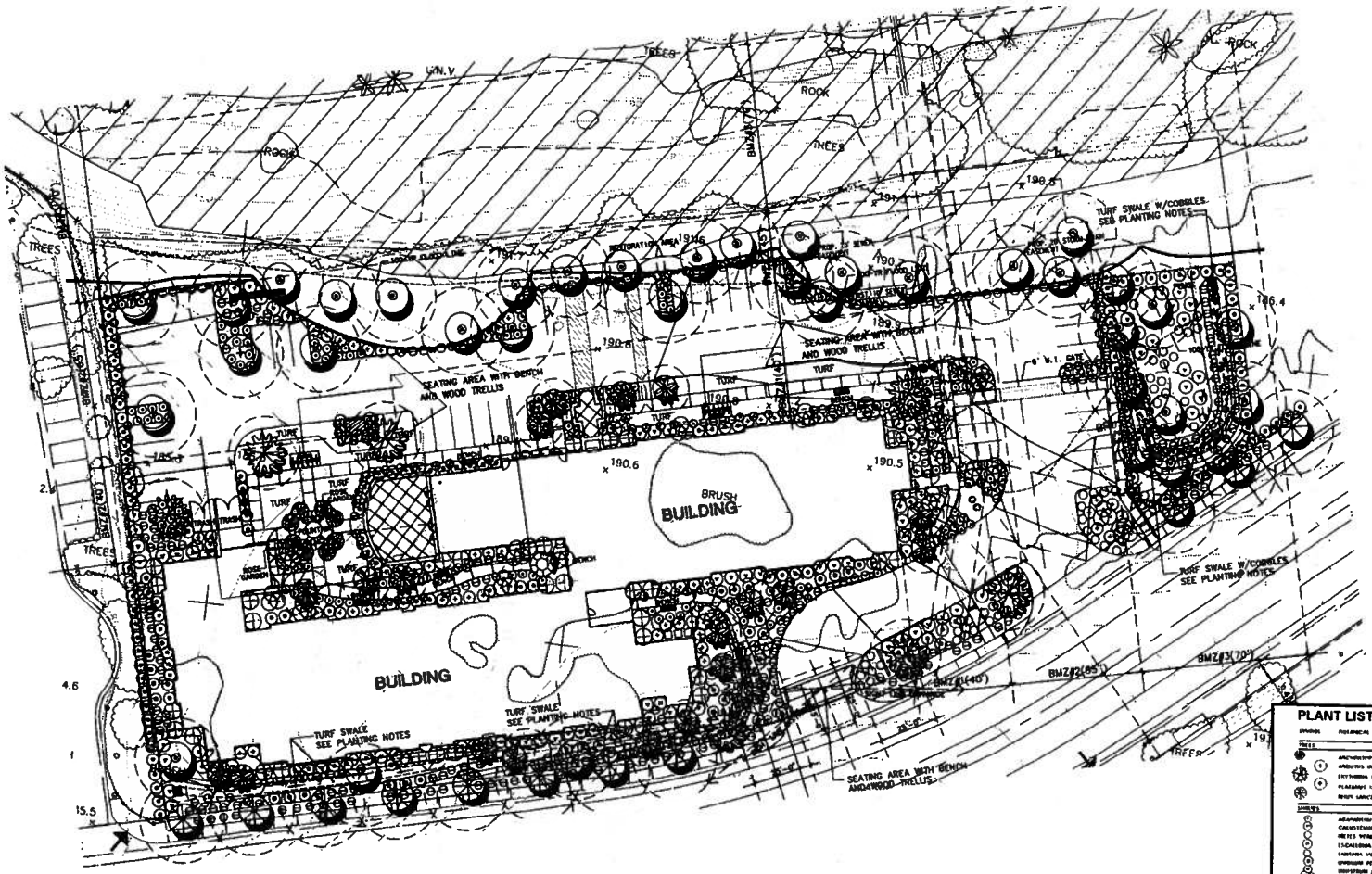


SOURCE: DBB Architects

Lil Jackson Senior Community MND

Building Elevation

FIGURE 4b



PLANT LIST / LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
TREES				
	ARCTOSTAPHYLOS CONFERTIFLORA	BIG BERRY	36"BOX	8'-10' Brnd SPECIMEN
	ARBUTUS UNEDO	STRAWBERRY TREE	24"BOX	STANDARD
	ERYTHRINA CORALLODENDRON	HARDY CORAL TREE	36"BOX	LOW BRANCHING
	PLATANUS RACEMOSA "ALAMO"	CALIFORNIA SYCAMORE	36"BOX / 60"BOX	
	RHUS LANCEA	AFRICAN SUMAC	36"BOX	STANDARD DIRECT TREE
SHRUBS				
	ARCTOSTAPHYLOS AFRICANUS	HEY DY THE WAY	5 GALLON	AS SHOWN/REQUIRE
	CEANOTHUS 'DEPIG JOYS'	DEPIGE JOYSE BRUSH	5 GALLON	AS SHOWN/REQ
	HEBES MERMIA	FORTNIGHT SLY	5 GALLON	AS SHOWN
	ESCALLONIA FRANCIS	ESCALLONIA	5 GALLON	AS SHOWN
	LANTANA VIBURNIFORUS	LANTANA	1 GALLON	AS SHOWN
	LONICERA PERY 20	NEW LANDMARK	5 GALLON	AS SHOWN
	MONTERRA APPROACH "BERRYM	BERRY MINUT	5 GALLON	AS SHOWN
	PHORMIUM TENAX	FLAX NEW ZEALAND	15 GALLON	AS SHOWN
	PITTOSPORUM TENUIFOLIUM	NEW ZEALAND TIAE (SMALL)	5 GALLON	AS SHOWN
	PORTULACA MRCRA "PORTULACA"	PURPLE MOPSEED	5 GALLON	AS SHOWN
	RHAPHIOLEPIS I. 'JACK TWINS'	PINK PINKTWINS	5 GALLON	AS SHOWN
	SANCHEZIA NOBILIS	BIRD OF PARADISE	5 GALLON	AS SHOWN
VINES				
	FICUS REPENS	CREEPING FIG	5 GALLON	AS SHOWN
GROUNDCOVERS				
	TRACHELOSPERMUM JASMINOIDES AREAS	PROMENTIAL STRAWBERRY	FROM FLATS	12" OC PERIMEBRAN SPACING
	MYOPORUM PARVIFOLIUM (SLOPE AREAS)	PROSTRATE MYOPORUM	FROM FLATS	12" OC PERIMEBRAN SPACING
TURF	FESTUCA ARUNDINACEA 'MARATHON II'	HYBRID TALL FESCUE	SOD	

SOURCE: Darsono Design Associates, Inc.

Lil Jackson Senior Community MND
Landscape Plan

FIGURE 5

A stormwater manhole is located in the south, central portion of the project site. An existing 18-inch storm drain pipe transects the project site in a north/south direction. This storm drain pipe is currently in poor condition, and therefore, per recommendations of the City Storm Water Department, the project will result in abandonment of this existing storm drain pipe. The pipe will be replaced with a 24-inch storm drain pipe, with water tight joints, per City design standards. Stormwater runoff generated by the proposed project will surface drain to a private subsurface storm drain system of inlets and pipes to the proposed 24-inch public storm drain. The project will provide a private subsurface storage system, a ~~Bio-Clean Storm-Treat devise~~ bioretention treatment system and a vegetated biofilter swale for filtration purposes prior to discharging into Buena Vista Creek.

Water lines currently transverse the project site in a north/south direction. These lines are located to the east of the proposed development area. In addition, two sewer manholes are located on the project site within the development area. The sewer manholes are located just north of the stormwater manhole. The project will require the extension of existing water and wastewater lines to connect to the proposed structure from these existing facilities.

Access to the site will be provided via a single, full access driveway along Lake Boulevard across from Esplanade Street. In addition, an emergency access driveway for Fire Department access has been provided to the east of the main access driveway. The entire project will be located within a security fence maintained by an electronic access system.

Offsite improvements proposed by the project include sidewalk, driveway approaches, fire service access, water service and meter, irrigation service and meter, street lights, traffic signal, and street paving and base material. A bus stop would be constructed on Lake Boulevard, along the northern sidewalk.

The non-sensitive portion of the site that will remain within ownership of the City will temporarily be used for construction staging as well as temporary stockpiling. Once the project has been completed, the City's parcel will remain vacant. It is estimated that the project will result in approximately 2,600 cubic yards of cut and fill material which will be balanced onsite.

Construction is anticipated to commence in January 2009 and continue until April 2010 at which point building occupancy will occur. On average, construction will occur Monday through Friday from 7 a.m. to 6 p.m. or on Saturdays from 8 a.m. to 4:30 p.m. There will be approximately 5 to 25 construction workers onsite at any given time. Construction equipment will include dozers, scrapers, front-end loaders, dump trucks, blades, rollers, welding equipment, cement trucks, cement pumpers, cement booms, scissor-lifts, excavators for foundations, and

cranes for building erection. Concrete and delivery trucks will also be used. Construction equipment will be used intermittently depending on the construction phase.

The City, through codes and standards, and the applicant, through standard design and construction practices, have incorporated numerous project design features and construction measures into the project that help to reduce the potential for environmental effects. Construction will be performed by qualified contractors and contract documents, plans and specifications and will incorporate stipulations regarding standard City requirements and acceptable construction practices including, but not limited to, grading and demolition, safety measures, vehicle operation and maintenance, excavation stability, erosion control, drainage alteration, groundwater disposal, traffic circulation, public safety, dust control and noise generation. Further, the project will be designed in accordance with State of California Building Code and City of Oceanside Code of Ordinance requirements. These measures are included in *Table 2-1, Summary of Standard Project Design Features and Construction*, and are referenced throughout the impact discussions in *Section 4.0* of this MND.

Table 2-1
Summary of Standard Project Design Features and Construction

City of Oceanside Planning/Design Review Process
• The project will be reviewed by the Planning Commission to ensure that all City-required design parameters are met. Design parameters include lot sizes, street widths, access improvements, landscape standards, street lights, lighting requirements, architectural design, etc. • The project is required to obtain design review approval by the City and is subject to the City Zoning standards which regulate building design, mass, bulk, height, etc.
Landform Alteration and Aesthetics
• The Oceanside Light Pollution Control Ordinance (Chapter 39) within the City's Code of Ordinance requires that all lighting use shielded luminaries with glare control to prevent light spillover onto adjacent areas. • A Management Plan will mandate continued maintenance of all landscaping within the proposed development area. • The City of Oceanside will continue to maintain the area proposed for designation as a biological easement area, to be devoid of trash and other litter, until the Subarea Plan has been approved. • The Storm Water Mitigation Plan requires continued maintenance of the landscaped areas.
Geology and Soils
• Conformance with the Uniform Building Code (UBC) or California Building Code (CBC) design requirements, and other applicable City ordinances and standards. The project's conformance with standard engineering practices and design criteria will reduce the effects of seismic groundshaking. • Design parameters established by the UBC or CBC should be implemented to reduce potential landslide. • An erosion and sediment control plan shall be prepared and submitted for review and approval prior to issuance of grading permit. The plan shall outline methods that shall be implemented to control erosion from graded or cleared portions of the site, including but not limited to straw bales, sandbags, soil binders, diversion fences, desilting basins, etc. The plan shall be prepared in accordance with the City's Grading Ordinance, the City's Water Quality Ordinance, the latest NPDES Permit, and to the satisfaction of the City Water Quality Engineer. • Construction shall comply with the City of Oceanside's Engineers Design and Processing Manual Construction Guidelines and Requirements. • The contractor shall comply with standard engineering practices for erosion control and a qualified soils engineer shall monitor soil compaction during construction. • Prior to approval of grading improvement plans the applicant shall implement a grading monitoring plan which outlines

Table 2-1
Summary of Standard Project Design Features and Construction

activities that may affect the Santiago Peak Formation, timing, reporting etc. to the satisfaction of the City.

- The applicant shall prepare an erosion and sediment control plan and submit for review and approval to the City prior to the issuance of grading permits. The plan shall be prepared in compliance with the City's Grading Ordinance, Water Quality Ordinance, the latest NEDES Permit, and to the satisfaction of the City Water Quality Engineer.
- City of Oceanside Grading ordinance requires that all recommendations in the geotechnical report be incorporated into the project design. These include:
  - ~~All surface vegetation shall be stripped and removed from the site prior to ground preparation. The existing, undocumented fill and alluvial materials shall then be removed down to the dense sandstones of the Santiago Peak Formation. Dewatering methods will be required to facilitate the removal and recompaction of the alluvium found below the groundwater table.~~A compaction grouting program shall be implemented and consist of limited removal (approximately 15 feet) of the upper undocumented fill which will be replaced as compacted fill. Once replaced, compaction grouting will occur to densify the lower remaining portions of the undocumented fill and alluvium that lie above the dense sandstone formation.
  - Any wet soils from the excavations will require aeration and drying to bring them to near optimum moisture content suitable for compaction. The areal limits for removal include the footprint of the building plus a lateral distance equal to 50 percent of the distance between the bottom of the footing and the base of the removal. The removal limit to the north side of the building shall extend further, for a minimum distance equal to the depth of removal. Due to the close proximity of the building to the property lines, and other off-site improvements it may be necessary to provide temporary shoring to support the excavation in order to accomplish the recommended removal limits beyond the building perimeter.
  - The on-site material excavated may be used as fill subject to the review of the geotechnical engineer during grading. Only material with an Expansion Index of 60 or less shall be used in the upper 8 feet. Prior to filling, the material shall be moisture conditioned to approximately 2 percent above the optimum moisture content. The material may then be laid in 8-inch maximum lifts and compacted to at least 90 percent of the maximum dry density, as determined in accordance with ASTM Test Method D1557. Fill placement shall follow the "Recommended Guide for Placement of Engineered Fill", provided in Appendix F of the Geotechnical Report.
  - The recommended minimum width of continuous and spread footings is 18 inches and 24 inches respectively.
  - For determination of soil resistance to lateral foundation loading, a passive earth pressure equal to 350 pounds per square foot per foot of depth may be used for foundations placed firmly against undisturbed compacted ground. The friction coefficient between the base of the foundation and the supporting soil may be taken as equal to 0.32. Where the passive soil pressure and the sliding resistance are to be used concurrently, the passive pressure shall be reduced by 50 percent. These values were not factored for safety.
  - Following the excavation of the footings, the base of the excavations shall be observed by the geotechnical engineer's representative to verify that the exposed conditions at the bearing level are consistent with those described in the geotechnical report.
  - Concrete slabs–on–grade floor systems may be supported on compacted fill prepared as described above. Concrete slabs shall be of a thickness and with reinforcement consistent for the proposed use, loadings and localized criteria established by the designer. A minimum floor slab thickness of 4 inches is recommended. The minimum slab reinforcement shall consist of No. 3 reinforcing bars placed at 18 inches on-center in each direction. Crack control joints shall be installed with a maximum spacing of 12 feet on-center. The joint depth should extend at least 25 percent of the concrete slab thickness. If slab areas to be overlain by moisture sensitive floor coverings, or if moisture vapor transmissions through the slab is detrimental to the proposed usage, it is recommend that the slab be underlain by a moisture resistant vapor barrier consist of a 10 mil., or thicker PVC film. The seams of the moisture barrier should be sealed in accord with the manufacturer's recommendations. The moisture barrier should be overlain by a layer of clean, moist, but not wet sand, no less than 2 inches in thickness. To minimize the effects of moisture migration from the concrete mixture water following curing, concrete should be cured at least 30 days prior to placing floor coverings. Moisture vapor emission tests should be conducted prior to placement of floor coverings to verify conformance to the minimum requirements of the flooring manufacturer.
  - The effect of concrete shrinkage and temperature effects could result in cracks in concrete slabs which are not otherwise designed or constructed to attenuate this know characteristic. The potential for slab cracking is affected by many factors independent of the supporting soil characteristics. The occurrence of cracks can be reduced or

Table 2-1
Summary of Standard Project Design Features and Construction

controlled by limiting the slump of the concrete, proper concrete placement/curing, placement of crack control joints and proper finishing techniques.
• A positive surface drainage gradient around and beyond the structure and adjoining pavement areas is important for satisfactory performance of the subgrade soils. Ponding water around the edges of footing and/or pavements, such as from irrigation planters, or over-irrigated lawns, can lead to ground saturation/ weakening of the subgrade, and the failure of the subgrade to perform properly. A minimum drainage gradient of 5 percent is recommended for unpaved areas at the perimeter of the structure and should extend for a distance of at least 5 feet.
• The recommended structural section is as follows
  • Parking Areas: R-value 10, Traffic index 4.5, asphaltic concrete 3 inches, and class II Aggregate base 8 inches
  • Main Drive and Truck Lane: R-value 10, Traffic Index 5.5, Asphaltic concrete 3.5 inches, and Class II Aggregate Base 10 inches.
• The final pavement section recommendation should be prepared after the site grading has been completed and when further R-value tests have been accomplished to represent finish subgrade. The aggregate base, as well as at least the upper 6 inches of supporting subgrade, should be compacted to not less than 95 percent of the maximum dry density as determined by ASTM Test Method D1557./ Further, all pavement materials and paving procedures should comply with the "Standard Specifications for Public Works Construction", latest edition, which includes the standard special provisions provided by the San Diego County Department of Public Works.
• Positive drainage atop and adjacent to pavement edges should be implemented to prevent the ponding of water, which will otherwise potentially lead to subgrade saturation and the subsequent weakening and pavement failure. Where heavily landscaped planters are placed adjacent to pavement, it is recommended that a concrete curb separate the landscaped area and the pavement with the base of the curb extending to a depth at least 3 inches below the aggregate base of the paved area. This is intended to prevent the lateral intrusion of water from landscaped areas into base material and thus saturating the subgrade under the pavement.
• As noted in Section 3.11 of the geotechnical report the existing Lake Blvd. road section was found in one location to be 3 inches of asphaltic concrete over 6 inches of "D.G." base. Per communications with the City's geotechnical consultant, this base does not conform to current City requirements. A new structural section, using Class II Aggregate Base, and to the limits specified by the limits specified by the City, will be required. Presuming that the subgrade has a R=10, and that a local collector street (Traffic index of 6) is assigned by the City, the resulting minimum section is 4 inches of asphaltic concrete over 13.5 inches of Class II Aggregate Base.

Hazards and Hazardous Materials
• The project is required to comply with City Code of Ordinance Chapter 11 (Fire Protection) provides regulations for fire prevention measures including fire sprinklers and landscape restrictions.
Hydrology and Water Quality
• Prior to the start of construction, the contractor shall obtain permit coverage from the State Water Resource Control Board (SWRCB) under the National Pollution Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction Activity. • A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared to comply with the permit and include site-specific detail on erosion and sediment control measures that will be implemented to minimize erosion during construction and prevent sediment transport from the site. Site-specific measures shall include Best Management Practices (BMPs) to detain runoff from the construction site and prevent sedimentation to Buena Vista Creek and/or existing adjacent stormwater conveyance systems. • The contractor shall designate a qualified person to inspect and document compliance with the SWPPP. The designated person shall ensure that sedimentation is limited to within the construction area. Any sedimentation to Buena Vista Creek, storm drains, or other sensitive resources shall be immediately reported to the City of Oceanside. • The final Stormwater Management Plan (SWMP), which addresses post-construction urban runoff, shall be approved by the City of Oceanside prior to construction. Implementation of the SWMP and the SWPPP shall be made part of the construction contract for the project. • In accordance with the City of Oceanside Clean Water Program, the applicant shall follow all provisions of the City of Oceanside Standard Urban Stormwater Management Plan (SUSMP) which protects water quality. The applicant must complete the required Storm Water Mitigation Plan for City staff review prior to the issuance of any permits by the Public

Table 2-1
Summary of Standard Project Design Features and Construction

Works Department, Engineering Division. These provisions include incorporation of treatment and source control best management practices (BMPs) into the project design.
• The treatment control BMPs chosen by the applicant include (these features shall appear as structures or notes on final design plans):
  • Private Enclosed Wetland Biofilter Treatment System
  • Private Subsurface Storage System
  • Vegetated Biofilter Swale
  • Wet waste-bag dispensers with signage
• The source control BMPs chosen by the applicant include (these features shall appear as structures or notes on final design plans):
  • Storm Drain System Stenciling and Signage
  • Outdoor Material Storage Areas
  • Trash Storage Ages
  • Irrigation Systems and Landscape Design
  • Dock Areas
  • Roof Drains
• According to the City of Oceanside Code of Ordinance Chapter 40 Urban Runoff and Discharge Control, the applicant is required to provide in perpetuity maintenance to the post-BMPs implemented into the project design.

Transportation and Traffic
• In accordance with the California Vehicle Code the project applicant shall prepare a traffic control plan for use during construction. This plan shall outline flagging procedures and delivery/movement timing so as to avoid peak traffic periods. The plan shall also outline procedures for notifying the Oceanside Police and Fire Departments of forthcoming lane or roadway closures. This will allow the Police and Fire Departments to modify emergency response plans and notify other public service providers or closures. The traffic control plan shall include provisions for allowance of cyclists and pedestrians along Lake Boulevard. The traffic control plan shall be approved by the City Engineering Department prior to issuance of a grading permit.
Noise
• The project is required to comply with the City of Oceanside Code of Ordinance Chapter 38 (Noise Control). • In accordance with the City's Noise Ordinance construction activities will be limited to daytime hours of 7:00 a.m. to 6:00p.m. Monday through Friday or from 8:00 a.m. to 4:30 p.m. on Saturdays.
Public Facilities and Services
• According to the Oceanside Code of Ordinance Chapters 32B (Impact Fees), 32C (Public Facility Fee Requirements), 32D (Parkland Dedication and Payment of Fees), and 32E (School Facilities Mitigation), the applicant is required to pay public facility fees. This provides the funds for additional police, fire, library, general government, park, and school services to serve future growth in the area. Prior to issuance of building permits, the applicant shall be required to pay impact fees at the rate in effect at the time of building permit issuance as determined by the City Engineer. • The project is required to comply with the City of Oceanside Code Chapters 13.3 (requirements to manage solid waste and recyclable material), 13.39 (designation of adequate space for solid waste and recycling onsite), and 13.16(h) (requirement to separate all recyclable material from solid waste) and State of California Assembly Bill 939 Solid Waste Management Diversion Mandates.

2.3 DISCRETIONARY ACTIONS

The following discretionary actions are required for the proposed project:

- Approval of the Development Plan by the City of Oceanside Planning Commission
- Certification of the MND by the Oceanside Planning Commission.

Other Agency Approvals

Approval of the proposed project may be required by the Regional Water Quality Control Board, U.S. Army Corps of Engineers, and the California Department of Fish and Game.

Possible federal Clean Water Action, Section 401, Water Quality Certification (granted by San Diego Regional Water Quality Control Board).

Possible federal Clean Water Act, Section 404, Nationwide Permit (granted by US Army Corps of Engineers).

Possible California Fish and Game Code, Section 1602, Streambed Alteration Agreement (granted by California Department of Fish and Game).

SECTION 3.0
FINDINGS

The City finds that the project will not have a significant adverse effect on the environment based on the results of the Initial Study Environmental Checklist and Discussion of Environmental Impacts (See *Section 4.0*). Some potentially significant effects have been identified and mitigation measures have been incorporated into the project to ensure that these effects remain at less than significant levels. An MND is therefore, proposed to satisfy the requirements of CEQA (PRC 210000 et.seq. 14 Cal. Code Regs 15000 et.seq.). This conclusion is supported by the following:

FINDINGS

1. ***Aesthetics:*** The project will not have a substantial effect on a scenic vista or substantially degrade the existing visual quality of the site. See *Section 4 item 14.4, Aesthetics* for additional information.

2. ***Agricultural Resources:*** As indicated by the San Diego County Important Farmland Map 2002 impacts to agricultural resources will not occur. See *Section 4 item 14.2, Agricultural Resources* for additional information.

3. ***Air Quality:*** The project will result in air quality impacts related to fugitive dust emissions during the construction and operational phases of the proposed project. Mitigation measures have been proposed to reduce impacts to less than significant levels. See *Section 4 item 14.3, Air Quality* for more information.

4. ***Biological Resources:*** The project has the potential to result in impacts to sensitive habitats located to the north of the proposed development area. Mitigation has been proposed in order to reduce potential impacts to less than significant levels. See *Section 4 item 14.4, Biological Resources* for more information.

5. ***Cultural Resources:*** Previously recorded archaeological resources have been identified within the project boundary. These resources are not considered significant resources. However, due to the potential to encounter additional archaeological resources during grading and other construction activities, mitigation measures have been provided to reduce potential impacts to unknown resources to less than significant. See *Section 4 item 14.5, Cultural Resources* for more information.

6. ***Geology and Soils:*** The project has the potential to result in impacts from lateral spreading. Recommendations provided in the Geotechnical Investigation prepared for

the project have been incorporated as project design features. Through implementation of the project design features impacts to the proposed structure will be less than significant. See *Section 4 item 14.6, Geology and Soils* for more information.

7. ***Hazards and Hazardous Materials:*** The project site does not contain existing hazardous materials. In addition, the proposed project will incorporate a traffic control plan to reduce hazardous impacts from interference with emergency response from construction related road closures. Therefore, impacts will be less than significant. See *Section 4 item 14.7, Hazards and Hazardous Materials* for more information.

8. ***Hydrology and Water Quality:*** The proposed project has the potential to violate water quality standards. Implementation of project designed best management practices and the incorporation of project design features will reduce impacts to less than significant levels. See *Section 4 item 14.8, Hydrology and Water Quality* for more information.

9. ***Land Use and Planning:*** The proposed project will not impact land use and planning issues. See *Section 4 item 14.9, Land Use and Planning* for more information.

10. ***Mineral Resources:*** The proposed project will not have an impact on mineral resources. See *Section 4 item 14.10, Mineral Resources* for more information.

11. ***Noise:*** The project may impact sensitive receptors during construction. Mitigation measures have been proposed in order to reduce impacts to less than significant levels. See *Section 4 item 14.11, Noise* for more information.

12. ***Population and Housing:*** The project may result in an increase of population; however, the project density is consistent with the City's General Plan which designates the project site for urban high density residential land use. The project will not induce growth through the extension or expansion of major capital infrastructure. See *Section 4 item 14.12, Population and Housing* for more information.

13. ***Public Services:*** The proposed project will not result in direct impacts to public services. In addition, implementation of public facility fees will ensure that impacts to public services will be less than significant. See *Section 4 item 14.13, Public Services* for more information.

14. ***Recreation:*** The project is anticipated to increase attendance at local community and neighborhood parks. However, payment of City required park impact fees will reduce

these impacts to less than significant. See *Section 4 item 14.14, Recreation* for more information.

15. ***Transportation and Traffic:*** The project will result in a decrease in level of service at the intersection of Lake Boulevard and Esplanade Street. Incorporation of mitigation measures to install a traffic signal at this intersection will reduce impacts to less than significant. See *Section 4 item 14.15, Transportation and Traffic* for more information.

16. ***Utilities and Service Systems:*** The project will result in an increase to water, sewer, solid waste, and stormwater service systems; however, compliance with existing state and local regulations will reduce impacts to less than significant. See *Section 4 item 14.16, Utilities and Service Systems* for more information.

17. ***Mandatory Findings of Significance:*** The proposed project will result in less than significant impacts with implementation of the mitigation measures proposed. See *Section 4 item 14.17, Mandatory Findings of Significance* for more information.

SECTION 4.0
INITIAL STUDY ENVIRONMENTAL CHECKLIST

INITIAL STUDY
City of Oceanside California

1. **PROJECT:** Lil Jackson Senior Community

2. **LEAD AGENCY:** City of Oceanside

3. **CONTACT PERSON & PHONE:** Juliana von Hacht 760.435.3520

4. **PROJECT LOCATION:** The project site is located along the northern side of Lake Boulevard at its intersection with Esplanade Street, between College Boulevard and Thunder Drive.

5. **APPLICANT:** Southern California Presbyterian Homes

6. **GENERAL PLAN DESIGNATION:** High Density Residential

7. **ZONING:** Community Commercial

8. **PROJECT DESCRIPTION:** The Lil Jackson Senior Community Project will consist of development of an approximately 5.03-acre parcel along Lake Boulevard into a senior apartment development. The project site consists of a single parcel which is owned by the City of Oceanside. The project will necessitate subdivision of the parcel. The City will retain ownership of the eastern and northern 2.83 acres (Buena Vista Creek, sensitive habitats and a water easement) and the applicant will obtain ownership of the remaining 2.2 acres ~~(area proposed for development)~~. Of the 2.2 acres to be obtained by the applicant, 1.96 acres would be developed and 0.24 acres would be designated as biological open space. In addition, the 2.83 acres of land to remain in City ownership will also be designated as biological open space, therefore increasing the biological open space to 3.07 acres.

   If approved, the proposed project will consist of the development of 80 affordable senior apartment units within one, three-story building. In addition to the apartment units, the proposed structure will include a community room, community kitchen, lounge, laundry room, arts and crafts room, library and computer room, and covered and uncovered patios (refer to *Figure 3, Project Site Plan).* An air conditioning system will be provided within the proposed structure. The building footprint for the senior center will be approximately 22,735 square feet. The structure will have approximate dimensions of 120 feet and 320 feet, with a maximum height of 42 feet (refer to *Figures 4a and 4b, Building Elevations*). The proposed structure will be setback ~~at least 100~~ approximately 90 feet from the top of slope bordering

Buena Vista Creek. The proposed structure will front Lake Boulevard with paved parking located to the rear and side of the project site. The project proposes to provide a total of ~~61~~ 41 parking spaces, all of which will be uncovered. The parking areas will be screened from the public street through landscaping, which include xeroscape landscape materials (refer to *Figure 5, Landscape Plan*). The project will also provide recreational facilities such as outdoor patios, gardens, seating areas, shade structures and barbeques.

A stormwater manhole is located in the south, central portion of the project site. An existing 18-inch storm drain pipe transects the project site in a north/south direction. This storm drain pipe is currently in poor condition, and therefore, per recommendations of the City Storm Water Department, the project will result in abandonment of this existing storm drain pipe. The pipe will be replaced with a 24-inch storm drain pipe per City design standards. Stormwater runoff generated by the proposed project will surface drain to a private subsurface storm drain system of inlets and pipes to the proposed 24-inch public storm drain. The project will provide a private subsurface storage system, a ~~Bio-Clean Storm Treat devise~~bioretention treatment system and a vegetated biofilter swale for filtration purposes prior to discharging into Buena Vista Creek.

Water lines currently transverse the project site in a north/south direction. These lines are located to the east of the proposed development area. In addition, two sewer manholes are located on the project site within the development area. The sewer manholes are located just north of the stormwater manhole. The project will require the extension of existing water and wastewater lines to connect to the proposed structure.

Access to the site will be provided via a single, full access driveway along Lake Boulevard across from Esplanade Street. In addition, an emergency access driveway for Fire Department access has been provided to the east of the main access driveway. The entire project will be located within a security fence maintained by an electronic access system. Once constructed, the project will provide age and income restrictions to potential residents.

Offsite improvements proposed by the project include sidewalk, driveway approaches, fire service access, water service and meter, irrigation service and meter, street lights, installation of a traffic signal, and street paving and base material. A bus stop would be constructed on Lake Boulevard, along the northern sidewalk.

The portion of the site that will remain within ownership of the City will temporarily be used for construction staging as well as temporary stockpiling. Once the project has been completed, the City's parcel will remain vacant. It is estimated that the project will result in approximately 2,600 cubic yards of cut and fill material which will be balanced onsite.

Construction is anticipated to commence in January 2009 and continue until April 2010 at which point building occupancy will occur. On average, construction will occur Monday through Friday from 7:00 am to 6:00 pm or on Saturdays from 8:00 am to 4:30 pm. There will be approximately 5 to 25 construction workers onsite at any given time. Construction equipment will include dozers, scrapers, front-end loaders, dump trucks, blades, rollers, welding equipment, cement trucks, cement pumpers, cement booms, scissor-lifts, excavators for foundations, and cranes for building erection. Concrete and delivery trucks will also be used. Construction equipment will be used intermittently depending on the construction phase.

9. **SURROUNDING LAND USE(S) & PROJECT SETTING:** The project is located in the City of Oceanside within northern San Diego County, California (refer to *Figure 1, Regional Map*). The proposed senior community site will be located east of College Avenue, along the northern side of Lake Boulevard across the street from Esplanade Street (refer to *Figure 2, Vicinity Map*). The north side of the property is bounded by Buena Vista Creek, the west side is bounded by an existing senior housing facility; the south side is bounded by Lake Boulevard and single- and multi-family residential uses, and the east side is bounded by a vacant parcel and an assisted living center.

10. **OTHER REQUIRED AGENCY APPROVALS:** Permits from the Regional Water Quality Control Board, California Department of Fish and Game and U.S. Army Corps of Engineers may also be required.

11. **PREVIOUS ENVIRONMENTAL DOCUMENTATION:** Due to the project's use of federal Community Development Block Grant funds, an Environmental Assessment (EA) was prepared by the US Department of Housing and Urban Development (HUD) to satisfy the requirements of the National Environmental Policy Act (NEPA). The EA determined that a finding of no significant impact was the appropriate level of documentation for the proposed project. The finding of no significant impact was approved by HUD on November 7, 2005.

12. **CONSULTATION:**
The following federal, state, and local agencies may need to be consulted during project planning:

Oceanside Fire Department
Oceanside Police Department
Oceanside Water Utility Department
Oceanside Storm Water Department
California Department of Fish and Game
U.S. Army Corps of Engineers

Regional Water Quality Control Board

13. **SUMMARY OF ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The project will result in potentially significant impacts, all of which can be mitigated, to the following environmental resources/topics:

☐ Aesthetics	☐ Agricultural	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☐ Geological
☐ Hazards	☐ Water	☐ Land Use & Planning
☐ Mineral Resources	☒ Noise	☐ Population & Housing
☐ Public Services	☐ Recreation	☒ Transportation
☐ Utilities Systems		

14. **ENVIRONMENTAL CHECKLIST**

This section analyzes the potential environmental impacts which may result from the proposed project. For the evaluation of potential impacts, the questions in the Initial Study Checklist (Section 2) are stated and answers are provided according to the analysis undertaken as part of the Initial Study. The analysis considers the project's short-term impacts (construction-related), and its operational or day-to-day impacts. For each question, there are four possible responses. They include:

1. *No Impact*. Future development arising from the project's implementation will not have any measurable environmental impact on the environment and no additional analysis is required.

2. *Less Than Significant Impact*. The development associated with project implementation will have the potential to impact the environment; these impacts, however, will be less than the levels or thresholds that are considered significant and no additional analysis is required.

3. *Potentially Significant Unless Mitigated*. The development will have the potential to generate impacts which may be considered as a significant effect on the environment, although mitigation measures or changes to the project's physical or operational characteristics can reduce these impacts to levels that are less than significant.

4. *Potentially Significant Impact*. Future implementation will have impacts that are considered significant, and additional analysis is required to identify mitigation measures that could reduce these impacts to less than significant levels.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.1 AESTHETICS. Would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic building along a State-designated scenic highway?	☐	☐	☐	☒
Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

a) *Have a substantial adverse effect on a scenic vista?* ***No Impact.*** The City of Oceanside's General Plan does not designate any scenic vistas. Short-term construction-related aesthetic impacts will consist primarily of grading activities, the presence of construction equipment, and additional signage and warning markers on roadways. No valuable aesthetic resources will be destroyed as a result of construction-related activities. These short-term impacts are temporary and will cease upon project completion.

Additionally, the incorporation of landscape screening will substantially minimize visual impacts to surrounding areas. Landscape screening includes, but is not limited to, trees and shrubs throughout the project site, especially along the southern perimeter of the project site (i.e. along Lake Boulevard). Regardless of the project's location outside of a scenic vista, the proposed project will not result in a negative aesthetic impact.

Finally, the project is required to obtain design review approval by the City and is subject to the City Zoning standards which regulate building design, mass, bulk, height, etc. This ensures that development will be designed as aesthetically attractive as possible and feasible.

b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?* ***No Impact.*** The project site is not situated within a state scenic highway. No scenic resources, including trees, rock outcroppings or historic buildings are situated on-site. Impacts are therefore not anticipated.

c) *Substantially degrade the existing visual character or quality of the site and its surroundings?* ***Less Than Significant Impact.*** Refer to Responses 3.1a and 3.1b, above. It should also be noted that the project will be located between an existing assisted living center and retirement apartment homes. Other surrounding land uses include multi-family, single family and commercial uses. The project will appear as an extension of these existing uses. Buena Vista Creek is located to the north of the proposed project. Existing vegetation

along its southern embankment prohibits any views to the creek from surrounding land uses; therefore, impacts will be less than significant.

d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?* ***Less Than Significant Impact.*** The proposed project will include outdoor security lighting located around the perimeter of the proposed structure and parking areas. The Oceanside Light Pollution Control Ordinance within the City's Municipal Ordinance requires that all lighting use shielded luminaries with glare control to prevent light spillover onto adjacent areas. The project will incorporate shielding on all fixtures; therefore, impacts from the proposed security lighting will be less than significant.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.2 AGRICULTURAL RESOURCES. Would the project:				
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance as depicted on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the CA Resources Agency?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	☐	☐	☐	☒
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

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?* ***No Impact.*** According to the San Diego County Important Farmland Map (1998), prepared by the California Department of Conservation's Farmland Mapping and Monitoring Program, the project site is designated as urban and built-up land. No land is designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance within the project site or its surrounding area.

b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?* ***No Impact.*** The proposed project is located in an area zoned for urban high density residential uses; agricultural designations do not occur within the project area and no Williamson Act contracts apply (California Department of Conservation 2004). Therefore, implementation of the project will not result in any conflicts with existing zoning for agricultural use or a Williamson Act Contract. No impacts will occur.

c) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?* ***No Impact.*** As previously stated, the proposed project area is not located within an agricultural area. Thus, implementation of this project will not result in changes in the environment, which will result in the conversion of farmland to non-agricultural use. No impacts are anticipated in this regard.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.3 AIR QUALITY. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b. Violate an air quality standard or contribute to an existing or projected air quality violation?	☐	☒	☐	☐
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under the applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☒	☐	☐
d. Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
e. Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

a) *Conflict with or obstruct implementation of the applicable air quality plan?* ***Less Than Significant Impact.*** The project site is located within the San Diego Air Basin, which is governed by the San Diego Air Pollution Control Board. A consistency determination is made in local agency project review by comparing local planning projects to the Regional Air Quality Strategy (RAQS) in several ways. It fulfills the CEQA goal of fully informing local agency decision makers of the environmental costs of the project under consideration at a stage early enough to ensure that air quality concerns are addressed. Only new or amended General Plan elements, Specific Plans and significantly unique projects need to undergo consistency review due to the RAQS being based on projections from local General Plans. Therefore, projects that are consistent with the local General Plan are considered consistent with the air quality-related regional plan. The proposed project will be consistent with SANDAG growth forecasts and all applicable emissions control measures identified within the RAQS. Therefore, the proposed project will not conflict or obstruct implementation of the RAQS/State Implementation Plan; impacts will be less than significant.

b) *Violate any air quality standard or contribute substantially to an existing or projected air quality violation?* ***Potentially Significant Unless Mitigated.*** The following discussion is

based on the July 2007 Air Quality Impact Analysis prepared by Dudek. This report is included as Appendix A to this MND.

The construction and operations significance thresholds, as applicable to the proposed project, are discussed below.

CONSTRUCTION EMISSIONS

Emissions from the construction phase of the project were estimated through the use of emission factors from the URBEMIS 2007 model (see Appendix A of the Air Quality Impact Analysis).

The project will involve three construction phases: (1) site preparation/grading, (2) building construction/architectural coating, and (3) paving. The project is estimated to require 15 months to complete construction. It was assumed that heavy construction equipment will be operating at the site eight hours per day, six days per week during project construction. *Table 4-1, Estimated Maximum Daily Construction Emissions,* provides a summary of the emission estimates for the construction phase of the proposed project.

Table 4-1
Estimated maximum daily construction emissions (lbs/day)

	ROC	NO_x	CO	SO_x	PM_{10}
Year 2009					
Grading & Building Construction	3.22	26.52	20.44	0.02	15.13
Significance Criteria	137	250	550	250	100
Significant?	no	no	no	no	no
Year 2010					
Building Construction, Architectural Paints/Coating & Asphalting	208.30	12.28	19.23	0.02	2.19
Significance Criteria	137	250	550	250	100
Significant?	yes	no	no	no	no

Source: Dudek, July 2007.

Implementation of the proposed project will generate construction-related air pollutant emissions from three general activity categories: entrained dust, vehicle emissions and the application of architectural coatings. Entrained dust results from the exposure of earth surfaces to wind from the direct disturbance and movement of soil, resulting in PM_{10} emissions. Vehicle exhaust results from internal combustion engines used by construction equipment/vehicles which results in emissions of ROC, NO_x, CO and PM_{10}. Application of

architectural coatings results in over spraying which results in emissions of volatile organic compounds (VOCs) which are considered a subset of reactive organic compounds (ROC) in the URBEMIS model.

While the San Diego APCD has not established threshold levels for fugitive dust emissions (PM_{10}) the non-major stationary source "trigger" level of 137 pounds per day has been applied for analysis purposes. The table above indicates that the PM_{10} emissions associated with the grading and building construction does not exceed any threshold levels. Proposed grading may result in potential soiling nuisance due to the generation of larger dust particles (>10 microns) that could settle on nearby surfaces such as parked cars, landscaping, pools, and outdoor furniture. The deposition distance for the largest particles is typically less than 100 feet from the source. Off-site propagation can occur under strong wind conditions, but such events are seldom in comparison to the typical construction period. Smaller dust particles (<10 microns) could affect adjacent off-site single and multi-family residences and/or users of the adjacent senior housing facility, particularly during on-site grading operations. Due to the limited duration of grading and relative distance from any sensitive receptors, such potential nuisance effects will not be considered a public health hazard.

Equipment exhaust will be released during project construction activities from mobile sources during site preparation. On-site, diesel-powered construction equipment will create gaseous and particulate tailpipe emissions that are not regulated by smog control rules such as applicable to on-road sources. In addition, vehicle travel related to workers arrival and departure as well as material deliveries will generate additional emissions.

As shown in *Table 4-1, Estimated Maximum Daily Construction Emissions*, pollutants generated from equipment exhaust construction-related vehicular travel (ROC, NO_x, CO, SO_x and PM_{10}) will all fall below significance thresholds during construction year 2009. The maximum construction-generated ROC emissions of 208.3 pounds per day are anticipated to be associated with project construction in 2010, which exceeds the ROC threshold of 137 pounds per day. The total ROC emissions projected by the URBEMIS program accounted for emissions from construction-related equipment and VOCs (which are found in architectural paints and coatings. Although emissions from ROC/VOC will be considered potentially significant, implementation of Mitigation Measures AQ-1 and AQ-2 below will reduce construction related equipment emission to less than significant levels. In addition, mitigation measures AQ-3 and AQ-4 will reduce impacts from architectural paints and coatings to less than significant.

In order to mitigate fugitive dust emissions (from ROC) to less than significant, the following mitigation measures are provided:

Mitigation Measures

AQ-1 **Dust Control.** Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site. Construction contractors shall comply with the following requirements throughout grading and construction.

- During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to control dust from leaving the site. At a minimum, this shall include wetting down such areas in the late morning and after work is completed for the day. Increased water frequency shall be required whenever wind speed exceeds 15 miles per hour.
- The amount of disturbed area shall be minimized.
- Onsite vehicle speeds shall be limited to 15 mph or less.
- Gravel pads shall be installed at all access points to individual construction sites to prevent tracking of mud onto driveways or public roads.
- Soil stockpiled and not worked for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting material to or from the site shall be tarped.
- After clearing, grading, earth moving, or excavation is completed, disturbed areas not worked for more than 14 days shall be treated by watering or revegetating, or spreading of soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- The construction contractor or applicant shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. The designee(s)' duties shall include being accessible by phone on holiday and weekend periods when work may not be in progress. The name and telephone number of the designee(s) shall be provided to the SDAPCD prior to land use clearance for finish grading.
- Prior to land use clearance, the dust control requirements shall be shown on grading and building plans.

AQ-2 **Ozone Precursor Control.** Construction contractors shall adhere to the following requirements during project grading and construction to reduce emissions of ozone precursors and particulate emissions from diesel exhaust (classified as carcinogenic by the State of California).

- Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) shall be utilized.
- The engine size of construction equipment shall be the minimum practical size.
- The number of pieces of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction equipment shall be properly maintained per the manufacturer's specifications.
- Catalytic converters shall be installed on gasoline-powered equipment.
- Diesel catalytic converters shall be installed.
- Small diesel powered equipment shall be replaced by electric equipment whenever feasible.
- Construction worker trips shall be minimized by promoting carpooling.

AQ-3 The applicant shall follow the Department of Toxic Substances Control's interim Guidance for Lead-Based Paint.

AQ-4 Low volatile organic compound architectural coatings shall be used whenever feasible.

LONG-TERM OPERATIONAL EMISSIONS

Long-term air quality impacts consist of mobile source emissions generated from project-related traffic and stationary source emissions generated from space heating and cooling, water heating and consumer products.

The proposed project will impact air quality through the vehicular traffic generated by project residents, visitors and employees. According to the project's traffic analysis (LLG 2007), total project-generated daily traffic is estimated to be 320 trips per day. The 320 trips were used in the URBEMIS model, however, the proposed apartment homes will be age and income restricted and therefore trip generation rates are likely to be overstated. The URBEMIS 2007 model (Version 9.2.0) was utilized to estimate daily emissions from proposed vehicular and project area sources (including natural gas, appliances, fireplaces, gas-powered landscape maintenance equipment, aerosols, and other consumer products). The peak daily emission predicted for both the summer and winter season in the project's first full year of operation (2010) are summarized below in *Table 4-2, Estimated Maximum Daily Operational Emissions*. As shown in *Table 4-2*, the projected operational emissions from

both area source and vehicular emissions are substantially below the recommended significance criteria for all pollutants. Therefore, impacts will be less than significant.

Table 4-2
Estimated Maximum Daily Operational Emissions (lbs/day)

	ROC	NOx	CO	SOx	PM_{10}
Summer 2010					
Area Source Emissions*	5.93	1.05	5.75	0.00	0.02
Operational Emissions*	2.46	2.20	20.91	0.01	2.54
Total	**8.39**	**3.25**	**26.66**	**0.01**	**2.55**
Significance Criteria	137	250	550	250	100
Significant?	no	no	no	no	no
Winter 2010					
Area Source Emissions*	21.22	2.94	85.21	0.26	13.61
Vehicular Emissions*	2.02	3.22	23.19	0.01	2.44
Total	**23.24**	**6.16**	**108.40**	**0.27**	**16.05**
Significance Criteria	137	250	550	250	100
Significant?	no	no	no	no	no

*Note: Measurements are listed without implementation of mitigation measures.
Source: Dudek, July 2007.

c) *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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?* ***Potentially Significant Unless Mitigated.*** The San Diego Air Basin is classified by the Federal government as a non-attainment region for PM_{10}. It is estimated that construction grading and demolition dust accounts for 30 percent of all PM_{10} emissions in the San Diego Air Basin. Road dust (on both paved and unpaved roads) from sources such as vehicle tire wear, accounts for as much as 47 percent of all PM_{10} emissions. Although the project-specific impacts related to PM_{10} during construction are considered less than significant, the cumulative impact from simultaneous construction within the air basin is a major contributor to the overall pollution burden, specifically for PM_{10}. Such cumulative impacts can be feasibly mitigated if dust control measures are implemented (refer to Mitigation Measures AQ-1 and AQ-2).

The San Diego Air Basin is also a non-attainment basin for ozone. Therefore, ozone precursor emissions (ROC and NOx) have the potential to contribute to significant

cumulative impacts even if individual thresholds are not exceeded. Reasonably available control measures for equipment exhaust emissions shall, therefore, be adopted. Cumulative air quality impacts related to construction emissions are, therefore, considered potentially significant but mitigable. Mitigation measures AQ-3 and AQ-4 will reduce cumulative impacts to less than significant levels. No additional impacts or mitigation measures will result.

d) *Expose sensitive receptors to substantial pollutant concentrations?* ***Potentially Significant Unless Mitigated.*** Refer to response to Section 14.3 item b, above. Solvents are considered one of the key ingredients contributing to ozone formation. Solvents are commonly referred to as volatile organic compounds (VOCs) which are a subset of reactive organic compounds (ROC). VOCs are found in architectural and industrial paints. Many interior and exterior paints contain high levels of VOCs to help expedite drying. VOCs emit smog-forming chemicals into the air that are a major contributor to ground-level ozone pollution. Lower VOC paints preserve both indoor and outdoor air quality and reduce the incidence of eye or respiratory irritation from exposure to VOC fumes. As shown in *Table 4-1, Estimated Maximum Daily Construction Emissions*, maximum construction-generated ROC emissions of 208.3 pounds per day are anticipated to exceed the threshold of 137 pounds per day. This exceedence is considered to be a significant impact unless mitigated (see Mitigation Measures AQ-1 and AQ-2). Since ROC emissions are mainly associated with the application of architectural coatings (i.e. paint), which are anticipated to occur in 2010, emissions are not expected to exceed the threshold in 2009.

Projects involving traffic impacts may still result in the formation of CO hot spots. Although the San Diego Air Basin is currently an attainment area for CO, exhaust emissions can potentially cause a direct, localized "hotspot" impact at or near the proposed development. CO is a product of incomplete combustion of fossil fuel, is heavier than air and is emitted directly out of a vehicle exhaust pipe. The optimum conditions for a CO hotspot is cool and calm weather (a stable reduced air mixing layer) at a congested major roadway intersection where vehicles are either idling or moving at a stop-and-go pace. Sensitive receptors (i.e. pedestrians, homes, school, etc.) also must be nearby.

CO hot spots are typically evaluated when all of the following parameters apply: (1) the level of service (LOS) of an intersection or roadway decreases to a LOS E or worse; (2) signalization and/or channelization is added to an intersection; and (3) sensitive receptors such as residences, commercial developments, schools, and hospitals are located in the vicinity of the affected intersection or roadway segment. To verify that the project will not cause or contribute to a violation of the CO standard, a screening evaluation of the potential for CO hot spots was conducted. The project's Traffic Impact Analysis Report evaluated whether or not there will be a decrease in the LOS at the roadways and/or intersections

affected by the project. According to the Traffic Impact Analysis (Linscott, Law & Greenspan, 2007) one project intersection will operate at LOS E or below under both the near term existing + cumulative and existing + cumulative + project scenarios. The Traffic Impact Analysis recommends the installation of a traffic signal at this intersection to improve the LOS to C during the PM peak hour. Finally, the proximity of residences and pedestrian traffic along Lake Boulevard will place sensitive receptors within proximity to the congested intersection. In summary, because only two of the three CO Hot Spot criteria are met, a CO Hot Spot analysis is not warranted. CO Hot Spots are therefore not assumed to occur with project implementation.

e) *Create objectionable odors affecting a substantial number of people?* ***Less Than Significant Impact.*** The proposed project will not create objectionable odors affecting a substantial number of people.

During the construction period, the potential odors associated with the proposed project will result from the application of asphalt, from diesel and gas fumes, and from the application of paint. Due to the temporary nature of construction odors associated with project construction will be considered adverse, but less than significant due to their temporary nature.

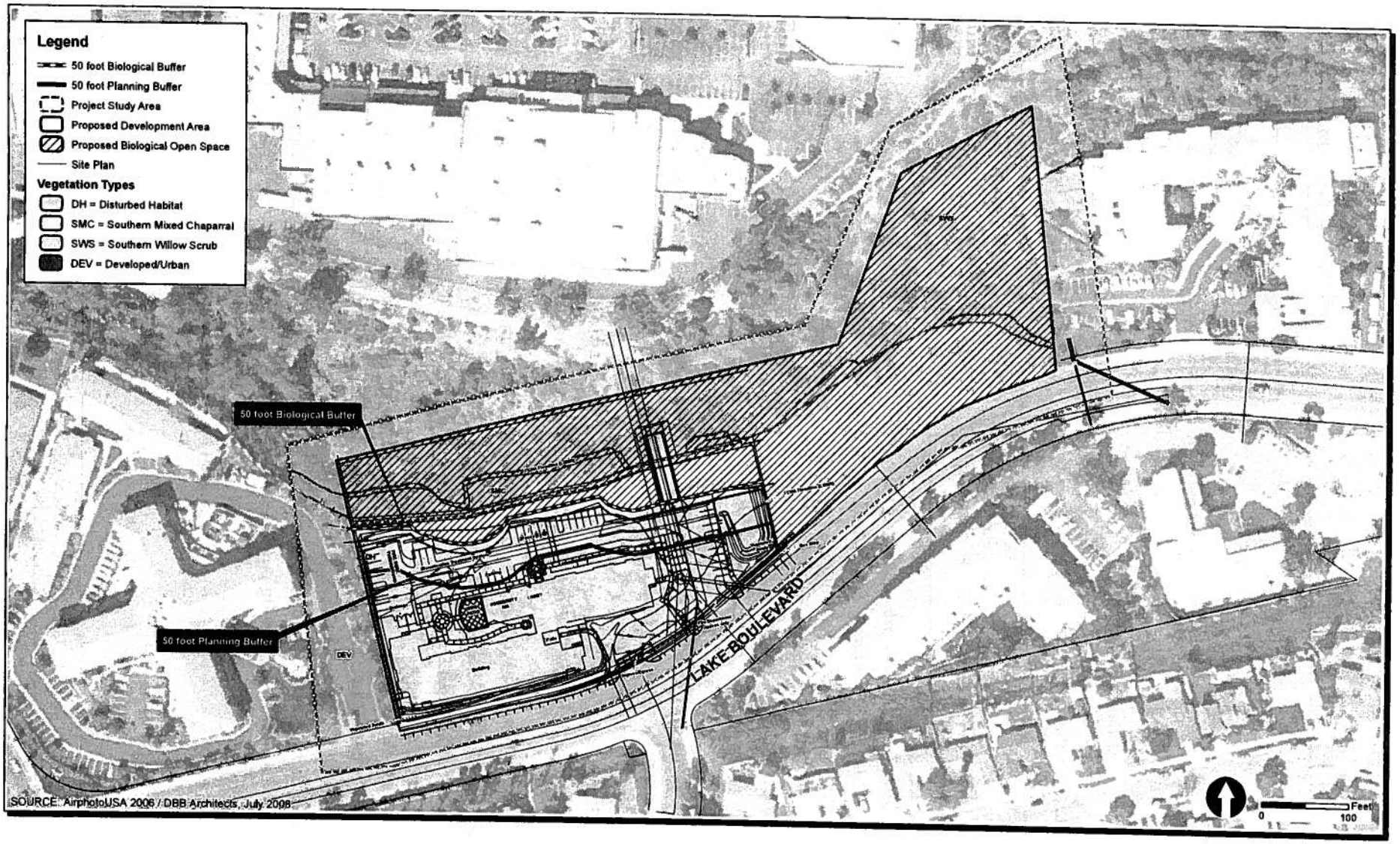
During the operational phase of the proposed project, anticipated odors will be generated from cooking facilities, landscape/building maintenance and resident/employee/visitor vehicle exhaust. In general, these odors are not considered to create a significant nuisance and it is not likely that these odors will be noticeably detectable to surrounding receptors. Long-term operational impacts associated with project-generated odors will be considered less than significant.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.4 BIOLOGICAL RESOURCES. Would the project:				
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 CDFG and Game or the	☐	☒	☐	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or CDFG or USFWS?	☐	☒	☐	☐
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
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?	☐	☐	☐	☒
e. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy/ordinance?	☐	☐	☐	☒
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?	☐	☒	☐	☐

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 the USFWS?* ***Potentially Significant Unless Mitigated.*** A Biological Letter Report was prepared for the proposed project by Everett and Associates in February 2008. This report is included as Appendix B-1 to this MND. The Biological Resources Letter Report states that no listed or rare species were detected or are considered likely to occur within the project site. Habitats on the project site, aside from the disturbed area mainly proposed for project construction, consist of disturbed southern willow scrub and a small area of southern mixed chaparral (refer to *Figure 6, Biological Resources Map*). A habitat assessment also indicated that the site and adjacent areas are not suitable for occupation by the federally listed threatened coastal California gnatcatcher (*Polioptila californica californica*).

The proposed project will minimize impacts to sensitive habitats by: 1) incorporation of the 50-foot biological buffer (from edge of wetlands) and an additional 50-foot planning buffer (measured from edge of biological buffer). No construction or project components would be located within the biological buffer; 2) placing the majority of the sensitive habitats in a dedicated ~~Biological Open Space Easement~~open space; and ~~2~~3) require that construction personnel avoid unidentified impacts to sensitive areas during construction. There are two existing utility easements that transverse the project site and Buena Vista Creek to the north; these easements will remain and will be referenced into the terms of the ~~B~~biological ~~O~~open ~~S~~space~~ Easement~~. Impacts to sensitive native habitats are summarized in *Table 4-3, Biological Resource Impacts*.



Lil Jackson Senior Community MND

Biological Resources Map

FIGURE 6

Table 4-3
Biological Resource Impacts

Plant Community	Acreage On-Site	Impacted Habitat Acreage	Acreage Preserved On-Site
Disturbed Habitat	3.26	~~2.2~~1.95	~~1.06~~1.31
Southern Mixed Chaparral	0.45	0	0.45
Southern Willow Scrub (degraded)	1.32	0.01	1.31
Total	5.03	~~2.21~~1.96	~~2.82~~3.07

Source: Everett & Associates 2008 with revisions by Dudek

The majority of project impacts will be limited to disturbed areas (which is not habitat of sensitive wildlife or plant species). Approximately 0.01 acre of degraded southern willow scrub will be impacted due to the replacement of the storm drain pipe. According to the February 2008 Everett & Associates Biological Letter Report, 0.01 acre of impact to degraded southern willow scrub will result in a significant impact. Implementation of mitigation measures provided below would reduce impacts to southern willow scrub to less than significant levels.

Mitigation Measures

BIO-1 In order to mitigate the impact to southern willow scrub, all permits and authorizations from regulatory agencies for impacts to jurisdictional resources shall be obtained prior to the issuance of grading permits for the project. Implementation of all conditions and requirements in the permit/authorization shall be implemented by the project. Compensation for the loss of southern willow scrub will be negotiated and approved through the permitting process and would include one of the following options~~Southern willow scrub shall be mitigated by one of the following measures (Everett 2008)~~:

a. To mitigate impacts to the six small willows, a total of 12 willows will be planted elsewhere on the site within southern willow scrub habitat, in an area currently inhabited by invasive non-native plant species. This alternative will require preparation of a Revegetation Plan including requirements for monitoring and reporting to ensure success of the plantings~~–~~;

b. An area of 0.02 acres (852 square feet) of disturbed southern willow scrub Habitat within the drainage on-site will be identified, have invasive non-native plant species removed, and be maintained free of invasives for a period of five years. This alternative will require monitoring and reporting; or

c. A financial contribution will be made to the Mission Resource Conservation District to aid in their efforts of wetland enhancement and restoration within the Buena Vista Creek watershed. If this option is approved during the permitting process and implemented, the District shall provide written guarantee that wetland enhancement/restoration efforts will be implemented on or in the vicinity of the project site.

In order to avoid potential direct or indirect impacts 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 (CDFG) or U.S. Fish and Wildlife Service (USFWS) the following mitigation is provided (City of Oceanside 2008).

BIO-2 The following mitigation measures shall be implemented to prevent both direct and indirect impacts and are consistent with the City's Subarea Plan. For an in-depth discussion regarding the project's relationship with the Subarea Plan, see Section 14.4.f.

a. All mitigation measures identified in this MND shall be complied with as stated in the Mitigation Monitoring and Reporting Program.

b. A qualified biologist shall be retained by the applicant to review the final grading plans, access routes and staging areas, monitor all aspects of construction, educate contractors about the biological sensitivities associated with the area and ensure compliance with mitigation measures.

c. The qualified biologist shall conduct a training session for all project personnel prior to any grading/construction activities. At a minimum the training shall include a description of the target species of concern, its habitats, the general provisions of the Endangered Species Act (Act) and the Multiple Habitat Conservation Program (MHCP), the need to adhere to the provision of the Act and the MHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the target species of concern as they relate to the project, any provisions for wildlife movement, and the access routes to and project site boundaries within which the project activities must be accomplished.

d. A water pollution and erosion control plan shall be developed that describes sediment and hazardous materials control, dewatering or diversion structures, fueling and equipment management practices and other factors as deemed necessary. Erosion control measures shall be monitored on a regularly scheduled basis, particularly during times of rainfall. Corrective measures shall be implemented in the event erosion control strategies are inadequate.

Sediment/erosion control measures shall be continued at the project site until such time as the revegetation efforts are successful at soil stabilization.

e. The footprint of habitat disturbance shall be minimized to the maximum extent feasible. Access to sites shall be via pre-existing access routes to the greatest extent possible.

f. Placement of equipment and personnel within environmentally sensitive habitat areas, stream channels or on sand and gravel bars, banks and adjacent upland habitats used by target species of concern shall be avoided. Activities that can not be conducted without placing equipment or personnel in sensitive habitats shall be timed to avoid the breeding season of the target species of concern.

g. Equipment storage, fueling and staging areas shall be located to minimize risks of direct drainage into riparian areas or other environmentally sensitive habitats. These designated areas shall be located in such a manner as to prevent runoff from entering sensitive habitats. All necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. All project related spills of hazardous materials shall be reported to appropriate entities including but not limited to the City of Oceanside, USFWS, and CDFG, State Water Quality Control Board (SWQCB) and shall be cleaned up immediately and contaminated soils removed to approved disposal areas.

h. Erodible fill material shall not be deposited into water courses. Brush, loose soils, or other similar debris material shall not be stockpiled within the stream channel or on its banks.

i. Stockpiling of materials and other aspects of construction staging shall be limited to disturbed areas without native vegetation, areas to be impacted by project development or in non sensitive habitats.

j. "No-fueling zones" shall be established within a minimum of 10 meters (33 feet) from all drainages and fire sensitive areas.

k. Scheduling of construction activities shall minimize potential impacts to biological resources. Construction adjacent to drainages shall occur during periods of minimum flow (i.e. summer through first rain of fall) to avoid excessive sedimentation and erosion and to avoid impacts to drainage dependent species. Construction near riparian areas or other sensitive habitats shall be scheduled to avoid the breeding season (March through September) and potential impacts to breeding bird species.

l. Human and pet access to preserve areas shall be limited to designated trails by use of natural vegetation, topography, signs and limited fencing.

m. Artificial lighting adjacent to the preserve area shall be eliminated except where essential for roadway, facility use and safety and security purposes. Where use of artificial lighting is necessary it shall be limited to low-pressure sodium sources. Use of low voltage outdoor or trail lighting, spotlights or bug lights is prohibited. All light sources shall be shielded so that lighting is focused downward to restrict any light spillover onto sensitive habitat. Use of night lighting, if necessary, shall be the lowest illumination necessary and directed away from sensitive habitat.

n. The qualified biologist shall monitor construction activities throughout the duration of the project to ensure that all practicable measures are being employed to avoid incidental disturbance of habitat and any target species of concern outside the project footprint.

Construction monitoring reports shall be completed and provided to the City of Oceanside, USFWS and CDFG summarizing how the project is in compliance with applicable conditions. The project biologist shall be empowered to halt work activity if necessary and to confer with staff from the City of Oceanside, USFWS and CDFG to ensure the proper implementation of species and habitat protection measures.

o. The removal of native vegetation shall be avoided and minimized to the maximum extent practicable. Temporary impacts shall be returned to pre-existing contours and revegetated with appropriate native species. All revegetation plans shall be prepared and implemented consistent with Appendix C of the MHCP (Revegetation Guidelines of the Final MHCP Plan - Volume II) and shall require written concurrence of the USFWS and CDFG.

p. To avoid attracting predators of the target species of concern, the project site shall be kept clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site. Pets of project personnel shall not be allowed on site where they may come in contact with any listed species.

q. Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed 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 shall be fenced with orange

snow screen. Exclusion fencing shall be maintained until the completion of all construction activities. All employees shall be instructed that their activities are restricted to the construction areas.

r. Any habitat destroyed that is not in the identified project footprint shall be disclosed immediately to the City of Oceanside, USFWS and CDFG and shall be compensated at a minimum ratio of 5:1.

s. If dead or injured listed species are located, initial notification must be made within three working days, in writing to the USFWS Division of Law Enforcement in Torrance California and by telephone and in writing to the applicable jurisdiction, Carlsbad Field Office of the USFWS, and CDFG.

t. The City of Oceanside shall have the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project conditions and BMPs. The USFWS and CDFG may accompany the City representatives on this inspection.

u. Any planting stock to be brought onto the site for landscaping or ecological restoration shall be first inspected by a qualified pest inspector to ensure it is free of pest species that could invade natural areas, including but not limited to Argentine ants, fire ants, and other insect pests. Any planting sock found to be infested with such pests shall not be allowed on the project site or within 300 ft of natural habitats. The stock shall be quarantined, treated or disposed of according to best management principles by qualified experts in a manner that precludes invasions into natural habitats.

v. All mitigation sites shall be conserved through conservation easement, and proof of recordation shall be provided to the City of Oceanside prior to land disturbance.

w. Use of retaining walls shall be minimized. Development on the site shall be configured to existing topography to minimize grading and landform alteration.

BIO-3 In order to prevent future indirect impacts (edge effects) to sensitive habitats, a barrier shall be constructed along the eastern property boundary and at the top of the slope along the northern property boundary. This impermeable barrier (a six-foot tall, four-inch narrowly spaced wrought iron fence), with the biological buffers provided, will provide adequate protection to the native habitats located on and adjacent to the site. This type of fence will prevent domestic predators from encroaching into the preserved creek area.

BIO-4 In accordance with the City's Subarea Plan, a restoration plan shall be prepared and implemented that describes the portions of the biological buffer to be restored, the revegetation specifications, the performance standards, and the maintenance and monitoring requirements. This plan will also include a long-term management and monitoring program as appropriate. The Restoration Plan shall be reviewed and approved by the City and the wildlife agencies prior to issuance of a grading permit.

BIO-5 In order to ensure the long-term biological value of avoided resources on the project site, the avoided riparian habitat and the 50-foot-wide biological buffer will be designated as biological open space and legally protected through one of the following mechanisms:

a. The City of Oceanside shall maintain ownership of the entire biological open space area and the area shall be designated as open space through a deed restriction, open space lot establishment, or other mechanism. The City shall manage this land in perpetuity consistent with the other City-owned lands managed under the City's Subarea Plan; or

b. A conservation easement shall be established over the biological open space area. The conservation easement shall be held by a qualified land management entity with the Wildlife Agencies as third party beneficiaries. The land management entity shall have the funding to implement long-term management and monitoring of the open space.

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 (CDFG) or U.S. Fish and Wildlife Service?* ***Potentially Significant Unless Mitigated.*** Refer to response to item 14.4.a and *Table 4-3, Biological Resource Impacts*, above. Replacement of the storm drain pipe will result in impacts to 0.01 acre of disturbed wetland resources (degraded southern willow scrub). According to the February 2008 Everett & Associates Biological Letter Report prepared for the proposed project, impacts to 0.01 acre of degraded southern willow scrub will result in a significant impact, therefore, the City has determined that mitigation is required to reduce this impact to a less than significant level; refer to mitigation measures BIO-1, BIO-2, ~~and~~ BIO-3, BIO-4, and BIO-5.

Along the western portion of the creek, north of the area proposed for construction, a 50-foot-wide biological buffer has been incorporated into the proposed project site plan~~the average distance from the edge of wetland habitat (southern willow scrub) to the proposed impact area is 50 linear feet~~. This area, containing ~~mostly~~ southern mixed chaparral and disturbed habitat, provides a primary biological buffer for the wetland habitat onsite. Along the eastern portion of the site the buffer area averages over 200 feet. The vast majority of wetland habitat is located at the base of the slope, and is thus additionally isolated from noise

and other potential edge effects. However, future indirect impacts may result from implementation of the proposed project. Therefore, impacts are considered potentially significant unless mitigated. Incorporation of Mitigation Measures BIO-2, ~~and~~ BIO-3, BIO-4, and BIO-5 will reduce potential indirect impacts to less than significant.

c) *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?* ***Potentially Significant Unless Mitigated.*** Refer to response to items 14.4.a and 14.4.b above. As shown above in *Table 4-3, Biological Resource Impacts,* impacts to sensitive wetland habitats will consist of 0.01 acre of degraded southern willow scrub. This impact is significant and will ~~therefore,~~ be mitigated below a level of significance through the implementation of ~~(see~~ BIO-1 through BIO-5~~3)~~.

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?* ***No Impact.*** As indicated in the February 2008 Everett & Associates Biological Report Letter, project implementation will not interfere with the movement of any native resident or migratory fish or wildlife species, with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites, as none exist within the project area (Everett 2008).

e) *Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy/ordinance?* ***No Impact.*** The City of Oceanside does not have any local policies or ordinances to protect biological resources of local concern; therefore, the proposed project will not have any adverse impacts on locally protected biological resources.

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?* ***Potentially Significant Unless Mitigated.*** The City of Oceanside is located within the North San Diego County MHCP. The MHCP encompasses the cities of Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach, and Vista. Its goal is to conserve approximately 19,000 acres of habitat, of which roughly 8,800 acres (46 percent) are already in public ownership and contribute toward the habitat preserve system for the protection of more than 80 rare, threatened, or endangered species.

The MHCP Subregional Plan and Final Environmental Impact Statement / Environmental Impact Report were adopted and certified by the SANDAG Board of Directors on March 28, 2003. Subarea plans for the cities are being prepared and must be adopted by each City Council and implementing agreements with the California Department of Fish and Game and U.S. Fish and Wildlife Service must be signed before "incidental take" permits can be issued (www.sandag.org, accessed August 9, 2007). The City of Oceanside released a public review draft of the Oceanside Subarea Plan. The Subarea Plan has yet to be finalized and approved by

the City Council; incidental take authority has therefore not been transferred to the City from the CDFG and USFWS. Although the City, and project site, are not located within an approved habitat conservation plan or natural community conservation plan area, the project's relationship to the City's draft Subarea Plan is analyzed to ensure that approval of the project will not preclude adoption or implementation of a regional habitat conservation plan or natural community conservation plan.

Figure 4-1 of the Oceanside Subarea Plan identifies the areas within the City that are envisioned to provide natural community conservation or require special considerations of habitat modification due to preserve planning parameters (i.e., wildlife corridor establishment) envisioned by the Subarea Plan. The project site is not located within the Pre-approved Mitigation Area, Wildlife Corridor Planning Zone, an existing conservation bank or either of the Offsite Mitigation Zones. Therefore conservation envisioned within these specific areas will not be precluded by approval of the proposed project.

Aside from the project's location within specific areas in the City envisioned to support future conservation, the project must also be reviewed against the narrow endemic and no net loss of wetlands policies to ensure that conservation assumed via these policies will not be precluded as a result of project approval. The narrow endemic species policy states that no more than 20 percent gross loss of narrow endemics shall occur in areas outside of the preserve planning areas (the project is not located within a preserve planning area). The project does not support habitat for the narrow endemic planning species identified in the Subarea Plan. The project will be located adjacent to the southern bank of Buena Vista Creek, and will result in impacts to wetland communities~~.~~. Due to the no net loss policy the impacts to 0.01 acre of southern willow scrub is considered a significant impact; therefore mitigation has been provided (see BIO-1 through BIO-5~~3~~). Implementation of mitigation measure BIO-1 through BIO-5~~3~~ would reduce impacts to southern willow scrub and therefore, ensure that the project is consistent with the Subarea Plan's no net loss of wetlands policy. Further, the project is proposing a 100-foot buffer from the edge of the riparian habitat associated with Buena Vista Creek; therefore the project will be consistent with the Subarea Plan's wetland buffer policy. The proposed building's set-backs from the 100-foot biological buffer will eliminate the need for vegetation thinning or fuel modification within the buffer area (which is discouraged in the Subarea Plan). The installation of a wrought iron fence will also help reduce domestic predator intrusion into the Buena Vista Creek area.

The proposed project will impact ~~2.2~~1.95 acres of developed/disturbed land and 0.01 acre of degraded southern willow scrub. Developed/disturbed land lacks or has very low habitat value for sensitive wildlife species; therefore, the Subarea Plan does not require mitigation for impacts to such land (Oceanside Subarea Plan Table 5-2). However, the Subarea Plan identifies a 2:1 mitigation ratio for impacts to southern willow scrub, which is outlined in mitigation measure BIO-1.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.5 CULTURAL RESOURCES. Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5 of CEQA?	☐	☐	☒	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5 of CEQA?	☐	☒	☐	☐
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐
d. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

a) *Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5 of CEQA?* ***Less Than Significant Impact.*** A Phase I Archaeological Assessment for the proposed project was completed by Historical, Environmental, Archaeological, Research, Team in June 2004 (see Appendix C). According to the records search from South Coastal Information Center no historical resources have been document within the project site. No National Register properties, California Historical Landmarks, California Points of Historical Interest, and no significant California State Historic Resources Inventory properties have been recorded. A field reconnaissance program did not identify evidence of historic archeological resources within the surveyed area. Because the project site is devoid of historical resources, no significant impacts are anticipated.

b) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5 of CEQA?* ***Potentially Significant Unless Mitigated.*** The South Coast Information Center record search was positive for the presence of four previously recorded archaeological resources within the project boundaries. The resources are Sites CA-SDI-632, CA-SDI-633, CA-SDI-636, and CA-SDI-5433. Within a 0.5 mile radius of the proposed project, 16 cultural studies have been conducted. No National Register properties exist, and no significant California State Historic Resources Inventory properties have been recorded. A field reconnaissance program did not identify evidence of prehistoric or historic archaeological resources within the surveyed area.

Although identified cultural resources are not significant, the potential that additional archaeological resources may be present within the project does exist. Existing vegetation or soils may be masking or covering archaeological sites that will be exposed during grading. Due to the potential to encounter additional resources during grading of the project, mitigation measures have been provided below to reduce potential impacts to less than significant.

Mitigation Measures

CR-1 Prior to approval of grading improvement plans, the applicant shall implement a grading monitoring plan to mitigate potential impacts to undiscovered buried archaeological resources on the project site to the satisfaction of the City of Oceanside.

CR-2 In the event that cultural resources are discovered, work must cease, and the City of Oceanside Planning Director shall be contacted immediately. A qualified archaeologist shall be consulted to assess the significance of the resource and to provide proper management and or handling recommendations.

CR-3 In the event that no cultural resources are discovered, a brief letter stating that archaeological monitoring was conducted and no resources were encountered shall be sent to the lead agency by the consulting archaeologist.

c) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?* ***Potentially Significant Unless Mitigated.*** Soils have been previously replaced with imported fill to create a flat graded surface throughout the project site and the adjacent properties to the east and west. The imported fill soils vary from 14 to 28 feet in thickness and were moderately compacted when placed. Underlying the fill materials is approximately 6.5 to 12 feet of alluvium or approximately 5 feet of colluvium material depending on the location within the project site. The formation material underlying the entire site consists of fine grained silty sandstone of the Santiago Peak Formation. The Santiago Peak Formation is known to contain paleontological resources.

During construction the existing undocumented fill and the alluvial and colluvium materials, will be removed and recompacted, temporarily exposing the Santiago Peak Formation. The removal of the above mentioned soils and compaction of the proposed fill material may result on impacts to the underlying undisturbed formation (Santiago Peak), mitigation measures have been provided to reduce potential impacts to less than significant.

Mitigation Measure

CR-4 Prior to approval of grading improvement plans, the applicant shall implement a grading monitoring plan which outlines activities that may affect the Santiago Peak Formation, timing, reporting, etc. to the satisfaction of the City. The Plan shall outline the process/verification that will occur to ensure that all grading activity that could potentially alter the Santiago Formation is monitored by a qualified paleontologist. In the event that paleontological resources are discovered, work must cease, and the City of Oceanside Planning Director shall

be contacted immediately. A qualified paleontologist shall be consulted to assess the significance of the resource and to provide proper management and or handling recommendations. In the event that no paleontological resources are discovered, a brief letter stating that paleontological monitoring was conducted and no resources were encountered shall be sent to the City by the consulting paleontologist. This letter shall be filed in the project file and mitigation monitoring reporting program documents.

d) *Disturb any human remains, including those interred outside of formal cemeteries?* ***Potentially Significant Unless Mitigated.*** There are no known human remains or formal cemeteries located within the project site. Although human remains are not anticipated to be encountered, the potential for additional cultural resources to be present within the project does exist. Therefore, impacts are considered potentially significant unless mitigated. With implementation of Mitigation Measure CR-4~~5~~ potential impacts will be less than significant.

Mitigation Measure

CR-5 In the unlikely event that human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner shall be notified of any human remains found immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC) which will determine and notify a most likely descendant. With the permission of the landowner or his/her authorized representative, the most likely descendant may inspect the site of the discovery. The most likely descendant may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.6 GEOLOGY AND SOILS. Would the project:				
a. 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 issued by the State Geologist, or based on other substantial evidence of a known fault (Refer to DM&G Pub. 42)?; or, (ii) strong seismic ground shaking?; or, (iii) seismic-related ground failure, including liquefaction?; or, (iv) landslides?	☐	☐	☒	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significan Impact	No Impact
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-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d. Be located on expansive soil, as defined in Table 18- 1-B of the 1994 UBC, creating substantial risks to life or property?	☐	☐	☒	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

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

1. *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.* ***Less Than Significant Impact.*** A Report of Geotechnical Investigation of the project site was completed by Shepardson Engineering Associates Inc. in August 2006. The project site is not within a currently established Alquist-Priolo Earthquake Fault Zone for surface fault rupture hazards. No active or potentially active faults with the potential for surface fault rupture are known to pass directly beneath the site. Faults nearest the project site include the Rose Canyon Fault Zone, the Coronado Bank Fault Zone, and the Elsinore Fault Zone; however, these faults are located approximately 13 miles or greater from the project site. Therefore, impacts are anticipated to be less than significant.

2. *Strong seismic ground shaking?* ***Less Than Significant Impact.*** Southern California is a seismically active region likely to experience, on average, one earthquake of Magnitude 7.0, and ten (10) earthquakes of Magnitude 6.0 over a period of 10 years. Active faults are those faults that are considered likely to undergo renewed movement within a period of concern to humans. These include faults that are currently slipping, those that display earthquake activity, and those that have historical surface rupture. The California Geological Survey (CGS) defines active faults as those which have had surface displacement within Holocene times (about the last 11,000 years). Such displacement can be recognized by the existence of sharp cliffs in young alluvium, un-weathered terraces, and offset modern stream courses.

Potentially active faults are those believed to have generated earthquakes during the Quaternary period, but prior to Holocene times.

Due to its location in seismically active Southern California, there are several active and potentially active fault zones that could affect the project site. These fault zones include the Rose Canyon Fault Zone, the Coronado Bank Fault Zone, and the Elsinore Fault Zone as listed above in 14.6.a. Other more distant fault zones are located to the north and northeast of the project site. The proposed project will be required to be in conformance with the Uniform Building Code (UBC) or California Building Code (CBC) design requirements, and other applicable City ordinances and standards. The project's conformance with standard engineering practices and design criteria will reduce the effects of seismic groundshaking to less than significant levels.

3. *Seismic-related ground failure, including liquefaction?* ***Less Than Significant Impact.*** Liquefaction typically occurs when a site is subjected to strong seismic shaking, on-site soils are cohesionless, groundwater is encountered within 50 feet of the surface, and soil relative densities are less than approximately 70 percent. Per the Shepardson Geotechnical Investigation, groundwater was encountered between depths of 24 feet and 28 feet. Subsurface conditions consist of undocumented fill soils underlain by alluvium and in some areas a thin layer of colluvium. A liquefaction analysis was performed based on these site conditions, and identified potentially liquefiable zones within the project boundary. Under static conditions, the project contains more than 9 feet of non-liquefiable surface layer, which will resist upward pressures should the deep alluvium liquefy. However, the analysis ultimately concluded that potentially liquefiable strata of unsaturated alluvium presents a risk for significant lateral spread during a seismic event. Implementation of the proposed project design features outlined in *Table 2-1, Summary of Standard Project Design Features and Construction* will reduce impacts to less than significant.

4. *Landslides?* ***Less Than Significant Impact.*** Landslides are mass movements of the ground that include rock falls, relatively shallow slumping and sliding of soil, and deeper rotational or transitional movement of soil or rock. Per the City of Oceanside General Plan there are no published reports of landslides occurring within Oceanside, nor is there evidence of any found in reconnaissance or aerial photographs. However, minor slope movement is occurring throughout the City primarily as soil creep, slumping, and sloughing along road cut and steep slopes. The project site is situated on soils most susceptible to landslides per the General Plan Figure PS-3. Site stabilization and soil compaction requirements required by project geotechnical

investigation and design parameters established by the UBC or CBC will reduce any potential impacts to less than significant levels.

b) *Result in substantial soil erosion or the loss of topsoil?* ***Less Than Significant Impact.*** The proposed project site is currently undeveloped, and does not contain any structures or large paved areas. Onsite vegetation has been disturbed, which also exposes the site to erosion. Proposed development will include the movement and recompaction of soils at the project site and grading, followed by construction of buildings and the associated parking areas. Trenching, grading, and compacting associated with construction of structures and landscape/hardscape installation could expose areas of soil to erosion by wind or water during these construction processes. The addition of paved and landscaped areas will, over the long term, decrease the potential for erosion because fewer exposed soils will exist at the site.

The contractor will be required to comply with standard engineering practices for erosion control and a qualified soils engineer will monitor soil compaction during construction. Implementation of the proposed project design features outlined in *Table 2-1, Summary of Standard Project Design Features and Construction* will reduce potential soil erosion impacts to less than significant levels.

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?* ***Less Than Significant Impact.*** Per the Preliminary Geotechnical Investigation, the project area is underlain by undocumented fill, alluvium, and colluvium. The formational materials underlying the entire site at depth consists of fine-grained silty sandstone of the Santiago Formation. Existing subsurface soil conditions generate the possibility of lateral spreading at the project site and surface effects are likely to occur. A lateral spread displacement analysis was performed as part of the Geotechnical Investigation to assess the risk of liquefaction induced lateral spread of the ground toward the face of slope along Buena Vista Creek. The calculated potential ground displacement is approximately 0.83 meters, which could not be fully remedied via foundation design, which can withstand lateral displacement up to 0.3 meters. The mitigation measures below, however, will reduce the potential risk associated with lateral spreading from liquefaction to below a level of significance for the majority of the site. Since soils along the Buena Vista Creek embankment can not be remedied due to biological constraints, a portion of the parking lot will be subject to ground failure in event of a seismic event. Therefore, the proposed project design features provided in *Table 2-1, Summary of Standard Project Design Features and Construction* will reduce impacts to the proposed residential structure

but not the parking area. Since the parking lot is not a habitable use, potential impacts to the proposed parking area is considered less than significant.

d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property?* ***Less Than Significant Impact.*** Per the Geotechnical Report, soils on site have a low to medium expansion potential. The Geoctechnical Investigation contains recommendations for ground preparation and earthwork specific to the site in order to address impacts associated with expansive soils. in the recommendations of the Geotechnical investigation have been incorporated into project design features and are outlined in *Table 2-1, Summary of Standard Project Design Features and Construction*. Implementation of the proposed project design features and adherence to UBC or CBC design requirements and applicable City regulations will address the risks associated with the presence of expansive soils on site. Therefore, impacts will be less than significant.

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?* ***No Impact.*** The proposed project does not include the implementation of septic tanks or alternative wastewater disposal systems. Therefore, no impact will occur.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.7 HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d. Be located on a site 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?	☐	☐	☐	☒

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	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 safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐

a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?* ***Less Than Significant Impact.*** The proposed project will not involve the routine transport, use, or disposal of hazardous materials. Onsite use and storage of hazardous materials will be limited to small amounts of common household cleaners, and common chemicals used for landscaping and maintenance.

During the construction period, standard BMPs will be applied to ensure that all hazardous materials (i.e. construction equipment fuel) are stored properly and that no hazards occur during this phase of the project. Therefore, impacts will be less than significant.

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?* ***Less Than Significant Impact.*** No hazardous materials aside from small amounts of everyday household cleaners and common chemicals used for landscaping and maintenance are anticipated to be located on-site; therefore, impacts will be less than significant. Through the implementation of the BMPs provided below under Hydrology and Water Quality, adverse impacts will not occur in the event of accidental conditions. Therefore, impacts will be less than significant.

c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?* ***No Impact.*** No existing or proposed school facilities are located within a one-quarter mile radius of the project site. No impacts will result.

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?* ***No Impact.*** A *Phase I Environmental Site Assessment* was prepared by Pacific Southwest Group in May of 2005. According to the *Phase I,* the project site is not included on a list of sites containing hazardous materials, and will therefore not result in a significant hazard to the public or to the environment as a result of disturbance to an existing hazardous materials site.

e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?* ***No Impact.*** The proposed project site is not located within an airport land use plan or within two miles of a public airport and will therefore not result in a safety hazard for people residing or working in the project area.

f) *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?* ***No Impact.*** The proposed project site is not located within the vicinity of a private airstrip and will not result in a safety hazard for people residing or working in the project area.

g) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?* ***Less Than Significant Impact.*** Construction of the proposed project will interfere with emergency response through construction related road closures. However, the applicant will provide a traffic control plan as outlined in *Table 2-1, Summary of Standard Project Design Feature and Construction.* Implementation of the proposed traffic control plan would reduce impacts to less than significant.

h) *Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?* ***Less Than Significant Impact.*** The project site is located adjacent to a natural slope embankment and Buena Vista Creek. The senior community center will be constructed in compliance with City Code regulations for fire prevention measures including fire sprinklers and landscape restrictions. Due to the increased moisture level in the vegetation along the existing slope to Buena Vista Creek and the creek itself, the risk of fire from this natural area is considered to be low. It should also be noted that the proposed structure will be setback 85 to 100 feet from the head of slope to Buena Vista Creek. The project will construct a parking lot within this setback area (which also reduces fire impacts from the natural area to the proposed structure); therefore, impacts will be less than significant.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.8 HYDROLOGY AND WATER QUALITY. Would the project:				
a. Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c. Substantially alter the existing drainage pattern of the site or area including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off- site?	☐	☐	☒	☐
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?	☐	☐	☒	☐
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f. Otherwise substantially degrade water quality?	☐	☐	☒	☐
g. Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate map or other flood hazard delineation map?	☐	☐	☒	☐
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☒	☐
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
j. Inundation by seiche, tsunami, or mudflow?	☐	☐	☒	☐
k. Result in an increase in pollutant discharges to receiving waters considering water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?	☐	☐	☒	☐
l. Result in significant alternation of receiving water quality during or following construction?	☐	☐	☒	☐

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
m. Could the proposed project result in increased erosion downstream?	☐	☐	☒	☐
n. Result in increased impervious surfaces and associated increased runoff?	☐	☐	☒	☐
o. Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes?	☐	☐	☒	☐
p. Tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired?	☐	☐	☒	☐
q. Tributary to other environmentally sensitive areas? If so, can it exacerbate already existing sensitive conditions?	☐	☐	☒	☐
r. Have a potentially significant environmental impact on surface water quality to either marine, fresh, or wetland waters?	☐	☐	☒	☐
s. Have a potentially significant adverse impact on groundwater quality?	☐	☐	☒	☐
t. Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?	☐	☐	☒	☐
u. Impact aquatic, wetland, or riparian habitat?	☐	☐	☒	☐
v. Potentially impact stormwater runoff from construction or post construction?	☐	☐	☒	☐
w. Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?	☐	☐	☒	☐
x. Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters?	☐	☐	☒	☐
y. Create the potential for significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm?	☐	☐	☒	☐
z. Create significant increases in erosion of the project site or surrounding areas?	☐	☐	☒	☐

a) *Violate any water quality standards or waste discharge requirements?* ***Less Than Significant Impact.*** A Stormwater Management Plan and Preliminary Hydrology Study were prepared for the project site by K & S Engineering in ~~December 2007~~August 2008 (see *Appendix D*).

Construction activities associated with the proposed project could result in wind and water erosion leading to sediment laden discharges to nearby water resources. Sediment transport to drainages and nearby Buena Vista Creek to the north of the project area could result in degradation of water quality. Similarly, fuels, oils, lubricants, and other hazardous substances used during construction could be released and impact surface and groundwater. Following the completion of construction, runoff from impervious surfaces could carry pollutants to surface waters via the proposed storm water conveyance system. Anticipated pollutants of concern include but are not limited to the following: sediments, nutrients, metals, trash & debris, oxygen demanding substances, oil and grease, bacteria, and pesticides. These pollutants are typical of residential developments such as the proposed project.

The project has incorporated design characteristics to reduce impervious areas and runoff throughout the proposed site. These design characteristics include consolidation of various functions within one structure, and the minimization of widths for drive aisles and concrete walk areas. The project will also conserve approximately three acres of the site ~~in~~ as biological ~~preserve easement~~open space. The landscaped areas of the project will include native or drought tolerant species in the planting scheme. Landscaped areas are designed to surround the proposed structure and to provide permeable areas for building runoff to be absorbed. Manufactured slopes created for the project will be of minimal height and vegetated to minimize erosivity. All drainage will be directed away from slope faces to reduce direct runoff.

Currently the site is divided into two basin areas which drain from the center of the site to the west and east. The site currently generates approximately 2.32 cfs of runoff in the western basin and 1.82 cfs in the eastern basin (4.14 cfs total). Implementation of the proposed project will increase the total flow to ~~5.39~~6.69 cfs in the western and eastern basin areas ~~and 4.31 cfs in the eastern basin~~ (K&S Engineering 200~~7~~8). The Buena Vista Creek drainage channel system currently has adequate capacity to convey this increased drainage (K&S Engineering 200~~7~~8), therefore, significant impacts to the receiving drainage system will not occur.

The project has incorporated several Best Management Practices (BMPs) to address potential water quality and drainage impacts. A vegetative biofilter swale and an enclosed

~~wetland biofilter~~ bioretention treatment system have been proposed within landscaped areas in the central portion and along the eastern boundary of the project site, (refer to *Figure 3, Site Plan*). These biofilter systems allow for filtration and infiltration treatment of stormwater runoff from impermeable surface areas created by the proposed project. Utilization of curb openings at low elevation points will allow storm flows to enter the proposed swale. In addition, a series of private inlets and underground pipes will direct flows on the western portion of the site to an enclosed subsurface storage system, which directs flows to the enclosed ~~wetland biofilter~~ bioretention treatment system. Once the runoff is treated through these systems, it will enter the City's storm drain system (Buena Vista Creek). It should also be noted that all parking areas will drain into the vegetated biofilter swale or the enclosed ~~wetland biofilter~~bioretention treatment system. These site design, treatment control and source control specific Best Management Practices (BMPs) partially address water quality impacts.

The project will also implement source control BMPs to further reduce water quality impacts. These BMPs consist of locating all trash dumpsters in concrete masonry screen wall enclosures with gated openings and stored on a graded concrete pad. In addition, the project will provide notice against illegal dumping of pollutants by posting signage, stamping or stenciling a notice on all existing public storm drain inlets affected by project drainage, as well as all onsite private inlets

With implementation of the above mentioned BMPs and the standard project design features provided in *Table 2-1, Summary of Standard Project Design Features and Construction*, the pollutants of concern will be limited, eliminated, or treated to the maximum extent practicable. Impacts will be less than significant.

b) *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?* ***Less Than Significant Impact.*** Construction of the proposed project will reduce the amount of pervious surfaces by replacing land that is currently undeveloped with impervious surfaces such as roadways, sidewalks, and rooftops. These features will intercept rainfall and prevent localized groundwater recharge. The proposed project, which consists of approximately 5 acres, will result in an increase in the site's imperviousness to approximately 1.3 acres while providing 0.83 acres of new landscaped areas and retaining 2.88 acres as undisturbed, natural area. The 100-year storm event existing runoff flow rate for the project drainage area is 2.32 cfs for the westerly basin and 1.82 for the easterly basin area (4.14 cfs total). Surface runoff currently flows overland and discharges into a concrete

brow ditch which flows into the Buena Vista Creek channel. The proposed project drainage will produce a total flow rate for a 100-year storm of ~~5.39 cfs for the westerly basin area and 4.31~~6.69 cfs for the westerly and easterly basin areas combined. The stormwater runoff from the westerly basin area is a combination of sheet flows and drainage collected by a new system of area drains, inlets and underground pipes. These flows will combine and continue to a subsurface storage system feeding an enclosed ~~wetland biofilter system~~ bioretention treatment system for treatment. After treatment the flows will discharge via a constructed cleanout to the new 24-inch ~~reinforced concrete~~polyvinyl chloride (PVC) storm drain pipe (which replaces the existing 18-inch asbestos cement storm drain pipe) that crosses the project site. The new pipe conveys the treated flow to the existing outfall point on the creek bank slope, which is already fortified with rip rap for erosion control to the Creek channel. The easterly basin area surface flows to a curb in the northeast corner of the parking lot. This curb cut allows the stormwater to flow through a vegetated biofilter swale with a perforated pipe underdrain, to reduce pollutants prior to flowing to a new 12-inch storm drain inlet that connects to the ~~cleanout and a~~ proposed 24-inch PVC storm drain prior to outletting to disturbed natural ground. This increase in imperviousness due to the development of the proposed project will have a negligible impact on the hydrologic unit with proper implementation and maintenance of permanent BMPs as outlined above. Contaminated runoff associated with project construction and operation that could penetrate the groundwater table will also be controlled via implementation of BMPs outlined above and the standard project design features that have been incorporated into the project. Therefore, impacts to local groundwater recharge will be less than significant.

c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?* ***Less Than Significant Impact.*** The proposed project will introduce impervious surfaces consisting of sidewalks, rooftops, asphalt driveways, and parking lots in an area that was previously permeable ground. Impervious surfaces, such as those mentioned above, intercept rainfall and convey flow that will otherwise naturally infiltrate into the soil. The existing drainage pattern will not change but the runoff amounts will increase by approximately ~~9.47~~2.55 cfs, for a total post development runoff of 6.69 cfs. The proposed 24-inch storm drain and the Buena Vista Creek channel can handle this proposed increase in runoff (K&S Engineering 200~~7~~8). Therefore, impacts will be less than significant.

Increases in peak runoff rates and volumes resulting from changes in impervious surfaces and drainage patterns will be accommodated by the proposed stormwater system. Any erosion and siltation resulting from altered drainage onsite will be controlled via BMPs as

outlined above in response 14.8.a and *Table 2-1, Summary of Standard Project Design Features and Construction*. Therefore, impacts will be less than significant.

d) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?* ***Less Than Significant Impact.*** See response to items 14.8.a and 14.8.c. Increases in peak runoff rates and volumes resulting from changes in impervious surfaces and drainage patterns will be accommodated by the proposed stormwater system. Proper implementation and maintenance of the BMPs outlined in the Stormwater Management Plan and *Table 2-1, Summary of Standard Project Design Features and Construction*, will minimize potential flooding associated with the proposed project. Therefore, impacts will be less than significant.

e) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?* ***Less Than Significant Impact.*** See response to items 14.8.a, 14.8.b and 14.8.c. The existing runoff flow rate for the project drainage area from a 100-year storm event is 2.32 cfs for the westerly basin and 1.82 for the easterly basin (4.14 cfs total). This area currently flows overland and discharges into a concrete brow ditch along the existing slope of the Buena Vista Creek channel. The proposed project drainage will produce a total flow rate for a 100-year storm of ~~5.39 cfs for the westerly basin area and 4.31~~6.69 cfs for the westerly and easterly basin areas combined. The stormwater runoff from the westerly basin area is a combination of sheet flows and drainage collected by a new system of area drains, inlets and underground pipes. This increase in peak runoff rates and volumes resulting from changes in impervious surfaces and drainage patterns will be accommodated by the proposed stormwater system. Proper implementation and maintenance of the BMPs outlined in the Stormwater Management Plan and project design features outlined in *Table 2-1, Summary of Project Design Features and Construction* will minimize potential sources of polluted runoff associated with the proposed project. Therefore, impacts will be less than significant.

f) *Otherwise substantially degrade water quality?* ***Less Than Significant Impact.*** See response to item 14.8.a. No other elements of the proposed project are anticipated to degrade water quality. Therefore, with implementation of BMPs and standard project design and construction features, impacts will be less than significant.

g) *Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?* ***Less Than Significant Impact.*** The proposed project entails construction of senior housing south of and adjacent to Buena Vista Creek. A portion of the parking and landscaped areas will be within

Zone X according to the Flood Insurance Rate Map (FIRM). Zone X is classified as areas of moderate or minimal hazard from the principal source of flood in the area. Per the Stormwater Management Plan, the lowest elevation of the proposed project is located above the Base Flood Elevation of the established FEMA Panel. This is verified by the issuance of a Letter of Map Revision dated July 8, 2004. The revised FEMA Flood Line per the Letter of Map Revision (LOMAR) is shown on *Figure 3, Project Site Plan.* The proposed project is not subject to adverse effects due to Creek flooding or erosive velocities. Housing will not be placed within a 100-year flood hazard as a result of the proposed project. Therefore, impacts will be less than significant.

h) *Place within a 100-year flood hazard area structures which would impede or redirect flood flows?* ***Less Than Significant Impact.*** See response to item 14.8.g. The proposed project does not place structures within a 100-year flood hazard area. Therefore, impacts will be less than significant.

i) *Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?* ***Less Than Significant Impact.*** See response to item 14.8.g. As stated in the Stormwater Management Plan the project site is protected from the 1 percent annual chance of inundation by a flood, including flooding as a result of the failure of a levee, dike, or other structure. Therefore, impacts will be less than significant.

j) *Inundation by seiche, tsunami, or mudflow?* ***Less Than Significant Impact.*** The project area is not in the immediate vicinity of the Pacific Ocean. The project is located approximately 4 miles east of the Pacific Ocean. While Buena Vista Creek makes the project area more susceptible to a seiche, risks are low due to significant topographic features between Buena Vista Creek and the project site. Further, the site is not located on or nearby steep slopes which are often associated with mud flows. The project site is located approximately 0.8 mile to the north from Lake Calavera. Low lying hills and existing residential development separates the project site from this lake, and therefore, inundation by seiche is not likely. Impacts are considered less than significant.

k) *Result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?* ***Less Than Significant Impact.*** See response to item 14.8.a. Implementation of BMPs and standard project design and construction features will reduce impacts to less than significant.

l) *Result in significant alternation of receiving water quality during or following construction?* ***Less Than Significant Impact.*** See response to item 14.8.a. Through implementation of BMPs and standard project design features impacts will be less than significant.

m) *Could the proposed project result in increased erosion downstream?* ***Less Than Significant Impact.*** See response to items 14.8.a and 14.8c. Construction and operation of the project will result in a change in drainage onsite which could result in erosion offsite. In order to reduce this impact, the proposed onsite drainage system includes a private subsurface storage system which will reduce offsite flows to existing quantities. This element of the project design will eliminate impacts.

n) *Result in increased impervious surfaces and associated increased runoff?* ***Less Than Significant Impact.*** See response to items 14.8.a, 14.8.b and 14.8.c. The proposed project increases imperviousness by approximately 1.3 acres. The project will result in a net increase of approximately ~~9.47~~2.55 cfs in surface runoff, resulting in a total runoff amount of 6.69 cfs. Through implementation of BMPs provided in item 14.8.a and proper implementation of the proposed project design features, the project will have a negligible impact on the hydrologic regime of the local area. Impacts will be less than significant.

o) *Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes?* ***Less Than Significant Impact.*** See response to item 14.8.c. The proposed stormwater system will accommodate anticipated runoff associated with the proposed project. Implementation of the proposed project design features will reduce impacts associated with runoff. Impacts will be less than significant.

p) *Tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired* ***Less Than Significant Impact.*** As described within the Stormwater Management Plan, the proposed project is located in the El Salto Hydrologic Sub-Area (HSA) within the Carlsbad Watershed Hydrologic Unit. Per the California 2006~~2~~ 303(d) list published by the San Diego Regional Water Quality Control Board, Buena Vista Creek, Buena Vista Lagoon and the Pacific Ocean shoreline at Buena Vista Creek (downstream receiver water bodies) are impaired water bodies. Constituents of concern for this HSA include coliform bacteria, nutrients, sediment, ~~trace metals,~~ and toxics. The Agua Hedionda, Buena Vista, and San Elijo lagoons are experiencing impairments to beneficial uses due to excessive coliform bacteria and sediment loading from upstream sources. These coastal lagoons represent critical regional resources that provide freshwater and estuarine habitats for numerous plants and animal species. Through implementation of BMPs and the proposed project design features impacts will be less than significant.

q) *Tributary to other environmentally sensitive areas? If so, can it exacerbate already existing sensitive conditions?* ***Less Than Significant Impact.*** See response to item 14.8.p above. Through implementation of BMPs, and standard project design and construction features, impacts will be less than significant.

r) *Have a potentially significant environmental impact on surface water quality to either marine, fresh, or wetland waters?* ***Less Than Significant Impact.*** See response to item 14.8.p. The project site is located upstream from Buena Vista Lagoon and the Pacific Ocean, both of which contain wetland and marine habitat, respectively. Through implementation of standard project design features outlined in *Table 2-1, Summary of Standard Project Design Features and Construction*, impacts will be less than significant.

s) *Have a potentially significant adverse impact on groundwater quality?* ***Less Than Significant Impact.*** See response to item 14.8.b. Implementation of BMPs and project design features outlined in *Table 2-1, Summary of Standard Project Design Features and Construction*, will result in less than significant impacts.

t) *Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?* ***Less Than Significant Impact.*** See response to items 14.8.a and 14.8.b. The beneficial uses for coastal waters, surface waters and ground water of this HSA and the affected downstream waters are presented in *Table 4-4, Beneficial Uses* below. Implementation of standard project design features provided in *Table 2-1, Summary of Standard Project Design features and Construction* will assure adherence to water quality objectives and minimize impacts to beneficial uses. Impacts will be less than significant.

Table 4-4
Beneficial Uses

Beneficial Uses	Buena Vista Creek	Buena Vista Lagoon	El Salto HSA (Groundwater)
Municipal and Domestic Supply	+		X
Agricultural Supply	X		X
Industrial Service Supply	X		O
Contact Water Recreation	X	X	
New-Contact Water Recreation	X	X	
Warm Freshwater Habitat	X	X	
Estuarine Habitat		O	
Marine Habitat		X	
Wildlife Habitat	X	X	
Preservation of Biological Habitats of Special Significance		X	
Rare, Threatened or Endangered Species	X	X	

+ = exempt
O = potential beneficial use
X = existing beneficial use

Note: Beneficial use designations also apply to all tributaries of the creek.
Source: K&S Engineering ~~March 2007~~August 2008 (RWQCB 1994, 1998)

u) *Impact aquatic, wetland, or riparian habitat?* ***Less Than Significant Impact.*** See response to item 14.4.a. The project has incorporated BMPs and standard project design features that will reduce potential impacts to less than significant levels.

v) *Potentially impact stormwater runoff from construction or post construction?* ***Less Than Significant Impact.*** See response to item 14.8.a. The project has incorporated BMPs and standard project design features that will reduce potential impacts to less than significant levels.

w) *Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?* ***Less Than Significant Impact.*** See response to item 14.8.a. Construction of the proposed project could result in equipment fueling and maintenance, waste handling, and hazardous materials handling and storage. These uses may result in oil/grease laden pollution runoff which may impact downstream waters. In order to minimize discharge to surrounding waters, the proposed project will implement BMPs and standard project design features outlined in *Table 2-1, Summary of Standard Project Design Features and Construction*. Therefore, impacts will be less than significant. Once constructed, the proposed site use (senior living community) will not necessitate a fueling or washing area and hence the site has not been designed to accommodate such use. Therefore, impacts will not be significant.

x) *Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters?* ***Less Than Significant Impact.*** See response to item 14.8.t. The beneficial uses for coastal waters, surface waters and ground water of this HSA and the affected downstream waters are presented in *Table 4-4, Beneficial Uses*. Water quality impacts will be minimized and beneficial uses of receiving waters protected via implementation of standard project design features identified in *Table 2-1, Summary of Standard Project Design Features and Construction*. Therefore, impacts will be less than significant.

y) *Create the potential for significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm?* ***Less Than Significant Impact.*** See response to items 14.8.a and14.8.e. The proposed project will result in greater runoff volume as compared to existing conditions (approximately ~~9.47~~6.69 cfs vs the existing runoff of 4.14 cfs ~~increase~~). The existing stormwater system has sufficient capacity to accommodate anticipated runoff from the project site. However, in order to reduce potential environmental impacts associated

with this increased runoff, BMPs provided in item 14.8.a and standard project design features outlined in *Table 2-1, Standard Project Design Features and Construction,* will be implemented. Therefore, impacts will be less than significant.

z) *Create significant increases in erosion of the project site or surrounding areas?* ***Less Than Significant Impact.*** See response to item 14.8.c. The proposed project is located in an area that is predominately comprised of soil (Las Flores loamy fine sand) that is considered to have severe erodibility characteristics (USSCS 1973). Construction and operation of the project will result in a change in drainage onsite which could result in erosion. The estimate increase in runoff from the project site will be addressed through implementation of BMPs provided in item 14.8.a. Implementation of the proposed standard project design features (outlined in *Table 2-1, Summary of Standard Project Design Features and Construction)* will further reduce erosion impacts from the minor increase in runoff generated by the proposed project. Therefore, impacts will be less than significant.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.9 LAND USE AND PLANNING. Would the project:				
a. Physically divide an established community?	☐	☐	☐	☒
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☒	☐

a) *Physically divide an established community?* ***No Impact.*** The proposed project will be located within an area that is designated for urban high density residential uses. Surrounding land uses consist of other high density residential uses, single family residential uses south of Lake Boulevard and community commercial uses north of Buena Vista Creek. Therefore construction of the senior community at this project site will not have an impact on the physical arrangement of an established community. Therefore, no impacts are anticipated to occur.

b) *Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?* ***No Impact.*** The proposed project is consistent with the

General Plan Land Use Element's designation for the project site (urban high density residential) and with the Official Zoning Map designation (urban high density residential) of the property. Therefore, no impacts will occur in this regard.

c) *Conflict with any applicable habitat conservation plan or natural community conservation plan?* ***Less Than Significant Impact.*** The project will impact 1.95~~2.2~~ acres of disturbed habitat and 0.01 acre of degraded southern willow scrub. Absent an approved Subarea Plan the applicant will not be required to pay the proposed Habitat and Development Fee. If the Draft Subarea Plan is approved prior to the proposed project, the applicant will be required to pay a Habitat and Development Fee. Payment of the proposed fee will reduce potential impacts to less than significant. See also response to item 14.4.f for a more in depth discussion of the project's relationship with the City's draft Subarea Plan.

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

a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?* ***No Impact.*** According to the City of Oceanside General Plan Environmental Resource Management Element, the project site is not located in an area designated as containing mineral resources. In addition, the City's General Plan and Zoning Ordinance will not permit any mineral extraction on or within the vicinity of the project site. Therefore, the project will have no impact on a known mineral resource.

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?* ***No Impact.*** Refer to response to item 14.10.a, above.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.11 NOISE. Would the project:				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other	☐	☒	☐	☐

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
agencies?				
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐
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 expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

a) *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?* ***Potentially Significant Unless Mitigated.*** A Noise Letter Report was prepared for the proposed project by Marshall Long Acoustics in January of 2005.The proposed project will create a short-term construction noise impact. Noise generated by construction, including trucks, cranes and other equipment, may temporarily impact nearby sensitive receptors. Pursuant to the City's Noise Ordinance standards, construction activities will be limited to daytime hours of 7:00 a.m. to 6:00p.m. Monday through Friday, or from 8:00 a.m. to 4:30p.m. on Saturdays. Construction activities are prohibited at any time on Sunday and Federal holidays. Since all construction will occur during hours permitted by the City's ordinance, the proposed project will not exceed established noise standards for construction. However, due to the proximity of sensitive receptors (i.e. residences located immediately adjacent to the project site) the following mitigation measure shall be incorporated to avoid significant noise impacts during construction.

Mitigation Measures

NOI-1 Equipment will use available noise suppression devices and properly maintained mufflers. Construction noise will be reduced by using quiet or "new technology", equipment, particularly the quieting of exhaust noises by use of improved mufflers where feasible. All internal combustion engines used at the Project site

will be equipped with the type of muffler recommended by the vehicle manufacturer. In addition, all equipment will be maintained in good mechanical condition so as to minimize noise created by faulty or poorly maintained engine and other components.

NOI-2 During all site preparation, grading and construction, contractors shall minimize the staging of construction equipment and unnecessary idling of equipment in the vicinity of residential land uses.

Noise generated from the operation phase of the proposed senior center will mix with existing and proposed residential uses surrounding the project site and will be less than significant.

b) *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?* ***Less Than Significant Impact.*** The amount of construction activities required for the proposed facility is not anticipated to generate excessive groundborne vibrations or noise levels. However, as mentioned above construction activities and scheduling will comply with the City of Oceanside's Noise Ordinance. Due to the temporary nature of construction activities, impacts in this regard are considered to be less than significant.

c) *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?* ***Less Than Significant Impact.*** The proposed project will not result in substantial permanent increases in ambient noise levels during the operational phase. As discussed above, project noise is related to construction and therefore, impacts will be temporary and less than significant.

d) *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?* ***Potentially Significant Unless Mitigated.*** See response to item 14.11.a. The proposed project will result in disturbances created by short-term construction activities. Noise generated by construction equipment can reach high levels. Due to existing residences located adjacent to the proposed project site, mitigation measures (NOI-1 and NOI-2) have been provided to ensure that construction related noise will be less than significant. No substantial temporary or periodic increases in ambient noise levels are anticipated to result from the operational phase of the proposed project. Therefore, impacts will be less than significant with incorporation of mitigation measures NOI-1 and NOI-2.

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 expose people residing or working in the project area to excessive noise levels?* ***No Impact.*** The

proposed project site is not located within an airport land use plan or within two miles of a public airport or public use airport.

f) *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?* ***No Impact.*** The proposed project site is not located within the vicinity of a private airstrip and will not expose people residing or working in the project area to excessive noise levels.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.12 POPULATION & HOUSING. Would the project:				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

a) *Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?* ***Less Than Significant Impact.*** The proposed project includes the construction of 80 units of senior housing, in an area designated for urban high density residential uses per the City's General Plan and Zoning Code. The project will also replace an existing 18-inch storm drain with a 24-inch storm drain per recommendation of the City. The existing 18-inch stormdrain could accommodate the proposed flows generated by the proposed project, but the existing pipe is old and in poor condition. The City requested that the 18-inch pipe be replaced with a 24-inch pipe to accommodate future planned growth. Because the project is consistent with the City's General Plan and Zoning Code, impacts to population and housing beyond those identified within the City's General Plan will be less than significant.

b) *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?* ***No Impact.*** The proposed project will not require the removal of existing housing, and therefore will not necessitate the construction of replacement housing elsewhere.

c) *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?* ***No Impact.*** The project will not result in displacement of people; therefore, no replacement housing will be required, and therefore no impact will occur.

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

Fire protection? ***Less Than Significant Impact.*** The Oceanside Fire Department provides fire protection and safety services to the City of Oceanside. The nearest fire station (Fire Station No. 4) is located at 3995 Lake Boulevard. The design of the proposed project must comply with Fire Department requirements and standards to ensure adequate fire protection improvements and access is provided. The project will result in an increase in call volume and in turn an increase in response to the area. According to the Fire Department, the potential increase in service could be met with little impact on existing resources. Therefore, impacts to response times will be less than significant.

In accordance with Oceanside Code of Ordinance Chapters 32B and 32C, the project, along with any other residential project constructed in Oceanside, is required to pay public facility fees based on the impact fee schedule in effect at the time of issuance of a building permit. This provides the funds for additional fire facilities to be built to serve the City. The location of the additional fire facilities will be determined at a later date by the fire department. Payment of the required public facility fee will reduce cumulative impacts to future fire protection services. Therefore, impacts will be less than significant.

Police protection? ***Less Than Significant Impact.*** Police protection services are provided by the City of Oceanside Police Department. As indicated by Thomas Jones, Administrative Captain, Oceanside Police Department, no significant impacts related to police protection or services are anticipated with implementation of the proposed project. However, in

accordance with Oceanside Code of Ordinance Chapters 32B and 32C, the project is required to pay public facility fees based on the impact fee schedule in effect at the time of issuance of a building permit. This provides the funds for additional police services to serve future growth in the area. Therefore, payment of appropriate public facilities fees will reduce impacts to police protection services to less than significant.

Schools? ***Less Than Significant Impact.*** The proposed project will result in the development of senior apartment homes. No persons under the age of 62 will be permitted to reside within the proposed senior community. Therefore, impacts to existing schools or the need for additional schools will not result. It should be noted that since the project entails development of residential uses it is still subject to the City of Oceanside's Code of Ordinance Chapter 32B, C, and E. Therefore, the project is required to pay school impact fees. Implementation of public school impact fees will reduce potential impacts to schools to less than significant.

Parks? ***Less Than Significant Impact.*** The proposed project will result in the construction of 80 senior apartment homes. No parks will be developed as part of the project; however, covered and uncovered patio facilities will be constructed around the proposed structure. Recreational amenities such as a community room, an arts and crafts room, a library and computer room are also included as part of the proposed project. Implementation of the proposed project may result in an increased attendance at existing park facilities. To offset any potential impacts the applicant is required to comply with Oceanside Code of Ordinance Chapters 32B and 32D, which requires the payment of appropriate park impact fees. Payment of park impact fees will reduce impacts to parks to less than significant.

Other public facilities? ***Less Than Significant Impact.*** The proposed project will result in the construction of 80 senior apartment homes. Recreational facilities provided as part of the proposed project include a community room, community kitchen, lounge, arts and crafts room, library and computer room and covered and uncovered patios. Aside from the public services outlined above, services needed by future residents are anticipated to be fulfilled by onsite facilities and services. Therefore, a less than significant impact will occur.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.14 RECREATION. Would the project:				
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?	☐	☐	☒	☐

	Potentially Significant Impact	Potentially Significant U less Mit.	Less than Significant Impact	No 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?	☐	☐	☒	☐

a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?* ***Less Than Significant Impact.*** As mentioned above under item 14.13.4 the construction of 80 senior apartment units will likely increase the use of existing community parks. To offset any potential impact the applicant is required to pay appropriate park impact fees. Implementation of the required park fee will reduce any potential impacts to existing parks to less than significant. No additional impacts will result.

b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?* ***Less Than Significant Impact.*** As mentioned above in item 14.13.4, the project proposes the construction of the following recreational amenities onsite (within the development footprint being analyzed in this MND): a community room, community kitchen, lounge, arts and crafts room, library and computer room and covered and uncovered patios. The impacts of the construction of these amenities are addressed as part of the proposed project; therefore, these amenities along with the payment of park development impact fees will result in less than significant impacts.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.14 TRANSPORTATION/TRAFFIC. Would the project:				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☒	☐	☐
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion/management agency for designated roads or highways?	☐	☒	☐	☐
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e. Result in inadequate emergency access?	☐	☐	☒	☐
f. Result in inadequate parking capacity?	☐	☐	☒	☐
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

a) *Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?* ***Potentially Significant Unless Mitigated.*** A Traffic Impact Assessment was prepared for the project by Linscott Law and Greenspan in January of 2007 (see *Appendix E*). The project will result in a minor increase in vehicular trips as a result of the construction activity for the proposed project. Anticipated traffic impacts from the construction phase of the project will be minor and short-term. Therefore, less the significant impacts are anticipated for the construction phase.

Table 4-5, Project Trip Generation identifies the proposed vehicle trips generated by the proposed project.

Table 4-5
Project Trip Generation

Use	Size	Daily Trip Ends (ADTs)		AM Peak Hour			PM Peak Hour		
		Rate	Volume	% of ADT	Volume In	Volume Out	% of ADT	Volume In	Volume Out
Retirement Community	80 DU	4/DU	320	5%	6	10	7%	13	9
Total		-	320	-	6	10	-	13	9

Rate is based on SANDAG's (Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region, April 2002

Based on the estimated trip generation, the traffic report evaluated service levels at potentially affected intersections including the following:

- College Boulevard/ Plaza Drive
- College Boulevard/ Lake Boulevard/ Marron Road
- Lake Boulevard/ Esplanade Street

- Lake Boulevard/ Thunder Drive
- Lake Boulevard/ Mira Monte Drive

All project study area intersections were evaluated under four scenarios including existing condition, existing plus project, existing plus cumulative and existing plus project plus cumulative (see *Table 4-6, Projected Intersection Operations)*. The level of service analysis was conducted using the highway capacity manual (HCM) delay method.

Table 4-6
Projected Intersection Operations

Intersection	Control Type	Peak Hour	Existing		Existing + Project		Existing + Cumulative		E + C + P	
			Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
College Blvd/ Plaza Dr	Signal	AM	21.6	C	21.6	C	22.1	C	22.2	C
		PM	31.6	C	31.7	C	35.7	D	35.8	D
College Blvd/ Lake Boulevard/ Marron Rd	Signal	AM	27.8	C	27.9	C	28.8	C	28.9	C
		PM	34.9	C	35.1	D	35.6	D	35.8	D
Lake Blvd/ Esplanande St	TWSC	AM	16.7	C	19.6	C	16.9	C	19.9	C
		PM	48.2	E	**73.5**	**F**	**48.4**	E	**73.3**	**F**
Lake Blvd/ Thunder Dr	Signal	AM	27.7	C	27.8	C	27.8	C	27.8	C
		PM	35.8	D	35.9	D	36.2	D	36.3	D
Lake Blvd/ Mira Monte Dr	Signal	AM	18	C	18	C	18.7	C	18.7	C
		PM	65.5	F	65.9	F	68.6	F	69.1	F

Table 4-6 identifies all signalized intersections in the existing plus project scenario will operate at LOS D or better with the addition of the proposed project. However, unsignalized intersections are calculated to continue to operate worse than LOS F during the PM peak hour. Specifically, Lake Boulevard/Esplanade Street intersection degrades from LOS E to LOS F during the peak hour and Lake Boulevard/Mira Monte Drive will remain at LOS F in the PM peak hour. This is considered a significant near-term impact.

Table 4-7, Projected Segment Operations shows the street segment operations for the four scenarios: existing; existing plus project; existing plus cumulative; and existing plus project plus cumulative. All four scenarios are expected to continue to operate at LOS C or better except for Lake Boulevard from Thunder Drive to Mira Monte Drive which will operate at LOS F in all four scenarios. In order to mitigate these impacts to a level below significant, mitigation is provided.

Table 4-7
Projected Segment Operations

Street Segment	Classification	Existing Capacity (LOS E)	Existing			Existing + Project			Existing + Cumulative			E + C + P		
			ADT	V/C	LOS	ADT	V/C	LOS	ADT	V/C	LOS	ADT	V/C	LOS
College Boulevard														
Plaza Dr. to Lake Blvd	6 lane Prime	50,000	38,260	0.77	C	38,420	0.77	C	40,400	0.81	D	40,560	0.81	D
Lake Blvd to Tamarack Ave.	4 lane Major	40,000	26,890	0.67	B	26,940	0.67	B	29,560	0.74	C	29,610	0.74	C
Lake Boulevard														
College Blvd to Esplanand e St.	4 ln Secondary	25,000	16,880	0.68	B	17,130	0.69	B	17,060	0.68	B	17,310	0.69	B
Esplanade St to Thunder Dr.	4 ln Secondary	25,000	15,810	0.63	B	15,880	0.64	B	15,990	0.64	B	16,060	0.64	B
Thunder Dr to Mira Monte Dr	2 ln Industrial Collector	10,000	14,200	1.42	F	14,230	1.42	F	14,380	1.43	F	14,410	1.44	F

Mitigation Measure

TRF-1 In order to alleviate traffic conditions at Lake Boulevard and Esplanade Street, ~~a~~ the applicant shall pay a fair share portion of the cost for the traffic signal ~~shall be installed~~currently being installed by the City at this intersection. Installation of this signal will allow this intersection to operate at LOS C.

b) *Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?* ***Potentially Significant Unless Mitigated.*** See response to item 14.15.a, above. According to *Table4- 6, Project Intersection Operations,* the proposed project will result in the Lake Boulevard/Esplanade Street intersection decreasing from LOS E to LOS F both individually and cumulatively. With implementation of mitigation measure TRF-1 impacts will be less than significant.

c) *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?* ***No Impact.*** The project does not propose any use which will result in a change in air traffic patterns. Therefore, no impact

will occur.

d) *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?* ***Less Than Significant Impact.*** The project will consist of a senior apartment complex located adjacent to other retirement homes and assisted living structures. The placement of the building in the proposed location will not result in the development of incompatible uses in or around the site. Therefore due to the project's consistency with the City's General Plan for urban high density residential uses, hazards associated with design features will be less than significant.

e) *Result in inadequate emergency access?* ***Less Than Significant Impact.*** See response to item 14.7.g. Development will be required to meet City standards for emergency access. Emergency Fire Department Access is proposed via Lake Boulevard and development plans include a hammerhead turnaround for department engines. In order to avoid potential emergency access issues during construction, a traffic control plan has been included as a project feature. Incorporation of the traffic control plan as identified in *Table 2-1, Summary of Standard Project Design Features and Construction* will reduce potential impacts to less than significant.

f) *Result in inadequate parking capacity?* ***Less Than Significant Impact.*** The project proposes to provide ~~60~~ 37 parking spaces for residential/guest uses plus ~~three visitor~~ 3 handicapped spaces and 1 mail carrier spaces (total of ~~63~~41). The City of Oceanside requires two parking spaces per residential unit. The City allows a parking study to validate reduced parking. An Affordable Housing Community Parking Ratio study was prepared by Southern California Presbyterian Homes in 2007, and indicates that the number of resident vehicles per dwelling unit ranges from 19 to 71 percent, with an average of 45 percent. The amount of residential parking spaces proposed per dwelling unit for the proposed project is approximately 28~~75~~ percent. Therefore, the City has determined that the amount of parking spaces proposed for the project is adequate for the proposed use (Von Hacht 2007). Impacts will be less than significant.

g) *Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?* ***No Impact.*** Project implementation will not conflict with adopted policies, plans, or programs supporting alternative transportation as there are no bus stops, turnarounds or bicycle racks currently located adjacent to the project site. However, a bus stop is proposed within the project site, along the north edge of Lake Boulevard, in accordance with North County Transit District standards. Impacts are not anticipated in this regard.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.15 UTILITIES AND SERVICE SYSTEMS. Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐
e. 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?	☐	☐	☒	☐
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g. Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

a) *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?* ***Less Than Significant Impact.*** The proposed residential development is anticipated to increase the amount of wastewater generated in the project area. The City's Water Utilities Department is responsible for the operation and maintenance of the City's wastewater collection and treatment facilities. This system includes over 400 miles of pipelines, two wastewater treatment plants, 34 sewer lift stations and an industrial waste inspection program. The City's sewage is presently treated at full secondary treatment level, per EPA standards. (City of Oceanside 2007) The Oceanside Water Utilities Department bases their wastewater treatment services projections on the City of Oceanside's General Plan land use designations. Since the proposed project is consistent with the General Plan land use designation for the project site, it is anticipated that implementation of the proposed project will not result in an increase in demand that could potentially cause a treatment facility to exceed Regional Water Quality Control Board requirements. Impacts will be less than significant.

b) *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?* ***Less Than Significant Impact.*** See response to item 14.15.a, above. The City of Oceanside Water Utilities Department is responsible for purchasing water from the San Diego County Water Authority and delivering it throughout the City for domestic, commercial, irrigation, and fire protection purposes. Reservoirs are maintained at levels to prevent any interruption of service to the public, and waterline repairs are made at all hours of the day or night. Water lines currently transverse the project site in a north/south direction. These lines are located to the east of the proposed development area. In addition two sewer manholes are located on the project site within the development area. It should be noted that these manholes will not be disturbed during project construction or operational phases. Access to the sewer manholes will not be hindered. The project will require the extension of existing water and wastewater lines to connect to the proposed structure. These infrastructure improvements have been included in the projects limits of impacts. As mentioned above, the Oceanside Water Utilities Department bases their service needs on the Oceanside General Plan land use designations. Since the project is consistent with the sites General Plan designation it is anticipated that implementation of the proposed project will not result in an increase in demand that could potentially require or result in the construction of new previously unplanned water or wastewater treatment facilities or the expansion of existing facilities. Therefore, impacts will be less than significant.

c) *Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?* ***Less Than Significant Impact.*** A stormwater manhole is located in the south, central portion of the project site. This manhole will not be disturbed during project construction or operation phases. This stormwater manhole will service the site and access to this facility will not be hindered.

The project site is currently divided into two drainage basin areas which drain from the center of the site to the west and east. The western drainage basin currently generates 2.32 cfs while the eastern basin generates 1.82 cfs (4.14 cfs total). The proposed site will surface drain to a private subsurface storm drain system of inlets and pipes. The ~~west side of the site will generate a total flow of 5.39 cfs~~proposed project will result in a total runoff volume of 6.69 cfs (an increase of 2.55 cfs from existing conditions), which will connect to a proposed subsurface storage system feeding an enclosed ~~wetland biofilter~~bioretention treatment system or a vegetated biofilter swale for filtration purposes before it discharges to Buena Vista Creek. ~~The east side of the site will generate 4.31 cfs and will drain to a vegetated swale before it drains to Buena Vista Creek.~~ The Buena Vista Creek has the capacity to accept this increase in discharge.

d) *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?* ***Less Than Significant Impact.*** The project may necessitate additional water supplies than what is currently used within the City. It is not anticipated that the proposed project is of a scale to necessitate new construction or significant expansion of existing facilities. As mentioned above under Section 14.15 item b, the Water Utilities Department bases its supply needs from the land uses designated by the City's General Plan. Therefore since the project is consistent with the General Plan designation, impacts will be less than significant. Further, because the project will not result in more than 500 new housing units, a Water Department Water Supply Assessment is not required.

e) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?* ***Less Than Significant Impact.*** Refer to response to items 14.15.a and 14.15.b, above. The Water Utilities Department bases its supply needs from the land uses designated by the City's General Plan. Therefore since the project is consistent with the General Plan designation, impacts will be less than significant.

f) *Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?* ***Less Than Significant Impact.*** The proposed residential project is not of a scale that will in and of itself impact solid waste services or facilities. Landfill capacity estimates are based on General Plan planned land use designations, which provide landfill capacity planning staff with an estimate of the type and density of land use reasonably anticipated throughout a landfill's service area. The County of San Diego reviews its landfill capacity and needs, and provides strategies for providing adequate solid waste disposal when updating the Landfill Siting Element every five years. Since the project is consistent with the sites general plan designation and will be required to comply with City Codes, impacts to solid waste capacity are anticipated to be less than significant. In addition, the project will be required to comply with the City of Oceanside Code Chapters 13.3 (requirements to manage solid waste and recyclable material), 13.39 (designation of adequate space for solid waste and recycling onsite), and 13.16(h) (requirement to separate all recyclable material from solid waste) and State of California Assembly Bill 939 Solid Waste Management Diversion Mandates.

g) *Comply with federal, state, and local statutes and regulations related to solid waste?* ***No Impact.*** The project will comply with federal, state and local status and regulations related to solid waste during both construction and operation. No impacts will result.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.16 MANDATORY FINDINGS OF SIGNIFICANCE. Would the project:				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to decrease below self- sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California history or prehistory?	☐	☒	☐	☐
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	☐	☒	☐	☐
c. Does the project have impacts which are individually limited, but cumulatively considerable ("Cumulatively considerable" means the project's incremental effects are considerable when compared to the past, present, and future effects of other projects)?	☐	☒	☐	☐
d. Does the project have environmental effects which will have substantial adverse effects on human beings, directly or indirectly?	☐	☒	☐	☐

a) *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to decrease below self- sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California history or prehistory?* ***Potentially Significant Unless Mitigated.*** The proposed project will result in direct impacts to 0.01 acre of degraded southern willow scrub and ~~2.2~~1.95 acres of disturbed habitat. Impacts to 0.01 acre of degraded southern willow scrub will be temporary and will be less than significant. However, mitigation has been provided to reduce the potential for indirect impacts to occur to sensitive habitats located to the north of the proposed development area. Therefore with implementation of mitigation measure BIO-1, impacts will be less than significant.

There are no known significant cultural resources located within the project site. Therefore no impact to known resources will occur as a result of the project. However, mitigation has been provided to reduce the potential for significant impacts to occur if undocumented cultural resources or human remains are encountered during construction.

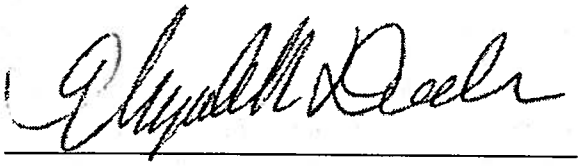
b) *Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?* ***Potentially Significant Unless Mitigated.*** The proposed project will

not have the potentially to achieve short-term, to the disadvantage of long-term, environmental goals with the implementation of mitigation measures in place.

c) *Does the project have impacts which are individually limited, but cumulatively considerable ("Cumulatively considerable "means the project's incremental effects are considerable when compared to the past, present, and future effects of other projects)?* ***Potentially Significant Unless Mitigated.*** The project will result in air quality, traffic, and noise cumulative impacts; however as discussed previously they will be less than significant. The proposed project will not have impacts that are individually limited but cumulatively considerable with mitigation measures in place. Given that project impacts are insignificant, cumulative impacts are not foreseen.

d) *Does the project have environmental effects which will have substantial adverse effects on human beings, directly or indirectly?* ***Potentially Significant Unless Mitigated.*** The proposed project does not have the potential to significantly affect humans, either directly or indirectly with mitigation measures in place as indicated in the analysis above.

15. PREPARATION. The initial study for the subject project was prepared by:



Elizabeth Doalson, Environmental Project Manager

16. DETERMINATION. (To be completed by lead agency) Based on this initial evaluation:

[ ] I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

[X] 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 the mitigation measures described herein have been included in this project. A MITIGATED NEGATIVE DECLARATION will be prepared.

[ ] I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

17. **DE MINIMIS FEE DETERMINATION** (Chapter 1706, Statutes of 1990-AB 3158)

[ ] It is hereby found that this project involves no potential for any adverse effect, either individually or cumulatively, on wildlife resources and that a "Certificate of Fee Exemption" shall be prepared for this project.

[X] It is hereby found that this project could potentially impact wildlife, individually or cumulatively, and therefore fees shall be paid to the County Clerk in accordance with Section 711.4(d) of the Fish and Game Code.

18. **ENVIRONMENTAL DETERMINATION**: The initial study for this project has been reviewed and the environmental determination, contained in Section V. preceding, is hereby approved:

Jerry Hittleman, City Planner

19. **PROPERTY OWNER/APPLICANT CONCURRENCE:** Section 15070(b)(1) of the California Environmental Quality Act (CEQA) Guidelines provides that Lead Agencies may issue a Mitigated Negative Declaration where *the initial study identifies potentially significant effects, but, revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur*. The property owner/applicant signifies by their signature below their concurrence with all mitigation measures contained within this environmental document. However, the applicant's concurrence with the Draft Mitigated Negative Declaration is not intended to restrict the legal rights of the applicant to seek potential revisions to the mitigation measures during the public review process.

Steve Jackson, City of Oceanside Housing Program Manager

SECTION 5.0
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Time Frame of Mitigation				Monitoring Reporting Agency	Time Frame for Verification Frequency to		Date of Completion	Date of Verification
	Planning	Pre-Const.	During Const.	Post Const.		Monitor	Report		
AIR QUALITY									
AQ-1 Dust Control. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site. Construction contractors shall comply with the following requirements throughout grading and construction. • During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to control dust from leaving the site. At a minimum, this shall include wetting down such areas in the late morning and after work is completed for the day. Increased water frequency shall be required whenever wind speed exceeds 15 miles per hour. • The amount of disturbed area shall be minimized. • Onsite vehicle speeds shall be limited to 15 mph or less. • Gravel pads shall be installed at all access points to individual construction sites to prevent tracking of mud onto driveways or public roads. • Soil stockpiled and not worked for more than two days shall be covered, kept moist, or treated with soil binders to			X		City of Oceanside-Engineer, Planner				

Mitigation Measure	Time Frame of Mitigation				Monitoring Reporting Agency	Time Frame for Verification Frequency to		Date of Completion	Date of Verification
	Planning	Pre-Const.	During Const.	Post Const.		Monitor	Report		
prevent dust generation. Trucks transporting material to or from the site shall be tarped. • After clearing, grading, earth moving, or excavation is completed, disturbed areas not worked for more than 14 shall be treated by watering or revegetating, or spreading of soil binders until the area is paved or otherwise developed so that dust generation will not occur. • The construction contractor or applicant shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. The designee(s)' duties shall include being accessible by phone on holiday and weekend periods when work may not be in progress. The name and telephone number of the designee(s) shall be provided to the SDAPCD prior to land use clearance for finish grading. • Prior to land use clearance, the dust control requirements shall be shown on grading and building plans.									
AQ-2 Ozone Precursor Control. Construction contractors shall adhere to the following requirements during project grading and construction to reduce emissions of ozone precursors and particulate emissions from diesel exhaust (classified as carcinogenic by the State of California).		X	X		City of Oceanside-Planner				

Mitigation Measure	Time Frame of Mitigation				Monitoring Reporting Agency	Time Frame for Verification Frequency to		Date of Completion	Date of Verification
	Planning	Pre-Const.	During Const.	Post Const.		Monitor	Report		
• Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) shall be utilized. • The engine size of construction equipment shall be the minimum practical size. • The number of pieces of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time. • Construction equipment shall be properly maintained per the manufacturer's specifications. • Catalytic converters shall be installed on gasoline-powered equipment. • Diesel catalytic converters shall be installed. • Small diesel powered equipment shall be replaced by electric equipment whenever feasible. • Construction worker trips shall be minimized by promoting carpooling.									
AQ-3 The applicant shall follow the Department of Toxic Substances Control's interim Guidance for Lead-Based Paint.		X	X		City of Oceanside-Planner				
AQ-4 Low volatile organic compound architectural coatings shall be used whenever feasible.			X		City of Oceanside-Planner				

Mitigation Measure	Time Frame of Mitigation				Monitoring Reporting Agency	Time Frame for Verification Frequency to		Date of Completion	Date of Verification
	Planning	Pre-Const.	During Const.	Post Const.		Monitor	Report		
BIOLOGICAL RESOURCES									
BIO-1 In order to mitigate the impact to southern willow scrub, all permits and authorizations from regulatory agencies for impacts to jurisdictional resources shall be obtained prior to the issuance of grading permits for the project. Implementation of all conditions and requirements in the permit/authorization shall be implemented by the project. Compensation for the loss of southern willow scrub will be negotiated and approved through the permitting process and would include one of the following options~~Southern willow scrub shall be mitigated by one of the following measures~~: a. To mitigate impacts to the six small willows, a total of 12 willows will be planted elsewhere on the site within southern willow scrub habitat, in an area currently inhabited by invasive non-native plant species. This alternative will require preparation of a Revegetation Plan including requirements for monitoring and reporting to ensure success of the plantings; b. An area of 0.02 acres (852 square feet) of disturbed southern willow scrub habitat within the drainage on-site will be identified, have invasive non-native plant species removed, and be maintained free of invasives for a period of five years. This alternative will require monitoring and reporting; or	X	X	X	X	City of Oceanside-Planner				

Mitigation Measure	Time Frame of Mitigation				Monitoring Reporting Agency	Time Frame for Verification Frequency to		Date of Completion	Date of Verification
	Planning	Pre-Const.	During Const.	Post Const.		Monitor	Report		
c. A financial contribution will be made to the Mission Resource Conservation District to aid in their efforts of wetland enhancement and restoration within the Buena Vista Creek watershed. If this option is approved during the permitting process and implemented, the District shall provide written guarantee that wetland enhancement/restoration efforts will be implemented on or in the vicinity of the project site.									
BIO-2 The following mitigation measures shall be implemented to prevent both direct and indirect impacts and are consistent with the City's Subarea Plan.		X	X	X	City of Oceanside-Planner				
a. All mitigation measures identified in this MND shall be complied with as stated in the Mitigation Monitoring and Reporting Program.	X	X	X	X	City of Oceanside-Planner				
b. A qualified biologist shall be retained by the applicant to review the final grading plans, access routes and staging areas, monitor all aspects of construction, educate contractors about the biological sensitivities associated with the area and ensure compliance with mitigation measures.	X	X	X	X	City of Oceanside-Planner				
c. The qualified biologist shall conduct a training session for all project personnel prior to any grading/construction activities. At a minimum the training shall include a description of the target species of concern, its habitats, the general		X			City of Oceanside-Planner				

Mitigation Measure	Time Frame of Mitigation				Monitoring Reporting Agency	Time Frame for Verification Frequency to		Date of Completion	Date of Verification
	Planning	Pre-Const.	During Const.	Post Const.		Monitor	Report		
provisions of the Endangered Species Act (Act) and the Multiple Habitat Conservation Program (MHCP), the need to adhere to the provision of the Act and the MHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the target species of concern as they relate to the project, any provisions for wildlife movement, and the access routes to and project site boundaries within which the project activities must be accomplished.									
d. A water pollution and erosion control plan shall be developed that describes sediment and hazardous materials control, dewatering or diversion structures, fueling and equipment management practices and other factors as deemed necessary. Erosion control measures shall be monitored on a regularly scheduled basis, particularly during times of rainfall. Corrective measures shall be implemented in the event erosion control strategies are inadequate. Sediment/erosion control measures shall be continued at the project site until such time as the revegetation efforts are successful at soil stabilization.	X	X	X	X	City of Oceanside-Planner				
e. The footprint of habitat disturbance shall be minimized to the maximum extent feasible. Access to sites shall be via pre-existing access routes to the greatest extent possible.	X				City of Oceanside-Planner/Engineer				

Mitigation Measure	Time Frame of Mitigation				Monitoring Reporting Agency	Time Frame for Verification Frequency to		Date of Completion	Date of Verification
	Planning	Pre-Const.	During Const.	Post Const.		Monitor	Report		
f. Placement of equipment and personnel within environmentally sensitive habitat areas, stream channels or on sand and gravel bars, banks and adjacent upland habitats used by target species of concern shall be avoided. Activities that can not be conducted without placing equipment or personnel in sensitive habitats shall be timed to avoid the breeding season of the target species of concern.			X		City of Oceanside-Planner				
g. Equipment storage, fueling and staging areas shall be located to minimize risks of direct drainage into riparian areas or other environmentally sensitive habitats. These designated areas shall be located in such a manner as to prevent runoff from entering sensitive habitats. All necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. All project related spills of hazardous materials shall be reported to appropriate entities including but not limited to the City of Oceanside, USFWS, CDFG, and State Water Quality Control Board (SWQCB) and shall be cleaned up immediately and contaminated soils removed to approved disposal areas.		X	X		City of Oceanside-Planner				
h. Erodible fill material shall not be deposited into water courses. Brush, loose soils, or other similar debris material shall not be stockpiled within the stream channel or on its banks.		X			City of Oceanside-Planner				

Mitigation Measure	Time Frame of Mitigation				Monitoring Reporting Agency	Time Frame for Verification Frequency to		Date of Completion	Date of Verification
	Planning	Pre-Const.	During Const.	Post Const.		Monitor	Report		
i. Stockpiling of materials and other aspects of construction staging shall be limited to disturbed areas without native vegetation, areas to be impacted by project development or in non sensitive habitats.		X	X		City of Oceanside-Planner				
j. "No-fueling zones" shall be established within a minimum of 10 meters (33 feet) from all drainages and fire sensitive areas.			X		City of Oceanside-Planner				
k. Scheduling of construction activities shall minimize potential impacts to biological resources. Construction adjacent to drainages shall occur during periods of minimum flow (i.e. summer through first rain of fall) to avoid excessive sedimentation and erosion and to avoid impacts to drainage dependent species. Construction near riparian areas or other sensitive habitats shall be scheduled to avoid the breeding season (March through September) and potential impacts to breeding bird species.			X		City of Oceanside-Planner				
l. Human and pet access to preserve areas shall be limited to designated trails by use of natural vegetation, topography, signs and limited fencing.	X				City of Oceanside-Planner				
m. Artificial lighting adjacent to the preserve area shall be eliminated except where essential for roadway, facility use and safety and security purposes. Where use of artificial lighting is necessary it shall be limited to low-pressure sodium sources. Use of low voltage outdoor or trail lighting, spotlights or bug lights is prohibited. All	X				City of Oceanside-Planner				

Mitigation Measure	Time Frame of Mitigation				Monitoring Reporting Agency	Time Frame for Verification Frequency to		Date of Completion	Date of Verification
	Planning	Pre-Const.	During Const.	Post Const.		Monitor	Report		
light sources shall be shielded so that lighting is focused downward to restrict any light spillover onto sensitive habitat. Use of night lighting, if necessary, shall be the lowest illumination necessary and directed away from sensitive habitat.									
n. The qualified biologist shall monitor construction activities throughout the duration of the project to ensure that all practicable measures are being employed to avoid incidental disturbance of habitat and any target species of concern outside the project footprint. Construction monitoring reports shall be completed and provided to the City of Oceanside, USFWS and CDFG summarizing how the project is in compliance with applicable conditions. The project biologist shall be empowered to halt work activity if necessary and to confer with staff from the City of Oceanside, USFWS and CDFG to ensure the proper implementation of species and habitat protection measures.			X		City of Oceanside-Planner				
o. The removal of native vegetation shall be avoided and minimized to the maximum extent practicable. Temporary impacts shall be returned to pre-existing contours and revegetated with appropriate native species. All revegetation plans shall be prepared and implemented consistent with Appendix C of the MHCP (Revegetation Guidelines of the Final MHCP Plan -			X		City of Oceanside-Planner				

Mitigation Measure	Time Frame of Mitigation				Monitoring Reporting Agency	Time Frame for Verification Frequency to		Date of Completion	Date of Verification
	Planning	Pre-Const.	During Const.	Post Const.		Monitor	Report		
Volume II) and shall require written concurrence of the USFWS and CDFG.									
p. To avoid attracting predators of the target species of concern, the project site shall be kept clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site. Pets of project personnel shall not be allowed on site where they may come in contact with any listed species.			X		City of Oceanside-Planner				
q. Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed 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 shall be fenced with orange snow screen. Exclusion fencing shall be maintained until the completion of all construction activities. All employees shall be instructed that their activities are restricted to the construction areas.			X		City of Oceanside-Planner				
r. Any habitat destroyed that is not in the identified project footprint shall be disclosed immediately to the City of Oceanside, USFWS and CDFG and shall be compensated at a minimum ratio of 5:1.			X		City of Oceanside-Planner				
s. If dead or injured listed species are located, initial notification must be made within three working days, in writing to the			X		City of Oceanside-Planner				

Mitigation Measure	Time Frame of Mitigation				Monitoring Reporting Agency	Time Frame for Verification Frequency to		Date of Completion	Date of Verification
	Planning	Pre-Const.	During Const.	Post Const.		Monitor	Report		
USFWS Division of Law Enforcement in Torrance California and by telephone and in writing to the applicable jurisdiction, Carlsbad Field Office of the USFWS, and CDFG.									
t. The City of Oceanside shall have the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project conditions and BMPs. The USFWS and CDFG may accompany the City representatives on this inspection.			X	X	City of Oceanside-Planner				
u. Any planting stock to be brought onto the site for landscaping or ecological restoration shall be first inspected by a qualified pest inspector to ensure it is free of pest species that could invade natural areas, including but not limited to Argentine ants, fire ants, and other insect pests. Any planting sock found to be infested with such pests shall not be allowed on the project site or within 300 ft of natural habitats. The stock shall be quarantined, treated or disposed of according to best management principles by qualified experts in a manner that precludes invasions into natural habitats.			X	X	City of Oceanside Planner				
v. All mitigation sites shall be conserved through conservation easement, and proof of recordation shall be provided to the City of Oceanside prior to land disturbance.	X	X			City of Oceanside-Planner				

Mitigation Measure	Time Frame of Mitigation				Monitoring Reporting Agency	Time Frame for Verification Frequency to		Date of Completion	Date of Verification
	Planning	Pre-Const.	During Const.	Post Const.		Monitor	Report		
w. Use of retaining walls shall be minimized. Development on the site shall be configured to existing topography to minimize grading and landform alteration.	X				City of Oceanside-Planner/Engineer				
BIO-3 In order to prevent future indirect impacts (edge effects) to sensitive habitats, a barrier shall be constructed along the eastern property boundary and at the top of the slope along the northern property boundary. This impermeable barrier (a six-foot tall, four-inch narrowly spaced wrought iron fence), with the biological buffers provided, will provide adequate protection to the native habitats located on and adjacent to the site. This type of fence will prevent domestic predators from encroaching into the preserved creek area.		X	X	X	City of Oceanside-Planner				
BIO-4 In accordance with the City's Subarea Plan, a restoration plan shall be prepared and implemented that describes the portions of the biological buffer to be restored, the revegetation specifications, the performance standards, and the maintenance and monitoring requirements. This plan will also include a long-term management and monitoring program as appropriate. The Restoration Plan shall be reviewed and approved by the City and the wildlife agencies prior to issuance of a grading permit.	X	X	X		City of Oceanside-Planner				
BIO-5 In order to ensure the long-term biological value of avoided resources on the project site, the avoided riparian habitat and the 50-foot-wide biological buffer will be	X	X			City of Oceanside-Planner				

Mitigation Measure	Time Frame of Mitigation				Monitoring Reporting Agency	Time Frame for Verification Frequency to		Date of Completion	Date of Verification
	Planning	Pre-Const.	During Const.	Post Const.		Monitor	Report		
designated as biological open space and legally protected through one of the following mechanisms: a. The City of Oceanside shall maintain ownership of the entire biological open space area and the area shall be designated as open space through a deed restriction, open space lot establishment, or other mechanism. The City shall manage this land in perpetuity consistent with the other City-owned lands managed under the City's Subarea Plan; or a. A conservation easement shall be established over the biological open space area. The conservation easement shall be held by a qualified land management entity with the Wildlife Agencies as third party beneficiaries. The land management entity shall have the funding to implement long-term management and monitoring of the open space.									
CULTURAL RESOURCES									
CR-1 Prior to approval of grading improvement plans, the applicant shall implement a grading monitoring plan to mitigate potential impacts to undiscovered buried archaeological resources on the project site to the satisfaction of the City of Oceanside.	X				City of Oceanside-Planner				

Mitigation Measure	Time Frame of Mitigation				Monitoring Reporting Agency	Time Frame for Verification Frequency to		Date of Completion	Date of Verification
	Planning	Pre-Const.	During Const.	Post Const.		Monitor	Report		
CR-2 In the event that cultural resources are discovered, work must cease, and the City of Oceanside Planning Director shall be contacted immediately. A qualified archaeologist shall be consulted to assess the significance of the resource and to provide proper management and/or handling recommendations.		X	X		City of Oceanside-Planner				
CR-3 In the event that no cultural resources are discovered, a brief letter stating that archeological monitoring was conducted and no resources were encountered shall be sent to the lead agency by the consulting archaeologist that the grading monitoring activities have been complete.				X	City of Oceanside-Planner				
CR-4 Prior to approval of grading improvement plans, the applicant shall implement a grading monitoring plan which outlines activities that may affect the Santiago Peak Formation, timing, reporting, etc. to the satisfaction of the City. The Plan shall outline the process/ verification that will occur to ensure that all grading activity that could potentially alter the Santiago Formation is monitored by a qualified paleontologist. In the event that paleontological resources are discovered, work must cease, and the City of Oceanside Planning Director shall be contacted immediately. A qualified paleontologist shall be consulted to assess the significance of the resource and to provide proper management and or handling	X	X	X		City of Oceanside-Planner				

Mitigation Measure	Time Frame of Mitigation				Monitoring Reporting Agency	Time Frame for Verification Frequency to		Date of Completion	Date of Verification
	Planning	Pre-Const.	During Const.	Post Const.		Monitor	Report		
recommendations. In the event that no paleontological resources are discovered, a brief letter stating that paleontological monitoring was conducted and no resources were encountered shall be sent to the City by the consulting paleontologist. This letter shall be filed in the project file and mitigation monitoring reporting program documents.									
CR-5 In the unlikely event that human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner shall be notified of any human remains found immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC) which will determine and notify a most likely descendant. With the permission of the landowner or his/her authorized representative, the most likely descendant may inspect the site of the discovery. The most likely descendant may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.			X		City of Oceanside-Planner				

Mitigation Measure	Time Frame of Mitigation				Monitoring Reporting Agency	Time Frame for Verification Frequency to		Date of Completion	Date of Verification
	Planning	Pre-Const.	During Const.	Post Const.		Monitor	Report		
NOISE									
NOI-1 Equipment will use available noise suppression devices and properly maintained mufflers. Construction noise will be reduced by using quiet or "new technology", equipment, particularly the quieting of exhaust noises by use of improved mufflers where feasible. All internal combustion engines used at the Project site will be equipped with the type of muffler recommended by the vehicle manufacturer. In addition, all equipment will be maintained in good mechanical condition so as to minimize noise created by faulty or poorly maintained engine and other components.	X	X			City of Oceanside-Engineer				
NOI-2 During all site preparation, grading and construction, contractors shall minimize the staging of construction equipment and unnecessary idling of equipment in the vicinity of residential land uses.		X	X		City of Oceanside-Engineer				
TRANSPORTATION AND TRAFFIC									
TRF-1 In order to alleviate traffic conditions at Lake Boulevard and Esplanade Street, a the applicant shall pay a fair share portion of the cost of the traffic signal ~~shall be installed~~ currently being installed by the City at this intersection. Installation of this signal will allow this intersection to operate at LOS C.			X		City of Oceanside-Engineer				

SECTION 6.0
LIST OF PREPARERS

The following individuals participated in the preparation of this MND:

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SECTION 7.0
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21 February 2008

Mr. Gary Bardovi
Dvoretzky Bardovi Bunnell Architects
3611 Motor Avenue
Los Angeles, California 90034

BIOLOGICAL LETTER REPORT AND WETLAND DELINEATION

Project Name: Lil Jackson Senior Community, City of Oceanside

Dear Mr. Bardovi,

I have prepared the following letter report at your request and in response to issues raised by our previous communications and meetings with Oceanside staff.

The Lil Jackson Senior Community project (see figures and accompanying vegetation map) encompasses 5.03 gross acres in the City of Oceanside (APN 168-012-28). The project proposes 80 units of affordable senior apartments in a three story building. The City of Oceanside owns the existing single parcel. The project includes splitting of the parcel with the city retaining ownership of the eastern and northern 2.83 acres as open space and the applicant, Southern California Presbyterian Homes, obtaining ownership of the remaining 2.20 acres which is the site of the proposed construction. A portion of the 2.83 acres to remain with the City (currently a Disturbed area) will be temporarily used for construction staging as well as the temporary stocking of soil to be removed and replaced on the project site.

THE PROJECT SETTING

The project site is situated on Lake Boulevard just east of College Boulevard, and abuts Buena Vista Creek (Figures 1 and 2). The approximate USGS coordinates of the site are 33°11'N, 117°17'W as determined on-site by Global Positioning System (GPS) receiver (San Luis Rey 7.5 minute series USGS quadrangle, see Figure 3). The property is bordered on the east and west by high density apartment/condominium type developments, on the south by high density residential tracts, and on the north (across Buena Vista Creek) by large-scale commercial development. The general vicinity is characterized by high-density development (see Figures 4 and 5 and the accompanying Vegetation Map).

The project site consists of a barren vacant lot (a portion of which is the area proposed for development), bordered on the north by the very incised drainage of Buena Vista Creek.

METHODS

To conduct an assessment of biological resources and the wetland delineation, I visited the project site on 6 February 2007. The conditions for observation were excellent, with 15% cloud cover, no impediments to visibility, temperature in the mid-60s, and no wind. A total of 2.5 hours on-site was spent collecting data for this report. During my visit, I was able to examine the entire project site and adjacent areas on foot. An additional visit was made on 15 January 2008 to examine an area proposed for installation of a replacement drainage pipe to transport runoff from adjacent streets through the property and into Buena Vista Creek.

My observations on-site were recorded as they were made, and form the basis of this report and the site Vegetation Map. Animals were identified using scat, tracks, burrows, vocalizations, or by direct observation with the aid of 10X42 Leica binoculars. Vegetation mapping was conducted in accordance with vegetation community definitions as described in Holland (1986) and Oberbauer (1996).

Sensitive Species and Habitats

Prior to the site visit, a variety of sources were reviewed to ascertain the possible occurrence of sensitive species at the project site. First, soil types (Bowman 1973) were checked to determine if the site contains soils known to support sensitive plant species. Records searches for the USGS quadrangle and surrounding quads were done of the California Natural Diversity Data Base (CNDDB) and California Native Plant Society (CNPS) On-Line Inventory of Rare and Endangered Plants. Any sensitive species known to occur in the vicinity were given special attention, and available natural history information was reviewed. Seasonal occurrence patterns (*e.g.,* annual plants, migratory birds) are factored into survey plans in the event that site visits are made during time periods when certain species are not present or conspicuous. Information sources include the Jepson Manual (1993), Rare Plants of San Diego (Reiser 1994), A Flora of San Diego County, California (Beauchamp 1986), San Diego Native Plants (Lightner 2006), U.S. Fish and Wildlife Service Recovery Plans for Threatened/Endangered Species, the San Diego County Bird Atlas (Unitt 2004), and numerous other references, publications, and on-line resources. Typically, 15-20 field guides to various taxa are taken into the field for quick reference if necessary. In the field, potentially sensitive plants species not readily identified *in situ* are photographed and/or collected for identification via keys or other methods.

During the site visit, all habitats are assessed for their suitability for occupation by any sensitive species with potential to occur.

RESULTS[1]

The soil on the proposed development portion of the project site is entirely imported undefined fill. This includes areas on both sides of Buena Vista Creek. In addition, much of the sides of the creek banks have been lined with rip-rap and concrete erosion control features. Based on conservation service maps (Bowman 1973), the soil type for the drainage bottom is Visalia sandy loam, 2-5% slopes (VaB). Although a detailed soil analysis is beyond the scope of this report, on-site examination appeared to verify this principal soil type.

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[1] Scientific and common names for plant species are derived from The Jepson Manual, 1993; scientific and common names for birds from the A.O.U. Check-list of North American Birds, 1998.

Native habitats on the project site occur only within the incised drainage of Buena Vista Creek, which is shown on the USGS topographical map as an intermittent blue line stream.

Although the drainage is highly disturbed and contains a significant component of invasive non-native weedy vegetation, the presence of some native riparian plant species suggest an appropriate vegetation community classification as Southern Willow Scrub (Holland Code 63320). Dominant native plant species in this area include mule fat *Baccharis salicifolia*, arroyo willow *Salix lasiolepis*, sandbar willow *S. exigua*, a few coast live oaks *Quercus agrifolia*, tarweed *Hemizonia fasciculata*, and Mexican elderberry *Sambucus mexicana*. Non-native plants include fennel *Foeniculum vulgare*, giant reed *Arundo donax*, pampas grass *Cortaderia jubata*, eucalyptus *Eucalyptus* sp., castor bean *Ricinus communis*, iceplant *Carpobrotus edulis*, fan palm *Washingtonia filifera*, and unfortunately, the highly invasive and destructive cape ivy *Delairea oderata*. Examination of the drainage bottom reveals that significant amounts of giant reed have recently been removed, likely through the efforts of a local Resource Conservation District. Although the Vegetation Map shows Southern Willow Scrub habitat in places reaching the top of the slope of the drainage, this is an artifact of a few scattered individual small willows that have managed to grow among the rip-rap. Unlike habitat at the bottom of the drainage, these scattered non-contiguous willows do not provide significant habitat for wetland species.

Along the south slope of the drainage is a narrow band (0.45 acres) of Southern Mixed Chaparral (Holland Code 37121). Dominant native plant species in this area include toyon *Heteromeles arbutifolia* and coyote brush *Baccharis pilularis*. This area has also been invaded by tocalote *Centauaea melitensis*, fennel, and iceplant. I conducted a habitat assessment and concluded that the site is not suitable for occupation by California gnatcatchers *Polioptila californica*, and should not require focused surveys for this species.

The flat, upper area of the parcel, including the area slated for development, is essentially Disturbed - devoid of vegetation (See photographs). No grasses grow in this area. The only native plant species are a few scattered emergent individuals of coastal golden bush *Isocoma menzesii*, a species that often readily invades disturbed areas.

During the site survey a variety of common resident bird species were observed. These included Mourning Dove *Zenaida macroura*, Killdeer *Charadrius vociferous*, Anna's Hummingbird *Calypte anna*, Bushtit *Psaltriparus minimus*, Black Phoebe *Sayornis nigracans*, California Towhee *Piplio crissalis*, Western Scrub Jay *Aphelocoma californica*, Song Sparrow *Melospiza melodia*, and House Finch *Carpodacus mexicanus*. Most of these species are common residents of developed and disturbed habitats.

A single Southern Alligator Lizard *Elgaria multicarinata* was observed. Burrows of Botta's Pocket Gopher *Thomomys bottae* were abundant, and California Ground Squirrels *Spermophilus beecheyi* were also observed. Other common mammal species likely occur.

During the summer of 2000 the previous property owner commissioned a Biological Resources Survey and Report. Field work was conducted in May, June, and July of 2000 by biologists from Dudek and Associates, Inc. As part of the report, focused surveys for Least Bell's Vireos and Southwestern Willow Flycatchers were conducted according to USF&WS protocols. Neither these or any other sensitive species were detected. Also, the report included a

wetland delineation, but excluded detailed discussion of impacts since no specific project was proposed at the time.

Although there are minor differences between the findings of this report and the Dudek study, the findings of the Dudek report are essentially current and accurate. Repetition of these focused surveys should not be necessary. The Dudek report is included with this report (See Appendix B).

No sensitive, threatened, or endangered species of plants or animals were observed on the site and none are considered likely to occur.

WETLANDS DELINEATION

The U.S. Army Corps of Engineers' (USACE) frequently requires that formal or informal wetland delineations be conducted under guidelines set forth in the 1987 Corps of Engineers Wetland Delineation Manual. The USACE defines a wetland as "an area… inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions." Typically, USACE wetlands are characterized by the presence of hydrophytic vegetation, hydric soils, and wetland hydrology.

Hydrophytic Vegetation

Hydrophytic vegetation is defined as the sum total of macrophytic plant life that occurs in areas where the frequency and duration of inundation or soil saturation produce permanently or periodically saturated soils of sufficient duration to exert a controlling influence on the plant species present. The governing environmental conditions for hydrophytic vegetation are saturated soils resulting from periodic saturation or inundation by surface or ground water. These periodic events must occur for sufficient duration to result in anaerobic soil conditions. When the dominant species in a plant community are typically adapted for life in anaerobic soil conditions, hydrophytic vegetation is present. The USACE uses the concept of plant communities rather than individual indicator species as criteria for determining a *prevalence* of hydrophytic vegetation in a wetland. The presence of a few individuals of a hydrophytic species in a community dominated by upland species is not a sufficient basis for concluding that an area has hydrophytic vegetation (1987 Corps Manual, Part 3, Section 29). Also, the mere presence of standing water or saturated soil on a site is insufficient evidence that the plant species present are able to tolerate long periods of inundation (Section 35).

The USACE has set forth various categories of plants as indicators to be used, in part, in determining whether or not the prevalence of these species in a plant community constitutes hydrophytic vegetation. These categories include Obligate Wetland Plants (OBL), Facultative Wetland Plants (FACW), Facultative Plants (FAC), Facultative Upland Plants (FACU), and Obligate Upland Plants (UPL). When more than 50 percent of the dominant species are OBL, FACW, or FAC+, it is an indication that hydrophytic vegetation is present.

Hydric Soils

The hydric soil definition and criteria published in the 1987 Corps Manual have been determined to be obsolete. The current hydric soil definition, criteria, and lists are available over the World Wide Web from the U.S.D.A. Natural Resources Conservation Service (NRCS). For purposes of this investigation, the definition used is that contained in the publication "Field Indicators of Hydric Soils in the United States" (USDA, NCRS 2003). Therein, hydric soils are defined as soils that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil. Nearly all hydric soils exhibit characteristic morphologies that result from repeated periods of saturation or inundation, or both, for more than a few days. Saturation or inundation when combined with microbial activity in the soil causes a depletion of oxygen. This anaerobiosis promotes biogeochemical processes, such as the accumulation of iron and other reducible elements. These processes also result in characteristic morphologies that persist in the soil during both wet and dry periods, making them particularly useful for identifying hydric soils.

Wetland Hydrology

Wetland hydrology encompasses all hydrologic characteristics of areas that are periodically inundated or have soils saturated to the surface at some time during the growing season. Areas with evident characteristics of wetland hydrology are those where the presence of water has an overriding influence on characteristics of vegetation and soils due to anaerobic and reducing conditions, respectively. Such characteristics are usually present in areas that are inundated or have soils that are saturated to the surface for sufficient duration to develop hydric soils and support vegetation typically adapted for life in periodically anaerobic soil conditions. Hydrology is often the least exact of the parameters, and indicators of wetland hydrology are sometimes difficult to find in the field. However, it is essential to establish that a wetland area is periodically inundated or has saturated soils during the growing season.

Indicators of wetland hydrology may include, but are not limited to: drainage patterns, drift lines, sediment deposition, watermarks, stream gauge data and flood predictions, historic records, visual observation of saturated soils, and visual observation of inundation. These hydrology indicators are considered to be "primary indicators", any one of which is sufficient evidence that wetland hydrology is present when combined with a hydrophytic plant community and hydric soils. In addition, the following "secondary indicators" may also be used to determine whether wetland hydrology is present. In the absence of a primary indicator, any two secondary indicators must be present to conclude that wetland hydrology is present, *i.e.*: presence of oxidized rhizospheres associated with living plant roots in the upper 12 inches of the soil, presence of water-stained leaves, local soil survey hydrology data for identified soils, or the FAC-neutral test of the vegetation.

The presence of one or two of the wetland components (Hydrophytic Vegetation, Hydric Soils, or Wetland Hydrology) is not sufficient for an area to be classified as a USACE wetland. All three components must be clearly present for an area to be determined to constitute a jurisdictional wetland.

In addition to regulating jurisdictional wetlands, Section 404 of the Clean Water Act (33 U.S.C. 1344) requires authorization for discharges of dredged or fill material into Waters of the United States. For non-tidal Waters of the U.S. the extent of jurisdiction is defined as the Ordinary High Water Mark, which is defined as: "the line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural lines impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation or presence of litter and debris."

Thus, an area determined to be a non-wetland may still be under USACE jurisdiction if certain criteria are met. To aid in identifying characteristics of Waters of the U.S., the USACE has prepared guidelines (USACE 2001) and a matrix detailing potential Waters of the U.S. based on apparent flow regimes, geomorphic features, and surface flow indicators. In addition, determination that a wetland or water body is a Waters of the United States also requires that the area in question is subject to interstate commerce. These criteria were considered as they apply to the project site.

California Department of Fish and Game Wetlands

Typically, the extent of CDFG wetlands is determined by the limits of riparian vegetation as it extends from a stream, creek, river, pond, lake, or other water feature.

Results

The wetland delineation was conducted during the site visit on 6 February 2007. Delineation methods were based on the CDFG wetland definition and additionally generally followed the protocol as set forth by the 1987 Army Corps of Engineers Wetland Delineation Manual (Wetland Training Institute 1995). The delineation process was primarily created to identify the boundaries of wetlands where those boundaries are questionable. In areas where there is hydrophytic vegetation and signs of hydrology are present, test pits are dug to determine the presence of hydric soils, an essential component of a USACE wetland. Because no such questionable areas were identified on the project parcel, no test pits were excavated or standard excavation forms filled out.

The bottom of the drainage that transects the project site (Buena Vista Creek), shown on the USGS topographical map as an intermittent blue line stream, was flowing with water at the time of the delineation (Photographs 5 & 6). As shown on the photographs, the slopes of the fill that created the project site are lined with large, imported rip-rap. This rip-rap effectively prevents erosion [= hydrology] of the south side of the drainage, and thus, extension of USACE wetlands above the existing watercourse. Examination of the bottom of the drainage shows that during rain/flood events, water overflows the main channel and extends toward the north over sandy substrate that is typically one to three feet above the current flowing water level. Because this area is well beyond potential impacts of the project, the northern boundary of the wetland was not mapped or delineated.

However, along the steep south side of the drainage, there are several areas where riparian vegetation (as noted above - mainly willows *Salix* sp.) grow on the slopes. In several places, this riparian vegetation extends to the top of the slope (See Vegetation Map).

PROJECT IMPACTS

The California Environmental Quality Act (CEQA) requires that projects avoid or adequately mitigate for the loss of sensitive species and habitats. Such avoidance or mitigation enables lead agency staff to make a finding of No Significant Impact and issue a Negative Declaration or Mitigated Negative Declaration for the proposed project.

The Lil Jackson Senior Community project will avoid most significant impacts to sensitive habitats by placing such habitats in a dedicated buffered Biological Open Space Easement. It should be noted that there are two existing utility easements that traverse Buena Vista Creek. These easements would remain and would be conditioned into the terms of the Biological Open Space Easement. One of the easements contains a buried 18" storm drain that carries runoff from Lake Boulevard into Buena Vista Creek. This drain will be replaced by a new 24" drain that will be buried above the existing drain within the easement. This will necessitate installing a new headwall and rip-rap dissipater just below the crest of the embankment and above the existing drain outlet (See Vegetation Map for exact location). This will result in an unavoidable impact to several small willows in an area of 424 square feet or 0.01 acres (Figure 6). Based on City of Oceanside thresholds of significance, this potential impact will be significant pursuant to the CEQA Guidelines, and will require mitigation to reduce impacts to below a level of significance. In addition, an application for a Streambed Alteration Agreement with California Department of Fish and Game is being submitted to assure compliance with Fish and Game Code §1600. The U.S. Army Corps of Engineers is also being consulted to determine if permits pursuant to the Clean Water Act will be required for this work.

Table 1. Existing Vegetation Communities On The Project Site

PLANT COMMUNITY	ACREAGE ON-SITE	IMPACTED HABITAT	ACREAGE PRESERVED ON-SITE	MITIGATION REQUIRED (Ratio)
Disturbed Habitat	3.26	N/A	1.06	0
Southern Mixed Chaparral	0.45	0	0.45	0
Southern Willow Scrub (degraded)	1.32	0.01	1.31	0.02 (2:1)
Total	5.03	0.01	2.82	0.02

No off-site impacts will result from the implementation of this project.

CONCLUSIONS AND MITIGATION

Habitats on the project site, aside from the disturbed area proposed for project construction, consist of disturbed Southern Willow Scrub and a small area of Southern Mixed Chaparral. A habitat assessment also indicated that the site and adjacent areas are not suitable for occupation by California Gnatcatchers.

No listed or rare species were detected or are considered likely to occur.

Along the western portion of the creek, north of the area proposed for construction, the average distance from the edge of wetland habitat to the top of slope is 50 linear feet. This area, containing mostly Southern Mixed Chaparral, provides a primary biological buffer for the wetland habitat on-site. From the top of the slope to the edge of the proposed structures is an additional 50 feet. Along the eastern portion of the site the buffer area averages over 200 feet. The vast majority of wetland habitat is located at the bottom of the drainage, and is thus additionally isolated from noise and other potential edge effects.

Impacts to 0.01 acres (426 square feet or 6 small individual willow trees) is deemed significant and will require mitigation. Because of no net loss of wetland policies, mitigation will occur on-site. Revegetation within the impacted area is impractical because the area is within an existing utility easement and therefore it is not possible to protect the site in perpetuity.

The following are three alternatives for achieving the necessary mitigation:

1. To mitigate for impacts to six small willows, a total of 12 willows will be planted elsewhere on the site within Southern Willow Scrub Habitat, in an area currently inhabited by invasive non-native plant species. This alternative will require preparation of a Revegetation Plan including requirements for monitoring and reporting to ensure success of the plantings.

2. An area of 0.02 acres (852 square feet) of Disturbed Southern Willow Scrub Habitat within the drainage on-site will be identified, have invasive non-native plant species removed, and be maintained free of invasives for a period of five years. This alternative will require monitoring and reporting.

3. A financial contribution will be made to the Mission Resource Conservation District to aid in their efforts at wetland enhancement and restoration within the Buena Vista Creek watershed.

The selected mitigation method will be decided after consultation with the U.S. Army Corps and CDF&G wetland authorities, and will be concurred on by the Wildlife Agencies.

The following conditions will also be met:

1. A qualified biologist shall be retained by the applicant to review the final grading plans, access routes and staging areas, monitor all aspects of construction, educate contractors about the biological sensitivities associated with the area and ensure compliance with mitigation measures.

2. The qualified biologist shall conduct a training session for all project personnel prior to any grading/construction activities. At a minimum the training shall include a description of the target species of concern, its habitats, the general provisions of the Endangered Species Act (Act) and the MHCP, the need to adhere to the provision of the Act and the MHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the target species of concern as they relate to the project, any provisions for wildlife movement, and the access routes to and project site boundaries within which the project activities must be accomplished.

3. The footprint of habitat disturbance shall be minimized to the maximum extent feasible. Access to sites shall be via pre-existing access routes to the greatest extent possible.

4. Placement of equipment and personnel within environmentally sensitive habitat areas stream channels or on sand and gravel bars, banks and adjacent upland habitats used by target species of concern shall be avoided. Activities that can not be conducted without placing equipment or personnel in sensitive habitats shall be timed to avoid the breeding season of the target species of concern.

5. Equipment storage, fueling and staging areas shall be located to minimize risks of direct drainage into riparian areas or other environmentally sensitive habitats. These designated areas shall be located in such a manner as to prevent runoff from entering sensitive habitats. All necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. All project related spills of hazardous materials shall be reported to appropriate entities including but not limited to the City of Oceanside, FWS, and CDFG, SWQCB and shall be cleaned up immediately and contaminated sails removed to approved disposal areas.

6. Erodible fill material shall not be deposited into water courses. Brush, loose soils, or other similar debris material shall not be stockpiled within the stream channel or on its banks.

7. Stockpiling of materials and other aspects of construction staging shall be limited to disturbed areas without native vegetation, areas to be impacted by project development or in non sensitive habitats.

8. Scheduling of construction activities shall minimize potential impacts to biological resources. Construction adjacent to drainages shall occur during periods of minimum flow (i.e. summer through first rain of fall) to avoid excessive sedimentation and erosion and to avoid impacts to drainage dependent species. Construction near riparian areas or other sensitive habitats shall be scheduled to avoid the breeding season (March through September) and potential impacts to breeding bird species.

9. Human and pet access to preserve areas shall be limited to designated trails by use of natural vegetation, topography, signs and limited fencing.

10. Artificial lighting adjacent to the preserve area shall be eliminated except where essential for roadway, facility use and safety and security purposes. Where use of artificial lighting is necessary it shall be limited to low-pressure sodium sources. Use of low voltage outdoor or trail lighting, spotlights or bug lights is prohibited. All light sources shall be shielded so that lighting is focused downward to restrict any light spillover onto sensitive habitat.

11. The qualified biologist shall monitor construction activities throughout the duration of the project to ensure that all practicable measures are being employed to avoid incidental disturbance of habitat and any target species of concern outside the project footprint. Construction monitoring reports shall be completed and provided to the City of Oceanside, FWS and CDFG summarizing how the project is in compliance with applicable conditions. The project biologist shall be empowered to halt work activity if necessary and to confer with staff

from the City of Oceanside, FWS and CDFG to ensure the proper implementation of species and habitat protection measures.

12. All revegetation plans shall be prepared and implemented consistent with Appendix C (Revegetation Guidelines of the Final MHCP Plan - Volume II) and shall require written concurrence of the FWS and CDFG.

13. To avoid attracting predators of the target species of concern, the project site shall be kept clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site. Pets of project personnel shall not be allowed on site where they may come in contact with any listed species.

14. Any habitat destroyed that is not in the identified project footprint shall be disclosed immediately to the City of Oceanside, FWS and CDFG and shall be compensated at a minimum ratio of 5:1.

15. If dead or injured listed species are located, initial notification must be made within three working days, in writing to the Service's Division of Law Enforcement in Torrance California and by telephone and in writing to the applicable jurisdiction, Carlsbad Field Office of the FWS, and CDFG.

16. Any planting stock to be brought onto the site for landscaping or ecological restoration shall be first inspected by a qualified pest inspector to ensure it is free of pest species that could invade natural areas, including but not limited to Argentine ants, fire ants, and other insect pests. Any planting sock found to be infested with such pests shall not be allowed on the project site or within 300 ft of natural habitats. The stock shall be quarantined, treated or disposed of according to best management principles by qualified experts in a manner that precludes invasions into natural habitats.

17. All mitigation sites shall be conserved through conservation easement, and proof of recordation shall be provided to the City of Oceanside prior to land disturbance.

18. In order to prevent future indirect impacts (edge effects) to sensitive habitats, a barrier should be constructed at the top of the slope along the length of the wetland and Southern Mixed Chaparral habitats.

19. In order to prevent any adverse impacts to any off-site resources, adequate measures (Best Management Practices) will be taken during construction to prevent direct or indirect impacts and to prevent runoff from entering sensitive habitats.

The project design and mitigation as proposed is deemed to be adequate to reduce the overall impacts of the proposed project to a level below significant.

Thank you very much for the opportunity to conduct this work and prepare this report. Please contact me if I can provide any additional information or provide clarification.

Sincerely,

William T. Everett
Certified Biological Consultant
U.S. Fish & Wildlife Service California Gnatcatcher
Survey Authorization Permit # TE-788036

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7 July 2008

Mr. Ben Beckler
Southern California Presbyterian Homes
516 Burchett Street
Glendale, California 91203-3662

Re: Report on Focused Protocol Surveys for Least Bell's Vireos, Lil Jackson Project (APN 168-012-28, Oceanside, California

Dear Ben,

This report presents the results of eight focused presence/absence surveys that I recently conducted for the state and federally endangered Least Bell's Vireo *Vireo belli pusillus*. The surveys were conducted within and adjacent to the above-referenced parcel that contains approximately 1.35 acres of degraded Southern Willow Scrub habitat.

The survey site is situated north of Lake Boulevard just east of College Boulevard, along Buena Vista Creek (Figures 1 and 2). The approximate USGS coordinates of the site are 33°11'N, 117°17'W as determined on-site by Global Positioning System (GPS) receiver (San Luis Rey 7.5 minute series USGS quadrangle, see Figure 3). The survey site is bordered on the east and west by high density apartment/condominium type developments, on the south by a vacant lot and high density residential tracts, and on the north by large-scale commercial development.

Wetland habitats on the site occur within the incised drainage of Buena Vista Creek, which is shown on the USGS topographical map as an intermittent blue line stream. The drainage is highly disturbed and contains a significant component of invasive non-native weedy vegetation. Dominant native plant species in this area include mule fat *Baccharis salicifolia*, arroyo willow *Salix lasiolepis*, sandbar willow *S. exigua*, a few coast live oaks *Quercus agrifolia*, tarweed *Hemizonia fasciculata*, and Mexican elderberry *Sambucus mexicana*. Non-native plants include fennel *Foeniculum vulgare*, giant reed *Arundo donax*, pampas grass *Cortaderia jubata*, eucalyptus *Eucalyptus* sp., castor bean *Ricinus communis*, iceplant *Carpobrotus edulis*, fan palm *Washingtonia filifera*, cape ivy *Delairea oderata*, and numerous other invasive weeds and trees. Examination of the drainage bottom reveals that significant amounts of giant reed have recently been removed, likely through the efforts of a local Resource Conservation District.

Available census data indicate that the Least Bell's Vireo population in Southern California increased from an estimated 300 pairs in 1986 to 1,346 pairs in 1996. Its breeding habitat is restricted to mature willow riparian woodland. Most frequently, it occupies extensive areas that combine an understory of dense young willows, or mulefat with a canopy of tall

willows. The most critical structural component is a dense shrub layer 0.6 - 3.0 meters above ground. The vireo's decline is due to loss of riparian habitat combined with nest parasitism by the Brown-headed Cowbird *Molothrus ater*, which lays its eggs in vireo nests consequently reducing the vireo's reproductive success. Thanks to extensive trapping and removal of cowbirds from vireo habitat, the species has enjoyed an astounding increase since 1996, with some estimates suggesting that the population has increased nearly 9000% since the species was listed as endangered. Due to this recovery success, breeding vireos are now being found in habitat that at one time would have been thought of as marginal.

The site was surveyed eight times in conformance with current presence/absence USFWS protocol guidelines. The surveys were conducted by slowly walking routes within and adjacent to the site (See Survey Route Map, Figure 5), listening for songs, whisper songs, scolds, calls, and also observing. No taped vireo vocalizations were played during the surveys. Weather conditions and time of day were appropriate for the detection of Least Bell's Vireos (Table 1).

TABLE 1
SCHEDULE OF LEAST BELL'S VIREO SURVEYS AND CONDITIONS

Date	Time (hours)	Temperature (°F)	Wind Speed (mph)	Cloud Cover (%)
4/16/08	0830-1030	64	0-3 NW	100 - 60
4/29/08	0930-1100	62	0-6 NW	0
5/09/08	0930-1130	63	0	50 - 0
5/20/08	0900-1100	66	0-3 NW	100
6/02/08	0900-1100	65-67	0	0
6/12/08	0830-1030	68-78	0-3 NW	100 - 0
6/23/08	0730-1000	66-74	0-3 NW	100 - 80
7/03/08	0730-0930	68-74	0-5 NW	80 - 0

No Least Bell's Vireos were detected on-site or adjacent to the site during the focused surveys. The nearest site occupied by this species is located less than a mile downstream, in a preserve area with extensive suitable habitat. Given this proximity, it would not be surprising if vireos someday used this site, if only in transit.

Thank you very much for the opportunity to conduct this work and prepare this report. Please contact me if you need any additional information or clarification.

Sincerely,

William T. Everett
Certified Biological Consultant

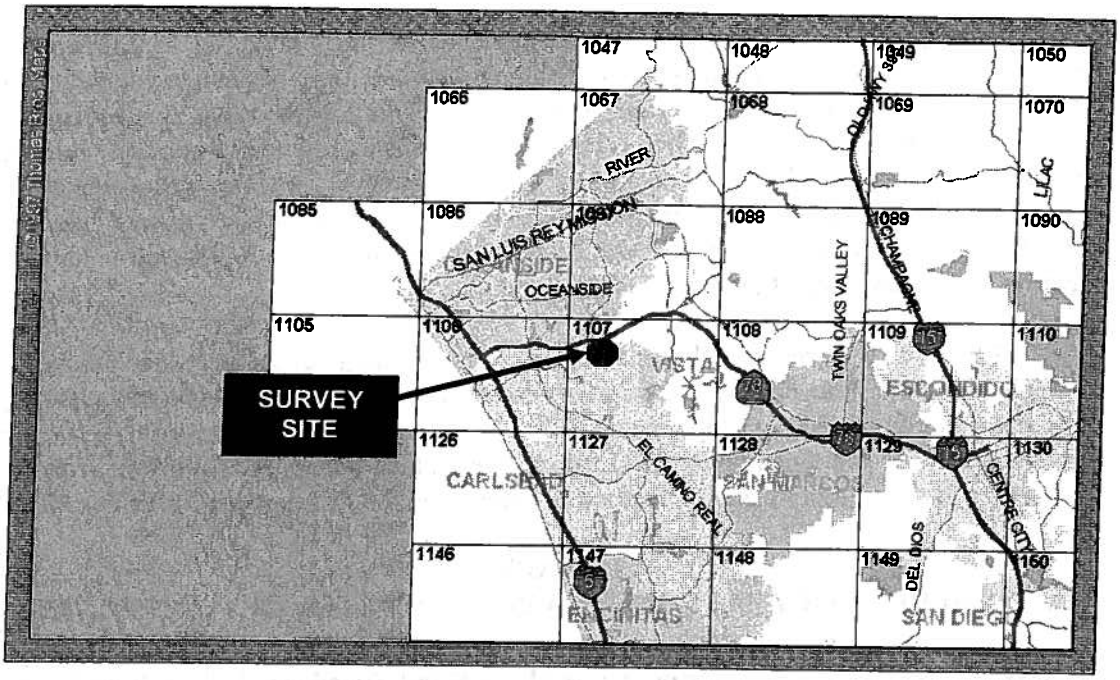

Figure 1. Location of survey site in regional context. Thomas Bros. Map page #1107, B2.

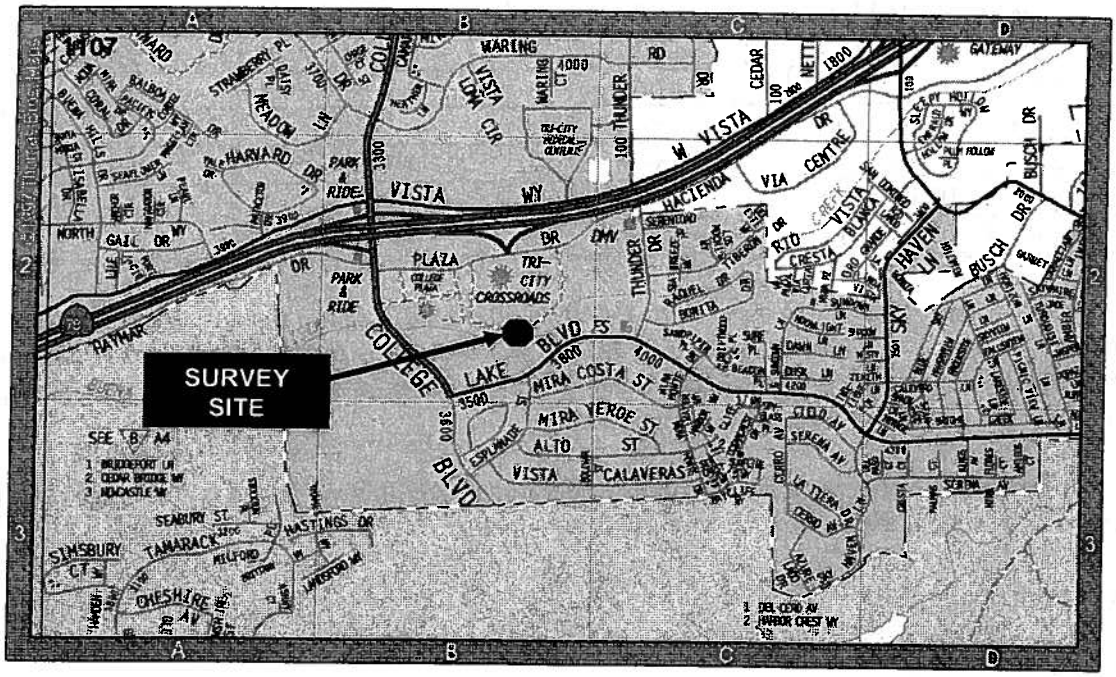

Figure 2. Detail location map of survey site. Thomas Bros. Map page #1107, B2.

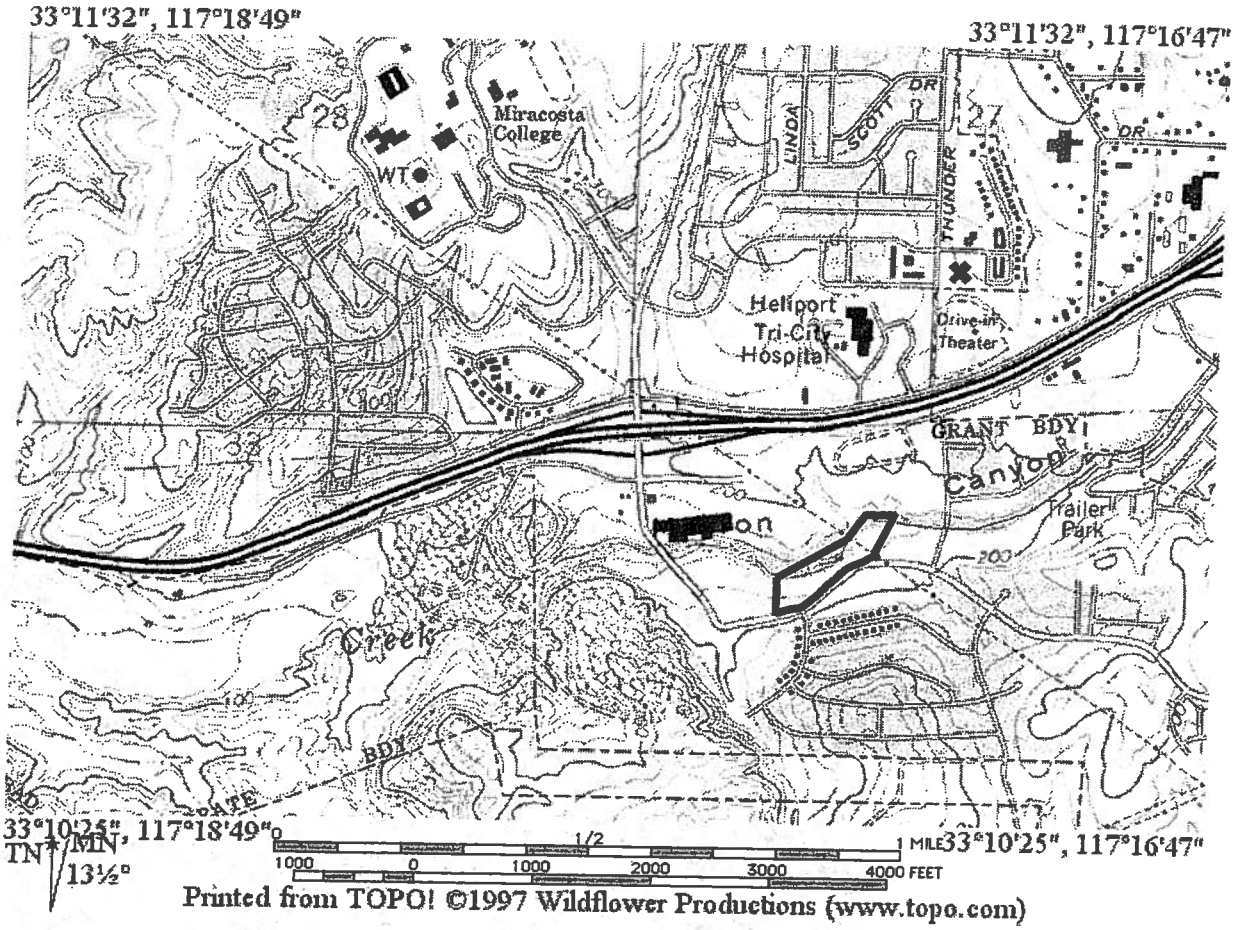

Figure 3. Topographical map showing survey site location in red. Taken from USGS San Luis Rey 7.5 minute series quadrangle.

Figure 4. Aerial photograph of project site (outlined in red, in center) showing survey site and adjacent land uses. Top of photo is true north.

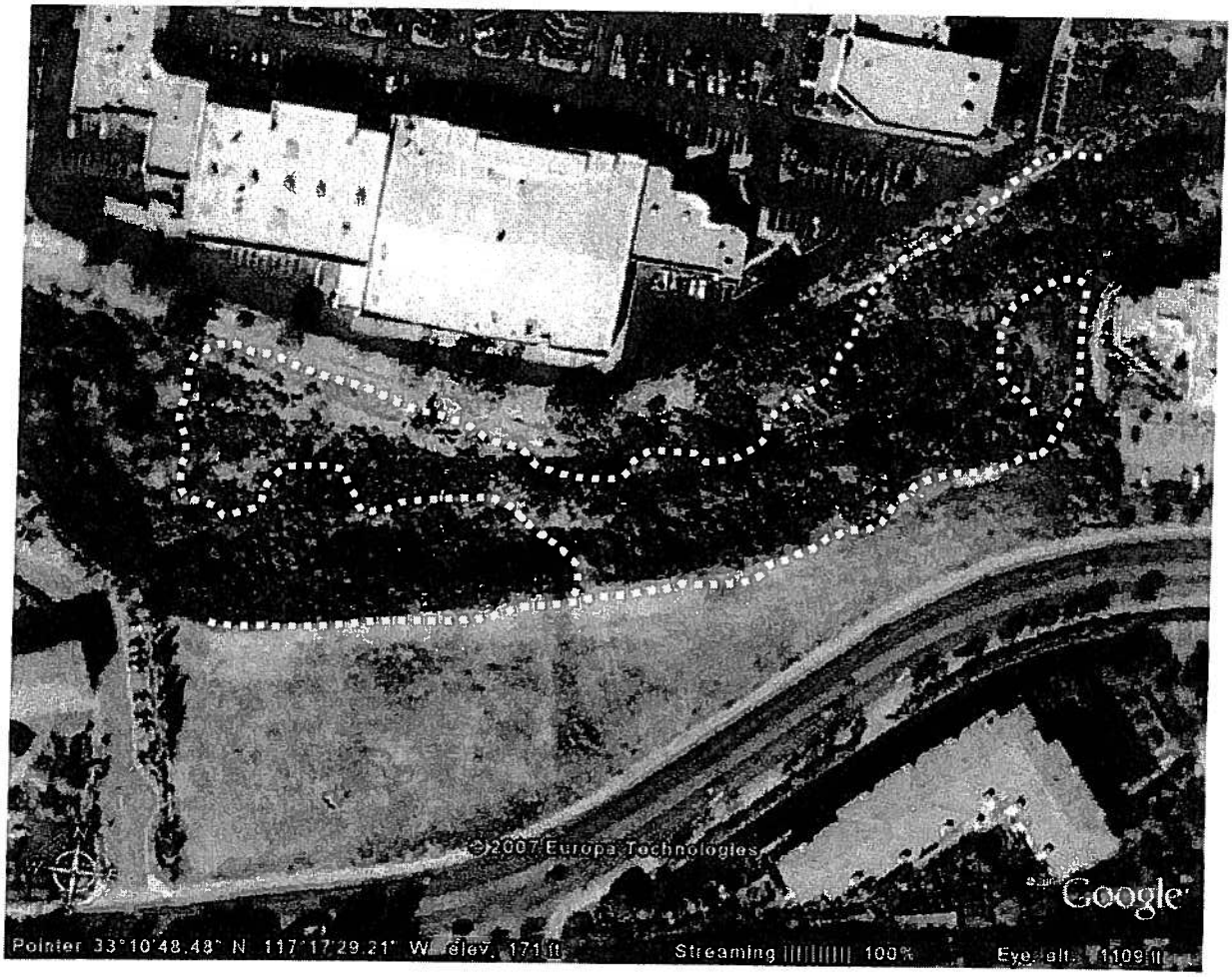

Figure 5. Close-up satellite photograph of survey site (photograph by SANDAG/SanGIS 2007. Top of photo is true north. Dotted line indicates route taken for vireo surveys.

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Planning Engineering Surveying

STORMWATER MITIGATION PLAN

FOR

LIL JACKSON SENIOR COMMUNITY
3600 BLOCK LAKE BOULEVARD
OCEANSIDE, CA
P-19-06, C-26-06, C-49-06

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August 28, 2008

K&S Job No. 06-023

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1.0 INTRODUCTION

The California State Water Resources Control Board (SWRCB) approved Order Number R9-2007-01 (Order) on January 24, 2007. The Order outlines the stormwater discharge requirements for municipal stormwater systems, which drain "development" areas from watersheds within;

1.) The County of San Diego,
2.) Incorporated cities of San Diego County, and
3.) San Diego Unified Port District.

The City of Oceanside is one of the municipal co-permittees identified in the order and, therefore, subject to its requirements.

In general, the order requires that Best Management Practices (BMPs):

- Control the post-development peak storm water storm discharge rates and velocities to maintain or reduce pre-development downstream erosion
- Minimize storm water pollutants of concern in urban runoff from new development through implementation of source control BMPs
- Remove pollutants of concern from urban runoff through implementation of structural treatment BMPs
- Include proof of a mechanism, to be provided by the project proposal, which will ensure ongoing long-term structural BMP maintenance. In addition, structural BMPs shall be located to infiltrate, filter, or treat the required runoff volume or flow (numeric sizing criteria) prior to discharge to any receiving water body supporting beneficial uses.

This "numeric sizing criteria" is either volume or flow based. Specifically, volume based BMPs must be designed to infiltrate, filter, or treat the volume of runoff produced from a 24-hour - 85th percentile storm event. This is approximately 0.6 inches of runoff for San Diego County. Similarly, flow based BMPs must be designed to infiltrate, filter or treat a flow rate of 0.2 inches of rainfall per hour. Note that the above "numeric sizing criteria" allows the option of infiltration, filtering or treatment of this volume/flow and relates only to water quantity. Retention or detention of water volume/flow is not a requirement of the "numeric sizing criteria."

This Storm Water Mitigation Plan (SWMP) proposes to address the possible water quality impacts from the grading and improvements of the Lil Jackson Senior Community (Project) located on Parcel 2 of PM 4736, City of Oceanside and define the potential Best Management Practice (BMP) options that satisfy the requirements identified in the following documents:

1.) City of Oceanside Interim Standard Urban Storm Water Mitigation Plan, March 2008 ("SUSMP").
2.) County of San Diego Watershed Protection Stormwater Management and Discharge Control Ordinance (Section 67.817).
3.) Standard Specifications for Public Works Construction, and
4.) NPDES General Permit for Storm Water Discharges Associated with Construction Activity.

The goal of this SWMP is to develop and implement the best available procedure policies of the Standards to insure to the maximum extent practicable that development does not increase pollutant loads from the project site and considers urban run-off flow rates, potential pollutants, and velocities. The SWMP also intends to insure the effectiveness of the Best Management Practices (BMP) through proper maintenance based on long-term fiscal planning.

According to the City's Standard Urban Storm Water Mitigation Plan (SUSMP) and Urban Runoff Threat Assessment Form (Attachment D), the Project is subject to;

- Priority Project Permanent Storm Water BMP requirements
- Construction Storm Water BMP Performance Standards and is required to prepare a Storm Water Pollution Prevention Plan (SWPPP) and
- High Priority construction site ranking due to discharging to an environmentally sensitive water body.

This SWMP is subject to revisions as needed by the engineer and as directed by the City. This SWMP may also require modification if there are revisions to the above referenced documents.

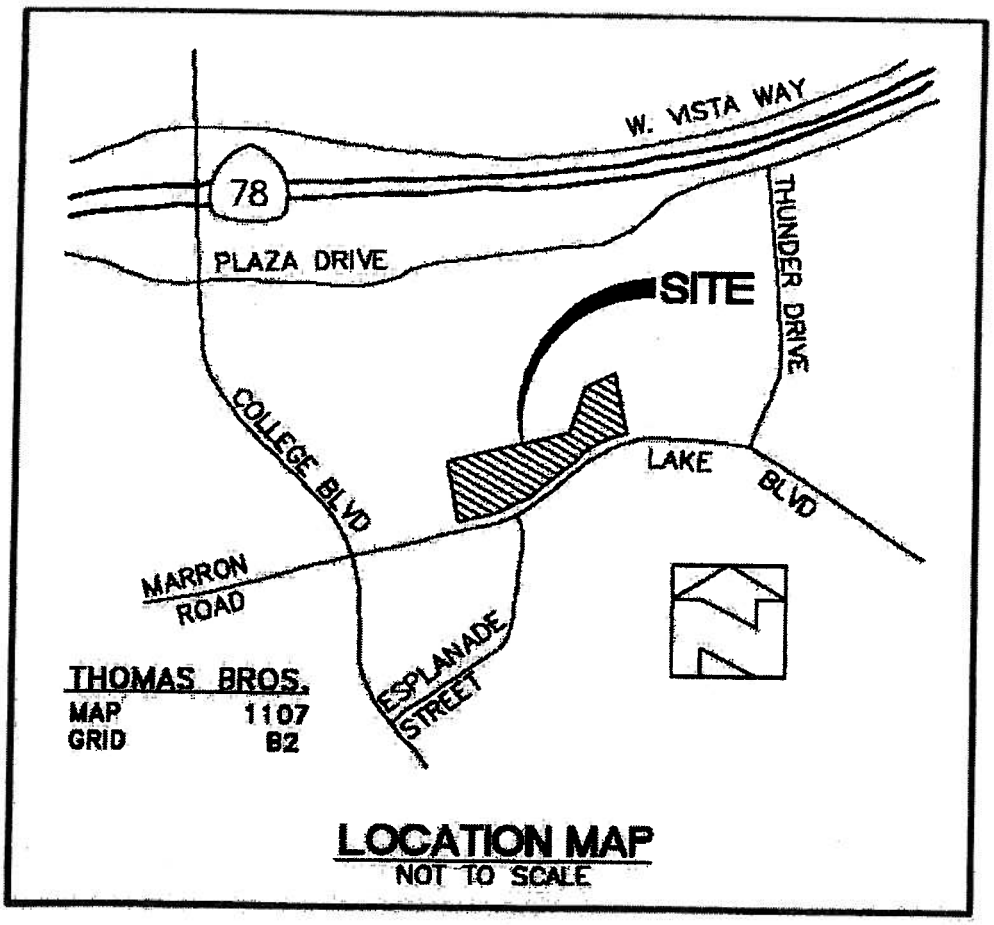
2.0 PROJECT DESCRIPTION

The approximate 5.02 acre Project site is located in the 3600 block of Lake Boulevard, on the northerly side. It is currently APN 168-012-28-00. Situated between College Boulevard and Thunder Drive, Buena Vista Creek (Creek) is along the northern property boundary.

Approximately 3 acres of the existing site is currently mass graded and undeveloped. The Project consists of the fine grading of a portion of the lot for the construction of a senior community facility with walkways, parking areas and corresponding drive aisles. Access is provided for service and emergency vehicles. Landscaped area site improvements for all permeable disturbed areas, as well as landscaping improvements to some undisturbed permeable areas, are integral elements of the Project. The Project will disturb approximately 1.80 acres for grading and drainage purposes. Approximately 1.0 acre (56% of this disturbed area including the building) is projected as becoming impervious surface, having 0.48 acre devoted to parking and driveway aisles.

In general, the proposed site will surface drain into three basin areas; easterly, westerly and southerly, which are being directed to a vegetated swale biofilter (biofilter) on the east and south and a bioretention treatment system on the west. These BMPs reduce runoff velocity, allow for infiltration and treat runoff before joining existing flows entering the creek channel.

FIGURE 1

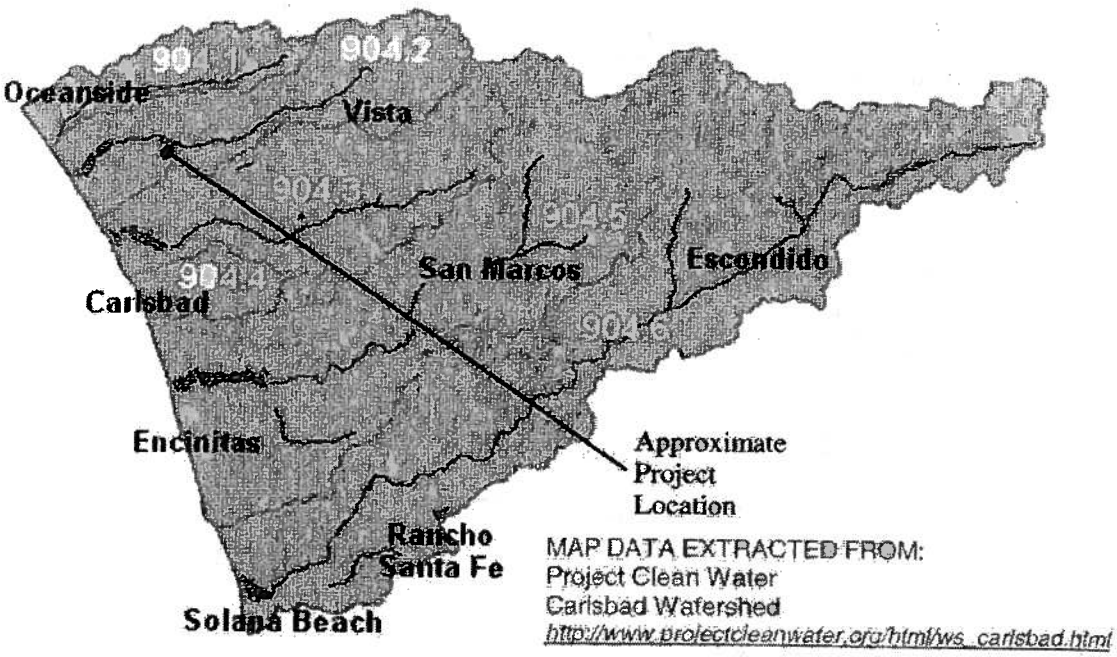


3.0 HYDROLOGIC UNIT CONTRIBUTION

According to the State of California, Regional Water Quality Control Board (RWQCB), Water Quality Control Plan for the San Diego Basin (Basin Plan) (adopted 1994, as amended April 24, 2007), the Project is located in the El Salto hydrologic sub-area (HSA 904.21) of the Buena Vista Creek hydrologic area (HA) in the Carlsbad Watershed hydrologic unit (HU). See Figure 2 for Project location.

The area is characterized by mostly moderately sloping land occupied by predominately non-native grass. The cities of Carlsbad, San Marcos, and Encinitas are located entirely within the HU. Per the Basin Plan, approximately 48% of the Carlsbad HU is urbanized and the dominant land uses are residential (29%), commercial/industrial (6%), freeways/roads (12%), agriculture (12%), and vacant/undeveloped (32%).

FIGURE 2



Carlsbad Watershed Hydrologic Unit

Water bodies downstream of this Project in the Carlsbad HU have an impaired designation. The RWQCB's "2006 CWA Section 303(d) List of Water Quality Limited Segments Requiring TMDLS" identifies these impaired water bodies as the Buena Vista Creek, Buena Vista Lagoon, and the Pacific Ocean shoreline at the Buena Vista Creek HA. The identified pollutant stressors are sediment toxicity, bacteria indicators, nutrients and sedimentation/siltation. The sediment toxicity only affects the final 11 miles of the Buena Vista Creek. Other than the identified impaired waters, no other impaired water bodies in this HU are affected by this Project.

The Project's 2.15 acres of disturbed area represents a very small percentage of the approximately 7,473 acres of the hydrologic sub-unit area. The existing site contains no impervious surface area. The

Project development increases the site imperviousness to approximately 1.3 acres while providing 0.83 acres of new landscaped areas and retaining 2.88 acres as undisturbed, natural area. This increase in imperviousness due to the development of the Project will have a negligible impact on the hydrologic unit with the proper implementation and maintenance of the permanent BMPs outlined in this report and the proper implementation and maintenance of the construction phase BMPs .

3.1 Beneficial Use

The beneficial uses for coastal waters, surface waters and ground water of this HSA and the affected downstream waters are included in Table 1. The data contained in this table extracted from the Basin Plan. Detailed descriptions of the identified beneficial uses are contained within the Basin Plan.

TABLE 1

Beneficial Uses	Buena Vista Creek	Buena Vista Lagoon	El Salto HSA (Groundwater)
Municipal and Domestic Supply	+		X
Agricultural Supply	X		X
Industrial Service Supply	X		O
Contact Water Recreation	X	X	
Non-Contact Water Recreation	X	X	
Warm Freshwater Habitat	X	X	
Estuarine Habitat		O	
Marine Habitat		X	
Wildlife Habitat	X	X	
Preservation of Biological Habitats of Special Significance		X	
Rare, Threatened, or Endangered Species	X	X	

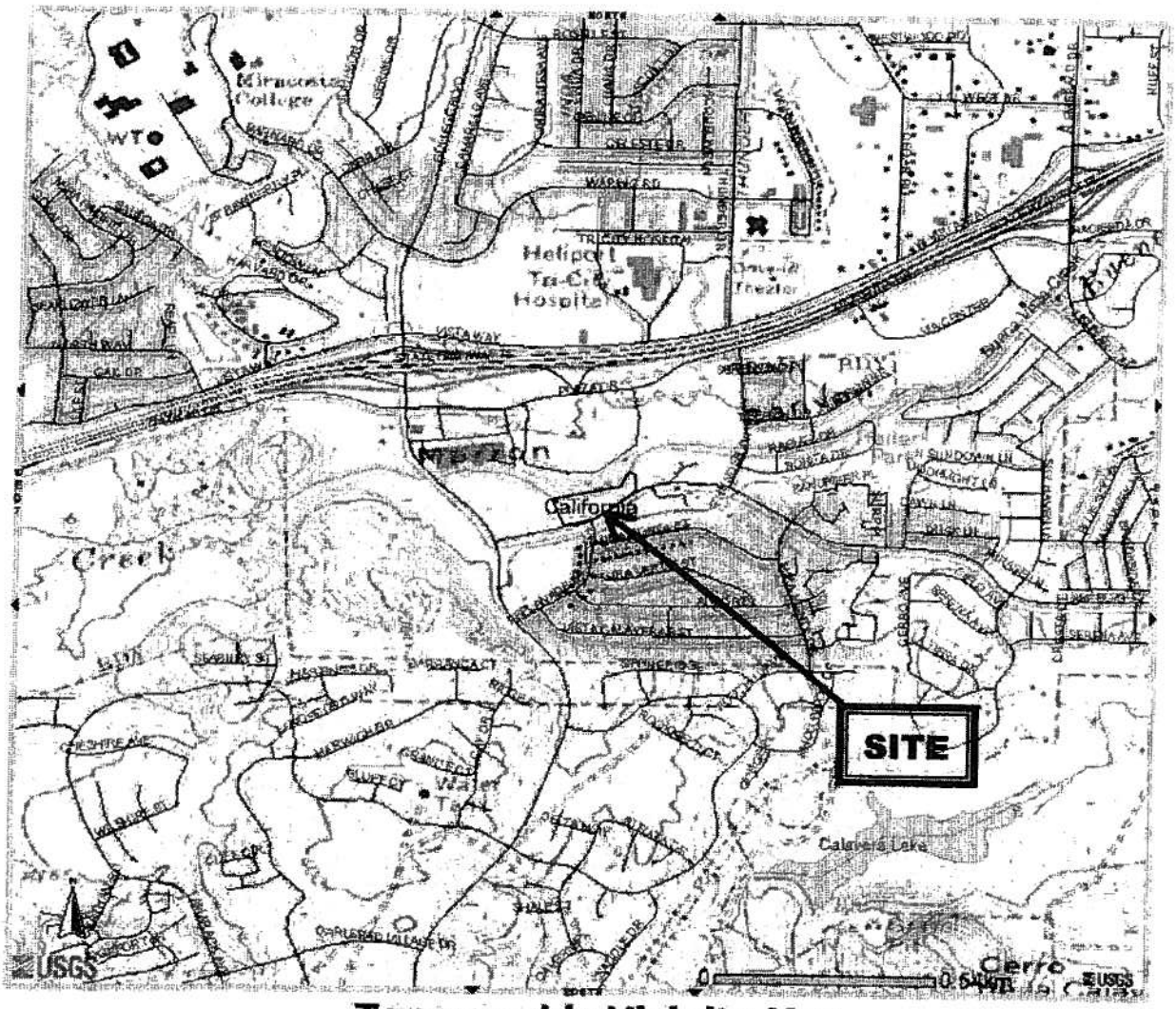
+ = exempted
O = potential beneficial use
X = existing beneficial use
Note: Beneficial use designations also apply to all tributaries of the creek.

Beneficial Uses

3.2 IDENTIFY CONDITIONS OF CONCERN

Figure 3 identifies the topographic features of the Project vicinity and the proximity to Buena Vista Creek.

FIGURE 3



Topographic Vicinity Map

3.2.1 SOIL CHARACTERISTICS

The area consists of soil group D. Soils of group D have: a very slow infiltration rate when thoroughly wetted. They are chiefly clays that have a high shrink-swell potential or have a claypan or clay layer at or near the surface. Soils of this type can have a high permanent water table or are soils

that are shallow over nearly impervious material. Rate of water transmission is very slow and classified as having a very high run-off potential.

The Project site is a mass graded lot. The engineered surface has undergone compaction. Compacted soils of the 'D' soil type are generally considered as not suitable for infiltration of storm water run-off.

The Project appears to be located in an area that is predominately comprised of Las Flores loamy fine sand type of soil per the USDA Soil Survey for the San Diego County Area (1973). This soil type typically has a 2% to 9% slope and is considered to have severe erodibility characteristics.

3.2.2 SITE HYDROLOGY

Per the Preliminary Hydrology Study (Attachment A), the existing flow rate for the Project drainage area from a 100-year storm event is 2.32 cfs for the westerly basin area and 1.82 cfs for the easterly basin area that currently flows overland to discharge into a concrete brow ditch and the existing slope to the Creek channel.

The Project drainage areas as proposed for development produce a flow rate of $Q_{100} = 6.69$ cfs for Project basin areas combined. This combined flow discharges at K&S Node #10. The existing flow at this location is $Q_{100} = 4.14$ cfs. Presentation of the hydrologic values for 2, 10 and 100 year storms from the Preliminary Hydrology Study is in Table 2.

TABLE 2

HYDROLOGIC VALUES	POST DEVELOPMENT STORM EVENT		
(K&S Node 10)	2 YEAR	10 YEAR	100 YEAR
Q (cfs)	2.89	4.54	6.69
C	0.71	0.71	0.71
I (in/hr)	2.02	3.11	4.51
A (Ac)	2.07	2.07	2.07
T_C (min.)	11.33	8.64	8.49
Volume (Ac/in)	2.06	2.94	4.26
Velocity (fps)	5.5	6.2	6.8

Hydrologic Values

The storm runoff of the westerly basin area is a combination of sheet flows and drainage collected by a new system of area drains, inlets and underground pipes. These flows combine and continue to a subsurface system feeding an enclosed bioretention treatment system (Filterra®) for treatment. After treatment the flows discharge, via a new cleanout to a 24" PVC storm drain pipe replacing an existing 18" ACP storm drain pipe crossing the site. This new pipe conveys the treated flow to the existing outfall point on the creek bank slope, already fortified with rip rap for erosion control, to the Creek channel.

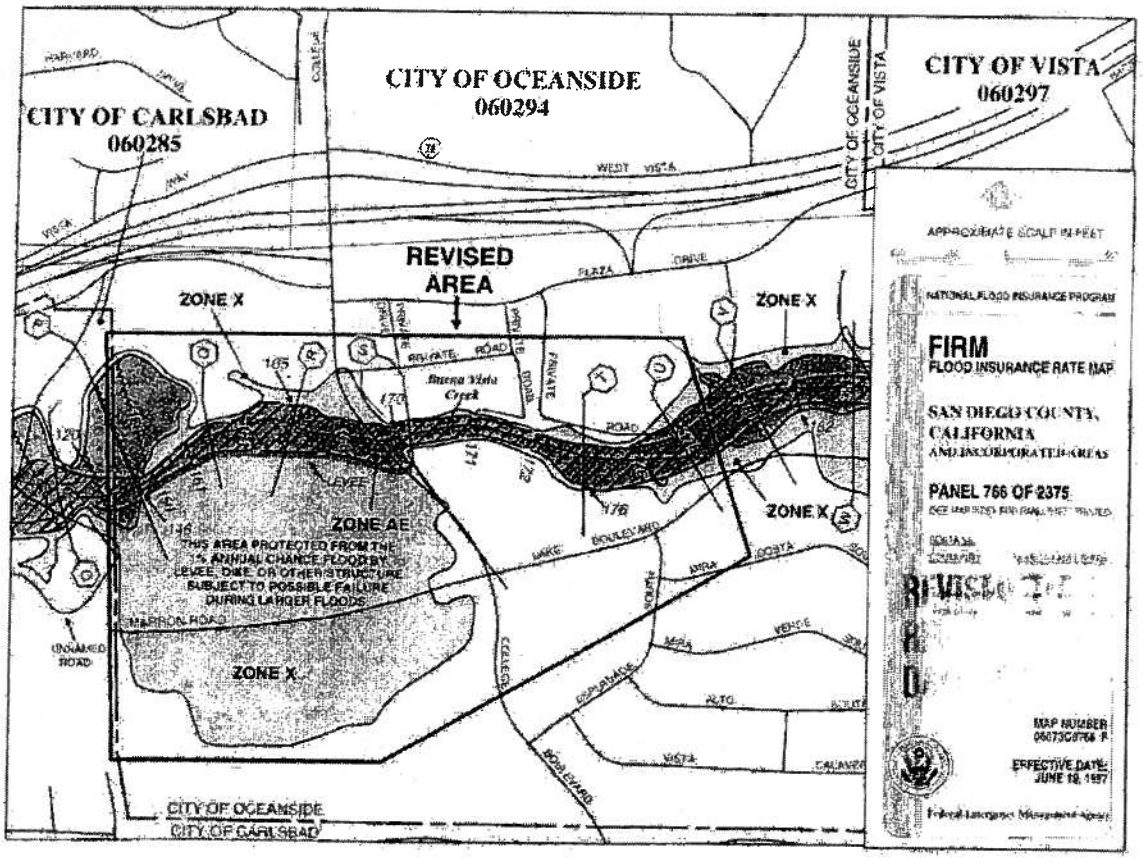
The easterly basin area overland surface flows to a curb opening in the northeast corner of the parking lot. This opening allows the storm flows to enter and receive treatment in a biofilter. This biofilter reduces pollutants before outletting to via a proposed 12" storm drain which will connect to the proposed 24" RCP pipe.

A portion of the southerly basin area (roof surface and landscaping) discharges to a biofilter with a perforated pipe under drain that terminates in a new "F" inlet that also connects to the cleanout mentioned above.

This increase to the total storm flow from the Project is attributable to increasing the hydrologic "C" value of the site due to reclassification of the site to industrial. This reclassification considers the overall increase in the impervious areas as a percent of the entire project as a contributing factor to this increase of "C" value.

The lowest elevation (approximately 184) of the improvements for the Project is located above the Base Flood Elevation of 178 established on FEMA Panel 766 of 2375 shown in Figure 4. This is verified by the issuance of a Letter of Map Revision (LOMR) dated July 8, 2004. The Project is therefore not subject to adverse effects due to Creek flooding or erosive velocities.

FIGURE 4



CLOMR Revised FIRM

4.0 CHARACTERIZATION OF PROJECT RUN-OFF

As previously stated, the pollutants on the 303(d) list associated with Buena Vista Creek, Buena Vista Lagoon and the Pacific Ocean shoreline at Buena Vista Creek HA are sediment toxicity, nutrients, sedimentation/siltation and bacteria indicators. These impairments directly relate to urban runoff and stream channel modification which occur throughout the HU. Additionally, no sampling or monitoring data are available for the existing site condition.

Other than the impaired waters downstream of this Project (identified in §3.0) no additional impaired water bodies in this HU are affected by this Project.

4.1 POLLUTANTS OF CONCERN AND SOURCES

Due to the impairments of downstream waters, this report considers the primary pollutants of concern as those identified in the 303(d) list; nutrients, bacteria, sediments and heavy metals. Heavy metals are a contributory factor to sediment toxicity.

The nature of the project development can produce secondary pollutants of concern. Table 3 shows pollutants of concern commonly found on developments with similar Priority Project characteristics. These pollutants could affect water quality. The pollutants listed not already considered as being primary pollutants, are considered as secondary pollutants. Implementation of site design (low impact development), source control and treatment control BMPs during and after construction eliminates these pollutants to the maximum practicable extent.

The sources and affects of the primary and secondary pollutants of concern occurring on similar type projects are identified after Table 3.

TABLE 3

Priority Project Categories	General Pollutant Categories								
	Sediments	Nutrients	Heavy Metals	Organic Compounds	Trash & Debris	Oxygen Demanding Substances	Oil & Grease	Bacteria & Viruses	Pesticides
Housing Development	X	X			X	X	X	X	X
Restaurant					X	X	X	X	
Parking Lots	P(1)	P(1)	X		X	P(1)	X		P(1)

X = anticipated
P = potential

(1) A potential pollutant if landscaping exists on-site.
(2) A potential pollutant if the project includes uncovered parking.
(3) A potential pollutant if land use involves food or animal waste products.
(4) Including petroleum hydrocarbons
(5) Including Solvents.

Anticipated & Potential Pollutants Generated by Land Use Type

4.2 POLLUTANT SOURCES AND AFFECTS

The potential sources for the constituents of concern for the project could be, but are not limited to those listed below:

- Sediments – Sediments are soils or other surficial materials eroded and then transported or deposited by the action of wind, water, ice, or gravity. Sediments can increase turbidity, clog fish gills, reduce spawning habitat, lower young aquatic organisms survival rates, smother bottom dwelling organisms, and suppress aquatic vegetation growth.
- Nutrients – Nutrients are inorganic substances, such as nitrogen and phosphorus. They commonly exist in the form of mineral salts that are either dissolved or suspended in water. Primary sources of nutrients in urban run-off are fertilizers and eroded soils. Excessive discharge of nutrients to water bodies and streams can cause excessive aquatic algae and plant growth. Such extessive production, referred to as cultural eutrophication, may lead to excessive decay of organic matter in the water body, loss of oxygen in the water, release of toxins in sediment, and the eventual death of aquatic organisms.
- Metals – Metals are raw material components in non-metal products such as fuels, adhesives, paints, and other coatings. Primary source of metal pollution in storm water are typically commercially available metals and metal products. Metals of concern include cadmium, chromium, copper, lead, mercury, and zinc. Lead and chromium have been used as corrosion inhibitors in primer coatings and cooling tower systems. At low concentrations naturally occurring in soil, metals are not toxic. However, at higher concentrations, certain metals can be toxic to aquatic life. Humans can be impacted from contaminated groundwater resources, and bioaccumulation of metals in fish and shellfish. Environmental concerns, regarding the potential for release of metals to the environment, have already led to restricted metal usage in certain applications.
- Trash & Debris – Trash (such as paper, plastic, polystyrene packing foam, and aluminum materials) and biodegradable organic matter (such as leaves, grass cuttings, and food waste) are general waste products on the landscape. The presence of trash & debris may have a significant impact on the recreational value of a water body and aquatic habitat. Excess organic matter can create a high biochemical oxygen demand in a stream and thereby lower its water quality. Also, in areas where stagnant water exists, the presence of excess organic matter can promote septic conditions resulting in the growth of undesirable organisms and the release of odorous and hazardous compounds such as hydrogen sulfide.
- Oxygen-Demanding Substances – This category includes biodegradable organic material as well as chemicals that react with dissolved oxygen in water to form other compounds. Proteins, carbohydrates, and fats are examples of biodegradable organic compounds. Compounds such as ammonia and hydrogen sulfide are examples of oxygen-demanding compounds. The oxygen demand of a substance can lead to depletion of dissolved oxygen in a water body and possibly the development of septic conditions.
- Oil and Grease – Oil and grease are characterized as high-molecular weight organic compounds. Primary sources of oil and grease are petroleum hydrocarbon products, motor products from leaking vehicles, esters, oils, fats, waxes, and high molecular-weight fatty acids. Introduction of these pollutants to the water bodies are very possible due to the wide uses and applications of some of these products in municipal, residential, commercial, industrial, and

construction areas. Elevated oil and grease content can decrease the aesthetic value of the water body, as well as the water quality.

- Bacteria and Viruses – Bacteria and viruses are ubiquitous microorganisms that thrive under certain environmental conditions. Their proliferation is typically caused by the transport of animal or human fecal wastes from the watershed. Water, containing excessive bacteria and viruses can alter the aquatic habitat and create a harmful environment for humans and aquatic life. In addition, the decomposition of excess organic waste causes increased growth of undesirable organisms in the water.
- Pesticides – Pesticides (including herbicides) are chemical compounds commonly used to control nuisance growth or prevalence of organisms. Excessive application of a pesticide may result in run-off containing toxic levels of its active component.

5.0 MITIGATIVE MEASURES TO PROTECT WATER QUALITY

To address water quality for the project, implementation of necessary BMPs to reduce pollutant transport to the maximum extent practicable during construction and post construction phases is mandatory. The Project SWPPP, available upon grading permit approval, addresses appropriate construction phase BMPs. Table 4 identifies the necessary post construction BMPs categories. As previously identified, the Project is best described as being a combination of the housing development, restaurant and parking lot categories.

TABLE 4

			BMPsApplicable to Individual Priority Project Categories(3)											
Priority Project Category	***LID (Site Design) BMPs(1)***	***Source Control BMPs(2)***	a. Private Roads	b. Residential Driveways & Guest Parking	c. Dock Areas	d. Maintenance Bays	e. Vehicle Wash Areas	f. Equipment Wash Areas	g. Outdoor Processing Areas	h. Surface Parking Areas	i. Fueling Areas	j. Hillside Landscaping	k. Roadways	***Treatment Control BMPs(4)***
Housing Development (10 dwelling units(6)	**R**	**R**	**R**	**R**								**R**		**S**
Restaurants	**R**	**R**			**R**			**R**						**S**
Parking Lots	**R**	**R**								**R(5)**				**S**

R = Required; applicable and appropriate BMPs from the applicable steps in SUSMP Section 3.2.1– 3.2.4, or equivalent as identified in SUSMP Appendix B.
O = Optional. May be required by City staff. As appropriate, incorporate treatment control BMPs and BMPs applicable to individual priority project categories into the project design.
S = Select one or more applicable and appropriate treatment control BMPs from SUSMP Appendix B.
(1) Refer to SUSMP Section 3.2.1.
(2) Refer to SUSMP Section 3.2.2.
(3) Priority project categories must apply specific stormwater BMP requirements, where applicable. Priority projects are subject to the requirements of all priority project categories that apply. Refer to SUSMP Section 3.2.3.
(4) Refer to SUSMP Section 3.2.4.
(5) Applies if the paved area totals >5,000 square feet or with >15 parking spaces and is potentially exposed to urban runoff.
(6) This category includes single family homes, multi-family homes, condominiums, and apartments.

Table extracted from the City of Oceanside Interim Standard Urban Storm Water Mitigation Plan, March 2008

Standard Development Project and Priority Project Storm Water BMP Requirements Matrix

As a Priority Project, these categories require addressing and appropriate BMPs from the applicable categories below or equivalents as approved by the City:

- Low Impact Development (LID) and Site Design BMPs
- Source Control BMPs
- BMPs applicable to specific categories
  1. Private Roads
  2. Residential Driveways & Guest Parking
  3. Dock Areas
  4. Equipment Wash Areas
  5. Surface Parking Areas
  6. Hillside Landscaping
- Treatment Control BMPs

Discussions of the above follow in the succeeding subsections.

5.1 Low Impact Development (LID) and Site Design Bmps

Low Impact Development (LID) or site design BMPs reduce the need for, or size of, source and/or treatment control BMPs. Source control BMPs may also reduce the amount and extent of treatment control BMPs needed. In addition, runoff treated by LID and site design or source control BMPs, such as rooftop runoff treated in landscaping, may be useful in reducing the quantity of runoff required to be treated for priority projects.

LID denotes a stormwater management and land development strategy that emphasizes conservation and the use of on-site natural features integrated with engineered, small-scale hydrologic controls that closely reflect pre-development hydrologic functions. Projects address SUSMP objectives through the creation of a hydrologically functional project design that attempts to mimic the natural hydrologic regime.

This Project pursues the mimicking of a site's natural hydrologic regime by:

Maintain Pre-development Rainfall Characteristics:

- Minimize impervious areas. – Impervious areas are minimized through the consolidation of various functions within the building structures while providing a multi-story building for increased density, providing the minimum number of vehicle parking spaces allowed, utilizing minimum driveway and aisle widths while maintaining sufficient space for vehicle and pedestrian maneuvering safety. Decorative concrete usage in landscape design is minimized with the use of paver blocks or graveled surfaces wherever possible.
- Conserve natural areas. – The Project development site previously disturbed by mass grading operations relegates the entire mass graded area as not environmentally sensitive. The site contains no natural resources for conserving. A portion of the eastern part of the site remains undisturbed, in addition to the south bank of the Creek up to the existing top of bank. Additionally, earlier disturbance of the site altered natural drainage courses. The site is vegetated by ground cover and grass growth designed for erosion control that is not desirable to preserve. The mass graded condition of the site determines that whatever grading is necessary results in minimal disturbance.
- Minimize directly connected impervious areas. (DCIA). DCIA minimization is accomplished by draining paved surfaces to vegetated surfaces or treatment BMPs before discharge to the

MS4 and also by directing rooftop drainage either into adjacent landscaping before positively draining to paved surfaces or directing to treatment BMPs. These measures disconnect the paved surfaces and roof areas from the MS4.

- Maximize canopy interception and water conservation. – There are no existing shrubs or existing trees within the Project site proposed for disturbance. The only trees nearby are within the sensitive environmental boundary where no disturbance will occur. The Project landscape architect's plans dictate the plantings, which should consist of native or drought tolerant species within the trees, shrubs and groundcover categories.
- Minimize soil compaction. – Soil compaction is minimized wherever possible (due to previous mass grading and compaction) by;
  a. The topsoil layer having a minimum depth of eight inches wherever designated planting areas occur.
  b. Scarifying subsoils below the topsoil layer within landscaped areas by at least 4 inches. So layers do not stratify, incorporate some of the upper material, if feasible.
  c. A topsoil layer shall have a minimum organic matter content of 10% dry weight in planting beds and 5% organic matter content in turf areas. Maintain a soil pH from 6.0 to 8.0.
  d. Mulch planting beds with two or more inches of organic material. This improves water retention and infiltration while protecting the surface root zone from temperature extremes. (See Section 2 of *The County of San Diego Low Impact Development Handbook* for design guidelines).
- Maximize retention & detention. – Landscaped islands within parking lot bays that aren't utilized for pedestrian crossings will utilize bioretention where drainage patterns dictate feasibility. The biofilters present an opportunity for evapotranspiration of storm water with the minimizing of transport velocities. The Filterra detains storm flows underground and releases them treated to the MS4.

Protect Slopes and Channels:

- There are no natural drainage patterns to preserve. The mass graded drainage outfall locations are consolidated to eliminate "cross lot" drainage to adjacent parcels and discharge at an existing outfall with velocity dissipation.
- Runoff is not directed over sloped areas from the Project. Berming is employed at all areas sloping away from the site thereby containing flows within the Project.
- Any slopes introduced by Project grading are of a minimum height. Manufactured slope's vegetation consists of native or drought tolerant species per landscaping plans.
- Control and treat flows in landscaping and/or other controls prior to reaching existing natural drainage systems.
- There are no permanent channel crossings requiring stabilization.
- Entrances to biofilters and roof outlets that discharge to landscaped areas utilize energy dissipation devices to minimize erosion. All flows exit the site through an existing connection to the MS4.
- Implementation of on-lot hydrologically functional irrigation and landscape design and management practices.

Initial consideration of the use of permeable surface treatments on parking bays as a site design feature was overruled due to the limited parking designated for the development and absence of parking overflow areas.

The public storm water conveyance system is designed with full development of this parcel as a consideration and this development will not adversely impact the system. The outfall pipe replacement is due to the existing piping material requiring updating.

All storm flows will mimic the existing flow pattern condition within the existing drainage basin. The outflows of these basins are consolidated to one location. The increase in post-development peak flow due to increased imperviousness of the site is mitigated by the use of these site design BMPs.

5.2 SOURCE CONTROL BMPS

Source control BMPs for the Project are selected to comply with all applicable ordinances and guidance documents. Their inclusion in this Project indicates that their construction and maintenance follow the same guidelines. The construction BMPs that may be utilized on this Project are identified on the grading plan construction drawings and outlined by the SWPPP.

Stormwater System Stenciling & Signage. – Any existing public storm drain inlets affected by project drainage (if not already signed), as well as all on-site private inlets, will be posted with signage, stamped or stenciled (as appropriate to location) to provide notice against illegal dumping of pollutants with prohibitive language or graphics to the satisfaction of the City Engineer. These warnings shall be maintained for legibility throughout the development's existence. The owner/developer will provide information to increase the knowledge of tenants/employees/future owner regarding impacts of pollutants and urban run-off on receiving waters and the usage of potential BMPs for the specific land use to affect the behavior of tenants/employees/future owner and thereby reduce pollutant releases to the environment.

Outdoor Material Storage. – There is no planned outdoor storage of any types of materials. All material storage areas are located indoors or shall be contained in an appropriate enclosure with a roof or overhang that prevents contact with rain. Preclude runoff or spillage to the stormwater conveyance system with secondary containment structures such as berms, dikes or curbs.

Trash Storage Areas. – All trash storage areas shall have concrete enclosures of masonry screen walls with gated openings. In addition, all refuse and recycling storage areas are covered with a roof or the trash containers have integral, locking lids that remain closed when not in use. The containers are stored on a concrete pad graded to preclude run-on of drainage flows from adjoining areas. No trash or recycling materials are stored outside of the properly designated containers. Refuse removal is on a regular basis or when dictated by containers reaching capacity.

Integrated Pest Management Principles. – An integrated pest management (IPM) strategy is an ecosystem-based pollution prevention strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant plant varieties. If fertilizers and pesticides are necessary after natural, non-polluting methods have failed, they are applied per manufacturer's minimum rates and guidelines to reduce the potential of pollutant transporting to the environment and the risk to human health or beneficial non-target organisms. Use of pesticides occurs only after monitoring indicates other IPM methods have failed. Pest control materials selected and applied in a manner that minimize risks. Obtain more information on IPM principles from the UC Davis website

(http://www.ipm.ucdavis.edu/water/u/index.html). The owner/developer will provide information on IPM practices, at the minimum relating to:

- the prevention of pests intrusion to buildings and landscaping using barriers, screens, and caulking;
- physical pest elimination techniques, such as, weeding, squashing, trapping, washing, or pruning out pests;
- relying on natural enemies to eat insect pests and the proper use of pesticides as a last line of defense;
- mosquito vector control by eliminating or removing occurrences of standing or stagnant water within 72 hours after a rainfall.

The employment of an effective IPM strategy prevents the pollution associated with chemical habitat manipulations.

Efficient Irrigation & Landscape Design. – Landscape irrigation systems shall be of an efficient design with respect to each landscaped area's plantings specific water requirements. System installations shall be maintained on a regular and timely basis to prevent over-watering and the transport of silts, sediments, fertilizers and pesticides (when fertilizers and pesticides are used) into the storm drain system. Rain shut-off devices or moisture sensors shall be integral to the operation of the irrigation system to avoid unnecessary irrigation during wet weather conditions. Flow reducers or shut-off valves installed control loss of water due to unexpected pressure drops or other type of system compromise. Pest resistant, drought tolerant or native plants (per landscape architect plans) are used throughout the Project.

5.3 Specific Land Use Category BMPs

a) Private Roads. – There are no private roads proposed for this project. All drive aisles are the minimum width allowable.

b) Residential Driveway and Guest Parking. – Development driveways are used for simultaneous access and exit preventing single lane at street. Private land areas of driveways and guest parking areas drain to a vegetated surface before entering the MS4.

c) Dock Areas. – There are no loading docks or truck wells proposed for this project. All shipping and receiving will be by individual, closed containers and handled on an as needed basis by the respective shipping company.

d) Equipment Wash Areas. – Any equipment wash areas proposed for this project are located indoors and drain to a wastewater clarifier or grease trap properly connected to the sanitary sewer. Any outdoor equipment washing or steam cleaning will be in a self-contained bermed area to prevent contamination of urban runoff. The area will be able to capture wastes in a sump for collection and proper disposal or be connected to a waste clarifier or separator properly connected to the sanitary sewer system.

e) Surface Parking Areas. – All parking areas drain to a vegetated area (approximately 0.78 acre) or a proprietary treatment device before collection by the drainage system. The parking areas contain the minimum number of spaces allowed by code; therefore availability of overflow parking for pervious pavement treatment is not an option.

f) Hillside Landscaping. – There are no steep hillside areas disturbed by Project development.

5.4 TREATMENT CONTROL BMPS

The primary pollutants of concern; bacteria, nutrients, sediments and heavy metals are considered pollutants that tend to associate with fine particles during treatment and nutrients are considered pollutants that tend to be dissolved during treatment (per Table 5, next page). Additionally, nutrients tend to be dissolved following treatment. Table 5 also shows that sediment is associated with coarse particles which can be considered a gross pollutant.

Selected as treatment BMPs for this Project are vegetated swale biofilters (biofilters) and an Americast® Filterra® bioretention treatment system (Filterra). The Site Map exhibit (Figure 5) contains treatment BMPs locations and details while the Tributary Area Map (Figure 6) contains contributory drainage areas. There are two (2) biofilters and one (1) Filterra designed for the Project. Figures 5 and 6 follow this subsection. Attachment E contains a full size (24"x36") of Figure 5.

Per the selection matrix, Table 6 (next page), the "Bioretention" category most accurately describes a biofilter. It offers "High" treatment to the primary pollutants of bacteria, nutrients, sediments and heavy metals. Nutrients as a dissolved pollutant receive "Medium" treatment by the same BMP. A Filterra most closely falls into the "High Rate Biofilter" category offering "Medium" treatment to the primary pollutants while additionally providing "High" treatment to sediment as a gross pollutant but "Low" efficiency to dissolved nutrients.

TABLE 5

Pollutant	Coarse Sediment & Trash	Pollutants That Tend to Associate with Fine Particles During Treatment	Pollutants That Tend to be Dissolved Following Treatment
Sediment	X	X	
Nutrients		X	X
Heavy Metals		X	
Organic Compounds		X	
Trash & Debris	X		
Oxygen Demanding		X	
Bacteria		X	
Oil & Grease		X	
Pesticides		X	

Table extracted from the City of Oceanside Interim Standard Urban Storm Water Mitigation Plan, March 2008

Description of Pollutants of Concern

TABLE 6

Pollutants of Concern	Treatment Control BMP Categories							
	Bioretention Facilities (LID)	Settling Basins (Dry Ponds)	Wet Ponds and Wetlands	Infiltration Facilities or Practices (LID)	Media Filters	High rate biofilters	High rate media filters	Trash Racks & Hydro – dynamic Devices
Gross Pollutants	High	High	High	High	High	High	High	High
Pollutants Associated with Fine Particles	High	High	High	High	High	Medium	Medium	Low
Dissolved Pollutants	Medium	Low	Medium	High	Low	Low	Low	Low

Table extracted from the City of Oceanside Interim Standard Urban Storm Water Mitigation Plan, March 2008

Treatment Control BMP Selection Matrix

A biofilter is a broad, shallow channel with a dense stand of vegetation covering the side slopes and bottom. Biofilters are designed to trap particulate pollutants (suspended solids and trace metals), filter pollutants through the vegetation, promote infiltration, and reduce the flow velocity of storm water runoff.

A biofilter, with underdrain, alongside and adjacent to the parking area on the easterly side receives sheet flow from the parking area in addition to some roof drainage and permeable area runoff. The biofilter allows for infiltration of some pollutants as well as filtration of silt and sediments through the plantings. After receiving treatment in the biofilter, surface and underdrain flows discharge to a Type "F" catch basin. This Type "F" conveys the treated discharge to underground piping and the creek at a location that is fortified with existing rip rap.

The location of the other biofilter, with underdrain, is between the southern property line (Lake Boulevard right of way) and the building. It flows in a westerly direction and treats flows from the adjacent landscaped areas and building roof areas. The flow is collected by a Type "F" inlet conveying the treated discharge to the same location as above.

The biofilter sizing for the tributary areas is per the requirements outlined in the design criteria of "California Storm Water Best Management Practice Handbook, New Development and Redevelopment" by the California Stormwater Quality Association, January 2003. The biofilter sizing in Table 7 shows the relation between the recommended criteria and the designed biofilters applying the sizing criteria contained in the handbook. The detailed calculations for biofilter sizing are contained in Appendix D.

TABLE 7

	CASQA GUIDELINE	BIOFILTER DESIGN CRITERIA
Length (feet)	100 (Min.)	100
Flow Velocity (ft/sec)	1.0 (Max.)	0.23
Bottom Width (ft)	2 – 16	2
Longitudinal Slope (%)	5 (Max.)	1.0
Side Slope (Horiz:Vert)	4:1, 2:1 (Max.)	2:1
Flow Depth (in)	4 (Max.)	3
Residence Time (minutes)	5 (Min.)	7.24
Tributary Drainage Area (Acres)	< 10	2.15

Biofilter Swale Sizing Guideline and Design

The Filterra consists of a concrete container, mulch layer, a unique soil filter media, an observation/clean out pipe, an under-drain system and an appropriate type of plant i.e., flowers, grasses, shrub, or tree. Stormwater runoff drains directly from impervious surfaces through an inlet structure in the concrete box and flows through the mulch, plant and soil filter media. Treated water flows out of the system via an under-drain within the box structure, connecting to a storm drain pipe or other appropriate outfall. The concrete containers and treatment media are below grade with the only feature visible being the top concrete slab, tree grate, plant, and inlet opening. Filterra looks very similar to an ordinary tree box except that it is specially designed to treat runoff. This is one of the few commercially available BMPs that can also help to enhance the aesthetic value of the urban setting. The aesthetics of its landscaping enhances appearance, habitat and pollutant removal. The versatility of design, supported by Americast® engineering design team (flora selection and sizing), facilitates its use in new or retrofit applications. The design adaptability allows the system to be used alone or in conjunction with other treatment BMPs. To assure long term effectiveness, a standard maintenance agreement is included with the purchase of every unit.

Filterra is based on bioretention technology. Bioretention has been defined as filtering stormwater runoff through a terrestrial aerobic plan/soil/microbe complex to capture, remove, and cycle pollutants through a variety of physical, chemical, and biological process. The multiple pollutants removal mechanisms of this technology make it the most efficient of all BMP's. The word "Bioretention" was derived from the fact that the biomass of the plant/microbe complex retains, Degrades, uptakes, and cycles many of the pollutants. Contaminants of concern including bacteria, nitrogen, phosphorus, heavy metals, and organics such as oil/grease and polycyclic aromatic hydrocarbons (PAH). Therefore, it is the "bio"-mass that ultimately "retains" and transforms the pollutants- hence" Bio-retention".

Pollutants are captured, cycled, and removed by a wide variety of complex physical, chemical, and biological processes as the contaminated runoff flows onto and through the mulch/soil/microbe/plant treatment system. Suspended soils are removed through sedimentation as runoff is allowed to pond above the filter media with filtration of pollutants as the runoff passes through the media. Organic compounds are removed by chemical complexing with the organic constituents of the media, microbial

degradation, filtration, and sedimentation. Nitrogen is capture through physical and chemical means and removed through nitrification, denitrification, and plant uptake. Phosphorus is removed through absorption, sedimentation, precipitation and plant uptake. Heavy metals are removed through sedimentation, organic complexing, precipitation, absorption, and plant uptake.

The Filterra is one of the most cost effective stormwater treatment systems available with relatively low costs for materials, installation and long-term maintenance. The testing performed by the University of Virginia proved that the Filterra meets or exceeds federal and state (VA) regulatory requirements for pollutant removal. Table 8 itemizes typical pollutant removal efficiencies as defined by that testing.

TABLE 8

TSS Removal	82%
Phosphorous Removal	73%
Nitrogen Removal	42%-45%
Heavy Metal Removal	33%-82%
Fecal Coliform	57%-76%
Predicted Oil & Grease	>85%

Filterra® Expected Average Pollutant Removal Rates

The pollutant removal mechanisms operate in two distinct time scales. The first time scale occurs during the storm event when pollutants come into contact with the media and are capture instantaneously through sedimentation, filtration, absorption, infiltration, and chemical precipitation. The second time scale is between storm events. Pollutants removal and cycling occurs in a mater of hours, days, and weeks through biological degradation, biological uptake, and volatilization. The Filterra filter media is designed to capture pollutants during the storm event while biological process degrade, metabolize, detoxify and volatize the pollutants during and between storms.

5.5 SUMMARY

Limiting the production of the primary pollutants of concern: bacteria, nutrients, sediment and heavy metals, is achieved by implementing the LID, source control and treatment BMPs outlined above.

Having an effective IPM program preventing access of animal pests to trash receptacles and desirable environments will control the production of bacteria and nutrients. The use of natural methods for fertilizations and pest control in landscaping keeps the introduction of nutrients and bacteria to a minimum. With adequately established ground plantings to prevent soil erosion there is a limited possibility for sediment production from eroded soils. The performing of all equipment washing indoors and directing wastes to a wastewater clarifier or equivalent prevents the oxygen demanding substance pollutants commonly found in food preparation processes from entering the stormwater flows. With no outdoor processing and a minimum number of allowable parking spaces, the introduction of heavy metals to contribute to sediment toxicity is reduced.

All landscaped areas (indicated on Figure 5) and undisturbed natural areas offer some characteristics of biofiltration (porous surface and vegetation) for irrigation and drainage flow waters. Mulching, seeding and planting of these areas provide biofiltration of any necessary pesticide and fertilizer applications. Following manufacturer guidelines to avoid over-treatment of landscaping with pesticide & fertilizers will provide a limited occurrence of pollution from these products in the planted areas of the Project.

The selected treatment BMPs in conjunction with the LID and source control BMPs provide medium or higher (per SUSMP) removal for the primary pollutants and adequate removal for secondary pollutants which could emanate from the project site. Moreover, the proper use and adequate maintenance of the biofilters and Filterra allow these effective treatment BMPs to work to their ultimate capabilities. The filtration and biofiltration of the primary and secondary pollutants by the selected BMPs prevent those pollutants from entering downstream waters.

6.0 Stormwater BMP Maintenance

The Project owner/developer is financially responsible for the implementation of the SWPPP and the construction/installation of the post- development BMPs. The owner/developer is also responsible for the performance of the maintenance of the permanent treatment BMPs. The applicant must ensure implementation and maintenance of the BMPs through the maintenance mechanism identified below. This mechanism must be acceptable to the City. The City Engineer will not consider structural BMPs "effective," and therefore will not accept stormwater BMPs as meeting the MEP standard, unless a mechanism is in place that will ensure ongoing long-term maintenance of all structural BMPs. Additionally, maintenance of the private onsite storm drains, landscaping and general housekeeping is the responsibility of the owner/developer.

Landscaping maintenance for permanent stabilization of graded areas will be the responsibility of the owner/developer. If there is no building construction within thirty days of completion of grading or in the event that the development halts, the site must be protected from erosion and all disturbed areas must be stabilized.

Most of the permanent BMPs accrue minimal maintenance costs and are consolidated within normal operational costs. The biofilters, in addition to soil stabilization features of; mulching, seeding and plantings are part of a continuing landscape maintenance program.

Maintenance of the Filterra is an additional cost above normal operational costs. A maintenance contract entered into with the Filterra provider upon installation will insure continued monitoring and its proper operation. The contract provides for necessary maintenance and needed repairs to continue effectiveness for the length of the contract.

Development of an Operation & Maintenance (O&M) Plan for the Project BMPs is the responsibility of the owner/developer or the applicant at their mutual agreement. The O&M Plan follows approval of this SWMP and prior to the issuance of any grading and/or building permits.

6.1 Maintenance Mechanisms

Installation and maintenance of the post-development BMPs is the responsibility of the owner/developer.

The Project proponent agrees to maintain, repair and replace the stormwater BMPs as necessary into perpetuity as described in §4.1.2 of the SUSMP. A Storm Water Facilities Maintenance Agreement (SWFMA) is required. A security will be required (of a form suitable to the City's determination) to back-up the SWFMA in an amount determined by the City Engineer based upon costs contained in the O&M Plan.

The permanent responsibility of the post-development BMPs remains with the property through the SWFMA. Deed language will place the responsibility for all future maintenance upon the owner of record.

7.0 CONCLUSION

This SWMP has shown LID (site), source and treatment BMPs that satisfy the requirements identified in the SUSMP. This report insures, to the maximum extent practicable, that the development of the Project does not increase pollutant loads from the site.

The effectiveness of these BMPs depends upon the proper operation procedure and effective maintenance on a definitive schedule that is identified within the O&M Plan. Long-term fiscal resources are necessary to provide the appropriate operation and maintenance activities to prolong the effectiveness of the identified BMPs. The property owner is responsible for providing maintenance as outlined in the O&M Plan and agreed to in the SWFMA. The provision of maintenance to BMPs is enforceable in accordance with the currently applicable City of Oceanside ordinances, policies and regulations.

It is shown that this project can meet the water quality objectives as outlined in Order R9-2007-01 with the BMPs identified in this report as located on the Site Plan. An analysis has been performed to ensure that the site can accommodate the water quality BMPs. Therefore, it is anticipated that the downstream waters will not be affected by this Project with the proper implementation, operation and maintenance of these BMPs.

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July 11, 2008

Mr. Gary Bardovi
Dvoretzky Bardovi Bunnell Architects
3611 Motor Avenue, Suite 108
Los Angeles, CA 90034

LLG Reference: 3-06-1659

Subject: **Lil Jackson Senior Community Project**
City of Oceanside

Dear Gary:

Per your request, Linscott, Law & Greenspan, Engineers (LLG) has reviewed the recently revised project site plan you submitted for the Lil Jackson Senior Community Project. This site plan varies from the site plan assessed by LLG in the January 2007 traffic study in that the circulation along the back of the building has been modified, as has the overall parking count. LLG understands that these changes have occurred due to increased setbacks for habitat now required along the north side of the property.

Figure 1 shows the revised site plan. Drive aisle width and parking stall layout appear adequate to provide acceptable on-site circulation. It appears that the hammerhead turnaround at the west end of the site has been designed appropriately to accommodate emergency vehicles. Some parking spaces have been lost due to the changes; however LLG understands that City Staff have agreed to a parking rate of 0.5 spaces/unit for this site based on empirical data provided by the applicant regarding like-projects elsewhere in the United States, and that the parking supply shown (41 spaces) is acceptable.

LLG does not observe any fatal flaws with the changes that have occurred, nor would these changes cause any new impacts to the analysis presented in our January 2007 report.

Sincerely,

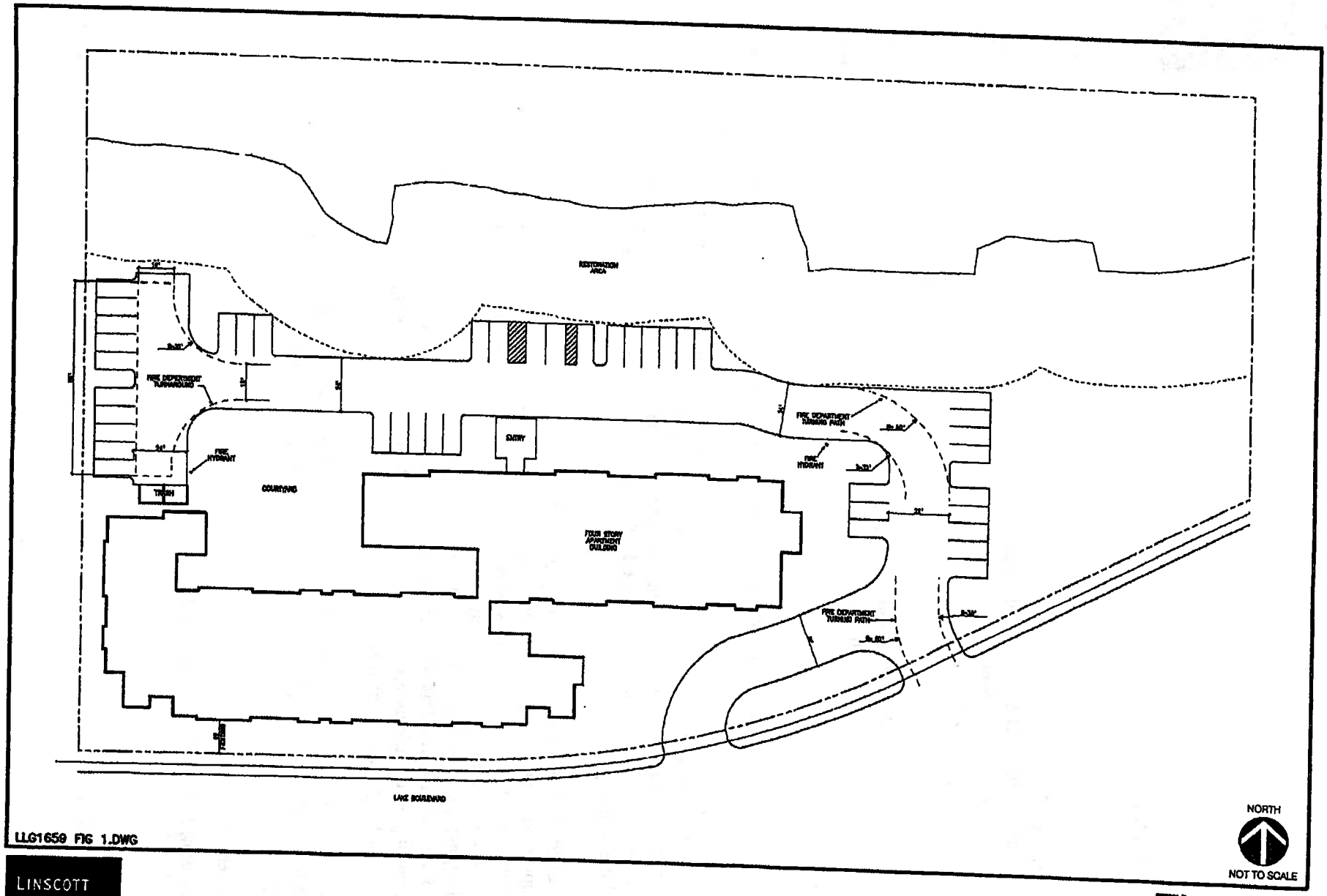
Linscott, Law & Greenspan, Engineers

Chris Mendiara
Senior Transportation Planner

cc: File
Attachment: ***Figure 1*** – Revised Project Site Plan

Philip M. Linscott, PE (1924-2000)
Jack M. Greenspan, PE (Ret.)
William A. Law, PE (Ret.)
Paul W. Wilkinson, PE
John P. Keating, PE
David S. Shender, PE
John A. Boarman, PE
Clare M. Look-Jaeger, PE
Richard E. Barretto, PE
Keil D. Maberry, PE

An LGZWB Company Founded 1966

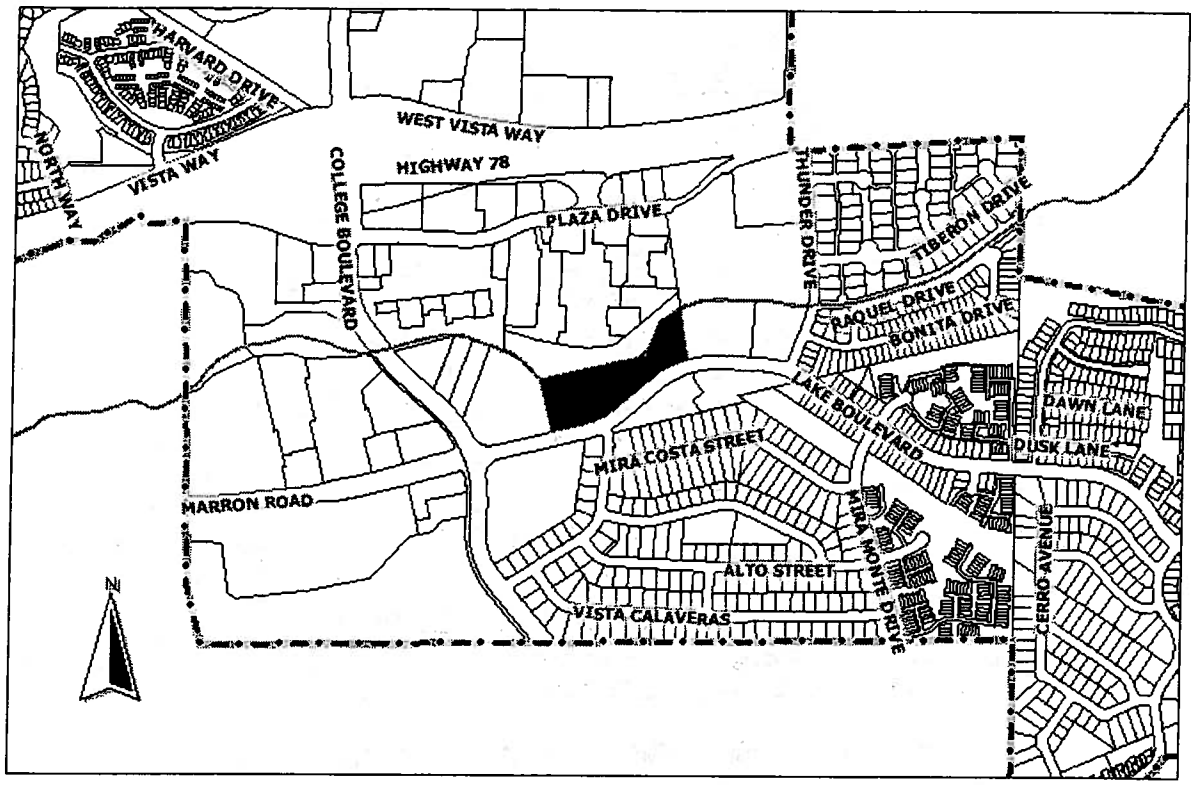


LINSCOTT LAW & GREENSPAN engineers

Figure 1

Revised Project Site Plan

LIL JACKSON SENIOR COMMUNITY PROJECT



File Number: P-19-06, D-26-06, C-49-06

Applicant: Southern Cal Presbyterian Homes

Description:

Consideration of a TENTATIVE PARCEL MAP (P-19-06), DEVELOPMENT PLAN (D-26-06), and CONDITIONAL USE PERMIT (C-49-06) to create two lots and construct an 80-unit residential structure. The project is located in the 3800 block of Lake Boulevard, the RH-U District and the Lake Neighborhood. – **LIL JACKSON**

Environmental Determination:

A Mitigated Negative Declaration has been prepared stating that if the conditions of approval are implemented, there will not be a significant adverse impact upon the environment. Under the provisions of the California Environmental Quality Act, the Planning Commission will consider the Mitigated Negative Declaration during its hearing on the project.

City of Oceanside, Planning Division
300 N. Coast Highway
Oceanside, CA 92054
(760) 435-3520

Application For Planning Commission Hearing

Planning Department (760) 435-3520
Oceanside Civic Center
300 North Coast Highway
Oceanside, California 92054-2885

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Please Print or Type All Information

STAFF USE ONLY	
ACCEPTED 10/17/06	BY SN.
HEARING	
GPA	
MASTER/SP.PLAN	
ZONE CH.	
TENT. MAP	
PAR. MAP	P-19-06
DEV. PL.	D-26-06
C.U.P.	C-49-06
VARIANCE	
COASTAL	
O.H.P.A.C.	

PART I – APPLICANT INFORMATION

1. APPLICANT: BEN BECKLER, SO. CAL PRESBYTERIAN HOMES
2. STATUS: DEVELOPER
3. ADDRESS: 516 BURCHETT STREET, GLENDALE, CA 91203-3662
4. PHONE/FAX: 818 247-0420, 818 265-0058
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing): GARY BARDOVI, DVORETZKY BARDOVI BUNNELL ARCHITECTS
6. ADDRESS: 3611 MOTOR AVE, SUITE 108, LOS ANGELES CA 90034
7. PHONE/FAX: 310 559-1332, 310 559-1442

PART II – PROPERTY DESCRIPTION

8. LOCATION: LAKE BLVD AT. ESPLANADE ST.
9. SIZE: 2.2 AC
10. GENERAL PLAN: RH-U
11. ZONING: CC
12. LAND USE: VACANT LAND
13. ASSESSOR'S PARCEL NUMBER: 168-012-28

PART III – PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION: DEVELOPMENT PLAN & TENTATIVE PARCEL MAP FOR 80 UNITS OF RESTRICTED INCOME, SENIOR APARTMENTS AND ON-GRADE PARKING.

15. PROPOSED GENERAL PLAN	16. PROPOSED ZONING	17. PROPOSED LAND USE	18. NO. UNITS	19. DENSITY
RH-U	CC	APARTMENTS	80	36.4 u/A

20. BUILDING SIZE	21. PARKING SPACES	22. % LANDSCAPE	23. % LOT COVERAGE
62,306 S.F.	80	42%	22%

PART IV – ATTACHMENTS Rev - 3/19/07, 12/7/07, 7/16/08

ALL APPLICATIONS

- [ ] 24. DESCRIPTION/JUSTIFICATION ✓
- [x] 25. LEGAL DESCRIPTION
- [x] 26. 300-FT. RADIUS MAP
- [x] 27. PROPERTY OWNERS' LIST
- [x] 28. ENVIRONMENTAL ASSESSMENT
- [x] 29. PLOT PLANS

DEV. PLANS, C.U.P.s & TENT. MAPS

- [x] 30. FLOOR PLANS AND ELEVATIONS
- [ ] 31. CONSTRUCTION SCHEDULE
- 32. OTHER: Hydro, SWMP, Traffic, Soil, Enviro, Bio,

PART V – SIGNATURES

THE APPLICANT OR HIS/HER REPRESENTATIVE MUST BE PRESENT AT THE HEARING. FAILURE TO BE PRESENT MAY RESULT IN DENIAL OF THE APPLICATION.

33. APPLICANT OR REPRESENTATIVE (Print): GARY BARDOVI
34. DATE: 10.17.06
Sign:

I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

35. APPLICANT (Print): BEN BECKLER
36. DATE: 10.17.06
Sign:

SIGNATURES OF ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).

37. OWNER (Print)
38. DATE
Sign:
39. OWNER Print):
40. DATE
Sign:

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JK

Lil Jackson Senior Community

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Project Design

Summary

The proposed project is designed in all aspects to assist seniors as they age in place, to provide universal design concepts and to encourage visitability by all people. There has been an attention to the location of parking spaces, the ease of drop-off locations, the types of doors and widths of doorways, the ease of floor surfaces for walking and moving throughout the project site and building, the universality of the design and other factors that will allow seniors to age in place in the project over a period of 10 to 20 years.

The site complies with hazardous materials requirements, has all appropriate zoning in place. Utilities are either directly adjacent or extremely close to the site. **The project affordability and location will encourage minority seniors in the neighborhood to become residents**. The site, which meets the HUD site criteria, provides a safe and secure environment, where residents can live in a home-like atmosphere, while encouraging interaction with other residents and the Oceanside community.

Site Planning

The proposed building is located within allowable set backs at all four property lines, and out of both the 100-year, and 500-year flood plains. It is also set back from the street sufficiently to assure that interior noise levels shall not exceed 45dnl. On-grade guest parking is accessed off Lake Boulevard. **The parking area has Van Accessible parking for persons with disabilities**. Also, the parking area is landscaped consistent with city design guidelines.

To capitalize on the site parameters, the proposed project is a three story Type V- one-hour wood frame building. The facades and roof forms modulate to provide variety in the building shape and to provide site area for additional landscaping. The development consists of 79 one-bedroom apartment units and one 2-bedroom unit, which is for the on-site manager (total 80 units). The community room has direct views and access to the exterior, capitalizing on site amenities. Residents will have opportunities for gardening and for viewing the activities of the neighborhood. **The relatively flat site affords the ability to create on-site sidewalks and other site features that are accessible to both elderly residents, as well as persons with disabilities.**

Exterior Areas

The site security will be provided by fencing and/or walls, in combination with vehicular and pedestrian controlled access gates/doors at all entrances.

On-grade landscaping will be provided at the front yard and lobby entry, and at the courtyard along the west side of the Community Room. Seating for residents will be provided at the courtyard.

Building Design

The building has an "Z" shaped overall plan. Both major legs of the "Z" are three-story wings, which are compatible with the scale of the adjacent neighborhood. Major community spaces are located on each floor, near the elevators, for easy and centralized access by all residents. On the Ground Floor, the Community Room, Library, Reception and Main Lobby are organized to provide a commanding entrance to the building and conserve land space for outdoor recreation. The inside corners of the "Z" accommodate necessary utility/service rooms on each floor. The entire building is easily accessible to all residents and visitors by means of elevators located conveniently adjacent to the Main Lobby.

(Note: See "Unit Design", "Methods to Promote Energy Efficiency", and "Outline Specifications" for more building design information.)

Community Spaces

The building will have an entry waiting/lounge, which seats approximately 8 people. This area can double as a waiting/social area for guests and residents, as well as a mailbox area. An ADA-compliant public telephone and drinking fountain shall be located in this area. The manager's office and the adjacent receptionist area are situated such that the manager or office personnel can view the Lobby and building entrance. It is important that management staff have visual control to ensure security and to facilitate personal assistance to the residents. The Lobby is also provided with a large Display area and a separate area for posting of events/notices on a bulletin board.

These spaces, as well as all other public spaces for the project, shall be fully accessible, and in conformance with all visitablity standards and universal design construction. This will assist seniors as they age in place and will encourage visits from the outside to enrich the quality of life of the residents.

Community Room

A Community Room, sized so all tenants can congregate and located prominently off the main lobby, will be provided. The area will be used for a variety of social, educational and recreational activities. This room might have a TV or other passive recreational uses. Storage areas for tables, chairs, and other items is provided and located in the Community Room area. The Community Room accesses the landscaped courtyard on the west side of the site.

Service Kitchen

A Service/warming Kitchen is located adjacent to the Community Room and is designed to serve a variety of groups and events.

Library/Computer Room

This room is located on the first floor. The room can act as a quiet public space for reading or a space for resident access to computers and the Internet. This room can also be used as a computer classroom for programs with seniors from the surrounding community. **Its convenient location adjacent to the entry lobby brings such visitors into the facility, within an easily supervised/controlled area.**

Craft Room

This room is located on the third floor. The room can be utilized for multiple group activities, such as sewing, painting, drawing, and ceramics, or can act as a quiet public space for possible board games like chess or backgammon.

Laundry Room

This room is located on the second floor, with four washers, four dryers, and a spacious folding table. A Television Room is placed adjacent to the Laundry Room, to give residents a near-by location to spend time with other residents while their laundry is in the machines. Visual contact between the rooms, through an interior window, facilitates social interaction.

Maintenance

The building will include a maintenance/shop area for maintenance items and will have additional exterior storage for yard maintenance items when possible.

Unit Design. Typical Living Unit

Each one-bedroom unit will not exceed 540 total square feet in area. The units will vary slightly in exact layout, due to the building design constraints. Each apartment unit will contain a kitchen with a full-size range and refrigerator, sink and sufficient cabinet and counter space. Adjustable countertops and removable base cabinets allow for lowering of countertops to wheelchair accessible height. A living/dining area will provide adequate space for living/dining conditions and ample closet/storage that is easily accessed by each resident.

All units are designed with consideration for accessibility for visitors that may have physical challenges. They shall have ADA-compliant door widths, hardware heights, clearances, etc. **All units are also designed to be fully adaptable for persons with disabilities, including door strike clearances, bathroom layout, kitchen space, etc**. An emergency call pull-cord system is installed in each unit bathroom and bedroom for the safety of the residents.

These features will accommodate the changing needs of the residents over the next 10-20 years to permit "aging-in-place" and enable the continued independence for the residents.

Amenities and Special Space Accommodations

A. Site Design

- One secured parking lot is located directly to the north of the building, which minimizes travel distance to each unit and common areas.
- Automatic/security gates providing vehicular and pedestrian access will be provided at all entries to the site building.
- Outdoor courtyard recreation areas are provided to allow passive recreation activity.
- All site circulation paths and building entrances shall be fully ADA-compliant. Site furnishings shall be designed with the elderly residents and visitors in mind.

B. Building Design

- Non-Slip flooring surfaces will be utilized throughout the building.
- A separate laundry room with coin-operated washers and dryers, and a folding table will be provided at a convenient location. A library/computer area will be provided on the ground floor. Large activity spaces to facilitate social interaction will open directly off the corridor on all floors.
- An outdoor patio off the Community Room is provided with direct views to the west assuring consistently good, soft lighting.
- All areas of the building shall be ADA-compliant. Public furnishings shall be selected with the benefit of the elderly residents and visitors in mind.

C. Accommodations for Service Organizations

- An easy, but <u>controlled</u> access for service organizations such as meals on wheels, services for the mobility impaired, paramedics, etc. is provided at the main entry of the building, on the ground floor.
- The convenient, and controlled access to the library/computer area encourages programs such as computer/internet classes for the surrounding senior community.
- This entry is adequately sheltered from the elements, with an entry canopy, to accommodate such services.

- All hallways and elevators are properly sized to easily accommodate such services.

- A central Community Room is located on the ground floor, near the entry, which can be utilized for special functions by service organizations, in serving the residents of the building.

D. Unit Design

- Blinds will be provided at all windows throughout. The inclusion of blinds will provide visual continuity from the exterior and will permit draperies, if desired, on the interior.

- 10 % of the dwelling units are specifically designed to be fully accessible.

- 2 % of the dwelling units are specifically designed for the visual and hearing impaired.

- An electric two door, self-defrosting, 14 cubic foot refrigerator and 24" electric range will be provided in each Living Unit.

- Carpet will be provided in the living rooms, bedrooms, and halls of all Living Units.

- The Living Units will have individual space heating and air conditioning and will have electric service individually metered.

- All Living Units shall be adaptable, to address the physical needs of the elderly, and help them age in place.

METHODS TO PROMOTE ENERGY EFFICIENCY

The 1990 National Affordable Housing Act (NAHA) and the HUD handbook require all projects to meet or exceed the model building code requirements of The Council of American Building Officials (CABO), the proposed building will be designed to meet or exceed these standards and the California Title 24 requirements as stated utilizing some of the following examples:

- All exterior windows and doors will be protected from the sun by insets and site landscaping.
- Exterior walls will be constructed with 6-inch studs to permit a minimum of "R-19" insulation.
- The roof will be constructed with a repetitive wood truss-joist system, creating a space where a minimum of R-30 batt insulation will be installed between framing members.
- **Operable, low "E" glass and double glazed windows will be provided to control heat gain and noise where appropriate.**
- Through-wall package HVAC units encourage individual responsibility for energy usage.
- **Only energy efficient appliances and equipment, emphasizing Energy Star labeled products will be specified.**

- Low consumption lighting and plumbing fixtures will be specified to meet the California Power and Water Conservation codes.

Efficient Construction/Limit Long Term Maintenance

The proposed apartment building has been designed so both the individual apartments and public areas can support a resident population as it ages, while still retaining a non-institutional environment. Our goals in preparing this design were to respect the concerns of the City of Oceanside and the existing neighborhood, to meet the cost effective objectives of HUD and the sponsor, and to provide an interesting and enjoyable environment for the senior residents who will live in this development.

- The building is designed using conventional housing construction techniques and repetitive elements to save construction costs.
- The exterior will be Fiber Cement Panel Siding (resembling wood siding) that will provide the building with long-term durability and low maintenance.
- A double loaded corridor will be used for efficient circulation, accessing individual apartment units that are similar in size and layout, to save construction costs.
- Kitchens and baths are stacked together whenever possible to simplify plumbing construction.
- Pre-hung/Pre-finished doors and windows will be specified.

Standard building components and equipment will be specified as in the following example Outline Specification.

Outline Specifications

1. General Requirements
   - A. Construction Facilities
     - Temporary site utilities
     - Field office
     - Sanitary facilities
     - Temporary fencing to provide site security and protection of installed work
   - B. Site Staff
     - Construction superintendent on site to coordinate construction activities
   - C. Code Requirements
     - 2001 California Building Code
     - Uniform Federal Accessibility Standards and Americans With Disabilities Act (ADA)
     - National Fair Housing Act
     - Council of American Building Officials
     - California Title 24 requirements and amendments

2. Site Work
   - A. Finish Grading

- Landscaped areas to receive a minimum of 4" of topsoil
- Landscaping to be as designed including sod, seed, trees, shrubs and ground cover.
- Entire landscaped area to be equipped with an lawn irrigation system

B. Paving
- Walks, curbs and patios to be concrete

3. Concrete

A. Foundations
- Trench footings to be concrete

B. Slabs
- Slabs on grade to be concrete

4. Masonry

A Brick
- Not applicable for this project

B. Block
- Precision CMU
- Split face precision CMU

5. Metals

A. Structural Steel
- A limited amount of structural steel will be used in the public spaces as necessary to provide open spaces without columns

B. Miscellaneous Metal
- Corner guards, elevator ladders, lintels, etc.

6. Carpentry

A. Standard Floor System
- Lightweight concrete topping on 3/4" plywood on wood trusses at 24" on centers with fiberglass insulation in joist space and 5/8" fire rated gypsum board on resilient channels on bottom face of framing to provide a floor system with structural integrity, a high level of noise abatement (STC 62), and the safety of a one hour rated fire assembly

B. Party Wall Between Units
- 2x4 staggered stud framing at 16" centers with 5/8" fire rated gypsum board on resilient channels on one face with 5/8" fire rated gypsum board on the opposite face with (R-19) fiberglass insulation in stud space to provide wall with high level of noise abatement (STC 52) and the safety of a one hour rated fire assembly

C. Exterior Walls
- 2x6 and/or 2x4 framing at 16" centers with 5/8" fire rated gypsum board on face with (R-19) fiberglass insulation in stud spaces and fiber cement panel siding (resembling wood siding) over (2) layers of 15# grade D asphalt felt on the exterior face

D. Roof Framing

- Prefabricated wood trusses with plywood sheathing and (R-30) fiberglass insulation to provide a cost effective roof framing that also exceeds the California Energy Code(s)

7. Thermal and Moisture Protection

A. Insulation

- Exterior, and interiors walls where applicable, (R-19) fiberglass batt.
- Attic spaces (R-30) fiberglass batt.

B. Roofing

- Class A Asphalt Shingle Roofing

C. Flashing and Sheet Metal

- Roof flashing, ridge/roof vents, soffit vents, drip edges, corner/plaster casing beads, etc.
- Gutters and down spouts.

D. Caulking

- Acrylic latex and/or Silicone

8. Doors, Windows and Glass

A. Aluminum Entry

- Aluminum doors and frames at public entrances for heavy use and low maintenance

B. Metal Doors

- Hollow metal doors and frames at service areas for heavy use and low maintenance

C. Wood Doors

- Pre-finished solid core wood doors in hollow metal frames at public areas.
- Pre-finished solid core wood doors in hollow metal frames at Living Unit entry doors
- Pre-finished hollow core wood doors in metal frames at Living Unit interior doors

D. Windows

- Pre-finished vinyl windows with thermal breaks and insect screens for high energy conservation and low maintenance

E. Hardware

- Finish hardware to be high grade for residential use with rated latches on fire doors. Door handles to be lever or push-type for accessibility for persons with disabilities.

9. Finishes

A. Floors

- Level loop commercial grade carpet for low maintenance and long wear
- Vinyl composition tile for low maintenance and long wear
- Vinyl base in all areas for low maintenance and long wear

B. Walls and Ceilings

- Unit walls: satin finish paint.
- Unit bath and kitchen walls: semi-gloss paint.
- Unit ceilings: satin finish paint.
- Public area walls: satin finish
- Public areas ceilings: lay-in acoustic tile in metal grid with painted gypsum board soffits in selected areas

10. Specialties

A. Public Areas

- Stainless steel trash chute
- Toilet room accessories including toilet paper holders, towel and soap dispensers, toilet partitions, grab bars and mirrors
- U.S. Post Office approved mail boxes
- Identification signage for units and public areas
- Building directory

B. Units

- Bathroom accessories including toilet paper holder and towel bars
- Robe hooks, mirrors and medicine cabinets
- Ventilated closet shelving
- Grab bar design shall meet the special needs of the elderly and ADA compliance

11. Equipment

A. Appliances

- 14 cubic foot, 2-door refrigerator with cycle defrost.
- 30" gas range with front controls.
- Garbage disposal.
- Common area laundry facilities with washer(s) and dryer(s).

B. Cabinetry

- Wood frame cabinets with plastic laminated faces
- Plastic laminated counters, backsplashes and side splashes.

12. Furnishings

A. Units

- vertical blinds at all windows

13. Special Construction

- Not applicable to this project.

14. Conveying Systems

A. Elevators

- Elevators to be hospital size for medical emergencies and to meet barrier free access requirements. Elevators shall be hydraulically operated.

15. Mechanical
    A. Plumbing
        - Stainless steel kitchen sinks
        - Vitreous china water closets
        - Enamel steel bathtub and lavatories
        - Chrome plumbing controls
        - Waste lines and vents per code
        - Copper water supply lines/valves at each fixture
        - Insulated hot and cold water mains and branches
    B. Heating and Ventilating
        - Self-contained through-wall heating and air conditioning units
        - Exhaust fans at bathrooms
    C. Fire Protection
        - Fire sprinklers for entire building per code requirements

16. Electrical
    A. Power and Lighting
        - Incandescent light fixtures for dwelling units, with fluorescent kitchen and bathroom fixtures as required by code
        - Fluorescent fixtures for corridors and public areas
        - Underground service from pad-mounted transformer
        - Emergency generator as required
    B. Support Systems
        - Cable television system
        - Fire alarm system
        - Security/Access Control system
        - Smoke detectors
        - Intercom system
        - Emergency Call system

EXHIBIT "A"

PARCEL 2, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AS SHOWN AT PAGE 4736 OF PARCEL MAPS, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MAY 19, 1976.