

# EXECUTIVE SUMMARY

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## ES.1 INTRODUCTION

This environmental impact report (EIR) has been prepared by the City of Oceanside (City) 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 Cypress Point 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.

CEQA Statute, Section 21002, states that public agencies should not approve projects that would result in significant effects on the environment if there are feasible mitigation measures or alternatives that can mitigate or avoid these effects. This EIR evaluates the environmental impacts associated with the proposed project and discusses the manner in which the proposed project's significant impacts can be reduced or avoided through 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 impacts of cumulative development. Cumulative impacts occur when the combined effects of several projects may be significant when considered collectively.

This summary provides a brief synopsis of: the proposed project, results of the environmental analysis contained within this environmental document, alternatives to the proposed project that were considered, and major areas of controversy and issues to be resolved by decision-makers. This summary does not contain the extensive background and analysis found throughout the individual chapters within the EIR. Therefore, the reader should review the entire document to fully understand the proposed project and its environmental impacts.

## ES.2 PROJECT DESCRIPTION AND LOCATION

### ES.2.1 Project Location

The proposed project site consists of a vacant parcel (APN 158-301-46) and includes approximately 7.3 acres located in the San Luis Rey Neighborhood Area of the City of Oceanside, California. The proposed project site is located west of Los Arbolitos Boulevard at the Aspen Street and Pala Road intersections in the northern portion of the City of Oceanside. The property is located adjacent to the San Luis Rey (SLR) River flood channel and SLR trail/bikeway along the top of the flood channel berm, approximately 0.9 mile north of State Route 76 Highway and approximately 0.5 mile southeast of Camp Pendleton within Section 7, Township 11 South, Range 4 West of the USGS San Luis Rey, California Quadrangle. The project site is bordered on the north and west by the San Luis Rey River and on the south and east by existing residential developments.

The project site is zoned RS-Single family residential, corresponding with the General Plan designation of Single Family Detached Residential (SFD-R). Surrounding areas to the project site are zoned open space (to the north and west of the project site), and a variety of residential zones, including RS (Single-Family Residential District), RM-A (Medium Density A District), RM-B (Medium Density B District), and RH (High-Density Residential District) in the adjacent neighborhoods (to the east and south of the project site). Commercial zones are located alongside Highway 76, which is less than a mile south of the project site. Please refer to Figure 2-3, Zoning Designations in Chapter 2, Environmental Setting, of this EIR.

## **ES.2.2 Project Description**

The proposed project includes development of 54 single-family homes on the 7.3-acre project site, ranging in size from approximately 1,200 to 1,700 square feet (sf), located around a private loop road within the project site (Figure 3-1, Tentative Map). Primary access to the project site is proposed to be taken from a westerly extension of Pala Road, at the southern edge of the project site. Secondary emergency only access is proposed via Aspen Street, at the midpoint of the project site on the east side. In the event of an emergency the Aspen Street gate can be accessed by the Fire Department by Knox box entry device. Both road entries would lead to the private loop within the project site. All proposed residences would include an entrance driveway, walkway, and front porch located in the front façade closest to the sidewalk and street. Two-car garages would be set further back than the front façade and would allow for two cars in the garage and two cars in the driveway. Additionally, the development would provide 38 more parking spaces for residences and/or guests. The two-story homes would include 3 to 4 bedrooms, living areas on the first floor, bedrooms on the second floor, and private outdoor space provided in the rear yard. Please refer to Chapter 3, Project Description, for a detailed description of the proposed project components.

A portion in the northwest corner of the project site has been left undeveloped as part of the City's Draft Subarea Plan hardline preserve and to accommodate the existing San Luis Rey Trail located on the property. The preserved area is just under 1 acre in size which contains a 6' masonry wall at the development perimeter to protect it from human contact.

The proposed homes in the development would be setback from existing residential homes along the eastern project boundary by approximately 70 – 75 feet from structure to structure with 48 feet separation between property lines, in order to provide privacy and visual relief to the existing homes on Los Arbolitos Boulevard.

The property was sold as surplus land by the City to Concordia Communities, LLC. Under the Surplus Lands Act of California, if a project is developed with 10 or more residences, no fewer than 15% of those residences must be designated as "affordable" as defined by the state. Of the proposed 54 single-family homes, 8 of the units would be affordable/low-income units, and the remaining 46 units would be considered market rate units, which complies with both the Surplus

Lands Act and Density Bonus Law provisions regarding affordable housing. Affordable units would be commensurate to the overall project in unit size and dispersed throughout the project having access to all amenities available to the market rate units. Unit calculations based on both the Surplus Lands Act and density bonus law are described in Chapter 3 and Chapter 4.12 of this EIR.

The approvals required for the project include a Tentative Tract Map, a Development Plan, and a request for Density Bonus with waivers for development standards such as lot size, lot width, setbacks, lot front landscaping requirements, overall height of fences and walls, and a requirement that retaining walls over 4 feet high be plantable. Approvals and requested Density Bonus waivers for development standards are outlined in detail in Chapter 3, Project Description, of this EIR.

### **ES.2.3 Project Objectives**

Section 15124(b) of the CEQA Guidelines requires that an EIR include a statement of the project objectives that “include the underlying purpose of the project and may discuss the project benefits.” The following objectives have been identified for the project:

1. Ensure both visual and functional compatibility with other nearby land uses, development, and natural features.
2. Design buildings, spaces, and uses that enhance and respect the character of the surrounding area, create a sense of neighborhood, and complement the vision for the area.
3. Ensure the vision for site development is economically feasible.
4. Implement State density bonus law, the Surplus Lands Act, and the City’s General Plan Housing Element by providing housing for a mix of income levels, including at least 15% of the project’s base dwelling units for low-income households on the project site.
5. Provide new market rate and affordable housing on a site that is consistent with the City’s General Plan, Zoning Ordinance, Density Bonus Law, and affordable housing objectives, and to help satisfy the City’s current and future demand for housing.
6. Develop homes on a site that can be served by existing utilities, services, and street access, within close proximity to public transportation and shopping centers.
7. Design a project that compliments and allows for the City’s sewer infrastructure projects to continue and run through the development site.

### **ES.2.4 Discretionary Actions**

Consistent with the City’s General Plan and Zoning Ordinance, the proposed project requires certain entitlements be submitted, reviewed, and approved by the City. The requested entitlements include a Tentative Map and a Request for Density Bonus. As the project proposes 8 low-income units, Density Bonus Law requires the City to grant an incentive/concession and unlimited waivers.

In order to accommodate the increased density allowed under Density Bonus Law and maintain the single-family lot design and character of the underlying zone, the project cannot physically comply with all of the development standards that apply to standard projects. Based on the proposed design to accommodate Density Bonus units, the project seeks a waiver of the following development standards for a housing development pursuant to Density Bonus law:

- Overall lot size
- Lot width
- Setbacks
- Lot front landscaping requirements
- Fences and walls height and plantable retaining walls

A summary of the development standards and required waivers are outlined in Table 3-4 in Chapter 3 of this EIR, to demonstrate compliance with the RS zone, or where Density Bonus waivers are requested. Development standards for the RS Zone is also described in detail in Chapter 4.10, Land Use, of this EIR.

The City would use this EIR and associated documentation in its decision to approve or deny the required discretionary permits. Other responsible and/or trustee agencies can use this EIR and supporting documentation in their decision-making process to issue additional approvals.

### **ES.3 AREAS OF CONTROVERSY**

Pursuant to Section 15082 of the CEQA Guidelines, the City circulated a Notice of Preparation (NOP) published April 28, 2021, to interested agencies, organizations, and parties. The NOP was also sent to the State Clearinghouse at the California Office of Planning and Research. The State Clearinghouse assigned a state identification number (SCH No. 2021040691) to this EIR.

A public scoping meeting was held on May 4, 2021, at 6:00 p.m. at the QLN Conference Center (1938 Avenida del Oro, Oceanside, CA 92056) to gather additional public input. The initial 30-day public scoping period ended on June 1, 2021. Due to the volume of comments and questions received during the public scoping meeting, the City held a second public scoping meeting on June 22, 2021, at 6:00 p.m. at the Oceanside Public Library Mission Branch (3861 Mission Avenue, Oceanside, CA 92058). As a result of this second public scoping meeting, the close of the scoping period was extended from June 1, 2021 to July 6, 2021 at 5:00 p.m.

Comments received during the NOP public scoping period were considered as part of the preparation of this EIR. The NOP and written comments are included in Appendix A to this EIR. Comments covered numerous topics, including site access, fire risk and evacuation plans, utility infrastructure and supply, water quality, noise, traffic generation and roadway improvements,

visual impact, emergency access, growth inducement, open space and recreation, and preservation of biological and cultural resources. Public scoping comments regarding the proposed project’s potential impact on the environment were evaluated as part of the preparation of this EIR. More specifically, fire risk and evacuation plans are addressed in Chapters 4.13 and 4.18; utility infrastructure and supply are discussed in Chapter 4.17; water quality is discussed in Chapter 4.9; noise is discussed in Chapter 4.11; traffic generation and roadway improvements are discussed in Chapters 4.15; visual impacts are addressed in Chapter 4.1; emergency access is addressed in Chapters 4.13 and 4.18; growth inducement is discussed in Chapter 7; biological resources are addressed in Chapter 4.3; and cultural resources are addressed in Chapters 4.4 and 4.16. Consistent with CEQA’s requirements that an alternative must reduce or avoid a potentially significant project impact and an EIR need not consider every conceivable alternative, the NOP comments were also considered in the development and evaluation of the reasonable range of feasible alternatives evaluated in this EIR.

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

The proposed project would result in no impact or less-than-significant impacts to the following: aesthetics, air quality, agriculture and forestry resources, energy, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, mineral resources, population and housing, public services, recreation, traffic and circulation, utilities and service systems, and wildfire.

#### **ES.5 IMPACTS DETERMINED TO BE SIGNIFICANT**

Table ES-1 provides a summary of significant project-related impacts pursuant to the CEQA Guidelines, Section 15123(b)(1). Impacts associated with biological resources, cultural resources, geology and soils, and tribal cultural resources were identified as significant. However, implementation of mitigation measures would reduce impacts to a less-than-significant level for all identified environmental topic areas.

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

Impact	Mitigation Measures	Level of Significance After Mitigation
<i>Biological Resources</i>		
Significant direct impacts to sensitive upland habitat consisting of non-native grassland that supports a limited amount of potential raptor foraging habitat	<b>MM-BIO-1</b> Prior to issuance of a grading permit, the Applicant shall submit documentation to the City demonstrating conservation of 3.5 acres of non-native grassland (0.5:1 mitigation to impact ratio, as provided in the City SAP) within an approved habitat mitigation bank located within the City of Oceanside (or comparable as approved by the City and Wildlife Agencies) for unavoidable project impacts to non-native grassland.	Less than significant
Inadvertent direct impacts to sensitive habitat outside the proposed project footprint	<b>MM-BIO-2</b> Prior to initiation of construction related activities including clearing and grubbing or prior to vegetation/ground disturbance or prior to site mobilization activities or issuance of a grading permit, the Applicant shall submit documentation to the City demonstrating that the Applicant has contracted with a qualified biologist(s) to monitor the project construction activities and avoid any inadvertent impacts to sensitive biological and ensure complete avoidance of adjacent jurisdictional resources. Each qualified biologist shall have demonstrated expertise with the sensitive habitats, special status species of the project region. The qualified biologist(s) shall monitor the installation of the construction temporary fencing and/or flagging, silt fencing, and other best management practices (BMPs) along the construction limits prior to construction activities. The qualified biologist shall be present during the initial vegetation clearing and grubbing activities, and potentially on a less frequent basis during grading activities to ensure construction remains within the approved project development area. The Applicant shall report results of biological monitoring activities to the City on a regular basis through the preparation and submission of summary monitoring reports.	Less than significant
Inadvertent direct impacts to sensitive habitat outside the proposed project footprint	<b>MM-BIO-3</b> Prior to initiating any construction related activities requiring a clearing and grubbing or grading permit, the Applicant shall demonstrate how the project would avoid or minimize applicable inadvertent impacts during construction. To ensure the avoidance and minimization of impacts to biological resources during construction, typical construction BMPs shall be implemented including but not limited to the following: Prior to ground disturbance, all permanent and temporary disturbance areas shall be clearly delineated by orange construction fencing and the identification of environmentally sensitive areas with flagging and/or fencing.	Less than significant
Conflict with the Federal MBTA and CDFG Code Sections 3503 and 3513	<b>MM-BIO-4</b> The proposed project would avoid any direct impacts to migratory birds and/or raptors protected under the federal Migratory Bird Treaty Act and California Fish and Game Code Sections 3503 and 3513, removal of habitat that supports active nests on the proposed area of disturbance should occur outside of the breeding season for these species. The breeding season is defined as January 15–August 31 for raptor species and February 15–August 15 for other non-raptor birds (excluding listed	Less than significant

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

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>species). If removal of habitat on the proposed area of disturbance must occur during the breeding season, then prior to initiating any construction related activities requiring a clearing and grubbing or grading permit, the Applicant shall retain a City-approved biologist to conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction survey must be conducted within 10 calendar days prior to the start of construction, and the results must be submitted to the City for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan, as deemed appropriate by the City, shall be prepared and include proposed measures to be implemented to ensure that disturbance of breeding activities are avoided. The report or mitigation plan shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The City's mitigation monitor shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction.</p>	
<b>Cultural Resources</b>		
Potentially significant impacts to archaeological resources	<p><b>MM-CUL-1</b> Prior to the issuance of a Grading Permit, the Applicant/Owner shall enter into a pre-excavation agreement, otherwise known as a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement with the "Traditionally and Culturally Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe". A copy of the agreement shall be included in the Grading Plan Submittals for the Grading Permit. The purpose of this agreement shall be to formalize protocols and procedures between the Applicant/Owner and the "Traditionally and Culturally Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe" for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and tribal cultural resources, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities. At the discretion of the Luiseño Native American Monitor, artifacts may be made available for 3D scanning/printing, with scanned/printed materials to be curated at a local repository meeting the federal standards of 36CFR79.</p>	Less than significant
Potentially significant impacts to archaeological resources	<p><b>MM-CUL-2</b> Prior to the issuance of a Grading Permit, the Applicant/Owner or Grading Contractor shall provide a written and signed letter to the City of Oceanside Planning Division stating that a Qualified Archaeologist and Luiseño Native American monitor have been retained at the Applicant/Owner or Grading Contractor's expense to implement the monitoring program, as described in the pre-excavation agreement.</p>	Less than significant

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

Impact	Mitigation Measures	Level of Significance After Mitigation
Potentially significant impacts to archaeological resources	<b>MM-CUL-3</b> The Qualified Archaeologist shall maintain ongoing collaborative consultation with the Luiseño Native American monitor during all ground disturbing activities. The requirement for the monitoring program shall be noted on all applicable construction documents, including demolition plans, grading plans, etc. The Applicant/Owner or Grading Contractor shall notify the City of Oceanside Planning Division of the start and end of all ground disturbing activities.	Less than significant
Potentially significant impacts to archaeological resources	<b>MM-CUL-4</b> The Qualified Archaeologist and Luiseño Native American monitor shall attend all applicable pre-construction meetings with the General Contractor and/or associated Subcontractors to present the archaeological monitoring program. The Qualified Archaeologist and Luiseño Native American monitor shall be present on-site full-time during grubbing, grading and/or other ground altering activities, including the placement of imported fill materials or fill used from other areas of the project site, to identify any evidence of potential archaeological or tribal cultural resources. All fill materials shall be absent of any and all tribal cultural resources.	Less than significant
Potentially significant impacts to archaeological resources	<b>MM-CUL-5</b> In order for potentially significant archaeological artifact deposits and/or cultural resources to be readily detected during mitigation monitoring, a written “Controlled Grade Procedure” shall be prepared by a Qualified Archaeologist, in consultation with the Luiseño Native American monitor, other TCA Luiseño Tribes that have participated in the state-prescribed process for this project, and the Applicant/Owner, subject to the approval of City representatives. The Controlled Grade Procedure shall establish requirements for any ground disturbing work with machinery occurring in and around areas the Qualified Archaeologist and Luiseño Native American monitor determine to be sensitive through the cultural resource mitigation monitoring process. The Controlled Grade Procedure shall include, but not be limited to, appropriate operating pace, increments of removal, weight and other characteristics of the earth disturbing equipment. A copy of the Controlled Grade Procedure shall be included in the Grading Plan Submittals for the Grading Permit.	Less than significant
Potentially significant impacts to archaeological resources	<b>MM-CUL-6</b> The Qualified Archaeologist or the Luiseño Native American monitor may halt ground disturbing activities if unknown tribal cultural resources, archaeological artifact deposits or cultural features are discovered. Ground disturbing activities shall be directed away from these deposits to allow a determination of potential importance. Isolates and clearly non-significant deposits will be minimally documented in the field, and before grading proceeds these items shall be secured until they can be repatriated. If items cannot be securely stored on the project site, they may be stored in off-site facilities located in San Diego County. If the Qualified Archaeologist and Luiseño Native American monitor determine that the unearthed tribal cultural resource, artifact deposits or cultural features are considered potentially significant, TCA Luiseño Tribes that have participated in the state-prescribed	Less than significant

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

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>consultation process for this project shall be notified and consulted regarding the respectful and dignified treatment of those resources. The avoidance and protection of the significant tribal cultural resource and/or unique archaeological resource is the preferable mitigation. If, however, it is determined by the City that avoidance of the resource is infeasible, and it is determined that a data recovery plan is necessary by the City as the Lead Agency under CEQA, TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this project shall be notified and consulted regarding the drafting and finalization of any such recovery plan. For significant tribal cultural resources, artifact deposits or cultural features that are part of a data recovery plan, an adequate artifact sample to address research avenues previously identified for sites in the area will be collected using professional archaeological collection methods. The data recovery plan shall also incorporate and reflect the tribal values of the TCA Luiseño Tribes that have participated in the state-prescribed consultation process for this project. If the Qualified Archaeologist collects such resources, the Luiseño Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect the tribal cultural resources that are unearthed during the ground disturbing activities, the Luiseño Native American monitor, may at their discretion, collect said resources and provide them to the appropriate TCA Luiseño Tribe, as determined through the appropriate process, for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Ground disturbing activities shall not resume until the Qualified Archaeologist, in consultation with the Luiseño Native American monitor, deems the cultural resource or feature has been appropriately documented and/or protected.</p>	
<p>Potentially significant impacts to archaeological resources</p>	<p><b>MM-CUL-7</b> The landowner shall relinquish ownership of all tribal cultural resources unearthed during the cultural resource mitigation monitoring conducted during all ground disturbing activities, and from any previous archaeological studies or excavations on the project site to the appropriate TCA Luiseño Tribe, as determined through the appropriate process for respectful and dignified treatment and disposition, including reburial at a protected location on-site, in accordance with the Tribe's cultural and spiritual traditions. All cultural materials that are associated with burial and/or funerary goods will be repatriate to the Most Likely Descendant as determined by the Native American Heritage Commission (NAHC) per California Public Resources Code Section 5097.98. No tribal cultural resources shall be subject to curation.</p>	<p>Less than significant</p>
<p>Potentially significant impacts to archaeological resources</p>	<p><b>MM-CUL-8</b> Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusions of the archaeological monitoring program (e.g., data recovery plan) shall be submitted by the Qualified Archaeologist, along with the Luiseño Native American monitor's notes and comments, to the City of Oceanside Planning Division for approval.</p>	<p>Less than significant</p>

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

Impact	Mitigation Measures	Level of Significance After Mitigation
Potentially significant impacts to human remains	<p><b>MM-CUL-9</b> As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Office of the Medical Examiner by telephone. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Medical Examiner has made the necessary findings as to origin and disposition pursuant to Public resources Code 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. If suspected Native American remains are discovered, the remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a Luiseño Native American monitor. By law, the Medical Examiner will determine within two working days of being notified if the remains are subject to his or her authority. If the Medical Examiner identified the remains to be of Native American ancestry, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC shall make a determination as to the Most Likely Descendant.</p>	Less than significant
<i>Geology and Soils</i>		
Potential impacts to paleontological resources	<p><b>MM-GEO-1</b> Prior to the issuance of a grading permit, the applicant shall submit a letter to the City of Oceanside (City) from a qualified professional paleontologist or a California Registered Professional Geologist with appropriate paleontological expertise, as defined by the Society of Vertebrate Paleontology’s guidelines indicating that they have been retained by the applicant to prepare and implement a Paleontological Resources Impact Mitigation Program (PRIMP). The qualified paleontologist shall be available “on-call” to the City and the applicant throughout the duration of ground-disturbing activities. The PRIMP shall include preconstruction coordination; construction monitoring; emergency discovery procedures; sampling and data recovery, if needed; preparation, identification, and analysis of the significance of fossil specimens salvaged, if any; museum storage of any specimens and data recovered; and reporting. Earth-moving construction activities shall be monitored wherever these activities will disturb previously undisturbed sediment. Monitoring will not need to be conducted in areas where sediments have been previously disturbed or in areas where exposed sediments will be buried but not otherwise disturbed. In such cases, spot-checking of the excavation site is sufficient. This measure shall apply for all excavation activities within old paralac deposits that underlie the project.</p>	Less than significant

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

Impact	Mitigation Measures	Level of Significance After Mitigation
Potential impacts to paleontological resources	<p><b>MM-GEO-2</b> Prior to the issuance of a grading permit, the City of Oceanside (City) shall confirm the following measure is identified on the grading plan and will be implemented: Grading activities are subject to a Paleontological Resources Impact Mitigation Program (PRIMP). If potential fossils are discovered by construction crews or during monitoring by a qualified paleontologist, all earthwork or other types of ground disturbance within 50 feet of the discovery shall stop immediately until the qualified professional paleontologist can assess the nature and importance of the discovery. If a fossil of scientific value or uniqueness is identified by the paleontologist, the paleontologist shall record the find and allow work to continue or recommend salvage and recovery of the fossil. If treatment and salvage is required, recommendations shall be consistent with Society of Vertebrate Paleontology guidelines and currently accepted scientific practice and shall be subject to review and approval by the City. Work in the affected area may resume once the fossil has been assessed and/or salvaged and the City, in consultation with the professional paleontologist, has provided written approval to resume work.</p>	Less than significant
<i>Tribal Cultural Resources</i>		
Potential impacts to tribal cultural resources, including human remains	<b>MM-CUL-1 through MM-CUL-9</b>	Less than significant

## **ES.6 SIGNIFICANT AND UNAVOIDABLE IMPACTS**

As discussed in this EIR, implementation of the proposed project would not result in any significant and unavoidable impacts.

## **ES.7 ANALYSIS OF ALTERNATIVES**

Pursuant to the California Environmental Quality Act (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)). Alternatives considered are summarized below and analyzed in detail in Chapter 8 of this EIR.

### **ES.7.1 No Project (No Build) Alternative**

Under the No Project (No Build) Alternative, the proposed project and associated improvements would not be implemented, and the project site would remain undeveloped. However, this no project/no build alternative does not preclude future development on site, as residential uses would still be allowed under the current land use designation for the site.

### **ES.7.2 Revised Site Design for Public Pedestrian Access Alternative**

Under the Revised Site Design for Public Pedestrian Access Alternative (Revised Site Design Alternative), the site plan would be slightly revised to include public connection from the proposed sidewalk improvements on Aspen Street to a decomposed granite path that winds through a landscaped area along the eastern edge of the project from Pala Road at the south up to a DG access easement driveway on the northeastern corner of the project site. This path would be open to the public, leading up to the north to a 13-acre open space site. All development under the proposed project would remain the same under this alternative.

### **ES.7.3 Environmentally Superior Alternative**

Table ES-2 outlines the comparative impacts between each alternative and the proposed project. The No Project (No Build) Alternative would result in the least environmental impacts in comparison to the project; however, it would not meet any of the project objectives, and there is no certainty that the project site would remain undeveloped in perpetuity. Nevertheless, because the No Project (No Build) Alternative would reduce all potentially significant impacts to biological resources, cultural resources, geology and soils, and tribal cultural resources, it 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 also must identify an environmentally superior alternative among the other alternatives. However, after consideration of the alternatives identified to reduce potential environmental impacts compared to the proposed project, none of the other alternatives identified is environmentally superior to the proposed project as they would result in the same or similar impacts to that of the proposed project. In such a circumstance, it is sufficient that the EIR explain the environmental advantages and disadvantages of each alternative, as is done in Chapter 8 of this EIR.

**Table ES-2  
Comparative Summary of Alternatives Under Consideration and Proposed Project**

Alternative	Impacts			
	<i>Biological Resources</i>	<i>Cultural Resources</i>	<i>Geology and Soils</i>	<i>Tribal Cultural Resources</i>
No Project (No Build)	Less	Less	Less	Less
Revised Site Design	Same	Same	Same	Same

“Less” = reduced impact relative to the project  
 “Same” = similar impact relative to the project  
 “More” = greater impact relative to the project

## ES.8 ISSUES TO BE RESOLVED BY LEAD AGENCY

Section 15123(b)(3) of the CEQA Guidelines requires that an EIR contain a discussion of issues to be resolved. With respect to the proposed project, the key issues to be resolved include decisions by the City, as lead agency, as to the following:

- Whether this environmental document adequately describes the environmental impacts of the proposed project.
- Whether the recommended mitigation measures should be modified and/or adopted.
- Whether there are other mitigation measures or alternatives that should be considered for the proposed project besides those identified in the Draft EIR.

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