ITEM NO. 24

STAFF REPORT

CITY OF OCEANSIDE

DATE: June 6, 2012

TO: Honorable Mayor and City Councilmembers

FROM: Development Services Department

SUBJECT: **GENERAL PLAN AMENDMENT (GPA10-00001) AND LOCAL PLAN AMENDMENT (LCPA12-00002) FOR CONSIDERATION OF AN UPDATE TO THE CITY OF OCEANSIDE CIRCULATION ELEMENT OF THE GENERAL PLAN AND CERTIFICATION OF THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT**

SYNOPSIS

Staff recommends that the City Council adopt a resolution certifying the Final Program Environmental Impact Report (PEIR) for the Circulation Element Update Alternative 1 as the preferred 2030 roadway network alternative, and adopt a Mitigation Monitoring and Reporting Program (MMRP), and a Statement of Overriding Considerations; and adopt a resolution approving General Plan Amendment (GPA10-00001) and Local Coastal Plan Amendment (LCPA12-00002) for an update to the Circulation Element of the General Plan.

BACKGROUND

The Circulation Element provides goals, objectives and policies to maintain and improve the City of Oceanside's transportation system and enhance travel choices for current and future residents, visitors, and workers. These policies are complemented by the policies in the Land Use, Noise, Recreational Trails, and Community Facility elements on related topics such as Smart Growth and management of public space. Recognizing the relationship between transportation and these related topics is critical to improving mobility and accessibility within the City.

The Circulation Element was last adopted by the City Council in 1995. It has some amendments in response to the changes in the City's land uses and roadway network necessities. The present challenges, opportunities, and transportation issues of interest to the City are addressed in the Circulation Element. These include but are not limited to:

- Enhancing the City's corridors for all modes of transportation;
- Increasing bicycle and pedestrian connections, routes and facilities;
- Refining the City's traffic-calming program to promote safer streets for motorists, pedestrians, and bicyclists;

- Identifying and incorporating Intelligent Transportation System (ITS) technology for the City;
- Increasing support of Transportation Demand Management Programs; and
- Improving the efficiency of the existing transportation system.

The City of Oceanside is served by a diverse circulation system consisting of roadways, public transit, rail service, airport, and pedestrian and bicycle facilities. A well-balanced and multi-modal transportation system is considered integral to the City's efforts to sustain and enhance the quality of life and key to its future economic growth. Achieving such a system requires integrating land use and transportation planning, and implementing a range of improvements that enhance connectivity, livability and vitality.

The Oceanside General Plan, reformatted in 2002, is the primary source of long-range planning and policy direction used to guide growth and preserve the quality of life within the City of Oceanside. The General Plan contains ten elements: Land Use, Circulation, Recreational Trails, Housing, Environmental Resource Management, Community Facilities, Public Safety, Noise, Hazardous Waste Management, and Military Reservation (Camp Pendleton).

Table 1 below outlines the Circulation Element Update project timeline.

Table 1
Circulation Element Update Project Timeline

Date	Task
August 2005	City staff initiated Circulation Element Update and a Mitigated Negative Declaration (MND)
August 2007	Amendment to Scope of Work to complete an Environmental Impact Report (EIR) and use the SANDAG Series 11 Transportation Model
December 2009	Notice of Preparation (NOP) issued for 45-day public review
January 2010	NOP re-issued for a 65-day public review period. Based on review comments, the following areas of environmental analysis needed: Land Use, Geology/Soils, Aesthetics, Agricultural Resources, Hazardous Materials, Hydrology/Water Quality, Air Quality, Traffic, Greenhouse Gas, Paleontological Resources, Noise, Cultural Resources, and Biological Resources
Jan.- Feb. 2010	Three public scoping meetings held
June 2011	Draft Program Environmental Impact Report (PEIR) released for 60-day public review period. Staff determined that review comments identify new information regarding significant impacts and mitigation measures and recirculation was required
February 2012	PEIR revised and re-circulated for an additional 45-day public review period

Areas of public controversy relative to the proposed plan amendments and redevelopment activities considered in the EIR include:

- Melrose Drive Extensions (SR-76 to N. River Road, Spur Avenue to N. Santa Fe Avenue);
- Rancho del Oro community residents' opposition to the Rancho del Oro/SR-78 Interchange;
- College Boulevard (Oceanside Boulevard to Roselle Drive);
- Vista Way between I-5 and Coast Highway;
- Lake Boulevard between Thunder Drive and Sundown Drive; and
- Pala Road between Los Arbolitos and Foussat Road.

ANALYSIS

A Program Environmental Impact Report (PEIR) has been prepared, and evaluated the following direct and cumulative impacts: Land Use, Geology/Soils, Aesthetics, Agricultural Resources, Hazardous Materials, Hydrology/Water Quality, Air Quality, Traffic, Greenhouse Gas, Paleontological Resources, Noise, Cultural Resources, and Biological Resources. All of the significant impacts of the Circulation Element Update were identified in the Final PEIR. Under the provisions of the California Environmental Quality Act, the City Council should adopt a resolution to certify the Environmental Impact Report, adopt a Mitigation Monitoring and Report Program (MMRP), and the Statement of Overriding Considerations. A summary of findings of the PEIR, including project alternatives is provided below.

The Circulation Element Update included a comprehensive review and update of the goals, policies and objectives for related transportation plans and programs that include everything from Transportation Demand Management (TDM), public transit and rail, bicycle, equestrian, and pedestrian facilities, neighborhood traffic-calming and Intelligent Transportation Systems (ITS), to existing and future roadway operations standards and plans.

The Circulation Element PEIR analyzed three future roadway network alternatives, at equal levels of detail. Alternative 1 is now identified as the preferred alternative or "Project".

Table 2 below outlines the three future roadway network alternatives.

Table 2
Future Roadway Network Alternatives

Roadway	Mod '95 CE Alternative	Alternative 1	Alternative 2
State Route 76	6 Lanes	6 Lanes	6 Lanes
Rancho del Oro Rd/SR-78 Interchange	Included	Included	**Not Included**
College Boulevard	6 Lanes	**4 and 6-Lane Hybrid**	**4 and 6-Lane Hybrid**
Melrose Drive: N. River Rd. to SR-76	Extension Included	**Extension Not Included**	**Extension Not Included**
Melrose Drive: Spur Ave. to N. Santa Fe Ave.	Extension Included	Extension Included	**Extension Not Included**
Pala Road Extension	Connection Included	Connection Included	**Connection Not Included**
Mission Avenue	4-Lane Major Arterial	**One-Way Couplet between Cleveland St. & Clementine St.**	**4-Lane Secondary Collector**
Coast Highway	4-Lane Secondary Collector	4-Lane Secondary Collector	**2 Lanes with Roundabouts**
Old Ranch Road	**Connection Not Included**	**Connection Not Included**	**Connection Not Included**
Jeffries Ranch Road*	**Connection Not Included**	**Connection Not Included**	**Connection Not Included**

Notes: **Bold text** under alternatives columns indicates a change from the adopted 1995 Circulation Element future network.
*The closure of Jeffries Ranch Road has been reviewed under a separate study & potentially could provide right-in/out access to SR-76 should a funding source be identified.
Source: IBI Group, 2011.

Staff determined, based on the threshold criteria for significance presented in the Final PEIR, that the following environmental effects of the Project will not manifest at levels which have been determined by the City to be significant or, if significant, feasible mitigation measures identified in the Final PEIR will result in avoidance or substantial reduction of those effects.

Some of the environmental effects related to the Project were found to be less than significant, which include air quality, noise (in some locations), mineral resources, population/housing, public services and utilities, and recreation. Effects related to land use, traffic (at some locations), hazardous materials, noise (at some locations), biological resources, cultural resources, geology/soils, aesthetics, hydrology/water quality, and paleontological resources, while potentially significant, would be mitigated to below a level of significance.

The Final EIR identifies four subject areas in which build-out of both the roadway network and the land development anticipated in the General Plan Land Use Element would result in an unmitigable impact on the environment: (1) Traffic (at some locations), (2) Greenhouse Gases (GHGs) emissions, (3) Noise (at some locations), and (4) Agricultural Resources, which all have significant environmental effects, even after the application of all feasible mitigation measures identified in the Final EIR. The

traffic impact of Alternative 1 results in unacceptable levels of service (LOS) at greater numbers of intersections and road segments than the existing 1995 Circulation Element Alternative. The Project would result in LOS E or F at ten intersections and seventeen road segments. Vehicular emissions associated with the Project would exceed 35 Million Metric Tons (MMT) per year, thus the Project increase in GHG emission would be approximately 4.5 MMT of CO_{2e} per year, compared to 2010 emissions. Potential mitigation measures are identified in the PEIR, but it is not expected that they could reduce the emissions by 4.5 MMT of CO_{2e} per year. The City may not be able to reduce Oceanside's vehicular emissions to the extent required by Assembly Bill 32 (AB 32) and Senate Bill 375 (SB 375). This impact would be cumulatively significant and unmitigable for all alternatives.

For noise impacts, one to five roadway segments (depending on the alternative), would result in increases in sound levels of six decibels, A-weighted (dBA) to twenty-five dBA, compared to existing conditions. Full mitigation of such impacts may well be infeasible, depending on the ultimate specifics of the actual site conditions adjacent to the affected roadway segments. Three of these locations would involve roadway extensions under the existing 1995 Circulation Element Alternative where no road currently exists: Melrose Drive Northern extension, Melrose Drive Southern extension, and the Pala Road extension. A fourth location would be along North Santa Fe Avenue, from Melrose Drive to the eastern City limits, where sound levels there are projected to increase approximately 11 dBA. A fifth location would be along North River Road, from Stallion Drive to Melrose Drive, with a projected increase of +7.8 dBA. Noise impacts and the potential of noise mitigation feasibility would need to be addressed in any subsequent facility-specific environmental studies at these locations.

The Project would avoid noise increases associated with the proposed Melrose Drive Northern extension, but not those of the four other unmitigable impacts under the existing 1995 Circulation Element alternative.

Agricultural impacts from Circulation Element roadways would cross or border existing agricultural lands in Oceanside at two locations: the Melrose Drive Northern extension and the Melrose Drive Southern extension. Both of these proposed facilities are part of the existing 1995 Circulation Element Alternative only, while agricultural impacts from the Melrose Drive Southern extension, included in the Project (Alternative 1) have been evaluated in the FEIR prepared for that facility, and found to be significant and unmitigable.

CEQA requires the lead agency approving a project to adopt a Mitigation Monitoring and Reporting Program (MMRP) for the changes to the project which it has adopted or made a condition of project approval in order to ensure compliance with project implementation. The MMRP included with the Final PEIR, as certified by the City serves that function. The MMRP includes all of the mitigation measures identified in the Final PEIR and has been designed to ensure compliance during implementation of the approved roadway network alternative. In accordance with CEQA, the MMRP provides the measures to ensure that the mitigation measures are fully enforceable.

Based on the summary comparison of alternatives described in the Final PEIR, Alternative 2 is considered the environmentally preferable alternative. It is rated best relative to eight of the environmental topics addressed (land use, noise, biological resources, cultural resources, agriculture, aesthetics, hydrology/water quality, and paleontology). The existing 1995 Circulation Element Alternative is only preferred over the other two alternatives relative to traffic and GHGs. Alternative 1 received only one environmental preference, for cultural resources, for which it is tied with Alternative 2. The preference results for Alternative 2 are due, in general, to its deletion of facilities proposed under other alternatives that are located in sensitive areas of Oceanside, such as the Melrose Drive extensions, the Pala Road extension, and the Rancho del Oro interchange. Potential impacts at those locations would be avoided by Alternative 2, rather than needing to be mitigated, as is the case with the other alternatives.

As stated above, the Circulation Element is much more than a roadway plan and how to effectively and efficiently accommodate motor vehicles. It is a plan that addresses all modes of transportation. While the roadway network alternatives and environmental analysis focuses primarily on privately operated motor vehicles, each alternative is complemented by a robust combination of policies that include, but is not limited to, Complete Streets policies, public transit, pedestrian and bicycle policies and Intelligent Transportation Technologies (ITS). It is staff's position, however, that Alternative 1 strikes a balance between roadway traffic operations and environmental impacts. Alternative 1 achieves this by proposing fewer roadway miles than seen in the current Circulation Element, but it also calls for more roadway miles than proposed in Alternative 2. As such, Alternative 1 is presented as the preferred alternative to be adopted with the Circulation Element update.

FISCAL IMPACT

Does not apply.

CITY ATTORNEY'S ANALYSIS

The City Council is authorized to hold a public hearing in this matter. Consideration of the matter should be based on the testimony and evidence presented at the hearing. After conducting the public hearing, the Council shall affirm, modify or deny the project. The supporting documents have been reviewed and approved as to form by the City Attorney.

COMMISSION OR COMMITTEE REPORT

The Planning Commission held a public hearing on May 21, 2012, to consider the proposed Circulation Element Update and Final Program Environmental Impact Report (PEIR). The Commission recommended approval of certification of the PEIR by a 6-0 vote. On a separate series of votes the Commission recommended approval of the Circulation Element Update Alternative 2 with the following conditions:

1. That the One-Way Couplet on Mission Avenue and Seagaze Avenue between Cleveland Street and Clementine Street be added to Alternative 2 by a 6-0 vote.
2. That the construction of the northern half (westbound on-ramp/westbound off-ramp) of the Rancho del Oro/SR78 Interchange be added to Alternative 2 by a 5-1 vote.
3. That staff return within a year with a proposed financing program (such as an Updated Thoroughfare Fee program) by a vote of 6-0 vote.

RECOMMENDATIONS

Staff recommends that the City Council adopt a resolution certifying the Final Program Environmental Impact Report (PEIR) for the Circulation Element Update Alternative 1 as the preferred 2030 roadway network alternative, and adopt a Mitigation Monitoring and Reporting Program (MMRP), and a Statement of Overriding Considerations; and adopt a resolution approving General Plan Amendment (GPA10-00001) and Local Coastal Plan Amendment (LCPA12-00002) for an update to the Circulation Element of the General Plan.

PREPARED BY:

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SUBMITTED BY:

Peter A. Weiss
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager
George Buell, Development Services Director
Scott O. Smith, City Engineer
Jerry Hittleman, City Planner
David DiPierro, City Traffic Engineer

Attachments:

1. City Council Program EIR Resolution
   Exhibits:
   A. Environmental Findings and Statement of Overriding Considerations
   B. Mitigation Monitoring and Reporting Program
2. City Council General Plan Amendments and Local Coastal Plan Amendments Resolution
3. Planning Commission Staff Report dated May 21, 2012

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE, CALIFORNIA CERTIFYING THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE GENERAL PLAN CIRCULATION ELEMENT UPDATE

(City of Oceanside - Applicant)

WHEREAS, a Final Program Environmental Impact Report was prepared and circulated for public and agency review and proper notification was given in accordance with the California Environmental Quality Act; and

WHEREAS, on May 21, 2012, the Planning Commission of the City of Oceanside, after giving the required notice, conducted a duly-advertised public hearing as prescribed by law to consider the Circulation Element Update Final Program Environmental Impact Report (PEIR); and on May 21, 2012, adopted Planning Commission Resolution No. 2012-P22, recommending certification of the PEIR, with its Mitigation and Monitoring and Reporting Program, and Findings of Fact and Statement of Overriding Considerations; and

WHEREAS, the City Council, on the 6th day of June, 2012, did conduct a public hearing to determine whether to certify the Final Program Environmental Impact Report and adopt the Mitigation and Monitoring and Reporting Program and Findings of Fact and Statement of Overriding Considerations; and

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

For the Final Environmental Impact Report:

1. The Final Environmental Impact Report and Mitigation and Monitoring and Reporting Program were completed in compliance with the provisions of the California Environmental Quality Act (CEQA).

2. There are certain significant environmental effects detailed in the Environmental Impact Report which have been avoided or substantially lessened by the establishment of measures which are detailed in Exhibit "A" Environmental Findings and Statement of Overriding Considerations and Exhibit "B" Mitigation Monitoring and Reporting Program for the Circulation Element Update.

3. The Final Environmental Impact Report and Mitigation and Monitoring and Reporting Program and Statement of Overriding Considerations for the arterial roadway segment (included in the Final EIR) were presented to the City Council, and the City Council reviewed and considered the information contained in these documents prior to making a decision on selecting Alternative 1 as the preferred project. The Final Environmental Impact Report and Mitigation and Monitoring and Reporting Program and Statement of Overriding Considerations for the Circulation Element Update have been determined to be accurate and adequate documents, which reflect the independent judgment of the City.

NOW, THEREFORE, the City Council of the City of Oceanside does resolve as follows:

1. The City Council does hereby certify the Final Program Environmental Impact Report for the Circulation Element Update with Alternative 1 selected as the approved project.

2. Pursuant to Public Resources Code Section 21081.6 the City Council adopts the Mitigation Monitoring and Reporting Program (MMRP) attached as Exhibit "B" for Alternate 1 of the Circulation Element Update, and finds and determines that said program is designed to ensure compliance with the mitigation measures during implementation of various projects analyzed in the Final Program Environmental Impact Report.

3. Pursuant to Public Resources Code Section 21081, the City Council hereby adopts the Environmental Findings and Statement of Overriding Considerations attached as Exhibit "A" for Alternate 1 of the Circulation Element Update.

4. Notice is HEREBY GIVEN that the time within which judicial review must be sought on this decision is governed by the provisions of the California Environmental Quality Act.

PASSED and ADOPTED by the City Council of the City of Oceanside, California this 6th day of June, 2012, by the following vote:

AYES:

NAYES:

ABSENT:

ABSTAIN:

_____
Mayor of the City of Oceanside

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE, CALIFORNIA CERTIFYING THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE GENERAL PLAN CIRCULATION ELEMENT UPDATE

Exhibit "A"

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE CITY OF OCEANSIDE CIRCULATION ELEMENT UPDATE PROGRAM ENVIRONMENTAL IMPACT REPORT (SCH NO. 2009121020)

1.0 INTRODUCTION

1.1 Findings of Fact and Statement of Overriding Considerations

California Environmental Quality Act, Public Resources Code Sections 21000-21178 ("CEQA), State CEQA Guidelines for Implementation of the California Environmental Quality Act, Cal. Code Regs. tit. 14 §§ 15000-15387 ("CEQA Guidelines") are "intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will *avoid* or *substantially lessen* such significant effects." Cal. Pub. Res. Code § 21002 (emphasis added). CEQA's mandate and principles are implemented, in part, through the requirement that agencies adopt findings before approving projects for which EIRs are required. (*See* Pub. Res. Code § 21081 (a)). For each significant environmental effect identified in any EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions.

The first permissible finding is that "[c]hanges or alterations have been required in, or incorporated into, the projects which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines § 15091 (a)(1).) The second permissible finding is that "[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency." (CEQA Guidelines § 15091 (a)(2).) The third potential conclusion is that "[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR." (CEQA Guidelines § 15091 (a)(3).) Section 21061.1 of CEQA defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors." Section 15364 of the CEQA Guidelines adds another factor: "legal" considerations. *See also Citizens of Goleta Valley v. Board of Supervisors ("Goleta II")*, 52 Cal.3d 553, 565, 276 Cal.Rptr. 419 (1990).

The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego,*

133 Cal.App.3d 410, 417, 183 Cal.Rptr. 898 (1982).) "'[F]easibility under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, social and technological factors." (*Id.; see also Sequoyah Hills Homeowners Ass'n v. City of Oakland*, 23 Cal.App.4th 704, 715, 29 Cal.Rptr.2d 182 (1993).)

The CEQA Guidelines do not define the difference between "avoiding" a significant environmental effect and merely "substantially lessening" such an effect. The City of Oceanside (the "City") must therefore glean the meaning of these terms from the other contexts in which the terms are used. Section 21081 of CEQA, on which CEQA Guidelines Section 15091 is based, uses the term "mitigate" rather than "substantially lessen." The CEQA Guidelines therefore equate "mitigating" with "substantially lessening." Such an understanding of the statutory term is consistent with the policies underlying CEQA, which include the policy that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which will substantially lessen the significant environmental effects of such projects." (Pub. Res. Code § 21002.)

For purposes of these findings, the term "avoid" refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less than significant level. In contrast, the term "substantially lessen" refers to the effectiveness of such measures to substantially reduce the severity of a significant effect, but not to reduce the effect to a less than significant level. These interpretations are consistent with the holding in *Laurel Hills Homeowners Ass'n v. City Council,* 83 Cal.App.3d 515, 519-527, 147 Cal.Rptr. 842 (1978), in which the Court of Appeals held that an agency had satisfied its obligation to substantially lessen or avoid significant effects by adopting numerous mitigation measures, not all of which rendered the significant impacts in question (e.g., the loss of biological resources") less than significant. Although CEQA Guidelines Section 15091 requires only that approving agencies specify that a particular significant effect is "avoid[ed] *or* substantially lessen[ed]," these Findings, for purpose of clarity, in each case will specify whether the effect in question has been reduced to a less than significant level, or has simply been substantially lessened but remains significant.

With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or feasible environmental superior alternatives, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (14 Cal. Code Regs. §§ 10593, 15043(b); *see also* Pub. Res. Code § 21081(b).) The California Supreme Court has stated that, "[t]he wisdom of approving...any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Goleta II*, 52 Cal, 3d 553, 576.)

The following Findings of Fact ("Findings") are made relative to the conclusions of the Final Program Environmental Impact Report for the City of Oceanside Circulation Element Update (SCH 2009121020) ("Final PEIR").

1.2 Document Format

These findings have been organized into the following sections:

(1) Section 1 provides an introduction to these Findings.

(2) Section 2 provides a summary of the City of Oceanside Circulation Element Update (the "Project") and overview of the discretionary actions required for approval of the Project, and a statement of the Project's objectives.

(3) Section 3 provides a summary of public participation in the environmental review, an overview of the administrative record that has been developed for the Project, as well as findings regarding the Mitigation, Monitoring and Reporting Program (MMRP) and general findings regarding the Project and CEQA compliance.

(4) Section 4 sets forth findings regarding those environmental impacts which were determined during the notice of preparation period either not to be relevant to the Project or which were determined to clearly not manifest at levels which were deemed to be significant for consideration at the Project-specific level.

(5) Section 5 sets forth findings regarding significant or potentially significant environmental impacts identified in the Final PEIR which the City has determined are either not significant or can be substantially lessened or reduced to a less-than-significant level through the imposition of mitigation measures included in the MMRP for the Project.

(6) Section 6 sets forth findings regarding significant environmental impacts identified in the Final PEIR, which the City has determined will remain significant and unavoidable after mitigation.

(7) Section 7 sets forth findings regarding alternatives to the Project, which were determined not to be implemented by the City.

(8) Section 8 consists of a Statement of Overriding Considerations, which sets forth the City's reasons for finding that specific economic, legal, social, technological, and other considerations associated with the Project outweigh the Project's potential unavoidable environmental effects.

2.0 Project Summary

2.1 Project Background and Alternative 1 Description

The project analyzed within the PEIR is the update of the City of Oceanside's General Plan Circulation Element. Pursuant to California Government Code 65302(b), a Circulation Element is a required component in all County and City General Plans. The Circulation Element provides goals, objectives and policies to maintain and improve the City of Oceanside's transportation system and enhance travel choices for current and future residents, visitors and workers. These policies are complemented by the

policies in the Land Use, Noise, Recreational Trails, and Community Facility Elements on related topics such as smart growth and management of public space.

There were many potential 2030 network alternatives reviewed for the updated Circulation Element analysis. In developing the potential network alternatives, a review of the existing (present day) network and the adopted 1995 Circulation Element network was conducted. A total of 18 potential alternatives to the 1995 Circulation Element version of the model network were created. These alternatives were run using the Series 11 North County Sub-Area Model and were presented to City staff where the impacts of each alternative were reviewed and narrowed down to five alternatives. The five alternatives were then presented at three public outreach meetings in January and February 2010, and based on public input, narrowed to three: the Modified 1995 Circulation Element (Mod '95 CE) Alternative; Alternative 1; and Alternative 2. Key characteristics of each of these alternatives are provided in the following table.

TABLE 1
Network Alternatives Key Assumptions

Roadway	Mod '95 CE Alternative	Alternative 1	Alternative 2
State Route 76	6 Lanes	6 Lanes	6 Lanes
Rancho Del Oro Rd/ SR-78 Interchange	Included	Included	Not Included
College Boulevard	6 Lanes	4 and 6 Lane Hybrid	4 and 6 Lane Hybrid
Melrose Drive: N. River Rd to SR-76	Extension Included	Extension Not Included	Extension Not Included
Melrose Drive: Spur Ave. to N. Santa Fe Ave	Extension Included	Extension Included	Extension Not Included
Pala Road Extension	Connection Included	Connection Included	Connection Not Included
Mission Avenue	Four-Lane Major Arterial	One-Way Couplet between Cleveland St & Clementine St	4 Lane Secondary Collector
Coast Highway	Four-Lane Major Arterial	4 Lane Second. Collector	2 Lanes with Roundabouts
Old Ranch Road	Connection Not Included	Connection Not Included	Connection Not Included
Jeffries Ranch Road*	Connection Not Included	Connection Not Included	Connection Not Included

Notes: Bold text under alternatives columns indicates a change from the adopted 1995 Circulation Element future network.
*The closure of Jeffries Ranch Road has been reviewed under a separate study & potentially could provide right-in/out access to SR-76 should a funding source be identified.
Source: IBI Group, 2011.

The City staff recommended Project is Alternative 1. Circulation Element Alternative 1, compared to the Mod '95 CE Alternative, assumes that College Boulevard is a hybrid (six-lanes between Avenida de la Plata and Olive Drive and four-lanes between Olive Drive and Waring Road); Melrose Drive Northern Extension is not included; and Mission Avenue is a two-lane one-way couplet between Cleveland Street and Clementine Street. The Rancho del Oro interchange at SR-78 is also included.

2.2 Discretionary Actions

The single discretionary action necessary for the Project, which was addressed in the Final PEIR, is a General Plan Amendment to the Circulation Element of the General Plan.

2.3 Statement of Project Objectives

The draft Circulation Element Update (IBI, February 2011), provides detailed objectives for the proposed Circulation Element Update for which each of the alternatives were analyzed within the Draft PEIR. The overall goal for the Circulation Element is to provide goals, objectives, and policies to maintain and improve the City's transportation system and enhance travel choices for current and future residents, visitors and workers. These policies are complemented by the policies in the Land Use, Noise, Recreational Trails, and Community Facility Elements on related topics such as smart growth and management of public space. Recognizing the relationship between transportation and these related topics is critical to improving mobility and accessibility within the City.

Specific objectives included in the Circulation Element Update, that reflect the present challenges, opportunities, and transportation issues of interest to the City include:

- Enhancing the City's corridors for all modes of transportation;
- Increasing bicycle and pedestrian connections, routes and facilities;
- Refining the City's traffic calming program to promote safer streets for motorists, pedestrians and bicyclists;
- Identifying and incorporating ITS technology for the City;
- Developing circulation element roadways consistent with the applicable conservation measures of the regional Multiple Habitat Conservation Plan as well as the City of Oceanside Subarea Plan, once adopted;
- Increasing support of Transportation Demand Management programs; and
- Improving the efficiency of the existing transportation system.

3.0 PUBLIC PARTICIPATION AND RECORD OF PROCEEDINGS

3.1 Public Input

There have been opportunities for public review and comment, including but not limited to the public forums set forth below:

Draft PEIR Notice of Preparation (NOP) December 9, 2009 – January 25, 2010

Reissued Draft PEIR NOP January 26, 2010 – February 24, 2010

NOP Scoping Meetings January 12, January 14, and February 8, 2010

Draft PEIR Public Review, June 9, 2011 – August 12, 2011

Revised Draft PEIR recirculated for Public Review January 31, 2012 – March 16, 2012

3.2 Record of Proceedings

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

- The Notice of Preparation and all other public notices issued by the City in conjunction with the Project;
- The Draft PEIR;
- The Revised Draft PEIR;
- The Final PEIR;
- All written comments and verbal public testimony presented during the public comment period on the Draft PEIR and the Revised Draft PEIR or during a noticed public hearing for the Project at which such testimony was taken;
- The MMRP;
- All findings, ordinances, and resolutions recommended by the Planning Commission and adopted by the City Council in connection with the Project, and all documents incorporated by reference therein;
- All final reports, studies, memoranda, maps, staff reports, or other planning documents relating to the Project prepared by the City, consultants to the City, or responsible or trustee agencies with respect to the City's compliance with the requirements of CEQA and with respect to the City's actions on the Project;
- All documents submitted to the City by other public agencies or members of the public in connection with the Project, through the close of the public hearing;
- Any transcript or minutes of the proceedings at which the decision-making body of the City heard testimony on, or considered any environmental document on the Project, and any transcript or minutes of proceedings before any advisory body to the City that were presented to the decision-making body prior to action on the environmental document or on the Project.
- Any documentary or other evidence submitted to the City at such information sessions, public meetings, and public hearings;
- Matters of common knowledge to the City, including, but not limited to federal, state, and local laws and regulations;
- The City's General Plan and Municipal Code;
- Any documents expressly cited in these findings in addition to those cited above; and,
- Any other materials required to be in the record of proceedings by Section 21167.6 (e) of CEQA.

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

The Planning Commission and City Council have relied on all of the documents listed above in reaching its decision on the Project. Without exception, any documents set forth above not found in the Project files fall into two categories. First, many of them reflect prior planning or legislative decisions of which the Planning Commission or City Council was aware in approving the Project. (*See City of Santa Cruz v. Local Agency Formation Commission* 76 Cal.App.3d 381, 391-392, 42 Cal.Rptr. 873 (1978); *Dominey v. Department of Personnel Administration,* 205 Cal.App.3d 729, 738, n.6, 252 Cal.Rptr. 620 (1988).) Second, other such documents influenced the expert advice provided to City Staff or consultants, who then provided advice to the City. For that reason, such documents form part of the underlying factual basis for the City's decisions relating to the adoption of the Project. (*See* Pub. Res. Code § 21167.6 (e)(10); *Browning-Ferris Industries v. City Council of San Jose*, 181 Cal.App.3d 852, 226, Cal.Rptr 575 (1986; *Stanislaus Audubon Society, Inc. v. County of Stanislaus*, 33 Cal.App.4th 144, 153, 155, 39 Cal.Rptr.2d 54 (1985).).

The Final PEIR was completed in compliance with CEQA, and reflects the City's independent judgment. The City Council believes that its decision on the Project is one which must be made after a hearing required by law at which evidence is required and discretion in the determination of facts is vested in the City. As a result, any judicial review of the City's decision will be governed by Section 21168 of CEQA and Code of Civil Procedure Section 1094.5. Regardless of the standard of review that is applicable, the City Council has considered evidence and arguments presented to the City prior to or at the hearings on this matter. In determining whether the Project has a significant impact on the environment, and in adopting Findings pursuant to Section 21080 of CEQA, the City Council has complied with CEQA Sections 21081.5 and 21082.2.

3.8 Mitigation, Monitoring, and Reporting Program (MMRP)

CEQA requires the lead agency approving a project to adopt a MMRP for the changes to the project that it had adopted or made a condition of project approval in order to ensure compliance with project implementation. A MMRP has been defined and serves that function for the Final PEIR. The MMRP designates responsibility and anticipated timing for the implementation of mitigation. The City will serve as the overall MMRP Coordinator. A MMRP has been prepared for the Project and has been adopted concurrently with these Findings. (*See* Pub. Res. Code §21081.6 (a)(1).) The City will use the MMRP to track compliance with Project mitigation measures.

3.4 General Findings

The City Hereby finds as follows:

3.4.1 The foregoing statements are true and correct;

3.4.2 The City is the "Lead Agency" for the Project evaluated in the Final PEIR and independently reviewed and analyzed the Draft PEIR and Final PEIR for the Project;

3.4.3 The Notice of Preparation of the Draft PEIR was circulated for public review between December 9, 2009 and January 25, 2010; and reissued on January 26, 2010, to February 24, 2010. It requested that responsible agencies respond as to the scope and content of the environmental information germane to that agency's specific responsibilities;

3.4.4 The public review period for the Draft PEIR was for 45 days between June 9, 2011 – August 12, 2011. A Revised Draft PEIR was recirculated for a 45-day public review beginning January 31, 2012, and ending on March 16, 2012;

3.4.5 The Revised Draft PEIR was completed in compliance with CEQA;

3.4.6 The Final PEIR reflects the City's independent judgment;

3.4.7 The City evaluated comments on environmental issues received from persons who reviewed the Draft PEIR, as well as the Revised Draft PEIR. In accordance with CEQA, the City prepared written responses describing the disposition of significant environmental issues raised. The Final PEIR provides adequate, good faith, and reasoned responses to the comments. The City reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information to the Draft PEIR including all comments received up to the date of adoption of these Findings, concerning the environmental impacts identified and analyzed in the Final SEIR;

3.4.8 The City finds that the Final PEIR provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the Project. The public review periods provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft PEIR, as well as the Revised Draft PEIR. The Final PEIR was prepared after the public review period ended and the City drafted responses to comments made during the public review period;

3.4.9 The Final PEIR evaluated the following direct and cumulative impacts: Land Use, Traffic/Circulation, Hazardous Materials and Hazards, Air Quality, Greenhouse Gas Emissions, Noise, Biological Resources, Cultural Resources, Geology/Soils, Agricultural Resources, Aesthetics, Hydrology/Water Quality, and Paleontological Resources. Additionally, the Final PEIR considered Growth Inducing Impacts of the Project, as well as a reasonable range of Project alternatives. All of the significant environmental impacts of the Project were identified in the Final PEIR;

3.4.10 CEQA requires the lead agency approving a project to adopt a MMRP for the changes to the project, which it has adopted or made a condition of project approval in order to

ensure compliance with project implementation. The MMRP included in the Final PEIR as certified by the City serves that function. The MMRP includes all of the mitigation measures identified in the Final PEIR and has been designed to ensure compliance during implementation of the Project. In accordance with CEQA, the MMRP provides the measures to ensure that the mitigation measures are fully enforceable;

3.4.11 The MMRP designates responsibility and anticipated timing for the implementation of mitigation; the City will serve as the MMRP Coordinator;

3.4.12 In determining whether the Project may have a significant impact on the environment, and in adopting Findings pursuant to Section 21081 of CEQA, the City has complied with CEQA Sections 21080.5 and 21082.2;

3.4.13 The impacts of the Project have been analyzed to the extent feasible at the time of certification of the Final PEIR;

3.4.14 The City made no decisions related to approval of the Project prior to the initial certification of the Final PEIR by the City Council. The City also did not commit to a definite course of action with respect to the Project prior to the initial certification of the Final PEIR by the City Council;

3.4.15 Copies of all the documents incorporated by reference in the Final PEIR are and have been available upon request during all regular business hours at the offices of the City Clerk and/or Planning Division, the custodians of record for such documents or other materials;

3.4.16 Minor revisions, including clarifications and corrections, were made to the Final PEIR. Where changes have been made to the Final EIR as a result of public comment, such revision is noted and detailed with strikeout/underline in the text of the Final EIR, and where applicable, summarized in the response to comment;

3.4.17 The responses to comments on the Draft PEIR and Revised Draft PEIR, which are contained in the Final PEIR, clarify and amplify the analysis in the Revised Draft PEIR;

3.4.18 Having reviewed the information contained in the Draft PEIR, Revised Draft PEIR, Final PEIR, the administrative record, as well as the requirements of CEQA and the State CEQA Guidelines regarding re-circulation of Draft EIRs, and having analyzed the changes in the Revised Draft PEIR which have occurred since the close of the public review period, the City finds that there is no new significant information regarding adverse environmental impacts of the Project in the Final PEIR and finds that re-circulation of the Revised Draft PEIR is not required; and

3.4.19 Having received, reviewed, and considered all information and documents in the Final PEIR, as well as all other information in the record of proceedings on this matter, the following Findings and Statement of Overriding Considerations are hereby adopted by the City as the CEQA Lead Agency. These Findings set forth the Environmental basis for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the Project.

4.0 Environmental Issues Determined Not to be Potentially Affected by the Project

Based on the Public's responses to the Project's Notice of Preparation, the following environmental issues were determined by the City to be either inapplicable to the Project based upon the nature of the Project and/or the absence of any potential impact related to the issue or because the issue was potentially impacted to a degree deemed to be less than significant and, therefore, not warranting further consideration in the Final PEIR other than as set forth in Section 7.0 of the Revised Draft PEIR. No substantial evidence has been presented to or identified by the City which would modify or otherwise alter the City's less-than-significant determination for each of the following environmental issues: mineral resources, population/housing, public services and utilities, and recreation.

5.0 Findings Regarding Potentially Significant Environmental Effects Which Are Determined Not to Be Significant or Which Can Be Substantially Lessened or Avoided Through Feasible Mitigation Measures

The City has reviewed the follow subject areas to determine if significant environmental effects would occur as a result of the update to the Circulation Element under any of the proposed alternatives: land use, traffic/circulation, hazardous materials & hazards, air quality, greenhouse gas emissions, noise, biological resources, cultural resources, geology/soils, agricultural resources, aesthetics, hydrology/water quality, and paleontological resources. Among these subject areas, only air quality was determined to not result in a significant impact, and thus no mitigation was required. In accordance with CEQA Guidelines Section 15092(b)(2), the City shall not approve the Project unless it first finds under CEQA Section 21081 and CEQA Guidelines Section 15091(a) that one of the three following findings can be made:

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

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

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

The City, having reviewed and considered the information contained in the EIR, finds pursuant to Public Resources Code §21081(a)(1) and Guidelines §15091(a)(1) that changes or alterations have been required in, or incorporated into, the Project under Alternative 1 which would mitigate, avoid, or substantially lessen to below a level of significance the following potential significant environmental effects identified in the EIR. Those impacts that are found to be significant and unmitigable are discussed below under Section 6 of the Findings.

5.1 Land Use

Environmental Impact: Alternative 1 will result in significant, mitigable land use impacts. Under this alternative, plans for a new Melrose Drive alignment between Spur Avenue and North Santa Fe Avenue may result in the separation of Guajome Regional Park from the adjacent community, thus resulting in the potential to physically divide an established community. Additionally, the planned extension of Pala Road included in this alternative could also result in dividing the community within the vicinity of this roadway. Furthermore, Alternative 1 includes the extension of Melrose Drive, which would also result in significant land use impacts as described in the Melrose Drive Extension Final EIR, certified in Sept. 2010. Alternative 1 is not anticipated to contribute to significant cumulative impacts related to land use, as evaluated in Section 5.2.1.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact land use. However, it is possible that when those specific transportation facilities noted above are designed and implemented, some site-specific land use impacts may occur. The potentially significant land use impact would be mitigated to below a level of significance with implementation of Mitigation Measure L1, provided below from the Final PEIR (Section 4.1).

Mitigation Measures: The Project will be conditioned as follows:

L1 Potential future land use impacts shall be assessed in a future facility-specific environmental document as required under CEQA, and project-specific mitigation measures shall be identified and included, as required, to reduce or avoid impacts.

Facts in Support of Findings: With implementation of Mitigation Measure L1 above, there would be no residual significant land use impact associated with the Circulation Element Update under Alternative 1.

5.2 Traffic/Circulation

Environmental Impact: Alternative 1 will result in significant, mitigable traffic/circulation impacts. Under this alternative, the following seven intersections would operate at a deficient LOS (LOS E or F) during one or both peak hour time periods and can be mitigated to below a level of significance:

- (#17) El Camino Real & Vista Way (PM - LOS E)
- (#20) Vista Way & Jefferson Street (PM - LOS E)
- (#27) Rancho Del Oro Road & Vista Del Oro Drive (AM & PM - LOS F)

- (#28) Rancho Del Oro Road & Cameo Drive (AM & PM - LOS F)
- (#29) Rancho Del Oro Road & Trieste Way & Sicily Way (AM & PM - LOS F)
- (#33) College Boulevard & North River Road (PM - LOS F)
- (#43) College Boulevard & Lake Boulevard (PM - LOS E)

Alternative 1 was determined to result in both a direct and cumulative level traffic impact to roadway intersections, as evaluated in Section 4.2 and summarized in Section 5.2.2.

Finding: The adoption of the update to the Circulation Element would not directly result in construction of roadway improvements. However, it is possible that when those specific transportation facilities noted above are designed and implemented, site-specific impacts to traffic and circulation may occur. The potentially significant traffic/circulation impact would be mitigated on the seven intersections listed above to below a level of significance with implementation of Mitigation Measures T45, T46, T49 - T52, and T54, provided below from the Final PEIR (Section 4.2).

Mitigation Measures: The Project will be conditioned as follows:

T45 (#17) El Camino Real/Vista Way
NB – Provide 3 Dedicated Thru Lanes and 1 Dedicated Right Turn Lane.

T46 (#20) Vista Way/Jefferson St
WB - Provide 1 Thru and 1 Shared Thru-Right Turn Lane.

T49 (#27) Rancho Del Oro Rd/Vista Del Oro Dr
Provide a signal, if signal warrants are met.

T50 (#28) Rancho Del Oro Rd/Cameo Dr
Provide a signal, if signal warrants are met.

T51 (#29) Rancho Del Oro Rd/Trieste Way/Sicily Way
Provide a signal, if signal warrants are met.

T52 (#33) College Blvd/N. River Rd
WB – Provide 1 Left Turn Lane in addition to Shared Left-Thru Lane;
NB – Provide 3 Thru Lanes, 2 Right Turn Lanes.

T54 (#43) College Blvd/Lake Blvd
NB – Provide 2 Right Turn Lanes

Facts in Support of Findings: With implementation of Mitigation Measures T45, T46, T49 - T52, and T54 above, there would be no residual significant traffic/circulation impact associated with the Circulation Element Update for the seven intersections listed above, under Alternative 1.

Environmental Impact: Alternative 1 will result in significant, mitigable traffic/circulation impacts. Under this alternative, the following 4 segments would operate at a deficient LOS (LOS E or F) and can be mitigated to below a level of significance:

- Douglas Drive: N. River Road to Pala Road (LOS F)
- Douglas Drive: Pala Road to El Camino Real (LOS E)
- El Camino Real: Mesa Drive to Oceanside Boulevard (LOS E)
- State Route 76: Melrose Drive to Eastern City Limits (LOS F)

Alternative 1 was determined to result in both a direct and cumulative level traffic impact to roadway segments, as evaluated in Section 4.2 and summarized in Section 5.2.2.

Finding: The adoption of the update to the Circulation Element would not directly result in construction of roadway improvements. However, it is possible that when those specific transportation facilities noted above are designed and implemented, site-specific impacts to traffic and circulation may occur. The potentially significant traffic/circulation impact would be mitigated on the four intersections listed above to below a level of significance with implementation of Mitigation Measures T65, T66, T67, and T75a, provided below from the Final PEIR (Section 4.2).

Mitigation Measures: The Project will be conditioned as follows:

T65 Douglas Dr: N. River Rd to Pala Rd
Widen to a 6-lane Major Arterial

T66 Douglas Dr: Pala Rd to El Camino Real
Widen to a 6-lane Major Arterial

T67 El Camino Real: Mesa Dr to Oceanside Blvd
Widen to a 6-lane Major Arterial

T75a State Route 76: Melrose Dr to Eastern City Limits
Widen to a 6-lane Expressway

Facts in Support of Findings: With implementation of Mitigation Measures T65, T66, T67, and T75a above, there would be no residual significant traffic/circulation impact associated with the Circulation Element Update for the four roadway segments list above, under Alternative 1.

5.3 Hazardous Materials and Hazards

Environmental Impact: Alternative 1 will result in significant, mitigable hazardous materials impacts. Under this alternative, if the implementation of any specific projects under Alternative 1 occurs in proximity to any known site where there had been prior release of hazardous materials, an impact related to the release of hazardous materials into the environment may occur. Furthermore, if implementation of future projects or improvements occurs in an area included on a hazardous materials site list as defined by CEQA, this would be considered a significant impact. Alternative 1 is not anticipated to contribute to significant cumulative impacts related to hazardous materials, as evaluated in Section 5.2.3.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact the environment from the release of hazardous materials. However, it is possible that when

specific transportation facilities included in Alternative 1 are designed and implemented, some site-specific impacts from the release of hazardous materials may occur. Furthermore, any future projects or improvements occur in areas listed as a hazardous materials site under CEQA, would be significant. The potentially significant hazardous materials impacts noted above would be mitigated to below a level of significance with implementation of Mitigation Measures HM1, HM2, and HM3, provided below from the Final PEIR (Section 4.3).

Mitigation Measures: The Project will be conditioned as follows:

HM1 Prior to the development of specific key network circulation elements, a Phase I Environmental Site Assessment (ESA) shall be performed. The Phase I ESA shall identify the potential for the site to contain hazardous materials (including asbestos and lead-based paints) and contaminated soils. Recommendations of the Phase I ESA may range from no further action, to preparation of a Phase II ESA that identifies specific further action required in order to remediate the hazardous materials so that they do not pose a significant health risk.

HM2 During construction activities, it may be necessary to excavate existing soil at a specific project site, or to bring fill soils to the sire from off-site locations. In areas that have been identified as being contaminated or where soil contamination is suspected, appropriate sampling is required prior to disposal of excavated soil. Complete characterization of the soil shall be prepared prior to any excavation or removal activity. Contaminated soil shall be properly disposed at an off-site facility. Fill soils also shall be sampled to ensure that imported soil is free of contamination.

HM3 A risk assessment shall be performed at all facilities in the project area where contamination has been identified or is discovered during activities, and at which soil is to be disturbed, to address non-water quality risks posed by any residual contamination, and to establish appropriate mitigation measures (e.g., natural attenuation, active remediation, and engineering controls) that would be protective of human health and the environment. All assessment and remediation activities shall be conducted in accordance with a Work Plan, which is approved by the City of Oceanside having oversight of the activities.

Facts in Support of Findings: With implementation of Mitigation Measures HM1, HM2, and HM3 above, there would be no residual significant hazardous materials impact related to release of hazardous materials or construction of a project or improvements adjacent to a site listed on a hazardous materials list as defined by CEQA, associated with the Circulation Element Update under Alternative 1.

Environmental Impact: Alternative 1 will result in a significant, mitigable hazard impact. Under this alternative, transportation facilities associated with SR-76 are located adjacent to Oceanside Municipal Airport. If improvement of these roadway facilities is not done in coordination with the airport and County Airport Land Use Commission, a significant impact could occur. Alternative 1 is not anticipated to contribute to significant cumulative impacts related to hazards, specifically those associated with proximity to Oceanside Municipal Airport, as evaluated in Section 5.2.3.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact the environment. However, it is possible that when specific transportation facilities included in Alternative 1 are designed and implemented, specifically related to SR-76, some site-specific impacts from the adjacency of these facilities to the Oceanside Municipal Airport, may occur. The potentially significant hazards impact noted above would be mitigated to below a level of significance with implementation of Mitigation Measure HM4, provided below from the Final PEIR (Section 4.3).

Mitigation Measures: The Project will be conditioned as follows:

HM4 Design and expansion of SR-76 in the vicinity of Oceanside Municipal Airport shall proceed in consultation and coordination with Oceanside Municipal Airport and County Airport Land Use Commission personnel, in compliance with applicable Federal Aviation Administration regulations and procedures.

Facts in Support of Findings: With implementation of Mitigation Measure HM4 above, there would be no residual significant hazards impact related to a project or improvement within an airport land use plan associated with the Circulation Element Update under Alternative 1.

5.4 Noise

Environmental Impact: Alternative 1 will result in significant, mitigable noise impacts. Under this alternative, future development of the following 21 proposed roadway segments have the potential to result in noise related impacts of up to 6 dBA associated with vehicular activity on Circulation Element roads:

- Cannon Rd: Melrose Dr. to Western City Limits
- Canyon Drive: SR-76 to Mission Avenue
- Douglas Drive: El Camino Real to Mission Ave
- Melrose Drive: SR-76 to Spur Avenue
- Melrose Dr: N. Santa Fe Avenue to Oceanside Blvd.
- Melrose Drive: Oceanside Blvd. to City Limits
- Mesa Drive: Mission Avenue to Foussat Road
- Mesa Avenue: Foussat Road to El Camino Real
- Mission Avenue: Coast Highway to Horne Street
- North River Rd: Vandergrift Blvd. To Stallion Rd
- North River Road: Stallion Road to Melrose Dr.
- North River Rd: Melrose Dr. to Eastern City Limits
- Oceanside Blvd.: Pacific Street to Coast Hwy
- Oceanside Blvd.: I-5 to Crouch Street
- Oceanside Blvd.: Crouch Street to Foussat Rd
- Oceanside Blvd.: Foussat Rd to El Camino Real

- Old Grove Road: Mesa Drive to College Blvd.
- Pala Road: Los Arbolitos Blvd. To Douglas Drive
- Rancho Del Oro Dr: Mesa Drive to Oceanside Blvd.
- Rancho Del Oro Dr: Oceanside Blvd. To Cameo Dr.
- Rancho Del Oro Drive: Cameo Drive to SR-78

Alternative 1 was determined to result in both a direct and cumulative level noise impact associated with roadway operations, as evaluated in Section 4.6 and summarized in Section 5.2.6.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly result in noise impacts. However, with the future development of the roadway system under this alternative, noise levels from roadway operations may result in an increase up to 6 dBA. The potentially significant noise impacts to the roadway segments noted above would be mitigated to below a level of significance with implementation of Mitigation Measure N1, provided below from the Final PEIR (Section 4.6).

Mitigation Measures: The Project will be conditioned as follows:

N1 At roadway segments where projected traffic noise exceeds a 3.0 dBA CNEL increase at 50 feet from the roadway, the City of Oceanside shall address potential traffic noise increases during the design stage of these facilities, and mitigate any significant impact to the extent feasible.

Facts in Support of Findings: With implementation of Mitigation Measure N1 above, there would be no residual significant noise impact along the above identified roadway segments, associated with the Circulation Element Update under Alternative 1.

5.5 Biological Resources

Environmental Impact: Alternative 1 will result in significant, mitigable biological resources impacts. Under this alternative, significant impacts to sensitive species may occur with the development of specific projects under Alternative 1. Those species include coastal California gnatcatcher, light-footed clapper rail associated with the SR-78/I-5 Interchange; San Diego ambrosia, sticky dudleya, coastal California gnatcatcher, California least tern, yellow warbler, least Bell's vireo associated with the future improvements to SR-76; least Bell's vireo associated with the Pala Road extension; coastal California gnatcatcher, least Bell's vireo associated with the Rancho del Oro interchange; and small-flowered morning glory, southwestern spiny rush, coastal California gnatcatcher, least Bell's vireo, and yellow-breasted chat associated with the improvements to Melrose Dr. South.

The proposed MHCP is designed to mitigate the loss of biological resources throughout the North County region by providing a comprehensive framework of interconnecting habitat and measures to ensure species diversity. Therefore, the cumulative impact would be less than significant if future projects both inside Oceanside and in nearby jurisdictions are required to conform with an adopted MHCP, the City of

Oceanside MHCP Subarea Plan, and implementing ordinances. Until the MHCP and Oceanside Subarea Plan are adopted, however, both direct and cumulative biological impacts would be expected, from this project and other projects in the region, as evaluated in Section 4.7 and summarized in Section 5.2.7.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact biological resources. However, it is possible that when specific transportation facilities included in Alternative 1 are designed and implemented, site-specific impacts to biological resources, specifically sensitive species, may occur. The potentially significant biological resources impact noted above would be mitigated to below a level of significance with implementation of Mitigation Measures BR2, BR3, BR4, and BR14, provided below from the Final PEIR (Section 4.7).

Mitigation Measures: The Project will be conditioned as follows:

BR2 Coordination with responsible listing agencies (USFWS and/or CDFG) shall be completed as early as possible and in conjunction with, or prior to, the CEQA process for actions, which may affect federal and/or state listed sensitive species and/or MHCP narrow endemic species. Specific actions necessary to protect sensitive species shall be determined on a case-by-case basis. Planning policies shall include a requirement to make use of project designs, engineering and construction practices that minimize impacts to sensitive habitats and species. The City will coordinate the designs of roads and roadway improvements within or adjacent to wildlife movement linkages and corridors (inclusive of their buffers) with the Wildlife Agencies to ensure viability of the SAP Preserve. This coordination shall occur early enough in the planning process to influence the location, alignment, and design of roads and road improvements.

Potential biological impacts of Class 1 bike paths will require site-specific environmental review at the design stage.

BR3 Night lighting shall be directed away from wildlife areas to protect species from direct night lighting. Shielding shall be incorporated in project designs to ensure ambient lighting in the MHCP Conservation Areas is not increased.

BR4 Proposed noise-generating activities during construction and post-construction shall incorporate setbacks, berms, or walls to minimize the effects of noise on resources pursuant to applicable rules, regulations, and guidelines related to land use noise standards.

BR14 Proposed project activities should occur outside of the avian breeding season, generally from February 15 to September 15 (as early as January 1 for raptors) to avoid take of birds or their eggs. Depending on the avian species present, a qualified biologist may determine that a change in the breeding season dates is warranted. If avoidance of the avian breeding season is not feasible, the Wildlife Agencies recommend that beginning 30 days prior to the initiation of project activities, a qualified biologist with experience in conducting breeding bird surveys conduct weekly bird surveys to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and any other such habitat within 300 feet of the disturbance area (within 500 feet for raptors or listed species). The surveys should continue on a weekly basis with the last survey being conducted no

more than 3 days prior to the initiation of project activities. If a protected native bird is found, the project proponent should delay all project activities within 300 feet of on- and off-site suitable nesting habitat (within 500 feet for suitable raptor or listed species nesting habitat) until August 31. Alternatively, the qualified biologist could continue the surveys in order to locate any nests. If an active nest is located, project activities within 300 feet of the nest (within 500 feet for raptors or listed species nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Flagging, stakes, and/or construction fencing should be used to demarcate the inside boundary of the buffer of 300 feet (or 500 feet) between the project activities and the nest. If the biological monitor determines that a narrower buffer between the project activities and observed active nests is warranted, he/she should submit a written explanation as to why to the City (and, upon request, the Wildlife Agencies, if they so request) will determine whether to allow a narrower buffer. The biological monitor shall be present on site during all grubbing and clearing of vegetation to ensure that these activities remain within the project footprint and that the flagging/staking/fencing is being maintained, and to minimize the likelihood that active nests are abandoned or fail due to project activities. The biological monitor shall send weekly monitoring reports to the City and shall notify the City immediately if project activities damage active avian nests.

Facts in Support of Findings: With implementation of Mitigation Measures BR2, BR3, BR4, and BR14 above, there would be no residual significant biological resources impact related to sensitive species, associated with the Circulation Element Update under Alternative 1.

Environmental Impact: Alternative 1 will result in significant, mitigable biological resources impacts. Under this alternative, significant impacts to riparian habitats and other sensitive natural communities may occur with the development of specific projects under Alternative 1. Riparian habitat and other sensitive natural communities were determined to be located near the following transportation facilities proposed under Alternative 1: SR-78/I-5 interchange; SR-76; Pala Road; College Blvd.; Rancho del Oro Interchange; Melrose Drive S.; and Coast Highway. Additionally, Alternative 1 may have a substantial effect on federally protected wetlands through direct removal, filling, hydrological interruptions, or other means, in the vicinity of the roadway improvements listed above.

The proposed MHCP is designed to mitigate the loss of biological resources throughout the North County region by providing a comprehensive framework of interconnecting habitat and measures to ensure species diversity. Therefore, the cumulative impact would be less than significant if future projects both inside Oceanside and in nearby jurisdictions are required to conform with an adopted MHCP, the City of Oceanside MHCP Subarea Plan, and implementing ordinances. Until the MHCP and Oceanside Subarea Plan are adopted, however, both direct and cumulative biological impacts would be expected, from this project and other projects in the region, as evaluated in Section 4.7 and summarized in Section 5.2.7.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact biological resources. However, it is possible that when specific transportation facilities

included in Alternative 1 are designed and implemented, site-specific impacts to biological resources, specifically riparian habitat, federally protected wetlands, and other sensitive natural communities, may occur. The potentially significant biological resources impact noted above would be mitigated to below a level of significance with implementation of Mitigation Measures BR1, BR6, BR7, and BR13, provided below from the Final PEIR (Section 4.7).

Mitigation Measures: The Project will be conditioned as follows:

BR1 Habitat-based mitigation for the permanent and temporary project impacts to wetlands (Habitat Group A), rare uplands (Habitat Group B), coastal sage scrub (Habitat Group C), annual grasslands (Habitat Group D), and other lands (Habitat Group F) shall be consistent with established ratios in the MCHP region and City of Oceanside, as provided in the table below. Mitigation shall be completed through: 1) on-site preservation; 2) off-site acquisition of mitigation land located within the region; 3) habitat restoration that increases the habitat quality and biological function of the site; or, 4) monetary compensation to acquire, maintain and administer the preservation of sensitive biological resources, in perpetuity.

MHCP Habitat-Based Mitigation Ratios

MCHP Habitat Group	Mitigation Ratio
Habitat Group A: Wetland & Riparian	1:1 or 4:1, depending on the habitat type and location within the Subarea*
Habitat Group B: Rare Upland	2:1 to 3:1
Habitat Group C: Coastal Sage Scrub	1:1 to 3:1
Habitat Group D: Chaparral	0.5:1 to 1:1
Habitat Group E: Annual Grasslands	0.5:1
Habitat Group F: Other Lands	None**

Source: Merkel & Associates, 2010

* Mitigation ratios for wetland habitat may vary depending upon quality of the resource and location within the City's NCCP Subarea Plan (SAP) zones once the SAP is adopted. Final mitigation ratios for wetlands shall be governed by the SAP and applicable state and federal regulatory approvals.

*** Group F habitat may be subject to a Habitat Development Fee in accordance with conditions of an adopted NCCP Subarea Plan.*

Potential biological impacts of Class 1 bike paths will require site-specific environmental review at the design stage.

BR6 Proposed transportation infrastructure modification in proximity to wildlife areas shall incorporate measures, including measures required through the National Pollutant Discharge Elimination System (NPDES) requirements, to ensure that the quantity and quality of runoff discharged is not altered in an adverse way when compared with existing conditions. In particular, measures shall be put in place to avoid discharge of untreated surface runoff from developed and paved areas into wildlife areas. Stormwater systems

shall be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant materials or other elements that might degrade or harm biological resources or ecosystem processes. This can be accomplished using a variety of methods including natural detention basins, grass swales or mechanical trapping devices. Regular maintenance shall occur to ensure effective operations of runoff control systems.

BR7 Project impacts to jurisdictional waterways would require issuance of the following permits by regulatory federal and state agencies: 1) Army Corps of Engineers (ACOE), CWA Section 404 permit for placement of dredged or fill material within waters of the U.S.; 2) Regional Water Quality Control Board (RWQCB), CWA Section 401 state water quality certification/waiver for an action that may result in degradation of waters of the State; and, 3) CDFG, California Fish and Game Code, Section 1602 agreement for alteration of a streambed. Mitigation for unavoidable and/or minimized impacts to jurisdictional waterways would be required as part of the permitting process to ensure a no-net-loss of wetland habitat functions and values.

BR13 The following measures will be considered at the project level review of each circulation element project, with the exception of Mission Avenue, and shall be incorporated as appropriate to the specific project:

- A monitoring biologist shall be onsite during: a) initial clearing and grubbing of all native habitats; and b) project construction within 500 feet of preserved habitat to ensure compliance with all conservation measures. The biologist must be knowledgeable of the covered species biology and ecology.
- The project shall temporarily fence (with silt barriers) the limits of project impacts (including construction staging areas and access routes) to prevent additional habitat impacts and prevent the spread of silt from the construction zone into adjacent native habitats to be preserved. Fencing shall be installed in a manner that does not impact habitats to be preserved. Temporary construction fencing shall be removed upon project completion.
- Impacts from fugitive dust will be avoided and minimized through watering and other appropriate measures.
- Construct noise barriers for short sections of road that may impact wildlife breeding;
- Site traffic controls such as stoplights and stop signs away from sensitive habitat to reduce the concentration of emissions and noise levels;
- Minimize any materials sidecasting during road construction.

Facts in Support of Findings: With implementation of Mitigation Measures BR1, BR6, BR7, and BR13 above, there would be no residual significant biological resources impact related to riparian habitat, federally protected wetlands, and other sensitive natural communities, associated with the Circulation Element Update under Alternative 1.

Environmental Impact: Alternative 1 will result in significant, mitigable biological resources impacts. Under this alternative, significant impacts to migratory species or wildlife corridors may occur with the development of specific projects under Alternative 1. Development of the following transportation facilities proposed under Alternative 1 could interfere substantially with wildlife species movement: SR-78/I-5 interchange; SR-76; Pala Road; Rancho del Oro Interchange; Melrose Drive S.; and Coast Highway. Alternative 1 is not anticipated to contribute to significant cumulative impacts related to migratory species or wildlife corridors, as evaluated in Section 4.7 and summarized in Section 5.2.7.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact biological resources. However, it is possible that when specific transportation facilities included in Alternative 1 are designed and implemented, site-specific impacts to biological resources, specifically migratory species and wildlife corridors, may occur. The potentially significant biological resources impact noted above would be mitigated to below a level of significance with implementation of Mitigation Measures BR3 through BR6, BR8 through BR13, and BR14, provided below from the Final PEIR (Section 4.7).

Mitigation Measures: As required above, the Project will be conditioned to implement Mitigation Measures BR3, BR4, and BR14 (sensitive species); and, BR6 and BR13 (riparian habitat, federally protected wetlands, and other sensitive natural communities). Additional Mitigation Measures not previously identified for any of the above impacts, but which must be implemented to address migratory species and wildlife corridors, include BR5, and BR9 through BR12. The Project will be conditioned to implement these additional measures as follows:

BR5 When proposing landscape plans adjacent to wildlife areas, permittees shall avoid the use of invasive species for development of the listed facilities. Considerations shall include proximity of planting areas to the wildlife areas, species considered in the planting plans, biological resources being protected within their relative sensitivity to invasion, and barriers to plant and seed dispersal, such as walls, topography and other features.

BR9 New roads or improvements to existing roads must include wildlife crossing improvements designed for species of concern in the area, and may include bridges, vegetated over-crossings, enlarged culverts, or other structures shown to be effective for wildlife movement, along with appropriate fencing to keep animals off of roads and funnel them to safe crossing points. The placement and design of such crossings, fences, and associated improvements (e.g., vegetation restoration) will be based on site-specific wildlife movement surveys and biological criteria included as part of the CEQA process or other appropriate implementing ordinances. Within or adjacent to the MHCP Preserve and/or WCPZ/Regional Corridor, the City will coordinate the design of the road improvements with the Wildlife Agencies to account for wildlife movement. This coordination needs to occur early enough in the planning process to influence the location, alignment, and design of the road improvements.

BR10 Noise within underpasses should be less than 60 dBA (decibels, A-weighted scale) during the time of day at which the animals use it.

BR11 Use skylight openings within the underpass to allow for vegetation cover within the underpass.

BR12 Any new road should be located in the least environmentally damaging location and designed to minimize fragmentation and edge effects.

Facts in Support of Findings: With implementation of Mitigation Measures BR3 through BR6, BR8 through BR13, and BR14, above, there would be no residual significant biological resources impact related to migratory species and wildlife corridors, associated with the Circulation Element Update under Alternative 1.

5.6 Cultural Resources

Environmental Impact: Alternative 1 will result in significant, mitigable cultural resources impacts. Under this alternative, significant impacts to historical resources may occur with the development of specific projects under Alternative 1. Historic resources are located near the following transportation facilities proposed under Alternative 1 and could incur significant impacts: SR-78/I-5 interchange; SR-76; Mission Avenue; Pala Road; and Rancho del Oro Interchange. Alternative 1 is not anticipated to contribute to significant cumulative impacts related to historical resources, as evaluated in Section 5.2.8.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact cultural resources. However, it is possible that when specific transportation facilities included in Alternative 1 are designed and implemented, site-specific impacts to cultural resources, specifically historical resources as defined in Section 15064.5, may occur. The potentially significant cultural resources impact noted above would be mitigated to below a level of significance with implementation of Mitigation Measures CR2, provided below from the Final PEIR (Section 4.8).

Mitigation Measures: The Project will be conditioned as follows:

CR2 Prior to issuance of any permit that would directly or indirectly affect a building/structure in excess of 45 years of age, the City shall determine whether the affected building/structure meets any of the following criteria: (1) California Register-Listed or formally determined eligible, (2) San Diego Register-Listed or formally determined eligible, or (3) meets the CEQA criteria for a historic resource. The evaluation of historic architectural resources would be based on criteria such as: age, location, context, association with an important person or event, uniqueness or structural integrity.

Preferred mitigation for historic buildings or structures is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm to the resource shall be taken

Generally, a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historic resource.

A lead agency shall identify potentially feasible measures to mitigate significant adverse changes in the significance of an historic resource. The lead agency shall ensure that any adopted measures to mitigate or avoid significant adverse changes are fully enforceable through permit conditions, agreements, or other measures.

Facts in Support of Findings: With implementation of Mitigation Measure CR2 above, there would be no residual significant cultural resources impact related to historical resources, associated with the Circulation Element Update under Alternative 1.

Environmental Impact: Alternative 1 will result in significant, mitigable cultural resources impacts. Under this alternative, significant impacts to archaeological resources may occur with the development of specific projects under Alternative 1. Archaeological resources are located near the following transportation facilities proposed under Alternative 1 and could incur significant impacts: SR-78/I-5 interchange; SR-76; Coast Highway; Pala Road; and Rancho del Oro Interchange. Alternative 1 is not anticipated to contribute to significant cumulative impacts related to archaeological resources, as evaluated in Section 5.2.8.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact cultural resources. However, it is possible that when specific transportation facilities included in Alternative 1 are designed and implemented, site-specific impacts to cultural resources, specifically archaeological resources as defined in Section 15064.5, may occur. The potentially significant cultural resources impact noted above would be mitigated to below a level of significance with implementation of Mitigation Measures CR1, provided below from the Final PEIR (Section 4.8).

Mitigation Measures: The Project will be conditioned as follows:

CR1 As part of the objectives, criteria, and procedures required by Section 21082 of the Public Resources Code, a lead agency should make provisions for historic or unique archaeological resources accidentally discovered during construction. These provisions should include an immediate evaluation of the find by a qualified archaeologist. If the find is determined to be an historical or unique archaeological resource, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation should be available. Work could continue on other parts of the building site while historical or unique archaeological resource mitigation takes place.

1. The project archaeologist will determine the likelihood for the project site to contain historical resources by reviewing site photographs and existing historic information and conducting a site visit. A Native American monitor shall be present during any field reconnaissance surveys for cultural resources. A cultural resource inventory of the project Area of Potential Effect (APE) is required to identify previously unrecorded cultural resources. Before actual field reconnaissance would occur, background research is required which includes a record search at the South Coastal Information Center (SCIC) at San Diego State University and the San Diego Museum of Man. A review of the Sacred Lands File maintained by the Native American Heritage Commission (NAHC) must also be

conducted at this time. Information about existing archaeological collections should also be obtained from the San Diego Archaeological Center and any tribal repositories or museums. The project archaeologist will determine the likelihood for the project site to contain cultural resources by reviewing site photographs and existing historic information and conducting a site visit. If through background research and field surveys historic resources are identified, then an evaluation of significance must be performed by a qualified archaeologist or historian, as applicable.

2. Cultural resource significance evaluations are required when new resources are identified as a result of a survey, when previously recorded resources that have not been previously evaluated are relocated during a survey, and when previously recorded sites are not relocated during the survey and if there is a likelihood that the resource still exists. Significance evaluations will not be required if the resource has been evaluated for CEQA significance or for National Register eligibility within the last five years if there has been no change in the conditions which contributed to the determination of significance or eligibility. A property should be re-evaluated if its condition or setting has either improved or deteriorated, if new information is available, or if the resource is becoming increasingly rare due to the loss of other similar resources.

3. An archaeological testing program will be required, which includes evaluating the horizontal and vertical dimensions of a site, the chronological placement, site function, artifact/ecofact density and variability, presence/absence of subsurface features and research potential. It should be noted, that tribal representatives and/or Native American monitors will be involved in making recommendations regarding the significance of prehistoric archaeological sites during this phase of the process. The testing program may require reevaluation of the proposed project in consultation with the Native American representative which could result in a combination of project redesign to avoid and/or preserve significant resources as well as mitigation in the form of data recovery and monitoring (as recommended by the qualified archaeologist and Native American representative).

4. If significant cultural resources are identified within the APE, the site may be eligible for designation. If no significant resources are found, and site conditions are such that there is no potential for further discoveries, then no further action is required. Resources found to be non-significant as a result of a survey and/or assessment will require no further work beyond documentation of the resources on the appropriate DPR site forms and inclusion of results in the survey and/or assessment report. If no significant resources are found but results of the initial evaluation and testing phase indicates there is still a potential for resources to be present in portions of the property that could not be tested, then mitigation monitoring is required.

5. Preferred mitigation for cultural resources is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm shall be taken. For archaeological resources where preservation is not an option, a Research Design for a data recovery program shall be prepared. The data recovery program shall be based on a written research design and is subject to the provisions as outlined in CEQA, Section 21083.2. Archaeological monitoring may be required during building demolition and/or construction grading when significant resources are known or suspected to be present on a site, but cannot be recovered prior to grading due to obstructions such as but not limited to, existing development or dense vegetation. Prior to construction monitoring a Cultural Resource Mitigation Monitoring Plan will be prepared by the Project Archaeologist. Tribal representatives will be provided with a copy of the CRMMP once completed, and any other reports generated as a result of the CRMMP.

6. A Native American observer must be retained for all ground disturbing activities, including all clearing, excavation, grading and trenching, whenever a Native American Traditional Cultural Property or archaeological site within the APE of a City project would be impacted. If cultural resources are discovered during construction, all earth moving activity within and around the immediate discovery area shall be diverted until the nature and significance of the resource can be assessed. Both the archaeological monitor and Native American monitor will have the authority to halt ground disturbance in the event of a potentially significant discovery. In the event that human remains are encountered during data recovery and/or monitoring program, the provisions of Public Resources Code Section 5097 must be followed. The Native American monitor shall be consulted during the preparation of the written report, at which time they may express concerns about the treatment of sensitive resources. If the Native American community requests participation of an observer for subsurface investigations on private property, the request shall be honored. The return of artifacts of cultural importance to the Luiseño, recovered during cultural resource evaluation, data recovery, or mitigation monitoring, shall be negotiated between the Tribe and the City of Oceanside, Caltrans, or the private landowner, as applicable.

Facts in Support of Findings: With implementation of Mitigation Measure CR1 above, there would be no residual significant cultural resources impact related to archaeological resources, associated with the Circulation Element Update under Alternative 1.

Environmental Impact: Alternative 1 will result in significant, mitigable cultural resources impacts. Under this alternative, significant impacts associated with the disturbance of human remains, may occur with the development of specific projects under Alternative 1. While there are no known burial sites in the vicinity of the proposed roadway system improvement proposed under Alternative, there is a potential for

encountering previously undiscovered human remains. This would be considered a significant impact. Alternative 1 is not anticipated to contribute to significant cumulative impacts related to the disturbance of human remains, as evaluated in Section 5.2.8.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact cultural resources. However, it is possible that when specific transportation facilities included in Alternative 1 are designed and implemented, site-specific impacts to cultural resources, specifically previously undiscovered human remains, may occur. The potentially significant cultural resources impact noted above would be mitigated to below a level of significance with implementation of Mitigation Measures CR3, provided below from the Final PEIR (Section 4.8).

Mitigation Measures: The Project will be conditioned as follows:

CR-3 When an initial study identifies the existence of, or the probable likelihood, of Native American human remains within the project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code Section 5097.98. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans as identified by the Native American Heritage Commission. Action implementing such an agreement is exempt from the general prohibition on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (Health and Safety Code Section 7050.5).

In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:

- There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
- The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and
- If the coroner determines the remains to be Native American: The coroner shall contact the Native American Heritage Commission within 24 hours.
- The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
- The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.

Facts in Support of Findings: With implementation of Mitigation Measure CR3 above, there would be no residual significant cultural resources impact related to the disturbance of human remains, associated with the Circulation Element Update under Alternative 1.

5.7 Geology/Soils

Environmental Impact: Alternative 1 will result in significant, mitigable geology/soils impacts. Under this alternative, significant impacts resultant from being located on a geologic unit or soil that is unstable may occur with the development of specific projects under Alternative 1. Based on the County of San Diego Map of Landslide Susceptibility Areas, there are areas within the City of Oceanside that have a moderate susceptibility to landslides. These areas are generally located east of I-5, south of SR-76, and north of SR-78. The potential for landslide and slope stability on proposed key network circulation improvements is considered a significant impact. Furthermore, soils typically found within the City of Oceanside are considered moderately to highly expansive. Alternative 1 is not anticipated to contribute to significant cumulative impacts related to geology and soils, as evaluated in Section 5.2.9.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact geology and soils. However, it is possible that when specific transportation facilities included in Alternative 1 are designed and implemented, site-specific impacts associated with soil instability, including landslides and otherwise expansive soils, may occur. The potentially significant geology/soils impact noted above would be mitigated to below a level of significance with implementation of Mitigation Measure GS1, provided below from the Final PEIR (Section 4.9).

Mitigation Measures: The Project will be conditioned as follows:

GS1 A comprehensive geotechnical evaluation, including development-specific surface exploration and laboratory testing, shall be conducted prior to design and construction of any Circulation Element facility improvement within the project area. The purpose of the subsurface evaluation would be to: 1) further evaluate the subsurface conditions in the area of future infrastructure or improvements; and, 2) provide information pertaining to the engineering characteristics of earth materials associated with each development. From these data, recommendations for grading, earthwork, surface and subsurface drainage, foundations, pavement structural sections, sedimentation mitigation, and other pertinent geotechnical design considerations may be formulated.

The Rose Canyon fault has been mapped west of the project area. Accordingly, the project area has a potential for moderate ground motions due to an earthquake on the active Rose Canyon fault. Therefore, the potential for moderate seismic accelerations will need to be considered in the design of future structures or improvements. The level of risk associated with these seismic accelerations is the level of risk assumed by the UBC minimum design requirements.

The presence of potentially expansive soils shall be evaluated as part of the geotechnical design phase of any improvement. Measures may include removal of these soils and replacement with compacted fill.

Facts in Support of Findings: With implementation of Mitigation Measure GS1 above, there would be no residual significant geology/soils impact related to soil instability (e.g., landslides, expansive soils), associated with the Circulation Element Update under Alternative 1.

5.8 Aesthetics

Environmental Impact: Alternative 1 will result in significant, mitigable aesthetics impacts. Under this alternative, significant impacts to a scenic vista may occur with the development of specific projects under Alternative 1. Several scenic areas in Oceanside may be adversely affected by the northern extension of transportation facilities including, the San Luis Rey River area (Pala Road Extension, SR-76, Coast Blvd.); the Buena Vista Lagoon area (I-5/SR-78 interchange, Coast Blvd.); and the Mission San Luis Rey Historic District (Mission Avenue). Implementation of these identified roadway improvements listed above may also substantially degrade the existing visual character of the area and surroundings.

Additionally, the implementation of Alternative 1 was determined to have the potential to create a new sources of substantial light or glare that could adversely affect daytime and nighttime views, especially those where no roadway now exists. These roadway projects include the Melrose Drive Southern Extension, Pala Road Extension, and Rancho del Oro interchange.

Alternative 1 is not anticipated to contribute to significant cumulative impacts related to aesthetics, as evaluated in Section 5.2.11.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact aesthetics. However, it is possible that when specific transportation facilities included in Alternative 1 are designed and implemented, site-specific impacts to scenic vistas, existing visual character, and as a result of a new source of light or glare, may occur. The potentially significant aesthetic impacts noted above would be mitigated to below a level of significance with implementation of Mitigation Measure A1, provided below from the Final PEIR (Section 4.11).

Mitigation Measures: The Project will be conditioned as follows:

A1 Potential future visual/aesthetic impacts shall be assessed in future facility-specific environmental document(s) as required under CEQA, and appropriate mitigation measures identified, if required at that time, to reduce or avoid significant impacts.

Facts in Support of Findings: With implementation of Mitigation Measure A1 above, there would be no residual significant aesthetic impact to scenic vistas, existing visual character, or as a result of a new source of light or glare, associated with the Circulation Element Update under Alternative 1.

5.9 Hydrology/Water Quality

Environmental Impact: Alternative 1 will result in significant, mitigable hydrology/water quality impacts. Under this alternative, significant impacts related to the violation of current water quality standards or waste discharge requirements may occur with the development of specific projects under Alternative 1. Construction grading for future projects under Alternative 1 could potentially alter existing drainage patterns, causing erosion or siltation on a particular site, or in the area, on a short-term basis during construction. Specifically, improvements located near the following impaired water bodies: (1) Buena Vista Creek, (2) Buena Vista Lagoon, (3) Loma Alta Creek, and (4) San Luis Rey River. The project-specific construction may also cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives, or may also result in the degradation of beneficial uses.

With respect to waste discharge requirements, compliance with the NPDES permits and City of Oceanside Municipal Code are anticipated to reduce the level of pollutants in waterways. Also, per federal, state and local regulations, future development activity will be required to remove/clean-up existing hazards/hazardous materials prior to development. Removing/cleaning-up hazards/hazardous materials from the Project area will also reduce the amount of pollutant runoff that may enter the waterways. Over the next 20 years, future development/improvement of roadways will replace existing land uses that do not comply with water quality control requirements with land uses that should include all water quality measures identified in current and future applicable water quality control programs. However, given the current status of the Buena Vista Creek, Buena Vista Lagoon, Loma Alta Creek, and San Luis Rey River on the 303(d) list of impaired water bodies and the potential for future non-compliance with the water quality regulations, this issue is considered a significant impact.

Alternative 1 is not anticipated to contribute to significant cumulative impacts related to hydrology and water quality, as evaluated in Section 5.2.12.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact hydrology or water quality. However, it is possible that when specific transportation facilities included in Alternative 1 are designed and implemented, site-specific impacts related to the violation of current water quality standards or waste discharge requirements, may occur. The potentially significant hydrology/water quality impacts noted above would be mitigated to below a level of significance with implementation of Mitigation Measures HWQ2 and HWQ3, provided below from the Final PEIR (Section 4.12).

Mitigation Measures: The Project will be conditioned as follows:

HWQ2 Prior to commencement of construction activities for future development/improvement activities, in compliance approval documentation with the City of Oceanside Municipal Code, General Construction Stormwater Permit (Order No. 2009-0009-DWQ, NPDES General Permit No. CAS000002)) and the Regional Municipal Stormwater Permit (Order No. R9-2007-0001, NPDES No. CAS0108758) shall be obtained. Under the General Construction Stormwater Permit, the following components are required, a Notice of Intent (NOI),

Stormwater Pollution Prevention Plan (SWPPP), and a Monitoring Program and Reporting Requirements. Required elements of SWPPP include:

- Site description addressing the elements and characteristics specific to the site;
- Description of Best Management Practices (BMPs) and Low Impact Design (LID) concepts for erosion and sediment controls;
- BMPs for construction waste handling and disposal;
- Implementation of approved local plans;
- Proposed post-construction controls, including description of local post-construction erosion and sediment control requirements, as well as requirements for regular maintenance;
- Non-storm water management;
- Identify a sampling and analysis strategy and sampling schedule for discharges from construction activity which discharges into water bodies listed on the 303(d) list of impaired water bodies; and,
- For all construction activity, identify a sampling and analysis strategy and sampling schedule for pollutants which are not visually detectable in stormwater dischargers, which are known to occur on the construction site, and which could cause or contribute to an exceedance of water quality objectives in receiving waters.

Some of the BMPs that shall be used during construction for compliance with the City of Oceanside Municipal Code, General Construction Stormwater Permit, and Regional Municipal Stormwater Permit include, but are not limited to:

- Silt fence, fiber rolls, or gravel bag berms
- Street Sweeping
- Storm drain inlet protection
- Stabilized construction entrance/exit
- Vehicle and equipment maintenance, cleaning, and fueling
- Hydroseed, soil binders, or straw mulch

HWQ3 All future development/improvement projects shall obtain comply with the City of Oceanside Municipal Code, General Construction Stormwater Permit (Order No. 2009-0009-DWQ, NPDES General Permit No. CAS000002) and the Regional Municipal Stormwater Permit (Order No. R9-2007-0001, NPDES No. CAS0108758), including the City's SUSMP requirements. Components of future development/improvement project design that will help achieve compliance with these long-term water quality regulations shall include, but are not limited to:

- Infiltration basins
- Retention/detention basins

- Biofilters
- Structural controls
- Low Impact Design (LID) concepts

Facts in Support of Findings: With implementation of Mitigation Measures HWQ2 and HWQ3 above, there would be no residual significant hydrology/water quality impact related to the violation of current water quality standards or waste discharge requirements, associated with the Circulation Element Update under Alternative 1.

Environmental Impact: Alternative 1 will result in significant, mitigable hydrology/water quality impacts. Under this alternative, significant impacts related to the substantial alteration of existing drainage patterns on site and within the area, or through the creation or contribution of runoff, may occur with the development of specific projects under Alternative 1. Improvements to roadways associated with Alternative 1 may require grading or alteration of the topography that could affect the hydrologic function of the specific area, altering localized drainage patterns and runoff. Specifically, proposed improvements under this Alternative that may substantially affect existing drainage patterns or increase/contribute to runoff are the SR-76 expansion to six-lanes, the Pala Road Extension, Coast Highway improvements, College Avenue improvements, and the SR-78 interchanges at I-5 and at Rancho del Oro. Alternative 1 is not anticipated to contribute to significant cumulative impacts related to hydrology and water quality, as evaluated in Section 5.2.12.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact hydrology or water quality. However, it is possible that when specific transportation facilities included in Alternative 1 are designed and implemented, site-specific impacts resultant from the alteration of existing drainage or creation/contribution to runoff, may occur. The potentially significant hydrology/water quality impacts noted above would be mitigated to below a level of significance with implementation of Mitigation Measure HWQ1, provided below from the Final PEIR (Section 4.12).

Mitigation Measures: The Project will be conditioned as follows:

HWQ1 A detailed hydrology study shall be prepared for each specific improvement/ development that addresses the onsite and offsite hydrological and drainage characteristics of each proposed roadway improvement. For proposed improvements located within or adjacent to the 100-year floodplain, additional consideration shall be given to the design of the project. An appropriate drainage control plan that controls runoff and drainage in a manner acceptable to City Engineering Standards for the specific improvement shall be implemented. The drainage control plan shall be implemented in accordance with the recommendations of the hydrology study and shall address on-site and off-site drainage requirements to ensure on-site runoff will not adversely affect off-site areas or alter the existing drainage pattern of the site or off-site areas.

Facts in Support of Findings: With implementation of Mitigation Measure HWQ1 above, there would be no residual significant hydrology/water quality impact related to the violation of current water quality standards or waste discharge requirements, associated with the Circulation Element Update under Alternative 1.

Environmental Impact: Alternative 1 will result in significant, mitigable hydrology/water quality impacts. Under this alternative, significant impacts to aquatic, wetland, or riparian habitat, may occur with the development of specific projects under Alternative 1. Consistent with the Findings provided above under Section 5.5 for biological resources, wetlands, riparian habitat and other sensitive natural communities were determined to be located near the following transportation facilities proposed under Alternative 1: SR-78/I-5 interchange; SR-76; Pala Road; College Blvd.; Rancho del Oro Interchange; Melrose Drive S.; and Coast Highway. Alternative 1 is not anticipated to contribute to significant cumulative impacts related to hydrology and water quality, as evaluated in Section 5.2.12.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact hydrology or water quality. However, it is possible that when specific transportation facilities included in Alternative 1 are designed and implemented, site-specific impacts to aquatic, wetland or riparian habitat, may occur. The potentially significant hydrology/water quality impacts noted above would be mitigated to below a level of significance with implementation of Mitigation Measures BR1, BR2, and BR7, as detailed above in Section 5.5 of the Findings.

Mitigation Measures: As required above in the Findings for biological resources (Section 5.5), the Project will be conditioned to implement Mitigation Measures BR1, BR2, and BR7.

Facts in Support of Findings: With implementation of Mitigation Measures BR1, BR2, and BR7 above (Section 5.5 of the Findings), there would be no residual significant hydrology/water quality impact to aquatic, wetland or riparian habitat, associated with the Circulation Element Update under Alternative 1.

5.10 Paleontological Resources

Environmental Impact: Alternative 1 will result in significant, mitigable impacts to paleontological resources. Under this alternative, significant impacts to unique paleontological resources or geologic features may occur with the development of specific projects under Alternative 1. High- and moderate-sensitivity fossil resources are likely to be located near the following transportation facilities proposed under Alternative 1 and could incur significant impacts: SR-78/I-5 interchange; SR-76; College Blvd.; Coast Highway; Mission Avenue; Rancho del Oro Interchange; and Melrose Drive Southern Extension. Alternative 1 is not anticipated to contribute to significant cumulative impacts related to paleontology, as evaluated in Section 5.2.13.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact paleontological resources. However, it is possible that when specific transportation facilities included in Alternative 1 are designed and implemented, site-specific impacts may occur. The potentially significant impacts noted above would be mitigated to below a level of significance with implementation of Mitigation Measure PR1, provided below from the Final PEIR (Section 4.13).

Mitigation Measures: The Project will be conditioned as follows:

PR1 Prior to project site grading at site locations with potential fossil-bearing formations, a qualified paleontologist shall be retained to carry out an appropriate mitigation program. A qualified paleontologist is defined as an individual with an M.S. or Ph.D. in paleontology or geology who is familiar with paleontology procedures and techniques.

- The qualified paleontologist shall be present at the pre-construction meeting to consult with grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues.
- A paleontological monitor shall be onsite on a full-time basis during the original cutting of previously undisturbed deposits of high paleontological resource potential (Pleistocene Terrace Deposits and Santiago Formation) to inspect exposures for contained fossils. A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials. The paleontological monitor should work under the direction of a qualified paleontologist.
- When fossils are discovered the paleontologist (or paleontological monitor) shall recover them. In most cases, this fossil salvage can be completed in a short period of time. However, some fossil specimens (such as a complete large mammal skeleton) may require an extended salvage period. In these instances the paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Because of the potential for the recovery of small fossil remains, such as isolated mammal teeth, it may be necessary in certain instances, to set up a screen-washing operation on the site.
- Fossil remains collected during the monitoring and salvage portion of the paleontological mitigation program shall be cleaned, repaired, sorted, and cataloged.
- Prepared fossils, along with copies of all pertinent field notes, photos, and maps, shall be deposited (as a donation) in a scientific institution with permanent paleontological collections such as the San Diego Natural History Museum. Donation of the fossils shall be accompanied by financial support for initial specimen storage.
- A final paleontological monitoring and recovery (if applicable) summary report shall be completed that outlines the results of the mitigation program. This report shall include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils.

Facts in Support of Findings: With implementation of Mitigation Measure PR1 above, there would be no residual significant impact to paleontological resources associated with the Circulation Element Update under Alternative 1.

6.0 Findings Regarding Significant Environmental Effects Which Remain Significant and Unavoidable after Mitigation

The Final PEIR identifies four subject areas in which the Project will result in an impact on the environment, which will have significant environmental effects, even after the application of all feasible mitigation measures identified in the Final PEIR: traffic/circulation, greenhouse gas emissions, noise, and agricultural resources. In accordance with CEQA Guidelines Section 15092(b)(2), the City shall not approve the Project unless it first finds under CEQA Section 21081(a) and CEQA Guidelines Section 15091(a) that specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final PEIR, and also finds under CEQA Guidelines 15092(b)(2)(B) that the remaining significant effects are acceptable due to overriding considerations as described in CEQA Section 15093.

6.1 Traffic/Circulation

Environmental Impact: Alternative 1 will result in significant, unavoidable traffic/circulation impacts. Under this alternative, the following ten intersections would operate at a deficient LOS (LOS E or F) during one or both peak hour time periods and cannot be mitigated to below a level of significance:

- (#7) Mission Avenue & I-5 SB Ramps (PM - LOS E)
- (#8) Mission Avenue & I-5 NB Ramps (PM - LOS E)
- (#10) Oceanside Boulevard & I-5 SB Ramps (PM - LOS F)
- (#11) Oceanside Boulevard & I-5 NB Ramps (PM - LOS E)
- (#12) Oceanside Boulevard & Crouch Street (PM - LOS E)
- (#13) SR-76 & Foussat Road (AM - LOS E)
- (#16) El Camino Real & Oceanside Boulevard (AM - LOS E)
- (#22) Douglas Drive & El Camino Real (AM - LOS F; PM - LOS E)
- (#23) Douglas Drive & Mission Avenue (AM & PM - LOS E)
- (#34) College Boulevard & SR-76 (AM & PM - LOS F)

Alternative 1 was determined to result in both a direct and cumulative level traffic impact to roadway intersections, as evaluated in Section 4.2 and summarized in Section 5.2.2.

Finding: The adoption of the update to the Circulation Element would not directly result in construction of roadway improvements. However, it is possible that when those specific transportation facilities noted above are designed and implemented, site-specific impacts to traffic and circulation may occur. The potentially significant traffic/circulation impact to the ten intersections listed above would not be reduced

to below a level of significance. However, implementation of Mitigation Measures T44, T48, and T53 provided below from the Final PEIR (Section 4.2), would reduce the impacts somewhat, though not to below a level of significance. The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make other mitigation measures or Project alternatives identified in the Final PEIR infeasible.

Mitigation Measures: Mitigation measures necessary to mitigate impacts resultant from the Circulation Element Update under Alternative 1 have been identified within the Final PEIR. The following three measures are the only feasible mitigation measures that would reduce impacts associated with Alternative 1, but would not fully mitigate impacts to these roadway intersections to below a level of significance.

T43 (#17) El Camino Real/Vista Way
NB – Provide 3 Dedicated Thru Lanes and 1 Dedicated Right Turn Lane

T48 (#20) Vista Way/Jefferson St
WB - Provide 1 Thru and 1 Shared Thru-Right Turn Lane

T53 (#27) Rancho Del Oro Rd/Vista Del Oro Dr
Provide a signal, if signal warrants are met.

The Project will be conditioned to implement the above measures either as part of the City's Thoroughfare Fee Program or by a private developer when a project is identified to impact such facility; however, facts in support of the findings and a statement of overriding considerations has been prepared to detail how the Project benefits associated with the selection of Alternative 1 are substantial and outweigh the unavoidable adverse environmental effects related to traffic/circulation.

Facts in Support of Findings: Implementation of the proposed Circulation Element Update under Alternative 1 would result in a total of 17 deficient roadway intersections throughout the City of Oceanside. Of the 17 deficient roadway intersections, ten were found to be significant and unmitigable. As noted above, three of those significant and unmitigable roadway intersections could be partially mitigated with the implementation of Mitigation Measures T43, T48, and T53, though those intersections would still operate at a deficient LOS (LOS E or F) during one or both peak hour time periods. For T43 and T48, included additional improvements for these roadway intersections, but as noted below, they were determined to be infeasible:

T43	SR-76/Foussat Rd	NB – Provide 2 Right Turn Lanes SB – Provide 3 Thru Lanes	The AM impact cannot be fully mitigated, but peak hour conditions can be improved by doing these improvements. Implement the recommended mitigation measures. ***This will not fully mitigate the intersection; therefore, Significant and Unmitigable.***
T48	Douglas Dr/ Mission Ave	EB – Provide 3 Thru Lanes WB – Provide Dedicated Right-Turn Lane and 2 Left-Turn Lanes	EB mitigation cannot be implemented. Implement the WB dedicated right-turn lane and 2 left-turn lanes. *This will not fully mitigate the intersection in the PM peak hour; therefore, Significant and Unmitigable.*

T53	College Blvd/ SR-76	NB – Provide 3 Thru Lanes; 2 Right-Turn Lanes with Overlap SB – Provide 3 Thru Lanes	This intersection cannot be fully mitigated in Alternative 1 in the PM peak hour but the improvements will improve peak hour operations. The right-of-way at this intersection is very tight, but should be closely reviewed by the City Engineer before moving forward with proposed mitigation. Implement the recommended mitigation measures. *This will not fully mitigate the intersection in the PM peak hour; therefore, Significant and Unmitigable.*

With respect to the remaining intersections, the following measures and improvements were considered, but those measures were determined to be infeasible:

T38	Mission Ave/ I-5 SB Ramps	EB – Provide 3 Thru Lanes WB – Provide 2 Left-Turn Lanes, 3 Thru Lanes	This would require widening the Mission Avenue bridge over I-5, which is determined to not be feasible as Caltrans I-5 widening plans show the bridge to remain as a 4-lane overpass. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T39	Mission Ave/ I-5 NB Ramps	Provide 3 WB and EB Thru Lanes	This would require widening the Mission Avenue bridge over I-5, which is determined to not be feasible as Caltrans I-5 widening plans show the bridge to remain as a 4-lane overpass. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T40	Oceanside Blvd/ I-5 SB Ramps	EB – Provide 2 Left Turn Lanes; 3 Thru Lanes WB – Provide 3 Thru Lanes, 2 Right Turn Lanes	There is currently not enough right-of-way to widen this intersection due to the Sprinter railroad right-of-way on the south side of the intersection. Additionally, widening of this intersection is not feasible due to location of the existing I-5 bridge foundation. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T41	Oceanside Blvd/ I-5 NB Ramps	Provide 3 WB and EB Thru Lanes	There is currently not enough right-of-way to widen this intersection due to the Sprinter railroad right-of-way on the south side of the intersection. Additionally, widening of this intersection is not feasible due to location of the existing I-5 bridge foundation. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T42	Oceanside Blvd/ Crouch St	Provide 3 WB and EB Thru Lanes	There is currently not enough right-of-way to widen this intersection and provide receiving lanes on the opposing leg of the intersection due to existing commercial and residential on Oceanside Boulevard. **Improvements cannot be**

			made as proposed; therefore, the impact remains significant and unmitigable.
T44	El Camino Real/ Oceanside Blvd	Provide 3 EB or WB Thru Lanes	There is currently not enough right-of-way to widen this intersection and provide receiving lanes on the opposing leg of the intersection due to existing commercial on Oceanside Boulevard. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T47	Douglas Dr/ El Camino Real	WB – Provide Dedicated Left and Thru Lane SB – Provide 3 Thru Lanes NB – Provide 2 Thru Lanes, 1 Dedicated Right Turn Lane	There is currently not enough right-of-way to widen this intersection. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**

The proposed project is the update of the City of Oceanside's General Plan Circulation Element. Pursuant to California Government Code 65302(b), a Circulation Element is a required component in all County and City General Plans. The purpose of the Circulation Element is to present a guide to the future development of the City's transportation system, which provides for the efficient movement of people and goods. The most recent amendment to the City's Circulation Element occurred in 1995. As a general rule, it is required by the state to update components of the General Plan every 10 years. This is necessary to maintain a set of policies and goals that are representative of the current and future needs of the community.

The City of Oceanside standard for the LOS on Circulation Element roads is LOS D. An objective of the Circulation Element Update is to improve the efficiency of the existing transportation system and to improve the network for future demand. The Alternative 1 road network balances the benefits of an acceptable LOS with constraints that limit the City's ability to provide improvements, including road widening or traffic signals. Constraints encountered when balancing such improvements include environmental and existing land development. Where construction of some roads would significantly impact important biological habitats, destroy archaeological sites, impact waterways, or require the demolition of historic landmarks, the preservation of such resources may outweigh the benefits of road improvements. Thus, a lower LOS may be acceptable as a tradeoff for avoiding environmental impacts. In addition, the effort to avoid or mitigate these environmental impacts may result in a significant increase in construction costs due to engineering or purchase of mitigation credits offsite. While adopting the update to the Circulation Element under Alternative 1 would not result in direct impacts to the environment, future design and implementation of site-specific projects may.

When roadway improvements are in conflict with existing development, including commercial and office buildings, historic buildings, established neighborhoods, those improvements could negatively affect existing structures or communities. Wider roads may divide a town and change its character. Costs to widen a road are substantially increased by the acquisition of right-of-way and the relocation of existing

land uses. If costly construction or widening of roads substantially disrupts the vitality of a neighborhood or community, a lower LOS may be preferable. In some instances, road improvements may also increase dangers to pedestrians, in which case a lower LOS may be preferable.

Finding the balance between the roadway improvements and existing constraints results in the need to consider the road operations and sometimes consider that the more preferable choice is a minimal deficiency in performance versus the impacts to the environment or existing land use. The City seeks to minimize environmental impacts and minimize road construction costs associated with the proposed update to the Circulation Element. The nature of the constraints, the impact of needed improvements, potential effects on sensitive habitat/species, the availability of alternate routes, the cost of construction, and the need for better traffic circulation are carefully considered by staff before making a recommendation to accept a failing LOS. Acceptance of a lower LOS is particularly appropriate when underutilized, alternate routes are available.

The Modified '95 CE Alternative would reduce impacts to below significant on more roadway intersections than Alternative 1; however, this alternative still would result in traffic/circulation impacts that are not mitigated to a level below significant on 8 roadway intersections. Furthermore, The Modified '95 CE Alternative would result in greater environmental effects to biological and cultural resources than Alternative 1, as detailed in the PEIR. Therefore, Alternative 1, while it would not include all of the roadway improvements identified for the Modified '95 CE Alternative, it would include the completion of many of the roadway improvements previously adopted by the City (e.g., Melrose Drive extension, Mission Avenue, and College Boulevard), while omitting those that would result in the greatest environmental impact.

Conclusion: Because new or expanded road and/or intersection construction on the 10 deficient roadway intersections would be infeasible; because application of all feasible mitigation and project design measures would not achieve a level of less than significant; and because there are no feasible project alternatives that would achieve a level of less than significant at all roadway intersections while still meeting the most basic objectives for the project; impacts associated with traffic/circulation, specifically with regard to roadway intersections, would remain significant and unavoidable.

Environmental Impact: Alternative 1 will result in significant, unavoidable traffic/circulation impacts. Under this alternative, the following 17 roadway segments would operate at a deficient LOS (LOS E or F) and cannot be mitigated to below a level of significance:

- Coast Highway: Wisconsin Avenue to Oceanside Boulevard (LOS E)
- College Blvd: SR-76 to Mesa Drive (LOS E) (**2 segments**)
- College Blvd: Old Grove Road to Avenida de la Plata (LOS E)
- College Blvd: Oceanside Boulevard to Waring Road (LOS E) (**2 segments**)
- College Blvd: Vista Way to Plaza Drive (LOS E) (**2 segments**)
- College Blvd: Lake Boulevard to Southern City Limits (LOS F)
- Douglas Drive: Via Malaguena to Cardiff Bay Drive (LOS E)

- El Camino Real: Vista Way to SR-78 (LOS E)
- Lake Boulevard: Thunder Drive to Sundown Lane (LOS F)
- Mesa Drive: Mission Avenue to Foussat Road (LOS F)
- North River Road: College Boulevard to Vandegrift Boulevard (LOS E)
- Oceanside Boulevard: Crouch Street to Foussat Road (LOS E)
- Vista Way: Coast Hwy to I-5 (LOS F)
- Vista Way: College Blvd. to SR-78 EB Ramps (LOS F)

Alternative 1 was determined to result in both a direct and cumulative level traffic impact to roadway segments, as evaluated in Section 4.2 and summarized in Section 5.2.2.

Finding: The adoption of the update to the Circulation Element would not directly result in construction of roadway improvements. However, it is possible that when those specific transportation facilities noted above are designed and implemented, site-specific impacts to traffic and circulation may occur. The potentially significant traffic/circulation impact to the 17 roadway segments listed above would not be reduced to below a level of significance. However, implementation of Mitigation Measure T74 provided below from the Final PEIR (Section 4.2), would reduce the impact to the segment of Vista Way, between College Blvd and SR-78 WB Ramps somewhat, though not to below a level of significance. The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make other mitigation measures or Project alternatives identified in the Final PEIR infeasible.

Mitigation Measures: Mitigation measures necessary to mitigate impacts resultant from the Circulation Element Update under Alternative 1 have been identified within the Final PEIR. The following measure is the only feasible mitigation measure that would reduce impacts associated with Alternative 1, but would not fully mitigate the identified impact to this roadway segment to below a level of significance.

T74 Vista Way: College Blvd. to SR-78 WB Ramps
Provide WB dedicated right-turn lane and lengthen the WB left-turn lanes at the College Blvd./Vista Way intersection.

The Project will be conditioned to implement the above measure; however, facts in support of the findings and a statement of overriding considerations has been prepared to detail how the Project benefits associated with the selection of Alternative 1 are substantial and outweigh the unavoidable adverse environmental effects related to traffic/circulation.

Facts in Support of Findings: Implementation of the proposed Circulation Element Update under Alternative 1 would result in a total of 21 deficient roadway segments throughout the City of Oceanside. Of the 21 deficient roadway segments, 17 were found to be significant and unmitigable. As noted above, only one of those significant and unmitigable roadway segments could be partially mitigated with the implementation of Mitigation Measure T74, though that roadway segment would still operate at a deficient

LOS (LOS E or F). With respect to the remaining roadway segments, the following measures and improvements were considered, but those measures were determined to be infeasible:

T74	Vista Way: College Blvd. to SR-78 WB Ramps	Provide WB dedicated right-turn lane and lengthen the WB left-turn lanes at the College Blvd./Vista Way intersection.	This segment is relatively short in length and therefore with WB intersection improvements to College Blvd/Vista Way would improve the peak hour operation. **Implement the recommended mitigation measures.** **This will not fully mitigate the intersection in the PM peak hour; therefore, Significant and Unmitigable.**
T55	Coast Hwy: Wisconsin Ave to Oceanside Blvd	Remove on-street parking and widen to a Secondary Collector 64/84 cross section	There is currently not enough right-of-way to widen this segment. Widening would impact the existing commercial/retail business on Coast Highway. In addition, widening Coast Highway is not consistent with the Coast Highway Corridor Vision Plan. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T56	College Blvd: SR-76 to Frazee Rd	Widen to a 6-lane Major Arterial	There is currently not enough right-of-way to widen this segment. In addition, widening this segment would impact existing homes and result in possible additional noise impacts and change the character of the neighborhood. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T57	College Blvd: Frazee Rd to Mesa Dr	Widen to a 6-lane Major Arterial	There is currently not enough right-of-way to widen this segment. In addition, widening this segment would impact existing homes and result in possible additional noise impacts and change the character of the neighborhood. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T58	College Blvd: Old Grove Rd to Avenida de la Plata	Widen to a 6-lane Major Arterial or Do Intersection/ Segment Improvements on College Blvd as shown in the College Blvd PSR	The approved College Boulevard PSR shows this segment as 4-lanes. In addition, there is not enough right-of-way to widen this segment because it would impact existing residences near Avenida de la Plata. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**

T59	College Blvd: Oceanside Blvd to Olive Dr	Widen to a 6-lane Prime Arterial	This would require a roadway reclassification. The College Boulevard Study recommends College Boulevard to be widened to a 6-lane Major Roadway from Aztec Street to Olive Drive. The 6-lane Major Roadway is the same cross-section as a Prime Arterial but cannot be classified as a 6-lane Prime Arterial due to intersection spacing requirements. Furthermore, a portion of this segment also has right-of-way constraints due to adjacent commercial properties. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T60	College Blvd: Olive Dr to Waring Rd	Widen to a 6-lane Major Arterial or Do Intersection/ Segment Improvements on College Blvd as shown in the College Blvd PSR-	The approved College Boulevard PSR shows this segment as 4-lanes. There are right-of-way constraints along this segment, and widening to 6-lanes would impact residences on this segment. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T61	College Blvd: Vista Way to SR-78	Reclassify to a 6-lane Prime Arterial	The 6-lane Major Roadway is the same cross-section as a Prime Arterial but cannot be classified as a 6-lane Prime Arterial due to intersection spacing requirements. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T62	College Blvd: SR-78 to Plaza Dr	Reclassify to a 6-lane Prime Arterial	The 6-lane Major Roadway is the same cross-section as a Prime Arterial but cannot be classified as a 6-lane Prime Arterial due to intersection spacing requirements. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T63	College Blvd: Lake Blvd to Southern City Limits	Widen to a 6-lane Major Arterial	There are right-of-way constraints along this segment, and this segment transitions to 4-lanes at the jurisdictional boundary with the City of Carlsbad. In order to provide the transition lane into the Carlsbad jurisdiction, there would be only a very small portion of the segment widened to 6-lanes before the transition. This widening would not result in a noticeable capacity improvement on this segment. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T64	Douglas Dr: Via Malaguena and Cardiff Bay Drive	Widen to a 4-Lane Secondary Collector	Significant environmental issues are present that prohibit widening of this segment of Douglas Drive. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**

T68	El Camino Real: Vista Way to SR-78	Widen to 8-lanes	There are right-of-way constraints along this segment that would result in impacts to existing commercial development. Furthermore, widening to 8-lanes would result in the need to widen the bridge on El Camino Real (400 feet) which would not be financially feasible. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T69	Lake Blvd: Thunder Dr to Sundown Lane	Widen to a 4-lane Secondary Collector with a two-way left turn lane	There is an existing agreement between the City and residents to maintain current configuration of this roadway. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T70	Mesa Dr: Mission Ave to Foussat Rd	Widen to a 50/70 Collector	There is currently not enough right-of-way to widen this segment and widening would impact the existing residences along this segment. Furthermore, this segment has problems related to speeding, and widening of the segment would exacerbate this problem. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T71	North River Road: College Blvd to Vandegrift Blvd	Widen to a 6-Lane Major Arterial	There is currently not enough right-of-way along this segment because of entitled land and existing commercial development. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T72	Oceanside Blvd: Crouch St to Foussat Rd	Widen to a 6-lane Major Arterial	There is currently not enough right-of-way to widen this segment. In addition, widening this segment would impact existing residences and commercial development. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T73	Vista Way: Coast Hwy to I-5	Widen to a 4-lane Secondary Collector	There is an existing agreement between the City and residents to maintain current configuration of this roadway. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**

The proposed project is the update of the City of Oceanside's General Plan Circulation Element. Pursuant to California Government Code 65302(b), a Circulation Element is a required component in all County and City General Plans. The purpose of the Circulation Element is to present a guide to the future development of the City's transportation system, which provides for the efficient movement of people and goods. The most recent amendment to the City's Circulation Element occurred in 1995. As a general rule, it is required by the state to update components of the General Plan every 10 years. This is necessary to maintain a set of policies and goals that are representative of the current and future needs of the community.

The City of Oceanside standard for the LOS on Circulation Element roads is LOS D. An objective of the Circulation Element Update is to improve the efficiency of the existing transportation system. The Alternative 1 road network balances the benefits of an acceptable LOS with constraints that limit the City's ability to provide improvements, including road widening or traffic signals. Constraints encountered when balancing such improvements include environmental and existing land development. Where construction of some roads would significantly impact important biological habitats, destroy archaeological sites, impact waterways, or require the demolition of historic landmarks, the preservation of such resources may outweigh the benefits of road improvements. Thus, a lower LOS may be acceptable as a tradeoff for avoiding environmental impacts. In addition, the effort to avoid or mitigate these environmental impacts may result in a significant increase in construction costs due to engineering or purchase of mitigation credits offsite. While adopting the update to the Circulation Element under Alternative 1 would not result in direct impacts to the environment, future design and implementation of site-specific projects may.

When roadway improvements are in conflict with existing development, including commercial and office buildings, historic buildings, established neighborhoods, those improvements could negatively affect existing structures or communities. Wider roads may divide a town and change its character. Costs to widen a road are substantially increased by the acquisition of right-of-way and the relocation of existing land uses. If costly construction or widening of roads substantially disrupts the vitality of a neighborhood or community, a lower, or more deficient, level of service (LOS E or F) may be preferable. Similarly, in some instances, road improvements may also increase dangers to pedestrians, in which case a lower level of service (LOS E or F) may also be preferable.

Finding the balance between the roadway improvements and existing constraints results in the need to consider the road operations and sometimes consider that the more preferable choice is a minimal deficiency in performance versus the impacts to the environment or existing land use. The City seeks to minimize environmental impacts and minimize road construction costs associated with the proposed update to the Circulation Element. The nature of the constraints, the impact of needed improvements, potential effects on sensitive habitat/species, the availability of alternate routes, the cost of construction, and the need for better traffic circulation are carefully considered by staff before making a recommendation to accept a failing LOS. Acceptance of a lower level of service (LOS E or F) is particularly appropriate when underutilized, alternate routes are available.

The Modified '95 CE Alternative would reduce impacts to below significant on more roadway intersections than Alternative 1; however, this alternative still would result in traffic/circulation impacts that are not mitigated to a level below significant on 13 roadway intersections. Furthermore, The Modified '95 CE Alternative would result in greater environmental effects to biological and cultural resources than Alternative 1, as detailed in the PEIR. Therefore, Alternative 1, while it would not include all of the roadway improvements identified for the Modified '95 CE Alternative, it would include the completion of many of the roadway improvements previously adopted by the City (e.g., Melrose Drive extension, Mission Avenue, and College Boulevard), while omitting those that would result in the greatest environmental impact.

Conclusion: Because new or expanded road and/or intersection construction on the 17 deficient roadway segments would be infeasible; because application of all feasible mitigation and project design measures

would not achieve a level of less than significant; and because there are no feasible project alternatives that would achieve a level of less than significant at all roadway segments while still meeting the most basic objectives for the project; impacts associated with traffic/circulation, specifically with regard to roadway segments, would remain significant and unavoidable.

6.2 Greenhouse Gas Emissions

Environmental Impact: Alternative 1 will result in significant, unavoidable greenhouse gas emissions impacts. Under this alternative, for 2030, Circulation Element roadway emissions would total approximately 2.70 million pounds per day, a 14.84 percent increase over existing 2010 conditions. This would result in approximately 35.08 million MT (MMT) of CO_{2e} per year under this alternative, a projected emission increase of 4.55 MMT per year. Alternative 1 is considered cumulatively significant, since it exceeds the recommended CAPCOA/CARB screening criterion of 900 MT of CO_{2e} per year. Alternative 1 was determined to result in a cumulative level impact only related to greenhouse gas emissions, as evaluated in Section 4.5 and summarized in Section 5.2.5.

Finding: The adoption of the update to the Circulation Element would not result in direct impacts to greenhouse gas emissions. However, with the buildout of the roadway system as proposed under Alternative 1, there would be a cumulatively considerable significant impact associated with greenhouse gas emissions. While implementation of Mitigation Measures GHG1 through GHG3 would help reduce cumulative project-related GHG emissions, they will not be able to reduce the City's projected additional 4.55 MMT per year of CO_{2e} emissions to less than 900 MT per year (the CAPCOA/CARB screening criterion), and it is not anticipated that the measures will be able to reduce existing GHG emission levels by 25 percent, to a City-wide total of 22.9 MMT per year, as required by state law. The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make other mitigation measures or Project alternatives identified in the Final PEIR infeasible.

Mitigation Measures: Mitigation measures necessary to mitigate impacts resultant from the Circulation Element Update under Alternative 1 have been identified within the Final PEIR. The following three measures are the only feasible mitigation measures that would reduce impacts associated with Alternative 1, but would not fully mitigate impacts associated with greenhouse gas emissions to below a level of significance.

GHG1 Prior to issuance of a grading permit, or if no grading permit is required, prior to commencing grading for any of the proposed improvements, the contractor shall demonstrate to the satisfaction of the City Engineer that the following greenhouse gas offset measures have been implemented or will be implemented during construction activities:

1. The Diesel Equipment (Compression Ignition) offset Strategies (40% to 60% Reduction):

a. Electricity from power poles shall be used rather than temporary diesel power generators.

b. Construction equipment operating onsite shall be equipped with two to four degree engine timing retard on precombustion chamber engines.

2. Scraper equipment shall meet the "Blue Sky Series" equivalent standard.

3. Other construction equipment used for the project shall utilize EPA Tier 2 or better engine technology.

4. Vehicular Trip (Spark Ignition) Offset Strategies (30% to 70% Reduction):

a. Commute alternatives shall be encouraged by informing construction employees about transportation options for reaching the construction site.

b. Construction vehicles shall be kept well maintained to prevent leaks and minimize emissions.

GHG2 Where feasible, Applicants shall consider compliance with the following measures. These measures shall be shown on the building plans for each component of the project to ensure that the features shall be incorporated into the project. Verification of compliance shall be accomplished as part of City inspection of buildings prior to issuance of certificate of occupancy.

Onsite Energy Offset Strategies (50% to 70% reduction):

1. All new structures shall meet California Code of Regulations Title 24 part 6: California's Energy Efficiency Standards.

2. All new structures shall use compact fluorescent lights.

3. Dimmable ballasts to dim lights to take advantage of daylight shall be installed.

4. A programmable thermostat shall be installed in all habitable units to control heating and air conditioning.

5. All major hot water pipes shall be insulated.

6. Refrigeration cold suction lines shall be insulated.

7. Weather stripping shall be used to close air gaps around doors and windows.

GHG3 Implement the following operational mitigation measures EIR for future projects in Oceanside, where feasible, especially projects relating to larger employers.

1. Reduce vehicular emissions by implementing Transportation Demand Management (TDM) strategies, including shuttle service from major activity centers to public transit stops and stations; provide sidewalks along all future project roadways, connecting to transit stops; provide bike lanes on all major project internal roadways; develop and maintain a bikeway plan; and promote TDM principles such as peak hour trip reduction, staggered work hours, ride sharing,

telecommuting, and use of public transportation or other measures, as appropriate.

2. Identify activity centers that would benefit from increased transit access, and work with North County Transit District (NCTD) to enhance service to these centers.
3. Establish a carpool/vanpool program, including preferential parking for carpools and vanpools.
4. Implement a parking fee program or a parking cash-out program for non-driving employees.
5. Orient future building entrances near transit stops, to the maximum extent practicable.
6. As public transit providers expand services in the future, the City shall ensure that bus stops and other improvements for those services are available.
7. [Project developers to] plant shade trees in parking lots.
8. [Project developers to] reduce standard paving area by 20 percent.
9. [Project developers to] use energy-efficient and automated controls for air conditioning. Additionally, use lighting controls and energy-efficient interior lighting and built-in appliances.
10. [Project developers to] use double-paned windows and low-emission water heaters.

The Project will be conditioned to implement the above measures; however, facts in support of the findings and a statement of overriding considerations has been prepared to detail how the Project benefits associated with the selection of Alternative 1 are substantial and outweigh the unavoidable adverse environmental effects related to greenhouse gas emissions.

Facts in Support of Findings: Transportation is the largest source of GHG emissions in California and represents approximately 60% of annual CO2 emissions generated in the state (CEC 2006). Because the Circulation Element Update addresses the mobility of the residents and visitors of the City of Oceanside, mobile sources (vehicle trips) would be the primary emission source of greenhouse gas emissions associated with the project. As detailed in the Combined Impact Analysis for Acoustical/Air Quality/Greenhouse Gas (ISE, 2011), the greenhouse gas level is slightly increased in Alternative 1 from the Modified '95 CE Alternative; and a greater increase with the adoption of Alternative 2.

It is important to consider the context of greenhouse gas emissions, as they are dispersed throughout the atmosphere worldwide, and the effects of climate change are borne globally. The extent to which local or regional emissions contribute and affect the environment is not fully understood. The legislation dealing with climate change in California (as well as international treaties and agreements on the subject) identifies goals for the rate of emissions of GHGs, relative to specific benchmark years. In the case of California, AB 32 requires 1990 GHG emission levels to be achieved by the year 2020, or about a 25% reduction from current emissions levels (ARB 2006). Neither State legislation nor executive order suggests

that California intends to limit population growth in order to reduce the state's GHG emission levels. Therefore, the intent is to accommodate population growth in California, but achieve a lower rate of GHGs despite this larger population. The statewide average per-capita rate of GHGs would need to be reduced substantially to comply with the targets established by AB 32. Generally, the level of mass emissions of GHGs generated by any single project is nominal when compared to the global inventory, or even the state inventory of emissions of GHGs.

Although the mitigation measures GHG1 through GHG3 listed above would help reduce cumulative project-related GHG emissions, they will not be able to reduce the City's projected additional 4.55 MMT per year of CO2e emissions to less than 900 MT per year (the CAPCOA/CARB screening criterion), and it is not anticipated that the measures will be able to reduce existing GHG emission levels by 25 percent, to a City-wide total of 22.9 MMT per year, as required by state law.

None of the project alternatives would reduce impacts associated with the increase in greenhouse gas emissions to below significant. The Modified '95 CE Alternative would further reduce greenhouse gas emissions by 0.15 million metric tons per year compared to Alternative 1. However, the Modified '95 CE Alternative still would result in greenhouse gas emissions impacts that are not mitigated to a level below significant.

Conclusion: Because application of all feasible mitigation and project design measures would not achieve a level of less than significant; and because there are no feasible project alternatives that would achieve a level of less than significant; impacts associated with greenhouse gas emissions would remain significant and unavoidable.

6.3 Noise

Environmental Impact: Alternative 1 will result in significant, unavoidable noise impacts. Under this alternative, development of the Melrose Drive Southern Extension, Pala Road Extension and on North Santa Fe Drive, from Melrose Drive to the Eastern City limits have the potential to result in noise related impacts associated with vehicular activity that exceed 10.8 dBA. Alternative 1 was determined to result in both a direct and cumulative level impact related to roadway noise, as evaluated in Section 4.6 and summarized in Section 5.2.6.

Finding: The adoption of the update to the Circulation Element would not result in direct impacts to noise. However, with the future development of the Melrose Drive Extension, Pala Road Extension, and the portion of North Santa Fe Drive from Melrose Drive to the eastern City limits, could result in traffic noise levels that would exceed 10.8 dBA. Implementation of Mitigation Measure N1 provided below from the Final PEIR (Section 4.6) would reduce the impacts somewhat, though not to below a level of significance. The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make other mitigation measures or Project alternatives identified in the Final PEIR infeasible.

Mitigation Measures: Mitigation measures necessary to mitigate impacts resultant from the Circulation Element Update under Alternative 1 have been identified within the Final PEIR. The following measure

requires that during project design of improvement to any of the above three referenced roadways, methods to reduce or avoid noise impacts must be analyzed.

N1 At roadway segments where projected traffic noise exceeds a 3.0 dBA CNEL increase at 50 feet from the roadway, the City of Oceanside shall address potential traffic noise increases during the design stage of these facilities, and mitigate any significant impact to the extent feasible. For noise increases in excess of 7.8 dBA, such mitigation may not be feasible. If the new significant impacts are caused by roadway changes undertaken in another jurisdiction, that jurisdiction shall be responsible for mitigating those project noise impacts to Oceanside residents.

As noted above, noise increases in excess of 7.8 dBA may not be able to be mitigated. Therefore, while the Project will be conditioned to implement the above measures, the impacts associated with traffic noise along Melrose Drive Extension, Pala Road Extension, and the portion of North Santa Fe Drive from Melrose Drive tot eh eastern City limits, in excess of 7.8 dBA will be significant and unmitigable. Facts in support of the findings and a statement of overriding considerations has been prepared to detail how the Project benefits associated with the selection of Alternative 1 are substantial and outweigh the unavoidable adverse environmental effects related to noise.

Facts in Support of Findings: Traffic on new roadways or roadway improvements under the Circulation Element Update would result in potentially significant permanent increases in ambient noise levels from traffic noise in excess of 7.8 dBA. Circulation Element Update policies and mitigation measures would reduce impacts associated with this permanent increase of ambient noise levels, but not to below a level of significance.

A measure prohibiting new roadways or roadway improvements that would result in a significant increase in the ambient noise level could reduce the above identified traffic noise impact to below a level of significance. However, this measure would prohibit the construction of the three roadway improvements referenced above, Melrose Drive Southern Extension, Pala Road Extension and North Santa Fe Drive, from Melrose Drive to the eastern City limits, which are integral to the proposed roadway network under Alternative 1. Additionally, this mitigation measure would conflict with the overall goal for the update to the Circulation Element, as well as project objectives, specifically, the improvement of the efficiency of the existing transportation system.

None of the project alternatives would reduce impacts associated with the permanent increase in ambient noise levels resultant from traffic along all roadway segments to below significant. Alternative 2, which is the Environmentally Superior Alternative, would further reduce noise impacts because it does not include the Melrose Drive improvements or the Pala Road Extension, noted above for Alternative 1. However, this alternative still allows roadway improvements that would result in impacts along North Santa Fe Drive, from Melrose to the eastern City limits that are not mitigated to a level below significant.

Conclusion: Because application of all feasible mitigation and project design measures would not achieve a level of less than significant; and because there are no project alternatives that would achieve a level of

less than significant while still meeting the most basic objectives for the project; impacts associated with the permanent increase in ambient noise levels resultant from traffic would remain significant and unavoidable.

6.4 Agricultural Resources

Environmental Impact: Alternative 1 will result in significant, unavoidable agricultural resources impacts. Under this alternative, implementation of the Melrose Drive southern extension would occur. This extension would involve construction of the roadway in an area that currently supports farmland and farming activities The extension of Melrose Drive to the south could fragment this farmland and has the potential to stimulate new development or limit the movement of farm equipment. As such, the proposed Melrose Drive southern extension could potentially interfere with agricultural production on the adjacent farmland or could potentially lead to the conversion of the adjacent farmland to non-agricultural uses. Alternative 1 was determined to result in both a direct and cumulative level impact related to agricultural resources, as evaluated in Section 4.10 and summarized in Section 5.2.10.

Finding: The adoption of the update to the Circulation Element would not result in direct impacts to agricultural resources. However, it is possible that when those specific transportation facilities noted above are designed and implemented, site-specific impacts to agricultural resources associated with the fragmentation of farmlands and potential future conversion of adjacent farmland, may occur. Implementation of Mitigation Measures AR1, AR2, and AR3 provided below from the Final PEIR (Section 4.10) would reduce the impacts somewhat, though not to below a level of significance. The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make other mitigation measures or Project alternatives identified in the Final PEIR infeasible.

Mitigation Measures: Mitigation measures necessary to mitigate impacts resultant from the Circulation Element Update under Alternative 1 have been identified within the Final PEIR. The following three measures are the only feasible mitigation measures that would reduce agricultural resources impacts associated with Alternative 1, but would not fully mitigate impacts to below a level of significance.

AR1 Site Assessment

As part of environmental review and project design for road extensions, possible locations of roadways that cross lands currently mapped as Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance by the California Department of Conservation shall be evaluated using the Land Evaluation and Site Assessment (LESA) Model to determine the loss of agricultural land that could occur due to the proposed roadway extensions to Melrose Drive.

AR2 Design Refinement

If significant impacts to important agricultural lands would occur, as determined in MM AR1, identify in the design studies a facility design that would avoid, to the maximum extent possible, the important agricultural lands, and evaluate significance of its agricultural impact.

AR3 Mitigation

The mitigation of impact to agricultural lands shall be accomplished via one of the following as determined by the City of Oceanside:

Option 1: On-site preservation of agricultural lands.

Option 2: Purchase of off-site agricultural conservation easements.

The Project will be conditioned to implement the above measures; however, facts in support of the findings and a statement of overriding considerations has been prepared to detail how the Project benefits associated with the selection of Alternative 1 are substantial and outweigh the unavoidable adverse environmental effects related to agricultural resources.

Facts in Support of Findings: Implementation of the proposed Circulation Element Update under Alternative 1 could result in impacts to agricultural resources associated with the fragmentation of farmlands and potential future conversion of adjacent farmland. Avoidance of this impact could not be accomplished under this alternative due to the inclusion of the proposed extension of Melrose Drive to the south as a key component of Alternative 1. Omitting this roadway from this alternative would have resulted in generally the same roadway system design as is found in Alternative 2. Mitigation measures (described above) have been identified that would reduce these impacts, but not to below a level of significance. No other feasible mitigation measures were identified to reduce impacts to below a level of significance.

Alternative 2 would reduce impacts associated with fragmentation and future conversion of farmland to below significant, due to the omission of the proposed Melrose Drive southern extension. However, while Alternative 2, the Environmentally Superior Alternative, would further reduce these agricultural resource impacts, Alternative 2 still allows development that would result in impacts that are not mitigated to a level below significant in other subject areas, including traffic/circulation, greenhouse gas emissions, and noise.

Conclusion: Because application of all feasible mitigation and project design measures would not achieve a level of less than significant; and because there are no project alternatives that would achieve a level of less than significant while still meeting the most basic objectives for the project; impacts associated with the fragmentation and potential future conversion of farmland would remain significant and unavoidable.

7.0 FINDINGS REGARDING ALTERNATIVES

7.1 Environmental Impacts

Because the Project will cause significant environmental impacts, the City must consider the feasibility of any environmentally superior alternatives to the Project, evaluating whether these alternatives could avoid or substantially lessen the unavoidable significant effects while achieving most of the objectives of the Project. The Draft PEIR included a detailed analysis of four alternatives: No Project Alternative; Modified 1995 Circulation Element; Alternative 1; and Alternative 2. Detailed analysis of the Modified '95 CE, Alternative 1 and Alternative 2, was included in this PEIR to provide a comparative review of the three 'build' alternatives.

The Project as recommended for Alternative 1 will have potentially significant unavoidable impacts with respect to traffic/circulation, greenhouse gas emissions, noise, and agricultural resources.

In rejecting alternatives, the City has examined the objectives of the Project and weighed the ability of the various alternatives to meet those objectives. The City believes that Alternative 1 best meets the Project objectives detailed above in Section 2.3 with the least environmental impact.

7.2 Description of the No Project Alternative

The No Project Alternative would maintain the current Circulation Element roadway network without any changes.

Finding: The City finds that specific economic, legal, social, technological, or other considerations make the No Project Alternative identified in the Final PEIR infeasible.

Facts in Support of Finding: While the No Project Alternative maintains the status quo for roadway network improvements under the existing Circulation Element, it is not necessarily environmentally superior. On a comparative basis, the No Project (Modified 1995 Circulation Element) Alternative would:

- Result in significant, mitigable land use impacts where new roadways are proposed;
- Result in potential division of the community near the Melrose Drive South Extension;
- Result in potential impacts to adjacent land uses due to road widening;
- Result in potential impacts to existing medical offices at the Rancho del Oro interchange;
- Result in potential impacts to MHCP preserve areas near Melrose Drive extensions;
- Result in potential, unmitigable, noise impacts where new roadways are proposed;
- Result in potential, mitigable biological resource impacts where new roads are proposed;
- Result in potential, mitigable impacts to archaeological and historic resources;
- Result in significant, unmitigable impacts to agricultural resources (Melrose Dr. extensions);
- Result in potential, mitigable visual impacts due to anticipated need for noise walls;
- Result in potential, mitigable impacts to hydrology and water quality;
- Result in potential, mitigable impacts to paleontological resources.

7.3 Description of the Modified 1995 Circulation Element Alternative

This alternative is most similar to the No Project Alternative and contains the roadway network assumptions as provided in the 1995 adopted Circulation Element, with two minor modifications to Jeffries Ranch Road and Old Ranch Road. The Mod '95 CE Alternative assumes SR-76 is a 6-lane highway; the Pala Road extension is included; College Boulevard is a 6-lane roadway; the Rancho Del Oro Interchange at SR-78 is included; Melrose Drive Northern extension and Melrose Drive Southern extension are included; Mission Avenue is a four-lane major roadway; Coast Highway is a four-lane secondary collector; Jeffries Ranch Road is not connected to SR-76; and, Old Ranch Road is not connected to SR-76.

Finding: The City finds that specific economic, legal, social, technological, or other considerations make the Modified 1995 Circulation Element Alternative identified in the Final PEIR not preferable to Alternative 1 for many of the subject areas analyzed under CEQA.

Facts in Support of the Finding: As noted above in the discussion of the Modified 1995 Circulation Element Alternative, fewer significant and unmitigable traffic/circulation impacts to City intersections and segments will occur, but impacts to sensitive biological resources, including wetlands, habitats, and wildlife corridors, will be greater than Alternative 1.

7.4 Description of Alternative 2

Circulation Element Alternative 2 compared to the Mod '95 CE Alternative (changes shown in Figure 3-6) assumes the Pala Road extension is not included; College Boulevard is a hybrid (six-lanes between Avenida de la Plata and Olive Drive and four-lanes between Olive Drive and Waring Road); Rancho Del Oro Interchange at SR-78 is not included; Melrose Drive Northern extension and Melrose Drive Southern extension are not included; Mission Avenue is maintained as a four-lane secondary collector; and, Coast Highway is a two-lane collector.

Finding: The City finds that specific economic, legal, social, technological, or other considerations make Alternative 2 identified in the Final PEIR, while environmentally preferred, does not provide improvements to the City's roadway network that are critical to overall goal of improving the transportation system and enhancing travel choices.

Facts in Support of Finding: As noted above in the discussion of Alternative 2, this alternative would not result in the completion of improvements to the City's roadway network necessary to meet the overall Project goal and some of the objectives detailed in the PEIR and above in Section 2.3. This alternative would result in more roadway intersections and segments operating at a deficient LOS.

8.0 OVERRIDING CONSIDERATIONS

As discussed in Section 6 of these Findings, the Final PEIR concludes that the Project, even with incorporation of all feasible mitigation measures and consideration of alternatives, will nonetheless have a significant and unmitigable cumulative impact with respect to traffic/circulation, greenhouse gas emissions, noise, and agricultural resources

Under CEQA, before a project which is determined to have significant, unmitigable environmental effects can be approved, the public agency must consider and adopt a statement of overriding considerations pursuant to CEQA Guidelines 15043 and 15093. As the primary purpose of CEQA is to fully inform the decision makers and the public as to the environmental effects of a Project and to include feasible mitigation measures and alternatives to reduce any such adverse effects below a level of significance. CEQA nonetheless recognizes and authorizes the approval of projects where not all adverse impacts can be fully lessened or avoided. However, the lead agency must explain and justify its conclusion to approve such a project through the statement of overriding considerations setting forth the recommended project alternative's general, social, economic, policy or other public benefits which support the agency's informed conclusion to approve that alternative over another.

The City finds that Alternative 1 has the following substantial social, economic, policy and other public benefits justifying its approval and implementation, notwithstanding that not all environmental impacts were fully reduced below a level of significance:

- Alternative 1 is the product of a comprehensive public planning effort driven by public input and testimony, and continual refinements that resulted in a thoughtful balance of community, business, and environmental interests.
- Alternative 1 would provide an improved strategic framework for the City's traffic and circulation needs.
- Alternative 1 would improve mobility options through the development of a multi-modal transportation network that enhances connectivity, supports community development patterns, limits traffic congestion, promotes public and alternative transportation methods, and supports the goals of adopted regional transportation plans.
- Alternative 1 would address adverse environmental effects associated with global climate change by improving circulation within the City limits, promoting energy efficiency, and promoting transportation demand management (TDM) practices, that reduce per capita greenhouse gas emissions.
- Alternative 1 would allow for continued improvement of the City's roadway network, while minimizing costs associated with land acquisition and environmental mitigation, thereby allowing public money to be spent more efficiently.
- Alternative 1 would enhance the local economy and provides opportunities for future commercial development near existing businesses, transportation hubs and walkable residential areas.

After balancing the specific economic, legal, social, technological, and other benefits of the Alternative 1, it is recommended that the Oceanside City Council determine that the unavoidable adverse environmental impacts identified may be considered "acceptable" due to the specific considerations listed above which outweigh the unavoidable, adverse environmental impacts that may occur from the implementation of the roadway network improvement associated with Alternative 1.

Based on the foregoing findings and the information contained in the record, the City Council hereby determines that:

a) All significant effects on the environment due to implementation of the proposed update to the Circulation Element under Alternative 1 have been eliminated or substantially lessened where feasible;

b) There are no feasible alternatives to the proposed update to the Circulation Element under Alternative 1 which would mitigate or substantially lessen the impacts, while still meeting most of the Project objectives; and

c) Any remaining significant effects on the environment found to be unavoidable are acceptable due to the factors described in the Statement of Overriding Considerations above.

D. MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

Mitigation Monitoring and Reporting Programs (MMRPs) are required by CEQA Section 21081.6 to be incorporated into the Final EIR for projects having the potential to cause significant environmental impacts. The MMRP describes changes to the project or conditions of project approval that mitigate or avoid significant effects on the environment. This Section D of the Final Program EIR provides the MMRP addressing the Oceanside Circulation Element Update proposed by the City of Oceanside. A brief description of the Circulation Element Update is located below. The proposed program is located within the City of Oceanside (City), and the City is the Lead Agency under CEQA and has approval authority over the proposed program.

CIRCULATION ELEMENT UPDATE SUMMARY

The proposed project is a comprehensive update to the existing General Plan Circulation Element. Following the 1) Introduction and 2) Long-Range Policy Direction discussions, the balance of the proposed Element update is divided into seven chapters: 3) Master Transportation Roadway Plan; 4) Transportation Demand Management; 5) Public Transit and Rail Policies and Guidelines; 6) Bicycle Facilities; 7) Pedestrian Facilities; 8) Traffic Calming; and 9) Intelligent Transportation System Technologies.

Master Transportation Roadway Plan

The Master Transportation Roadway Plan chapter discusses the roadway classifications for both existing and proposed future conditions. All major network elements of the circulation system have been assigned a roadway classification to aid in the understanding of the design configuration and right-of-way (ROW) needs for any segment of the circulation system. The City of Oceanside level of service (LOS) standards and significance criteria are provided for roadway segments and intersections.

The regional traffic model, Series 11 North County Sub-Area model, was utilized in planning the Circulation Element Roadway Network. The model was used to assess a number of possible future roadway network scenarios given the projection of future traffic volumes. The projection of future traffic volumes is primarily based upon existing and future land use and zoning throughout the City. Future year scenarios in the model include the City's "buildout" year 2030. A summary of baseline conditions (no project) and future recommended network improvement conditions are included in the Circulation Element. At the present time, although SANDAG has prepared population projections to the year 2050, there is no North County Sub-Area traffic model for 2050 conditions.

As described in Section 6.1 of the Program EIR, 18 separate Circulation Element alternatives were reviewed by City personnel before identifying three alternatives to be addressed in detail in the Program EIR. These three alternatives are the Modified 1995 Circulation Element (Mod '95 CE) Alternative; Alternative 1; and Alternative 2. The one proposed for implementation by Oceanside City personnel is Alternative 1, and the mitigation measures listed in Table D-1 relate to that alternative.

Transportation Demand Management

The Transportation Demand Management (TDM) chapter identifies specific strategies that influence travel behavior by mode, frequency, time, route, or trip length in order to help achieve an efficient and sustainable use of transportation facilities, along with other community goals such as promoting access for all transportation system users, improving mobility, and minimizing the negative impacts of vehicular travel. TDM strategies typically include: managing parking and pricing; marketing transit and providing commuter subsidies; promoting walking, bicycling and ridesharing; and, encouraging telecommuting and flexible work strategies. TDM provides an overarching framework for the City to achieve the Circulation Element's goals, objectives and policies because it offers strategies that apply to all modes of transportation.

Public Transit and Rail Policies and Guidelines

An integral part of the multimodal system is the provision for public transit and rail service. For transit to be successful, it should be properly planned so that it is accessible to users and operates in a timely manner. Adequate public transit improves the mobility for all residents in the City and its visitors and encourages multi-modal use, increased transit ridership and other alternatives to the single-occupant vehicle as a mode of transportation, and gives priority to the maintenance and expansion of the local transit system and the improvement of regional transit coordination. The objectives and policies within the Public Transit and Rail Policies and Guidelines chapter seek to provide and maintain a safe, efficient, and environmentally sound transit and rail system for the City, its residents, and visitors.

Bicycle Facilities

The Bicycle Facilities chapter of the Circulation Element incorporates the City's Bicycle Master Plan. In 2008, the City adopted a Bicycle Master Plan, designed to guide development and maintenance, identify funding sources, and promote use of its bicycle facilities. It contains detailed policies, network maps, and other tools to be used by the City to provide a detailed look at the cycling needs of City residents and other stakeholders.

Pedestrian Facilities

The Pedestrian Facilities chapter identifies how the City should enhance the quality of the walking and public transit environments, and foster greater use of both modes. The chapter is based on the Oceanside Pedestrian Master Plan of November 2009. Improvements should focus on reductions in the number and severity of pedestrian-vehicle conflict points, clarified pedestrian routing, widened sidewalks, and improved aesthetic features such as landscaping. Encouraging a more walkable community will bring many benefits to the. It will provide convenient and affordable transportation options, reduce vehicular-travel and related pollution, and improve the overall health and safety of residents.

Traffic Calming

The City strives to keep residential neighborhoods sustainable and livable with a comprehensive traffic calming program that will help harmonize transportation mobility within its communities. The Traffic Calming chapter identifies traffic calming methods, which will facilitate the livable and environmental quality of our neighborhoods while ensuring the safe, efficient, and economical movement of people and goods.

Intelligent Transportation System Technologies

Intelligent Transportation Systems (ITS) encompass a broad range of wireless and wire line communications-based information and electronics technologies. When integrated into the transportation system's infrastructure, and in vehicles themselves, these technologies help relieve traffic congestion, improve safety and enhance productivity. The ITS chapter of the Circulation Element establishes a high-level ITS technology plan that creates the framework, policies, procedures, and strategies for integrating the City's existing resources with ITS technology to effectively meet the future transportation needs and expectations of the City.

MMRP FORMAT AND IMPLEMENTATION

Mitigation measures that would reduce or eliminate potential environmental impacts of the proposed program were identified in the Program EIR. The project mitigation measures will become conditions of program approval for the Oceanside Circulation Element Update if it is approved by the City of Oceanside. The City of Oceanside is required to verify that all adopted mitigation measures are implemented properly. To ensure compliance, this MMRP (including checklists) has been formulated. It shall be adopted, along with CEQA Findings, by the City of Oceanside (Lead Agency) and must be administered by City of Oceanside personnel from the Planning, Community Service (Engineering), and Building (Code Enforcement) departments. Specific responsibilities are delineated for each measure in the attached checklist table. These responsibilities may be delegated to qualified City staff or consultants. This service is provided on a full-cost recovery basis by the City. [??] No authorization to commence any activity on site shall be granted except with the concurrence of the respective City Departments.

The checklist, which follows as Table D-1, is intended to be used by the applicant, grading/ construction contractors, and personnel from the above-listed City Departments, as the appointed mitigation implementation and monitoring entities. Information contained within the checklist clearly identifies each mitigation measure, defines the conditions required to verify compliance and delineates the monitoring schedule. Following is an explanation of the four columns that constitute each MMRP checklist.

Column 1 — *Mitigation Measure*: An inventory of each mitigation measure is provided, with a brief description.

Column 2 — *Type*: Each mitigation measure is classified as either Construction-related Mitigation (CM) or Operational Mitigation (OM), based upon the following definitions:

- Construction-related Mitigation – mitigation that requires monitoring during project construction (e.g., dust control, road improvements);
- Operational Mitigation – mitigation that requires monitoring after the project becomes operational (e.g., landscape maintenance, lighting).

Column 3 — *Monitor*: Identifies the senior staff person at the City who is responsible for determining compliance with each mitigation measure and informing the Planning Department regarding compliance. This individual may assign specific monitoring tasks to City staff or consulting specialists (e.g., biological monitor, paleontological monitor).

Column 4 — *Schedule*: As scheduling is dependent upon the progression of the overall project, specific dates are not used within the "Schedule" column. Instead, scheduling describes a logical succession of events (e.g., prior to occupancy, annually, etc.) and, if necessary, delineates a follow-up program.

Table D-1
OCEANSIDE CIRCULATION ELEMENT UPDATE-ALTERNATIVE 1 – MITIGATION MONITORING CHECKLIST

MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
LAND USE			
L1 Potential future land use impacts shall be assessed in a future facility-specific environmental document as required under CEQA, and project-specific mitigation measures shall be identified and included, as required, to reduce or avoid impacts.	CM, OM	City Planner, City Engineer	Prior to facility construction.
TRAFFIC / CIRCULATION			
Provide additional turn and through lanes at the subject Intersections 17, 20, 27, 28, 29, 33, and 43 (see PEIR Sec. 4.2.1.5) per mitigation measures **T45, T46, T49-T52, and T54** in PEIR Section 4.2.4. Specific proposed mitigation measures follow: T45 El Camino Real/Vista Wy: NB: Provide 3 dedicated thru lanes, 1 dedicated R. turn lane. T46 Vista Way/Jefferson St.: WB: Provide 1 through and 1 shared through-right turn lane. T49 Rcho del Oro Rd./Vista del Oro Dr.: Provide a signal, if signal warrants are met. T50 Rcho del Oro Rd./Cameo Dr.: Provide a signal, if signal warrants are met. T51 Rcho del Oro Rd./Trieste Way/Sicily Way: Provide a signal, if signal warrants are met. T52 College Blvd./N. River Road: WB: Provide 1 Left turn lane and shared Left/Thru lane; NB: Provide 3 Thru lanes, 2 Right turn lanes. T54 College Blvd./Lake Blvd.: NB: Provide 2 Right turn lanes.	CM,OM	City Engineer	Prior to facility construction.
Implement mitigation measures **T43, T48**, and **T53** that, while such measures would reduce impacts to intersection, would not fully mitigate impacts to below a level of significance. Specific proposed mitigation measures follow: T43 SR-76/Foussat Rd.: NB: Provide 2 Right turn lanes; SB: Provide 3 EB or WB Thru lanes. T48 Douglas Dr./Mission Ave.: EB: Provide 3 Thru lanes; WB: Provide dedicated R. turn lane and two left turn lanes. T53 College Blvd./SR-76: NB: Provide 3 Thru lanes, 2 Right turn lanes with overlap; SB: Provide 3 Thru lanes.	CM, OM	City Engineer	Prior to facility construction.
Widen the roadways along the subject segments (Douglas Drive, El Camino Real, SR-76), per mitigation measures **T65-T67, and T75a** in PEIR Section 4.2.4. Specific proposed mitigation measures follow: T65 Douglas Dr., from N. River Rd to Pala Road: Widen to a 6-lane Major Arterial; T66 Douglas Dr., from Pala Road to El Camino Real: Widen to a 6-lane Major Arterial; T67 El Camino Real, from Mesa Dr. to Oceanside Blvd.: Widen to a 6-lane Major Arterial; T75a SR-76, from Melrose Dr. to eastern City limits: Widen to a 6-lane Expressway.	CM, OM	City Engineer, City Planner	Prior to facility construction.

MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
Implement mitigation measures T74 that, while such measures would reduce impacts to a roadway segment, would not fully mitigate impacts to below a level of significance. T74 Vista Way, from College Blvd to SR-78 WB ramps: Provide WB dedicated Right turn lane, lengthen the WB Left turn lanes at the College Blvd./Vista Way intersection.	CM, OM	City Engineer	Prior to facility construction.
HAZARDOUS MATERIALS AND HAZARDS			
HM1 Prior to the development of specific key network circulation elements, a Phase I Environmental Site Assessment (ESA) shall be performed. The Phase I ESA shall identify the potential for the site to contain hazardous materials (including asbestos and lead-based paints) and contaminated soils. Recommendations of the Phase I ESA may range from no further action, to preparation of a Phase II ESA that identifies specific further action required in order to remediate the hazardous materials so that they do not pose a significant health risk.	CM	City Engineer, City Planner	Prior to facility construction.
HM2 During construction activities, it may be necessary to excavate existing soil at a specific project site, or to bring fill soils to the sire from off-site locations. In areas that have been identified as being contaminated or where soil contamination is suspected, appropriate sampling is required prior to disposal of excavated soil. Complete characterization of the soil shall be prepared prior to any excavation or removal activity. Contaminated soil shall be properly disposed at an off-site facility. Fill soils also shall be sampled to ensure that imported soil is free of contamination.	CM	City Engineer, City Planner	During construction.
HM3 A risk assessment shall be performed at all facilities in the project area where contamination has been identified or is discovered during activities, and at which soil is to be disturbed, to address non-water quality risks posed by any residual contamination, and to establish appropriate mitigation measures (e.g., natural attenuation, active remediation, and engineering controls) that would be protective of human health and the environment. All assessment and remediation activities shall be conducted in accordance with a Work Plan, which is approved by the City of Oceanside having oversight of the activities.	CM	City Engineer, City Planner	During construction.
HM4 Design and expansion of SR-76 in the vicinity of Oceanside Municipal Airport shall proceed in consultation and coordination with Oceanside Municipal Airport and County Airport Land Use Commission personnel, in compliance with applicable Federal Aviation Administration regulations and procedures.	CM	City Planner, City Engineer	Prior to facility construction.

MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
GREENHOUSE GAS EMISSIONS			
GHG1 Prior to issuance of a grading permit, or if no grading permit is required, prior to commencing grading for any of the proposed improvements, the contractor shall demonstrate to the satisfaction of the City Engineer that the following greenhouse gas offset measures have been implemented or will be implemented during construction activities: 1. The Diesel Equipment (Compression Ignition) offset Strategies (40% to 60% Reduction): a. Electricity from power poles shall be used rather than temporary diesel power generators. b. Construction equipment operating onsite shall be equipped with two to four degree engine timing retard on precombustion chamber engines. 2. Scraper equipment shall meet the "Blue Sky Series" equivalent standard (reference Mitigation Measure AQ-2 in Section 5.3-Air Quality.) 3. Other construction equipment used for the project shall utilize EPA Tier 2 or better engine technology. 4. Vehicular Trip (Spark Ignition) Offset Strategies (30% to 70% Reduction): a. Commute alternatives shall be encouraged by informing construction employees about transportation options for reaching the construction site. b. Construction vehicles shall be kept well maintained to prevent leaks and minimize emissions.	CM	City Engineer, City Planner	Prior to issuance of a grading permit, or if no grading permit is required, prior to commencing grading for any of the proposed improvements.
GHG2 Where feasible, Applicants shall consider compliance with the following measures. These measures shall be shown on the building plans for each component of the project to ensure that the features shall be incorporated into the project. Verification of compliance shall be accomplished as part of City inspection of buildings prior to issuance of certificate of occupancy. Onsite Energy Offset Strategies (50% to 70% reduction): 1. All new structures shall meet California Code of Regulations Title 24 part 6: California's Energy Efficiency Standards.	CM, OM	City Planner, City Engineer	Prior to issuance of construction permits.

	MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
	2. All new structures shall use compact fluorescent lights. 3. Dimmable ballasts to dim lights to take advantage of daylight shall be installed. 4. A programmable thermostat shall be installed in all habitable units to control heating and air conditioning. 5. All major hot water pipes shall be insulated. 6. Refrigeration cold suction lines shall be insulated. 7. Weather stripping shall be used to close air gaps around doors and windows.			
GHG3	Implement the following operational mitigation measures EIR for future projects in Oceanside, where feasible, especially projects relating to larger employers. 1. Reduce vehicular emissions by implementing Transportation Demand Management (TDM) strategies, including shuttle service from major activity centers to public transit stops and stations; provide sidewalks along all future project roadways, connecting to transit stops; provide bike lanes on all major project internal roadways; develop and maintain a bikeway plan; and promote TDM principles such as peak hour trip reduction, staggered work hours, ride sharing, telecommuting, and use of public transportation or other measures, as appropriate. 2. Identify activity centers that would benefit from increased transit access, and work with North County Transit District (NCTD) to enhance service to these centers. 3. Establish a carpool/vanpool program, including preferential parking for carpools and vanpools. 4. Implement a parking fee program or a parking cash-out program for non-driving employees. 5. Orient future building entrances near transit stops, to the maximum extent practicable. 6. As public transit providers expand services in the future, the City shall ensure that bus stops and other improvements for those services are available. 7. [Project developers to] plant shade trees in parking lots. 8. [Project developers to] reduce standard paving area by 20 percent. 9. [Project developers to] use energy-efficient and automated controls for air	OM	City Planner, City Engineer	Prior to project operation.

<table>
<tr><th>MITIGATION MEASURE</th><th>TYPE</th><th>MONITOR</th><th>SCHEDULE</th></tr>
<tr><td>conditioning. Additionally, use lighting controls and energy-efficient interior lighting and built-in appliances.
10. [Project developers to] use double-paned windows and low-emission water heaters.</td><td></td><td></td><td></td></tr>
<tr><td colspan="4">NOISE</td></tr>
<tr><td>N1 At roadway segments where projected traffic noise exceeds a 3.0 dBA CNEL increase at 50 feet from the roadway, the City of Oceanside shall address potential traffic noise increases during the design stage of these facilities, and mitigate any significant impact to the extent feasible. For noise increases in excess of 7.8 dBA, such mitigation may not be feasible. If the new significant impacts are caused by roadway changes undertaken in another jurisdiction, that jurisdiction shall be responsible for mitigating those project noise impacts to Oceanside residents.</td><td>OM</td><td>City Planner, City Engineer</td><td>Prior to facility construction.</td></tr>
<tr><td colspan="4">BIOLOGICAL RESOURCES</td></tr>
<tr><td>BR1 Habitat-based mitigation for the permanent and temporary project impacts to wetlands (Habitat Group A), rare uplands (Habitat Group B), coastal sage scrub (Habitat Group C), annual grasslands (Habitat Group D), and other lands (Habitat Group F) shall be consistent with established ratios in the MCHP region and City of Oceanside, as provided in the table below. Mitigation shall be completed through: 1) on-site preservation; 2) off-site acquisition of mitigation land located within the region; 3) habitat restoration that increases the habitat quality and biological function of the site; or, 4) monetary compensation to acquire, maintain and administer the preservation of sensitive biological resources.

MHCP Habitat-Based Mitigation Ratios
<table>
<tr><th>MCHP Habitat Group</th><th>Mitigation Ratio</th></tr>
<tr><td>Habitat Group A: Wetland & Riparian</td><td>1:1 or 4:1, depending on the habitat type and location within the Subarea*</td></tr>
<tr><td>Habitat Group B: Rare Upland</td><td>2:1 to 3:1</td></tr>
<tr><td>Habitat Group C: Coastal Sage Scrub</td><td>1:1 to 3:1</td></tr>
<tr><td>Habitat Group D: Chaparral</td><td>0.5:1 to 1:1</td></tr>
<tr><td>Habitat Group E: Annual Grasslands</td><td>0.5:1</td></tr>
<tr><td>Habitat Group F: Other Lands</td><td>None**</td></tr>
</table>
Source: Merkel & Associates, 2010.</td><td>CM</td><td>City Planner; City Engineer; Wildlife Agencies;</td><td>Plans to be approved prior to initiation of project grading; Implementation of plans to be verified prior to completion of facility construction.</td></tr>
</table>

MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
* Mitigation ratios for wetland habitat may vary depending upon quality of the resource and location within the City's NCCP Subarea Plan(SAP) zones once the SAP is adopted. Final mitigation ratios for wetlands shall be governed by the SAP and applicable state and federal regulatory approvals. ** *Group F habitat may be subject to a Habitat Development Fee in accordance with conditions of an adopted NCCP Subarea Plan.* Potential biological impacts of Class 1 bike paths will require site-specific environmental review at the design stage.			
BR2 Planning policies shall include a requirement to make use of project designs, engineering and construction practices that minimize impacts to sensitive habitats and species. The City will coordinate the design of roads and road improvements within or adjacent to wildlife movement linkages and corridors (inclusive of their buffers) with the Wildlife Agencies to ensure viability of the SubArea Plan preserve. In order to influence the location, alignment and design of roads and improvements, coordination with responsible listing agencies (USFWS and/or CDFG) shall be completed as early as possible and in conjunction with, or prior to, the CEQA process for actions, which may affect federal and/or state listed sensitive species and/or MHCP narrow endemic species. Specific actions necessary to protect sensitive species shall be determined on a case-by-case basis. Also implement MMs BR3, BR4 and BR14. Potential biological impacts of Class 1 bike paths will require site-specific environmental review at the design stage.	CM	City Planner; City Engineer; Wildlife Agencies;	Plans to be approved prior to initiation of project grading; Implementation of plans to be verified prior to completion of facility construction.
BR3 Night lighting shall be directed away from wildlife areas to protect species from direct night lighting. Shielding shall be incorporated in project designs to ensure ambient lighting in the MHCP Conservation Areas is not increased.	CM	City Planner; City Engineer; Wildlife Agencies; Biological Monitor	Plans to be approved prior to initiation of project grading; Implementation of plans to be verified prior to completion of facility construction.
BR4 Proposed noise-generating activities during construction and post-construction shall incorporate setbacks, berms, or walls to minimize the effects of noise on resources pursuant to applicable rules, regulations, and guidelines related to land use noise standards.	CM, OM	City Planner; City Engineer; Wildlife Agencies; Biological Monitor	Plans to be approved prior to initiation of project grading; Implementation of plans to be verified at the start and prior to completion of facility construction.

	MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
BR5	When proposing landscape plans adjacent to wildlife areas, permittees shall avoid the use of invasive species for development of the listed facilities. Considerations shall include proximity of planting areas to the wildlife areas, species considered in the planting plans, biological resources being protected within their relative sensitivity to invasion, and barriers to plant and seed dispersal, such as walls, topography and other features.	CM	City Planner; City Engineer; Wildlife Agencies;	Plans to be approved prior to initiation of project grading; Implementation of plans to be verified prior to completion of facility construction.
BR6	Proposed transportation infrastructure modification in proximity to wildlife areas shall incorporate measures, including measures required through the National Pollutant Discharge Elimination System (NPDES) requirements, to ensure that the quantity and quality of runoff discharged is not altered in an adverse way when compared with existing conditions. In particular, measures shall be put in place to avoid discharge of untreated surface runoff from developed and paved areas into wildlife areas. Storm water systems shall be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant materials or other elements that might degrade or harm biological resources or ecosystem processes. This can be accomplished using a variety of methods including natural detention basins, grass swales or mechanical trapping devices. Regular maintenance shall occur to ensure effective operations of runoff control systems.	CM, OM	City Planner; City Engineer; Wildlife Agencies; Biological Monitor	Plans to be approved prior to initiation of project grading; Implementation of plans to be verified prior to completion of facility construction.
BR7	Project impacts to jurisdictional waterways would require issuance of the following permits by regulatory federal and state agencies: 1) Army Corps of Engineers (ACOE), CWA Section 404 permit for placement of dredged or fill material within waters of the U.S.; 2) Regional Water Quality Control Board (RWQCB), CWA Section 401 state water quality certification/waiver for an action that may result in degradation of waters of the State; and, 3) CDFG, California Fish and Game Code, Section 1602 agreement for alteration of a streambed. Mitigation for unavoidable and/or minimized impacts to jurisdictional waterways would be required as part of the permitting process to ensure a no-net-loss of wetland habitat functions and values	CM	City Planner; City Engineer; Wildlife Agencies; ACOE, RWQCB,	Plans and proposed mitigation to be approved prior to initiation of project grading;
BR8	Potential biological impacts to preserve areas and/or WCPZ/Regional Corridor and/or Agricultural Exclusion Zone identified in the Oceanside Subarea Plan (subsequently adopted) will require specific environmental studies associated with the proposed facilities, and subsequently mitigated to a level of less than significant.	CM	City Planner; City Engineer; Wildlife Agencies;	Plans and proposed mitigation to be approved prior to initiation of project grading;

	MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
BR9	New roads or improvements to existing roads must include wildlife crossing improvements designed for species of concern in the area, and may include bridges, vegetated over-crossings, enlarged culverts, or other structures shown to be effective for wildlife movement, along with appropriate fencing to keep animals off of roads and funnel them to safe crossing points. The placement and design of such crossings, fences, and associated improvements (e.g., vegetation restoration) will be based on site-specific wildlife movement surveys and biological criteria included as part of the CEQA process or other appropriate implementing ordinances. Within or adjacent to the MHCP Preserve and/or WCPZ/Regional Corridor, the City will coordinate the design of the road improvements with the Wildlife Agencies to account for wildlife movement. This coordination needs to occur early enough in the planning process to influence the location, alignment, and design of the road improvements.	CM	City Planner; City Engineer; Wildlife Agencies;	Plans and proposed mitigation to be approved prior to initiation of project grading;
BR10	Noise within underpasses should be less than 60 dBA (decibels, A-weighted scale) during the time of day at which the animals use it;	CM, OM	City Planner; City Engineer;	Plans and proposed mitigation to be approved prior to initiation of project grading;
BR11	Use skylight openings within the underpass to allow for vegetation cover within the underpass;	CM	City Planner; City Engineer;	Plans and proposed mitigation to be approved prior to initiation of project grading;
BR12	Any new road should be located in the least environmentally damaging location and designed to minimize fragmentation and edge effects;	CM	City Planner; City Engineer; Wildlife Agencies;	Plans and proposed mitigation to be approved prior to initiation of project grading;
BR13	The following measures will be considered at the project level review of each circulation element project and element shall be incorporated as appropriate to the specific project: • A monitoring biologist shall be onsite during: a) initial clearing and grubbing of all native habitats; and b) project construction within 500 feet of preserved habitat to ensure compliance with all conservation measures. The biologist must be knowledgeable of the covered species biology and ecology. • The project shall temporarily fence (with silt barriers) the limits of project impacts (including construction staging areas and access routes) to prevent additional habitat impacts and prevent the spread of silt from the construction zone into adjacent native habitats to be preserved. Fencing shall be installed in a manner that does not impact habitats to be preserved. Temporary construction	CM	City Planner; City Engineer; Wildlife Agencies; Biological Monitor	Plans and proposed mitigation to be approved prior to initiation of project grading;

	MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
	fencing shall be removed upon project completion. • Impacts from fugitive dust will be avoided and minimized through watering and other appropriate measures. • Construct noise barriers for short sections of road that may impact wildlife breeding; • Site traffic controls such as stoplights and stop signs away from sensitive habitat to reduce the concentration of emissions and noise levels; • Minimize any materials sidecasting during road construction.			
BR14	Proposed project activities should occur outside of the avian breeding season, generally from February 15 to September 15 (as early as January 1 for raptors) to avoid take of birds or their eggs. Depending on the avian species present, a qualified biologist may determine that a change in the breeding season dates is warranted. If avoidance of the avian breeding season is not feasible, the Wildlife Agencies recommend that beginning 30 days prior to the initiation of project activities, a qualified biologist with experience in conducting breeding bird surveys conduct weekly bird surveys to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and any other such habitat within 300 feet of the disturbance area (within 500 feet for raptors or listed species). The surveys should continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of project activities. If a protected native bird is found, the project proponent should delay all project activities within 300 feet of on- and off-site suitable nesting habitat (within 500 feet for suitable raptor or listed species nesting habitat) until August 31. Alternatively, the qualified biologist could continue the surveys in order to locate any nests. If an active nest is located, project activities within 300 feet of the nest (within 500 feet for raptors or listed species nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Flagging, stakes, and/or construction fencing should be used to demarcate the inside boundary of the buffer of 300 feet (or 500 feet) between the project activities and the nest. If the biological monitor determines that a narrower buffer between the project activities and observed active nests is warranted, he/she should submit a written explanation as to why to the City (and, upon request, the Wildlife Agencies, if they so request) will determine whether to allow a narrower buffer. The biological monitor shall be present on site during all grubbing and clearing of vegetation to ensure that these activities remain within the project footprint and that the flagging/staking/fencing	CM	City Planner; City Engineer; Wildlife Agencies; Biological Monitor	Plans and proposed mitigation to be approved prior to initiation of project grading;

	MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
	is being maintained, and to minimize the likelihood that active nests are abandoned or fail due to project activities. The biological monitor shall send weekly monitoring reports to the City and shall notify the City immediately if project activities damage active avian nests.			
CULTURAL RESOURCES				
CR-1	1. A cultural resource inventory of the project Area of Potential Effect (APE) is required to identify previously unrecorded historical resources. Before actual field reconnaissance would occur, background research is required which includes a record search at the South Coastal Information Center (SCIC) at San Diego State University and the San Diego Museum of Man. A review of the Sacred Lands File maintained by the Native American Heritage Commission (NAHC) must also be conducted at this time. Information about existing archaeological collections should also be obtained from the San Diego Archaeology Center and any tribal repositories or museums. The project archaeologist will determine the likelihood for the project site to contain historical resources by reviewing site photographs and existing historic information and conducting a site visit. A Native American monitor shall be present during any field reconnaissance surveys for cultural resources. If through background research and field surveys historic resources are identified, then an evaluation of significance must be performed by a qualified archaeologist or historian, as applicable.	CM	City Planner; City Engineer; Cultural Resource Consultant; Native American Monitor(s)	Prior to finalization of facility plans.
	2. Cultural resource significance evaluations are required when new resources are identified as a result of a survey, when previously recorded resources that have not been previously evaluated are relocated during a survey, and when previously recorded sites are not relocated during the survey and if there is a likelihood that the resource still exists. Significance evaluations will not be required if the resource has been evaluated for CEQA significance or for National Register eligibility within the last five years if there has been no change in the conditions which contributed to the determination of significance or eligibility. A property should be re-evaluated if its condition or setting has either improved or deteriorated, if new information is available, or if the resource is becoming increasingly rare due to the loss of other similar resources.	CM	City Planner; City Engineer; Cultural Resource Consultant; Native American Monitor(s)	Prior to facility construction.

MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
3. An archaeological testing program will be required, which includes evaluating the horizontal and vertical dimensions of a site, the chronological placement, site function, artifact/ecofact density and variability, presence/absence of subsurface features and research potential. It should be noted, that tribal representatives and/or Native American monitors will be involved in making recommendations regarding the significance of prehistoric archaeological sites during this phase of the process. The testing program may require reevaluation of the proposed project in consultation with the Native American representative which could result in a combination of project redesign to avoid and/or preserve significant resources as well as mitigation in the form of data recovery and monitoring (as recommended by the qualified archaeologist and Native American representative). Prior to any excavations at the project site, a pre-excavation agreement will be implemented by the City with the applicable Native American organization(s).	CM	City Planner; City Engineer; Cultural Resource Consultant; Native American Monitor(s)	Prior to facility construction.
4. If significant cultural resources are identified within the APE, the site may be eligible for designation. If no significant resources are found, and site conditions are such that there is no potential for further discoveries, then no further action is required. Resources found to be non-significant as a result of a survey and/or assessment will require no further work beyond documentation of the resources on the appropriate DPR site forms and inclusion of results in the survey and/or assessment report. If no significant resources are found but results of the initial evaluation and testing phase indicates there is still a potential for resources to be present in portions of the property that could not be tested, then mitigation monitoring is required.	CM	City Planner; City Engineer; Cultural Resource Consultant; Native American Monitor(s)	Prior to facility construction.
5. Preferred mitigation for cultural resources is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm shall be taken. For archaeological resources where preservation is not an option, a Research Design for a data recovery program shall be prepared. The data recovery program shall be based on a written research design and is subject to the provisions as outlined in CEQA, Section 21083.2. Archaeological monitoring may be required during building demolition and/or construction grading when significant resources are known or suspected to be present on a site, but cannot be recovered prior to grading due to obstructions such as but not limited to, existing development or dense vegetation. Prior to construction monitoring a Cultural Resource Mitigation Monitoring Plan will be prepared by the Project Archaeologist. Tribal representatives will be provided with a copy of the CRMMP once completed and any other reports generated as a result of the CRMMP.	CM	City Planner; City Engineer; Cultural Resource Consultant; Native American Monitor(s)	Prior to facility construction.

MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
6. A Native American observer must be retained for all ground disturbing activities, including all clearing, excavation, grading, and trenching, whenever a Native American Traditional Cultural Property or archaeological site within the Area APE of a City project would be impacted. If cultural resources are discovered during construction, all earth moving activity within and around the immediate discovery area shall be diverted until the nature and significance of the resource can be assessed. Both the archaeological monitor and Native American monitor will have the authority to halt ground disturbance in the event of a potentially significant discovery. In the event that human remains are encountered during data recovery and/or monitoring program, the provisions of Public Resources Code Section 5097 must be followed. The Native American monitor shall be consulted during the preparation of the written report, at which time they may express concerns about the treatment of sensitive resources. If the Native American community requests participation of an observer for subsurface investigations on private property, the request shall be honored. If the Native American community requests participation of an observer for subsurface investigations on private property, the request shall be honored. The return of artifacts of cultural importance to the Luiseño, recovered during cultural resource evaluation, data recovery or mitigation monitoring, shall be negotiated between the tribe and the City of Oceanside, Caltrans or the private landowner, as applicable."	CM	City Planner; City Engineer; Cultural Resource Consultant; Native American Monitor(s)	Prior to facility construction.
CR-2 Historic Resources Prior to issuance of any permit that would directly or indirectly affect a building/structure in excess of 45 years of age, the City shall determine whether the affected building/structure meets any of the following criteria: (1) National Register- Listed or formally determined eligible, (2) California Register-Listed or formally determined eligible, (3) San Diego Register-Listed or formally determined eligible, or (4) meets the CEQA criteria for a historical resource. The evaluation of historic architectural resources would be based on criteria such as: age, location, context, association with an important person or event, uniqueness or structural integrity. Preferred mitigation for historic buildings or structures is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm to the resource shall be taken Generally, a project that follows the Secretary of the Interior's Standards for the	CM	City Planner; City Engineer; Cultural Resource Consultant;	Prior to issuance of any permit that would directly or indirectly affect a building/structure in excess of 45 years of age,

	MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
	Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historic resource. A lead agency shall identify potentially feasible measures to mitigate significant adverse changes in the significance of an historic resource. The lead agency shall ensure that any adopted measures to mitigate or avoid significant adverse changes are fully enforceable through permit conditions, agreements, or other measures.			
CR-3	When an initial study identifies the existence of, or the probable likelihood, of Native American human remains within the project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code Section 5097.98. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans as identified by the Native American Heritage Commission. Action implementing such an agreement is exempt from the general prohibition on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (Health and Safety Code Section 7050.5). In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken: • There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: • The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and • If the coroner determines the remains to be Native American: The coroner shall contact the Native American Heritage Commission within 24 hours. • The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.	CM	City Planner; City Engineer; Cultural Resource Consultant; Native American Heritage Commission.	Prior to disturbance of any human remains other than from a dedicated cemetery.

MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
• The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98. As part of the objectives, criteria, and procedures required by Section 21082 of the Public Resources Code, a lead agency should make provisions for historical or unique archaeological resources accidentally discovered during construction. These provisions should include an immediate evaluation of the find by a qualified archaeologist. If the find is determined to be an historical or unique archaeological resource, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation should be available. Work could continue on other parts of the building site while historical or unique archaeological resource mitigation takes place.			
GEOLOGY / SOILS			
GS1 A comprehensive geotechnical evaluation, including development-specific surface exploration and laboratory testing, shall be conducted prior to design and construction of any Circulation Element facility improvement within the project area. The purpose of the subsurface evaluation would be to: 1) further evaluate the subsurface conditions in the area of future infrastructure or improvements; and, 2) provide information pertaining to the engineering characteristics of earth materials associated with each development. From these data, recommendations for grading, earthwork, surface and subsurface drainage, foundations, pavement structural sections, sedimentation mitigation, and other pertinent geotechnical design considerations may be formulated. The Rose Canyon fault has been mapped west of the project area. Accordingly, the project area has a potential for moderate ground motions due to an earthquake on the active Rose Canyon fault. Therefore, the potential for moderate seismic accelerations will need to be considered in the design of future structures or improvements. The level of risk associated with these seismic accelerations is the level of risk assumed by the UBC minimum design requirements.	CM	City Engineer; Geotechnical Consultant.	Prior to design and construction of any Circulation Element facility improvement within the City of Oceanside.

	MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
	The presence of potentially expansive soils shall be evaluated as part of the geotechnical design phase of any improvement. Measures may include removal of these soils and replacement with compacted fill.			
AGRICULTURAL RESOURCES				
AR1	**Site Assessment** As part of environmental review and project design for road extensions, possible locations of roadways that cross lands currently mapped as Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance by the California Department of Conservation shall be evaluated using the Land Evaluation and Site Assessment (LESA) Model to determine the loss of agricultural land that could occur due to the proposed roadway extensions to Melrose Drive.	CM	City Planner	Prior to completion of facility design.
AR2	**Design Refinement** If significant impacts to important agricultural lands would occur, as determined in MM AR1, identify in the design studies a facility design that would avoid, to the maximum extent possible, the important agricultural lands, and evaluate significance of its agricultural impact.	CM	City Planner	Prior to completion of facility design.
AR3	**Mitigation** The mitigation of impact to agricultural lands shall be accomplished via one of the following as determined by the City of Oceanside: Option 1: On-site preservation of agricultural lands. Option 2: Purchase of off-site agricultural conservation easements.	CM	City Planner	Prior to initiation of facility construction.
AESTHETICS				
A1	Potential future visual/aesthetic impacts shall be assessed in future facility-specific environmental document(s) as required under CEQA, and appropriate mitigation measures identified, if required at that time, to reduce or avoid significant impacts.	CM	City Planner	Prior to initiation of facility construction.
HYDROLOGY / WATER QUALITY				
HWQ1	A detailed hydrology study shall be prepared for each specific improvement/ development that addresses the onsite and offsite hydrological and drainage characteristics of each proposed roadway improvement. For proposed improvements located within or adjacent to the 100-year floodplain, additional consideration shall be given to the design of the project. An appropriate	CM	City Engineer, City Planner, Hydrological Consultant.	Prior to initiation of facility design.

	MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
	drainage control plan that controls runoff and drainage in a manner acceptable to City Engineering Standards for the specific improvement shall be implemented. The drainage control plan shall be implemented in accordance with the recommendations of the hydrology study and shall address on-site and off-site drainage requirements to ensure on-site runoff will not adversely affect off-site areas or alter the existing drainage pattern of the site or off-site areas.			
HWQ2	Prior to commencement of construction activities for future development/ improvement activities, in compliance approval documentation with the City of Oceanside Municipal Code, General Construction Stormwater Permit (Order No. 2009-0009-DWQ, NPDES General Permit No. CAS000002)) and the Regional Municipal Stormwater Permit (Order No. R9-2007-0001, NPDES No. CAS0108758)shall be obtained. Under the General Construction Stormwater Permit, the following components are required, a Notice of Intent (NOI), Stormwater Pollution Prevention Plan (SWPPP), and a Monitoring Program and Reporting Requirements. Required elements of SWPPP include: • Site description addressing the elements and characteristics specific to the site; • Description of Best Management Practices (BMPs) and Low Impact Design (LID) concepts for erosion and sediment controls; • BMPs for construction waste handling and disposal; • Implementation of approved local plans; • Proposed post-construction controls, including description of local post-construction erosion and sediment control requirements, as well as requirements for regular maintenance; • Non-storm water management; • Identify a sampling and analysis strategy and sampling schedule for discharges from construction activity which discharges into water bodies listed on the 303(d) list of impaired water bodies; and, • For all construction activity, identify a sampling and analysis strategy and sampling schedule for pollutants which are not visually detectable in stormwater dischargers, which are known to occur on the construction site, and which could cause or contribute to an exceedance of water quality objectives in receiving waters.	CM	City Engineer, City Planner, Hydrological Consultant	Prior to initiation of facility construction.

MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
Some of the BMPs that shall be used during construction for compliance with the City of Oceanside Municipal Code, General Construction Stormwater Permit, and Regional Municipal Stormwater Permit include, but are not limited to: • Silt fence, fiber rolls, or gravel bag berms • Street Sweeping • Storm drain inlet protection • Stabilized construction entrance/exit • Vehicle and equipment maintenance, cleaning, and fueling • Hydroseed, soil binders, or straw mulch	CM	City Engineer, City Planner, Hydrological Consultant	Prior to initiation of facility construction.
HWQ3 All future development/improvement projects shall obtain comply with the City of Oceanside Municipal Code, General Construction Stormwater Permit (Order No. 2009-0009-DWQ, NPDES General Permit No. CAS000002) and the Regional Municipal Stormwater Permit (Order No. R9-2007-0001, NPDES No. CAS0108758), including the City's SUSMP requirements. Components of future development/improvement project design that will help achieve compliance with these long-term water quality regulations shall include, but are not limited to: • Infiltration basins • Retention/detention basins • Biofilters • Structural controls • Low Impact Design (LID) concepts	CM	City Engineer, City Planner, Hydrological Consultant.	Prior to initiation of facility construction.
PALEONTOLOGICAL RESOURCES			
PR1 Prior to project site grading at site locations with potential fossil-bearing formations, a qualified paleontologist shall be retained to carry out an appropriate mitigation program. A qualified paleontologist is defined as an individual with an M.S. or Ph.D. in paleontology or geology who is familiar with paleontology procedures and techniques.	CM	City Engineer, City Planner, Paleontological Consultant.	Prior to initiation of facility construction.

MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
• The qualified paleontologist shall be present at the pre-construction meeting to consult with grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues. • A paleontological monitor shall be onsite on a full-time basis during the original cutting of previously undisturbed deposits of high paleontological resource potential (Pleistocene Terrace Deposits and Santiago Formation) to inspect exposures for contained fossils. A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials. The paleontological monitor should work under the direction of a qualified paleontologist. • When fossils are discovered the paleontologist (or paleontological monitor) shall recover them. In most cases, this fossil salvage can be completed in a short period of time. However, some fossil specimens (such as a complete large mammal skeleton) may require an extended salvage period. In these instances the paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Because of the potential for the recovery of small fossil remains, such as isolated mammal teeth, it may be necessary in certain instances, to set up a screen-washing operation on the site. • Fossil remains collected during the monitoring and salvage portion of the paleontological mitigation program shall be cleaned, repaired, sorted, and cataloged. • Prepared fossils, along with copies of all pertinent field notes, photos, and maps, shall be deposited (as a donation) in a scientific institution with permanent paleontological collections such as the San Diego Natural History Museum. Donation of the fossils shall be accompanied by financial support for initial specimen storage. • A final paleontological monitoring and recovery (if applicable) summary report shall be completed that outlines the results of the mitigation program. This report shall include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils.	CM	City Engineer, City Planner, Paleontological Consultant.	Prior to initiation of facility construction.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE APPROVING AN GENERAL PLAN AMENDMENT AND LOCAL COASTAL PLAN AMENDMENT TO UPDATE TO THE CIRCULATION ELEMENT OF THE GENERAL PLAN – CIRCULATION ELEMENT UPDATE

(Applicant: City of Oceanside)

WHEREAS, a request for approval of a General Plan Amendment (GPA10-00001) and Local Coastal Plan Amendment (LCPA12-00002) for an update to the City of Oceanside Circulation Element of the General Plan has been filed and processed by city staff. The Circulation Element Update includes the goals, objectives, and policies relative to the maintenance and improvement of the City's transportation system.

WHEREAS, on May 21, 2012, the Planning Commission conducted a duly-noticed public hearing to consider whether to recommend that the City Council adopt the proposed amendment and to certify the Final Environmental Impact Report and adopt required findings; and

WHEREAS, the Planning Commission's recommendation is summarized in the staff report of the Development Services Department; and

WHEREAS, on June 6, 2012, the City Council held a duly-noticed public hearing and heard and considered written evidence and oral testimony by all interested parties on the above identified General Plan Amendment;

WHEREAS, the Planning Division has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the Environmental Impact Report was prepared in accordance with CEQA.

WHEREAS, based on such evidence and testimony, including but not limited to the report of the Development Services Department, the City Council finds as follows:

For the General Plan Amendment:

1. Alternate 1 of the proposed Update to the Circulation Element will be beneficial to the overall functioning of the City's transportation systems including roadways, bike trails and pedestrian circulation. Alternate 1 to Update to the Circulation Element would be

compatible to other elements of the General Plan such as the Land Use Element and Housing Element.

2. Future improvements associated with Alternate 1 of the Circulation Element would need to conform to this element of the General Plan and would undergo further discretionary and environmental review as appropriate.

For the Local Coastal Plan Amendment:

1. The Local Coastal Plan Amendment, as proposed, is an update to the Circulation Element of the General Plan, which conforms to the other relevant elements of the General Plan of the City of Oceanside.

2. The Local Coastal Plan Amendment for the update to the Circulation Element, as proposed, conforms to the City's Local Coastal Program, including the policies of that plan. The proposed roadway network, bike trails, and pedestrian circulation system will enhance access to beach areas in the western portion of the City.

3. The Local Coastal Plan Amendment, as proposed, conforms to the California Coastal Act of 1976. The updated Circulation Element improvements will enhance access to beach areas within the City of Oceanside.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby approve Alternate 1 of the Circulation Element as an amendment to the General Plan and Local Coastal Plan Amendment subject to the following conditions:

1. All mitigation measures in the Final Program Environmental Impact Report for the General Plan Circulation Element Update dated April 2012 shall be implemented in accordance with the Mitigation Monitoring and Reporting Program.

2. The City Council expressly finds that Alternative 1 of the Circulation Element amendment is adopted in its entirety and is not severable. In the event a court of competent jurisdiction find that Alternative 1 to the Circulation Element and Local Coastal Plan should be set aside, in whole or part, the City Council finds that the existing Circulation Element immediately prior to adoption of Alternate 1 shall remain in full force and effect.

Notice is hereby given that the time within which judicial review must be sought on this general plan amendment is governed by Govt. Code Section 65009 (c)(1)(A).

PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this _____ day of _____ 2012, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

_____
CITY ATTORNEY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE APPROVING AN GENERAL PLAN AMENDMENT AND LOCAL COASTAL PLAN AMENDMENT TO UPDATE TO THE CIRCULATION ELEMENT OF THE GENERAL PLAN – CIRCULATION ELEMENT UPDATE

ATTACHMENT 3

AGENDA NO. 3

PLANNING COMMISSION

STAFF REPORT

DATE: May 21, 2012

TO: Chairperson and Members of the Planning Commission

FROM: Community Development Department/Transportation Division

SUBJECT: **GENERAL PLAN AMENDMENT (GPA10-00001) AND LOCAL COASTAL PLAN AMENDMENT (LCPA12-00002) CONSIDERATION OF AN UPDATE TO THE CITY OF OCEANSIDE CIRCULATION ELEMENT OF THE GENERAL PLAN AND FINAL PROGRAMMATIC ENVIRONMENTAL IMPACT REPORT (FPEIR) – CIRCULATION ELEMENT – APPLICANT: CITY OF OCEANSIDE**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

1) Recommend certification of the Circulation Element Update Final Programmatic EIR (FPEIR) Alternative 1 to the City Council.

2) Recommend approval of the Circulation Element Update Alternative 1, to the City Council.

PROJECT DESCRIPTION AND BACKGROUND

Background: The Oceanside General Plan, is the primary source of long-range planning and policy direction used to guide growth and preserve the quality of life within the City of Oceanside. The General Plan contains 10 elements: Land Use, Circulation, Recreational Trails, Housing, Environmental Resource Management, Community Facilities, Public Safety, Noise, Hazardous Waste Management, and Military Reservation (Camp Pendleton).

In August of 2005, City staff initiated the Circulation Element update to the 1995 Circulation Element. In 2007, it was determined by the City Council that the Circulation Element update will require an Environmental Impact Report (EIR) and that the SANDAG Series 11 Sub-Regional transportation model should be used instead of the previous SANDAG Series 10 transportation model.

The City of Oceanside issued a Notice of Preparation (NOP) for the preparation of an EIR analyzing the update to the Circulation Element, for a 45-day public review from December 9, 2009, to January 25, 2010. The NOP was reissued on January 26, 2010, lengthening the public review period to February 24, 2010, resulting in a 65-day public review period.

Three public scoping meetings were held by the City on the evenings of January 12, January 14, and February 8, of 2010. At all the scheduled meetings, members of the public were invited to ask questions regarding the proposed project and environmental review process, and to comment in writing on the scope and content of the EIR.

Based on the responses to the NOP and comments made during the scoping meetings, it was determined that the proposed General Plan – Circulation Element Update could result in potentially significant adverse environmental impacts in the following areas: Land Use, Geology/Soils, Aesthetics, Agricultural Resources, Hazardous Materials, Hydrology/Water Quality, Air Quality, Traffic, Greenhouse Gas, Paleontological Resources, Noise, Cultural Resources, and Biological Resources.

Areas of public controversy relative to the proposed plan amendments and redevelopment activities considered in this EIR include:

- Melrose Drive Extensions (SR-76 to N. River Road; Spur Avenue to N. Santa Fe Avenue);
- Rancho Del Oro community resident's opposition to the Rancho Del Oro/SR-78 Interchange;
- College Boulevard (Oceanside Blvd. to Roselle Dr.);
- Vista Way between I-5 and Coast Highway;
- Lake Boulevard between Thunder Drive and Sundown Drive; and
- Pala Road between Los Arbolitos and Foussat Road.

On June 9, 2011 the City of Oceanside circulated a Draft Program Environmental Impact Report (Draft PEIR) for a 60-day review period ending August 12, 2011 which addressed the proposed update to the Oceanside General Plan Circulation Element. Upon reviewing the comments received during public review, the City determined that its responses identified new information regarding significant impacts and mitigation measures that warranted recirculation of a revised Draft PEIR pursuant to the provisions of Section 15088.5 of the State CEQA Guidelines. The Draft PEIR was revised and re-circulated for a 45-day review period from February 1, 2012 to March 16, 2012.

Project Description: The Circulation Element provides goals, objectives and policies to maintain and improve the City of Oceanside's transportation system and enhance travel choices for current and future residents, visitors, and workers. These policies are complemented by the policies in the Land Use, Noise, Recreational Trails, and Community Facility Elements on related topics such as Smart Growth. Recognizing the relationship between transportation and these related topics is critical to improving mobility and accessibility within the City.

The Circulation Element was last adopted by the City Council in 1995. The Updated Circulation Element has incorporated amendments in response to the changes in the City's land uses and transportation network needs. These include but are not limited to:

- Enhancing the City's corridors for all modes of transportation;
- Increasing bicycle and pedestrian connections, routes and facilities;
- Refining the City's traffic calming program to promote safer streets for motorists, pedestrians, and bicyclists;
- Identifying and incorporating Intelligent Transportation System (ITS) technology for the City;
- Increasing support of Transportation Demand Management Programs; and
- Improving the efficiency of the existing transportation system.

The City of Oceanside is served by a diverse circulation system consisting of roadways, public transit, rail service, airport, and pedestrian and bicycle facilities. A well-balanced and multi-modal transportation system is considered integral to the City's efforts to sustain and enhance the quality of life and key to its future economic growth. Achieving such a system requires integrating land use and transportation planning, and implementing a range of improvements that enhance connectivity, livability and vitality.

The Circulation Element Update is comprised of revised goals, policies and objectives for related transportation plans and programs including Transportation Demand Management (TDM), public transit and rail, bicycle, equestrian, and pedestrian facilities, neighborhood traffic calming and Intelligent Transportation Systems (ITS).

The Circulation Element PEIR analyzed three future roadway network alternatives, at equal levels of detail. Alternative 1 is now identified as the preferred alternative or Project. A brief overview of the three future roadway network alternatives is as follows:

1. Existing 1995 Modified Circulation Element Alternative: contains roadway network assumptions as provided in the 1995 adopted Circulation Element, with two minor modifications to Jeffries Ranch Road and Old Ranch Road. This is essentially the "No Project" scenario and assumes that SR-76 is a 6-lane

highway; the Pala Road extension is included; College Boulevard is a 6-lane arterial; the Rancho Del Oro interchange at SR-78 is included; Melrose Drive Northern extension and Melrose Drive Southern extension are included; Mission Avenue is a 4-lane arterial; Coast Highway is a 4-lane secondary collector; and Old Ranch Road is not connected between Guajome Lake Road and Melrose Drive.

2. Circulation Element Update Alternative 1: assumes College Boulevard is a hybrid (six lanes between Avenida de la Plata and Olive Drive and four lanes between Olive Drive and Waring Road); the Melrose Drive northern Extension is not included; and Mission Avenue is a 2-lane one-way couplet between Cleveland Street and Clementine Street. The Rancho Del Oro interchange is also included.

3. Circulation Element Update Alternative 2: assumes the Pala Road extension is not included; College Boulevard is a hybrid (six lanes between Avenida de la Plata and Olive Drive and four-lanes between Olive Drive and Waring Road); Rancho Del Oro Interchange at SR78 is not included; Melrose Drive Northern extension and Melrose Drive Southern extension are not included; Mission Avenue is maintained as a four-lane secondary collector; and Coast Highway is a two-lane collector.

ANALYSIS

A Final Program Environmental Impact Report (PEIR) has been prepared that evaluated the following direct and cumulative impacts: Land Use, Geology/Soils, Aesthetics, Agricultural Resources, Hazardous Materials, Hydrology/Water Quality, Air Quality, Traffic, Greenhouse Gas, Paleontological Resources, Noise, Cultural Resources, and Biological Resources. Under the provisions of the California Environmental Quality Act (CEQA), the Planning Commission will need to forward a recommendation to the City Council to certify the Environmental Impact Report, adopt a Mitigation Monitoring, and Report Program (MMRP), and the Statement of Overriding Considerations. A summary of findings of the PEIR, including project alternatives is provided below.

This section provides a summary of environmental impacts analyzed in the Final PEIR. The following environmental effects related to the Project were found to be less than significant: air quality, noise (in some locations), mineral resources, population/housing, public services and utilities, and recreation. Potential impacts related to land use, traffic (at some locations), hazardous materials, noise (at some locations), biological resources, cultural resources, geology/soils, aesthetics, hydrology/water quality, and paleontological resources, while potentially significant, would be mitigated to below a level of significance. The mitigation measures are listed in the attached Mitigation Monitoring and Reporting Program (MMRP).

The PEIR identified four subject areas in which the Project would result in an unmitigable impact on the environment: (1) Traffic (at some locations), (2) Greenhouse Gases (GHGs) emissions, (3) noise (at some locations), and agricultural resources which all have significant environmental effects, even after the application of all feasible mitigation measures identified in the PEIR. The traffic impact of Alternative 1 results in unacceptable levels of service (LOS) at greater numbers of intersections and road segments than the existing 1995 Circulation Element Alternative. The Project would result in LOS E or F at 10 intersections and 17 road segments.

Vehicular emissions associated with the Project would exceed 35 million metric tons (MMT) in 2030, an increase in GHG emissions of approximately 4.5 MMT of CO_{2e} per year, compared to 2010 emissions. Potential mitigation measures are identified in the PEIR, but it is not expected that they could reduce the emissions by 4.5 MMT of CO_{2e} per year. This impact would be cumulatively significant and unmitigable for all alternatives.

For noise impacts, one to five roadway segments (depending on the alternative), would result in increases in sound levels of 6 decibels, A-weighted (dBA) to 25 dBA, compared to existing conditions. Full mitigation of such impacts may be infeasible, depending on the site conditions adjacent to the affected roadway segments. Three of these locations would involve roadway extensions under the existing 1995 Circulation Element Alternative where there is no road now: Melrose Drive Northern extension, Melrose Drive Southern extension, and the Pala Road extension. A fourth location would be along North Santa Fe Avenue, from Melrose Drive to the eastern City limits. Sound levels there are projected to increase approximately 11 dBA. A fifth location would be along North River Road, from Stallion Drive to Melrose Drive (+7.8 dBA). Noise impacts and potential mitigation measures would need to be addressed in any subsequent facility-specific environmental studies at these locations.

Agricultural impacts from Circulation Element roadways would cross or border existing agricultural lands in Oceanside at two locations: the Melrose Drive Northern extension and the Melrose Drive Southern extension. Both of these proposed facilities are part of the existing 1995 Circulation Element Alternative only, while agricultural impacts from the Melrose Drive Southern extension, included in the Project (Alternative 1) have been evaluated in the PEIR prepared for that facility, and were found to significant and unmitigable.

In accordance with CEQA Guidelines Section 15092 (b)(2), the City shall not approve the Updated Circulation Element and certify the PEIR unless (a) specific economic, legal, social, technological, or other considerations, make infeasible the mitigation measures or project alternatives identified in the PEIR. A Statement of Overriding Considerations must also be adopted stating that the project benefits out-weigh the unmitigable environmental impacts. The required findings and statements of overriding considerations are attached to the staff report as Exhibit A of the EIR resolution.

Based on the summary comparison of alternatives described in the PEIR, Alternative 2 is considered the environmentally preferable alternative. The environmental preference for Alternative 2 is due to its deletion of facilities proposed under other alternatives that are located in sensitive areas of Oceanside, such as the Melrose Drive extensions, the Pala Road Extension, and the Rancho Del Oro Interchange. Potential environmental impacts at those locations would be avoided under Alternative 2. Even though Alternative 2 is preferred from an environmental standpoint staff recommends approval of Alternative 1 because it provides a balance between roadway traffic operations and environmental impacts.

PUBLIC NOTIFICATION

Legal notice was published in the North County Times and notices were sent to individuals/organizations requesting notification, applicant and their representative, and interested parties.

RECOMMENDATION

Staff recommends that the Planning Commission:

(1) Recommend that the City Council certify the Final Programmatic Environmental Impact Report (PEIR) for the Circulation Element Update with Alternative 1 as the preferred 2030 roadway network alternative and adopt a Mitigation Monitoring and Reporting Program (MMRP), and a Statement of Overriding Considerations Resolution No. 2012-P22.

(2) Recommend adoption of the Updated Circulation Element Resolution No. 2012-P23.

PREPARED BY:

John Amberson
Transportation Planner

SUBMITTED BY:

Jerry Hittleman
City Planner

JH/JA/fil

Attachments:
1. Planning Commission Resolution No.2012-P22
2. Planning Commission Resolution No.2012-P23

PLANNING COMMISSION
RESOLUTION NO. 2012-P22

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA RECOMMENDING CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF OCEANSIDE GENERAL PLAN CIRCULATION ELEMENT UPDATE

APPLICANT: City of Oceanside
LOCATION: Citywide

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

WHEREAS, an Environmental Impact Report was prepared and circulated for public and agency review and proper notification was given in accordance with the California Environmental Quality Act; and

WHEREAS, the Planning Commission, after giving the required notice, did on the 21st day of May 2012, conduct a duly advertised public hearing on the content of the Final Environmental Impact Report and the Mitigation Monitoring and Reporting program; and

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

For the Final Environmental Impact Report:

1. The Final Environmental Impact Report was completed in compliance with the provisions of the California Environmental Quality Act (CEQA).
2. There are certain significant environmental effects detailed in the Environmental Impact Report which have been avoided or substantially lessened by the establishment of measures which are detailed in Exhibit "A" Environmental Findings and Statement of Overriding Considerations and Exhibit "B" Mitigation Monitoring and Reporting Program for the City of Oceanside General Plan Circulation Element Update.
3. The Final Environmental Impact Report and Mitigation and Monitoring and Reporting Programs for the Circulation Element Update were presented to the Planning Commission, and the Planning Commission reviewed and considered the information contained in these documents prior to making a decision on selecting Alternative 1 as the preferred alternative. The Final Environmental Impact Report and Mitigation and Monitoring and

Reporting Program for the Circulation Element Update have been determined to be accurate and adequate documents, which reflect the independent judgment of the City.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Planning Commission does hereby recommend that the City Council certify the Final Environmental Impact Report for the City of Oceanside General Plan Circulation Element Update with Alternative 1 selected as the preferred alternative.

2. Pursuant to Public Resources Code Section 21081.6 the Planning Commission recommends that the City Council adopt the Mitigation Monitoring and Reporting Program (MMRP) for the City of Oceanside General Plan Circulation Element Update and finds and determines that said elements of the Circulation Element Update are designed to ensure compliance with the mitigation measures during implementation of various transportation related projects.

3. Pursuant to Public Resources Code Section 21081, the Planning Commission hereby recommends that the City Council adopts the Environmental Findings and Statement of Overriding Considerations for the City of Oceanside General Plan Circulation Element Update.

PASSED AND ADOPTED Resolution No. 2012-P22 on May 21, 2012 by the following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____

Tom Rosales, 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. 2012-P22.

Dated: May 21, 2012

Exhibit "A"

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE CITY OF OCEANSIDE CIRCULATION ELEMENT UPDATE PROGRAM ENVIRONMENTAL IMPACT REPORT (SCH NO. 2009121020)

1.0 INTRODUCTION

1.1 Findings of Fact and Statement of Overriding Considerations

California Environmental Quality Act, Public Resources Code Sections 21000-21178 ("CEQA), State CEQA Guidelines for Implementation of the California Environmental Quality Act, Cal. Code Regs. tit. 14 §§ 15000-15387 ("CEQA Guidelines") are "intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will *avoid* or *substantially lessen* such significant effects." Cal. Pub. Res. Code § 21002 (emphasis added). CEQA's mandate and principles are implemented, in part, through the requirement that agencies adopt findings before approving projects for which EIRs are required. (See Pub. Res. Code § 21081 (a)). For each significant environmental effect identified in any EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions.

The first permissible finding is that "[c]hanges or alterations have been required in, or incorporated into, the projects which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines § 15091 (a)(1).) The second permissible finding is that "[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency." (CEQA Guidelines § 15091 (a)(2).) The third potential conclusion is that "[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR." (CEQA Guidelines § 15091 (a)(3).) Section 21061.1 of CEQA defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors." Section 15364 of the CEQA Guidelines adds another factor: "legal" considerations. *See also Citizens of Goleta Valley v. Board of Supervisors ("Goleta II")*, 52 Cal.3d 553, 565, 276 Cal.Rptr. 419 (1990).

The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego,*

133 Cal.App.3d 410, 417, 183 Cal.Rptr. 898 (1982).) "'[F]easibility under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, social and technological factors." (*Id.; see also Sequoyah Hills Homeowners Ass'n v. City of Oakland*, 23 Cal.App.4th 704, 715, 29 Cal.Rptr.2d 182 (1993).)

The CEQA Guidelines do not define the difference between "avoiding" a significant environmental effect and merely "substantially lessening" such an effect. The City of Oceanside (the "City") must therefore glean the meaning of these terms from the other contexts in which the terms are used. Section 21081 of CEQA, on which CEQA Guidelines Section 15091 is based, uses the term "mitigate" rather than "substantially lessen." The CEQA Guidelines therefore equate "mitigating" with "substantially lessening." Such an understanding of the statutory term is consistent with the policies underlying CEQA, which include the policy that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which will substantially lessen the significant environmental effects of such projects." (Pub. Res. Code § 21002.)

For purposes of these findings, the term "avoid" refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less than significant level. In contrast, the term "substantially lessen" refers to the effectiveness of such measures to substantially reduce the severity of a significant effect, but not to reduce the effect to a less than significant level. These interpretations are consistent with the holding in *Laurel Hills Homeowners Ass'n v. City Council*, 83 Cal.App.3d 515, 519-527, 147 Cal.Rptr. 842 (1978), in which the Court of Appeals held that an agency had satisfied its obligation to substantially lessen or avoid significant effects by adopting numerous mitigation measures, not all of which rendered the significant impacts in question (e.g., the loss of biological resources") less than significant. Although CEQA Guidelines Section 15091 requires only that approving agencies specify that a particular significant effect is "avoid[ed] or substantially lessen[ed]," these Findings, for purpose of clarity, in each case will specify whether the effect in question has been reduced to a less than significant level, or has simply been substantially lessened but remains significant.

With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or feasible environmental superior alternatives, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (14 Cal. Code Regs. §§ 10593, 15043(b); *see also* Pub. Res. Code § 21081(b).) The California Supreme Court has stated that, "[t]he wisdom of approving...any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Goleta II*, 52 Cal, 3d 553, 576.)

The following Findings of Fact ("Findings") are made relative to the conclusions of the Final Program Environmental Impact Report for the City of Oceanside Circulation Element Update (SCH 2009121020) ("Final PEIR").

1.2 Document Format

These findings have been organized into the following sections:

(1) Section 1 provides an introduction to these Findings.

(2) Section 2 provides a summary of the City of Oceanside Circulation Element Update (the "Project") and overview of the discretionary actions required for approval of the Project, and a statement of the Project's objectives.

(3) Section 3 provides a summary of public participation in the environmental review, an overview of the administrative record that has been developed for the Project, as well as findings regarding the Mitigation, Monitoring and Reporting Program (MMRP) and general findings regarding the Project and CEQA compliance.

(4) Section 4 sets forth findings regarding those environmental impacts which were determined during the notice of preparation period either not to be relevant to the Project or which were determined to clearly not manifest at levels which were deemed to be significant for consideration at the Project-specific level.

(5) Section 5 sets forth findings regarding significant or potentially significant environmental impacts identified in the Final PEIR which the City has determined are either not significant or can be substantially lessened or reduced to a less-than-significant level through the imposition of mitigation measures included in the MMRP for the Project.

(6) Section 6 sets forth findings regarding significant environmental impacts identified in the Final PEIR, which the City has determined will remain significant and unavoidable after mitigation.

(7) Section 7 sets forth findings regarding alternatives to the Project, which were determined not to be implemented by the City.

(8) Section 8 consists of a Statement of Overriding Considerations, which sets forth the City's reasons for finding that specific economic, legal, social, technological, and other considerations associated with the Project outweigh the Project's potential unavoidable environmental effects.

2.0 Project Summary

2.1 Project Background and Alternative 1 Description

The project analyzed within the PEIR is the update of the City of Oceanside's General Plan Circulation Element. Pursuant to California Government Code 65302(b), a Circulation Element is a required component in all County and City General Plans. The Circulation Element provides goals, objectives and policies to maintain and improve the City of Oceanside's transportation system and enhance travel choices for current and future residents, visitors and workers. These policies are complemented by the

policies in the Land Use, Noise, Recreational Trails, and Community Facility Elements on related topics such as smart growth and management of public space.

There were many potential 2030 network alternatives reviewed for the updated Circulation Element analysis. In developing the potential network alternatives, a review of the existing (present day) network and the adopted 1995 Circulation Element network was conducted. A total of 18 potential alternatives to the 1995 Circulation Element version of the model network were created. These alternatives were run using the Series 11 North County Sub-Area Model and were presented to City staff where the impacts of each alternative were reviewed and narrowed down to five alternatives. The five alternatives were then presented at three public outreach meetings in January and February 2010, and based on public input, narrowed to three: the Modified 1995 Circulation Element (Mod '95 CE) Alternative; Alternative 1; and Alternative 2. Key characteristics of each of these alternatives are provided in the following table.

TABLE 1
Network Alternatives Key Assumptions

Roadway	Mod '95 CE Alternative	Alternative 1	Alternative 2
State Route 76	6 Lanes	6 Lanes	6 Lanes
Rancho Del Oro Rd/ SR-78 Interchange	Included	Included	Not Included
College Boulevard	6 Lanes	4 and 6 Lane Hybrid	4 and 6 Lane Hybrid
Melrose Drive: N. River Rd to SR-76	Extension Included	Extension Not Included	Extension Not Included
Melrose Drive: Spur Ave. to N. Santa Fe Ave	Extension Included	Extension Included	Extension Not Included
Pala Road Extension	Connection Included	Connection Included	Connection Not Included
Mission Avenue	Four-Lane Major Arterial	One-Way Couplet between Cleveland St & Clementine St	4 Lane Secondary Collector
Coast Highway	Four-Lane Major Arterial	4 Lane Second. Collector	2 Lanes with Roundabouts
Old Ranch Road	Connection Not Included	Connection Not Included	Connection Not Included
Jeffries Ranch Road*	Connection Not Included	Connection Not Included	Connection Not Included

Notes: Bold text under alternatives columns indicates a change from the adopted 1995 Circulation Element future network.
*The closure of Jeffries Ranch Road has been reviewed under a separate study & potentially could provide right-in/out access to SR-76 should a funding source be identified.
Source: IBI Group, 2011.

The City staff recommended Project is Alternative 1. Circulation Element Alternative 1, compared to the Mod '95 CE Alternative, assumes that College Boulevard is a hybrid (six-lanes between Avenida de la Plata and Olive Drive and four-lanes between Olive Drive and Waring Road); Melrose Drive Northern Extension is not included; and Mission Avenue is a two-lane one-way couplet between Cleveland Street and Clementine Street. The Rancho del Oro interchange at SR-78 is also included.

2.2 Discretionary Actions

The single discretionary action necessary for the Project, which was addressed in the Final PEIR, is a General Plan Amendment to the Circulation Element of the General Plan.

2.3 Statement of Project Objectives

The draft Circulation Element Update (IBI, February 2011), provides detailed objectives for the proposed Circulation Element Update for which each of the alternatives were analyzed within the Draft PEIR. The overall goal for the Circulation Element is to provide goals, objectives, and policies to maintain and improve the City's transportation system and enhance travel choices for current and future residents, visitors and workers. These policies are complemented by the policies in the Land Use, Noise, Recreational Trails, and Community Facility Elements on related topics such as smart growth and management of public space. Recognizing the relationship between transportation and these related topics is critical to improving mobility and accessibility within the City.

Specific objectives included in the Circulation Element Update, that reflect the present challenges, opportunities, and transportation issues of interest to the City include:

- Enhancing the City's corridors for all modes of transportation;
- Increasing bicycle and pedestrian connections, routes and facilities;
- Refining the City's traffic calming program to promote safer streets for motorists, pedestrians and bicyclists;
- Identifying and incorporating ITS technology for the City;
- Developing circulation element roadways consistent with the applicable conservation measures of the regional Multiple Habitat Conservation Plan as well as the City of Oceanside Subarea Plan, once adopted;
- Increasing support of Transportation Demand Management programs; and
- Improving the efficiency of the existing transportation system.

3.0 PUBLIC PARTICIPATION AND RECORD OF PROCEEDINGS

3.1 Public Input

There have been opportunities for public review and comment, including but not limited to the public forums set forth below:

Draft PEIR Notice of Preparation (NOP) December 9, 2009 – January 25, 2010

Reissued Draft PEIR NOP January 26, 2010 – February 24, 2010

NOP Scoping Meetings January 12, January 14, and February 8, 2010

Draft PEIR Public Review, June 9, 2011 – August 12, 2011

Revised Draft PEIR recirculated for Public Review January 31, 2012 – March 16, 2012

3.2 Record of Proceedings

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

- The Notice of Preparation and all other public notices issued by the City in conjunction with the Project;
- The Draft PEIR;
- The Revised Draft PEIR;
- The Final PEIR;
- All written comments and verbal public testimony presented during the public comment period on the Draft PEIR and the Revised Draft PEIR or during a noticed public hearing for the Project at which such testimony was taken;
- The MMRP;
- All findings, ordinances, and resolutions recommended by the Planning Commission and adopted by the City Council in connection with the Project, and all documents incorporated by reference therein;
- All final reports, studies, memoranda, maps, staff reports, or other planning documents relating to the Project prepared by the City, consultants to the City, or responsible or trustee agencies with respect to the City's compliance with the requirements of CEQA and with respect to the City's actions on the Project;
- All documents submitted to the City by other public agencies or members of the public in connection with the Project, through the close of the public hearing;
- Any transcript or minutes of the proceedings at which the decision-making body of the City heard testimony on, or considered any environmental document on the Project, and any transcript or minutes of proceedings before any advisory body to the City that were presented to the decision-making body prior to action on the environmental document or on the Project.
- Any documentary or other evidence submitted to the City at such information sessions, public meetings, and public hearings;
- Matters of common knowledge to the City, including, but not limited to federal, state, and local laws and regulations;
- The City's General Plan and Municipal Code;
- Any documents expressly cited in these findings in addition to those cited above; and,
- Any other materials required to be in the record of proceedings by Section 21167.6 (e) of CEQA.

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

The Planning Commission and City Council have relied on all of the documents listed above in reaching its decision on the Project. Without exception, any documents set forth above not found in the Project files fall into two categories. First, many of them reflect prior planning or legislative decisions of which the Planning Commission or City Council was aware in approving the Project. (*See City of Santa Cruz v. Local Agency Formation Commission* 76 Cal.App.3d 381, 391-392, 42 Cal.Rptr. 873 (1978); *Dominey v. Department of Personnel Administration*, 205 Cal.App.3d 729, 738, n.6, 252 Cal.Rptr. 620 (1988).) Second, other such documents influenced the expert advice provided to City Staff or consultants, who then provided advice to the City. For that reason, such documents form part of the underlying factual basis for the City's decisions relating to the adoption of the Project. (*See* Pub. Res. Code § 21167.6 (e)(10); *Browning-Ferris Industries v. City Council of San Jose*, 181 Cal.App.3d 852, 226, Cal.Rptr 575 (1986; *Stanislaus Audubon Society, Inc. v. County of Stanislaus*, 33 Cal.App.4th 144, 153, 155, 39 Cal.Rptr.2d 54 (1985).).

The Final PEIR was completed in compliance with CEQA, and reflects the City's independent judgment. The City Council believes that its decision on the Project is one which must be made after a hearing required by law at which evidence is required and discretion in the determination of facts is vested in the City. As a result, any judicial review of the City's decision will be governed by Section 21168 of CEQA and Code of Civil Procedure Section 1094.5. Regardless of the standard of review that is applicable, the City Council has considered evidence and arguments presented to the City prior to or at the hearings on this matter. In determining whether the Project has a significant impact on the environment, and in adopting Findings pursuant to Section 21080 of CEQA, the City Council has complied with CEQA Sections 21081.5 and 21082.2.

3.8 Mitigation, Monitoring, and Reporting Program (MMRP)

CEQA requires the lead agency approving a project to adopt a MMRP for the changes to the project that it had adopted or made a condition of project approval in order to ensure compliance with project implementation. A MMRP has been defined and serves that function for the Final PEIR. The MMRP designates responsibility and anticipated timing for the implementation of mitigation. The City will serve as the overall MMRP Coordinator. A MMRP has been prepared for the Project and has been adopted concurrently with these Findings. (*See* Pub. Res. Code §21081.6 (a)(1).) The City will use the MMRP to track compliance with Project mitigation measures.

3.4 General Findings

The City Hereby finds as follows:

3.4.1 The foregoing statements are true and correct;

3.4.2 The City is the "Lead Agency" for the Project evaluated in the Final PEIR and independently reviewed and analyzed the Draft PEIR and Final PEIR for the Project;

3.4.3 The Notice of Preparation of the Draft PEIR was circulated for public review between December 9, 2009 and January 25, 2010; and reissued on January 26, 2010, to February 24, 2010. It requested that responsible agencies respond as to the scope and content of the environmental information germane to that agency's specific responsibilities;

3.4.4 The public review period for the Draft PEIR was for 45 days between June 9, 2011 – August 12, 2011. A Revised Draft PEIR was recirculated for a 45-day public review beginning January 31, 2012, and ending on March 16, 2012;

3.4.5 The Revised Draft PEIR was completed in compliance with CEQA;

3.4.6 The Final PEIR reflects the City's independent judgment;

3.4.7 The City evaluated comments on environmental issues received from persons who reviewed the Draft PEIR, as well as the Revised Draft PEIR. In accordance with CEQA, the City prepared written responses describing the disposition of significant environmental issues raised. The Final PEIR provides adequate, good faith, and reasoned responses to the comments. The City reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information to the Draft PEIR including all comments received up to the date of adoption of these Findings, concerning the environmental impacts identified and analyzed in the Final SEIR;

3.4.8 The City finds that the Final PEIR provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the Project. The public review periods provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft PEIR, as well as the Revised Draft PEIR. The Final PEIR was prepared after the public review period ended and the City drafted responses to comments made during the public review period;

3.4.9 The Final PEIR evaluated the following direct and cumulative impacts: Land Use, Traffic/Circulation, Hazardous Materials and Hazards, Air Quality, Greenhouse Gas Emissions, Noise, Biological Resources, Cultural Resources, Geology/Soils, Agricultural Resources, Aesthetics, Hydrology/Water Quality, and Paleontological Resources. Additionally, the Final PEIR considered Growth Inducing Impacts of the Project, as well as a reasonable range of Project alternatives. All of the significant environmental impacts of the Project were identified in the Final PEIR;

3.4.10 CEQA requires the lead agency approving a project to adopt a MMRP for the changes to the project, which it has adopted or made a condition of project approval in order to

ensure compliance with project implementation. The MMRP included in the Final PEIR as certified by the City serves that function. The MMRP includes all of the mitigation measures identified in the Final PEIR and has been designed to ensure compliance during implementation of the Project. In accordance with CEQA, the MMRP provides the measures to ensure that the mitigation measures are fully enforceable;

3.4.11 The MMRP designates responsibility and anticipated timing for the implementation of mitigation; the City will serve as the MMRP Coordinator;

3.4.12 In determining whether the Project may have a significant impact on the environment, and in adopting Findings pursuant to Section 21081 of CEQA, the City has complied with CEQA Sections 21080.5 and 21082.2;

3.4.13 The impacts of the Project have been analyzed to the extent feasible at the time of certification of the Final PEIR;

3.4.14 The City made no decisions related to approval of the Project prior to the initial certification of the Final PEIR by the City Council. The City also did not commit to a definite course of action with respect to the Project prior to the initial certification of the Final PEIR by the City Council;

3.4.15 Copies of all the documents incorporated by reference in the Final PEIR are and have been available upon request during all regular business hours at the offices of the City Clerk and/or Planning Division, the custodians of record for such documents or other materials;

3.4.16 Minor revisions, including clarifications and corrections, were made to the Final PEIR. Where changes have been made to the Final EIR as a result of public comment, such revision is noted and detailed with strikeout/underline in the text of the Final EIR, and where applicable, summarized in the response to comment;

3.4.17 The responses to comments on the Draft PEIR and Revised Draft PEIR, which are contained in the Final PEIR, clarify and amplify the analysis in the Revised Draft PEIR;

3.4.18 Having reviewed the information contained in the Draft PEIR, Revised Draft PEIR, Final PEIR, the administrative record, as well as the requirements of CEQA and the State CEQA Guidelines regarding re-circulation of Draft EIRs, and having analyzed the changes in the Revised Draft PEIR which have occurred since the close of the public review period, the City finds that there is no new significant information regarding adverse environmental impacts of the Project in the Final PEIR and finds that re-circulation of the Revised Draft PEIR is not required; and

3.4.19 Having received, reviewed, and considered all information and documents in the Final PEIR, as well as all other information in the record of proceedings on this matter, the following Findings and Statement of Overriding Considerations are hereby adopted by the City as the CEQA Lead Agency. These Findings set forth the Environmental basis for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the Project.

4.0 Environmental Issues Determined Not to be Potentially Affected by the Project

Based on the Public's responses to the Project's Notice of Preparation, the following environmental issues were determined by the City to be either inapplicable to the Project based upon the nature of the Project and/or the absence of any potential impact related to the issue or because the issue was potentially impacted to a degree deemed to be less than significant and, therefore, not warranting further consideration in the Final PEIR other than as set forth in Section 7.0 of the Revised Draft PEIR. No substantial evidence has been presented to or identified by the City which would modify or otherwise alter the City's less-than-significant determination for each of the following environmental issues: mineral resources, population/housing, public services and utilities, and recreation.

5.0 Findings Regarding Potentially Significant Environmental Effects Which Are Determined Not to Be Significant or Which Can Be Substantially Lessened or Avoided Through Feasible Mitigation Measures

The City has reviewed the follow subject areas to determine if significant environmental effects would occur as a result of the update to the Circulation Element under any of the proposed alternatives: land use, traffic/circulation, hazardous materials & hazards, air quality, greenhouse gas emissions, noise, biological resources, cultural resources, geology/soils, agricultural resources, aesthetics, hydrology/water quality, and paleontological resources. Among these subject areas, only air quality was determined to not result in a significant impact, and thus no mitigation was required. In accordance with CEQA Guidelines Section 15092(b)(2), the City shall not approve the Project unless it first finds under CEQA Section 21081 and CEQA Guidelines Section 15091(a) that one of the three following findings can be made:

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

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

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

The City, having reviewed and considered the information contained in the EIR, finds pursuant to Public Resources Code §21081(a)(1) and Guidelines §15091(a)(1) that changes or alterations have been required in, or incorporated into, the Project under Alternative 1 which would mitigate, avoid, or substantially lessen to below a level of significance the following potential significant environmental effects identified in the EIR. Those impacts that are found to be significant and unmitigable are discussed below under Section 6 of the Findings.

5.1 Land Use

Environmental Impact: Alternative 1 will result in significant, mitigable land use impacts. Under this alternative, plans for a new Melrose Drive alignment between Spur Avenue and North Santa Fe Avenue may result in the separation of Guajome Regional Park from the adjacent community, thus resulting in the potential to physically divide an established community. Additionally, the planned extension of Pala Road included in this alternative could also result in dividing the community within the vicinity of this roadway. Furthermore, Alternative 1 includes the extension of Melrose Drive, which would also result in significant land use impacts as described in the Melrose Drive Extension Final EIR, certified in Sept. 2010. Alternative 1 is not anticipated to contribute to significant cumulative impacts related to land use, as evaluated in Section 5.2.1.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact land use. However, it is possible that when those specific transportation facilities noted above are designed and implemented, some site-specific land use impacts may occur. The potentially significant land use impact would be mitigated to below a level of significance with implementation of Mitigation Measure L1, provided below from the Final PEIR (Section 4.1).

Mitigation Measures: The Project will be conditioned as follows:

L1 Potential future land use impacts shall be assessed in a future facility-specific environmental document as required under CEQA, and project-specific mitigation measures shall be identified and included, as required, to reduce or avoid impacts.

Facts in Support of Findings: With implementation of Mitigation Measure L1 above, there would be no residual significant land use impact associated with the Circulation Element Update under Alternative 1.

5.2 Traffic/Circulation

Environmental Impact: Alternative 1 will result in significant, mitigable traffic/circulation impacts. Under this alternative, the following seven intersections would operate at a deficient LOS (LOS E or F) during one or both peak hour time periods and can be mitigated to below a level of significance:

- (#17) El Camino Real & Vista Way (PM - LOS E)
- (#20) Vista Way & Jefferson Street (PM - LOS E)
- (#27) Rancho Del Oro Road & Vista Del Oro Drive (AM & PM - LOS F)

- (#28) Rancho Del Oro Road & Cameo Drive (AM & PM - LOS F)
- (#29) Rancho Del Oro Road & Trieste Way & Sicily Way (AM & PM - LOS F)
- (#33) College Boulevard & North River Road (PM - LOS F)
- (#43) College Boulevard & Lake Boulevard (PM - LOS E)

Alternative 1 was determined to result in both a direct and cumulative level traffic impact to roadway intersections, as evaluated in Section 4.2 and summarized in Section 5.2.2.

Finding: The adoption of the update to the Circulation Element would not directly result in construction of roadway improvements. However, it is possible that when those specific transportation facilities noted above are designed and implemented, site-specific impacts to traffic and circulation may occur. The potentially significant traffic/circulation impact would be mitigated on the seven intersections listed above to below a level of significance with implementation of Mitigation Measures T45, T46, T49 - T52, and T54, provided below from the Final PEIR (Section 4.2).

Mitigation Measures: The Project will be conditioned as follows:

T45 (#17) El Camino Real/Vista Way
NB – Provide 3 Dedicated Thru Lanes and 1 Dedicated Right Turn Lane.

T46 (#20) Vista Way/Jefferson St
WB - Provide 1 Thru and 1 Shared Thru-Right Turn Lane.

T49 (#27) Rancho Del Oro Rd/Vista Del Oro Dr
Provide a signal, if signal warrants are met.

T50 (#28) Rancho Del Oro Rd/Cameo Dr
Provide a signal, if signal warrants are met.

T51 (#29) Rancho Del Oro Rd/Trieste Way/Sicily Way
Provide a signal, if signal warrants are met.

T52 (#33) College Blvd/N. River Rd
WB – Provide 1 Left Turn Lane in addition to Shared Left-Thru Lane;
NB – Provide 3 Thru Lanes, 2 Right Turn Lanes.

T54 (#43) College Blvd/Lake Blvd
NB – Provide 2 Right Turn Lanes

Facts in Support of Findings: With implementation of Mitigation Measures T45, T46, T49 - T52, and T54 above, there would be no residual significant traffic/circulation impact associated with the Circulation Element Update for the seven intersections listed above, under Alternative 1.

Environmental Impact: Alternative 1 will result in significant, mitigable traffic/circulation impacts. Under this alternative, the following 4 segments would operate at a deficient LOS (LOS E or F) and can be mitigated to below a level of significance:

- Douglas Drive: N. River Road to Pala Road (LOS F)
- Douglas Drive: Pala Road to El Camino Real (LOS E)
- El Camino Real: Mesa Drive to Oceanside Boulevard (LOS E)
- State Route 76: Melrose Drive to Eastern City Limits (LOS F)

Alternative 1 was determined to result in both a direct and cumulative level traffic impact to roadway segments, as evaluated in Section 4.2 and summarized in Section 5.2.2.

Finding: The adoption of the update to the Circulation Element would not directly result in construction of roadway improvements. However, it is possible that when those specific transportation facilities noted above are designed and implemented, site-specific impacts to traffic and circulation may occur. The potentially significant traffic/circulation impact would be mitigated on the four intersections listed above to below a level of significance with implementation of Mitigation Measures T65, T66, T67, and T75a, provided below from the Final PEIR (Section 4.2).

Mitigation Measures: The Project will be conditioned as follows:

T65 Douglas Dr: N. River Rd to Pala Rd
Widen to a 6-lane Major Arterial

T66 Douglas Dr: Pala Rd to El Camino Real
Widen to a 6-lane Major Arterial

T67 El Camino Real: Mesa Dr to Oceanside Blvd
Widen to a 6-lane Major Arterial

T75a State Route 76: Melrose Dr to Eastern City Limits
Widen to a 6-lane Expressway

Facts in Support of Findings: With implementation of Mitigation Measures T65, T66, T67, and T75a above, there would be no residual significant traffic/circulation impact associated with the Circulation Element Update for the four roadway segments list above, under Alternative 1.

5.3 Hazardous Materials and Hazards

Environmental Impact: Alternative 1 will result in significant, mitigable hazardous materials impacts. Under this alternative, if the implementation of any specific projects under Alternative 1 occurs in proximity to any known site where there had been prior release of hazardous materials, an impact related to the release of hazardous materials into the environment may occur. Furthermore, if implementation of future projects or improvements occurs in an area included on a hazardous materials site list as defined by CEQA, this would be considered a significant impact. Alternative 1 is not anticipated to contribute to significant cumulative impacts related to hazardous materials, as evaluated in Section 5.2.3.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact the environment from the release of hazardous materials. However, it is possible that when

specific transportation facilities included in Alternative 1 are designed and implemented, some site-specific impacts from the release of hazardous materials may occur. Furthermore, any future projects or improvements occur in areas listed as a hazardous materials site under CEQA, would be significant. The potentially significant hazardous materials impacts noted above would be mitigated to below a level of significance with implementation of Mitigation Measures HM1, HM2, and HM3, provided below from the Final PEIR (Section 4.3).

Mitigation Measures: The Project will be conditioned as follows:

HM1 Prior to the development of specific key network circulation elements, a Phase I Environmental Site Assessment (ESA) shall be performed. The Phase I ESA shall identify the potential for the site to contain hazardous materials (including asbestos and lead-based paints) and contaminated soils. Recommendations of the Phase I ESA may range from no further action, to preparation of a Phase II ESA that identifies specific further action required in order to remediate the hazardous materials so that they do not pose a significant health risk.

HM2 During construction activities, it may be necessary to excavate existing soil at a specific project site, or to bring fill soils to the sire from off-site locations. In areas that have been identified as being contaminated or where soil contamination is suspected, appropriate sampling is required prior to disposal of excavated soil. Complete characterization of the soil shall be prepared prior to any excavation or removal activity. Contaminated soil shall be properly disposed at an off-site facility. Fill soils also shall be sampled to ensure that imported soil is free of contamination.

HM3 A risk assessment shall be performed at all facilities in the project area where contamination has been identified or is discovered during activities, and at which soil is to be disturbed, to address non-water quality risks posed by any residual contamination, and to establish appropriate mitigation measures (e.g., natural attenuation, active remediation, and engineering controls) that would be protective of human health and the environment. All assessment and remediation activities shall be conducted in accordance with a Work Plan, which is approved by the City of Oceanside having oversight of the activities.

Facts in Support of Findings: With implementation of Mitigation Measures HM1, HM2, and HM3 above, there would be no residual significant hazardous materials impact related to release of hazardous materials or construction of a project or improvements adjacent to a site listed on a hazardous materials list as defined by CEQA, associated with the Circulation Element Update under Alternative 1.

Environmental Impact: Alternative 1 will result in a significant, mitigable hazard impact. Under this alternative, transportation facilities associated with SR-76 are located adjacent to Oceanside Municipal Airport. If improvement of these roadway facilities is not done in coordination with the airport and County Airport Land Use Commission, a significant impact could occur. Alternative 1 is not anticipated to contribute to significant cumulative impacts related to hazards, specifically those associated with proximity to Oceanside Municipal Airport, as evaluated in Section 5.2.3.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact the environment. However, it is possible that when specific transportation facilities included in Alternative 1 are designed and implemented, specifically related to SR-76, some site-specific impacts from the adjacency of these facilities to the Oceanside Municipal Airport, may occur. The potentially significant hazards impact noted above would be mitigated to below a level of significance with implementation of Mitigation Measure HM4, provided below from the Final PEIR (Section 4.3).

Mitigation Measures: The Project will be conditioned as follows:

HM4 Design and expansion of SR-76 in the vicinity of Oceanside Municipal Airport shall proceed in consultation and coordination with Oceanside Municipal Airport and County Airport Land Use Commission personnel, in compliance with applicable Federal Aviation Administration regulations and procedures.

Facts in Support of Findings: With implementation of Mitigation Measure HM4 above, there would be no residual significant hazards impact related to a project or improvement within an airport land use plan associated with the Circulation Element Update under Alternative 1.

5.4 Noise

Environmental Impact: Alternative 1 will result in significant, mitigable noise impacts. Under this alternative, future development of the following 21 proposed roadway segments have the potential to result in noise related impacts of up to 6 dBA associated with vehicular activity on Circulation Element roads:

- Cannon Rd: Melrose Dr. to Western City Limits
- Canyon Drive: SR-76 to Mission Avenue
- Douglas Drive: El Camino Real to Mission Ave
- Melrose Drive: SR-76 to Spur Avenue
- Melrose Dr: N. Santa Fe Avenue to Oceanside Blvd.
- Melrose Drive: Oceanside Blvd. to City Limits
- Mesa Drive: Mission Avenue to Foussat Road
- Mesa Avenue: Foussat Road to El Camino Real
- Mission Avenue: Coast Highway to Horne Street
- North River Rd: Vandergrift Blvd. To Stallion Rd
- North River Road: Stallion Road to Melrose Dr.
- North River Rd: Melrose Dr. to Eastern City Limits
- Oceanside Blvd.: Pacific Street to Coast Hwy
- Oceanside Blvd.: I-5 to Crouch Street
- Oceanside Blvd.: Crouch Street to Foussat Rd
- Oceanside Blvd.: Foussat Rd to El Camino Real

- Old Grove Road: Mesa Drive to College Blvd.
- Pala Road: Los Arbolitos Blvd. To Douglas Drive
- Rancho Del Oro Dr: Mesa Drive to Oceanside Blvd.
- Rancho Del Oro Dr: Oceanside Blvd. To Cameo Dr.
- Rancho Del Oro Drive: Cameo Drive to SR-78

Alternative 1 was determined to result in both a direct and cumulative level noise impact associated with roadway operations, as evaluated in Section 4.6 and summarized in Section 5.2.6.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly result in noise impacts. However, with the future development of the roadway system under this alternative, noise levels from roadway operations may result in an increase up to 6 dBA. The potentially significant noise impacts to the roadway segments noted above would be mitigated to below a level of significance with implementation of Mitigation Measure N1, provided below from the Final PEIR (Section 4.6).

Mitigation Measures: The Project will be conditioned as follows:

N1 At roadway segments where projected traffic noise exceeds a 3.0 dBA CNEL increase at 50 feet from the roadway, the City of Oceanside shall address potential traffic noise increases during the design stage of these facilities, and mitigate any significant impact to the extent feasible.

Facts in Support of Findings: With implementation of Mitigation Measure N1 above, there would be no residual significant noise impact along the above identified roadway segments, associated with the Circulation Element Update under Alternative 1.

5.5 Biological Resources

Environmental Impact: Alternative 1 will result in significant, mitigable biological resources impacts. Under this alternative, significant impacts to sensitive species may occur with the development of specific projects under Alternative 1. Those species include coastal California gnatcatcher, light-footed clapper rail associated with the SR-78/I-5 Interchange; San Diego ambrosia, sticky dudleya, coastal California gnatcatcher, California least tern, yellow warbler, least Bell's vireo associated with the future improvements to SR-76; least Bell's vireo associated with the Pala Road extension; coastal California gnatcatcher, least Bell's vireo associated with the Rancho del Oro interchange; and small-flowered morning glory, southwestern spiny rush, coastal California gnatcatcher, least Bell's vireo, and yellow-breasted chat associated with the improvements to Melrose Dr. South.

The proposed MHCP is designed to mitigate the loss of biological resources throughout the North County region by providing a comprehensive framework of interconnecting habitat and measures to ensure species diversity. Therefore, the cumulative impact would be less than significant if future projects both inside Oceanside and in nearby jurisdictions are required to conform with an adopted MHCP, the City of

Oceanside MHCP Subarea Plan, and implementing ordinances. Until the MHCP and Oceanside Subarea Plan are adopted, however, both direct and cumulative biological impacts would be expected, from this project and other projects in the region, as evaluated in Section 4.7 and summarized in Section 5.2.7.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact biological resources. However, it is possible that when specific transportation facilities included in Alternative 1 are designed and implemented, site-specific impacts to biological resources, specifically sensitive species, may occur. The potentially significant biological resources impact noted above would be mitigated to below a level of significance with implementation of Mitigation Measures BR2, BR3, BR4, and BR14, provided below from the Final PEIR (Section 4.7).

Mitigation Measures: The Project will be conditioned as follows:

BR2 Coordination with responsible listing agencies (USFWS and/or CDFG) shall be completed as early as possible and in conjunction with, or prior to, the CEQA process for actions, which may affect federal and/or state listed sensitive species and/or MHCP narrow endemic species. Specific actions necessary to protect sensitive species shall be determined on a case-by-case basis. Planning policies shall include a requirement to make use of project designs, engineering and construction practices that minimize impacts to sensitive habitats and species. The City will coordinate the designs of roads and roadway improvements within or adjacent to wildlife movement linkages and corridors (inclusive of their buffers) with the Wildlife Agencies to ensure viability of the SAP Preserve. This coordination shall occur early enough in the planning process to influence the location, alignment, and design of roads and road improvements.

Potential biological impacts of Class 1 bike paths will require site-specific environmental review at the design stage.

BR3 Night lighting shall be directed away from wildlife areas to protect species from direct night lighting. Shielding shall be incorporated in project designs to ensure ambient lighting in the MHCP Conservation Areas is not increased.

BR4 Proposed noise-generating activities during construction and post-construction shall incorporate setbacks, berms, or walls to minimize the effects of noise on resources pursuant to applicable rules, regulations, and guidelines related to land use noise standards.

BR14 Proposed project activities should occur outside of the avian breeding season, generally from February 15 to September 15 (as early as January 1 for raptors) to avoid take of birds or their eggs. Depending on the avian species present, a qualified biologist may determine that a change in the breeding season dates is warranted. If avoidance of the avian breeding season is not feasible, the Wildlife Agencies recommend that beginning 30 days prior to the initiation of project activities, a qualified biologist with experience in conducting breeding bird surveys conduct weekly bird surveys to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and any other such habitat within 300 feet of the disturbance area (within 500 feet for raptors or listed species). The surveys should continue on a weekly basis with the last survey being conducted no

more than 3 days prior to the initiation of project activities. If a protected native bird is found, the project proponent should delay all project activities within 300 feet of on- and off-site suitable nesting habitat (within 500 feet for suitable raptor or listed species nesting habitat) until August 31. Alternatively, the qualified biologist could continue the surveys in order to locate any nests. If an active nest is located, project activities within 300 feet of the nest (within 500 feet for raptors or listed species nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Flagging, stakes, and/or construction fencing should be used to demarcate the inside boundary of the buffer of 300 feet (or 500 feet) between the project activities and the nest. If the biological monitor determines that a narrower buffer between the project activities and observed active nests is warranted, he/she should submit a written explanation as to why to the City (and, upon request, the Wildlife Agencies, if they so request) will determine whether to allow a narrower buffer. The biological monitor shall be present on site during all grubbing and clearing of vegetation to ensure that these activities remain within the project footprint and that the flagging/staking/fencing is being maintained, and to minimize the likelihood that active nests are abandoned or fail due to project activities. The biological monitor shall send weekly monitoring reports to the City and shall notify the City immediately if project activities damage active avian nests.

Facts in Support of Findings: With implementation of Mitigation Measures BR2, BR3, BR4, and BR14 above, there would be no residual significant biological resources impact related to sensitive species, associated with the Circulation Element Update under Alternative 1.

Environmental Impact: Alternative 1 will result in significant, mitigable biological resources impacts. Under this alternative, significant impacts to riparian habitats and other sensitive natural communities may occur with the development of specific projects under Alternative 1. Riparian habitat and other sensitive natural communities were determined to be located near the following transportation facilities proposed under Alternative 1: SR-78/I-5 interchange; SR-76; Pala Road; College Blvd.; Rancho del Oro Interchange; Melrose Drive S.; and Coast Highway. Additionally, Alternative 1 may have a substantial effect on federally protected wetlands through direct removal, filling, hydrological interruptions, or other means, in the vicinity of the roadway improvements listed above.

The proposed MHCP is designed to mitigate the loss of biological resources throughout the North County region by providing a comprehensive framework of interconnecting habitat and measures to ensure species diversity. Therefore, the cumulative impact would be less than significant if future projects both inside Oceanside and in nearby jurisdictions are required to conform with an adopted MHCP, the City of Oceanside MHCP Subarea Plan, and implementing ordinances. Until the MHCP and Oceanside Subarea Plan are adopted, however, both direct and cumulative biological impacts would be expected, from this project and other projects in the region, as evaluated in Section 4.7 and summarized in Section 5.2.7.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact biological resources. However, it is possible that when specific transportation facilities

included in Alternative 1 are designed and implemented, site-specific impacts to biological resources, specifically riparian habitat, federally protected wetlands, and other sensitive natural communities, may occur. The potentially significant biological resources impact noted above would be mitigated to below a level of significance with implementation of Mitigation Measures BR1, BR6, BR7, and BR13, provided below from the Final PEIR (Section 4.7).

Mitigation Measures: The Project will be conditioned as follows:

BR1 Habitat-based mitigation for the permanent and temporary project impacts to wetlands (Habitat Group A), rare uplands (Habitat Group B), coastal sage scrub (Habitat Group C), annual grasslands (Habitat Group D), and other lands (Habitat Group F) shall be consistent with established ratios in the MCHP region and City of Oceanside, as provided in the table below. Mitigation shall be completed through: 1) on-site preservation; 2) off-site acquisition of mitigation land located within the region; 3) habitat restoration that increases the habitat quality and biological function of the site; or, 4) monetary compensation to acquire, maintain and administer the preservation of sensitive biological resources, in perpetuity.

MHCP Habitat-Based Mitigation Ratios

MCHP Habitat Group	**Mitigation Ratio**
Habitat Group A: Wetland & Riparian	1:1 or 4:1, depending on the habitat type and location within the Subarea*
Habitat Group B: Rare Upland	2:1 to 3:1
Habitat Group C: Coastal Sage Scrub	1:1 to 3:1
Habitat Group D: Chaparral	0.5:1 to 1:1
Habitat Group E: Annual Grasslands	0.5:1
Habitat Group F: Other Lands	None**

Source: Merkel & Associates, 2010

* Mitigation ratios for wetland habitat may vary depending upon quality of the resource and location within the City's NCCP Subarea Plan (SAP) zones once the SAP is adopted. Final mitigation ratios for wetlands shall be governed by the SAP and applicable state and federal regulatory approvals.

*** Group F habitat may be subject to a Habitat Development Fee in accordance with conditions of an adopted NCCP Subarea Plan.*

Potential biological impacts of Class 1 bike paths will require site-specific environmental review at the design stage.

BR6 Proposed transportation infrastructure modification in proximity to wildlife areas shall incorporate measures, including measures required through the National Pollutant Discharge Elimination System (NPDES) requirements, to ensure that the quantity and quality of runoff discharged is not altered in an adverse way when compared with existing conditions. In particular, measures shall be put in place to avoid discharge of untreated surface runoff from developed and paved areas into wildlife areas. Stormwater systems

shall be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant materials or other elements that might degrade or harm biological resources or ecosystem processes. This can be accomplished using a variety of methods including natural detention basins, grass swales or mechanical trapping devices. Regular maintenance shall occur to ensure effective operations of runoff control systems.

BR7 Project impacts to jurisdictional waterways would require issuance of the following permits by regulatory federal and state agencies: 1) Army Corps of Engineers (ACOE), CWA Section 404 permit for placement of dredged or fill material within waters of the U.S.; 2) Regional Water Quality Control Board (RWQCB), CWA Section 401 state water quality certification/waiver for an action that may result in degradation of waters of the State; and, 3) CDFG, California Fish and Game Code, Section 1602 agreement for alteration of a streambed. Mitigation for unavoidable and/or minimized impacts to jurisdictional waterways would be required as part of the permitting process to ensure a no-net-loss of wetland habitat functions and values.

BR13 The following measures will be considered at the project level review of each circulation element project, with the exception of Mission Avenue, and shall be incorporated as appropriate to the specific project:

- A monitoring biologist shall be onsite during: a) initial clearing and grubbing of all native habitats; and b) project construction within 500 feet of preserved habitat to ensure compliance with all conservation measures. The biologist must be knowledgeable of the covered species biology and ecology.
- The project shall temporarily fence (with silt barriers) the limits of project impacts (including construction staging areas and access routes) to prevent additional habitat impacts and prevent the spread of silt from the construction zone into adjacent native habitats to be preserved. Fencing shall be installed in a manner that does not impact habitats to be preserved. Temporary construction fencing shall be removed upon project completion.
- Impacts from fugitive dust will be avoided and minimized through watering and other appropriate measures.
- Construct noise barriers for short sections of road that may impact wildlife breeding;
- Site traffic controls such as stoplights and stop signs away from sensitive habitat to reduce the concentration of emissions and noise levels;
- Minimize any materials sidecasting during road construction.

Facts in Support of Findings: With implementation of Mitigation Measures BR1, BR6, BR7, and BR13 above, there would be no residual significant biological resources impact related to riparian habitat, federally protected wetlands, and other sensitive natural communities, associated with the Circulation Element Update under Alternative 1.

Environmental Impact: Alternative 1 will result in significant, mitigable biological resources impacts. Under this alternative, significant impacts to migratory species or wildlife corridors may occur with the development of specific projects under Alternative 1. Development of the following transportation facilities proposed under Alternative 1 could interfere substantially with wildlife species movement: SR-78/I-5 interchange; SR-76; Pala Road; Rancho del Oro Interchange; Melrose Drive S.; and Coast Highway. Alternative 1 is not anticipated to contribute to significant cumulative impacts related to migratory species or wildlife corridors, as evaluated in Section 4.7 and summarized in Section 5.2.7.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact biological resources. However, it is possible that when specific transportation facilities included in Alternative 1 are designed and implemented, site-specific impacts to biological resources, specifically migratory species and wildlife corridors, may occur. The potentially significant biological resources impact noted above would be mitigated to below a level of significance with implementation of Mitigation Measures BR3 through BR6, BR8 through BR13, and BR14, provided below from the Final PEIR (Section 4.7).

Mitigation Measures: As required above, the Project will be conditioned to implement Mitigation Measures BR3, BR4, and BR14 (sensitive species); and, BR6 and BR13 (riparian habitat, federally protected wetlands, and other sensitive natural communities). Additional Mitigation Measures not previously identified for any of the above impacts, but which must be implemented to address migratory species and wildlife corridors, include BR5, and BR9 through BR12. The Project will be conditioned to implement these additional measures as follows:

BR5 When proposing landscape plans adjacent to wildlife areas, permittees shall avoid the use of invasive species for development of the listed facilities. Considerations shall include proximity of planting areas to the wildlife areas, species considered in the planting plans, biological resources being protected within their relative sensitivity to invasion, and barriers to plant and seed dispersal, such as walls, topography and other features.

BR9 New roads or improvements to existing roads must include wildlife crossing improvements designed for species of concern in the area, and may include bridges, vegetated over-crossings, enlarged culverts, or other structures shown to be effective for wildlife movement, along with appropriate fencing to keep animals off of roads and funnel them to safe crossing points. The placement and design of such crossings, fences, and associated improvements (e.g., vegetation restoration) will be based on site-specific wildlife movement surveys and biological criteria included as part of the CEQA process or other appropriate implementing ordinances. Within or adjacent to the MHCP Preserve and/or WCPZ/Regional Corridor, the City will coordinate the design of the road improvements with the Wildlife Agencies to account for wildlife movement. This coordination needs to occur early enough in the planning process to influence the location, alignment, and design of the road improvements.

BR10 Noise within underpasses should be less than 60 dBA (decibels, A-weighted scale) during the time of day at which the animals use it.

BR11 Use skylight openings within the underpass to allow for vegetation cover within the underpass.

BR12 Any new road should be located in the least environmentally damaging location and designed to minimize fragmentation and edge effects.

Facts in Support of Findings: With implementation of Mitigation Measures BR3 through BR6, BR8 through BR13, and BR14, above, there would be no residual significant biological resources impact related to migratory species and wildlife corridors, associated with the Circulation Element Update under Alternative 1.

5.6 Cultural Resources

Environmental Impact: Alternative 1 will result in significant, mitigable cultural resources impacts. Under this alternative, significant impacts to historical resources may occur with the development of specific projects under Alternative 1. Historic resources are located near the following transportation facilities proposed under Alternative 1 and could incur significant impacts: SR-78/I-5 interchange; SR-76; Mission Avenue; Pala Road; and Rancho del Oro Interchange. Alternative 1 is not anticipated to contribute to significant cumulative impacts related to historical resources, as evaluated in Section 5.2.8.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact cultural resources. However, it is possible that when specific transportation facilities included in Alternative 1 are designed and implemented, site-specific impacts to cultural resources, specifically historical resources as defined in Section 15064.5, may occur. The potentially significant cultural resources impact noted above would be mitigated to below a level of significance with implementation of Mitigation Measures CR2, provided below from the Final PEIR (Section 4.8).

Mitigation Measures: The Project will be conditioned as follows:

CR2 Prior to issuance of any permit that would directly or indirectly affect a building/structure in excess of 45 years of age, the City shall determine whether the affected building/structure meets any of the following criteria: (1) California Register-Listed or formally determined eligible, (2) San Diego Register-Listed or formally determined eligible, or (3) meets the CEQA criteria for a historic resource. The evaluation of historic architectural resources would be based on criteria such as: age, location, context, association with an important person or event, uniqueness or structural integrity.

Preferred mitigation for historic buildings or structures is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm to the resource shall be taken

Generally, a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historic resource.

A lead agency shall identify potentially feasible measures to mitigate significant adverse changes in the significance of an historic resource. The lead agency shall ensure that any adopted measures to mitigate or avoid significant adverse changes are fully enforceable through permit conditions, agreements, or other measures.

Facts in Support of Findings: With implementation of Mitigation Measure CR2 above, there would be no residual significant cultural resources impact related to historical resources, associated with the Circulation Element Update under Alternative 1.

Environmental Impact: Alternative 1 will result in significant, mitigable cultural resources impacts. Under this alternative, significant impacts to archaeological resources may occur with the development of specific projects under Alternative 1. Archaeological resources are located near the following transportation facilities proposed under Alternative 1 and could incur significant impacts: SR-78/I-5 interchange; SR-76; Coast Highway; Pala Road; and Rancho del Oro Interchange. Alternative 1 is not anticipated to contribute to significant cumulative impacts related to archaeological resources, as evaluated in Section 5.2.8.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact cultural resources. However, it is possible that when specific transportation facilities included in Alternative 1 are designed and implemented, site-specific impacts to cultural resources, specifically archaeological resources as defined in Section 15064.5, may occur. The potentially significant cultural resources impact noted above would be mitigated to below a level of significance with implementation of Mitigation Measures CR1, provided below from the Final PEIR (Section 4.8).

Mitigation Measures: The Project will be conditioned as follows:

CR1 As part of the objectives, criteria, and procedures required by Section 21082 of the Public Resources Code, a lead agency should make provisions for historic or unique archaeological resources accidentally discovered during construction. These provisions should include an immediate evaluation of the find by a qualified archaeologist. If the find is determined to be an historical or unique archaeological resource, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation should be available. Work could continue on other parts of the building site while historical or unique archaeological resource mitigation takes place.

1. The project archaeologist will determine the likelihood for the project site to contain historical resources by reviewing site photographs and existing historic information and conducting a site visit. A Native American monitor shall be present during any field reconnaissance surveys for cultural resources. A cultural resource inventory of the project Area of Potential Effect (APE) is required to identify previously unrecorded cultural resources. Before actual field reconnaissance would occur, background research is required which includes a record search at the South Coastal Information Center (SCIC) at San Diego State University and the San Diego Museum of Man. A review of the Sacred Lands File maintained by the Native American Heritage Commission (NAHC) must also be

conducted at this time. Information about existing archaeological collections should also be obtained from the San Diego Archaeological Center and any tribal repositories or museums. The project archaeologist will determine the likelihood for the project site to contain cultural resources by reviewing site photographs and existing historic information and conducting a site visit. If through background research and field surveys historic resources are identified, then an evaluation of significance must be performed by a qualified archaeologist or historian, as applicable.

2. Cultural resource significance evaluations are required when new resources are identified as a result of a survey, when previously recorded resources that have not been previously evaluated are relocated during a survey, and when previously recorded sites are not relocated during the survey and if there is a likelihood that the resource still exists. Significance evaluations will not be required if the resource has been evaluated for CEQA significance or for National Register eligibility within the last five years if there has been no change in the conditions which contributed to the determination of significance or eligibility. A property should be re-evaluated if its condition or setting has either improved or deteriorated, if new information is available, or if the resource is becoming increasingly rare due to the loss of other similar resources.

3. An archaeological testing program will be required, which includes evaluating the horizontal and vertical dimensions of a site, the chronological placement, site function, artifact/ecofact density and variability, presence/absence of subsurface features and research potential. It should be noted, that tribal representatives and/or Native American monitors will be involved in making recommendations regarding the significance of prehistoric archaeological sites during this phase of the process. The testing program may require reevaluation of the proposed project in consultation with the Native American representative which could result in a combination of project redesign to avoid and/or preserve significant resources as well as mitigation in the form of data recovery and monitoring (as recommended by the qualified archaeologist and Native American representative).

4. If significant cultural resources are identified within the APE, the site may be eligible for designation. If no significant resources are found, and site conditions are such that there is no potential for further discoveries, then no further action is required. Resources found to be non-significant as a result of a survey and/or assessment will require no further work beyond documentation of the resources on the appropriate DPR site forms and inclusion of results in the survey and/or assessment report. If no significant resources are found but results of the initial evaluation and testing phase indicates there is still a potential for resources to be present in portions of the property that could not be tested, then mitigation monitoring is required.

5. Preferred mitigation for cultural resources is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm shall be taken. For archaeological resources where preservation is not an option, a Research Design for a data recovery program shall be prepared. The data recovery program shall be based on a written research design and is subject to the provisions as outlined in CEQA, Section 21083.2. Archaeological monitoring may be required during building demolition and/or construction grading when significant resources are known or suspected to be present on a site, but cannot be recovered prior to grading due to obstructions such as but not limited to, existing development or dense vegetation. Prior to construction monitoring a Cultural Resource Mitigation Monitoring Plan will be prepared by the Project Archaeologist. Tribal representatives will be provided with a copy of the CRMMP once completed, and any other reports generated as a result of the CRMMP.

6. A Native American observer must be retained for all ground disturbing activities, including all clearing, excavation, grading and trenching, whenever a Native American Traditional Cultural Property or archaeological site within the APE of a City project would be impacted. If cultural resources are discovered during construction, all earth moving activity within and around the immediate discovery area shall be diverted until the nature and significance of the resource can be assessed. Both the archaeological monitor and Native American monitor will have the authority to halt ground disturbance in the event of a potentially significant discovery. In the event that human remains are encountered during data recovery and/or monitoring program, the provisions of Public Resources Code Section 5097 must be followed. The Native American monitor shall be consulted during the preparation of the written report, at which time they may express concerns about the treatment of sensitive resources. If the Native American community requests participation of an observer for subsurface investigations on private property, the request shall be honored. The return of artifacts of cultural importance to the Luiseño, recovered during cultural resource evaluation, data recovery, or mitigation monitoring, shall be negotiated between the Tribe and the City of Oceanside, Caltrans, or the private landowner, as applicable.

Facts in Support of Findings: With implementation of Mitigation Measure CR1 above, there would be no residual significant cultural resources impact related to archaeological resources, associated with the Circulation Element Update under Alternative 1.

Environmental Impact: Alternative 1 will result in significant, mitigable cultural resources impacts. Under this alternative, significant impacts associated with the disturbance of human remains, may occur with the development of specific projects under Alternative 1. While there are no known burial sites in the vicinity of the proposed roadway system improvement proposed under Alternative, there is a potential for

encountering previously undiscovered human remains. This would be considered a significant impact. Alternative 1 is not anticipated to contribute to significant cumulative impacts related to the disturbance of human remains, as evaluated in Section 5.2.8.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact cultural resources. However, it is possible that when specific transportation facilities included in Alternative 1 are designed and implemented, site-specific impacts to cultural resources, specifically previously undiscovered human remains, may occur. The potentially significant cultural resources impact noted above would be mitigated to below a level of significance with implementation of Mitigation Measures CR3, provided below from the Final PEIR (Section 4.8).

Mitigation Measures: The Project will be conditioned as follows:

CR-3 When an initial study identifies the existence of, or the probable likelihood, of Native American human remains within the project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code Section 5097.98. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans as identified by the Native American Heritage Commission. Action implementing such an agreement is exempt from the general prohibition on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (Health and Safety Code Section 7050.5).

In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:

- There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
- The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and
- If the coroner determines the remains to be Native American: The coroner shall contact the Native American Heritage Commission within 24 hours.
- The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
- The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.

Facts in Support of Findings: With implementation of Mitigation Measure CR3 above, there would be no residual significant cultural resources impact related to the disturbance of human remains, associated with the Circulation Element Update under Alternative 1.

5.7 Geology/Soils

Environmental Impact: Alternative 1 will result in significant, mitigable geology/soils impacts. Under this alternative, significant impacts resultant from being located on a geologic unit or soil that is unstable may occur with the development of specific projects under Alternative 1. Based on the County of San Diego Map of Landslide Susceptibility Areas, there are areas within the City of Oceanside that have a moderate susceptibility to landslides. These areas are generally located east of I-5, south of SR-76, and north of SR-78. The potential for landslide and slope stability on proposed key network circulation improvements is considered a significant impact. Furthermore, soils typically found within the City of Oceanside are considered moderately to highly expansive. Alternative 1 is not anticipated to contribute to significant cumulative impacts related to geology and soils, as evaluated in Section 5.2.9.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact geology and soils. However, it is possible that when specific transportation facilities included in Alternative 1 are designed and implemented, site-specific impacts associated with soil instability, including landslides and otherwise expansive soils, may occur. The potentially significant geology/soils impact noted above would be mitigated to below a level of significance with implementation of Mitigation Measure GS1, provided below from the Final PEIR (Section 4.9).

Mitigation Measures: The Project will be conditioned as follows:

GS1 A comprehensive geotechnical evaluation, including development-specific surface exploration and laboratory testing, shall be conducted prior to design and construction of any Circulation Element facility improvement within the project area. The purpose of the subsurface evaluation would be to: 1) further evaluate the subsurface conditions in the area of future infrastructure or improvements; and, 2) provide information pertaining to the engineering characteristics of earth materials associated with each development. From these data, recommendations for grading, earthwork, surface and subsurface drainage, foundations, pavement structural sections, sedimentation mitigation, and other pertinent geotechnical design considerations may be formulated.

The Rose Canyon fault has been mapped west of the project area. Accordingly, the project area has a potential for moderate ground motions due to an earthquake on the active Rose Canyon fault. Therefore, the potential for moderate seismic accelerations will need to be considered in the design of future structures or improvements. The level of risk associated with these seismic accelerations is the level of risk assumed by the UBC minimum design requirements.

The presence of potentially expansive soils shall be evaluated as part of the geotechnical design phase of any improvement. Measures may include removal of these soils and replacement with compacted fill.

Facts in Support of Findings: With implementation of Mitigation Measure GS1 above, there would be no residual significant geology/soils impact related to soil instability (e.g., landslides, expansive soils), associated with the Circulation Element Update under Alternative 1.

5.8 Aesthetics

Environmental Impact: Alternative 1 will result in significant, mitigable aesthetics impacts. Under this alternative, significant impacts to a scenic vista may occur with the development of specific projects under Alternative 1. Several scenic areas in Oceanside may be adversely affected by the northern extension of transportation facilities including, the San Luis Rey River area (Pala Road Extension, SR-76, Coast Blvd.); the Buena Vista Lagoon area (I-5/SR-78 interchange, Coast Blvd.); and the Mission San Luis Rey Historic District (Mission Avenue). Implementation of these identified roadway improvements listed above may also substantially degrade the existing visual character of the area and surroundings.

Additionally, the implementation of Alternative 1 was determined to have the potential to create a new sources of substantial light or glare that could adversely affect daytime and nighttime views, especially those where no roadway now exists. These roadway projects include the Melrose Drive Southern Extension, Pala Road Extension, and Rancho del Oro interchange.

Alternative 1 is not anticipated to contribute to significant cumulative impacts related to aesthetics, as evaluated in Section 5.2.11.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact aesthetics. However, it is possible that when specific transportation facilities included in Alternative 1 are designed and implemented, site-specific impacts to scenic vistas, existing visual character, and as a result of a new source of light or glare, may occur. The potentially significant aesthetic impacts noted above would be mitigated to below a level of significance with implementation of Mitigation Measure A1, provided below from the Final PEIR (Section 4.11).

Mitigation Measures: The Project will be conditioned as follows:

A1 Potential future visual/aesthetic impacts shall be assessed in future facility-specific environmental document(s) as required under CEQA, and appropriate mitigation measures identified, if required at that time, to reduce or avoid significant impacts.

Facts in Support of Findings: With implementation of Mitigation Measure A1 above, there would be no residual significant aesthetic impact to scenic vistas, existing visual character, or as a result of a new source of light or glare, associated with the Circulation Element Update under Alternative 1.

5.9 Hydrology/Water Quality

Environmental Impact: Alternative 1 will result in significant, mitigable hydrology/water quality impacts. Under this alternative, significant impacts related to the violation of current water quality standards or waste discharge requirements may occur with the development of specific projects under Alternative 1. Construction grading for future projects under Alternative 1 could potentially alter existing drainage patterns, causing erosion or siltation on a particular site, or in the area, on a short-term basis during construction. Specifically, improvements located near the following impaired water bodies: (1) Buena Vista Creek, (2) Buena Vista Lagoon, (3) Loma Alta Creek, and (4) San Luis Rey River. The project-specific construction may also cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives, or may also result in the degradation of beneficial uses.

With respect to waste discharge requirements, compliance with the NPDES permits and City of Oceanside Municipal Code are anticipated to reduce the level of pollutants in waterways. Also, per federal, state and local regulations, future development activity will be required to remove/clean-up existing hazards/hazardous materials prior to development. Removing/cleaning-up hazards/hazardous materials from the Project area will also reduce the amount of pollutant runoff that may enter the waterways. Over the next 20 years, future development/improvement of roadways will replace existing land uses that do not comply with water quality control requirements with land uses that should include all water quality measures identified in current and future applicable water quality control programs. However, given the current status of the Buena Vista Creek, Buena Vista Lagoon, Loma Alta Creek, and San Luis Rey River on the 303(d) list of impaired water bodies and the potential for future non-compliance with the water quality regulations, this issue is considered a significant impact.

Alternative 1 is not anticipated to contribute to significant cumulative impacts related to hydrology and water quality, as evaluated in Section 5.2.12.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact hydrology or water quality. However, it is possible that when specific transportation facilities included in Alternative 1 are designed and implemented, site-specific impacts related to the violation of current water quality standards or waste discharge requirements, may occur. The potentially significant hydrology/water quality impacts noted above would be mitigated to below a level of significance with implementation of Mitigation Measures HWQ2 and HWQ3, provided below from the Final PEIR (Section 4.12).

Mitigation Measures: The Project will be conditioned as follows:

HWQ2 Prior to commencement of construction activities for future development/improvement activities, in compliance approval documentation with the City of Oceanside Municipal Code, General Construction Stormwater Permit (Order No. 2009-0009-DWQ, NPDES General Permit No. CAS000002)) and the Regional Municipal Stormwater Permit (Order No. R9-2007-0001, NPDES No. CAS0108758) shall be obtained. Under the General Construction Stormwater Permit, the following components are required, a Notice of Intent (NOI),

Stormwater Pollution Prevention Plan (SWPPP), and a Monitoring Program and Reporting Requirements. Required elements of SWPPP include:

- Site description addressing the elements and characteristics specific to the site;
- Description of Best Management Practices (BMPs) and Low Impact Design (LID) concepts for erosion and sediment controls;
- BMPs for construction waste handling and disposal;
- Implementation of approved local plans;
- Proposed post-construction controls, including description of local post-construction erosion and sediment control requirements, as well as requirements for regular maintenance;
- Non-storm water management;
- Identify a sampling and analysis strategy and sampling schedule for discharges from construction activity which discharges into water bodies listed on the 303(d) list of impaired water bodies; and,
- For all construction activity, identify a sampling and analysis strategy and sampling schedule for pollutants which are not visually detectable in stormwater dischargers, which are known to occur on the construction site, and which could cause or contribute to an exceedance of water quality objectives in receiving waters.

Some of the BMPs that shall be used during construction for compliance with the City of Oceanside Municipal Code, General Construction Stormwater Permit, and Regional Municipal Stormwater Permit include, but are not limited to:

- Silt fence, fiber rolls, or gravel bag berms
- Street Sweeping
- Storm drain inlet protection
- Stabilized construction entrance/exit
- Vehicle and equipment maintenance, cleaning, and fueling
- Hydroseed, soil binders, or straw mulch

HWQ3 All future development/improvement projects shall obtain comply with the City of Oceanside Municipal Code, General Construction Stormwater Permit (Order No. 2009-0009-DWQ, NPDES General Permit No. CAS000002) and the Regional Municipal Stormwater Permit (Order No. R9-2007-0001, NPDES No. CAS0108758), including the City's SUSMP requirements. Components of future development/improvement project design that will help achieve compliance with these long-term water quality regulations shall include, but are not limited to:

- Infiltration basins
- Retention/detention basins

- Biofilters
- Structural controls
- Low Impact Design (LID) concepts

Facts in Support of Findings: With implementation of Mitigation Measures HWQ2 and HWQ3 above, there would be no residual significant hydrology/water quality impact related to the violation of current water quality standards or waste discharge requirements, associated with the Circulation Element Update under Alternative 1.

Environmental Impact: Alternative 1 will result in significant, mitigable hydrology/water quality impacts. Under this alternative, significant impacts related to the substantial alteration of existing drainage patterns on site and within the area, or through the creation or contribution of runoff, may occur with the development of specific projects under Alternative 1. Improvements to roadways associated with Alternative 1 may require grading or alteration of the topography that could affect the hydrologic function of the specific area, altering localized drainage patterns and runoff. Specifically, proposed improvements under this Alternative that may substantially affect existing drainage patterns or increase/contribute to runoff are the SR-76 expansion to six-lanes, the Pala Road Extension, Coast Highway improvements, College Avenue improvements, and the SR-78 interchanges at I-5 and at Rancho del Oro. Alternative 1 is not anticipated to contribute to significant cumulative impacts related to hydrology and water quality, as evaluated in Section 5.2.12.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact hydrology or water quality. However, it is possible that when specific transportation facilities included in Alternative 1 are designed and implemented, site-specific impacts resultant from the alteration of existing drainage or creation/contribution to runoff, may occur. The potentially significant hydrology/water quality impacts noted above would be mitigated to below a level of significance with implementation of Mitigation Measure HWQ1, provided below from the Final PEIR (Section 4.12).

Mitigation Measures: The Project will be conditioned as follows:

HWQ1 A detailed hydrology study shall be prepared for each specific improvement/ development that addresses the onsite and offsite hydrological and drainage characteristics of each proposed roadway improvement. For proposed improvements located within or adjacent to the 100-year floodplain, additional consideration shall be given to the design of the project. An appropriate drainage control plan that controls runoff and drainage in a manner acceptable to City Engineering Standards for the specific improvement shall be implemented. The drainage control plan shall be implemented in accordance with the recommendations of the hydrology study and shall address on-site and off-site drainage requirements to ensure on-site runoff will not adversely affect off-site areas or alter the existing drainage pattern of the site or off-site areas.

Facts in Support of Findings: With implementation of Mitigation Measure HWQ1 above, there would be no residual significant hydrology/water quality impact related to the violation of current water quality standards or waste discharge requirements, associated with the Circulation Element Update under Alternative 1.

Environmental Impact: Alternative 1 will result in significant, mitigable hydrology/water quality impacts. Under this alternative, significant impacts to aquatic, wetland, or riparian habitat, may occur with the development of specific projects under Alternative 1. Consistent with the Findings provided above under Section 5.5 for biological resources, wetlands, riparian habitat and other sensitive natural communities were determined to be located near the following transportation facilities proposed under Alternative 1: SR-78/I-5 interchange; SR-76; Pala Road; College Blvd.; Rancho del Oro Interchange; Melrose Drive S.; and Coast Highway. Alternative 1 is not anticipated to contribute to significant cumulative impacts related to hydrology and water quality, as evaluated in Section 5.2.12.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact hydrology or water quality. However, it is possible that when specific transportation facilities included in Alternative 1 are designed and implemented, site-specific impacts to aquatic, wetland or riparian habitat, may occur. The potentially significant hydrology/water quality impacts noted above would be mitigated to below a level of significance with implementation of Mitigation Measures BR1, BR2, and BR7, as detailed above in Section 5.5 of the Findings.

Mitigation Measures: As required above in the Findings for biological resources (Section 5.5), the Project will be conditioned to implement Mitigation Measures BR1, BR2, and BR7.

Facts in Support of Findings: With implementation of Mitigation Measures BR1, BR2, and BR7 above (Section 5.5 of the Findings), there would be no residual significant hydrology/water quality impact to aquatic, wetland or riparian habitat, associated with the Circulation Element Update under Alternative 1.

5.10 Paleontological Resources

Environmental Impact: Alternative 1 will result in significant, mitigable impacts to paleontological resources. Under this alternative, significant impacts to unique paleontological resources or geologic features may occur with the development of specific projects under Alternative 1. High- and moderate-sensitivity fossil resources are likely to be located near the following transportation facilities proposed under Alternative 1 and could incur significant impacts: SR-78/I-5 interchange; SR-76; College Blvd.; Coast Highway; Mission Avenue; Rancho del Oro Interchange; and Melrose Drive Southern Extension. Alternative 1 is not anticipated to contribute to significant cumulative impacts related to paleontology, as evaluated in Section 5.2.13.

Finding: The adoption of the update to the Circulation Element would not result in construction that would directly impact paleontological resources. However, it is possible that when specific transportation facilities included in Alternative 1 are designed and implemented, site-specific impacts may occur. The potentially significant impacts noted above would be mitigated to below a level of significance with implementation of Mitigation Measure PR1, provided below from the Final PEIR (Section 4.13).

Mitigation Measures: The Project will be conditioned as follows:

PR1 Prior to project site grading at site locations with potential fossil-bearing formations, a qualified paleontologist shall be retained to carry out an appropriate mitigation program. A qualified paleontologist is defined as an individual with an M.S. or Ph.D. in paleontology or geology who is familiar with paleontology procedures and techniques.

- The qualified paleontologist shall be present at the pre-construction meeting to consult with grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues.
- A paleontological monitor shall be onsite on a full-time basis during the original cutting of previously undisturbed deposits of high paleontological resource potential (Pleistocene Terrace Deposits and Santiago Formation) to inspect exposures for contained fossils. A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials. The paleontological monitor should work under the direction of a qualified paleontologist.
- When fossils are discovered the paleontologist (or paleontological monitor) shall recover them. In most cases, this fossil salvage can be completed in a short period of time. However, some fossil specimens (such as a complete large mammal skeleton) may require an extended salvage period. In these instances the paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Because of the potential for the recovery of small fossil remains, such as isolated mammal teeth, it may be necessary in certain instances, to set up a screen-washing operation on the site.
- Fossil remains collected during the monitoring and salvage portion of the paleontological mitigation program shall be cleaned, repaired, sorted, and cataloged.
- Prepared fossils, along with copies of all pertinent field notes, photos, and maps, shall be deposited (as a donation) in a scientific institution with permanent paleontological collections such as the San Diego Natural History Museum. Donation of the fossils shall be accompanied by financial support for initial specimen storage.
- A final paleontological monitoring and recovery (if applicable) summary report shall be completed that outlines the results of the mitigation program. This report shall include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils.

Facts in Support of Findings: With implementation of Mitigation Measure PR1 above, there would be no residual significant impact to paleontological resources associated with the Circulation Element Update under Alternative 1.

6.0 Findings Regarding Significant Environmental Effects Which Remain Significant and Unavoidable after Mitigation

The Final PEIR identifies four subject areas in which the Project will result in an impact on the environment, which will have significant environmental effects, even after the application of all feasible mitigation measures identified in the Final PEIR: traffic/circulation, greenhouse gas emissions, noise, and agricultural resources. In accordance with CEQA Guidelines Section 15092(b)(2), the City shall not approve the Project unless it first finds under CEQA Section 21081(a) and CEQA Guidelines Section 15091(a) that specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final PEIR, and also finds under CEQA Guidelines 15092(b)(2)(B) that the remaining significant effects are acceptable due to overriding considerations as described in CEQA Section 15093.

6.1 Traffic/Circulation

Environmental Impact: Alternative 1 will result in significant, unavoidable traffic/circulation impacts. Under this alternative, the following ten intersections would operate at a deficient LOS (LOS E or F) during one or both peak hour time periods and cannot be mitigated to below a level of significance:

- (#7) Mission Avenue & I-5 SB Ramps (PM - LOS E)
- (#8) Mission Avenue & I-5 NB Ramps (PM - LOS E)
- (#10) Oceanside Boulevard & I-5 SB Ramps (PM - LOS F)
- (#11) Oceanside Boulevard & I-5 NB Ramps (PM - LOS E)
- (#12) Oceanside Boulevard & Crouch Street (PM - LOS E)
- (#13) SR-76 & Foussat Road (AM - LOS E)
- (#16) El Camino Real & Oceanside Boulevard (AM - LOS E)
- (#22) Douglas Drive & El Camino Real (AM - LOS F; PM - LOS E)
- (#23) Douglas Drive & Mission Avenue (AM & PM - LOS E)
- (#34) College Boulevard & SR-76 (AM & PM - LOS F)

Alternative 1 was determined to result in both a direct and cumulative level traffic impact to roadway intersections, as evaluated in Section 4.2 and summarized in Section 5.2.2.

Finding: The adoption of the update to the Circulation Element would not directly result in construction of roadway improvements. However, it is possible that when those specific transportation facilities noted above are designed and implemented, site-specific impacts to traffic and circulation may occur. The potentially significant traffic/circulation impact to the ten intersections listed above would not be reduced

to below a level of significance. However, implementation of Mitigation Measures T44, T48, and T53 provided below from the Final PEIR (Section 4.2), would reduce the impacts somewhat, though not to below a level of significance. The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make other mitigation measures or Project alternatives identified in the Final PEIR infeasible.

Mitigation Measures: Mitigation measures necessary to mitigate impacts resultant from the Circulation Element Update under Alternative 1 have been identified within the Final PEIR. The following three measures are the only feasible mitigation measures that would reduce impacts associated with Alternative 1, but would not fully mitigate impacts to these roadway intersections to below a level of significance.

T43 (#17) El Camino Real/Vista Way
NB – Provide 3 Dedicated Thru Lanes and 1 Dedicated Right Turn Lane

T48 (#20) Vista Way/Jefferson St
WB - Provide 1 Thru and 1 Shared Thru-Right Turn Lane

T53 (#27) Rancho Del Oro Rd/Vista Del Oro Dr
Provide a signal, if signal warrants are met.

The Project will be conditioned to implement the above measures either as part of the City's Thoroughfare Fee Program or by a private developer when a project is identified to impact such facility; however, facts in support of the findings and a statement of overriding considerations has been prepared to detail how the Project benefits associated with the selection of Alternative 1 are substantial and outweigh the unavoidable adverse environmental effects related to traffic/circulation.

Facts in Support of Findings: Implementation of the proposed Circulation Element Update under Alternative 1 would result in a total of 17 deficient roadway intersections throughout the City of Oceanside. Of the 17 deficient roadway intersections, ten were found to be significant and unmitigable. As noted above, three of those significant and unmitigable roadway intersections could be partially mitigated with the implementation of Mitigation Measures T43, T48, and T53, though those intersections would still operate at a deficient LOS (LOS E or F) during one or both peak hour time periods. For T43 and T48, included additional improvements for these roadway intersections, but as noted below, they were determined to be infeasible:

T43	SR-76/Foussat Rd	NB – Provide 2 Right Turn Lanes SB – Provide 3 Thru Lanes	The AM impact cannot be fully mitigated, but peak hour conditions can be improved by doing these improvements. Implement the recommended mitigation measures. ***This will not fully mitigate the intersection; therefore, Significant and Unmitigable.***
T48	Douglas Dr/ Mission Ave	EB – Provide 3 Thru Lanes WB – Provide Dedicated Right-Turn Lane and 2 Left-Turn Lanes	EB mitigation cannot be implemented. Implement the WB dedicated right-turn lane and 2 left-turn lanes. *This will not fully mitigate the intersection in the PM peak hour; therefore, Significant and Unmitigable.*

T53	College Blvd/ SR-76	NB – Provide 3 Thru Lanes; 2 Right-Turn Lanes with Overlap SB – Provide 3 Thru Lanes	This intersection cannot be fully mitigated in Alternative 1 in the PM peak hour but the improvements will improve peak hour operations. The right-of-way at this intersection is very tight, but should be closely reviewed by the City Engineer before moving forward with proposed mitigation. Implement the recommended mitigation measures. *This will not fully mitigate the intersection in the PM peak hour; therefore, Significant and Unmitigable.*

With respect to the remaining intersections, the following measures and improvements were considered, but those measures were determined to be infeasible:

T38	Mission Ave/ I-5 SB Ramps	EB – Provide 3 Thru Lanes WB – Provide 2 Left-Turn Lanes, 3 Thru Lanes	This would require widening the Mission Avenue bridge over I-5, which is determined to not be feasible as Caltrans I-5 widening plans show the bridge to remain as a 4-lane overpass. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T39	Mission Ave/ I-5 NB Ramps	Provide 3 WB and EB Thru Lanes	This would require widening the Mission Avenue bridge over I-5, which is determined to not be feasible as Caltrans I-5 widening plans show the bridge to remain as a 4-lane overpass. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T40	Oceanside Blvd/ I-5 SB Ramps	EB – Provide 2 Left Turn Lanes; 3 Thru Lanes WB – Provide 3 Thru Lanes, 2 Right Turn Lanes	There is currently not enough right-of-way to widen this intersection due to the Sprinter railroad right-of-way on the south side of the intersection. Additionally, widening of this intersection is not feasible due to location of the existing I-5 bridge foundation. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T41	Oceanside Blvd/ I-5 NB Ramps	Provide 3 WB and EB Thru Lanes	There is currently not enough right-of-way to widen this intersection due to the Sprinter railroad right-of-way on the south side of the intersection. Additionally, widening of this intersection is not feasible due to location of the existing I-5 bridge foundation. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T42	Oceanside Blvd/ Crouch St	Provide 3 WB and EB Thru Lanes	There is currently not enough right-of-way to widen this intersection and provide receiving lanes on the opposing leg of the intersection due to existing commercial and residential on Oceanside Boulevard. **Improvements cannot be**

			made as proposed; therefore, the impact remains significant and unmitigable.
T44	El Camino Real/ Oceanside Blvd	Provide 3 EB or WB Thru Lanes	There is currently not enough right-of-way to widen this intersection and provide receiving lanes on the opposing leg of the intersection due to existing commercial on Oceanside Boulevard. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T47	Douglas Dr/ El Camino Real	WB – Provide Dedicated Left and Thru Lane SB – Provide 3 Thru Lanes NB – Provide 2 Thru Lanes, 1 Dedicated Right Turn Lane	There is currently not enough right-of-way to widen this intersection. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**

The proposed project is the update of the City of Oceanside's General Plan Circulation Element. Pursuant to California Government Code 65302(b), a Circulation Element is a required component in all County and City General Plans. The purpose of the Circulation Element is to present a guide to the future development of the City's transportation system, which provides for the efficient movement of people and goods. The most recent amendment to the City's Circulation Element occurred in 1995. As a general rule, it is required by the state to update components of the General Plan every 10 years. This is necessary to maintain a set of policies and goals that are representative of the current and future needs of the community.

The City of Oceanside standard for the LOS on Circulation Element roads is LOS D. An objective of the Circulation Element Update is to improve the efficiency of the existing transportation system and to improve the network for future demand. The Alternative 1 road network balances the benefits of an acceptable LOS with constraints that limit the City's ability to provide improvements, including road widening or traffic signals. Constraints encountered when balancing such improvements include environmental and existing land development. Where construction of some roads would significantly impact important biological habitats, destroy archaeological sites, impact waterways, or require the demolition of historic landmarks, the preservation of such resources may outweigh the benefits of road improvements. Thus, a lower LOS may be acceptable as a tradeoff for avoiding environmental impacts. In addition, the effort to avoid or mitigate these environmental impacts may result in a significant increase in construction costs due to engineering or purchase of mitigation credits offsite. While adopting the update to the Circulation Element under Alternative 1 would not result in direct impacts to the environment, future design and implementation of site-specific projects may.

When roadway improvements are in conflict with existing development, including commercial and office buildings, historic buildings, established neighborhoods, those improvements could negatively affect existing structures or communities. Wider roads may divide a town and change its character. Costs to widen a road are substantially increased by the acquisition of right-of-way and the relocation of existing

land uses. If costly construction or widening of roads substantially disrupts the vitality of a neighborhood or community, a lower LOS may be preferable. In some instances, road improvements may also increase dangers to pedestrians, in which case a lower LOS may be preferable.

Finding the balance between the roadway improvements and existing constraints results in the need to consider the road operations and sometimes consider that the more preferable choice is a minimal deficiency in performance versus the impacts to the environment or existing land use. The City seeks to minimize environmental impacts and minimize road construction costs associated with the proposed update to the Circulation Element. The nature of the constraints, the impact of needed improvements, potential effects on sensitive habitat/species, the availability of alternate routes, the cost of construction, and the need for better traffic circulation are carefully considered by staff before making a recommendation to accept a failing LOS. Acceptance of a lower LOS is particularly appropriate when underutilized, alternate routes are available.

The Modified '95 CE Alternative would reduce impacts to below significant on more roadway intersections than Alternative 1; however, this alternative still would result in traffic/circulation impacts that are not mitigated to a level below significant on 8 roadway intersections. Furthermore, The Modified '95 CE Alternative would result in greater environmental effects to biological and cultural resources than Alternative 1, as detailed in the PEIR. Therefore, Alternative 1, while it would not include all of the roadway improvements identified for the Modified '95 CE Alternative, it would include the completion of many of the roadway improvements previously adopted by the City (e.g., Melrose Drive extension, Mission Avenue, and College Boulevard), while omitting those that would result in the greatest environmental impact.

Conclusion: Because new or expanded road and/or intersection construction on the 10 deficient roadway intersections would be infeasible; because application of all feasible mitigation and project design measures would not achieve a level of less than significant; and because there are no feasible project alternatives that would achieve a level of less than significant at all roadway intersections while still meeting the most basic objectives for the project; impacts associated with traffic/circulation, specifically with regard to roadway intersections, would remain significant and unavoidable.

Environmental Impact: Alternative 1 will result in significant, unavoidable traffic/circulation impacts. Under this alternative, the following 17 roadway segments would operate at a deficient LOS (LOS E or F) and cannot be mitigated to below a level of significance:

- Coast Highway: Wisconsin Avenue to Oceanside Boulevard (LOS E)
- College Blvd: SR-76 to Mesa Drive (LOS E) (**2 segments**)
- College Blvd: Old Grove Road to Avenida de la Plata (LOS E)
- College Blvd: Oceanside Boulevard to Waring Road (LOS E) (**2 segments**)
- College Blvd: Vista Way to Plaza Drive (LOS E) (**2 segments**)
- College Blvd: Lake Boulevard to Southern City Limits (LOS F)
- Douglas Drive: Via Malaguena to Cardiff Bay Drive (LOS E)

- El Camino Real: Vista Way to SR-78 (LOS E)
- Lake Boulevard: Thunder Drive to Sundown Lane (LOS F)
- Mesa Drive: Mission Avenue to Foussat Road (LOS F)
- North River Road: College Boulevard to Vandegrift Boulevard (LOS E)
- Oceanside Boulevard: Crouch Street to Foussat Road (LOS E)
- Vista Way: Coast Hwy to I-5 (LOS F)
- Vista Way: College Blvd. to SR-78 EB Ramps (LOS F)

Alternative 1 was determined to result in both a direct and cumulative level traffic impact to roadway segments, as evaluated in Section 4.2 and summarized in Section 5.2.2.

Finding: The adoption of the update to the Circulation Element would not directly result in construction of roadway improvements. However, it is possible that when those specific transportation facilities noted above are designed and implemented, site-specific impacts to traffic and circulation may occur. The potentially significant traffic/circulation impact to the 17 roadway segments listed above would not be reduced to below a level of significance. However, implementation of Mitigation Measure T74 provided below from the Final PEIR (Section 4.2), would reduce the impact to the segment of Vista Way, between College Blvd and SR-78 WB Ramps somewhat, though not to below a level of significance. The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make other mitigation measures or Project alternatives identified in the Final PEIR infeasible.

Mitigation Measures: Mitigation measures necessary to mitigate impacts resultant from the Circulation Element Update under Alternative 1 have been identified within the Final PEIR. The following measure is the only feasible mitigation measure that would reduce impacts associated with Alternative 1, but would not fully mitigate the identified impact to this roadway segment to below a level of significance.

T74 Vista Way: College Blvd. to SR-78 WB Ramps
Provide WB dedicated right-turn lane and lengthen the WB left-turn lanes at the College Blvd./Vista Way intersection.

The Project will be conditioned to implement the above measure; however, facts in support of the findings and a statement of overriding considerations has been prepared to detail how the Project benefits associated with the selection of Alternative 1 are substantial and outweigh the unavoidable adverse environmental effects related to traffic/circulation.

Facts in Support of Findings: Implementation of the proposed Circulation Element Update under Alternative 1 would result in a total of 21 deficient roadway segments throughout the City of Oceanside. Of the 21 deficient roadway segments, 17 were found to be significant and unmitigable. As noted above, only one of those significant and unmitigable roadway segments could be partially mitigated with the implementation of Mitigation Measure T74, though that roadway segment would still operate at a deficient

LOS (LOS E or F). With respect to the remaining roadway segments, the following measures and improvements were considered, but those measures were determined to be infeasible:

T74	Vista Way: College Blvd. to SR-78 WB Ramps	Provide WB dedicated right-turn lane and lengthen the WB left-turn lanes at the College Blvd./Vista Way intersection.	This segment is relatively short in length and therefore with WB intersection improvements to College Blvd/Vista Way would improve the peak hour operation. **Implement the recommended mitigation measures.** **This will not fully mitigate the intersection in the PM peak hour; therefore, Significant and Unmitigable.**
T55	Coast Hwy: Wisconsin Ave to Oceanside Blvd	Remove on-street parking and widen to a Secondary Collector 64/84 cross section	There is currently not enough right-of-way to widen this segment. Widening would impact the existing commercial/retail business on Coast Highway. In addition, widening Coast Highway is not consistent with the Coast Highway Corridor Vision Plan. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T56	College Blvd: SR-76 to Frazee Rd	Widen to a 6-lane Major Arterial	There is currently not enough right-of-way to widen this segment. In addition, widening this segment would impact existing homes and result in possible additional noise impacts and change the character of the neighborhood. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T57	College Blvd: Frazee Rd to Mesa Dr	Widen to a 6-lane Major Arterial	There is currently not enough right-of-way to widen this segment. In addition, widening this segment would impact existing homes and result in possible additional noise impacts and change the character of the neighborhood. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T58	College Blvd: Old Grove Rd to Avenida de la Plata	Widen to a 6-lane Major Arterial or Do Intersection/ Segment Improvements on College Blvd as shown in the College Blvd PSR	The approved College Boulevard PSR shows this segment as 4-lanes. In addition, there is not enough right-of-way to widen this segment because it would impact existing residences near Avenida de la Plata. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**

T59	College Blvd: Oceanside Blvd to Olive Dr	Widen to a 6-lane Prime Arterial	This would require a roadway reclassification. The College Boulevard Study recommends College Boulevard to be widened to a 6-lane Major Roadway from Aztec Street to Olive Drive. The 6-lane Major Roadway is the same cross-section as a Prime Arterial but cannot be classified as a 6-lane Prime Arterial due to intersection spacing requirements. Furthermore, a portion of this segment also has right-of-way constraints due to adjacent commercial properties. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T60	College Blvd: Olive Dr to Waring Rd	Widen to a 6-lane Major Arterial or Do Intersection/ Segment Improvements on College Blvd as shown in the College Blvd PSR-	The approved College Boulevard PSR shows this segment as 4-lanes. There are right-of-way constraints along this segment, and widening to 6-lanes would impact residences on this segment. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T61	College Blvd: Vista Way to SR-78	Reclassify to a 6-lane Prime Arterial	The 6-lane Major Roadway is the same cross-section as a Prime Arterial but cannot be classified as a 6-lane Prime Arterial due to intersection spacing requirements. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T62	College Blvd: SR-78 to Plaza Dr	Reclassify to a 6-lane Prime Arterial	The 6-lane Major Roadway is the same cross-section as a Prime Arterial but cannot be classified as a 6-lane Prime Arterial due to intersection spacing requirements. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T63	College Blvd: Lake Blvd to Southern City Limits	Widen to a 6-lane Major Arterial	There are right-of-way constraints along this segment, and this segment transitions to 4-lanes at the jurisdictional boundary with the City of Carlsbad. In order to provide the transition lane into the Carlsbad jurisdiction, there would be only a very small portion of the segment widened to 6-lanes before the transition. This widening would not result in a noticeable capacity improvement on this segment. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T64	Douglas Dr: Via Malaguena and Cardiff Bay Drive	Widen to a 4-Lane Secondary Collector	Significant environmental issues are present that prohibit widening of this segment of Douglas Drive. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**

T68	El Camino Real: Vista Way to SR-78	Widen to 8-lanes	There are right-of-way constraints along this segment that would result in impacts to existing commercial development. Furthermore, widening to 8-lanes would result in the need to widen the bridge on El Camino Real (400 feet) which would not be financially feasible. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T69	Lake Blvd: Thunder Dr to Sundown Lane	Widen to a 4-lane Secondary Collector with a two-way left turn lane	There is an existing agreement between the City and residents to maintain current configuration of this roadway. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T70	Mesa Dr: Mission Ave to Foussat Rd	Widen to a 50/70 Collector	There is currently not enough right-of-way to widen this segment and widening would impact the existing residences along this segment. Furthermore, this segment has problems related to speeding, and widening of the segment would exacerbate this problem. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T71	North River Road: College Blvd to Vandegrift Blvd	Widen to a 6-Lane Major Arterial	There is currently not enough right-of-way along this segment because of entitled land and existing commercial development. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T72	Oceanside Blvd: Crouch St to Foussat Rd	Widen to a 6-lane Major Arterial	There is currently not enough right-of-way to widen this segment. In addition, widening this segment would impact existing residences and commercial development. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**
T73	Vista Way: Coast Hwy to I-5	Widen to a 4-lane Secondary Collector	There is an existing agreement between the City and residents to maintain current configuration of this roadway. **Improvements cannot be made as proposed; therefore, the impact remains significant and unmitigable.**

The proposed project is the update of the City of Oceanside's General Plan Circulation Element. Pursuant to California Government Code 65302(b), a Circulation Element is a required component in all County and City General Plans. The purpose of the Circulation Element is to present a guide to the future development of the City's transportation system, which provides for the efficient movement of people and goods. The most recent amendment to the City's Circulation Element occurred in 1995. As a general rule, it is required by the state to update components of the General Plan every 10 years. This is necessary to maintain a set of policies and goals that are representative of the current and future needs of the community.

The City of Oceanside standard for the LOS on Circulation Element roads is LOS D. An objective of the Circulation Element Update is to improve the efficiency of the existing transportation system. The Alternative 1 road network balances the benefits of an acceptable LOS with constraints that limit the City's ability to provide improvements, including road widening or traffic signals. Constraints encountered when balancing such improvements include environmental and existing land development. Where construction of some roads would significantly impact important biological habitats, destroy archaeological sites, impact waterways, or require the demolition of historic landmarks, the preservation of such resources may outweigh the benefits of road improvements. Thus, a lower LOS may be acceptable as a tradeoff for avoiding environmental impacts. In addition, the effort to avoid or mitigate these environmental impacts may result in a significant increase in construction costs due to engineering or purchase of mitigation credits offsite. While adopting the update to the Circulation Element under Alternative 1 would not result in direct impacts to the environment, future design and implementation of site-specific projects may.

When roadway improvements are in conflict with existing development, including commercial and office buildings, historic buildings, established neighborhoods, those improvements could negatively affect existing structures or communities. Wider roads may divide a town and change its character. Costs to widen a road are substantially increased by the acquisition of right-of-way and the relocation of existing land uses. If costly construction or widening of roads substantially disrupts the vitality of a neighborhood or community, a lower, or more deficient, level of service (LOS E or F) may be preferable. Similarly, in some instances, road improvements may also increase dangers to pedestrians, in which case a lower level of service (LOS E or F) may also be preferable.

Finding the balance between the roadway improvements and existing constraints results in the need to consider the road operations and sometimes consider that the more preferable choice is a minimal deficiency in performance versus the impacts to the environment or existing land use. The City seeks to minimize environmental impacts and minimize road construction costs associated with the proposed update to the Circulation Element. The nature of the constraints, the impact of needed improvements, potential effects on sensitive habitat/species, the availability of alternate routes, the cost of construction, and the need for better traffic circulation are carefully considered by staff before making a recommendation to accept a failing LOS. Acceptance of a lower level of service (LOS E or F) is particularly appropriate when underutilized, alternate routes are available.

The Modified '95 CE Alternative would reduce impacts to below significant on more roadway intersections than Alternative 1; however, this alternative still would result in traffic/circulation impacts that are not mitigated to a level below significant on 13 roadway intersections. Furthermore, The Modified '95 CE Alternative would result in greater environmental effects to biological and cultural resources than Alternative 1, as detailed in the PEIR. Therefore, Alternative 1, while it would not include all of the roadway improvements identified for the Modified '95 CE Alternative, it would include the completion of many of the roadway improvements previously adopted by the City (e.g., Melrose Drive extension, Mission Avenue, and College Boulevard), while omitting those that would result in the greatest environmental impact.

Conclusion: Because new or expanded road and/or intersection construction on the 17 deficient roadway segments would be infeasible; because application of all feasible mitigation and project design measures

would not achieve a level of less than significant; and because there are no feasible project alternatives that would achieve a level of less than significant at all roadway segments while still meeting the most basic objectives for the project; impacts associated with traffic/circulation, specifically with regard to roadway segments, would remain significant and unavoidable.

6.2 Greenhouse Gas Emissions

Environmental Impact: Alternative 1 will result in significant, unavoidable greenhouse gas emissions impacts. Under this alternative, for 2030, Circulation Element roadway emissions would total approximately 2.70 million pounds per day, a 14.84 percent increase over existing 2010 conditions. This would result in approximately 35.08 million MT (MMT) of CO_{2e} per year under this alternative, a projected emission increase of 4.55 MMT per year. Alternative 1 is considered cumulatively significant, since it exceeds the recommended CAPCOA/CARB screening criterion of 900 MT of CO_{2e} per year. Alternative 1 was determined to result in a cumulative level impact only related to greenhouse gas emissions, as evaluated in Section 4.5 and summarized in Section 5.2.5.

Finding: The adoption of the update to the Circulation Element would not result in direct impacts to greenhouse gas emissions. However, with the buildout of the roadway system as proposed under Alternative 1, there would be a cumulatively considerable significant impact associated with greenhouse gas emissions. While implementation of Mitigation Measures GHG1 through GHG3 would help reduce cumulative project-related GHG emissions, they will not be able to reduce the City's projected additional 4.55 MMT per year of CO_{2e} emissions to less than 900 MT per year (the CAPCOA/CARB screening criterion), and it is not anticipated that the measures will be able to reduce existing GHG emission levels by 25 percent, to a City-wide total of 22.9 MMT per year, as required by state law. The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make other mitigation measures or Project alternatives identified in the Final PEIR infeasible.

Mitigation Measures: Mitigation measures necessary to mitigate impacts resultant from the Circulation Element Update under Alternative 1 have been identified within the Final PEIR. The following three measures are the only feasible mitigation measures that would reduce impacts associated with Alternative 1, but would not fully mitigate impacts associated with greenhouse gas emissions to below a level of significance.

GHG1 Prior to issuance of a grading permit, or if no grading permit is required, prior to commencing grading for any of the proposed improvements, the contractor shall demonstrate to the satisfaction of the City Engineer that the following greenhouse gas offset measures have been implemented or will be implemented during construction activities:

1. The Diesel Equipment (Compression Ignition) offset Strategies (40% to 60% Reduction):

a. Electricity from power poles shall be used rather than temporary diesel power generators.

b. Construction equipment operating onsite shall be equipped with two to four degree engine timing retard on precombustion chamber engines.

2. Scraper equipment shall meet the "Blue Sky Series" equivalent standard.

3. Other construction equipment used for the project shall utilize EPA Tier 2 or better engine technology.

4. Vehicular Trip (Spark Ignition) Offset Strategies (30% to 70% Reduction):

a. Commute alternatives shall be encouraged by informing construction employees about transportation options for reaching the construction site.

b. Construction vehicles shall be kept well maintained to prevent leaks and minimize emissions.

GHG2 Where feasible, Applicants shall consider compliance with the following measures. These measures shall be shown on the building plans for each component of the project to ensure that the features shall be incorporated into the project. Verification of compliance shall be accomplished as part of City inspection of buildings prior to issuance of certificate of occupancy.

Onsite Energy Offset Strategies (50% to 70% reduction):

1. All new structures shall meet California Code of Regulations Title 24 part 6: California's Energy Efficiency Standards.

2. All new structures shall use compact fluorescent lights.

3. Dimmable ballasts to dim lights to take advantage of daylight shall be installed.

4. A programmable thermostat shall be installed in all habitable units to control heating and air conditioning.

5. All major hot water pipes shall be insulated.

6. Refrigeration cold suction lines shall be insulated.

7. Weather stripping shall be used to close air gaps around doors and windows.

GHG3 Implement the following operational mitigation measures EIR for future projects in Oceanside, where feasible, especially projects relating to larger employers.

1. Reduce vehicular emissions by implementing Transportation Demand Management (TDM) strategies, including shuttle service from major activity centers to public transit stops and stations; provide sidewalks along all future project roadways, connecting to transit stops; provide bike lanes on all major project internal roadways; develop and maintain a bikeway plan; and promote TDM principles such as peak hour trip reduction, staggered work hours, ride sharing,

telecommuting, and use of public transportation or other measures, as appropriate.

2. Identify activity centers that would benefit from increased transit access, and work with North County Transit District (NCTD) to enhance service to these centers.
3. Establish a carpool/vanpool program, including preferential parking for carpools and vanpools.
4. Implement a parking fee program or a parking cash-out program for non-driving employees.
5. Orient future building entrances near transit stops, to the maximum extent practicable.
6. As public transit providers expand services in the future, the City shall ensure that bus stops and other improvements for those services are available.
7. [Project developers to] plant shade trees in parking lots.
8. [Project developers to] reduce standard paving area by 20 percent.
9. [Project developers to] use energy-efficient and automated controls for air conditioning. Additionally, use lighting controls and energy-efficient interior lighting and built-in appliances.
10. [Project developers to] use double-paned windows and low-emission water heaters.

The Project will be conditioned to implement the above measures; however, facts in support of the findings and a statement of overriding considerations has been prepared to detail how the Project benefits associated with the selection of Alternative 1 are substantial and outweigh the unavoidable adverse environmental effects related to greenhouse gas emissions.

Facts in Support of Findings: Transportation is the largest source of GHG emissions in California and represents approximately 60% of annual CO2 emissions generated in the state (CEC 2006). Because the Circulation Element Update addresses the mobility of the residents and visitors of the City of Oceanside, mobile sources (vehicle trips) would be the primary emission source of greenhouse gas emissions associated with the project. As detailed in the Combined Impact Analysis for Acoustical/Air Quality/Greenhouse Gas (ISE, 2011), the greenhouse gas level is slightly increased in Alternative 1 from the Modified '95 CE Alternative; and a greater increase with the adoption of Alternative 2.

It is important to consider the context of greenhouse gas emissions, as they are dispersed throughout the atmosphere worldwide, and the effects of climate change are borne globally. The extent to which local or regional emissions contribute and affect the environment is not fully understood. The legislation dealing with climate change in California (as well as international treaties and agreements on the subject) identifies goals for the rate of emissions of GHGs, relative to specific benchmark years. In the case of California, AB 32 requires 1990 GHG emission levels to be achieved by the year 2020, or about a 25% reduction from current emissions levels (ARB 2006). Neither State legislation nor executive order suggests

that California intends to limit population growth in order to reduce the state's GHG emission levels. Therefore, the intent is to accommodate population growth in California, but achieve a lower rate of GHGs despite this larger population. The statewide average per-capita rate of GHGs would need to be reduced substantially to comply with the targets established by AB 32. Generally, the level of mass emissions of GHGs generated by any single project is nominal when compared to the global inventory, or even the state inventory of emissions of GHGs.

Although the mitigation measures GHG1 through GHG3 listed above would help reduce cumulative project-related GHG emissions, they will not be able to reduce the City's projected additional 4.55 MMT per year of CO2e emissions to less than 900 MT per year (the CAPCOA/CARB screening criterion), and it is not anticipated that the measures will be able to reduce existing GHG emission levels by 25 percent, to a City-wide total of 22.9 MMT per year, as required by state law.

None of the project alternatives would reduce impacts associated with the increase in greenhouse gas emissions to below significant. The Modified '95 CE Alternative would further reduce greenhouse gas emissions by 0.15 million metric tons per year compared to Alternative 1. However, the Modified '95 CE Alternative still would result in greenhouse gas emissions impacts that are not mitigated to a level below significant.

Conclusion: Because application of all feasible mitigation and project design measures would not achieve a level of less than significant; and because there are no feasible project alternatives that would achieve a level of less than significant; impacts associated with greenhouse gas emissions would remain significant and unavoidable.

6.3 Noise

Environmental Impact: Alternative 1 will result in significant, unavoidable noise impacts. Under this alternative, development of the Melrose Drive Southern Extension, Pala Road Extension and on North Santa Fe Drive, from Melrose Drive to the Eastern City limits have the potential to result in noise related impacts associated with vehicular activity that exceed 10.8 dBA. Alternative 1 was determined to result in both a direct and cumulative level impact related to roadway noise, as evaluated in Section 4.6 and summarized in Section 5.2.6.

Finding: The adoption of the update to the Circulation Element would not result in direct impacts to noise. However, with the future development of the Melrose Drive Extension, Pala Road Extension, and the portion of North Santa Fe Drive from Melrose Drive to the eastern City limits, could result in traffic noise levels that would exceed 10.8 dBA. Implementation of Mitigation Measure N1 provided below from the Final PEIR (Section 4.6) would reduce the impacts somewhat, though not to below a level of significance. The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make other mitigation measures or Project alternatives identified in the Final PEIR infeasible.

Mitigation Measures: Mitigation measures necessary to mitigate impacts resultant from the Circulation Element Update under Alternative 1 have been identified within the Final PEIR. The following measure

requires that during project design of improvement to any of the above three referenced roadways, methods to reduce or avoid noise impacts must be analyzed.

N1 At roadway segments where projected traffic noise exceeds a 3.0 dBA CNEL increase at 50 feet from the roadway, the City of Oceanside shall address potential traffic noise increases during the design stage of these facilities, and mitigate any significant impact to the extent feasible. For noise increases in excess of 7.8 dBA, such mitigation may not be feasible. If the new significant impacts are caused by roadway changes undertaken in another jurisdiction, that jurisdiction shall be responsible for mitigating those project noise impacts to Oceanside residents.

As noted above, noise increases in excess of 7.8 dBA may not be able to be mitigated. Therefore, while the Project will be conditioned to implement the above measures, the impacts associated with traffic noise along Melrose Drive Extension, Pala Road Extension, and the portion of North Santa Fe Drive from Melrose Drive tot eh eastern City limits, in excess of 7.8 dBA will be significant and unmitigable. Facts in support of the findings and a statement of overriding considerations has been prepared to detail how the Project benefits associated with the selection of Alternative 1 are substantial and outweigh the unavoidable adverse environmental effects related to noise.

Facts in Support of Findings: Traffic on new roadways or roadway improvements under the Circulation Element Update would result in potentially significant permanent increases in ambient noise levels from traffic noise in excess of 7.8 dBA. Circulation Element Update policies and mitigation measures would reduce impacts associated with this permanent increase of ambient noise levels, but not to below a level of significance.

A measure prohibiting new roadways or roadway improvements that would result in a significant increase in the ambient noise level could reduce the above identified traffic noise impact to below a level of significance. However, this measure would prohibit the construction of the three roadway improvements referenced above, Melrose Drive Southern Extension, Pala Road Extension and North Santa Fe Drive, from Melrose Drive to the eastern City limits, which are integral to the proposed roadway network under Alternative 1. Additionally, this mitigation measure would conflict with the overall goal for the update to the Circulation Element, as well as project objectives, specifically, the improvement of the efficiency of the existing transportation system.

None of the project alternatives would reduce impacts associated with the permanent increase in ambient noise levels resultant from traffic along all roadway segments to below significant. Alternative 2, which is the Environmentally Superior Alternative, would further reduce noise impacts because it does not include the Melrose Drive improvements or the Pala Road Extension, noted above for Alternative 1. However, this alternative still allows roadway improvements that would result in impacts along North Santa Fe Drive, from Melrose to the eastern City limits that are not mitigated to a level below significant.

Conclusion: Because application of all feasible mitigation and project design measures would not achieve a level of less than significant; and because there are no project alternatives that would achieve a level of

less than significant while still meeting the most basic objectives for the project; impacts associated with the permanent increase in ambient noise levels resultant from traffic would remain significant and unavoidable.

6.4 Agricultural Resources

Environmental Impact: Alternative 1 will result in significant, unavoidable agricultural resources impacts. Under this alternative, implementation of the Melrose Drive southern extension would occur. This extension would involve construction of the roadway in an area that currently supports farmland and farming activities The extension of Melrose Drive to the south could fragment this farmland and has the potential to stimulate new development or limit the movement of farm equipment. As such, the proposed Melrose Drive southern extension could potentially interfere with agricultural production on the adjacent farmland or could potentially lead to the conversion of the adjacent farmland to non-agricultural uses. Alternative 1 was determined to result in both a direct and cumulative level impact related to agricultural resources, as evaluated in Section 4.10 and summarized in Section 5.2.10.

Finding: The adoption of the update to the Circulation Element would not result in direct impacts to agricultural resources. However, it is possible that when those specific transportation facilities noted above are designed and implemented, site-specific impacts to agricultural resources associated with the fragmentation of farmlands and potential future conversion of adjacent farmland, may occur. Implementation of Mitigation Measures AR1, AR2, and AR3 provided below from the Final PEIR (Section 4.10) would reduce the impacts somewhat, though not to below a level of significance. The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make other mitigation measures or Project alternatives identified in the Final PEIR infeasible.

Mitigation Measures: Mitigation measures necessary to mitigate impacts resultant from the Circulation Element Update under Alternative 1 have been identified within the Final PEIR. The following three measures are the only feasible mitigation measures that would reduce agricultural resources impacts associated with Alternative 1, but would not fully mitigate impacts to below a level of significance.

AR1 Site Assessment

As part of environmental review and project design for road extensions, possible locations of roadways that cross lands currently mapped as Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance by the California Department of Conservation shall be evaluated using the Land Evaluation and Site Assessment (LESA) Model to determine the loss of agricultural land that could occur due to the proposed roadway extensions to Melrose Drive.

AR2 Design Refinement

If significant impacts to important agricultural lands would occur, as determined in MM AR1, identify in the design studies a facility design that would avoid, to the maximum extent possible, the important agricultural lands, and evaluate significance of its agricultural impact.

AR3 Mitigation

The mitigation of impact to agricultural lands shall be accomplished via one of the following as determined by the City of Oceanside:

Option 1: On-site preservation of agricultural lands.

Option 2: Purchase of off-site agricultural conservation easements.

The Project will be conditioned to implement the above measures; however, facts in support of the findings and a statement of overriding considerations has been prepared to detail how the Project benefits associated with the selection of Alternative 1 are substantial and outweigh the unavoidable adverse environmental effects related to agricultural resources.

Facts in Support of Findings: Implementation of the proposed Circulation Element Update under Alternative 1 could result in impacts to agricultural resources associated with the fragmentation of farmlands and potential future conversion of adjacent farmland. Avoidance of this impact could not be accomplished under this alternative due to the inclusion of the proposed extension of Melrose Drive to the south as a key component of Alternative 1. Omitting this roadway from this alternative would have resulted in generally the same roadway system design as is found in Alternative 2. Mitigation measures (described above) have been identified that would reduce these impacts, but not to below a level of significance. No other feasible mitigation measures were identified to reduce impacts to below a level of significance.

Alternative 2 would reduce impacts associated with fragmentation and future conversion of farmland to below significant, due to the omission of the proposed Melrose Drive southern extension. However, while Alternative 2, the Environmentally Superior Alternative, would further reduce these agricultural resource impacts, Alternative 2 still allows development that would result in impacts that are not mitigated to a level below significant in other subject areas, including traffic/circulation, greenhouse gas emissions, and noise.

Conclusion: Because application of all feasible mitigation and project design measures would not achieve a level of less than significant; and because there are no project alternatives that would achieve a level of less than significant while still meeting the most basic objectives for the project; impacts associated with the fragmentation and potential future conversion of farmland would remain significant and unavoidable.

7.0 FINDINGS REGARDING ALTERNATIVES

7.1 Environmental Impacts

Because the Project will cause significant environmental impacts, the City must consider the feasibility of any environmentally superior alternatives to the Project, evaluating whether these alternatives could avoid or substantially lessen the unavoidable significant effects while achieving most of the objectives of the Project. The Draft PEIR included a detailed analysis of four alternatives: No Project Alternative; Modified 1995 Circulation Element; Alternative 1; and Alternative 2. Detailed analysis of the Modified '95 CE, Alternative 1 and Alternative 2, was included in this PEIR to provide a comparative review of the three 'build' alternatives.

The Project as recommended for Alternative 1 will have potentially significant unavoidable impacts with respect to traffic/circulation, greenhouse gas emissions, noise, and agricultural resources.

In rejecting alternatives, the City has examined the objectives of the Project and weighed the ability of the various alternatives to meet those objectives. The City believes that Alternative 1 best meets the Project objectives detailed above in Section 2.3 with the least environmental impact.

7.2 Description of the No Project Alternative

The No Project Alternative would maintain the current Circulation Element roadway network without any changes.

Finding: The City finds that specific economic, legal, social, technological, or other considerations make the No Project Alternative identified in the Final PEIR infeasible.

Facts in Support of Finding: While the No Project Alternative maintains the status quo for roadway network improvements under the existing Circulation Element, it is not necessarily environmentally superior. On a comparative basis, the No Project (Modified 1995 Circulation Element) Alternative would:

- Result in significant, mitigable land use impacts where new roadways are proposed;
- Result in potential division of the community near the Melrose Drive South Extension;
- Result in potential impacts to adjacent land uses due to road widening;
- Result in potential impacts to existing medical offices at the Rancho del Oro interchange;
- Result in potential impacts to MHCP preserve areas near Melrose Drive extensions;
- Result in potential, unmitigable, noise impacts where new roadways are proposed;
- Result in potential, mitigable biological resource impacts where new roads are proposed;
- Result in potential, mitigable impacts to archaeological and historic resources;
- Result in significant, unmitigable impacts to agricultural resources (Melrose Dr. extensions);
- Result in potential, mitigable visual impacts due to anticipated need for noise walls;
- Result in potential, mitigable impacts to hydrology and water quality;
- Result in potential, mitigable impacts to paleontological resources.

7.3 Description of the Modified 1995 Circulation Element Alternative

This alternative is most similar to the No Project Alternative and contains the roadway network assumptions as provided in the 1995 adopted Circulation Element, with two minor modifications to Jeffries Ranch Road and Old Ranch Road. The Mod '95 CE Alternative assumes SR-76 is a 6-lane highway; the Pala Road extension is included; College Boulevard is a 6-lane roadway; the Rancho Del Oro Interchange at SR-78 is included; Melrose Drive Northern extension and Melrose Drive Southern extension are included; Mission Avenue is a four-lane major roadway; Coast Highway is a four-lane secondary collector; Jeffries Ranch Road is not connected to SR-76; and, Old Ranch Road is not connected to SR-76.

Finding: The City finds that specific economic, legal, social, technological, or other considerations make the Modified 1995 Circulation Element Alternative identified in the Final PEIR not preferable to Alternative 1 for many of the subject areas analyzed under CEQA.

Facts in Support of the Finding: As noted above in the discussion of the Modified 1995 Circulation Element Alternative, fewer significant and unmitigable traffic/circulation impacts to City intersections and segments will occur, but impacts to sensitive biological resources, including wetlands, habitats, and wildlife corridors, will be greater than Alternative 1.

7.4 Description of Alternative 2

Circulation Element Alternative 2 compared to the Mod '95 CE Alternative (changes shown in Figure 3-6) assumes the Pala Road extension is not included; College Boulevard is a hybrid (six-lanes between Avenida de la Plata and Olive Drive and four-lanes between Olive Drive and Waring Road); Rancho Del Oro Interchange at SR-78 is not included; Melrose Drive Northern extension and Melrose Drive Southern extension are not included; Mission Avenue is maintained as a four-lane secondary collector; and, Coast Highway is a two-lane collector.

Finding: The City finds that specific economic, legal, social, technological, or other considerations make Alternative 2 identified in the Final PEIR, while environmentally preferred, does not provide improvements to the City's roadway network that are critical to overall goal of improving the transportation system and enhancing travel choices.

Facts in Support of Finding: As noted above in the discussion of Alternative 2, this alternative would not result in the completion of improvements to the City's roadway network necessary to meet the overall Project goal and some of the objectives detailed in the PEIR and above in Section 2.3. This alternative would result in more roadway intersections and segments operating at a deficient LOS.

8.0 OVERRIDING CONSIDERATIONS

As discussed in Section 6 of these Findings, the Final PEIR concludes that the Project, even with incorporation of all feasible mitigation measures and consideration of alternatives, will nonetheless have a significant and unmitigable cumulative impact with respect to traffic/circulation, greenhouse gas emissions, noise, and agricultural resources

Under CEQA, before a project which is determined to have significant, unmitigable environmental effects can be approved, the public agency must consider and adopt a statement of overriding considerations pursuant to CEQA Guidelines 15043 and 15093. As the primary purpose of CEQA is to fully inform the decision makers and the public as to the environmental effects of a Project and to include feasible mitigation measures and alternatives to reduce any such adverse effects below a level of significance. CEQA nonetheless recognizes and authorizes the approval of projects where not all adverse impacts can be fully lessened or avoided. However, the lead agency must explain and justify its conclusion to approve such a project through the statement of overriding considerations setting forth the recommended project alternative's general, social, economic, policy or other public benefits which support the agency's informed conclusion to approve that alternative over another.

The City finds that Alternative 1 has the following substantial social, economic, policy and other public benefits justifying its approval and implementation, notwithstanding that not all environmental impacts were fully reduced below a level of significance:

- Alternative 1 is the product of a comprehensive public planning effort driven by public input and testimony, and continual refinements that resulted in a thoughtful balance of community, business, and environmental interests.
- Alternative 1 would provide an improved strategic framework for the City's traffic and circulation needs.
- Alternative 1 would improve mobility options through the development of a multi-modal transportation network that enhances connectivity, supports community development patterns, limits traffic congestion, promotes public and alternative transportation methods, and supports the goals of adopted regional transportation plans.
- Alternative 1 would address adverse environmental effects associated with global climate change by improving circulation within the City limits, promoting energy efficiency, and promoting transportation demand management (TDM) practices, that reduce per capita greenhouse gas emissions.
- Alternative 1 would allow for continued improvement of the City's roadway network, while minimizing costs associated with land acquisition and environmental mitigation, thereby allowing public money to be spent more efficiently.
- Alternative 1 would enhance the local economy and provides opportunities for future commercial development near existing businesses, transportation hubs and walkable residential areas.

After balancing the specific economic, legal, social, technological, and other benefits of the Alternative 1, it is recommended that the Oceanside City Council determine that the unavoidable adverse environmental impacts identified may be considered "acceptable" due to the specific considerations listed above which outweigh the unavoidable, adverse environmental impacts that may occur from the implementation of the roadway network improvement associated with Alternative 1.

Based on the foregoing findings and the information contained in the record, the City Council hereby determines that:

a) All significant effects on the environment due to implementation of the proposed update to the Circulation Element under Alternative 1 have been eliminated or substantially lessened where feasible;

b) There are no feasible alternatives to the proposed update to the Circulation Element under Alternative 1 which would mitigate or substantially lessen the impacts, while still meeting most of the Project objectives; and

c) Any remaining significant effects on the environment found to be unavoidable are acceptable due to the factors described in the Statement of Overriding Considerations above.

D. MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

Mitigation Monitoring and Reporting Programs (MMRPs) are required by CEQA Section 21081.6 to be incorporated into the Final EIR for projects having the potential to cause significant environmental impacts. The MMRP describes changes to the project or conditions of project approval that mitigate or avoid significant effects on the environment. This Section D of the Final Program EIR provides the MMRP addressing the Oceanside Circulation Element Update proposed by the City of Oceanside. A brief description of the Circulation Element Update is located below. The proposed program is located within the City of Oceanside (City), and the City is the Lead Agency under CEQA and has approval authority over the proposed program.

CIRCULATION ELEMENT UPDATE SUMMARY

The proposed project is a comprehensive update to the existing General Plan Circulation Element. Following the 1) Introduction and 2) Long-Range Policy Direction discussions, the balance of the proposed Element update is divided into seven chapters: 3) Master Transportation Roadway Plan; 4) Transportation Demand Management; 5) Public Transit and Rail Policies and Guidelines; 6) Bicycle Facilities; 7) Pedestrian Facilities; 8) Traffic Calming; and 9) Intelligent Transportation System Technologies.

Master Transportation Roadway Plan

The Master Transportation Roadway Plan chapter discusses the roadway classifications for both existing and proposed future conditions. All major network elements of the circulation system have been assigned a roadway classification to aid in the understanding of the design configuration and right-of-way (ROW) needs for any segment of the circulation system. The City of Oceanside level of service (LOS) standards and significance criteria are provided for roadway segments and intersections.

The regional traffic model, Series 11 North County Sub-Area model, was utilized in planning the Circulation Element Roadway Network. The model was used to assess a number of possible future roadway network scenarios given the projection of future traffic volumes. The projection of future traffic volumes is primarily based upon existing and future land use and zoning throughout the City. Future year scenarios in the model include the City's "buildout" year 2030. A summary of baseline conditions (no project) and future recommended network improvement conditions are included in the Circulation Element. At the present time, although SANDAG has prepared population projections to the year 2050, there is no North County Sub-Area traffic model for 2050 conditions.

As described in Section 6.1 of the Program EIR, 18 separate Circulation Element alternatives were reviewed by City personnel before identifying three alternatives to be addressed in detail in the Program EIR. These three alternatives are the Modified 1995 Circulation Element (Mod '95 CE) Alternative; Alternative 1; and Alternative 2. The one proposed for implementation by Oceanside City personnel is Alternative 1, and the mitigation measures listed in Table D-1 relate to that alternative.

Transportation Demand Management

The Transportation Demand Management (TDM) chapter identifies specific strategies that influence travel behavior by mode, frequency, time, route, or trip length in order to help achieve an efficient and sustainable use of transportation facilities, along with other community goals such as promoting access for all transportation system users, improving mobility, and minimizing the negative impacts of vehicular travel. TDM strategies typically include: managing parking and pricing; marketing transit and providing commuter subsidies; promoting walking, bicycling and ridesharing; and, encouraging telecommuting and flexible work strategies. TDM provides an overarching framework for the City to achieve the Circulation Element's goals, objectives and policies because it offers strategies that apply to all modes of transportation.

Public Transit and Rail Policies and Guidelines

An integral part of the multimodal system is the provision for public transit and rail service. For transit to be successful, it should be properly planned so that it is accessible to users and operates in a timely manner. Adequate public transit improves the mobility for all residents in the City and its visitors and encourages multi-modal use, increased transit ridership and other alternatives to the single-occupant vehicle as a mode of transportation, and gives priority to the maintenance and expansion of the local transit system and the improvement of regional transit coordination. The objectives and policies within the Public Transit and Rail Policies and Guidelines chapter seek to provide and maintain a safe, efficient, and environmentally sound transit and rail system for the City, its residents, and visitors.

Bicycle Facilities

The Bicycle Facilities chapter of the Circulation Element incorporates the City's Bicycle Master Plan. In 2008, the City adopted a Bicycle Master Plan, designed to guide development and maintenance, identify funding sources, and promote use of its bicycle facilities. It contains detailed policies, network maps, and other tools to be used by the City to provide a detailed look at the cycling needs of City residents and other stakeholders.

Pedestrian Facilities

The Pedestrian Facilities chapter identifies how the City should enhance the quality of the walking and public transit environments, and foster greater use of both modes. The chapter is based on the Oceanside Pedestrian Master Plan of November 2009. Improvements should focus on reductions in the number and severity of pedestrian-vehicle conflict points, clarified pedestrian routing, widened sidewalks, and improved aesthetic features such as landscaping. Encouraging a more walkable community will bring many benefits to the. It will provide convenient and affordable transportation options, reduce vehicular-travel and related pollution, and improve the overall health and safety of residents.

Traffic Calming

The City strives to keep residential neighborhoods sustainable and livable with a comprehensive traffic calming program that will help harmonize transportation mobility within its communities. The Traffic Calming chapter identifies traffic calming methods, which will facilitate the livable and environmental quality of our neighborhoods while ensuring the safe, efficient, and economical movement of people and goods.

Intelligent Transportation System Technologies

Intelligent Transportation Systems (ITS) encompass a broad range of wireless and wire line communications-based information and electronics technologies. When integrated into the transportation system's infrastructure, and in vehicles themselves, these technologies help relieve traffic congestion, improve safety and enhance productivity. The ITS chapter of the Circulation Element establishes a high-level ITS technology plan that creates the framework, policies, procedures, and strategies for integrating the City's existing resources with ITS technology to effectively meet the future transportation needs and expectations of the City.

MMRP FORMAT AND IMPLEMENTATION

Mitigation measures that would reduce or eliminate potential environmental impacts of the proposed program were identified in the Program EIR. The project mitigation measures will become conditions of program approval for the Oceanside Circulation Element Update if it is approved by the City of Oceanside. The City of Oceanside is required to verify that all adopted mitigation measures are implemented properly. To ensure compliance, this MMRP (including checklists) has been formulated. It shall be adopted, along with CEQA Findings, by the City of Oceanside (Lead Agency) and must be administered by City of Oceanside personnel from the Planning, Community Service (Engineering), and Building (Code Enforcement) departments. Specific responsibilities are delineated for each measure in the attached checklist table. These responsibilities may be delegated to qualified City staff or consultants. This service is provided on a full-cost recovery basis by the City. [??] No authorization to commence any activity on site shall be granted except with the concurrence of the respective City Departments.

The checklist, which follows as Table D-1, is intended to be used by the applicant, grading/ construction contractors, and personnel from the above-listed City Departments, as the appointed mitigation implementation and monitoring entities. Information contained within the checklist clearly identifies each mitigation measure, defines the conditions required to verify compliance and delineates the monitoring schedule. Following is an explanation of the four columns that constitute each MMRP checklist.

Column 1 — *Mitigation Measure*: An inventory of each mitigation measure is provided, with a brief description.

Column 2 — *Type*: Each mitigation measure is classified as either Construction-related Mitigation (CM) or Operational Mitigation (OM), based upon the following definitions:

- Construction-related Mitigation – mitigation that requires monitoring during project construction (e.g., dust control, road improvements);
- Operational Mitigation – mitigation that requires monitoring after the project becomes operational (e.g., landscape maintenance, lighting).

Column 3 — *Monitor*: Identifies the senior staff person at the City who is responsible for determining compliance with each mitigation measure and informing the Planning Department regarding compliance. This individual may assign specific monitoring tasks to City staff or consulting specialists (e.g., biological monitor, paleontological monitor).

Column 4 — *Schedule*: As scheduling is dependent upon the progression of the overall project, specific dates are not used within the "Schedule" column. Instead, scheduling describes a logical succession of events (e.g., prior to occupancy, annually, etc.) and, if necessary, delineates a follow-up program.

Table D-1
OCEANSIDE CIRCULATION ELEMENT UPDATE-ALTERNATIVE 1 – MITIGATION MONITORING CHECKLIST

MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
LAND USE			
L1 Potential future land use impacts shall be assessed in a future facility-specific environmental document as required under CEQA, and project-specific mitigation measures shall be identified and included, as required, to reduce or avoid impacts.	CM, OM	City Planner, City Engineer	Prior to facility construction.
TRAFFIC / CIRCULATION			
Provide additional turn and through lanes at the subject Intersections 17, 20, 27, 28, 29, 33, and 43 (see PEIR Sec. 4.2.1.5) per mitigation measures **T45, T46, T49-T52, and T54** in PEIR Section 4.2.4. Specific proposed mitigation measures follow: T45 El Camino Real/Vista Wy: NB: Provide 3 dedicated thru lanes, 1 dedicated R. turn lane. T46 Vista Way/Jefferson St.: WB: Provide 1 through and 1 shared through-right turn lane. T49 Rcho del Oro Rd./Vista del Oro Dr.: Provide a signal, if signal warrants are met. T50 Rcho del Oro Rd./Cameo Dr.: Provide a signal, if signal warrants are met. T51 Rcho del Oro Rd./Trieste Way/Sicily Way: Provide a signal, if signal warrants are met. T52 College Blvd./N. River Road: WB: Provide 1 Left turn lane and shared Left/Thru lane; NB: Provide 3 Thru lanes, 2 Right turn lanes. T54 College Blvd./Lake Blvd.: NB: Provide 2 Right turn lanes.	CM,OM	City Engineer	Prior to facility construction.
Implement mitigation measures **T43**, **T48**, and **T53** that, while such measures would reduce impacts to intersection, would not fully mitigate impacts to below a level of significance. Specific proposed mitigation measures follow: T43 SR-76/Foussat Rd.: NB: Provide 2 Right turn lanes; SB: Provide 3 EB or WB Thru lanes. T48 Douglas Dr./Mission Ave.: EB: Provide 3 Thru lanes; WB: Provide dedicated R. turn lane and two left turn lanes. T53 College Blvd./SR-76: NB: Provide 3 Thru lanes, 2 Right turn lanes with overlap; SB: Provide 3 Thru lanes.	CM, OM	City Engineer	Prior to facility construction.
Widen the roadways along the subject segments (Douglas Drive, El Camino Real, SR-76), per mitigation measures **T65-T67, and T75a** in PEIR Section 4.2.4. Specific proposed mitigation measures follow: T65 Douglas Dr., from N. River Rd to Pala Road: Widen to a 6-lane Major Arterial; T66 Douglas Dr., from Pala Road to El Camino Real: Widen to a 6-lane Major Arterial; T67 El Camino Real, from Mesa Dr. to Oceanside Blvd.: Widen to a 6-lane Major Arterial; T75a SR-76, from Melrose Dr. to eastern City limits: Widen to a 6-lane Expressway.	CM, OM	City Engineer, City Planner	Prior to facility construction.

MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
Implement mitigation measures T74 that, while such measures would reduce impacts to a roadway segment, would not fully mitigate impacts to below a level of significance. T74 Vista Way, from College Blvd to SR-78 WB ramps: Provide WB dedicated Right turn lane, lengthen the WB Left turn lanes at the College Blvd./Vista Way intersection.	CM, OM	City Engineer	Prior to facility construction.
HAZARDOUS MATERIALS AND HAZARDS			
HM1 Prior to the development of specific key network circulation elements, a Phase I Environmental Site Assessment (ESA) shall be performed. The Phase I ESA shall identify the potential for the site to contain hazardous materials (including asbestos and lead-based paints) and contaminated soils. Recommendations of the Phase I ESA may range from no further action, to preparation of a Phase II ESA that identifies specific further action required in order to remediate the hazardous materials so that they do not pose a significant health risk.	CM	City Engineer, City Planner	Prior to facility construction.
HM2 During construction activities, it may be necessary to excavate existing soil at a specific project site, or to bring fill soils to the sire from off-site locations. In areas that have been identified as being contaminated or where soil contamination is suspected, appropriate sampling is required prior to disposal of excavated soil. Complete characterization of the soil shall be prepared prior to any excavation or removal activity. Contaminated soil shall be properly disposed at an off-site facility. Fill soils also shall be sampled to ensure that imported soil is free of contamination.	CM	City Engineer, City Planner	During construction.
HM3 A risk assessment shall be performed at all facilities in the project area where contamination has been identified or is discovered during activities, and at which soil is to be disturbed, to address non-water quality risks posed by any residual contamination, and to establish appropriate mitigation measures (e.g., natural attenuation, active remediation, and engineering controls) that would be protective of human health and the environment. All assessment and remediation activities shall be conducted in accordance with a Work Plan, which is approved by the City of Oceanside having oversight of the activities.	CM	City Engineer, City Planner	During construction.
HM4 Design and expansion of SR-76 in the vicinity of Oceanside Municipal Airport shall proceed in consultation and coordination with Oceanside Municipal Airport and County Airport Land Use Commission personnel, in compliance with applicable Federal Aviation Administration regulations and procedures.	CM	City Planner, City Engineer	Prior to facility construction.

MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
GREENHOUSE GAS EMISSIONS			
GHG1 Prior to issuance of a grading permit, or if no grading permit is required, prior to commencing grading for any of the proposed improvements, the contractor shall demonstrate to the satisfaction of the City Engineer that the following greenhouse gas offset measures have been implemented or will be implemented during construction activities: 1. The Diesel Equipment (Compression Ignition) offset Strategies (40% to 60% Reduction): a. Electricity from power poles shall be used rather than temporary diesel power generators. b. Construction equipment operating onsite shall be equipped with two to four degree engine timing retard on precombustion chamber engines. 2. Scraper equipment shall meet the "Blue Sky Series" equivalent standard (reference Mitigation Measure AQ-2 in Section 5.3-Air Quality.) 3. Other construction equipment used for the project shall utilize EPA Tier 2 or better engine technology. 4. Vehicular Trip (Spark Ignition) Offset Strategies (30% to 70% Reduction): a. Commute alternatives shall be encouraged by informing construction employees about transportation options for reaching the construction site. b. Construction vehicles shall be kept well maintained to prevent leaks and minimize emissions.	CM	City Engineer, City Planner	Prior to issuance of a grading permit, or if no grading permit is required, prior to commencing grading for any of the proposed improvements.
GHG2 Where feasible, Applicants shall consider compliance with the following measures. These measures shall be shown on the building plans for each component of the project to ensure that the features shall be incorporated into the project. Verification of compliance shall be accomplished as part of City inspection of buildings prior to issuance of certificate of occupancy. Onsite Energy Offset Strategies (50% to 70% reduction): 1. All new structures shall meet California Code of Regulations Title 24 part 6: California's Energy Efficiency Standards.	CM, OM	City Planner, City Engineer	Prior to issuance of construction permits.

MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
2. All new structures shall use compact fluorescent lights. 3. Dimmable ballasts to dim lights to take advantage of daylight shall be installed. 4. A programmable thermostat shall be installed in all habitable units to control heating and air conditioning. 5. All major hot water pipes shall be insulated. 6. Refrigeration cold suction lines shall be insulated. 7. Weather stripping shall be used to close air gaps around doors and windows.			
GHG3 Implement the following operational mitigation measures EIR for future projects in Oceanside, where feasible, especially projects relating to larger employers. 1. Reduce vehicular emissions by implementing Transportation Demand Management (TDM) strategies, including shuttle service from major activity centers to public transit stops and stations; provide sidewalks along all future project roadways, connecting to transit stops; provide bike lanes on all major project internal roadways; develop and maintain a bikeway plan; and promote TDM principles such as peak hour trip reduction, staggered work hours, ride sharing, telecommuting, and use of public transportation or other measures, as appropriate. 2. Identify activity centers that would benefit from increased transit access, and work with North County Transit District (NCTD) to enhance service to these centers. 3. Establish a carpool/vanpool program, including preferential parking for carpools and vanpools. 4. Implement a parking fee program or a parking cash-out program for non-driving employees. 5. Orient future building entrances near transit stops, to the maximum extent practicable. 6. As public transit providers expand services in the future, the City shall ensure that bus stops and other improvements for those services are available. 7. [Project developers to] plant shade trees in parking lots. 8. [Project developers to] reduce standard paving area by 20 percent. 9. [Project developers to] use energy-efficient and automated controls for air	OM	City Planner, City Engineer	Prior to project operation.

<table>
<tr><th>MITIGATION MEASURE</th><th>TYPE</th><th>MONITOR</th><th>SCHEDULE</th></tr>
<tr><td>conditioning. Additionally, use lighting controls and energy-efficient interior lighting and built-in appliances.
10. [Project developers to] use double-paned windows and low-emission water heaters.</td><td></td><td></td><td></td></tr>
<tr><td colspan="4">NOISE</td></tr>
<tr><td>N1 At roadway segments where projected traffic noise exceeds a 3.0 dBA CNEL increase at 50 feet from the roadway, the City of Oceanside shall address potential traffic noise increases during the design stage of these facilities, and mitigate any significant impact to the extent feasible. For noise increases in excess of 7.8 dBA, such mitigation may not be feasible. If the new significant impacts are caused by roadway changes undertaken in another jurisdiction, that jurisdiction shall be responsible for mitigating those project noise impacts to Oceanside residents.</td><td>OM</td><td>City Planner, City Engineer</td><td>Prior to facility construction.</td></tr>
<tr><td colspan="4">BIOLOGICAL RESOURCES</td></tr>
<tr><td>BR1 Habitat-based mitigation for the permanent and temporary project impacts to wetlands (Habitat Group A), rare uplands (Habitat Group B), coastal sage scrub (Habitat Group C), annual grasslands (Habitat Group D), and other lands (Habitat Group F) shall be consistent with established ratios in the MCHP region and City of Oceanside, as provided in the table below. Mitigation shall be completed through: 1) on-site preservation; 2) off-site acquisition of mitigation land located within the region; 3) habitat restoration that increases the habitat quality and biological function of the site; or, 4) monetary compensation to acquire, maintain and administer the preservation of sensitive biological resources.

MHCP Habitat-Based Mitigation Ratios
<table><tr><th>MCHP Habitat Group</th><th>Mitigation Ratio</th></tr><tr><td>Habitat Group A: Wetland & Riparian</td><td>1:1 or 4:1, depending on the habitat type and location within the Subarea*</td></tr><tr><td>Habitat Group B: Rare Upland</td><td>2:1 to 3:1</td></tr><tr><td>Habitat Group C: Coastal Sage Scrub</td><td>1:1 to 3:1</td></tr><tr><td>Habitat Group D: Chaparral</td><td>0.5:1 to 1:1</td></tr><tr><td>Habitat Group E: Annual Grasslands</td><td>0.5:1</td></tr><tr><td>Habitat Group F: Other Lands</td><td>None**</td></tr></table>Source: Merkel & Associates, 2010.</td><td>CM</td><td>City Planner; City Engineer; Wildlife Agencies;</td><td>Plans to be approved prior to initiation of project grading; Implementation of plans to be verified prior to completion of facility construction.</td></tr>
</table>

MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
* Mitigation ratios for wetland habitat may vary depending upon quality of the resource and location within the City's NCCP Subarea Plan(SAP) zones once the SAP is adopted. Final mitigation ratios for wetlands shall be governed by the SAP and applicable state and federal regulatory approvals. ** *Group F habitat may be subject to a Habitat Development Fee in accordance with conditions of an adopted NCCP Subarea Plan.* Potential biological impacts of Class 1 bike paths will require site-specific environmental review at the design stage.			
BR2 Planning policies shall include a requirement to make use of project designs, engineering and construction practices that minimize impacts to sensitive habitats and species. The City will coordinate the design of roads and road improvements within or adjacent to wildlife movement linkages and corridors (inclusive of their buffers) with the Wildlife Agencies to ensure viability of the SubArea Plan preserve. In order to influence the location, alignment and design of roads and improvements, coordination with responsible listing agencies (USFWS and/or CDFG) shall be completed as early as possible and in conjunction with, or prior to, the CEQA process for actions, which may affect federal and/or state listed sensitive species and/or MHCP narrow endemic species. Specific actions necessary to protect sensitive species shall be determined on a case-by-case basis. Also implement MMs BR3, BR4 and BR14. Potential biological impacts of Class 1 bike paths will require site-specific environmental review at the design stage.	CM	City Planner; City Engineer; Wildlife Agencies;	Plans to be approved prior to initiation of project grading; Implementation of plans to be verified prior to completion of facility construction.
BR3 Night lighting shall be directed away from wildlife areas to protect species from direct night lighting. Shielding shall be incorporated in project designs to ensure ambient lighting in the MHCP Conservation Areas is not increased.	CM	City Planner; City Engineer; Wildlife Agencies; Biological Monitor	Plans to be approved prior to initiation of project grading; Implementation of plans to be verified prior to completion of facility construction.
BR4 Proposed noise-generating activities during construction and post-construction shall incorporate setbacks, berms, or walls to minimize the effects of noise on resources pursuant to applicable rules, regulations, and guidelines related to land use noise standards.	CM, OM	City Planner; City Engineer; Wildlife Agencies; Biological Monitor	Plans to be approved prior to initiation of project grading; Implementation of plans to be verified at the start and prior to completion of facility construction.

	MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
BR5	When proposing landscape plans adjacent to wildlife areas, permittees shall avoid the use of invasive species for development of the listed facilities. Considerations shall include proximity of planting areas to the wildlife areas, species considered in the planting plans, biological resources being protected within their relative sensitivity to invasion, and barriers to plant and seed dispersal, such as walls, topography and other features.	CM	City Planner; City Engineer; Wildlife Agencies;	Plans to be approved prior to initiation of project grading; Implementation of plans to be verified prior to completion of facility construction.
BR6	Proposed transportation infrastructure modification in proximity to wildlife areas shall incorporate measures, including measures required through the National Pollutant Discharge Elimination System (NPDES) requirements, to ensure that the quantity and quality of runoff discharged is not altered in an adverse way when compared with existing conditions. In particular, measures shall be put in place to avoid discharge of untreated surface runoff from developed and paved areas into wildlife areas. Storm water systems shall be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant materials or other elements that might degrade or harm biological resources or ecosystem processes. This can be accomplished using a variety of methods including natural detention basins, grass swales or mechanical trapping devices. Regular maintenance shall occur to ensure effective operations of runoff control systems.	CM, OM	City Planner; City Engineer; Wildlife Agencies; Biological Monitor	Plans to be approved prior to initiation of project grading; Implementation of plans to be verified prior to completion of facility construction.
BR7	Project impacts to jurisdictional waterways would require issuance of the following permits by regulatory federal and state agencies: 1) Army Corps of Engineers (ACOE), CWA Section 404 permit for placement of dredged or fill material within waters of the U.S.; 2) Regional Water Quality Control Board (RWQCB), CWA Section 401 state water quality certification/waiver for an action that may result in degradation of waters of the State; and, 3) CDFG, California Fish and Game Code, Section 1602 agreement for alteration of a streambed. Mitigation for unavoidable and/or minimized impacts to jurisdictional waterways would be required as part of the permitting process to ensure a no-net-loss of wetland habitat functions and values	CM	City Planner; City Engineer; Wildlife Agencies; ACOE, RWQCB,	Plans and proposed mitigation to be approved prior to initiation of project grading;
BR8	Potential biological impacts to preserve areas and/or WCPZ/Regional Corridor and/or Agricultural Exclusion Zone identified in the Oceanside Subarea Plan (subsequently adopted) will require specific environmental studies associated with the proposed facilities, and subsequently mitigated to a level of less than significant.	CM	City Planner; City Engineer; Wildlife Agencies;	Plans and proposed mitigation to be approved prior to initiation of project grading;

	MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
BR9	New roads or improvements to existing roads must include wildlife crossing improvements designed for species of concern in the area, and may include bridges, vegetated over-crossings, enlarged culverts, or other structures shown to be effective for wildlife movement, along with appropriate fencing to keep animals off of roads and funnel them to safe crossing points. The placement and design of such crossings, fences, and associated improvements (e.g., vegetation restoration) will be based on site-specific wildlife movement surveys and biological criteria included as part of the CEQA process or other appropriate implementing ordinances. Within or adjacent to the MHCP Preserve and/or WCPZ/Regional Corridor, the City will coordinate the design of the road improvements with the Wildlife Agencies to account for wildlife movement. This coordination needs to occur early enough in the planning process to influence the location, alignment, and design of the road improvements.	CM	City Planner; City Engineer; Wildlife Agencies;	Plans and proposed mitigation to be approved prior to initiation of project grading;
BR10	Noise within underpasses should be less than 60 dBA (decibels, A-weighted scale) during the time of day at which the animals use it;	CM, OM	City Planner; City Engineer;	Plans and proposed mitigation to be approved prior to initiation of project grading;
BR11	Use skylight openings within the underpass to allow for vegetation cover within the underpass;	CM	City Planner; City Engineer;	Plans and proposed mitigation to be approved prior to initiation of project grading;
BR12	Any new road should be located in the least environmentally damaging location and designed to minimize fragmentation and edge effects;	CM	City Planner; City Engineer; Wildlife Agencies;	Plans and proposed mitigation to be approved prior to initiation of project grading;
BR13	The following measures will be considered at the project level review of each circulation element project and element shall be incorporated as appropriate to the specific project: • A monitoring biologist shall be onsite during: a) initial clearing and grubbing of all native habitats; and b) project construction within 500 feet of preserved habitat to ensure compliance with all conservation measures. The biologist must be knowledgeable of the covered species biology and ecology. • The project shall temporarily fence (with silt barriers) the limits of project impacts (including construction staging areas and access routes) to prevent additional habitat impacts and prevent the spread of silt from the construction zone into adjacent native habitats to be preserved. Fencing shall be installed in a manner that does not impact habitats to be preserved. Temporary construction	CM	City Planner; City Engineer; Wildlife Agencies; Biological Monitor	Plans and proposed mitigation to be approved prior to initiation of project grading;

	MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
	fencing shall be removed upon project completion. • Impacts from fugitive dust will be avoided and minimized through watering and other appropriate measures. • Construct noise barriers for short sections of road that may impact wildlife breeding; • Site traffic controls such as stoplights and stop signs away from sensitive habitat to reduce the concentration of emissions and noise levels; • Minimize any materials sidecasting during road construction.			
BR14	Proposed project activities should occur outside of the avian breeding season, generally from February 15 to September 15 (as early as January 1 for raptors) to avoid take of birds or their eggs. Depending on the avian species present, a qualified biologist may determine that a change in the breeding season dates is warranted. If avoidance of the avian breeding season is not feasible, the Wildlife Agencies recommend that beginning 30 days prior to the initiation of project activities, a qualified biologist with experience in conducting breeding bird surveys conduct weekly bird surveys to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and any other such habitat within 300 feet of the disturbance area (within 500 feet for raptors or listed species). The surveys should continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of project activities. If a protected native bird is found, the project proponent should delay all project activities within 300 feet of on- and off-site suitable nesting habitat (within 500 feet for suitable raptor or listed species nesting habitat) until August 31. Alternatively, the qualified biologist could continue the surveys in order to locate any nests. If an active nest is located, project activities within 300 feet of the nest (within 500 feet for raptors or listed species nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Flagging, stakes, and/or construction fencing should be used to demarcate the inside boundary of the buffer of 300 feet (or 500 feet) between the project activities and the nest. If the biological monitor determines that a narrower buffer between the project activities and observed active nests is warranted, he/she should submit a written explanation as to why to the City (and, upon request, the Wildlife Agencies, if they so request) will determine whether to allow a narrower buffer. The biological monitor shall be present on site during all grubbing and clearing of vegetation to ensure that these activities remain within the project footprint and that the flagging/staking/fencing	CM	City Planner; City Engineer; Wildlife Agencies; Biological Monitor	Plans and proposed mitigation to be approved prior to initiation of project grading;

	MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
	is being maintained, and to minimize the likelihood that active nests are abandoned or fail due to project activities. The biological monitor shall send weekly monitoring reports to the City and shall notify the City immediately if project activities damage active avian nests.			
CULTURAL RESOURCES				
CR-1	1. A cultural resource inventory of the project Area of Potential Effect (APE) is required to identify previously unrecorded historical resources. Before actual field reconnaissance would occur, background research is required which includes a record search at the South Coastal Information Center (SCIC) at San Diego State University and the San Diego Museum of Man. A review of the Sacred Lands File maintained by the Native American Heritage Commission (NAHC) must also be conducted at this time. Information about existing archaeological collections should also be obtained from the San Diego Archaeology Center and any tribal repositories or museums. The project archaeologist will determine the likelihood for the project site to contain historical resources by reviewing site photographs and existing historic information and conducting a site visit. A Native American monitor shall be present during any field reconnaissance surveys for cultural resources. If through background research and field surveys historic resources are identified, then an evaluation of significance must be performed by a qualified archaeologist or historian, as applicable.	CM	City Planner; City Engineer; Cultural Resource Consultant; Native American Monitor(s)	Prior to finalization of facility plans.
	2. Cultural resource significance evaluations are required when new resources are identified as a result of a survey, when previously recorded resources that have not been previously evaluated are relocated during a survey, and when previously recorded sites are not relocated during the survey and if there is a likelihood that the resource still exists. Significance evaluations will not be required if the resource has been evaluated for CEQA significance or for National Register eligibility within the last five years if there has been no change in the conditions which contributed to the determination of significance or eligibility. A property should be re-evaluated if its condition or setting has either improved or deteriorated, if new information is available, or if the resource is becoming increasingly rare due to the loss of other similar resources.	CM	City Planner; City Engineer; Cultural Resource Consultant; Native American Monitor(s)	Prior to facility construction.

MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
3. An archaeological testing program will be required, which includes evaluating the horizontal and vertical dimensions of a site, the chronological placement, site function, artifact/ecofact density and variability, presence/absence of subsurface features and research potential. It should be noted, that tribal representatives and/or Native American monitors will be involved in making recommendations regarding the significance of prehistoric archaeological sites during this phase of the process. The testing program may require reevaluation of the proposed project in consultation with the Native American representative which could result in a combination of project redesign to avoid and/or preserve significant resources as well as mitigation in the form of data recovery and monitoring (as recommended by the qualified archaeologist and Native American representative). Prior to any excavations at the project site, a pre-excavation agreement will be implemented by the City with the applicable Native American organization(s).	CM	City Planner; City Engineer; Cultural Resource Consultant; Native American Monitor(s)	Prior to facility construction.
4. If significant cultural resources are identified within the APE, the site may be eligible for designation. If no significant resources are found, and site conditions are such that there is no potential for further discoveries, then no further action is required. Resources found to be non-significant as a result of a survey and/or assessment will require no further work beyond documentation of the resources on the appropriate DPR site forms and inclusion of results in the survey and/or assessment report. If no significant resources are found but results of the initial evaluation and testing phase indicates there is still a potential for resources to be present in portions of the property that could not be tested, then mitigation monitoring is required.	CM	City Planner; City Engineer; Cultural Resource Consultant; Native American Monitor(s)	Prior to facility construction.
5. Preferred mitigation for cultural resources is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm shall be taken. For archaeological resources where preservation is not an option, a Research Design for a data recovery program shall be prepared. The data recovery program shall be based on a written research design and is subject to the provisions as outlined in CEQA, Section 21083.2. Archaeological monitoring may be required during building demolition and/or construction grading when significant resources are known or suspected to be present on a site, but cannot be recovered prior to grading due to obstructions such as but not limited to, existing development or dense vegetation. Prior to construction monitoring a Cultural Resource Mitigation Monitoring Plan will be prepared by the Project Archaeologist. Tribal representatives will be provided with a copy of the CRMMP once completed and any other reports generated as a result of the CRMMP.	CM	City Planner; City Engineer; Cultural Resource Consultant; Native American Monitor(s)	Prior to facility construction.

MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
6. A Native American observer must be retained for all ground disturbing activities, including all clearing, excavation, grading, and trenching, whenever a Native American Traditional Cultural Property or archaeological site within the Area APE of a City project would be impacted. If cultural resources are discovered during construction, all earth moving activity within and around the immediate discovery area shall be diverted until the nature and significance of the resource can be assessed. Both the archaeological monitor and Native American monitor will have the authority to halt ground disturbance in the event of a potentially significant discovery. In the event that human remains are encountered during data recovery and/or monitoring program, the provisions of Public Resources Code Section 5097 must be followed. The Native American monitor shall be consulted during the preparation of the written report, at which time they may express concerns about the treatment of sensitive resources. If the Native American community requests participation of an observer for subsurface investigations on private property, the request shall be honored. If the Native American community requests participation of an observer for subsurface investigations on private property, the request shall be honored. The return of artifacts of cultural importance to the Luiseño, recovered during cultural resource evaluation, data recovery or mitigation monitoring, shall be negotiated between the tribe and the City of Oceanside, Caltrans or the private landowner, as applicable."	CM	City Planner; City Engineer; Cultural Resource Consultant; Native American Monitor(s)	Prior to facility construction.
CR-2 Historic Resources Prior to issuance of any permit that would directly or indirectly affect a building/structure in excess of 45 years of age, the City shall determine whether the affected building/structure meets any of the following criteria: (1) National Register- Listed or formally determined eligible, (2) California Register-Listed or formally determined eligible, (3) San Diego Register-Listed or formally determined eligible, or (4) meets the CEQA criteria for a historical resource. The evaluation of historic architectural resources would be based on criteria such as: age, location, context, association with an important person or event, uniqueness or structural integrity. Preferred mitigation for historic buildings or structures is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm to the resource shall be taken Generally, a project that follows the Secretary of the Interior's Standards for the	CM	City Planner; City Engineer; Cultural Resource Consultant;	Prior to issuance of any permit that would directly or indirectly affect a building/structure in excess of 45 years of age,

	MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
	Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historic resource. A lead agency shall identify potentially feasible measures to mitigate significant adverse changes in the significance of an historic resource. The lead agency shall ensure that any adopted measures to mitigate or avoid significant adverse changes are fully enforceable through permit conditions, agreements, or other measures.			
CR-3	When an initial study identifies the existence of, or the probable likelihood, of Native American human remains within the project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code Section 5097.98. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans as identified by the Native American Heritage Commission. Action implementing such an agreement is exempt from the general prohibition on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (Health and Safety Code Section 7050.5). In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken: • There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: • The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and • If the coroner determines the remains to be Native American: The coroner shall contact the Native American Heritage Commission within 24 hours. • The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.	CM	City Planner; City Engineer; Cultural Resource Consultant; Native American Heritage Commission.	Prior to disturbance of any human remains other than from a dedicated cemetery.

MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
• The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98. As part of the objectives, criteria, and procedures required by Section 21082 of the Public Resources Code, a lead agency should make provisions for historical or unique archaeological resources accidentally discovered during construction. These provisions should include an immediate evaluation of the find by a qualified archaeologist. If the find is determined to be an historical or unique archaeological resource, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation should be available. Work could continue on other parts of the building site while historical or unique archaeological resource mitigation takes place.			
GEOLOGY / SOILS			
GS1 A comprehensive geotechnical evaluation, including development-specific surface exploration and laboratory testing, shall be conducted prior to design and construction of any Circulation Element facility improvement within the project area. The purpose of the subsurface evaluation would be to: 1) further evaluate the subsurface conditions in the area of future infrastructure or improvements; and, 2) provide information pertaining to the engineering characteristics of earth materials associated with each development. From these data, recommendations for grading, earthwork, surface and subsurface drainage, foundations, pavement structural sections, sedimentation mitigation, and other pertinent geotechnical design considerations may be formulated. The Rose Canyon fault has been mapped west of the project area. Accordingly, the project area has a potential for moderate ground motions due to an earthquake on the active Rose Canyon fault. Therefore, the potential for moderate seismic accelerations will need to be considered in the design of future structures or improvements. The level of risk associated with these seismic accelerations is the level of risk assumed by the UBC minimum design requirements.	CM	City Engineer; Geotechnical Consultant.	Prior to design and construction of any Circulation Element facility improvement within the City of Oceanside.

	MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
	The presence of potentially expansive soils shall be evaluated as part of the geotechnical design phase of any improvement. Measures may include removal of these soils and replacement with compacted fill.			
AGRICULTURAL RESOURCES				
AR1	**Site Assessment** As part of environmental review and project design for road extensions, possible locations of roadways that cross lands currently mapped as Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance by the California Department of Conservation shall be evaluated using the Land Evaluation and Site Assessment (LESA) Model to determine the loss of agricultural land that could occur due to the proposed roadway extensions to Melrose Drive.	CM	City Planner	Prior to completion of facility design.
AR2	**Design Refinement** If significant impacts to important agricultural lands would occur, as determined in MM AR1, identify in the design studies a facility design that would avoid, to the maximum extent possible, the important agricultural lands, and evaluate significance of its agricultural impact.	CM	City Planner	Prior to completion of facility design.
AR3	**Mitigation** The mitigation of impact to agricultural lands shall be accomplished via one of the following as determined by the City of Oceanside: Option 1: On-site preservation of agricultural lands. Option 2: Purchase of off-site agricultural conservation easements.	CM	City Planner	Prior to initiation of facility construction.
AESTHETICS				
A1	Potential future visual/aesthetic impacts shall be assessed in future facility-specific environmental document(s) as required under CEQA, and appropriate mitigation measures identified, if required at that time, to reduce or avoid significant impacts.	CM	City Planner	Prior to initiation of facility construction.
HYDROLOGY / WATER QUALITY				
HWQ1	A detailed hydrology study shall be prepared for each specific improvement/ development that addresses the onsite and offsite hydrological and drainage characteristics of each proposed roadway improvement. For proposed improvements located within or adjacent to the 100-year floodplain, additional consideration shall be given to the design of the project. An appropriate	CM	City Engineer, City Planner, Hydrological Consultant.	Prior to initiation of facility design.

	MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
	drainage control plan that controls runoff and drainage in a manner acceptable to City Engineering Standards for the specific improvement shall be implemented. The drainage control plan shall be implemented in accordance with the recommendations of the hydrology study and shall address on-site and off-site drainage requirements to ensure on-site runoff will not adversely affect off-site areas or alter the existing drainage pattern of the site or off-site areas.			
HWQ2	Prior to commencement of construction activities for future development/ improvement activities, in compliance approval documentation with the City of Oceanside Municipal Code, General Construction Stormwater Permit (Order No. 2009-0009-DWQ, NPDES General Permit No. CAS000002)) and the Regional Municipal Stormwater Permit (Order No. R9-2007-0001, NPDES No. CAS0108758)shall be obtained. Under the General Construction Stormwater Permit, the following components are required, a Notice of Intent (NOI), Stormwater Pollution Prevention Plan (SWPPP), and a Monitoring Program and Reporting Requirements. Required elements of SWPPP include: • Site description addressing the elements and characteristics specific to the site; • Description of Best Management Practices (BMPs) and Low Impact Design (LID) concepts for erosion and sediment controls; • BMPs for construction waste handling and disposal; • Implementation of approved local plans; • Proposed post-construction controls, including description of local post-construction erosion and sediment control requirements, as well as requirements for regular maintenance; • Non-storm water management; • Identify a sampling and analysis strategy and sampling schedule for discharges from construction activity which discharges into water bodies listed on the 303(d) list of impaired water bodies; and, • For all construction activity, identify a sampling and analysis strategy and sampling schedule for pollutants which are not visually detectable in stormwater dischargers, which are known to occur on the construction site, and which could cause or contribute to an exceedance of water quality objectives in receiving waters.	CM	City Engineer, City Planner, Hydrological Consultant	Prior to initiation of facility construction.

MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
Some of the BMPs that shall be used during construction for compliance with the City of Oceanside Municipal Code, General Construction Stormwater Permit, and Regional Municipal Stormwater Permit include, but are not limited to: • Silt fence, fiber rolls, or gravel bag berms • Street Sweeping • Storm drain inlet protection • Stabilized construction entrance/exit • Vehicle and equipment maintenance, cleaning, and fueling • Hydroseed, soil binders, or straw mulch	CM	City Engineer, City Planner, Hydrological Consultant	Prior to initiation of facility construction.
HWQ3 All future development/improvement projects shall obtain comply with the City of Oceanside Municipal Code, General Construction Stormwater Permit (Order No. 2009-0009-DWQ, NPDES General Permit No. CAS000002) and the Regional Municipal Stormwater Permit (Order No. R9-2007-0001, NPDES No. CAS0108758), including the City's SUSMP requirements. Components of future development/improvement project design that will help achieve compliance with these long-term water quality regulations shall include, but are not limited to: • Infiltration basins • Retention/detention basins • Biofilters • Structural controls • Low Impact Design (LID) concepts	CM	City Engineer, City Planner, Hydrological Consultant.	Prior to initiation of facility construction.
PALEONTOLOGICAL RESOURCES			
PR1 Prior to project site grading at site locations with potential fossil-bearing formations, a qualified paleontologist shall be retained to carry out an appropriate mitigation program. A qualified paleontologist is defined as an individual with an M.S. or Ph.D. in paleontology or geology who is familiar with paleontology procedures and techniques.	CM	City Engineer, City Planner, Paleontological Consultant.	Prior to initiation of facility construction.

MITIGATION MEASURE	TYPE	MONITOR	SCHEDULE
• The qualified paleontologist shall be present at the pre-construction meeting to consult with grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues. • A paleontological monitor shall be onsite on a full-time basis during the original cutting of previously undisturbed deposits of high paleontological resource potential (Pleistocene Terrace Deposits and Santiago Formation) to inspect exposures for contained fossils. A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials. The paleontological monitor should work under the direction of a qualified paleontologist. • When fossils are discovered the paleontologist (or paleontological monitor) shall recover them. In most cases, this fossil salvage can be completed in a short period of time. However, some fossil specimens (such as a complete large mammal skeleton) may require an extended salvage period. In these instances the paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Because of the potential for the recovery of small fossil remains, such as isolated mammal teeth, it may be necessary in certain instances, to set up a screen-washing operation on the site. • Fossil remains collected during the monitoring and salvage portion of the paleontological mitigation program shall be cleaned, repaired, sorted, and cataloged. • Prepared fossils, along with copies of all pertinent field notes, photos, and maps, shall be deposited (as a donation) in a scientific institution with permanent paleontological collections such as the San Diego Natural History Museum. Donation of the fossils shall be accompanied by financial support for initial specimen storage. • A final paleontological monitoring and recovery (if applicable) summary report shall be completed that outlines the results of the mitigation program. This report shall include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils.	CM	City Engineer, City Planner, Paleontological Consultant.	Prior to initiation of facility construction.

PLANNING COMMISSION
RESOLUTION NO. 2012-P23

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE RECOMMENDING APPROVAL OF A GENERAL PLAN AND LOCAL COASTAL PLAN AMENDMENT FOR THE CITY OF OCEANSIDE CIRCULATION ELEMENT UPDATE

APPLICATION NO:	GPA10-00001, LCPA12-00002
APPLICANT:	City of Oceanside
LOCATION:	Citywide

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 General Plan Amendment and Local Coastal Plan Amendment under the provisions of Articles 45 of the Zoning Ordinance of the City of Oceanside for the following:

An update o the City's Circulation Element of the General Plan. The Circulation Element Update includes the City's goals, objectives, and policies relative to the maintenance and improvement of the City's transportation system.

WHEREAS, the Planning Commission voted to recommend that Alternative 1 in the Final EIR be adopted by the City Council;

WHEREAS, the Planning Commission, after giving the required notice, did on the 21st day of May, 2012 conduct a duly advertised public hearing as prescribed by law to consider said application;

WHEREAS, pursuant to the California Environmental Act of 1970, the Planning Commission finds that an Environmental Impact Report has been prepared in conformance with the California Environmental Quality Act (CEQA);

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, the Environmental Impact Report, together with any comments received, incorporated into the conditions of approval for the project, were presented to the Planning Commission, and the Planning Commission reviewed and considered the information contained in these documents prior to making a decision on the project.

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 General Plan Amendment:

1. The proposed Update to the Circulation Element will be beneficial to the overall functioning of the City's transportation systems including roadways, bike trails and pedestrian circulation. The Update to the Circulation Element would be compatible to other elements of the General Plan such as the Land Use Element and Housing Element.
2. Future improvements associated with the updated Circulation Element would need to conform to this element of the General Plan and would undergo further discretionary and environmental review as appropriate.

For the Local Coastal Plan Amendment:

1. The Local Coastal Plan Amendment, as proposed, is an update to the Circulation Element of the General Plan, which conforms to the other relevant elements of the General Plan of the City of Oceanside.
2. The Local Coastal Plan Amendment for the update to the Circulation Element, as proposed, conforms to the City's Local Coastal Program, including the policies of that plan. The proposed roadway network, bike trails, and pedestrian circulation system will enhance access to beach areas in the western portion of the City.

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3. The Local Coastal Plan Amendment, as proposed, conforms to the California Coastal Act of 1976. The updated Circulation Element improvements will enhance access to beach areas within the City of Oceanside.

PASSED AND ADOPTED Resolution No. 2012-P23 on May 21, 2012 by the following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____

Tom Rosales, 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. 2012-P23.

Dated: May 21, 2012