

CHAPTER 1 INTRODUCTION

This chapter of this environmental impact report (EIR) describes the purpose, scope, and legislative authority of the EIR; the intent of the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000 et seq.); the environmental review process; and other pertinent environmental rules and regulations.

1.1 PURPOSE OF THE EIR

This EIR addresses the potentially significant adverse environmental effects associated with the proposed Cypress Point Project (project) under CEQA. The project proposes development of 54 single-family homes on approximately 7.3 acres of land located in the northwestern portion of the City of Oceanside (City). The proposed project would require approval of certain discretionary actions by the City and, therefore, is subject to the environmental review requirements of CEQA. A detailed description of the proposed project is provided in Chapter 3, Project Description, of this EIR. The City, as the CEQA lead agency, has prepared this EIR to provide decision makers, the public, trustee agencies, and responsible agencies with information about the potential environmental effects associated with the proposed project.

1.2 INTENDED USE OF THE EIR

This EIR was prepared in accordance with CEQA (California Public Resources Code Section 21000 et seq.), CEQA Guidelines (14 CCR 15000 et seq.), and the City's Environmental Review Procedures.

The EIR is an informational document that will provide the City's decision makers, public agencies, responsible and trustee agencies, and members of the public with information about (1) the potential for significant adverse environmental impacts that would result from the development of the proposed project, (2) feasible or potentially feasible ways to minimize any significant adverse environmental impacts that would result from the development of the proposed project, and (3) a reasonable range of potentially feasible alternatives to the proposed project that would reduce or avoid significant adverse environmental impacts associated with the proposed project (California Public Resources Code Section 21002.1[a]; 14 CCR 15121[a]). Responsible and trustee agencies may use this EIR to fulfill their legal authority to issue permits for the proposed project. The analysis and findings in this EIR reflect the independent judgment of the City.

The City is the lead agency for the EIR and will perform the entitlement processing of the proposed project. As the designated lead agency, the City has assumed responsibility for preparing this EIR, and the analysis and findings in this EIR reflect the City's independent judgment. When deciding whether to approve the proposed project, the City will use the information in this EIR to consider potential impacts to the physical environment associated with the proposed project. Subsequent to

certification of the Final EIR, agencies with permitting authority over all or portions of the proposed project will use the Final EIR as the basis for their evaluation of environmental effects related to the proposed project that will culminate with the approval or denial of applicable permits.

1.3 SCOPE OF THE EIR

The City determined that a project EIR, as defined by CEQA Guidelines Section 15161, was required for this project. The City made this determination based on the scope and the location of the proposed project. As such, and in accordance with CEQA Guidelines Section 15060(d), the City opted not to prepare a detailed Initial Study and to instead immediately begin preparation of an EIR for the proposed project.

In the absence of an Initial Study, this Draft EIR evaluates all subject areas listed in Appendix G of the CEQA Guidelines, which include the following: aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, energy consumption, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise and vibration, population and housing, public services, recreation, transportation, tribal cultural resources, utilities and service systems, wildfire, cumulative impacts, and growth-inducing impacts.

As a “project EIR,” this EIR is “focused primarily on the changes in the environment that would result from the development project” (14 CCR 15161). In addition, as a project EIR, this EIR examines all phases of the proposed project, including planning, construction, and operation (14 CCR 15161). Where environmental impacts have been determined to be significant, this EIR recommends mitigation measures directed at reducing or avoiding those significant environmental impacts. A reasonable range of alternatives to the proposed project are identified to evaluate whether there are ways to minimize or avoid significant impacts associated with the proposed project.

1.4 THE EIR AND CEQA ENVIRONMENTAL REVIEW PROCESS

1.4.1 CEQA Overview

CEQA requires the preparation and certification of an EIR for any project that a lead agency determines may have a significant adverse effect on the environment. The following is stated in CEQA Guidelines, Section 15151 (14 CCR 15151):

An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among

experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

Accordingly, this EIR has been prepared to identify and disclose the significant environmental effects of the proposed project, identify mitigation measures to minimize significant effects, and consider reasonable project alternatives. The environmental impact analyses in this EIR are based on a variety of sources, including agency consultation, technical studies, and field surveys. The City will consider the information presented in this EIR, along with other factors in considering approval of the proposed project.

1.4.2 Notice of Preparation and Scoping

CEQA establishes mechanisms to inform the public and decision makers about the nature of the proposed project and the extent and types of impacts that the proposed project and alternatives to the proposed project would have on the environment should the proposed project or alternatives be implemented. 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 project.

The NOP is intended to encourage interagency communication regarding the proposed action so that agencies, organizations, and individuals are afforded an opportunity to respond with specific comments and/or questions regarding the scope and content of the 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, California 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, California 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. As a result, the NOP was made available to members of the public, responsible agencies, and interested parties for an extended 70-day public review period between April 28 and July 6, 2021.

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.

1.4.3 Draft EIR and Public Review

This Draft EIR was prepared under the direction and supervision of the City. Public review of the Draft EIR is intended to focus “on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated” (14 CCR 15204). The Notice of Completion of the Draft EIR will be filed with the State Clearinghouse as required by CEQA Guidelines Section 15085. In addition, the Notice of Availability of the Draft EIR will be distributed pursuant to CEQA Guidelines Section 15087. Interested parties could provide comments on the Draft EIR in written form. This EIR and related technical appendices are available for review during the 45-day public review period at the following locations:

City of Oceanside Development Services Department
300 North Coast Highway
Oceanside, California 92054

City of Oceanside Public Library – Civic Center
330 North Coast Highway
Oceanside, California 92054

City of Oceanside Public Library – Mission Branch
3861-B Mission Avenue
Oceanside, California 92508

City of Oceanside website: <https://www.ci.oceanside.ca.us/gov/dev/planning/ceqa/default.asp>

Interested agencies and members of the public could submit written comments on the adequacy of the Draft EIR to the City’s Development Services Department at the address above, addressed to Richard Greenbauer, Principal Planner, or emailed at rgreenbauer@oceasideca.org. Comments on the Draft EIR are to be received by 4:00pm on Friday November 19, 2021, the last day of the review period.

1.4.4 Final EIR Publication and Certification

Once the 45-day public review period concludes, the City will review all public comments on the Draft EIR and provided a written response to all written comments pertaining to environmental issues as part of the Final EIR. The Final EIR will include all written comments received during the public review period; responses to comments; and, edits made to the Draft EIR.

The City will consider certification of the Final EIR (14 CCR 15090). If the Final EIR is certified, the City may consider the project approval (14 CCR 15092). When deciding whether to approve the proposed project, the City will use the information provided in the Final EIR to consider potential impacts to the physical environment. The City will also consider all written comments received on the Draft EIR during the public review period in making its decision to certify the Final EIR as complete and compliant with CEQA and in making its determination whether to approve or deny the proposed project. Environmental considerations, as well as economic and social factors, will be weighed by the City to determine the most appropriate course of action.

Prior to approving the proposed project, the City must make written findings and adopt a Statement of Overriding Considerations with respect to any significant and unavoidable environmental effect identified in the Draft EIR (14 CCR 15091, 15093). If the proposed project is approved, the City will file a Notice of Determination with the State Clearinghouse and San Diego County Clerk within five working days after project approval (14 CCR 15094.)

Subsequent to certification of the Final EIR, agencies with permitting authority over all or portions of the proposed project will use the Final EIR’s evaluation of the proposed project’s environmental effects in considering whether to approve or deny applicable permits.

1.4.5 Mitigation Monitoring and Reporting Program

CEQA requires that a lead agency “adopt a reporting and mitigation monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment” (14 CCR 15097, 15091). The City, as the designated lead agency, is responsible for enforcing and verifying that each mitigation measure is implemented as required by the Mitigation Monitoring and Reporting Program.

1.5 ORGANIZATION AND CONTENT OF THE EIR

This EIR is organized as follows:

- **Executive Summary.** This chapter outlines the proposed project and conclusions of the environmental analysis, and provides a summary of the proposed project compared to the alternatives analyzed in the EIR. This chapter also summarizes feasible mitigation measures proposed to reduce or avoid each significant project impact.
- **Chapter 1, Introduction.** This chapter briefly discusses the purposes of the EIR, the applicable environmental review process and procedures, and format and organization of the EIR.
- **Chapter 2, Environmental Setting.** This chapter describes the project location, physical environmental setting, and regulatory setting.
- **Chapter 3, Project Description.** This chapter provides a thorough description of the proposed project, including its location, characteristics, project objectives, and required discretionary actions.
- **Chapter 4, Environmental Impact Analysis.** This chapter discusses the regulatory and environmental setting, and provides an analysis of project's impacts, proposed mitigation measures to reduce or avoid any significant impacts, and conclusions regarding the level of significance after mitigation for each environmental impact issue.
- **Chapter 5, Effects Found Not To Be Significant.** This chapter discusses the reasons in which various possible significant effects of a proposed project were determined not to be significant and were therefore not discussed in detail in the EIR.
- **Chapter 6, Cumulative Effects.** This chapter describes the potential cumulative effects of the project, including those effects described in both Chapter 4 and Chapter 5. Cumulative impact refers to two or more individual effects that, when considered together, are considerable or that compound or increase other environmental impacts.
- **Chapter 7, Other CEQA Considerations.** This chapter addresses the proposed project's potential growth-inducing impacts, which could foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment. This chapter addresses impacts that have been identified as significant and unavoidable, and provides an analysis of the significant irreversible changes in the environment that would result from the proposed project.
- **Chapter 8, Alternatives.** This chapter analyzes a reasonable range of potentially feasible alternatives to the proposed project that have the potential to reduce or avoid significant impacts associated with the proposed project.

- **Chapter 9, List of Preparers.** This chapter provides a list of persons, organizations, and agencies that contributed to the preparation of this EIR.
- **Chapter 10, References.** This chapter lists the references and sources cited in each section of the EIR.
- **Appendices.** The appendices include various technical studies and correspondence prepared for the proposed project, as listed in the table of contents.

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