

## EXECUTIVE SUMMARY

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### ES.1 INTRODUCTION

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

This EIR is an informational document intended for use by the City of Oceanside, other public agencies, and members of the public in evaluating the potential environmental effects of the proposed project. The proposed project would result in the development of three hotel buildings (with a total of 426 hotel rooms), a meeting/banquet pavilion, and a parking structure on approximately 12.5 acres of vacant land.

CEQA Statute Section 21002 requires that an EIR identify the significant effects of a project on the environment and provide measures or alternatives that can mitigate or avoid these effects. This EIR evaluates the environmental effects associated with development of the project and discusses the manner in which the project's significant effects can be reduced or avoided through the implementation of mitigation measures or feasible alternatives to the proposed project. In accordance with Section 15130 of the CEQA Guidelines, this EIR also includes an examination of the effects of cumulative development.

This summary provides a brief synopsis of the proposed project, results of the environmental analysis contained within this EIR, alternatives to the proposed project that were considered, and major areas of controversy and issues to be resolved by decision-makers.

### ES.2 PROJECT DESCRIPTION AND LOCATION

The proposed project is located in northern San Diego County, within the Cities of Oceanside and Carlsbad. The project site encompasses approximately 12.5 acres of vacant land at the southeastern corner of the State Route 78 (SR-78)/Jefferson Street intersection and crosses the City of Oceanside's jurisdictional border into the City of Carlsbad. The project site consists of three existing parcels, Assessor's Parcel Numbers 165-120-56, 156-301-17, and 156-301-11.

The proposed project involves construction of three separate hotel buildings. A total of 426 hotel rooms are proposed for the three hotel buildings. Hotel Building 1 would be located on the west portion of the project site and would consist of a six-story, 75-foot-tall, approximately 167,160-square-foot building with 179 rooms. Hotel Building 2 would be located in the center portion of the project site, just north of Buena Vista Creek, and would consist of a five-story, 67.5-foot-tall, approximately 73,285-square-foot building with 135 rooms. Hotel Building 3 is proposed at the northeast corner of the project site and

would consist of a four-story, 60-foot-tall, approximately 82,570-square-foot building with 112 hotel rooms. The pavilion building would consist of a one-story, 40-foot-tall, approximately 4,000-square-foot structure. The purpose of the pavilion building is to hold meetings and banquets. The pavilion building would be located to the west of Hotel Building 1 and southeast of a surface parking lot. A three-lane bridge consisting of one inbound lane and two outbound lanes is proposed to provide primary access to the project site. The project would incorporate structure and surface parking to provide a total of 479 regular and handicapped parking spaces, 432 of which would be located in the parking structure and 47 of which would be surface parking.

The project includes a proposed modified riparian buffer that would include a 50-foot biological buffer and a 50-foot planning buffer for a total 100-foot buffer zone from Buena Vista Creek, and would total 3.08 acres. The buffer zone would consist of native riparian planting, restoring the existing disturbed vegetation. The proposed wetland buffer zone would include some development within the 50-foot planning buffer, consisting of a fire/maintenance access road (with an all-weather grasscrete surface), essential utility and drainage facilities, a pedestrian trail (which coincides with the fire/maintenance access road), and support structures for the pool area separated from the buffer by a planted masonry wall.

## **ES.2.1 Project Objectives**

CEQA requires that an EIR include a statement of the project objectives (CEQA Guidelines Section 15124(b)). Project objectives are described below:

1. Provide a hotel establishment that supports 426 hotel rooms.
2. Provide needed business meeting space and suites.
3. Provide lower-cost visitor and recreational facilities per the City of Oceanside's Local Coastal Program (LCP) Land Use Plan, Recreation, and Visitor Servicing Facilities Policy C.6.
4. Provide a hospitality program in connection with Mira Costa College's Hospitality Management Program, which provides internships and training in hospitality management.
5. Provide infill development on undeveloped land to increase transient occupancy tax revenue for the City of Oceanside.
6. Integrate the project with the character of the surrounding commercial development, resulting in logical, coordinated growth.
7. Provide commercial development along a major roadway with sufficient traffic volume and street availability to enhance the project's economic viability.
8. Create a pedestrian-friendly design that integrates Buena Vista Creek as a primary feature/amenity.

9. Implement a comprehensive native species landscape plan that provides visual continuity throughout the project area and provides a compatible transition from Buena Vista Creek.
10. Provide Native American educational lectures in the project’s pavilion.

## **ES.2.2 Discretionary Actions**

The proposed project would be consistent with the existing General Plan and zoning for the City of Oceanside. The following potential actions would need to be taken by the City of Oceanside Planning Commission in order to implement the proposed project:

- EIR certification would be required.
- A mitigation monitoring and reporting program would need to be adopted.
- A development plan (D10-00010) would be required for the construction of three hotel buildings with a combined total of 426 hotel rooms and a 135,000-square-foot, four-story common parking structure, and associated common amenity/open space areas, bridge, access driveways, surface parking, and utilities.
- Conditional Use Permits (CUPs) (CUPs10-00031/32) for the hotel uses in the C-2 zone (1986 Zoning Ordinance) and CS-HO Zone (1992 Zoning Ordinance) would need to be obtained.
- CUPs (CUPs 10-00033/34) would be required for an increased structural height for Hotel Buildings 1 and 2, which exceed the 1986 Commercial General (C-2) Zoning District’s maximum height limit of 45 feet or four stories within the coastal zone area.
- A CUP (CUP10-00035) would be required for an increased structural height for Hotel Building 3, which exceeds the 1992 Special Commercial – Highway Oriented (CS-HO) Zoning District’s maximum height limit of 50 feet outside the coastal zone area.
- A coastal development permit (RC-10-00011) would be required for proposed hotel development within a coastal zone associated with a development plan, CUP, and tentative parcel map per Oceanside’s LCP.
- A comprehensive sign package (CSP12-00001) would be required for the review of the proposed signs
- A vesting tentative parcel map (P10-00006) would be required to subdivide the 12.5-acre project site in both City of Carlsbad and City of Oceanside jurisdictions, providing four separate parcels for development and conservation areas (wetland buffer and Buena Vista Creek) while holding both Cities’ jurisdictional limits. In addition, the tentative map would provide for the right to further subdivide the site with condominium airspace to allow for separate ownership of the hotel buildings and parking structure.

The following potential actions would need to be taken by the City of Carlsbad:

- A Habitat Management Plan (HMP 14-03) permit would be required for implementation of mitigation, preservation and management requirements for the project's interface with Buena Vista Creek and establishment of its wetland buffer pursuant to Carlsbad's Habitat Management Plan.
- A General Plan Amendment (GPA 14-05) to Carlsbad's General Plan would be required to amend a portion of the project site's land use designation from Regional Commercial to Open Space to correspond with the proposed development's wetland buffer area.
- A Zone Change (ZC 14-03) to Carlsbad's Zoning Map would be required to change a portion of the project site's zoning from General Commercial (C-2) to Open Space (OS) to correspond with the proposed development's wetland buffer area.
- An LCP Amendment (LCPA 14-05) would be required to Carlsbad's LCP to amend a portion of the project's site LCP zoning from General Commercial (C-2) to Open Space (OS) to correspond with the proposed development's wetland buffer area.
- A Coastal Development Permit (CDP 14-31) would be required for all development within the coastal zone subject to Carlsbad's LCP.
- A Tentative Parcel Map (MS 14-12) would be required to subdivide the 12.5-acre project site in both City of Carlsbad and City of Oceanside jurisdictions, providing four separate parcels for development and conservation areas (wetland buffer and Buena Vista Creek) while holding both Cities' jurisdictional limits. In addition, the tentative map will provide for the right to further subdivide the site with condominium airspace to allow for separate ownership of the hotel buildings and parking structure.
- A Special Use Permit (SUP 14-05) would be required to allow for proposed improvements to the storm drain outlet in Buena Vista Creek and minor grading associated with the project within the 100-year floodplain as established by the Federal Emergency Management Agency (FEMA) and the City of Carlsbad's Special Flood Hazard Area.
- A Minor Site Development Plan (SDP 14-14) would be required for minor improvements to the Westfield Carlsbad Shopping Center Parking Lot and Ring Road.

### **Other Agency Approvals**

Approval of the proposed project may be required by the San Diego Regional Water Quality Control Board for issuing a 401 permit and approval of the stormwater pollution prevention plan. Additionally, the project may require notification of the California Department of Fish and Wildlife for streambed alteration under Section 1602 and Section 2081 of the California Fish and Game Code; Section 7 consultation with the U.S. Fish and Wildlife Service for a Biological Opinion; and a U.S. Army Corps of Engineers Section 404 permit.

### ES.3 AREAS OF CONTROVERSY

Pursuant to CEQA Guidelines Section 15082, the City circulated a Notice of Preparation (NOP) dated June 27, 2014, to interested agencies, organizations, and parties. The 30-day public scoping period ended on July 28, 2014. Comments received during the NOP public scoping period were considered during the preparation of this EIR. The NOP and comments are included in Appendix A to this EIR. Comments covered a variety of topics, including land use compatibility, traffic generation, visual impact, and impacts to biological resources.

### ES.4 EFFECTS NOT FOUND TO BE SIGNIFICANT

Several environmental topics were not found to be significant through analysis within various sections of this EIR, including land use and planning, transportation and traffic, aesthetics, geology and soils, public services and facilities, utilities and service systems, agriculture and forestry resources, mineral resources, population and housing, recreation, and energy.

### ES.5 IMPACTS DETERMINED TO BE SIGNIFICANT

Table ES-1 provides a summary of significant impacts of the project pursuant to the CEQA Guidelines Section 15123(b)(1). Impacts associated with biological resources, air quality, greenhouse gas emissions, cultural resources, noise, hazards and hazardous materials, and hydrology and water quality were identified as significant. All identified significant impacts would be mitigated to a level below significance with the exception of greenhouse gas emissions, which would remain significant and unavoidable.

**Table ES-1  
Summary of Significant Environmental Impacts**

Impact	Mitigation Measures	Level of Significance After Mitigation
<i>Biological Resources</i>		
Impacts to sensitive vegetation communities	<p><b>MM-BIO-1:</b> Mitigation for direct permanent impacts to 0.979 acres of on-site and 0.07 acres of off-site Diegan coastal sage scrub shall occur at the ratios prescribed by the Draft Oceanside Subarea Habitat Conservation Plan/Natural Communities Conservation Plan (Subarea Plan) and Carlsbad Habitat Management Plan (HMP), which specify that coastal sage scrub habitat and its associations be mitigated at a 2:1 ratio in the coastal zone and wildlife-agency-approved areas of the off-site mitigation zone or at a 2:1 ratio with at least 1:1 consisting of creation, respectively.</p> <p>Approximately 3.08 acres of on-site disturbed and native habitat communities shall be restored to 1.29 acres of coastal sage scrub habitat. The restoration shall restore areas within the buffer to provide the improved habitat and shall provide the 1:1 mitigation required for any temporary impacts within the buffer. Landscape drawings, including the proposed habitat restoration areas, are being</p>	Less than significant

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	<p>prepared as part of the plan set for project submittal. On-site coastal sage scrub restoration shall use indigenous wetland and coastal sage scrub plant species, as appropriate, of local (San Diego County) genetic stock. Details for the mitigation are outlined below.</p> <p>Because the proposed 50-foot biological buffer and 50-foot planning buffer contain permanent and required features (storm drain outlet, fire/maintenance road, bridge, support for the pool area), not all of the coastal sage scrub impact within the buffer can be accommodated within the native restoration area. A total of 1.29 acres will be provided on site, whereas the impacts to coastal sage scrub result in the requirement of <del>2.09-06</del> acres of coastal sage scrub combined for Oceanside and Carlsbad for permanent impacts and <u>1.41 acres for temporary impacts. The temporary impacts within both Carlsbad and Oceanside will be mitigated with the onsite restoration of the buffer.</u> The remaining balance of <del>4.022.18</del> acres required within the <u>Cities of Oceanside and Carlsbad</u> will be provided by one of the following options: purchase of credits within a suitable mitigation bank (such as but not limited to the North County Habitat Bank, Carlsbad Oaks Conservation Bank, Manchester Avenue Conservation Bank, Brook Forest Mitigation Bank, Heights of Pala Mesa Conservation Bank, or other bank deemed accepted by the cities, wildlife agencies, and Coastal Commission), purchase of a suitable parcel and providing preservation and management, or restoring other suitable land as approved by the wildlife agencies and the City of Oceanside.</p>	
<p>Impacts to sensitive vegetation communities</p>	<p><b>MM-BIO-2:</b> The Oceanside Subarea Plan provides goals and standards to be applied to coastal sage scrub restoration in addition to providing specifications regarding restoration plan contents and success criteria. The Subarea Plan also provides an appropriate plant palette for coastal sage scrub restoration.</p> <p>Because the Carlsbad HMP does not allow mitigation within a buffer area, the permanent impact to the 0.06 acres of coastal sage scrub shall be provided by off-site mitigation. The mitigation for the impact to 0.06 acres of coastal sage scrub within the Carlsbad jurisdiction will include the restoration or enhancement of habitat within a suitable off-site mitigation site in accordance with the Carlsbad HMP "Coastal" Policy 7-9. The following are general guidelines for the mitigation of impacts to upland habitat: on-site preservation is not eligible for mitigation credit; there can be no net loss of habitat for the habitat type; when impacts are permitted, mitigation must include at least 1:1 habitat creation or substantial restoration of highly degraded habitat, as approved by the wildlife agencies; and mitigation shall occur within the coastal zone. Thus, the project shall be required to search for or obtain a restoration-suitable parcel or portion of a parcel for the no-net-loss requirement, as well as the 2:1 restoration of the habitat, of which 1:1 must be creation. Thus, 0.12 acres is required to be restored</p>	<p>Less than significant</p>

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	<p>as mitigation for the impacts to coastal sage scrub. Substantial restoration or enhancement may be counted as creation, if approved by the City of Carlsbad and the agencies. On-site preservation does <i>not</i> count towards the mitigation requirements for a given project.</p> <p>The following measures shall be included:</p> <ol style="list-style-type: none"> <li>1. The project applicant will submit a draft buffer and temporary impact restoration plan to the City of Oceanside, City of Carlsbad, wildlife agencies, and California Coastal Commission (CCC) for review and approval prior to issuance of grading or construction permits. The project applicant will provide the final plans to the above for approval prior to initiating restoration. The final plans will include the following information and conditions:               <ol style="list-style-type: none"> <li>a. <u>a.</u>—Plans for restoration and revegetation, are to be prepared by persons with expertise in southern California ecosystems and native plant revegetation techniques. Each plan should include, at a minimum: (1) the location of the mitigation site; (2) a schematic depicting the mitigation area; (3) a description of the irrigation methodology; (4) measures to control exotic vegetation on site; and (5) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. The resulting final plan should be submitted to the City and Wildlife Agencies within 90 days of receiving approval of the draft plan.</li> <li>a.b. A 30- to 40-foot-wide strip of wetland restoration at the lower edge of the buffer (minimum 1.18 acres) that transitions to coastal sage scrub and then to tall native barrier plants at the top of the buffer slope.</li> <li>b.c. <u>b.</u>—All final specifications and topographic-based grading, planting, and irrigation plans (0.5-foot contours and typical cross-sections) for the restoration site. All wetland restoration areas will be graded to the same elevation as adjacent existing wetlands areas. All upland habitat restoration areas will be prepared for planting by decompacting the topsoil in a way that mimics natural upland habitat topsoil, if needed, while maintaining slope stability. Planting and irrigation will not be installed until USFWS has approved of the restoration site grading. All plantings will be installed in a way that mimics natural plant distribution and not in rows.</li> <li>e.d. <u>e.</u>—Planting palettes (plant species, size, and number/acre) and seed mix (plant species and pounds/acre). The plant palettes proposed in the draft plans will include native species specifically associated with the habitat type(s). Unless otherwise approved by USFWS, only locally native species (no cultivars)</li> </ol> </li> </ol>	

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	<p>obtained within San Diego County available from as close to the project area as possible will be used. The source and proof of local native source of all plant material and seed will be provided.</p> <p>d.e. d.—Container plant survival will be 80% of the initial plantings for the first 2 years, except for willows (<i>Salix</i> spp.), which may not be tolerant of the saline conditions. If the willows do not survive, other riparian plant species that tolerate the saline conditions will be used. At the first and second anniversary of plant installation, all dead plants will be replaced unless their function has been replaced by natural recruitment.</p> <p>e.f. e.—A final implementation schedule that indicates when all native habitat impacts, as well as native habitat creation/restoration/enhancement grading, planting, and irrigation will begin and end. Necessary site preparation and planting will be completed during the concurrent or next planting season (i.e., late fall to early spring) after receiving the approval from USFWS for grading.</p> <p>f.g. f.—Five years of success criteria for restoration areas (not applicable to willows), including separate percent cover criteria for herbaceous understory, shrub midstory, and tree overstory; a total percent absolute cover for all three layers at the end of 5 years for wetlands; a total percent absolute cover for uplands; evidence of natural recruitment of multiple species for all habitat types; 0% coverage for California Invasive Plant Council (Cal-IPC) List A and B species; and no more than 15% relative coverage for other weed species. As noted previously, willows will be planted but will not be included in meeting success criteria.</p> <p>g.h. g.—A minimum 5 years of maintenance and monitoring of restoration areas, unless success criteria are met earlier and all artificial water supplies have been off for at least 2 years.</p> <p>h.i. h.—A qualitative and quantitative vegetation monitoring plan with a map of proposed sampling locations for the restoration areas. Photo points will be used for qualitative monitoring and stratified-random sampling will be used for all quantitative monitoring.</p> <p>i.j. i.—Contingency measures in the event of restoration failure or infestation by the Kurushio shot hole borer (<i>Euwallacea</i> sp.) and failure to attain success criteria within the 5-year maintenance and monitoring period, not inclusive of the willow plantings.</p> <p>j.k. j.—Annual maintenance and monitoring reports to be submitted to USFWS no later than December 1 of each year.</p>	

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	<p>k.l. k. —If maintenance of the wetland restoration area is necessary between March 15 and September 15, a biologist with knowledge of light-footed Ridgway's rail (<i>Rallus obsoletus levipes</i>) and least Bell's vireo (<i>Vireo bellii pusillus</i>) biology and ecology and approved by USFWS to survey for these species within the restoration area, access paths to it, and other areas susceptible to disturbances by restoration site maintenance. Surveys will consist of three visits, separated by 2 weeks, starting April 1 of each maintenance/monitoring year. Restoration work will be allowed to continue on the site during the survey period. However, if rails or vireos are found during any of the visits, the project applicant will notify and coordinate with USFWS to identify measures to avoid and/or minimize effects to these species (e.g., nests and an appropriate buffer will be flagged by the biologist and avoided by the maintenance work).</p> <p>2. All areas of the site that are preserved or restored as part of mitigation for project impacts shall be preserved in perpetuity through a recorded conservation easement. Because it is a contiguous area of preserve and would be restored in a comprehensive manner, the conservation easement and management will be addressed for both the City of Carlsbad and City of Oceanside combined. The easement will be in favor of CDFW or other agent approved by USFWS, and USFWS will be named as the third-party beneficiary. The easement will be approved by USFWS and reviewed by CDFW and the City of Carlsbad prior to its execution. The project applicant will submit a draft easement to USFWS for review and approval at least 60 days prior to initiating project impacts. The project applicant will submit the final easement and evidence of its recordation to USFWS within 60 days of receiving approval of the draft easement. The City of Oceanside will be responsible for ensuring that the easement is implemented, as well as for its long-term management and monitoring by a qualified land manager. The easement will be held by an approved non-profit or similar entity with sufficient annual maintenance and monitoring funding provided through a non-wasting endowment. Within the City of Carlsbad, per the Carlsbad HMP, projects are required to provide for the permanent management, maintenance and biological monitoring in perpetuity of all on-site and off-site mitigation land and all habitat preserve areas within the boundaries of the property in which the project is located according to the provisions of the Habitat Management Requirements outlined in Section 21.210.050 of the Carlsbad Municipal Code. For the proposed project, all areas that are designated as preserve, inclusive of the wetlands, the biological buffer, and the planning buffer, will be included in the conservation easement for in-perpetuity management.</p>	

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	<p>3. The project applicant will prepare and implement a perpetual management, maintenance, and monitoring plan for all on-site biological conservation easement areas. <u>The management, maintenance, and monitoring plan will outline biological resources on the site, provide for monitoring of biological resources, address potential impacts to biological resources, and identify actions to be taken to eliminate or minimize those impacts.</u> <del>¶</del> <u>The City of Carlsbad will requires a conservation easement.</u> Therefore, the applicant will also establish a non-wasting endowment for an amount approved by the agencies based on a Property Analysis Record (PAR) (Center for Natural Lands Management ©1998) or similar cost estimation method to secure the ongoing funding for the perpetual management, maintenance, and monitoring of the biological conservation easement area by an agency, non-profit organization, or other entity approved by the agencies. <u>It should be demonstrated that the proposed funding mechanism would ensure that adequate funds would be available on an annual basis to implement the plan.</u> The applicant will submit a draft plan, including (1) a description of perpetual management, maintenance, and monitoring actions and the PAR or other cost estimation results for the non-wasting endowment and (2) the proposed land manager's name, qualifications, business address, and contact information to <u>USFWS, CDFW, and City of Carlsbad</u> for approval at least 60 days prior to initiating project impacts. The applicant will submit the final plan to <u>USFWS, CDFW, and City of Carlsbad for approval</u> and a contract with the approved land manager, as well as transfer the funds for the non-wasting endowment to a non-profit conservation entity, within 60 days of receiving approval of the draft plan <u>and prior to initiating impacts.</u></p> <p>4. Prior to the issuance of a grading permit(s), a biologist shall be retained and approved by the Cities and wildlife agencies to monitor construction activities. The biologist will monitor all grading and other significant ground disturbing activities in or adjacent to open space areas to ensure that the project complies with the applicable standard conditions, resource agency permits, and mitigation measures. Additional requirements of the Biological Monitor are outlined below for special-status wildlife species.</p> <p>5. In conjunction with the restoration and habitat improvement proposed for the project, it must be recognized that the upstream sections of Buena Vista Creek channel have been subject to permitted and ongoing creek maintenance activities conducted by the City of Carlsbad since 2004, where reaches of the channel are cleared of wetland vegetation to maintain sufficient water flow and to reduce flood risk. During 2010, approximately half of the channel on the project site was cleared of the wetland vegetation in the channel. The City of Carlsbad's maintenance program extended for a 10-year period starting in 2003. In 2013, a supplemental environmental impact report (EIR) was adopted and all necessary</p>	

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	<p>permits issued to allow maintenance for a 20-year period. The segment of the creek adjacent to the project site has been identified for maintenance in Years 1, 2, and 3 (Years 2014 to 2017). Regardless of the activities that are part of the proposed project, including construction and restoration, the creek maintenance activities will be allowed to take place as needed and as permitted within the channel.</p>	
<p>Impacts to jurisdictional waters and wetlands</p>	<p><b>MM-BIO-3:</b> There are no off-site wetland or other jurisdictional resources that are proposed to be impacted for the project. There is a total of 0.02 acres permanent impact to <del>the wetland community-mulefat scrub vegetation, which is located on the north side of the project site, adjacent to SR-78. The 0.2-acre mulefat scrub area is located in the uplands and was created by runoff from State Route 78 and therefore, is not regulated by the CCC, U.S. Army Corps of Engineers (ACOE), Regional Water Quality Control Board (RWQCB), CCC and/or CDFW within the City of Oceanside.</del> The area of temporary impacts to freshwater marsh, open water, southern willow scrub, and mulefat scrub are located within the existing storm drain outlet construction areas or the bridge construction areas, <del>which also overlap with the and also within the</del> Carlsbad creek maintenance area and as such no restoration is allowed within the maintenance easement. Mitigation for these permanent and temporary impacts is discussed below.</p> <p>Due to ongoing and agency-approved vegetation removal within the creek maintenance area, on-site vegetation restoration within the creek channel is not feasible. Therefore, ground surfaces shall be returned to pre-construction contours and any temporal loss of vegetation (if present at the time of construction) shall be mitigated through the restoration of the wetland buffer, which shall provide 1.18 acres of wetland/transitional riparian habitat that will be creation of new wetlands. The mitigation for the permanent impacts to 0.02 acres of mulefat scrub <u>located at the north property boundary, adjacent to SR-78,</u> will be at a 3:1 ratio and shall also be included in the restoration of the wetland buffer. <del>These jurisdictional areas are regulated by the U.S. Army Corps of Engineers (ACOE), Regional Water Quality Control Board (RWQCB), and/or CDFW so the mitigation ratios will be subject to the requirement imposed through these permitting processes.</del> Additional wetland mitigation that is required at the time of permitting, if acreage is not adequate within the on-site restoration, can be implemented by the purchase of mitigation credits at a suitable mitigation bank, such as the San Luis Rey Wetland Mitigation Bank. This mitigation bank includes Buena Vista Creek within its primary service area and currently has credits available. Restoration plans shall be approved by the City of Oceanside and regulatory agencies prior to the issuance of grading or construction permits.</p>	<p>Less than significant</p>

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Impact	Mitigation Measures	Level of Significance After Mitigation
	Temporary impacts caused by construction of the bridge and storm drain that occur within the proposed restoration site (that is, they are not located in the creek and thus are not within the creek maintenance area) shall be mitigated by restoration in place per the proposed concept design.	
Impacts to jurisdictional waters and wetlands	<b>MM-BIO-4:</b> Prior to the issuance of permits for grading or construction activities, the applicant shall obtain an ACOE Section 404 permit, a CDFW Section 1602 Streambed Alteration Agreement, an RWQCB Section 401 Water Quality Certification, a USFWS Section 7 Biological Opinion, <u>Coastal Development Permit</u> , and a CDFW 2081 permit. The applicant shall be required to implement mitigation provided in each of these permits, to the satisfaction of each respective agency.	Less than significant
Impacts to special-status wildlife species	<p><b>MM-BIO-5:</b> Direct impacts to least Bell's vireo, light-footed Ridgway's rail, Clark's marsh wren (<i>Cistothorus palustris clarkae</i>), and yellow warbler (<i>Setophaga petechia</i>) are not anticipated because these bird species are highly mobile and avoidance measures would be applied to avoid impacts during the nesting season for these species. However, some permanent and temporary impacts to suitable habitat will occur.</p> <p>As noted previously, the permanent impact to 0.02 acres of wetland habitat will be mitigated by inclusion in the restoration of the wetland buffer.</p> <p>The temporary impact to 0.383 acres of wetland habitat will be restored with native species within the 50-foot biological buffer.</p> <p>To avoid direct impacts to nesting raptors and songbirds, construction of the project shall be phased to avoid the migratory bird nesting season (typically February 15 through September 15). If project construction must occur during the migratory bird nesting season, a project-specific Nesting Bird Management Plan (Plan) shall be prepared. The Plan shall be submitted to CDFW prior to commencement of project activities. The Plan shall include detailed methods and definitions to enable a qualified avian biologist to monitor and implement nest-specific buffers based upon the life history of the individual species; the species sensitivity to noise, vibration, and general disturbance; individual bird behavior; current site conditions, such as screening of vegetation and topography and ambient levels of human activity; the various project-related activities necessary to construct the project, and other features as appropriate. The Plan shall be supported by survey documentation including dates of survey, total field time of survey efforts, map of survey routes, names of investigators, and if any active nests were found. The Plan shall be supported by a Nest Record Log which tracks each nest and its outcome. Each nest identified in the Plan shall be monitored until the nest becomes inactive. In general, the Plan will outline that a focused avian nesting survey shall be performed in the development footprint and within 300 feet of the proposed development by a qualified biologist for a minimum of three weekly visits, including the last survey to be conducted 72 hours</p>	Less than significant

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	prior to construction. If an active bird nest is found, the nest shall be flagged and mapped on the construction plans along with an appropriate buffer, which shall be determined by the biologist in consultation with USFWS, CDFW, and the City of Oceanside based on the Plan and on the biology of the species. The nest area shall be avoided until the nest is vacated and the juveniles have fledged. The nest area shall be demarcated in the field with flagging and stakes or construction fencing. Construction shall be permitted in areas outside of the buffer area for the nest. If nesting birds are present on site, a biological monitor shall be present daily during construction activities while the nest(s) is (are) active to ensure that no impacts to nesting birds occur.	
Impacts to special-status wildlife species	<b>MM-BIO-6:</b> Prior to the issuance of grading or construction permits, the applicant shall obtain a USFWS Section 7 Biological Opinion and a CDFW 2081 permit for potential indirect effects to least Bell's vireo or alternatively obtain verification from these agencies that such permits are not necessary for the project. The applicant shall be required to implement mitigation provided in each of these permits, to the satisfaction of each respective agency.	Less than significant
Impacts to special-status wildlife species	<b>MM-BIO-7:</b> A contractor education program shall be prepared and implemented to apprise all construction personnel and subcontractors of environmental restrictions relevant to construction and the penalties for violations. A protocol for communicating problems or potential construction changes that may affect biological resources shall be established with the contractor and the applicant. Workers shall be made aware of protected habitat and the occurrence of sensitive species in the area through the use of photos or on-the-ground demonstration. The sensitivity of certain special-status wildlife species to human activities, the legal protection afforded to those species, and the roles and authority of monitoring biologists shall also be discussed.	Less than significant
Impacts to special-status wildlife species	<b>MM-BIO-8:</b> The Biological Monitor shall be on site during any initial clearing of habitat (annual ground cover, shrubs, or trees). The monitoring biologist shall flush sensitive species (avian or other mobile species) from occupied habitat areas immediately prior to brush-clearing and earthmoving activities.	Less than significant
Impacts to sensitive vegetation communities and jurisdictional resources	<b>MM-BIO-9:</b> To mitigate for indirect impacts to vegetation communities and jurisdictional resources, native habitat buffers shall be incorporated into the project. A 50-foot biological buffer and a 50-foot planning buffer shall be established. Within the Carlsbad HMP, buffers do not include the option of a biological and planning buffer configuration and are required to be at least 100 feet wide when adjacent to habitat occupied by the least Bell's vireo or southwestern willow flycatcher, unless a lesser buffer is approved by the wildlife agencies. Based on the surveys conducted for these species, neither species is using the habitat adjacent to the wetland areas for breeding; therefore, the agencies have concurred that the 50-foot biological buffer and 50-foot planning buffer are acceptable. In addition, within the coastal zone within the Carlsbad HMP, buffers are to be a minimum of 50 feet wide	Less than significant

**Table ES-1  
Summary of Significant Environmental Impacts**

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>surrounding riparian habitat. The Carlsbad HMP allows for an alternative buffer configuration to allow for modification of buffers, which also must be approved by the wildlife agencies. Within the Oceanside Subarea Plan, a minimum 50-foot biological buffer plus a minimum 50-foot planning buffer is required. The required buffer configuration per the Oceanside Subarea Plan is included in this mitigation measure; the alternative buffer configuration required per the Carlsbad HMP is included as approved by the wildlife agencies. The buffer distance is to be measured from the edge of the riparian vegetation, as directed by the CCC. Buffers are intended to ensure the biological integrity and preservation of the wetland. The buffer area shall serve as transitional habitat composed of native vegetation and will also provide physical barriers to mitigate for impacts caused by human intrusion. The buffer to the Buena Vista Creek channel currently supports 1.49 acres of coastal sage scrub and 0.05 acres of mulefat scrub; after implementation of habitat restoration and enhancement, the buffer area will contain 1.29 acres of coastal sage scrub and 1.18 acres of wetland transitional habitat on site.</p> <p>Written concurrence shall be obtained from the CCC, CDFW, and USFWS for an alternative buffer configuration as required by the Oceanside Subarea Plan and Carlsbad HMP.</p>	
<p>Impacts to sensitive vegetation communities and jurisdictional resources</p>	<p><b>MM-BIO-10:</b> Wetland buffer design features shall be required to minimize and avoid indirect impacts on adjacent wetlands, including the following:</p> <ol style="list-style-type: none"> <li>a. Habitat restoration, as described in mitigation for direct impacts, shall be required in the wetland buffer.</li> <li>b. The fire access road shall be constructed with grasscrete to allow for pervious conditions and to avoid and minimize surface runoff. Additionally, the pedestrian trail shall be co-located within the fire access road to avoid any additional impacts associated with the pedestrian walkway.</li> <li>c. The edge of all hardscaping associated with the hotel development shall be 3- to 6-foot-tall solid masonry walls. Each wall shall include 3-foot-high clear glazing non-reflective panels secured to the top. This design feature will avoid and minimize noise, lighting, and human access into the wetland buffer area from the hotel development. Additionally, human access to the wetland buffer zone shall be avoided and minimized through the proposed split-rail fence located along the southerly edge of the fire access road.</li> </ol>	<p>Less than significant</p>
<p>Impacts to sensitive vegetation communities and jurisdictional resources</p>	<p><b>MM-BIO-11:</b> All native or sensitive habitats outside and adjacent to the permanent and temporary impact limits will be designated as Environmentally Sensitive Areas on project maps. Environmentally Sensitive Areas will be temporarily fenced during construction with orange plastic snow fence, orange silt fencing, or in areas of flowing water, with stakes/posts, flagging, rope, and/or wire. No personnel, equipment, or debris will be allowed within the Environmentally</p>	<p>Less than significant</p>

**Table ES-1  
Summary of Significant Environmental Impacts**

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>Sensitive Areas. Fencing and flagging shall be installed in a manner that does not impact habitats to be avoided and such that it is clearly visible to personnel on foot and operating heavy equipment. The project applicant will submit to USFWS for approval, at least 5 days prior to initiating project impacts (except for impacts resulting from clearing to install temporary fencing), the final plans for initial clearing and grubbing of habitat and project construction. These final plans will include photographs that show the fenced and flagged limits of impact and all areas to be impacted or avoided. If work occurs beyond the fenced or demarcated limits of impact, all work will cease until the problem has been remedied to the satisfaction of USFWS. Temporary construction fencing and markers shall be maintained in good repair until the completion of each phase of project construction and shall be removed upon completion of each project phase.</p> <p>Appropriate best management practices (BMPs) will be used to control erosion and sedimentation and to capture debris and contaminants from project construction to prevent their deposition into Buena Vista Creek. Activities involving soil disturbance and vegetation removal associated with project development shall include construction phase erosion-control and polluted-runoff-control plans. All debris from construction of bridges will be contained so that it does not fall into channels. All BMPs used in Buena Vista Creek will be made from biodegradable materials such as jute, with no plastic mesh, to avoid creating a wildlife entanglement hazard. Other BMPs may include the periodic watering of bare areas and the direction of construction area drainage to existing storm drain facilities.</p>	
Impacts to sensitive vegetation communities and jurisdictional resources	<b>MM-BIO-12:</b> During construction, material stockpiles shall be placed such that they cause minimal interference with on-site drainage patterns. Silt fencing and other silt containment devices shall be installed where necessary to prevent off-site transport of sediment and pollutants.	Less than significant
Impacts to sensitive vegetation communities and jurisdictional resources	<b>MM-BIO-13:</b> During project construction, all invasive species included on National Invasive Species Management Plan, the State of California’s Noxious Weed List, and the Cal-IPC Invasive Plant Inventory list found growing on the project site will be removed. Weed removal will be conducted on the project site at least once per year during the construction period. Special care will be taken during transport, use, and disposal of soils containing invasive weed seeds and all weedy vegetation removed during construction will be properly disposed of to prevent spread into areas outside of the construction area. No plant species listed as problematic and/or invasive by the California Native Plant Society or the Cal-IPC, or as may be identified by the State of California, shall be employed or allowed to naturalize or persist on the site. No plant species listed as a “noxious weed” by the State of California or the federal government shall be used within the property.	Less than significant

**Table ES-1**  
**Summary of Significant Environmental Impacts**

Impact	Mitigation Measures	Level of Significance After Mitigation
<p>Impacts to sensitive vegetation communities and jurisdictional resources</p>	<p><b>MM-BIO-14:</b> Any planting stock to be brought onto the project site for landscaping or habitat restoration will be first inspected by a qualified pest inspector to ensure it is free of pest species that could invade natural areas, including, but not limited to, Argentine ant (<i>Linepithema humile</i>), fire ant (<i>Solenopsis invicta</i>), and other insect pests. Any planting stock found to be infested with such pests will not be allowed on the project site or within 300 feet of natural habitats unless documentation is provided to USFWS that these pests already occur in natural areas around the project site. The stock will be quarantined, treated, or disposed of according to best management principles by qualified experts in a manner that precludes invasions into natural habitats. The project applicant will ensure that all temporary irrigation will be used for the shortest duration possible, and that no permanent irrigation will be used, for landscape or habitat restoration.</p> <p>The project applicant will ensure that the following conditions are implemented during project construction:</p> <ol style="list-style-type: none"> <li>a. Employees shall strictly limit their activities, vehicles, equipment, and construction materials to the fenced project footprint.</li> <li>b. Pets of project personnel shall not be allowed on the project site.</li> <li>c. Disposal or temporary placement of excess fill, brush, or other debris shall not be allowed in waters of the United States or their banks.</li> <li>d. All equipment maintenance, staging, and dispensing of fuel, oil, or coolant, or any other such activities, shall occur in designated areas outside of open water (i.e., waters of the United States) within the fenced project impact limits to the extent practicable. These designated areas shall be located in previously compacted and disturbed areas to the maximum extent practicable in such a manner as to prevent any runoff from entering open water (i.e., waters of the United States), and will be shown on the construction plans. Fueling of equipment shall take place within existing compacted and disturbed areas of the riverbed greater than 50 feet from open water (i.e., waters of the United States) to the maximum extent practicable. A spill prevention control and countermeasure plan shall be prepared by the contractor that includes provisions for conducting vehicle maintenance and dispensing fuel, oil, and coolant, and related activities according to the applicable laws. Contractor equipment shall be checked for leaks prior to operation and repaired as necessary. No-fueling zones shall be designated on construction plans.</li> <li>e. All construction equipment used for the project shall be equipped with properly operating and maintained mufflers.</li> <li>f. No bridge construction shall occur at night during the breeding season. If nighttime construction for the rest of the project is necessary, all lighting used at night for project construction (e.g., staging areas, equipment storage sites, roadway) shall be selectively placed and directed onto the roadway or construction</li> </ol>	<p>Less than significant</p>

**Table ES-1  
Summary of Significant Environmental Impacts**

Impact	Mitigation Measures	Level of Significance After Mitigation
	site and away from sensitive habitats. Light glare shields shall be used to reduce the extent of illumination into sensitive habitats.	
Impacts to sensitive vegetation communities and jurisdictional resources	<p><b>MM-BIO-15:</b> Upon project completion, signage shall be included in the sensitive habitat areas, where determined appropriate, for the purpose of identifying adjacent habitats and educating employees and inn guests on the importance of staying on designated trails/paths, proper trash disposal, and reducing fire hazards.</p> <p>The project applicant shall install permanent protective fencing/walls along the buffer interface to deter human entrance into the buffer and Buena Vista Creek. The fencing/walls shall have no gates (except to allow access for channel/buffer maintenance and emergencies) and should be galvanized tubular or solid steel and at least 7 feet in height and cantilevered to discourage vandalism and trespass. Installed fencing should tie into existing fencing where possible to prevent trespass. Signage for the buffer area shall be posted and maintained at conspicuous locations. Plans for the fencing/walls shall be submitted to USFWS for approval at least 60 days prior to initiation of project construction. Fencing shall be installed prior to use of the project.</p>	Less than significant
Impacts to special-status wildlife species	<p><b>MM-BIO-16:</b> A USFWS-approved biologist (Biological Monitor) shall be on site (1) during clearing and grubbing and (2) weekly during project construction within 500 feet of least Bell's vireo and light-footed Ridgway's rail habitat to ensure compliance with all conservation measures. The project applicant shall submit the biologist's name, address, telephone number, and work schedule on the project to USFWS at least 5 working days prior to initiating project impacts. The contract of the Biological Monitor shall allow direct communication with USFWS at any time regarding the proposed project. The Biological Monitor shall be provided with a copy of this consultation. The Biological Monitor shall be available during pre-construction and construction phases to review grading plans, address protection of sensitive biological resources, and monitor ongoing work to ensure that issues relating to biological resources are appropriately and lawfully managed. The Biological Monitor shall perform the following duties:</p> <ol style="list-style-type: none"> <li>a. The Biological Monitor shall perform a minimum of three focused surveys, on separate days, to determine the presence of least Bell's vireo and light-footed Ridgway's rail nest building activities, egg incubation activities, or brood rearing activities within 500 feet of project construction proposed during each species' breeding season. The surveys shall begin a maximum of 7 days prior to the project initiation of work. Additional surveys shall be done once a week during project construction in the breeding season. These additional surveys may be suspended as approved by the wildlife agencies. The project applicant shall notify USFWS at least 7 days prior to the initiation of surveys and within 24 hours of locating any rails and/or vireos.</li> <li>b. If an active least Bell's vireo and/or light-footed Ridgway's rail nest is found within 500 feet of project construction, the Biological</li> </ol>	Less than significant

**Table ES-1  
Summary of Significant Environmental Impacts**

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>Monitor shall postpone work within 500 feet of the nest(s) and contact USFWS to discuss (1) the best approach to avoid/minimize impacts to the nesting birds (e.g., sound walls, noise monitoring) and (2) a nest monitoring program acceptable to USFWS. Subsequent to these discussions, work may be initiated subject to implementation of the agreed-upon avoidance/minimization approach and nest monitoring program. Nest monitoring shall occur according to a schedule approved by USFWS. The Biological Monitor will determine whether bird activity is being disrupted. If the Biological Monitor determines that bird activity is being disrupted, the project applicant shall stop work and coordinate with USFWS to review the avoidance/minimization approach. Upon agreement as to the necessary revisions to the avoidance/minimization approach, work may resume subject to the revisions and continued nest monitoring. Nest monitoring will continue until fledglings have dispersed, as approved by USFWS.</p> <p>c. Immediately prior to initiating vegetation clearing/grubbing and project construction in Buena Vista Creek outside the rail breeding season, the Biological Monitor shall perform a minimum of three focused pre-construction surveys, on separate days, to determine the presence of rails in the project impact footprint. Surveys will begin a maximum of 30 days prior to performing vegetation clearing/grubbing, and one survey will be conducted the day immediately prior to the initiation of vegetation clearing/grubbing and project construction. The project applicant will notify USFWS at least 7 days prior to project construction to allow USFWS to coordinate with the Biological Monitor on the surveys and within 24 hours of detecting any rails in the project impact footprint.</p> <p>d. The Biological Monitor shall oversee installation of and inspect the rail exclusionary fencing and rail movement path under the Buena Vista Creek bridge required by MM-BIO-17a and MM-BIO-17b a minimum of once per day to help ensure that any breaks in the fence are repaired immediately and that the rail movement path is opened and closed at the end and beginning of each bridge construction day in Buena Vista Creek.</p> <p>e. Before each workday begins for construction within the riverbed of Buena Vista Creek, the Biological Monitor shall check to see whether rails have entered the fenced project footprint. The Biological Monitor shall notify USFWS immediately after detecting any rails in the project impact footprint.</p> <p>f. If any rails are found within the project footprint, the Biological Monitor shall direct construction personnel to begin in an area away from the rails and flush birds toward channel areas to be avoided. It will be the responsibility of the Biological Monitor to ensure that rails will not be injured or killed by project construction. The Biological Monitor will also record the number and location of rails disturbed by project construction.</p> <p>g. The Biological Monitor shall oversee installation of and inspect the</p>	

**Table ES-1  
Summary of Significant Environmental Impacts**

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>construction fencing and erosion control measures a minimum of once per week to ensure that any breaks in the fencing or erosion control measures are repaired immediately.</p> <p>h. The Biological Monitor shall periodically monitor the work area to ensure that work activities do not generate excessive amounts of dust.</p> <p>i. The Biological Monitor shall train all contractors and construction personnel on the biological resources associated with the project and ensure that training is implemented by construction personnel. At a minimum, training shall include (1) the purpose for resource protection; (2) a description of the rail, vireo, and their habitats; (3) the conservation measures that should be implemented during project construction to conserve the rail and vireo, including strictly limiting activities, vehicles, equipment, and construction materials to the fenced project footprint to avoid sensitive resource areas in the field (i.e., avoided areas delineated on maps or on the project site by fencing); (4) environmentally responsible construction practices in MM-BIO-17; (5) the protocol to resolve conflicts that may arise at any time during the construction process; and (6) the general provisions of the federal Endangered Species Act (ESA), the need to adhere to the provisions of the ESA, and the penalties associated with violating the ESA.</p> <p>j. The Biological Monitor shall halt work, if necessary, and confer with USFWS to ensure the proper implementation of species and habitat protection measures. The Biological Monitor shall report any non-compliance issue to USFWS within 24 hours of its occurrence.</p> <p>k. The Biological Monitor shall monitor the project site immediately prior to and during construction to identify the presence of invasive weeds, as required by MM-BIO-14, and recommend measures to avoid their inadvertent spread in association with the project. Such measures may include inspection and cleaning of construction equipment and use of eradication strategies. All heavy equipment shall be washed and cleaned of debris prior to entering sensitive habitat areas to minimize the spread of invasive weeds.</p> <p>l. The Biological Monitor shall submit weekly and bi-monthly email reports (including photographs of impact areas) during the breeding and non-breeding seasons, respectively, to USFWS during clearing and construction activities within 500 feet of vireo and rail habitats. The weekly reports will document that authorized impacts were not exceeded and general compliance with all conditions. The reports will also outline the location of construction activities, the type of construction that occurred, and equipment used. These reports will specify numbers, locations, and sex of vireos and rails (if observed); their observed behavior (especially in relation to construction activities); and remedial measures employed to avoid and minimize impacts to these species. Raw field notes should be available upon request by USFWS.</p> <p>m. The Biological Monitor shall submit a final report to USFWS within 60 days of project construction that includes photographs of habitat</p>	

**Table ES-1**  
**Summary of Significant Environmental Impacts**

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>areas that were to be avoided and other relevant summary information documenting that authorized impacts were not exceeded and that general compliance with all conservation measures was achieved. As-built construction drawings with an overlay of habitat that was impacted and avoided shall be provided as well once they have been completed.</p>	
Impacts to special-status wildlife species	<p><b>MM-BIO-17:</b> The project applicant will implement the following measures during construction within the Buena Vista Creek (i.e., vegetation clearing, buffer grading, pile driving, temporary bridge construction, and demolition):</p> <ol style="list-style-type: none"> <li>a. Immediately after the project construction footprint is surveyed by the Biological Monitor as required in MM-BIO-16, a 3- to 5-foot-tall exclusionary fence with a maximum of 2-inch mesh openings shall be installed to inhibit entry of rails into the construction footprint in Buena Vista Creek and to ensure that impact limits are not exceeded. If necessary to maintain the movement corridor required by MM-BIO-17(b), exclusionary fencing may be left open during construction that will not take place directly in the riverbed.</li> <li>b. A path for rail movement under Buena Vista Creek bridge shall be maintained at all times, except during project construction in the riverbed that precludes such a path. The path for rail movement will always include a portion that is not submerged.</li> <li>c. Prior to construction within Buena Vista Creek, the project applicant shall submit a plan to USFWS for the rail exclusionary fencing and movement path.</li> </ol>	Less than significant
Impacts to special-status wildlife species	<p><b>MM-BIO-18:</b> To avoid short-term indirect noise impacts on special-status wildlife, a focused avian nesting survey shall be performed by a qualified biologist in the development footprint and within 300 feet of the proposed development if project construction occurs during the migratory bird nesting season (typically February 15 through September 15). The survey shall be performed by a qualified biologist 72 hours prior to construction. If an active bird nest is found, the nest shall be flagged and mapped on the construction plans with USFWS, CDFW, and the City of Oceanside based on the biology of the species. The nest area shall be avoided until the nest is vacated and the juveniles have fledged. The nest area shall be demarcated in the field with flagging and stakes or construction fencing. Construction shall be permitted in areas outside of the nest and buffer area. If nesting birds are present on site, a biological monitor shall be present daily while the nest(s) is (are) active to ensure that no impacts to nesting birds occur. Clearing and grubbing of wetland habitat, bridge construction, and storm drain areas will not occur between March 15 and September 15 (or sooner if a qualified biologist demonstrates to the satisfaction of USFWS that all nesting is complete) to avoid the least Bell's vireo and light-footed Ridgway's rail nesting seasons.</p>	Less than significant

**Table ES-1**  
**Summary of Significant Environmental Impacts**

Impact	Mitigation Measures	Level of Significance After Mitigation
Impacts to special-status wildlife species	<b>MM-BIO-19:</b> All local ordinances shall be complied with pertaining to noise issues to ensure that wildlife species using the adjacent habitat are not disrupted by short-term construction-related noise. In accordance with the Oceanside Subarea Plan and City of Carlsbad Riparian Buffer Guidelines, construction noise levels at the riparian canopy edge shall be kept below 60 A-weighted decibels measured as equivalent sound level (dBA $L_{eq}$ ) from 5:00 a.m. to 11:00 a.m. during the peak nesting period of March 15 to July 15. For the balance of the day/season, the noise levels shall not exceed 60 dBA, averaged over a 1-hour period on an A-weighted decibel (i.e., 1 hour $L_{eq}$ /dBA). Noise levels shall be monitored and monitoring reports shall be provided to the jurisdictional city, USFWS, and CDFW. Noise levels in excess of this threshold shall require written concurrence from USFWS and CDFW and may require additional minimization/mitigation measures. The project noise report indicates that noise levels within the riparian buffer will be reduced during operation of the project due to the blocking of traffic noise by the proposed building structures and the construction of 3- to 6-foot-high structural masonry walls, with 3-foot-high clear glazing panels and vegetated planters, adjacent to the buffer.	Less than significant
Impacts to special-status wildlife species	<b>MM-BIO-20:</b> To avoid long-term impacts, the project applicant will incorporate design features to ensure that buildings and the bridge designs minimize effects to vireos and rails. Design features that prevent raptors and avian predators from perching will include the use of anti-perching devices, such as Nixalite, on light poles, rooftops, and other perching locations including potential perching features on the bridge. Anti-nesting devices will be installed on appropriate structures to prevent prey species from nesting on buildings, which may attract predatory avian species. Additional building design features may include minimizing building heights to reduce bird collisions, altering roof pitch designs to minimize perching, and limiting the number of new light poles or new perching structures. Light poles and light placement will be constructed at the lowest height possible (considering security constraints) to reduce effects to the vireo and rail by reducing raptor perching sites and to reduce light pollution. The applicant will submit a design plan for minimizing the effects of vireos and rails to USFWS at least 60 days prior to initiating project construction.	Less than significant
Impacts to special-status wildlife species	<b>MM-BIO-21:</b> To reduce long-term nighttime lighting impacts, shielded low-sodium low-wattage lighting shall be used for all proposed building and accent lighting to cut glare and light scatter and to direct light away from sensitive biological resources. In addition, a foot-candle study addressing lighting from the hotel rooms was conducted to determine the amount of light received within the wetland area. Based on the results from this study, it was determined that no light spillage into the riparian buffer from the hotel development would occur. The study indicated that there would be minor light spillage from the span bridge. As a result, the applicant is proposing to provide rail lighting instead of pole lighting, which will reduce the light spillage into Buena Vista Creek	Less than significant

**Table ES-1  
Summary of Significant Environmental Impacts**

Impact	Mitigation Measures	Level of Significance After Mitigation
	to 0.0 foot-candles. The project applicant shall submit a lighting plan to USFWS at least 60 days prior to initiating project construction.	
Impacts to special-status wildlife species	<p><b>MM-BIO-22:</b> To reduce the potential for brown-headed cowbird (<i>Molothrus ater</i>) parasitism of vireo nests, and predation of vireo and rail nests by scavenging mammals and birds (e.g., rats, opossum, raccoon, ravens, crows, and gulls), the project applicant shall:</p> <ol style="list-style-type: none"> <li>Place signs around the site near trash containers reminding people to pick up and throw away their trash properly.</li> <li>Fit all trash cans and dumpsters with secure lids to prevent scattering of litter.</li> <li>Remove trash daily or as required to prevent overflow of trash from closed trash cans and dumpsters.</li> </ol>	Less than significant
Impacts to birds	<p><b>MM-BIO-23:</b> This mitigation measure incorporates the recommendation of the City of Chicago’s Bird-Safe Building Design Guide; the City of Toronto’s Fatal Lights Awareness Program’s Bird-Friendly Development Guidelines; the Resource Guide for Bird-Friendly Building Design, Portland, Oregon; and Standards for Bird-Safe Buildings, San Francisco Planning Department.</p> <p>Prior to issuance of any building permits, building plans shall be reviewed by a qualified biologist retained by the developer and approved by the City of Oceanside, to verify that the proposed building has incorporated specific design features to avoid or reduce the potential for bird strikes, including but not limited to the following:</p> <p><b>Lighting</b></p> <ul style="list-style-type: none"> <li>No solid red or pulsating red lights shall be installed on or near the building unless required by the Federal Aviation Administration (FAA).</li> <li>Where lighting must be used for safety reasons (FAA 2000 Advisory Circular), minimum intensity, maximum off-phased (3 seconds between flashes) white strobes shall be used.</li> <li>No solid spot lights or intense bright lights shall be used during bird migration periods in the spring (from March to May) and fall (from August to October).</li> <li>Exterior lighting shall be limited to that which is necessary and appropriate to ensure general public safety and wayfinding, including signage for building identification and wayfinding. Outdoor lighting should use automatic controls (timers, photo-sensors, infrared, and motion detectors).</li> <li>Exterior lighting shall be directed downward and shielded to prevent upward lighting and to minimize light spill beyond the area for which illumination is required.</li> <li>Hotel rooms shall be equipped with motion sensors, timers, or other lighting control systems to ensure that lighting is extinguished when the space is unoccupied.</li> </ul>	Less than significant

**Table ES-1  
Summary of Significant Environmental Impacts**

Impact	Mitigation Measures	Level of Significance After Mitigation
	<ul style="list-style-type: none"> <li>• Hotel rooms shall be equipped with blinds, drapes, or other window coverings that may be closed to minimize the effects of interior night lighting.</li> </ul> <p><b>Glass and Reflection</b></p> <ul style="list-style-type: none"> <li>• Use of mirrored glass or reflective coatings on any glass surface is prohibited.</li> <li>• Buildings shall incorporate measures to indicate to birds that the glass surface is solid by creating visual markers and muting reflection.</li> <li>• Glass on the hotel should be positioned so that it does not reflect vegetation, to the extent possible.</li> <li>• Project design standards will encourage window stenciling and angling. Because most birds will not fly through openings (real or perceived) that are smaller than 2 inches high and 4 inches wide, patterns on glass will be spaced no greater than 2 inches high and 4 inches wide (Audubon Society of Portland 2012).</li> </ul> <p>These measures may include but are not limited to the following:</p> <ul style="list-style-type: none"> <li>• Glass surfaces that are non-reflective</li> <li>• Glass surfaces that are tilted at a downward angle (of limited use)</li> <li>• Glass surfaces that use fritted, etched, or patterned glass</li> <li>• Glass surfaces that use vertical or horizontal mullions or other fenestration patterns</li> <li>• Glass surfaces that are fitted with screening, decorative grills, or louvers</li> <li>• Glass surfaces that use awnings, overhangs, bris sole, or other exterior sun-shading devices (of limited use)</li> <li>• Glass surfaces that use external films (e.g., 3M™ Scotchcal™ Perforated Window Graphic Film, ABC BirdTape) or coatings perceivable by birds</li> <li>• Translucent glass panels</li> <li>• Artwork, drapery, banners, and wall coverings that counter the reflection of glass surfaces or block “see-through” pathways</li> </ul> <p><b>Building Articulation</b></p> <ul style="list-style-type: none"> <li>• Structure design features that reduce or avoid the potential for bird strikes, such as secondary and tertiary setbacks, stepped-back building design, protruding balconies, recessed windows, and mullioned glazing systems, shall be incorporated to the extent feasible.</li> <li>• Design features that increase the potential for bird strikes, such as walkways constructed of clear glass and “see-through” pathways through lobbies, rooms, and corridors, shall be avoided to the extent feasible.</li> </ul>	

**Table ES-1  
Summary of Significant Environmental Impacts**

Impact	Mitigation Measures	Level of Significance After Mitigation
	<ul style="list-style-type: none"> <li>• Buildings shall be sited and designed to minimize glass and windows facing Buena Vista Creek and Buena Vista Lagoon to the maximum extent possible.</li> <li>• The hotel should be set back from off-site habitat areas to the maximum extent practical to minimize reflection of native habitat on windows.</li> </ul> <p><b>Landscaping</b></p> <ul style="list-style-type: none"> <li>• Exterior trees and landscaping shall be located and glass surfaces shall incorporate measures so that exterior trees and landscaping are not reflected on building surfaces.</li> <li>• In small exterior courtyards and recessed areas, the building's edge shall be clearly defined with opaque materials and non-reflective glass.</li> <li>• Interior plants shall be located a minimum of 10 feet away from glass surfaces to avoid or reduce the potential for attracting birds.</li> </ul> <p><b>Public Education</b></p> <ul style="list-style-type: none"> <li>• The hotel shall implement an ongoing program to encourage guests to close their blinds, drapes, or other window coverings to reduce or avoid the potential for bird strikes.</li> <li>• The hotel shall enroll in the Fatal Light Awareness Program's "Bird-Friendly Building Program" and shall implement ongoing guest education strategies to reduce or avoid the potential for bird strikes, such as elevator and lobby signage and educational displays, email alerts and other bulletins during spring and fall migratory seasons, and other activities designed to enlist cooperation in reducing bird collisions with the building.</li> </ul>	
<i>Air Quality</i>		
Violation of air quality standards	<p><b>MM-AQ-1:</b> <u>If required at the time of construction based on known construction equipment specifications:</u></p> <ul style="list-style-type: none"> <li>• All project construction equipment with a horsepower of 150 or higher shall be equipped with a diesel engine rated Tier 3 or higher.</li> <li>• All project construction equipment with a horsepower of 50 to 149 shall be equipped with a diesel engine rated Tier 2 or higher.</li> </ul>	Less than significant
<i>Greenhouse Gas Emissions</i>		
Impacts to greenhouse gas emissions	<p><b>MM-GHG-1 Greenhouse Gas Emissions (GHG) Reduction Measures.</b> The following GHG emissions reduction measures shall be implemented:</p> <ul style="list-style-type: none"> <li>• Use low-flow toilets and showers and drip irrigation (project design feature—quantified).</li> <li>• Implement electric shuttle service (project design feature—not quantified).</li> </ul>	Impact would remain significant and unavoidable

**Table ES-1  
Summary of Significant Environmental Impacts**

Impact	Mitigation Measures	Level of Significance After Mitigation
	<ul style="list-style-type: none"> <li>• Maintain and manage a guaranteed return trip program for employees where vanpool- and carpool-reliant employees will be provided a free return trip (to the point of commute origin), when a personal emergency situation requires it.</li> <li>• Require service fleet vehicles to be powered with alternative fuel technology where feasible.</li> <li>• Provide preferential parking for carpool, shared, electric, and hydrogen vehicles.</li> <li>• To encourage local community visitors to use pedestrian and bicycle modes of transportation to and from the site, provide sidewalks and crosswalks at all streets (along with general pedestrian connectivity throughout the project site), and integrate traffic-calming measures to promote reduced speeds on site.</li> <li>• Exceed 2016-Title 24 Building Energy Efficiency Standards by 10%.</li> <li>• Equip the pool(s) and spa(s) with active solar water-heating systems.</li> <li>• Implement energy-efficient design practices such as high-performance glazing, Energy Star compliant systems and appliances, radiant heat roof barriers, insulation on all pipes, programmable thermostats, solar access, and sealed ducts.</li> <li>• Prohibit use of chlorofluorocarbon refrigerants.</li> <li>• Minimize turf areas and encourage alternative ground covers.</li> <li>• <del>Use native species and drought-tolerant species for a minimum of 50% of the ornamental plant palette in non-turf areas to minimize water demand.</del></li> <li>• Ensure recycling of construction debris and waste through administration by an on-site recycling coordinator and presence of recycling/separation areas.</li> </ul>	
<i>Cultural Resources</i>		
Impacts to archaeological/cultural resources	<p><b>MM-CR-1:</b> <u>Prior to the issuance of a Grading Permit, the Applicant/Owner shall enter into a pre-excavation agreement with a representative of the San Luis Rey Band of Mission Indians, otherwise known as a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement. The Applicant/Owner shall submit a copy of the executed agreement with the Grading Permit application. The purpose of this agreement shall be to formalize protocols and procedures between the Applicant/Owner and the San Luis Rey Band for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities. A qualified archaeologist and a Luiseño Native American monitor shall be present to monitor all ground-disturbing activities (including off-site and on-site activities). Archaeological monitoring shall be implemented during grading and excavation for the proposed project.</u></p>	Less than significant

**Table ES-1  
Summary of Significant Environmental Impacts**

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>Prior to initiation of ground-disturbing activities, the archaeological monitor shall conduct a brief awareness training session for the benefit of all construction workers and supervisory personnel. The training, which could be held in conjunction with the project's initial on-site safety meeting, will explain the importance of and legal basis for the protection of significant archaeological resources. Each worker shall also learn the proper procedures to follow in the event that cultural resources or human remains/burials are uncovered during ground-disturbing activities. These procedures include curtailing or redirecting work and immediately contacting the site supervisor and the archaeological monitor. The worker education session shall include visual images of artifacts that might be found in the project vicinity, and the session shall take place on-site immediately prior to the start of ground-disturbing activities. Particular monitoring attention shall be paid to the boundary between the fill material and the underlying sediments to ensure that interpretation of the subsurface natural context is not biased by contamination with the shell from the fill material.</p>	
<p>Impacts to archaeological/cultural resources</p>	<p><b>MM-CR-2:</b> Prior to the issuance of a Grading Permit, the Applicant/Owner shall provide a copy of an executed contract to the City of Oceanside Planning Division providing that a Qualified Archaeologist and Luiseño Native American Monitor have been retained at the Applicant/Owner expense to implement the monitoring program, as described in the pre-excavation agreement. The applicant shall enter into a Cultural Resources Treatment and Tribal Monitoring Agreement, otherwise known as a Pre-Excavation Agreement with the San Luis Rey Band of Mission Indians (Tribe) prior to commencement of any ground-disturbing activities. The author of the archaeological monitoring program shall be in consultation with the Tribe to ensure that potential resources that may be impacted and/or affected be treated with dignity and respect.</p> <p>The agreement shall contain provisions to address the proper treatment of any cultural resources or Luiseño Native American human remains inadvertently uncovered during the course of the project. The agreement shall also outline the roles and powers of the Luiseño Native American monitors and the archeologist. The monitoring agreement shall specify that all deposits or other cultural resources shall be evaluated by both the archaeologist and the Luiseño Native American monitor for evaluation and determination as to whether the deposits are non-significant or significant in accordance with CEQA Guidelines Section 15064.5. In addition, any such uncovered artifacts of Luiseño Native American cultural importance shall be returned to the Tribe and/or if applicable to the Most Likely Descendant as determined by the Native American Heritage Commission, and shall not be curated.</p>	<p>Less than significant</p>
<p>Impacts to archaeological/cultural</p>	<p><b>MM-CR-3:</b> Prior to the release of the grading bond, the Qualified Archaeologist will have submitted a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusions</p>	<p>Less than significant</p>

**Table ES-1**  
**Summary of Significant Environmental Impacts**

Impact	Mitigation Measures	Level of Significance After Mitigation
resources	of the archaeological monitoring program (e.g., data recovery plan), along with the Luiseño Native American Monitor's notes and comments, to the City of Oceanside Planning Division for review and acceptance. If cultural resources are discovered during construction, all earth-moving activity within and around the immediate discovery area must be diverted until the Native American monitor and the archaeologist can assess the nature and significance of the find in accordance to California Public Resources Code 21083.2.	
Impacts to archaeological/cultural resources	<b>MM-CR-4:</b> The Qualified Archaeologist shall maintain ongoing collaborative consultation with the Luiseño Native American monitor during all ground disturbing activities (i.e. grubbing, clearing, grading, cutting, filling, trenching and/or boring). The requirement for the monitoring program shall be noted on all applicable construction documents, including demolition plans, grading plans, etc. The Applicant/Owner shall not begin any ground disturbing activities until they have provided the City of Oceanside Planning Division with a schedule of ground disturbing activities and until the Qualified Archaeologist and Luiseño Native American Monitor are on-site to conduct monitoring of all ground disturbing activities. If Native American remains and/or associated burial goods are unearthed, prior to a Most Likely Descendant being determined by the Native American Heritage Commission, the suspected Native American remains shall be kept in place, or in a secure location in close proximity to their discovery and a forensic anthropologist shall perform their analysis of the remains on-site in the presence of a Luiseño Native American monitor.	Less than significant
Impacts to archaeological/cultural resources	<b>MM-CR-5:</b> The City will invite the Qualified Archaeologist and Luiseño Native American Monitor to attend all applicable pre-construction meetings with the General Contractor and/or associated Subcontractors to present the archaeological monitoring program. The Qualified Archaeologist and Luiseño Native American Monitor shall be present on-site full-time during any ground disturbing activities, to identify any evidence of potential archaeological or tribal cultural resources. All fill materials shall be subject to appropriate and reasonable testing or sampling by the Qualified Archaeologist and Luiseño Native American Monitor to assure the recovery of any and all tribal cultural resources. All proposed fill material shall be clean of cultural resources and documented as such. Fill materials utilized from within the project boundaries shall also be analyzed and confirmed by an archaeologist and/or Luiseño Native American monitor that such fill material does not contain cultural resources.	Less than significant
Impacts to archaeological/cultural resources	<b>MM-CR-6:</b> The Qualified Archaeologist or the Luiseño Native American monitor may halt ground disturbing activities if unknown archaeological artifact deposits or cultural features are discovered. Ground disturbing activities shall be directed away from these deposits to allow a determination of potential importance. Isolates and clearly non-significant deposits will be minimally documented in the field, and before grading proceeds these items shall be given to the San Luis Rey Band so that they may be repatriated at the site on a later date. If the Qualified Archaeologist or Luiseño Native American Monitor determine that the unearthed artifact deposits or	Less than significant

**Table ES-1  
Summary of Significant Environmental Impacts**

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p><u>cultural features are considered potentially significant, they shall notify and consult with the San Luis Rey Band of Mission Indians to determine the respectful and dignified treatment of those resources. The avoidance and protection of the significant cultural resource and/or unique archaeological resource is the preferable mitigation.</u></p> <p><u>If the Qualified Archaeologist recommends and the City requires a data recovery plan, the San Luis Rey Band shall be notified and consulted regarding the preparation and scope of any such recovery plan. If the Qualified Archaeologist collects any artifact deposit samples as part of the data recovery plan, the Luiseño Native American monitor shall be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect any artifact deposit samples that are unearthed during the ground disturbing activities, the Luiseño Native American monitor, may at their discretion, collect said resources and provide them to the San Luis Rey Band for respectful and dignified treatment in accordance with the Tribe’s cultural and spiritual traditions.</u></p> <p><u>All archaeological material collected will be curated at a federally-recognized local repository at the completion of the project, excluding Native American grave goods or other sensitive remains, and absent a separate negotiated arrangement with the City for collections disposition.</u></p>	
<p><u>Impacts to archaeological/cultural resources</u></p>	<p><b>MM-CR-7:</b> <u>Any and all uncovered tribal cultural resources of Native American importance shall be returned to the San Luis Rey Band of Mission Indians, and/or the Most Likely Descendant.</u></p>	<p><u>Less than significant</u></p>
<p><u>Impacts to archaeological/cultural resources</u></p>	<p><b>MM-CR-8:</b> <u>As mandated by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, or the Qualified Archaeologist shall immediately notify the San Diego County Coroner’s office by telephone. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. By law, the Coroner will determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner determines that the remains are Native American, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC will then make a determination as to the Most Likely Descendent. Any Native American remains discovered on the project site shall be kept in-situ, or in a secure location in close</u></p>	<p><u>Less than significant</u></p>

**Table ES-1**  
**Summary of Significant Environmental Impacts**

Impact	Mitigation Measures	Level of Significance After Mitigation
	<u>proximity to where they were found, and any analysis of the remains shall only occur on-site in the presence of a Luiseño Native American monitor. At the conclusion of any analysis, any Native American remains shall be repatriated to the Most Likely Descendent for re-burial, in accordance with PRC 5097.98.</u>	
Impacts to paleontological resources	<b>MM-CR-96:</b> A qualified paleontologist shall attend the pre-construction meeting to consult with the grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues. A qualified paleontologist is defined as an individual with a master's degree or doctorate in paleontology or geology that is familiar with paleontological procedures and techniques, who is knowledgeable in the geology and paleontology of San Diego County, and who has worked as a paleontological mitigation project supervisor in the county for at least 1 year.	Less than significant
Impacts to paleontological resources	<b>MM-CR-107:</b> A paleontological monitor shall be on site full time during the original cutting of previously undisturbed deposits of high paleontological resource potential (Pleistocene alluvial deposits) 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.	Less than significant
Impacts to paleontological resources	<b>MM-CR-118:</b> If 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 recovering small fossil remains, such as isolated mammal teeth, it may be necessary to set up a screen-washing operation on the site.	Less than significant
Impacts to paleontological resources	<b>MM-CR-129:</b> Fossil remains collected during monitoring and salvage shall be cleaned, repaired, sorted, and cataloged as part of the mitigation program.	Less than significant
Impacts to paleontological resources	<b>MM-CR-130:</b> Prepared fossils, along with copies of all pertinent field notes, photos, and maps, shall be deposited (as a donation) in a scientific institution with a permanent paleontological collection, such as the San Diego Natural History Museum. Donation of the fossils should be accompanied by financial support for initial specimen storage.	Less than significant
Impacts to paleontological resources	<b>MM-CR-144:</b> A final summary report shall be completed that outlines the results of the mitigation program. This report should include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils.	Less than significant

**Table ES-1**  
**Summary of Significant Environmental Impacts**

Impact	Mitigation Measures	Level of Significance After Mitigation
<i>Noise</i>		
Interior noise	<b>MM-NOI-1:</b> Prior to the issuance of building permits, the applicant shall incorporate mechanical ventilation systems or air conditioning systems into the detailed plans for all three hotel buildings.	Less than significant
Interior noise	<b>MM-NOI-2:</b> Prior to the issuance of building permits, the applicant shall document that windows with very high sound ratings (i.e., Sound Transmission Class 35 to 40) shall be provided for rooms on the north side of Hotel Buildings 1 and 3.	Less than significant
Interior noise	<b>MM-NOI-3:</b> An interior noise analysis shall be required for the buildings prior to issuance of building permits to ensure that the necessary noise abatement features are implemented to reduce traffic noise.	Less than significant
<i>Hydrology and Water Quality</i>		
Erosion during construction	<b>MM-HYD-1:</b> Prior to site grading, the applicant will obtain approval of a site-specific Erosion Control Plan from the City of Oceanside (City) Engineering Department in accordance with the City's ordinance. This plan shall include a list of best management practices (BMPs) that the contractor will use to ensure that temporarily exposed soils do not enter the on-site drainage system, thereby ensuring existing water quality treatment systems and standards applicable to the site remain intact throughout construction.	Less than significant
Erosion during construction	<b>MM-HYD-2:</b> During all phases of construction, construction crew shall ensure any construction materials that need to be temporarily stockpiled or equipment/supplies that need to be stored on site are kept within the construction staging areas and are covered when not in use.	Less than significant
Stormwater pollution during construction	<b>MM-HYD-3:</b> During all phases of construction, the construction manager on site shall implement standard BMPs such as proper storage, use and disposal of construction material to ensure that all hazardous materials (e.g., construction equipment fuels and oils) are stored properly and that no hazards occur during this phase of the project. In addition, the applicant shall provide protection of all storm drain inlets downstream of the construction site to eliminate entry of hazardous substances off site. Continual inspection and maintenance of all BMPs shall occur throughout all phases of construction.	Less than significant
Flood hazards	<b>MM-HYD-4:</b> Construction within any area that the Cities of Oceanside and/or Carlsbad (Cities) identify as a 100-year flood hazard shall occur only during dry months (May 1–September 30). The Cities may waive this restriction if the applicant satisfactorily demonstrates, as determined by the Cities, that construction would not impede or redirect flood flows and would not expose people or structures to flooding. Such demonstration shall occur before the Cities issue grading or other permits to permit construction in the flood hazard area in the wet months and may require the applicant to submit plans and details regarding the type, location, quantities and duration of construction equipment and materials as well as any other information that the Cities may require.	Less than significant

**Table ES-1  
Summary of Significant Environmental Impacts**

Impact	Mitigation Measures	Level of Significance After Mitigation
<i>Hazards and Hazardous Materials</i>		
Presence of hazardous materials on-site	<p><b>MM-HAZ-1: Site Mitigation Plan.</b> Prior to the issuance of the grading permit, a Site Mitigation Plan for hazardous materials shall be prepared to the satisfaction of the City of Oceanside and shall include the following strategies for managing contaminated soil and groundwater if encountered during construction:</p> <ul style="list-style-type: none"> <li>• Findings of previous environmental investigations at the site</li> <li>• Development plans</li> <li>• Anticipated constituents of concern (hazardous waste/materials) that may be encountered,</li> <li>• Procedures for characterizing and managing excavated materials, including emergency response procedures</li> <li>• Likely disposal fate of excavated material based on excavation plan and contaminants of concern identified, if any</li> <li>• Dewatering contingency options</li> <li>• Stormwater management options</li> <li>• Regulatory considerations</li> <li>• Worker health and safety plan for management of contaminated materials</li> </ul> <p>Copies of the Site Management Plan and Health and Safety Plan shall be incorporated into worker training and maintained on site during construction of the proposed project. The measures contained in the Site Management Plan and the Health and Safety Plan shall comply with the most recent applicable hazardous material and worker safety codes and regulations.</p>	Less than significant

## ES.6 PROJECT ALTERNATIVES

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

### **ES.6.1 No Project Alternative**

CEQA Guidelines Section 15126.6 requires the inclusion of a No Project Alternative to be analyzed. Per CEQA, a No Project Alternative would entail analysis of no build and no development beyond the existing conditions of the project site. The No Project Alternative assumes that the project site would not be developed and that the project site would remain vacant, as in its present condition.

### **ES.6.2 Reduced Coastal Sage Scrub Impacts Alternative**

This alternative would reduce the project site plan in an effort to reduce permanent impacts to sensitive upland vegetation communities located on the project site, namely coastal sage scrub and disturbed coastal sage scrub. A reduced site design could be implemented that avoids the coastal sage scrub and disturbed coastal sage scrub located along the northern and western perimeters of the project site. Additional patches of coastal sage scrub and disturbed coastal sage scrub occur closer to Buena Vista Creek within the buffer area and would be temporarily impacted under the proposed project during the removal of saline soils and restoration of coastal sage scrub within the buffer. In order to avoid these sensitive upland habitats, the hotel development would need to be reduced in size. The three hotel buildings would be reduced in size and reconfigured. The parking structure would be removed from the project to allow the maximum size hotel buildings and only surface parking could be provided. The smaller hotel buildings could accommodate a total of 186 rooms, which is a reduction of 240 rooms from the proposed total of 426 rooms.

### **ES.6.3 Environmentally Superior Alternative**

The No Project Alternative would result in the least environmental impacts and would be the environmentally superior alternative. However, CEQA Guidelines Section 15126.6(e)(2) states that if the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. In this case, the environmentally superior alternative is the Reduced Coastal Sage Scrub Impacts Alternative. The Reduced Coastal Sage Scrub Impacts Alternative meets most of the proposed project objectives, while reducing impacts biological impacts and slightly reducing air quality and greenhouse gas emission impacts compared to the proposed project. A summary of each alternative's impacts relative to the proposed project is shown in Table ES-2.

**Table ES-2  
Alternatives Summary**

<b>Environmental Issue</b>	<b>Proposed Project</b>	<b>Alternative 1: No Project Alternative</b>	<b>Alternative 2: Reduced Coastal Sage Scrub Impacts Alternative</b>
Biological Resources	Impacts would be less than significant with mitigation	Impacts would be reduced	Impacts would be reduced
Air Quality	Impacts would be less than significant with mitigation	No impact	Impacts would be reduced
Greenhouse Gas Emissions	Impacts would be significant and unavoidable	No impact	Impacts would be reduced
Cultural Resources	Impacts would be less than significant with mitigation	No impact	Similar impacts
Noise	Impacts would be less than significant with mitigation	No impact	Similar impacts
Hydrology and Water Quality	Impacts would be less than significant with mitigation	No impact	Similar impacts
Hazards and Hazardous Materials	Impacts would be less than significant with mitigation	No impact	Similar impacts
Energy Consumption	Impacts would be less than significant	No impact	Impacts would be reduced
Meets Most of the Basic Project Objectives?	Yes	No	Yes

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