

APPENDIX TO Vol. II
Responses to Comment Letters

**APPENDIX T0
Volume II
Responses to Comment Letters**

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JANUARY 2019

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FIGURE

RTC-1	Agriculture Buffer Edge	17

TOPICAL RESPONSES

Agricultural Resources

Topical Response AG-1: Agriculture Mitigation

Comments received noted that the proposed mitigation provided for agricultural resources is not adequate. As discussed in Section 4.2, Agriculture and Forestry Resources, the proposed project would result in a significant impact to significant agricultural resources through the direct conversion of state-designated farmland to non-agricultural use. Mitigation measure MM-AG-1, which would require the purchase of mitigation credits through either a potential future City agricultural lands conservation program or the established County of San Diego Purchase of Agricultural Conservation Easement (PACE) Program, would reduce potentially significant impacts to a level below significance. Mitigation measure MM-AG-1 is adequate and appropriate mitigation for the project's potential impact for reasons presented in the discussion below.

It is acknowledged that public comments received on the project express the desire to mitigate for agricultural impacts through purchase of agricultural easements within the City's jurisdictional boundaries. The City does not currently have an adopted agricultural mitigation program in which the project can participate and which is enforceable by the City. Therefore, at this time, such mitigation is infeasible. However, mitigation measure MM-AG-1 is structured such that, in the event the City adopts an effective agricultural conservation or mitigation program prior to the project's first application for a grading permit, the applicant would be required to mitigate for agricultural impacts within the City.

The City is required by CEQA to include all feasible mitigation for potentially significant impacts. Therefore, in the event the City does not have an adopted, effective agricultural conservation or mitigation program prior to the project's first application for a grading permit, MM-AG-1 requires that the project pay into the County of San Diego's PACE program, which is an established mitigation banking method within the County. Payment into the PACE program would act as the secondary option, should the primary option (payment into a potential future City program) not be available at the time of grading permit application. Preservation of agricultural land within the region (or even statewide) is appropriate where feasible agricultural mitigation is unavailable locally. (*See Masonite Corp. v. Cnty. of Mendocino* (2013) 218 Cal. App. 4th 230, 236 [noting the Department of Conservation encourages preservation of agricultural lands “regionally or statewide, and not limited strictly to land within the project's surrounding area”], 238-239.)

Payment into the PACE program is considered adequate mitigation for project impacts to significant agricultural resources, and provides compensation for such impacts within the region. The PACE program contains a Mitigation Bank and Credit component through which easement lands acquired by the County—having met exacting eligibility requirements—can be used as off-

site mitigation for agricultural impacts resulting from private development projects.¹ Applicants may purchase PACE credits to mitigate for agricultural impacts at a 1:1 ratio. One credit is equal to 1 acre of agricultural land.² Mitigation credit fees are adjusted to reflect easement values per acre, administrative costs, and acquisition cost components.³ The PACE Program has proven successful. Since its inception in 2013, 24 properties covering approximately 1,760 agricultural acres have been preserved.⁴

With this mitigation incorporated, the Draft EIR concludes impacts from the conversion of farmland would be reduced to less than significant. The conclusion that impacts would be reduced to less than significant with the incorporation of mitigation measure MM-AG-1 is consistent with scoping comments received by the California Department of Conservation (Appendix A), which recommended the use of permanent agricultural conservation easements on land of at least equal quality and size for the direct loss of agricultural land. It is also worth noting that the applicant is committing to compensate for the entire 176.64 acres of the project site despite retaining approximately 31.6 acres of the site in agricultural uses.

Alternatives

Topical Response ALT-1: Range of Alternatives Considered

Comments received state that the Draft EIR does not include enough potential alternatives to the project included in its alternatives analysis.

CEQA Guidelines Section 15126.6(a) requires that an EIR “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.” Section 15126.6(a) also provides that an EIR need not consider every conceivable alternative to a project; rather, an EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation.

¹ “Purchase of Agricultural Conservation Easement PACE Program,” County of San Diego Planning & Development Services, September 2014, available at <https://www.sandiegocounty.gov/content/dam/sdc/pds/advance/PACE/PACE-Guidelines.pdf>. General PACE Program information available at <https://www.sandiegocounty.gov/pds/advance/PACE.html>.

² *Ibid.* at p. 7. The cost of credits is determined by the fee in effect on the date of purchase, and is nonrefundable and nontransferable.

³ *Ibid.*

⁴ Purchase of Agricultural Conservation Easement PACE Program Fact Sheet, Revised January 25, 2018. <https://www.sandiegocounty.gov/content/dam/sdc/pds/advance/PACE/PACE-Program-Fact-Sheet.pdf>.

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The Draft EIR presented six alternatives based on the project's identified significant environmental impacts, the objectives established for the project (refer to Section 7.2.1, Project Objectives), consideration of local plans and zoning designations, and consideration of public input. These included:

1. No Project (No Build) Alternative
2. Existing Zoning- Residential Alternative
3. Existing Zoning- Agriculture Alternative
4. Reduced Development Alternative
5. Clustering Alternative
6. Single Family Residential Alternative.

Table 7-1, Comparative Summary of Alternatives under Consideration and Proposed Project, provides a brief comparison of the uses and improvements proposed by each alternative. The Draft EIR considered a variable range and mix of residential unit counts (0 units, 61 units, 71 units, 400 units, and 600 units), commercial square footages (0 square feet, 40,000 square feet, and 89,900 square feet), hotel uses, open space, and agricultural uses (0 acres, 30.8 acres, 119.5 acres, 167.4 acres, and 176.6 acres). Each of the alternatives would reduce some of the significant impacts of the project, as shown in Table 7-2, Summary of Analysis for Alternatives to the Proposed Project.

The No Project (No Build) Alternative was identified as 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. The environmentally superior alternative was thus identified in the Draft EIR as the Existing Zoning – Residential Alternative. Thus, the Draft EIR considered a reasonable range of alternatives that would meet most of the project objectives, be feasible, and avoid or substantially lessen the significant impacts resulting from the project.

Topical Response ALT-2: Selection of Alternatives

Comments received state that the Draft EIR selected or evaluated alternatives designed to fail contrary to CEQA requirements to analyze alternatives that would avoid or lessen impacts. However, as discussed below, the Draft EIR does include an adequate selection of alternatives.

CEQA Guidelines Section 15126.6(a) requires that an EIR “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.” Section 15126.6(a) also provides that an EIR need not consider every conceivable alternative to a project; rather, an EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation.

Accordingly, the Draft EIR presented six alternatives. All six of the alternatives selected for evaluation in the Draft EIR reduced or avoided the project's significant impacts, as shown in Table 7-2, Summary of Analysis for Alternatives to the Proposed Project. Thus, as directed by CEQA, the Draft EIR presented a range of reasonable alternatives capable of avoiding or substantially lessening the significant effects of the project as directed by CEQA.

Topical Response ALT-3: Agritourism Alternative

A number of comments stated that the Draft EIR should be revised to consider an agritourism alternative consistent with the underlying land use and zoning designations in its alternatives analysis.

An agritourism alternative was briefly considered but rejected as infeasible from further consideration in the Draft EIR. Members of the public requested consideration of an agritourism alternative consistent with the General Plan land use designation, and which would also provide mixed-use land uses compatible with the agritourism objectives of the City's Agritourism Strategic Plan. As detailed in Section 7.4.5 of the Draft EIR, such an alternative would be impossible and infeasible as the provision of agritourism uses would require amendments to the City's General Plan and Zoning Ordinance to change the underlying designations to allow development of mixed-use and viable agritourism uses.

However, the Draft EIR did consider and analyze a substantially similar version of the suggested agritourism alternative as the Reduced Development Alternative. The Reduced Development Alternative would require a General Plan and Zoning Ordinance amendment to provide a combination of 71 single family residential units (ranging from 1 to 2.5 acres) and 7 acres of special commercial uses (including hotel, restaurant, retail, and educational uses) on the northern areas of the site outside the 100-year flood hazard zone. The remaining area would be retain its existing agricultural General Plan and Zoning Ordinance designations. Unlike the Reduced Development Alternative, the suggested agritourism alternative would have fewer residential units on a minimum 2.5 acre lot (the maximum feasible under current land use designations is 61 units) and would not have a central commercial component. Therefore, because the Draft EIR considered an alternative substantially similar to the agritourism alternative requested in comments, additional analysis is not necessary for informed decision-making or public participation.

Biological Resources

Topical Response BR-1: Impacts to the San Luis Rey River

Several comments received state that the Draft EIR has not adequately assessed impacts to the San Luis Rey River. However, the Draft EIR has analyzed the potential impacts to the San Luis Rey River, as discussed below.

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Proposed residential and mixed-use structures associated with the project would be adequately set back from the San Luis Rey River, which would be separated from the project site with agricultural uses. The southern portion of the project site would be surrounded by existing agricultural land and open space. Additionally, production agriculture would be placed within the project site along the southern boundaries to provide an additional buffer. With the exception of the improvements proposed within the 100-foot buffer of the San Luis Rey River, this on- and off-site agricultural buffer would range from approximately 100 feet to approximately 500 feet at its furthest point. The off-site existing agriculture extends approximately 270 feet at its furthest point.

The proposed project would involve the construction of storm drain systems and connections, which would convey the stormwater flows south to a new outlet point along the San Luis Rey River. The project would be required to comply with all stormwater discharge requirements and water quality standards for any outflow conveyed from the project site to the river. The direct and indirect impacts associated with construction and operation of the proposed project were analyzed in Section 4.4, Biological Resources of the Draft EIR. However, in order to facilitate the reader's review of these responses to comments, a summary of the analysis provided in the Draft EIR, specific to the impacts to the San Luis Rey River, is presented below.

Candidate, sensitive, or special status species

As described in Section 4.4, Biological Resources of the Draft EIR, no special-status plants were detected during the biological surveys, and none have a moderate to high potential to occur on site, or within the off-site area proposed for stormwater runoff conveyance improvements to the river; therefore, implementation of the proposed project would not directly impact any special-status plant species. Only limited vegetation communities associated with the San Luis Rey River are located in the off-site drainage improvement area that have the potential to support special-status plant species adjacent to the project site; however, minimization measures required by Section 5.2.8 of the Oceanside Subarea Plan would be applied to avoid indirect impacts to special-status plant species. Therefore, indirect impacts to off-site special-status plant species are not expected to occur.

Construction activities could result in the loss of nests, eggs, and fledglings of nesting birds protected under the Migratory Bird Treaty Act (MBTA) if vegetation clearing and ground-disturbing activities occur during the nesting season (February 15 through August 31 for most species, January 15 through August 31 for raptors). Mitigation measure MM-BIO-1, which requires pre-construction nesting bird surveys, would reduce potentially significant impacts to nesting birds protected under the MBTA to a level below significance. Loss of suitable habitat for special-status wildlife species is limited given that the majority of impacts are to extensive row crop agriculture (159 acres, or 95% of the impact area), which does not provide native, natural habitat for special-status wildlife species.

Wildlife may be indirectly affected in the short-term and long-term by noise and lighting, which can disrupt normal activities and subject wildlife to higher predation risks. However, outdoor nighttime lighting would be directed downward and away from adjacent properties, reducing light spillover. Also, adverse edge effects can cause degradation of habitat quality through the invasion of pest species. The area between the project site and the San Luis Rey River will continue to be maintained and operated as active agricultural lands providing a buffer of the existing land use between the San Luis Rey River and the proposed project; therefore, indirect impacts occurring to special-status species which use the San Luis Rey River would not change with project implementation. Minimization measures required by Section 5.2.8 of the Oceanside Subarea Plan would be applied to avoid indirect impacts to special-status wildlife species.

Breeding birds can be significantly affected by short-term construction-related noise, which can result in the disruption of foraging, nesting, and reproductive activities. Indirect impacts from construction-related noise may occur to wildlife if construction occurs during the breeding season (i.e., February 15–August 31 for most bird species and January 1–August 31 for raptors). MM-BIO-1, which requires pre-construction nesting bird surveys, would reduce potentially significant impacts to nesting birds protected under the MBTA to a level below significance.

Riparian habitat or other sensitive natural community

Direct impacts (permanent and temporary) would likely occur to the vast majority of the project site. Per the Oceanside Subarea Plan a 100-foot conservation buffer (i.e., no impacts) shall be placed around the San Luis Rey River, beginning at the outer edge of the riparian vegetation. Impacts within the buffer are proposed; however, they are required for improvements to N. River Road and for off-site storm drain easements and outfalls to the San Luis Rey River. These improvements are required to support the proposed project and do not fall under one of the three prohibited uses within the buffer per the draft Oceanside Subarea Plan. The proposed project would result in direct permanent impacts to the vast majority of project site (approximately 170 acres), of which approximately 0.42 acres are considered sensitive. There are no temporary direct impacts as a result of the proposed project.

Impacts to native upland vegetation and riparian/wetland habitats are considered significant under the Oceanside Subarea Plan and require mitigation. Although direct impacts would occur within the buffer of the San Luis Rey River, they would occur primarily within agricultural land (0.58 acres), developed land (0.36 acres), and disturbed habitat (0.31 acres). The remaining impacts are to 0.02 acres of southern arroyo willow riparian forest, 0.15 acres of mulefat scrub, 0.02 acres of non-vegetated channel, and 0.07 acres of disturbed wetland. Therefore, there would be a total of 1.50 acres of impacts within the 100-foot buffer of the San Luis Rey River. Impacts within the buffer are required for improvements to N. River Road and for some off-site improvements. Implementation of MM-BIO-2, which requires preservation in accordance with the Oceanside Subarea Plan, and MM-BIO-3, which requires revegetation of slopes, would reduce potentially significant impacts to a level below significance.

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It is assumed that the potential short-term indirect impacts to off-site adjacent vegetation communities resulting from construction activities may include dust, general human presence, and construction-related soil erosion and runoff. However, project grading would be subject to the implementation of BMPs and typical restrictions and requirements that address dust control, erosion, and runoff, including the federal Clean Water Act and National Pollution Discharge Elimination System. Dust and erosion/runoff control would be implemented during construction. Therefore, given these avoidance and minimization measures short-term indirect impacts to vegetation communities would be less than significant.

Potential long-term indirect impacts to vegetation communities may also occur as a result of the proposed project through introduction of non-native species, increased human presence, and changes in hydrology. However, long-term operational BMPs and stormwater design would control adverse edge effects following construction. Riparian vegetation communities associated with the San Luis Rey River occur west of the project site. The Oceanside Subarea Plan requires a 100-foot buffer of the San Luis Rey River. Approximately 1.50 acres are expected to be impacted within that buffer as a result of the proposed project. Implementation of MM-BIO-2, which requires preservation in accordance with the Oceanside Subarea Plan, and MM-BIO-3, which requires revegetation of slopes, would reduce potentially significant impacts to a level below significance.

Federally protected wetlands

The proposed project would result in direct permanent impacts to approximately 0.65 acres of jurisdictional resources. Approximately 0.44 acres of ACOE/RWQCB/CDFW-jurisdictional area would be impacted, including 0.02 acres of impacts to wetlands/riparian habitat and 0.42 acres of impacts to non-wetland waters/streambed. In addition, the proposed project includes approximately 0.22 acres of impacts to CDFW-only jurisdictional riparian habitat. Impacts to riparian/wetland habitats are considered significant under the Oceanside Subarea Plan and require mitigation. The proposed project would result in direct impacts to 0.02 acres of southern arroyo willow riparian forest, 0.15 acres of mulefat scrub, 0.18 acres of non-vegetated channel, and 0.07 acres of disturbed wetland, which are classified as Habitat Group A of the Oceanside Subarea Plan; this would be considered a potentially significant impact. Implementation of MM-BIO-2, which requires preservation in accordance with the Oceanside Subarea Plan, would reduce to this impact to a less-than-significant level.

The proposed project's construction-related indirect impacts to jurisdictional resources would be temporary and could include dust, general human presence, and construction-related soil erosion and runoff. However, project grading would be subject to the implementation of BMPs and typical restrictions and requirements that address dust control, erosion, and runoff, including the federal Clean Water Act and National Pollution Discharge Elimination System. Dust and erosion/runoff control would be implemented and would mitigate impacts. Potential

long-term indirect impacts to jurisdictional resources may also occur as a result of the proposed project through introduction of non-native species, increased human presence, and changes in hydrology. Long-term operational BMPs and stormwater design would control adverse edge effects following construction.

Movement of any native resident or migratory fish or wildlife species

The proposed project would not affect the ability for wildlife movement that could occur within the San Luis Rey River to the south.

Local policies or ordinances protecting biological resources

The proposed project would have potentially significant impacts to sensitive biological resources, and appropriate mitigation measures in compliance with the Oceanside Subarea Plan and applicable federal, state, and local codes are required. Therefore, the proposed project would not conflict with any local policies or ordinances protecting biological resources, and impacts would be less than significant.

Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan

The proposed project is consistent with the requirements of the Oceanside Subarea Plan. The proposed project would directly impact the 0.42 acres of sensitive vegetation communities that would require mitigation under the Oceanside Subarea Plan. These vegetation communities do not function as a habitat corridor and have little habitat value for wildlife due to their isolation from a larger habitat corridor and small patch size. Therefore, mitigation occurring within the riparian corridor of the San Luis Rey River would provide preservation of biologically superior habitat, as well as fulfillment of the requirements of the Oceanside Subarea Plan for habitat in the Off-Site Mitigation Zone.

The project site is within the Agricultural Exclusion Zone as defined in Section 5.3.3 of the Oceanside Subarea Plan and is actively managed up to the edge of the San Luis Rey River. Although the majority of the site would be converted to non-agricultural uses, surveys for Stephens' kangaroo rat (*Dipodomys stephensi*) and arroyo toad are not required due to the presence of exclusionary fencing and a small berm, which precludes these species from entering the site. The area between the proposed project and the San Luis Rey River will continue to be maintained and operated as active agricultural lands.

There would be a total of 1.50 acres of impacts within the 100-foot buffer of the San Luis Rey River. Impacts within the buffer are required for improvements to N. River Road and for some off-site improvements. These improvements are required to support the proposed project and do not fall under one of the three prohibited uses within the buffer. Of the 1.50 acres of impacts within the 100-foot

buffer, 0.58 acres of existing agriculture and the existing road and adjacent disturbed habitat (0.67 acres) would remain. However, impacts to 0.26 acres of native habitat within the 100-foot buffer of the San Luis Rey River would be potentially significant. This impact includes 0.07 acres of disturbed wetland, 0.15 acres of mulefat scrub, 0.02 acres of non-vegetated channel, and 0.02 acres of southern arroyo willow riparian forest. Implementation of MM-BIO-2, which requires preservation in accordance with the Oceanside Subarea Plan, and MM-BIO-3, which requires revegetation of slopes, would reduce potentially significant impacts to a level below significance.

Cumulative

Topical Response CU-1: Cumulative/Growth Inducing Effects on Agriculture and Precedent for Similar Development

Comments have been received that suggest that the project and its change in land uses will induce growth. Comments further state growth-inducing impacts would result in adverse impacts to agriculture from the conversion of agricultural lands in South Morro Hills to residential uses.

With respect to the general comment that the proposed project would induce growth, the comment restates information contained in the Draft EIR. Sections 4.14 and 6.1 of the Draft EIR address growth-inducing impacts. Section 4.14 concludes that “[t]he proposed project would directly induce growth through the development of residential and commercial land uses, which would introduce new residents and jobs to the area.” Likewise, Section 6.1 concluded that the project “would be considered growth inducing.” Refer to Topical Response PH-1.

Even though there is no specific number or percentage available to determine whether this estimated growth would be considered a substantial increase in population, the proposed project would nevertheless increase the population of the area and exceed the planned population growth under the site’s current General Plan land use designation. Sections 6.1 and 4.14 of the Draft EIR acknowledge that, as the project site is developed and eventually built out as proposed, existing adjacent and nearby land may be encouraged to intensify uses as a result of property owners in the area being encouraged to propose additional community serving retail uses based on the new residences. In other words, construction of the proposed project would generate an economic stimulus from the operation of the proposed project’s commercial and agricultural facilities, and introduction of new consumer demand in the area. Additionally, the proposed land use intensification could potentially result in growth inducement due to potential for unplanned infrastructure improvements. Accordingly, the Draft EIR concluded the project would be considered growth inducing.

However, an EIR is not required to provide a detailed analysis of a project’s effects on growth, and is not required to engage in speculation (CEQA Guidelines Section 15126.2(d) (2); *Napa Citizens for Honest Gov’t v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 369;

Federation of Hillside & Canyon Assns. v. City of Los Angeles (2000) 83 Cal.App.4th 1252, 1265). The particular growth that can be attributed to a project can be difficult to predict, given the large number of variables at play, including uncertainty about the nature, extent, and location of growth and the effect of other contributors to growth besides the project. As a result, the court in *Napa Citizens* concluded that it would not be reasonable to require the EIR to “undertake a detailed analysis of the results of such growth.” The court concluded that nothing in the Guidelines, or in the cases, requires more than a general analysis of projected growth. (91 Cal. App. 4th at p. 369).

A more detailed analysis of potential growth-inducing impacts cannot be provided at this time without engaging in undue speculation, which is not required by CEQA. However, Section 4.2 of the Draft EIR does discuss potential indirect impacts related to the conversion of off-site agricultural resources to a non-agricultural use, and concludes that such impacts would be less than significant for a variety of reasons. The reasons for finding that indirect impacts would be less than significant would also apply to impacts to agriculture from growth inducement. Thus, the project would not result in other changes to the existing environment that could result in a significant impact from the conversion of agricultural land or Farmland⁵ to a non-agricultural use.

Refer to Section 4.2 of the Draft EIR. Section 4.2 analyzes possible indirect impacts to existing Farmland, and concludes that with incorporation of water quality/runoff features and open space/agricultural buffers from existing off-site active agricultural land uses, the proposed project would not result in other changes to the existing environment that could result in the significant conversion of Farmland. As detailed in the PD Plan (Appendix B) and Draft EIR (i.e., Table 4.11-2 [Consistency Analysis, Policy 2.5]), the project includes edge buffers between the residential communities of the North Village and Hilltop Village and the surrounding agricultural and residential land uses. Wilshire Road also separates the project site from existing agricultural operations near the northeast tip of the project boundary. To maintain compatibility with agricultural land uses to the south, production agriculture would be placed along the southern boundaries of the project site. Existing agricultural uses would be further buffered from the project by setback requirements for existing agricultural operations.

In addition, the project incorporates transitional development intensity to respond to existing surrounding conditions. The PD Plan transitions from medium density at the project core to lower density north of N. River Road. (Appendix B, PD Plan, Section 1.1 [Project Overview].) The North Village north of the core will include single family homes and focus on agricultural opportunities and recreation. Farther north, the Hilltop Village will consist of large lot residential, similar to the large lot residential outside of the PD Plan. Transitional development intensity has thus been incorporated into the development concept and overall plan to ensure compatibility with existing agricultural uses.

⁵ Farmland includes Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Refer to Draft EIR Figures 4.2-1 and 4.2-2.

APPENDIX T0 (Continued)

Further, the project would preserve 31.6 acres of agricultural land onsite, and incorporates an agricultural identity. As detailed in the Draft EIR and PD Plan, the project would include several agritourism features such as a community garden, market garden, production agriculture, a vineyard, orchards, a farm hub, a hotel farm, and an ecology center (Draft EIR Section 4.11.4). Orchards, orchard intercropping, market gardens, and a vineyard would be placed between N. River Road and the proposed residential land uses, providing a transitional landscape to the South Morro Hills region.

The project site is located on the western entry to South Morro Hills, in a transitional area between agricultural uses and other uses to the east, and residential subdivisions and denser developments to the west (see, Draft EIR Table 4.11-2 [Consistency Analysis for Policy 2.5].) The project would serve as a transition point between these two areas, by tying together the surrounding land uses and using agriculture as an organizing element of the overall neighborhood plan; therefore providing better public access to agricultural uses and supporting such uses. In sum, setbacks from agricultural uses; the use of buffers; transitional intensity; the project's incorporation of agricultural features and identity; and the project's location at the transition of South Morro Hills to more urbanized areas to the west support the determination that the proposed project is not anticipated to change the existing environment in a manner that would result the conversion of surrounding Farmland or agricultural land.

Further, with respect to nearby properties that are under a Williamson Act contract (as shown on Figure 4.2-2), the Draft EIR concludes that the proposed project would result in less-than-significant impacts to Williamson Act contract and agricultural zoned lands. Figure 4.2-2 shows few Williamson Act contract lands proximate to the project site. As discussed in the Draft EIR, the Williamson Act establishes a mechanism for local governmental agencies to contract with private landowners to restrict parcels of land to agricultural or open space land uses in exchange for reduced property tax assessments. These contracts are valid for 10-year continuously rolling terms. Cancellations and/or breach of such contracts carry stiff financial penalties. Thus, the Draft EIR concluded that the implementation of the project would not remove any parcels under an existing Williamson Act contract. The proposed project would also not preclude agricultural operations on these lands.

In addition, implementation of the proposed project would not inhibit adjacent parcel owners from enrolling in a Williamson Act contract. The comment that development of the project site would put pressure on adjacent agricultural land to convert to urban development is speculative as applied to agriculture land under such contracts. It is impossible to even speculate what those property owners might do in the future once such contracts have been terminated. Additionally the fact that the project site is developed has no correlation to the property tax assessments on adjacent agricultural land. Those assessments will only change subject to the terms of the Williamson Act contract or by an action of the particular property owners. For these additional reasons, the project

would not conflict with or result in the conversion of properties under a Williamson Act contract to a non-agricultural use.

Fire Hazard and Safety

Topical Response FR-1: General Fire Safety and Potential Hazards

As stated in Section 4.9, Hazards and Hazardous Materials, of the Draft EIR, the project is within an area statutorily designated a non-Very High Fire Hazard Severity Zone (VHFHSZ). Despite its location in non-VHFHSZ, the project cannot ignore the potential wildfire threat associated with unmaintained fuels in the area, including the San Luis Rey River and is required to analyze and provide for a level of planning, ignition resistant construction, access, water availability, fuel modification and construction materials and methods that have been developed specifically to allow safe development within these areas. The project meets and exceeds these requirements.

The Draft EIR evaluated the fire hazard of the area and its potential effect on the project as well as the potential increased hazard that may result from the proposed project. As described in Section 4.9 of the Draft EIR, the project would not expose people or structures to a significant risk of loss, injury or death from wildland fires because of the landscape surrounding the development and project hardening requirements described in the project's Fire Protection Plan (FPP) (Appendix J1), including the measures that result in conformance with the intent of the strict ignition resistant building and fire codes, additional fire protection systems, and fuel modification/ vegetation management design features. An FPP was prepared for the project to assess the potential impacts resulting from wildland fire hazards and identify the measures necessary to adequately mitigate those impacts. As part of the assessment, it considered the fire risk presented by the site including property location and topography, geology (soils and slopes), combustible vegetation (fuel types), climatic conditions, fire history and the proposed land use and configuration. As a result of the findings of the fire modeling, project design features were incorporated into the project, including fuel modification zones, use of ignition resistant building materials, and other mitigation provisions in order to reduce the risk of fire hazard.

Section 5 of the Draft EIR also identified that the project's contribution to a potential cumulative impact would be less than cumulatively considerable with respect to wildland fire hazards based on the implementation of the FPP, associated landscaping plans, and mitigation measures.

The fire safety project design elements render the project as defensible, more able to withstand fire, and improvements to N. River Road would provide for increased traffic flow and reversible lanes during an emergency evacuation. In addition, the conversion of fuels to the project's managed landscapes modifies fire behavior in the area and in some instances, may provide additional buffer to adjacent homeowners, decreasing immediate exposure to fires moving from the east. Taking all of the above into consideration, the project would not decrease area safety.

APPENDIX T0 (Continued)

Research indicates that new, master planned communities subject to ignition resistant building standards and a system of fire protection that includes fire apparatus access, improved water for fire flow, and managed and maintained, site-wide fuel modification perform very well in wildfire situations. This same fire protection system has been found by after action fire reports, independent researchers, as well as USGS researchers (2013) to perform well against wildfires. Newer communities, especially those within jurisdictions that have adopted the latest State Fire and Building Codes (like San Diego County), and that have a well-defined and maintained fuel modification zone requirement, perform well against wildfires. Examples include 4S Ranch in San Diego County, Stevenson's Ranch in Santa Clarita, Serrano Heights and many others in Orange County. Conversely, when structures are lost, it is typically in older communities that were built before strict ignition resistant construction was required and where suitable fuel modification is not present. The results are clear after numerous post wildfire after action assessments (San Diego County 2003 and 2007 fire storms) which indicate that losses are primarily from older communities and losses in newer communities are typically limited to damage, not loss of the structure.

Fire impacts on structures have been minimized through the California Building Code, Chapter 7A exterior fire ratings for walls, windows and doors. Additionally, provisions for modified fuel areas separating wildland fuels from structures have reduced the number of fuel-related structure losses. As such, most of the primary components of the layered fire protection system provided the project are required by the Oceanside Fire Department (OFD) and state codes. However, these requirements are worth listing because they have proven effective for minimizing structural vulnerability to wildfire and, with the inclusion of required interior sprinklers (required in the 2010 Building/Fire Code update), of extinguishing interior fires, should embers succeed in entering a structure. Even though these measures are now required by the latest Building and Fire Codes, at one time, they were used as mitigation measures for buildings in Wildland Urban Interface (WUI) areas, because they were known to reduce structure vulnerability to wildfire. These measures performed so well, they were adopted into local and state codes.

For instance, San Diego County after fire assessments, indicate strongly that the building codes are working in preventing home loss: of 15,000 structures within the 2003 fire perimeter, 17% (1,050) were damaged or destroyed. However, of the 400 structures built to the 2001 codes (the most recent at the time), only 4% (16) were damaged or destroyed. Further, of the 8,300 homes that were within the 2007 fire perimeter, 17% were damaged or destroyed. A much smaller percentage (3%) of the 789 homes that were built to 2001 codes were impacted and an even smaller percentage (2%) of the 1,218 structures built to the 2004 Codes were impacted (IBHS 2008). It has been reasoned that by fire officials conducting after fire assessments that damage to the structures built to the latest codes is likely from unmaintained flammable landscape plantings or objects next to structures or open windows or doors (Hunter 2008). The building codes developed for construction in high and very high fire hazard zones is working to minimize the vulnerability of new residences and other structures to wildfires. There are numerous examples of master

APPENDIX T0 (Continued)

planned communities built to ignition resistant standards and include homeowner association (HOA) managed fuel modification zones (FMZs) that have been tested by wildfire and functioned as they were intended.

Fire and building codes developed specifically for homes and communities built in very high fire hazard areas (Chapter 7A of the California Building Code) have been developed to provide a high level of ignition resistance and consider that fire-fighting resources may not be available at every structure. The structures in the community have been designed to ignition resistance levels necessary for the worst-case fire scenario given the site's fuels, terrain, and extreme weather conditions.

The perimeter fuel modification zones, ongoing agricultural operations, site wide landscaping restrictions, and surrounding land uses, along with ongoing inspections and maintenance separate flammable vegetation from the structures by at least 100 feet, and much more than that adjacent to the San Luis Rey Riverbed and/or reduce the fuel loads so that less heat is generated (refer to Figure RTC-1). Heat dissipates across distances and Cohen's (1995, 1996, 2000, 2003) research confirms that a distance of 30 feet (the project provides at least 100 feet) is adequate for separating the site's ignition resistant structures from vegetation heat sources. The project would provide a financial contribution toward healthy habitat management within the San Luis Rey River to the south of the site. The type of management activities would focus on non-native/exotic plant species removal. This effort would have a dual benefit of providing fire risk reduction. Based on the ignition resistance of the structures to wildfire flames, the primary other means to any wildland urban interface structure is from burning embers/fire brands, but it is not an immitigable threat. The project has addressed this by requiring code-exceeding ember resistant vents on all structures. The potential vulnerabilities expressed in the comment are vulnerabilities that every structure in the wildland urban interface faces. The fire protection system has been based on the significant threats and mitigates the most likely avenues of ignitions, resulting in a project that is considered to include a relatively low risk.

Further, the multiple unit structures and barn component require an enhanced fire sprinkler system which is a structure protection system vs. a life safety system for single-family residences. These systems have historically performed very well to minimize fire spread inside a structure and in most cases, to extinguish the fire.

Several comments purport that the project would introduce ignition sources into the area and as such, the existing residences should be made more ignition resistant as a mitigation. While it is true that humans are the cause of most fires in California, there is no data available that links increases in wildfires with the development of ignition resistant communities. The project would include a robust fire protection system, as detailed in your comment and further in the project's FPP. This same robust fire protection system provides protections from on-site fire spreading to off-site vegetation. Accidental fires within the landscape or structures in the project would have

limited ability to spread off-site. The landscape throughout the project and on its perimeter would be highly maintained and much of it irrigated, which further reduces its ignition potential. Structures would be highly ignition resistant on the exterior and the interiors would be protected with automatic sprinkler systems, which have a very high success rate for confining fires or extinguishing them. The project would be a fire adapted community with a strong resident outreach program that raises fire awareness among its residents.

Topical Response FR-2: Fire Code Secondary Access

Comments assert that the project results in a long dead end road or a “one-way in, one-way out” situation. N. River Road provides access to the project from the west and continues past the project to the east, until it eventually intersects State Route 76 (SR-76). The road is available for evacuation in two directions, east or west. Depending on the type of emergency, law enforcement may direct evacuees to the west, east, or in both directions. A dead end road would not provide the option of traveling beyond the project’s eastern limits, which is not the case with project and the existing N. River Road. The project’s roads, access points, and secondary access were thoroughly evaluated within the project’s FPP (Appendix J1) and by OFD. The FPP was found adequate and complete by OFD.

Topical Response FR-3: Adequacy of Emergency Evacuation and Access

Comments indicate that the project presents a fire risk or would impede evacuations of existing communities. The project’s FPP meets City standards, which includes providing a layered approach to fire safety that is customized for a project site and the analyzed fire hazard presented. The project would provide additional buffer for the existing community to the north and west. This type of dense development with an unbroken landscape (as opposed to low density wildland urban intermix projects) has been found to perform well against wildfires (USGS Research 2015; IBHS Mega Fires 2008). Fire behavior has been analyzed, compared to similar fire environments, and accepted by OFD. While wildfires under extreme wind conditions can be unpredictable, the project has been designed with a layered system of protections and determined to include the necessary features to perform well during wildfires.

Wildfires are fluid events that require situational awareness, scenario pre-planning, and contingencies. It is anticipated that the worst-case project evacuation would occur in a similar manner to many other areas in the county. In the event of a wildland fire in the area, evacuation and contingency plans are an early part of a wildfire’s tactical planning process by an Incident Command team. A contingency plan is one of the immediate priorities for development by Incident Command when a wildfire event occurs in a WUI area. Community evacuation plans, like the plan prepared for the project (Appendix J2 of the Draft EIR), would be integrated into the contingency planning process to assist and coordinate evacuation planning for all residents requiring evacuation.

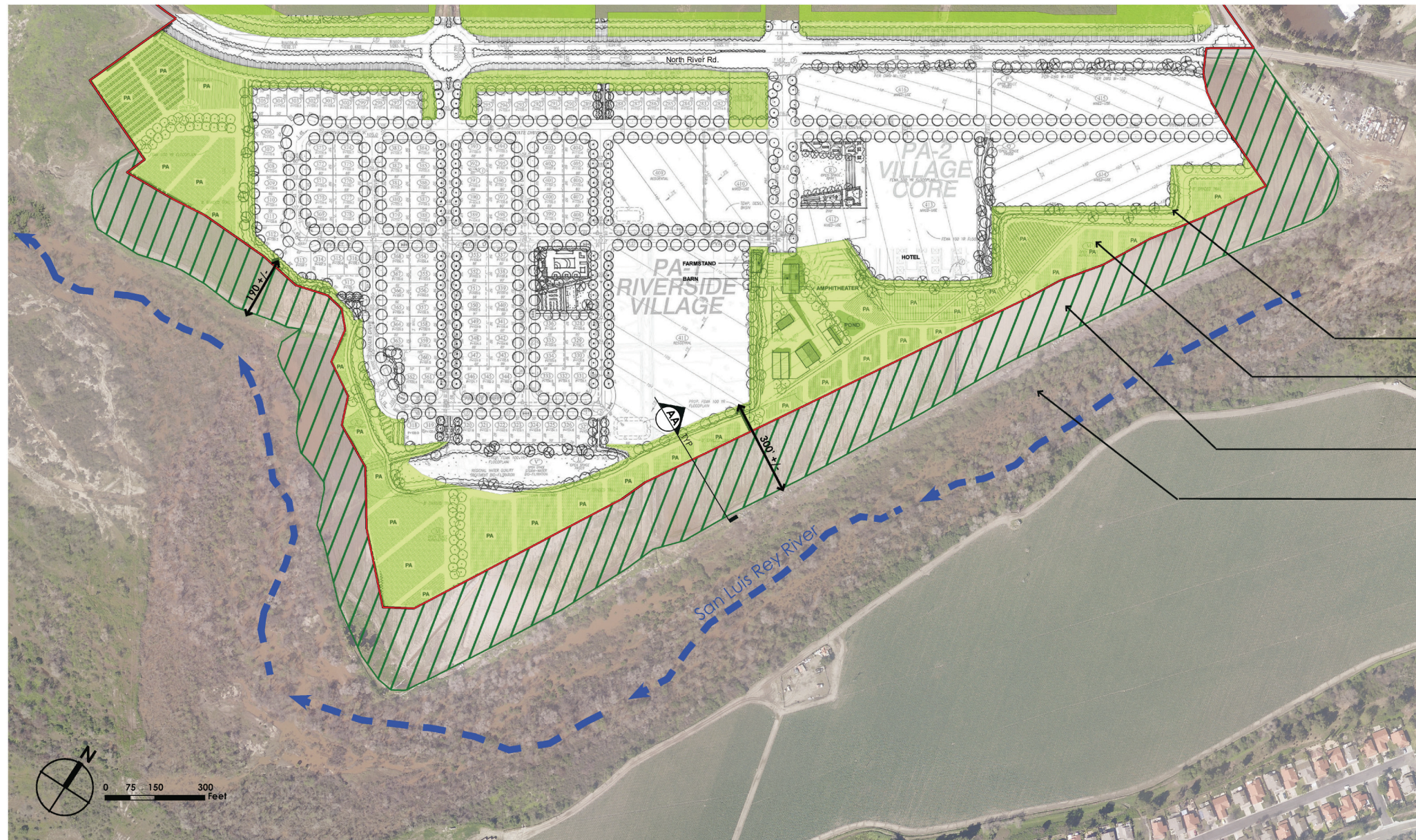
APPENDIX T0 (Continued)

With regard to evacuation, San Diego County fire and law enforcement agencies have successfully evacuated very large numbers of people over the last 15 years in large fire events. Each event resulted in lessons learned and millions of dollars spent to resolve encountered issues (San Diego County Operational Area Emergency Operations Plan Evacuation Annex 2014). The residents of San Diego County's WUI areas, including future residents of the project, would benefit from these improvements in available resources, quick fire detection and notification technology and overall coordination of evacuation efforts amongst agencies to minimize the occurrence of congestion on evacuation routes. Grid lock on roadways during evacuations is most often the result of intersections and law enforcement movement of populations most threatened. Therefore, clearing intersections to keep traffic moving out of the area is anticipated to be a focus of evacuation planning for the greater eastern Oceanside region during a large wildfire. As indicated by San Diego County Sheriff's Department (Planning Commission Hearings May 24 and June 28 and Board of Supervisor's Hearing July 25), wildfire evacuations are managed and controlled with great success in San Diego County. The Sheriff's Department stated that they are confident they can move people from harm's way and would also use temporary refuge in hardened communities, an option available to the residents of the project and residents in the surrounding area.

The project's Evacuation Plan (Appendix J2) analyzed evacuation of the project under a variety of scenarios. There are three points of ingress/egress each from N. River Road into the project's northern and southern development areas. The N. River Road improvements/widening facilitates these six access points while also considering existing residents' evacuation. Further, there are several potential evacuation routes within a short distance of the project site that would be available under some circumstances.

Regarding evacuation along N. River Road during a wildfire, evacuation would occur as long as any encroaching wildfire was a great distance from the project and when intersections are controlled so that large numbers of vehicles, from the project and surrounding area, can be moved out of the area. If an encroaching fire is within a distance that would not allow at least a two to three hour timeframe, then evacuations would be evaluated and could be temporarily halted. Similarly, if traffic was heavy on roads out of the area, then the evacuation process may not occur as it would be safer to keep people in the well-protected, maintained community (as would be the decision for any newer, fire resistant HOA managed community). Law enforcement and fire officials along with County of San Diego Office of Emergency Services (OES) and the Incident Command would evaluate when it was not safe to evacuate the project and surrounding areas.

The fire scenario presented in the comments raise no new information that was not evaluated by the Draft EIR and presented within the fire technical reports (Appendices J1 and J2). The worst-case conditions, based on realized weather and fuel conditions were modeled, historical wildfires were compared, and design features were integrated into the project based on that analysis.



SLOPE EDGE LANDSCAPE MANAGEMENT NOTES

THE LANDSCAPE EDGE BETWEEN THE SAN LUIS REY RIVER HABITAT WILL PROVIDE ADDITIONAL DEFENSIBLE PERIMETER FOR FIRE, EROSION, AND OTHER NATURALLY OCCURRING HAZARDS. THE EDGE CONSISTS OF A NEW-MANUFACTURED SLOPE ADJACENT TO RESIDENTIAL AND MIX USES, PROPOSED AGRICULTURAL USES AND EXISTING AGRICULTURAL LAND. THE FOLLOWING ADDRESSES THE LANDSCAPE SLOPE ADJACENT TO THE PROJECT:

- NO PLANTING OF UNDESIRABLE NON-NATIVE VEGETATION
- NO PALM TREES WILL BE ALLOWED
- NO PYROPHYTES CAN BE PLANTED. **EXCEPTION:** NON-FIRE-RESISTIVE TREES (CONIFERS, PEPPERS, EUCALYPTUS, & ACACIA) CAN BE PLANTED AND IF LOCATED SO THAT THERE IS 50' MIN. MATURE CANOPY CLEARANCE FROM STRUCTURES.
- NO DENSE PLANT MASSES ADJACENT TO TOP OF SLOPE, STRUCTURES OR UNDER TREES
- TREES PRUNED TO MAINTAIN 10' VERTICAL SEPARATION ABOVE UNDERLYING SHRUBS/GROUND COVER OR 3X THE HEIGHT OF THE UNDERSTORY OR 10' (WHICHEVER IS GREATER).
- TREES ARE ALLOWED IN GROUPS OF NO MORE THAN FIVE.
- MULCH, CHIPS, OTHER SMALL CUTTINGS MAY BE EVENLY SPREAD TO A MAXIMUM DEPTH OF 4" AND WILL BE 50' MIN FROM BUILDINGS.
- THE NRF PROJECT WILL PROVIDE A CONTRIBUTION TOWARD HEALTHY HABITAT MANAGEMENT WITHIN THE SLR RIVERBED ADJACENT TO THE SITE. THE TYPE OF MANAGEMENT ACTIVITIES WILL FOCUS ON NON-NATIVE/EXOTIC PLANT SPECIES REMOVAL. THIS EFFORT WILL HAVE A DUAL BENEFIT OF PROVIDING FIRE RISK REDUCTION.

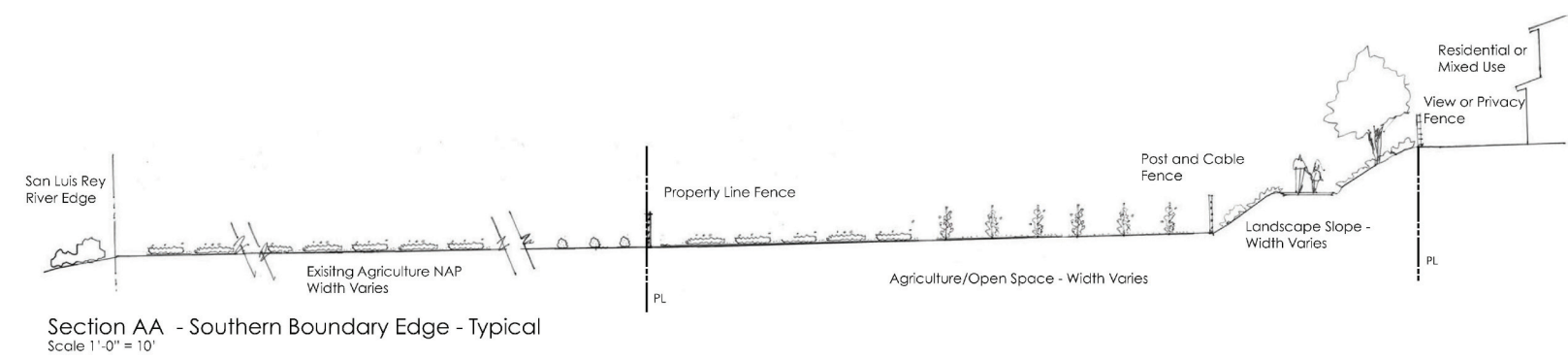
- Landscape Slope Edge - Typical
- Project Open Space/Agriculture - Irrigated Crops - See PD Agriculture Concept Plan
- Existing Agriculture NAP
- San Luis Rey River Corridor

- Project Site
- Existing Farming Buffer
- Proposed Agriculture



Agriculture

SOURCE: MS ASLA 2018



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APPENDIX T0 (Continued)

In some fire emergencies, likely excluding shorter notice events, N. River Road would be available for evacuation. Project residents would likely utilize N. River Road west. During a wildfire evacuation, law enforcement and fire responders would evaluate conditions and fire spread and that information would inform continued evacuations. Law enforcement understands the importance of maintaining clear intersections to support evacuating residents. In an evacuation where a large scale evacuation occurred, emergency managers (OES, law enforcement, fire personnel, and others) would determine how to maintain traffic flow out of the area into Oceanside, Vista, San Marcos and other cities away from the wildfire or other threat. This may include directing traffic along N. River Road toward Fallbrook and the I-15 under some fire conditions. If a traffic surge or road blockage occurred, the decision makers would have a contingency to temporarily refuge residents within the project site, including existing residents that do not have the same level of protection.

The project's evacuation plan has been prepared to raise resident awareness (Appendix J2). Evacuation plans are not required by CEQA or City policies or regulations. For the residents of project and the surrounding area, it should also be noted that the primary focus of an evacuation plan is to identify evacuation routes and to prepare residents for an emergency event. For preparedness of the residents, the "Ready! Set! Go!" evacuation approach would be utilized. This program is supported by most fire agencies and focuses on education, awareness and preparedness for those living in the wildland-urban interface areas. The evacuation plan would also require that the project's HOA distribute "Ready! Set! Go!" information, encourage homeowners to prepare their own individual evacuation plans, stress familiarization with maps showing the evacuation routes, temporary evacuation points, and pre-identified safety zones.

The existing roadway capacity was analyzed in detail in the project Traffic Impact Analysis (TIA) (Appendix N to the Draft EIR), and summarized in Section 4.17, Traffic and Circulation, of the Draft EIR. Addition of project traffic to area roads was evaluated, including full build out of project and other existing and projected growth. Project effects were studied for road segments and intersections. Where significant impacts were identified, mitigation also was identified; including widening, signal upgrades, re-striping, payment into City programs, etc. Significant and unavoidable impacts were identified (refer to Table 4.17-19 of the Draft EIR), at the following intersections and roadway segments, as impacts would only be partially reduced: intersection of Vandegrift Boulevard/N. River Road, intersection of N. River Road/College Boulevard, and segment of College Boulevard from N. River Road to Adams Street. However, in the event of a properly coordinated evacuation, roadway level of service becomes irrelevant due to implementation of manual traffic control from emergency service providers.

The Unified San Diego County Emergency Services Organization has the primary responsibility for preparedness and response activities, and addresses disasters and emergency situations within the unincorporated area of San Diego County. OES serves as staff to the Unified Disaster Council (UDC), the governing body of the Unified San Diego County Emergency Services Organization.

APPENDIX T0 (Continued)

Emergency response and preparedness plans include the Operational Area Emergency Response Plan and the San Diego County Multi-Jurisdictional Hazard Mitigation Plan. Both of these plans develop goals and objectives for OES in regards to large-scale natural or man-made disasters. The Operational Area Emergency Plan provides guidance for emergency planning and requires subsequent plans to be established by each jurisdiction that has responsibilities in a disaster situation. The Multi-Jurisdictional Hazard Mitigation Plan provides the framework for emergency response throughout the County, including at the North River Farms. It includes an overview of the risk assessment process, identifies hazards present in the jurisdiction, hazard profiles, and vulnerability assessments. The plan also identifies goals, objectives, and actions for each jurisdiction in the County of San Diego, including all cities and the County unincorporated areas. The project is consistent with the framework of emergency response as required in the above plans, as well as the goals, objectives and actions required by the County.

Precise specifics and simulation regarding timing of evacuation during fire events are wholly speculative and beyond the requirements of an EIR because they are wholly determined by the fire event, the direction the fire is moving, and directions issued by emergency fire personnel at the time.

Introduction of additional residents into a setting that is planned to be fire resistant and that would act as a fuel break between fires burning east to west or south to north and existing or planned residences in those areas would not increase the likelihood of fire risk. The project's perimeter fuel modification zones and ignition resistant landscapes provide protection for the project, but they also serve as a buffer between accidental ignitions escaping into unmaintained vegetation. Additionally, the project's residents would be made aware of the fire potential of the area and would represent additional "monitors" which would be expected to aid in early wildfire detection, should a wildfire ignite in the area.

The project was not found to expose people or structures to a significant risk of loss, injury or death involving wildland fires, or impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. To the contrary, the presence of a fire-resistant development would be likely to shield some uses currently within the wildland urban interface or intermix, and would also facilitate easier evacuation for all existing residences currently using the two-lane portion of N. River Road, which would be improved and widened along the frontage and west of the project. The project was not assessed as likely to cause "entrapment of current residents" and in fact provides a contingency option for late evacuations/short notice events where existing residents can temporarily refuge within the project, including potentially with livestock trailers.

The evacuation scenarios analyzed in the project's evacuation plan include a distant wildfire moving toward the project and a short notice event where there are not several hours available to evacuate. Late evacuations have proven to be the most dangerous scenario for evacuating residents. The FPP's evacuation planning considers the possibility of wildfire igniting within the immediate

APPENDIX T0 (Continued)

vicinity of the project site, closer to the project and not allowing several hours for evacuation. It is this very scenario that was the nexus for developing a contingency plan for the project, and for existing residents who may not have defensible properties. The contingency plan would enable fire and law enforcement officials the ability to cease evacuations or modify evacuations so that vehicles would not be exposed to wildland fire. The most likely approach would be to temporarily refuge residents within the project's well-protected structures, which includes residences and a large barn/maker space building.

It should be noted that animal evacuations present a host of challenges that may affect the overall successful movement of people and their possessions out of harm's way. For example, livestock owners do not always have the means to load and trailer their livestock out of the area. Further, most wildfire evacuation relief shelters or commercial lodging facilities do not allow people to bring in pets or other animals. Sorensen and Vogt (2006) indicate that an issue receiving increasing attention is what evacuees do with pets or other animals such as livestock when they leave their homes and whether having pets or animals impacts their decision to evacuate. Large animal evacuations are an integral component of the "Unified San Diego County Emergency Services Organization and County of San Diego Operational Area Emergency Operations Plan" (2014). The Department of Animal Services and the San Diego Humane Society are both Participating Agencies that can provide assistance during an emergency. Per the Evacuation Annex of this document:

The San Diego County Department of Animal Services (DAS) has plans in place to transport and shelter pets in a disaster under Annex O of the OA EOP, including the Animal Control Mutual Aid Agreement. Animal Control Officers, the San Diego Humane Society, and private animal care shelters will assist in the rescue, transport, and sheltering of small and large animals. In addition, potential volunteer resources and private groups should be identified and tracked in WebEOC. Only non-emergency resources and personnel, such as public and private animal services agencies, will be used to rescue and transport animals during an evacuation effort. In most cases, DAS and the OA EOC will coordinate and attempt to collocate animal shelters with people shelters.

Short-time frame wildfires may require an alternative approach and that approach requires animal owners in rural areas to plan for these events and create contingencies when evacuation may not be possible. This applies with or without development of larger communities. The project would offer the ability for nearby livestock owners to temporarily shelter within the project with their livestock in trailers should a wildfire incident not allow safe evacuation out of the area.

Many comments also compared potential evacuation of the project and surrounding area with that of an evacuation in Portugal as well as the recent fires in Greece and northern California, but again provides no comparison details.

The roadway conditions, evacuation process, emergency management oversight, wildland fuels, number of persons and vehicles, distance to safe areas, and options for temporarily refuging on site are not compared and contrasted between these fires and the project site and would indicate that a direct comparison is not valid. These fires were burning in fuels that are much different than the types of vegetation adjacent to the project. For example, the Portugal wildfire was burning in eucalyptus and pine forest, the Greece fires were burning in pine forest, the northern California fires varied between forest and shrub lands, but with development built within the fuels, not similar with the project site. These different fuels produce a much more aggressive fire than a grassland driven fire, which dominates the area around the project site. The San Luis Rey riverbed would produce more aggressive fire, but the proposed project is set back from the fuels associated with the San Luis Rey River by a combination of active agriculture and fuel modification, which provides separation between the project site and the fuels within the San Luis Rey River. Also, the fuels are confined to a narrow band within the riverbed. Many other fire protection features integrated into the project, as well as measures routinely enacted by emergency personnel in Oceanside and San Diego County were neither available nor deployed in the other fires referenced by the commenters. Further, the fact that wildfire related deaths are most often due to late evacuations, such as those that occurred in Portugal, Greece, and northern California, was duly considered in preparation of the project's FPP and evacuation plan, resulting in a much safer development with the closest fuelbeds to the site characterized as a much lower fire hazard than those that occurred in the areas of the wildfires referenced by commenters.

Topical Response FR-4: Shelter in Place

The project's FPP specifically addresses a scenario where N. River Road would not be available during a fire evacuation. The project, due to its inclusion of code exceeding fire protection features, enables residents and neighbors with the ability to temporarily refuge on site (FPP page 66 and Evacuation Plan – Section 3.3.2 and 6.3) within their defensible homes or at the community building. Oceanside Police Department, OES, and emergency responding agencies would have the ability to make a determination if temporary safe refuge of residents would be appropriate or warranted, in the event a wildfire occurs in the immediate project vicinity with little to no time to evacuate.

The project, like any new master planned development in Southern California, would enable emergency responders/decision makers to utilize some form of temporary refuge for firefighters and (as a contingency alternative) residents, on site during wildfire emergencies. Comments received misinterpret the concept of “shelter in place” in San Diego County and also classifies the project as shelter-in-place, which it is not. Specifically, the communities within Rancho Santa Fe Fire Protection District (RSFFPD) that are designated shelter-in-place communities (the only such designated communities in the County), do not rely solely on shelter in place. The RSFFPD has required a very high level of ignition resistance and fuel modification that is consistent with what would be provided at the project site. Also, even in the Crosby, Cielo and other shelter-in-place communities, the first and preferred priority is early evacuation. During the 2007 Witch Creek

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Fire, RSFFPD evacuated residents of the Crosby and did so early, several hours before fire approached the community. Shelter in place should be considered as a contingency solution for instances when an early evacuation is not possible. Fire officials recognize that sheltering in an ignition resistant community, like the project site, is safer than a late evacuation. The concept of shelter in place, which is the model used for developing the project's fire protection system, has specifically been developed to address late evacuations. It has been determined that it is preferred to refuge people on-site, in their well-protected homes or other project buildings like the Barn/Maker Spaces than to start or continue an evacuation that would result in persons in vehicles being exposed to fire.

Please also note that the type of wildfire described in comments received is a rare event that would typically allow extended timeframes for evacuation, based on fire behavior modeling and fire spread rates, during which OES, law enforcement, and fire personnel would coordinate an orderly evacuation of the project and surrounding community well ahead of fire encroachment. As it relates specifically to the proposed project and project residents, it is unlikely that evacuations would be occurring in a "late" scenario as it would likely be determined in that situation that residents would be safer in their own well-protected homes. This decision process would be consistent with most new developments (approximately 2007 and newer) where late evacuations would be avoided and provided a contingency based on the fire ignition resistance of newer, maintained communities. The project would also provide options for temporarily refuge for residents from the existing community if a nearby fire ignition made it unsafe to evacuate out of the area, as existing residents may be directed into the project site.

While not classified as a shelter-in-place facility, the project's inclusion of community buildings within the Village Core would serve multiple functions for the community. These structures would be constructed with the incorporated of additional fire protection features, emergency supplies, back-up power systems, and would be available to temporarily house fire-fighters/emergency responders, community residents, and existing residents if they are not able to evacuate the area due to a late evacuation scenario. These community structures, such as the Maker Spaces and Barn, are not intended to, or needing to house all project residents, as the hardened residential structures and landscapes would provide the ability for residents to remain in their protected homes. Depending on the nature of the wildfire, it may be directed by responding law enforcement or fire personnel that perimeter homes (those closest to the perimeter fuel modification areas) relocate on-site while others remain in their homes. In this case, there is anticipated to be room to accommodate these residents as well as neighboring existing residents.

Topical Response FR-5: Emergency Response Standards

Comments questioning the adequacy of mitigation measures accepted by OFD for the response times to the site that exceed the OFD's internal standards are acknowledged. However, the travel time from the nearest fire station to the site is marginally over the internal standard with 100% of

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the project site reachable within 7 minutes and 90% within 6 minutes. The primary type of emergency call from a new development like the project is a medical emergency.

The project has been revised to require provision of a temporary fire station through implementation of mitigation measure MM-PUB-1, incorporated in Section 4.15 of the Final EIR, copied below:

MM-PUB-1. Temporary Fire Station. Prior to the last certificate of occupancy, the applicant shall:

- Provide a location for a temporary fire station (Fire Station No. 9) within the project site or the South Morro Hills area, such that it would be located within a 5-minute response time to the entire project site.
- Provide housing accommodations for three (3) personnel to staff the temporary fire station. The temporary fire station shall include a minimum of 1,000 square feet of residential facilities (including bedrooms, bathrooms, and a kitchen) and storage accommodations for a fire service apparatus (such as a covered parking area).
- Pay the City of Oceanside for the actual cost of up to \$350,000 for the purchase of an appropriate fire apparatus for use at the temporary fire station. The apparatus shall be similar to an HME Type 6 Wildland vehicle.
- Contribute funding to the ongoing staff operations cost for two (2) personnel.

A location within the Village Core Planning Area of the project site has been identified as a potential location for this temporary fire station. Refer to Appendix T7 for additional response time analysis for this potential location. Because this temporary fire station would be located within an area such that the entire project site is within the acceptable response goal of 5 minutes, the previously identified significant and unavoidable impact to fire protection is reduced to less than significant with incorporation of mitigation measure MM-PUB-1. The temporary fire station would be capable of providing service until, based on future development of the surrounding area, a permanent fire station is sited, funded, and constructed.

Greenhouse Gas Emissions

Topical Response GHG-1: Sufficiency of Mitigation Measures and Net Zero

Comments state that the project does not propose to mitigate greenhouse gas (GHG) emissions to net zero; that mitigation adopted for GHG emissions is insufficient; and, therefore, that the project will increase the City's emissions of GHGs such that it may not meet statewide targets.

As detailed below and in Section 4.8 of the Draft EIR, a reduction of project-specific GHG emissions to net zero is needed to reduce impacts to a level that is less than significant. As detailed in Draft EIR Section 4.8, the implementation of on-site GHG reduction strategies and the purchase

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of carbon offsets to achieve a 30% reduction in the project's construction and operational GHG emissions would ensure the project would not exceed the City's efficiency metric, and would therefore not interfere with achievement of state-wide GHG reduction goals for 2030 or 2050. (See, e.g., Draft EIR, p. 4.8-34.)

On-site measures agreed to by the project applicant will be assured through the adoption of MM-GHG-1. The applicant notably has committed to offsetting the project's residential and nonresidential electricity demand through the installation of approximately 2.25 megawatts (MW) of PV panels.⁶ Residences will be wired for electric vehicle charging as well. Non-residential buildings will similarly incorporate solar PV and be designed to exceed Title 24 building energy efficiency standards by at least 8%. Despite the incorporation of multiple on-site GHG reduction strategies (such as those identified above), the project would result in significant impacts to GHG emissions. Thus, the Draft EIR recommends MM-GHG-2, which would require that the applicant purchase and retire carbon offsets sufficient to offset 100% the project's operational emissions, which would reduce GHG impacts to less-than-significant levels.

In response to comments, the applicant has agreed to exceed the standard established by the efficiency metric, and instead adopt mitigation to achieve net zero GHG emissions. MM-GHG-2 has accordingly been revised in the Final EIR as follows:

Purchase of Carbon Offsets. As to operational greenhouse gas (GHG) emissions, prior to the City of Oceanside's (City's) issuance of the first building permits for each implementing Site Plan ("D" Designator), the applicant or its designee shall purchase and retire carbon offsets in a quantity sufficient to offset approximately 30 100% of the proposed project-generated greenhouse gas (GHG) emissions in order to achieve carbon neutrality (i.e. a net zero emissions level), for a 30-year period, consistent with the performance standards and requirements set forth below.

First, "carbon offset" shall mean an instrument issued by any of the following: (i) the Climate Action Reserve, the American Carbon Registry, and the Verra (formerly, Verified Carbon Standard); (ii) any registry approved by the California Air Resources Board (CARB) to act as a registry under the state's cap-and-trade program; or (iii) if no registry is in existence as identified in options (i) and (ii), then any other reputable registry or entity that issues carbon offsets. Prior to use of option (iii), it shall be demonstrated that the other reputable registry or entity follows accounting, quantification and monitoring protocols, as well as eligibility and procedural performance standards, that are comparable to those used by the registries identified in option (i). For additional information about the protocols and standards referenced in this paragraph, please see the State-approved "Newhall Ranch Greenhouse Gas Reduction Plan," which is included in Appendix H1 of the EIR. Section

⁶ Refer to Draft EIR Appendix H for background information supporting the calculation of electrical consumption and amount of PV needed to offset energy demand.

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IX of the “Newhall Ranch Greenhouse Gas Reduction Plan” outlines the protocols and standards that must be followed in order for a registry and the offsets it issues to qualify under this measure.

Second, consistent with CEQA Guidelines Section 15126.4(c), any carbon offset used to reduce the proposed project’s GHG emissions shall be a carbon offset that represents the past reduction or sequestration of one metric ton of carbon dioxide equivalent that is “not otherwise required.”

Third, “Applicant” shall mean the NRF Project Owner LLC or its designee.

Fourth, regarding operational emissions, prior to the City’s issuance of the first building permits for each implementing Site Plan (“D” Designator), the applicant shall provide evidence to the satisfaction of the Development Services Director that the applicant has purchased and retired carbon offsets in a quantity sufficient to offset ~~approximately~~ 10030% of the proposed project’s GHG emissions for a 30-year period. The “project life” is 30 years. This methodology is consistent with the 30-year project life time frame used by the South Coast Air Quality Management District’s GHG guidance, as well as the methodological parameters used by the California Air Resources Board when reviewing AB 900 projects. The emissions reduction obligation associated the building permit shall be calculated by reference to the certified EIR’s Greenhouse Gas Emissions Technical Report (Appendix H), which determined total operational emissions as equaling 10,288 metric tons of carbon dioxide equivalent (MT CO₂e) annually, which equates to 308,640 MT CO₂e (10,288 MT CO₂e × 30 years). In making such a determination, the Development Services Director shall require the Project applicant or its designee to provide an attestation or similar documentation from the selected registry(ies) that a sufficient quantity of carbon offsets meeting the standards set forth in this measure have been purchased and retired, thereby demonstrating that the necessary emission reductions are realized.

Fifth, the purchased carbon offsets used to reduce operational GHG emissions shall achieve real, permanent, quantifiable, verifiable, and enforceable reductions.

Sixth, the amount of carbon offsets required ~~for each implementing Site Plan~~ shall be based on the ~~GHG emissions with the implementing Site Plan and shall include operational GHG emissions as identified in the approved GHG emissions report.~~

Seventh, each implementing Site Plan shall include a tabulation that identifies the overall carbon offsets required to mitigate the entire proposed project’s GHG emissions, ~~and shall identify the amount of carbon offsets purchased, and the locational attributes of the carbon offsets in order to allow Development Services Director to track and monitor the implementation of the geographic priority provision to date as well as the remaining carbon~~

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offsets required to reduce the proposed project's emissions. Such tabulation and tracking shall be to the satisfaction of the Director of PDS.

~~Eighth~~, this EIR acknowledges that the proposed project's GHG emissions estimates are conservative because the proposed project's GHG emissions are expected to decrease beyond the estimates presented in the EIR's analysis, in part, due to reasonably foreseeable improvements in fuel efficiency, vehicle fleet turnover, technological improvements related to transportation and energy, and updates to emissions models and methodologies. Thus, the operational emission estimates that govern implementation of this proposed project are subject to the satisfaction of the Development Services Director.

~~Ninth~~Eighth, all carbon offsets required to reduce the proposed project's operational emissions shall be associated with reduction activities that are geographically prioritized according to the following locational attributes the City's Development Services Department will consider, to the satisfaction of the Development Services Director, the following geographic priorities for GHG reduction features, and GHG reduction projects and programs: (1) project design features/on-site reduction measures, (2) off site within the City, (3) off site within the County of San Diego, (4) off site within the state of California, (5) off site within the United States, and (6) off site internationally. As listed, geographic priorities would focus first on local reduction options~~features~~ (including projects and programs that would reduce GHG emissions) to ensure that reduction efforts achieved locally would provide cross-over, co-benefits related to other environmental resource areas, even though the co-benefits are not needed to mitigate impacts to these other environmental resource areas~~air quality criteria pollutant reductions within the San Diego Air Basin and to aid in San Diego County jurisdictions' efforts to meet their GHG reduction goals.~~ The applicant or its designee shall first pursue carbon offsets projects and programs locally within unincorporated areas of the City consistent with this geographic priority strategy ~~to the extent such offset projects and programs are financially competitive in the global offset market.~~

The project applicant or its designee shall submit proof to the City that offsets are unavailable in a higher priority category before seeking offsets from the next lower priority category. The Development Services Director shall issue a written determination that offsets are unavailable in a higher priority geographic category before allowing the Project applicant or its designee to use offsets from the next lower priority category. In considering whether offsets are unavailable, the Development Services Director shall consider the feasibility factors as defined in CEQA Guidelines Section 15364 and information available at the time the first building permit request is submitted, including but not limited to:

- The availability of in-State emission reduction opportunities;
- The geographic attributes of carbon offsets that are listed for purchase and retirement;

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- The temporal attributes of carbon offsets that are listed for purchase and retirement;
- The pricing attributes of carbon offsets that are listed for purchase and retirement; and/or,
- Any other information deemed relevant to the evaluation, such as periodicals and reports addressing the availability of carbon offsets.

Thus, Mitigation Measure MM-GHG-2 calls for the project applicant to purchase and retire carbon offsets in a quantity sufficient to offset 100% of the project's operational GHG emissions. Mitigation Measure MM-GHG-3 has been added as follows to offset the project's construction GHG emissions:

MM-GHG-3 As to construction greenhouse gas (GHG) emissions, prior to the City's issuance of the grading permit, the proposed project applicant shall purchase and retire carbon offsets in a quantity sufficient to offset 100% of the proposed project's construction emissions (including sequestration loss from vegetation removal) associated with each such grading permit, consistent with the performance standards and requirements set forth below.

First, "carbon offset" shall mean an instrument issued by any of the following: (i) the Climate Action Reserve, the American Carbon Registry, and the Verra (formerly, Verified Carbon Standard), (ii) any registry approved by the California Air Resources Board (CARB) to act as a registry under the state's cap-and-trade program, or (iii) any other reputable registry or entity that issues carbon offsets. Prior to use of option (iii), it shall be demonstrated that the other reputable registry or entity follows accounting, quantification and monitoring protocols, as well as eligibility and procedural performance standards, that are comparable to those used by the registries identified in option (i). For additional information about the protocols and standards referenced in this paragraph, please see the State-approved "Newhall Ranch Greenhouse Gas Reduction Plan," which is included in Appendix H1 of the EIR. Section IX of the "Newhall Ranch Greenhouse Gas Reduction Plan" outlines the protocols and standards that must be followed in order for a registry and the offsets it issues to qualify under this measure.

Second, consistent with CEQA Guidelines Section 15126.4(c), any carbon offset used to reduce the proposed project's GHG emissions shall be a carbon offset that represents the past reduction or sequestration of one metric ton of carbon dioxide equivalent that is "not otherwise required."

Third, "Project applicant" shall mean NRF Project Owner LLC or its designee.

Fourth, as to construction GHG emissions, prior to the City's issuance of the Proposed Project's grading permit, the proposed project applicant shall provide evidence to the satisfaction of the Development Services Director that the proposed

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project applicant has purchased and retired carbon offsets in a quantity sufficient to offset 100% of the construction GHG emissions generated by the proposed project, as associated with the grading permit, which total 4,951 MT CO₂e.

Fifth, the purchased carbon offsets used to reduce construction GHG emissions shall achieve real, permanent, quantifiable, verifiable, and enforceable reductions.

Sixth, all carbon offsets required to reduce the proposed project's operational emissions shall be associated with reduction activities that are geographically prioritized according to the following locational attributes: 1) project design features/on-site reduction measures; 2) off-site within the City of Oceanside; 3) off-site within the County of San Diego; 4) off-site within the State of California; 5) off-site within the United States; and 6) off-site internationally. As listed, geographic priorities would focus first on local reduction options (including projects and programs that would reduce GHG emissions) to ensure that reduction efforts achieved locally would provide cross-over, co-benefits related to other environmental resource areas, even though the co-benefits are not needed to mitigate impacts to these other environmental resource areas. The proposed project applicant or its designee shall first pursue carbon offsets locally within the City of Oceanside consistent with this geographic priority strategy.

The project applicant or its designee shall submit proof to the City that offsets are unavailable in a higher priority category before seeking offsets from the next lower priority category. The Development Services Director shall issue a written determination that offsets are unavailable in a higher priority geographic category before allowing the Project applicant or its designee to use offsets from the next lower priority category. In considering whether offsets are unavailable, the Development Services Director shall consider the feasibility factors as defined in CEQA Guidelines Section 15364 and information available at the time the grading permit request is submitted, including but not limited to:

- The availability of in-State emission reduction opportunities;
- The geographic attributes of carbon offsets that are listed for purchase and retirement;
- The temporal attributes of carbon offsets that are listed for purchase and retirement;
- The pricing attributes of carbon offsets that are listed for purchase and retirement; and/or,

- Any other information deemed relevant to the evaluation, such as periodicals and reports addressing the availability of carbon offsets.

The performance standards and requirements set forth in mitigation measure MM-GHG-2 and MM-GHG-3 achieve GHG reductions through the purchase of carbon offsets from accredited carbon registries. The standards and requirements also ensure that the GHG emission reductions secured with implementation of mitigation measure MM-GHG-2 and MM-GHG-3 occur in advance of the actual operation of project-related development, effectively years in advance of occupation. With this mitigation incorporated, the project will not impact attainment of 2030 or 2050 statewide emission reduction targets.

Topical Response GHG-2: GHG Reduction Goals in the Draft Climate Action Plan

Comments expresses concern that the project may impact the preparation of the City's Climate Action Plan (CAP) and assumptions within that draft CAP.

Draft Climate Action Plan

The State of California requires all cities that create a new general plan document to consider its impacts on greenhouse gas (GHG) emissions. In order to address this requirement, many cities are preparing Climate Action Plans (CAPs) that adhere to the CEQA Guidelines Section 15183.5 (adopted 2009 as directed by SB 97). A CAP must achieve emission reduction goals consistent with those outlined by the Global Warming Solutions Act of 2006 (AB 32 and SB 32).

Preparation of a CAP allows agencies, including the City, to engage in long-range, programmatic level planning and to streamline subsequent CEQA review of GHG emissions. Where a CAP contains certain elements required by Section 15183.5—including establishing means to monitor the plan's progress towards meeting performance levels and requirements for amendment if progress is not being achieved—the lead agency may determine that a later project's incremental contribution to a cumulative effect is not cumulatively considerable if it complies with the CAP requirements. However, lack of an approved CAP does not preclude an agency from moving forward with development projects and considering project-specific environmental documents compliant with CEQA.

The City has held public workshops on the City's General Plan Update, which includes development of a draft CAP and a draft policy framework for the General Plan Energy and Climate Action Element (E-CAP). At this stage, the second CAP/E-CAP public workshop, originally scheduled for March 15th and subsequently postponed, has not yet been rescheduled. The CAP/E-CAP project consultant is updating aspects of the draft CAP to address recent changes in state law. Concurrently, City staff is working with SANDAG and the Environmental Policy Initiatives Center (EPIC) to conduct a cost-benefit analysis of the proposed GHG emissions reduction measures in the Draft CAP. The cost/benefit analysis will identify the investments the City would

have to make to implement the proposed GHG emissions reduction measures (e.g., staff resources, budget allocations)), calculate how the proposed measures would financially impact the community at-large, and monetize the effects of GHG reduction.

The purpose of the E-CAP will be to proactively support statewide efforts to cut GHG emissions by expanding local renewable energy generation, reducing energy use, promoting recycling and reuse, facilitating active transportation, and encouraging other sustainable practices. The E-CAP will build upon a variety of City projects that promote energy efficiency, increased renewable energy use, water conservation, and solid waste reduction. These include the Oceanside Boulevard Vision Statement, which encourages the restoration of Loma Alta Creek in conjunction with a transit-oriented mixed-use development; the Coast Highway Vision and Strategic Plan, which promotes environmentally and economically sustainable infill and redevelopment within the Coast Highway corridor; the Water Conservation Master Plan; the Zero Waste Plan; and the Energy Roadmap. As part of this effort to ensure a sustainable future, the City is now preparing a GHG emissions inventory and a CAP, both of which will inform the E-CAP.

In conjunction with developing its CAP, the City has established efficiency metric thresholds, which projects are to use to evaluate impacts from GHG emissions, in order to help the City to meet state reduction targets for 2020 and 2030. Projects are required to meet an efficiency metric threshold of 4.0 MT of CO₂e per service population per year (MT CO₂e/SP/yr) for year 2020 and an efficiency metric threshold of 3.0 MT CO₂e/SP/yr for year 2030. Projects that meet these thresholds would be considered consistent with the City's CAP as currently considered.

The City continues to work diligently to prepare, review, and finalize its CAP, which then will be utilized to formulate thresholds of significance for GHG emissions in CEQA analysis.

Development Projects Can Continue to Be Processed Pending the City's Approval of its Final Climate Action Plan

There is no legal prohibition on the City's planning and processing activities in the absence of an adopted CAP. Further, any de facto moratorium on the project is not appropriate while the CAP is completed, and there is no reason for implementing such a moratorium on a project-by-project basis. Project-level and local planning often does not occur concurrently. The City is authorized to undertake planning and processing activities, and to consider this project, separate from its CAP planning efforts.

Further, even without an adopted CAP, each development project must comply with CEQA. This includes evaluating project impacts and adopting feasible mitigation measures to reduce or avoid potentially significant impacts related to GHG emissions. All project-level mitigation that could be included in a CAP can be implemented at the project level without a CAP.

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The project will reduce emissions to net zero, and will therefore be consistent with the CAP and its underlying assumptions

Consistent with the parameters of CEQA Guidelines Section 15064.4, the Draft EIR evaluated project GHG emissions and, as discussed at Topical Response GHG-1, the project's mitigation framework has been structured to reduce the project's construction and operational emissions to net zero. Attainment of net zero will be secured through on-site project design features and the purchase of offsetting carbon credits.

Numerous sustainability and GHG reduction features have been incorporated into the project. The project will install approximately 2.25 megawatts (MW) of PV panels.⁷ Residences will be wired for electric vehicle charging as well. Non-residential buildings will similarly incorporate solar PV and be designed to exceed Title 24 building energy efficiency standards by at least 8%. MM-GHG-1 specifically requires as follows:

MM-GHG-1 ~~Greenhouse Gas Emissions Reduction Measures~~. Prior to the issuance of the first building permit, the following GHG emission reduction measures shall be implemented:

All residential buildings shall:

- Meet or exceed CALGreen Tier 1 requirements in place at the time of Building Permit issuance.
- Prior to the issuance of residential building permits, the applicant or its designee shall submit building plans illustrating compliance with the ~~zero net energy (ZNE)~~ applicable design standards defined by the California Energy Commission approved building code at the time of permit application.
- Be pre-plumbed and structurally engineered for the installation of a complete solar energy system.
- Include a tankless water heating system, a whole house ceiling fan, and "Energy Star" appliances (stoves, dishwashers, and any other appliances typically included within the initial installation by the builder).
- Include an energy efficient air conditioning unit(s) that exceeds the seasonal energy efficiency ratio (SEER) by a minimum of two points at the time of building permit issuance.
- Include programmable thermostat timers.
- Include exterior outlets on all residential buildings to allow the use of electrically powered landscape equipment.

⁷ Refer to Draft EIR Appendix H for background information supporting the calculation of electrical consumption and amount of PV needed to offset energy demand.

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- ~~All private residential garages shall include on electric vehicle charging station~~Include wiring for at least one electric car charging station.
- Prior to the issuance of a Building Permit, the floor plans and/or exterior elevations submitted in conjunction with the Building Permit application for each residence shall illustrate the exclusive utilization of low flow water fixtures such as low flow toilets, faucets, and showers.
- Prior to approval of Improvement Plans, the applicant shall verify the exclusive use of energy efficient lighting that meets or exceeds CalGreen Tier 1 requirements for all street, parking, and area lighting associated with the proposed project, including all on-site and off-site lighting. ~~Prior to approval of Improvement Plans the applicant shall verify the exclusive use of energy efficient lighting for all street, parking, and area lighting associated with the proposed project, including all on-site and off-site lighting.~~

All non-residential buildings shall:

- Be pre-plumbed and structurally engineered for the installation of a complete solar energy system.
- Prior to the issuance of non-residential building permits, the applicant or its designee shall submit building plans illustrating that the proposed project's non-residential land uses shall achieve an 8% greater building energy efficiency than required by the current State energy efficiency standards in Title 24, Part 6 of the California Code of Regulations.
- Use "Energy Star" rated (or greater) roofing materials.
- ~~Prior to approval of Improvement Plans, the applicant shall verify the exclusive use of energy efficient lighting that meets or exceeds CalGreen Tier 1 requirements for all street, parking, and area lighting associated with the proposed project, including all on-site and off-site lighting. Use both indoor and outdoor energy efficient lighting that meets or exceeds Title 24 requirements.~~
- Prior to the issuance of a Building Permit, the floor plans and/or exterior elevations submitted in conjunction with the Building Permit application shall show that the proposed project includes a complete solar water heating system.
- Include an energy efficient heating system and an air conditioning system that exceeds the SEER ratio by a minimum of two points at the time of building permit issuance.
- Only use low flow water fixtures such as low flow toilets, faucets, and showers.
- Only use programmable thermostat timers.
- Prior to approval of Improvement Plans, the applicant shall only show energy efficient lighting for all street, parking, and area lighting associated with the proposed project, including all on-site and off-site lighting.

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- Include pedestrian-friendly paths and cross walks in all parking lots.
- In all on-site, non-residential parking areas with ten or more spaces, electric vehicle charging stations shall be installed in a minimum of 12 percent of the parking spaces.
- Prior to the issuance of building permits, the Project applicant or its designee shall submit building plans illustrating that all outdoor pavement, including all parking lots and walkways, ~~Pave all parking lots with~~ reflective coatings (albedo = 0.30 or better) or concrete. ~~This measure is considered feasible if the additional cost is less than 10% of the cost of applying a standard asphalt product.~~
- Maximize the amount of drought tolerant landscaping used. Turf should be limited to parks or other active use and/or high visibility areas. Low groundcover and native grasses shall be used as an alternative to turf. Any turf used shall be warm-season turf or shall have a plant species factor of 0.6 or lower. ~~by minimizing the amount of turf in all areas where this option is feasible.~~
- Ensure recycling of construction debris and waste through administration by an on-site recycling coordinator and presence of recycling/separation areas.

In addition to implementing these on-site sustainability features, as discussed at Topical Response GHG-1 above, the project would purchase carbon offsets to reduce GHG emissions to net zero. Accordingly, the project would actually reduce GHG emissions from the project site beyond what is anticipated by the draft CAP—as the draft CAP presumes emissions consistent with the site’s existing General Plan agricultural land use designation.

In sum, while the proposed project is not included in the City’s Draft CAP, the project would not preclude or impact completion of the CAP, and would be consistent with the CAP when completed. Nevertheless, the CAP is still in draft form; and therefore the project is not subject to its provisions.

Topical Response GHG-3: Location of GHG Offsets

Comments state that the project should be required to offset all GHG emissions within the City. The project is not required to do so, for the following reasons.

The City has Discretion to Formulate Appropriate Mitigation for GHG Emissions

CEQA provides lead agencies with discretion to formulate feasible mitigation measures for the reduction of GHG emissions. Specifically, CEQA Guidelines Section 15126.4(c) addresses the mitigation of GHG emissions and provides a non-exclusive list of potentially feasible mitigation concepts for consideration by lead agencies and project proponents.

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Measures to mitigate the significant effects of greenhouse gas emissions may include:

1. Measures in an existing plan or mitigation program for the reduction of emissions that are required as part of the lead agency's decision;
2. Reductions in emissions resulting from a project through implementation of project features, project design, or other measures, such as those described in Appendix F [Energy Conservation];
3. Off-site measures, including offsets that are not otherwise required, to mitigate a project's emissions;
4. Measures that sequester greenhouse gases;
5. In the case of the adoption of a plan, such as a general plan, long range development plan, or plans for the reduction of greenhouse gas emissions, mitigation may include the identification of specific measures that may be implemented on a project-by-project basis. Mitigation may also include the incorporation of specific measures or policies found in an adopted ordinance or regulation that reduces the cumulative effect of emissions.

CEQA Guidelines Section 15126.4(c) does not establish a hierarchy of allowable mitigation options – there are no limits imposed on the geographic or locational attributes of the mitigation options, and there is no imperative to secure additional on-site reductions before utilizing carbon offsets.

As background, CEQA Guidelines Section 15126.4(c) was adopted by the California Natural Resources Agency (Resources Agency) at the conclusion of the rulemaking processes mandated by Senate Bill 97 (Dutton, 2007; see also Pub. Resources Code, Section 21083.05) and became effective in March 2010. On page 50 of the Resources Agency's *Final Statement of Reasons for Regulatory Action: Amendments to the State CEQA Guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB 97* (December 2009), the Resources Agency expressly rejected invitations to establish any sort of mitigation hierarchy for GHG emissions in CEQA Guidelines Section 15126.4(c).

Several comments, for example, suggested that the Guidelines provide a specific “hierarchy” of mitigation requiring lead agencies to mitigate GHG emissions on-site where possible, and to allow consideration and use of off-site mitigation only if on-site mitigation is impossible or insufficient. OPR and the Resources Agency recognize that there may be circumstances in which requiring on-site mitigation may result in various co-benefits for the project and local community, and that monitoring the implementation of such measures may be easier. However, CEQA leaves the determination of the precise method of mitigation to the discretion of lead agencies.

On page 87 of the *Final Statement of Reasons*, the Resources Agency similarly recognized that it “cannot, however, state in the State CEQA Guidelines that all lead agencies have the authority to prioritize types of mitigation measures, or to establish any particular priority order for them. Each

lead agency must determine the scope of its own authority based on its own statutory or constitutional authorization.”

Similarly, on page 102 of *California’s 2017 Climate Change Scoping Plan* (November 2017), CARB “recommends that lead agencies prioritize on-site design features that reduce emissions, especially from VMT, and direct investments in GHG reductions within the project’s region that contribute potential air quality, health, and economic co-benefits locally.” On that same page, CARB recognizes that “[w]here further project design or regional investments are infeasible or not proven to be effective,” it also “may be appropriate and feasible to mitigate project emissions through purchasing and retiring carbon credits.” As such, much like the framework established in CEQA Guidelines Section 15126.4(c), CARB recognizes the utilization of a portfolio-based approach in the development and selection of feasible mitigation measures for the reduction of GHG emissions, while simultaneously recommending the prioritization of GHG emissions-reducing strategies in a project’s vicinity due to the corresponding economic and air quality co-benefits.

The Project Incorporates On- and Off-site GHG Mitigation Strategies Consistent with CEQA and CARB Guidance

Project GHG reductions would be achieved through a combination of on- and off-site reduction strategies. As previously discussed, MM-GHG-1 requires implementation of a suite of on-site reduction strategies within the built environment. Under MM-GHG-2, the purchase of offsets would then be prioritized amongst enumerated geographies, beginning within the City, then the County, State, U.S., and finally internationally. Use of the next priority level within the geographic hierarchy would only be allowed if the applicant demonstrates infeasibility of the other options. This geographic priority system recognizes that the availability of carbon offsets should be determined on a “real time,” as-needed basis because the market conditions for carbon offsets are constantly changing and evolving.

The use of out-of-City offsets is appropriate given the global nature of climate change. Climate change is a global phenomenon in that all GHG emissions generated throughout the earth contribute to it; the action of GHGs is global in nature, rather than local or regional (or even statewide or national) (CAPCOA 2008). The California Supreme Court recently acknowledged this point in *Center for Biological Diversity v. California Department of Fish and Wildlife* (2015) 62 Cal. 4th 204: “the global scope of climate change and the fact that carbon dioxide and other greenhouse gases, once released into the atmosphere, are not contained in the local area of their emission means that the impacts to be evaluated are also global rather than local.” Accordingly, geographical limits to mitigation options does not align with the science and understanding of GHGs and the global, cumulative nature of GHG emissions. As all GHG emissions generated throughout the earth contribute to climate change, a reduction in GHG emissions on earth would offset the generation of GHG emissions and their contribution to climate change regardless of geographic location.

Carbon Offsets are Effective and Appropriate Mitigation under CEQA

A carbon offset represents a unit of GHG emissions reductions that can be bought, sold, and traded. Each offset is essentially a certification that a certain quantity of GHG emissions has been avoided, prevented, or sequestered. Examples of activities that generate offsets include reforestation to increase carbon sequestration and the capture and destruction of methane emissions from livestock.⁸

Carbon offsets are issued by a climate registry that has undertaken the responsibility of certifying that the emissions reductions have occurred. Developers of offsets can demonstrate the environmental integrity of an offset project by complying with a climate registry's standards-based "protocol."⁹ A "protocol" is a method of measuring emission reductions. A standards-based protocol accomplishes that fundamental goal by establishing the baseline scenario for a given activity and then providing the project developer a specific, defined methodology to quantify and verify emissions reductions that occur over and above that baseline scenario.

Carbon offsets must meet certain standards; namely that offsets be real, permanent, quantifiable, verifiable, enforceable, and additional. Offsets may only be issued for emissions reductions that are a result of complete emissions accounting. The emissions reductions must be permanent and not be reversed. The emissions reductions from an activity must be rigorously quantified. To receive offset credits, emission reductions must be well documented and transparent enough to be capable of objective review by a neutral, third party verifier. In order to be eligible to generate offsets from reputable programs, the implementation of the activity must represent the legally binding commitment of the offset project developer. And lastly, emission reductions must be

⁸ CEQA Guidelines Section 15126.4(a)(1)(D) states: "If a mitigation measure would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation measure shall be discussed but in less detail than the significant effects of the project as proposed." In this instance, and based on the type of information reasonably available at this time, the project's utilization of carbon offsets – via MM-GHG-2 – is not expected to result in one or more significant effects because carbon registries prioritize protocols for offset project types that can create significant co-benefits and avoid those with significant negative social and environmental impacts. In support of this determination, please see Climate Action Reserve's webpage regarding "Criteria for Protocol Development," available at <http://www.climateactionreserve.org/how/future-protocol-development/criteria/>. See also Climate Action Reserve's *Program Manual* (September 1, 2015), available at <http://www.climateactionreserve.org/how/program/program-manual/>. As provided in Section 2.4.6 of the *Program Manual*, the Climate Action Reserve "requires project developers to demonstrate that their GHG projects will not undermine progress on other environmental issues such as air and water quality, endangered species and natural resource protection, and environmental justice." In order to ensure that such adverse effects are avoided, the Climate Action Reserve coordinates with government agencies and environmental representatives, requires project developers to demonstrate compliance with all applicable laws (including environmental regulations), and may include – within individual offset protocols – requirements specifically designed to serve as environmental and social safeguards.

⁹ The Market Advisory Committee recommends that California use a "standards-based approach" to quantifying and issuing offset credits. *Id.* at p. 61.

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“additional,” meaning the offsets would not have occurred without the offset activity.¹⁰ These criteria ensure the environmental benefit of activities that generate carbon offsets.¹¹

Carbon offset registries measure compliance with approved protocols using rigorous, standardized review processes. As a general rule, when approving a GHG reduction project, the climate registry would require that the offset project meet the following steps to receive offsets: (1) listing or registration; (2) independent, qualified third-party confirmation of reduction or sequestration; (3) registry approval and issuance; (4) carbon offset retirement. These protocols and processes ensure that offsets issued by offset registries satisfy the environmental integrity criteria described above, as multiple jurisdictions implementing such programs have recognized. CARB has recognized the accounting procedures ensure real, permanent, and additional GHG emission reductions.¹²

Further, there is a broad consensus on the accounting principles necessary to ensure environmentally sound offsets. The standards include International Organization for Standardization (ISO) 14064 and 14065. The ISO is an independent, non-governmental international organization with a membership of 162 countries, including the United States. The ISO publishes standards for a wide variety of industrial activities, such as food safety management, medical device management, and anti-bribery management.¹³ In short, the ISO is an independent, rigorous, neutral developer of standards, including greenhouse gas emission reduction accounting standards.

Given these rigorous standards and protocols, the state has endorsed using offsets as CEQA mitigation for GHG emissions. Specifically, CEQA Guidelines Section 15126.4(c)(3) provides that “[o]ff-site measures, including offsets that are not otherwise required,” can be used to mitigate a project’s GHG emissions. In promulgating the CEQA Guidelines for GHG mitigation, the California Natural Resources Agency (CNRA) and the Governor’s Office of Planning and Research (OPR) addressed the legitimacy of offsets as follows:¹⁴

¹⁰ See generally American Carbon Registry, “The American Carbon Registry Standard” (January 2015); Climate Action Reserve, “Program Manual” (Sept. 1, 2015); VCS, “VCS Program Guide” (Oct. 19, 2016); see also Health & Safety Code Section 38562(d)(1)-(2).

¹¹ See, e.g., *Our Children’s Earth Foundation v. CARB* (2015) 234 Cal.App.4th 870; Three-Regions Offsets Working Group, “Ensuring Offset Quality: Design and Implementation Criteria for a High-Quality Offset Program” (May 2010) at pp. 3-4.

¹² E.g., CARB, “Proposed Regulation to Implement the California Cap-and-Trade Program, Part I, Volume I: Initial Statement of Reasons” (October 28, 2010) at II-48. Available at <https://www.arb.ca.gov/regact/2010/capandtrade10/capisor.pdf>. Accessed August 20, 2018.

See <http://www.climateactionreserve.org/how/protocols/> [identifying 18 protocols for different project types that must be complied with, as verified by an independent third party, prior to being registered and issued offset credits]. Accessed August 20, 2018.

¹³ ISO, “Standards” available at <http://www.iso.org/iso/home/standards.htm>.

¹⁴ California Natural Resources Agency, Final Statement of Reasons for Regulatory Action, Amendments to the State CEQA Guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB97 (December 2009).

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The Initial Statement of Reasons...cites several sources discussing examples of offsets being used in a CEQA context. Further, the CARB Scoping Plan describes offsets as way to provide regulated entities a source of low-cost emission reductions, and ... encourage the spread of clean, efficient technology within and outside California. The Natural Resources Agency finds that the offset concept is consistent with the existing CEQA Guidelines' definition of "mitigation," which includes "[r]ectifying the impact by repairing, rehabilitating, or restoring the impacted environment" and "[c]ompensating for the impact by replacing or providing substitute resources or environments.

Moreover, as demonstrated by projects certified under AB 900, both CARB and the Governor of California have repeatedly approved the use of offsets to reduce GHG emissions. Under AB 900, the Jobs and Economic Improvement through Environmental Leadership Act, certain CEQA streamlining benefits were provided to "environmental leadership" projects. One of the key conditions was that such projects offset or reduce all emissions to be GHG neutral. (Pub. Resources Code, Section 21183(c).) To date, nine AB 900 projects have been certified by the Governor of California, and all but one of them use carbon offsets to achieve a net zero GHG emissions level. Furthermore, only two projects have been subject to *any* form of prioritization concerning the location of offsets -- the 10 Van Ness Avenue Mixed-Use Project (San Francisco) and 6220 West Yucca Project (Los Angeles)¹⁵. Note, that the proposed project is not an AB 900 project. Those geographic priorities have been drafted consistent with the policy recommendations included in CARB's *California's 2017 Climate Change Scoping Plan*, and in a manner comparable to mitigation measures MM-GHG-2 proposed for this project.

CARB further recognized the use of carbon offsets as mitigation when discussing project-level GHG emissions reduction actions and thresholds in the CEQA context:

Where further project design features or regional investments are infeasible or not proven to be effective, it may be appropriate and feasible to mitigate project emissions through purchasing and retiring carbon credits. (*California's 2017 Climate Change Scoping Plan* (November 2017), December 2017, page 102; see also Appendix B of the *2017 Scoping Plan*, page 10.)

The Courts have also recognized the validity of using carbon offsets to reduce GHG emissions. In *Our Children's Earth Foundation v. CARB* (2015) 234 Cal.App.4th 870, 880, the First Appellate District stated:

¹⁵ 2017072018 – 10 Van Ness Avenue Mixed-Use Project, Carbon Offset Commitment Letter, December 5, 2017. Available online at: http://www.opr.ca.gov/docs/20171211-GHG_Offset_Approach_Letter_to_ARB_2017-12-05_Signed.pdf.
2015111073 – 6220 West Yucca Project, ARB Determination, June 15, 2017. Available online at: http://www.opr.ca.gov/docs/FINAL_6220_Yucca_Street__CARB_Determination.pdf.

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[P]rotocols developed by the Climate Action Reserve (Reserve) employ a standards-based approach for ensuring additionality. The Reserve is a national nonprofit organization that (1) develops standards for evaluating, verifying and monitoring GHG emission inventories and reduction projects in North America; (2) issues offset credits for those projects; and (3) tracks offset credits over time “in a transparent, publicly-accessible system.” A primary goal of the Reserve is to establish conservative GHG accounting which will ensure that GHG emission reductions are “real, permanent, additional, verifiable, and enforceable by contract.” In formulating its standards-based protocols, the Reserve identifies types of emission reduction projects that are both subject to quantification and appropriate for assessment pursuant to performance-based additionality tests.

In 2011, CARB formally adopted its own protocols, which it took almost verbatim from Climate Action Reserve’s protocols.¹⁶ CARB’s protocols were challenged as violating AB 32 because they purportedly failed to accurately ensure additionality as required by the act, but the court sided with CARB, finding that CARB’s protocols based on Climate Action Reserve’s protocols are a “workable method of ensuring additionality with respect to offset credits.” (*Our Children’s Earth Foundation* at p. 889.) CARB has since expanded its program to accept carbon offsets issued under American Carbon Registry and Verra (previously, Verified Carbon Standard) methodologies.¹⁷

In sum, the City’s development of this combination of on- and off-site reduction strategies is consistent with the discretion afforded to it by CEQA for purposes of mitigating GHG emissions. Further, sufficient carbon offsets are available for use for this project based on offset projects registered and issued to date by the noted carbon registries.¹⁸

¹⁶ See, e.g., CARB, “Compliance Offset Protocol Livestock Projects: Capturing and Destroying Methane from Manure Management Systems” (October 20, 2011).

¹⁷ See, e.g., Cal. Code Regs., Tit. 17, Section 95990(c)(5).

¹⁸ See, e.g., *Unlocking Potential: State of the Voluntary Carbon Markets 2017*, Ecosystem Marketplace, available at <https://www.cbd.int/financial/2017docs/carbonmarket2017.pdf>.

As of November 2017, the Climate Action Reserve has issued more than 100 million carbon offsets. See <http://www.climateactionreserve.org/blog/2017/11/06/thank-you-for-helping-us-reach-100-million-metric-tons-of-ghg-emissions-reductions/> and <http://www.climateactionreserve.org/blog/2017/11/06/north-american-climate-action-shows-its-strength-and-impact-with-milestone-100-million-offset-credits-issued-by-a-california-carbon-market-pioneer/>.

The American Carbon Registry has issued more than 100 million carbon offsets, see, <https://americancarbonregistry.org/news-events/program-announcements/acr-reaches-milestone-issuance-of-100-million-tonnes-of-greenhouse-gas-emissions-reductions>.

Verra has certified more than 1,300 projects that have removed or reduced more than 200 million tonnes of GHGs, see, <http://verra.org/project/vcs-program/>.

Hydrology

Topical Response HY-1: Flood Hazard Zone

Comments received on the Draft EIR indicate that a portion of the project site is in a flood zone, and significant flooding impacts will result, including potential downstream effects due to changing the hydrology of the San Luis Rey River.

As discussed in Section 4.10, Hydrology and Water Quality, of the Draft EIR, the southern portion of the project site is located within the 100-year floodplain of the San Luis Rey River as defined by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (Figure 4.10-a of the Draft EIR). However, the project as designed would not result in significant flooding impacts, nor would it change the hydrology of the San Luis Rey River. The applicant is required to demonstrate appropriate grading elevations and flood control improvements necessary to remove the portions of the property from the 100-year flood hazard area defined by FEMA through the Letter of Map Revision (LOMR) process, which will be enforced by a condition of approval. No portion of the project is within the floodway, and the portion of the project that is within the floodway fringe would comply with all Federal and local floodplain regulations and ordinances. FEMA must review this project and subsequently issue a Conditional Letter of Map Revision (CLOMR) indicating their agreement that the project would not cause adverse impacts upstream, downstream, adjacent to or within the project itself. The project cannot be constructed without this concurrence from both FEMA and the City of Oceanside. Refer to Section 4.10 and Appendix L2 of the Draft EIR for additional information.

Topical Response HY-2: Flooding of N. River Road

Comments received on the Draft EIR indicated that N. River Road washed out in the 1990s and this will likely happen again, potentially trapping residents.

As discussed in Section 4.10 and Appendices L1 and L2 of the Draft EIR, this project has been designed such that it would not change the hydrology or the hydraulics of the San Luis Rey River downstream of the project. FEMA must review this project and subsequently issue a CLOMR indicating their agreement that the project will not cause adverse impacts downstream. Therefore, it would not in any way impact the potential for N. River Road to wash out. Even so, it should be noted that the substantial repairs made to the embankment have greatly strengthened the roadway and reduced the risk for the embankment to fail again.

Land Use and Planning

Topical Response LU-1: Consistency with General Plan Policies

Comments on the Draft EIR state that the project conflicts with a number of the City's General Plan policies.

It should be noted that Appendix G of the CEQA Guidelines (used as the thresholds of significance for environmental analysis within the EIR) require an EIR to consider whether a proposed project conflicts with an applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental impact. Under CEQA, a conflict or inconsistency with an applicable plan is not, by itself, considered a significant environmental impact. Instead, the inconsistency must result in a significant physical impact for there to be a significant impact under CEQA. The final determination of consistency with the General Plan will be made by City Council.

The Draft EIR details that project development would require an amendment to the General Plan Land Use Element to amend the existing land use designation from Agricultural District (A) designation to the following Agricultural (A), Open Space (OS), Single-Family Residential (SFD-R), Medium Density Residential A (MDA-R), Medium Density Residential B (MDB-R), and Special Commercial (SC). (Draft EIR Section 3.4, Table 3-3.)

An amendment to the Circulation Element would also be required to reclassify N. River Road from Stallion Drive to Sleeping Indian Road from a Major Arterial to a Four-Lane Secondary Collector. With this General Plan Amendment, and based on the consistency analysis provided at Table 4.11-2, City of Oceanside Land Use Policy Consistency Evaluation; the Draft EIR finds that the project would be consistent with the General Plan's Objectives, Policies, and Recommendations. (Draft EIR pp. 4.11-8 4.11-15; and Table 4.11-2.) The proposed project, if approved, would be consistent with the General Plan land use designations based on the concurrent process of amending the General Plan.

The project, if approved, would also be consistent with applicable General Plan policies. In land use decisions, "consistency" does not require perfect, rigid conformity. (*See, e.g., San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656, 678.) Policies applicable to the project address a variety of issues, including development at appropriate densities and in accordance with existing community character, conservation of sensitive habitats, provision of open space and recreational opportunities, protection of visual amenities, regulation of signage and lighting, and protection against incompatible land uses. The City's General Plan sets out a hierarchy of goals, objectives, and policies designed to guide future development in the City. The objectives, which are overall statements of the community's desires, are comprised of broad statements of purpose and direction. The policies serve as guides for

reviewing development proposals, planning facilities to accommodate growth, and accomplishing community development strategies.

The Draft EIR evaluates the project's consistency with applicable General Plan objectives, goals, and policies in Section 4.11, Land Use and Planning; and specifically at Table 4.11-2. Based on the detailed review at Table 4.11-2, the Draft EIR determined that the project would be consistent with the General Plan's applicable Objectives, Policies, and Recommendations, and therefore impacts would be less than significant. (Draft EIR pp. 4.11-8 4.11-15; and Table 4.11-2.)

Topical Response LU-2: Project Density and Consistency with Surrounding Area

Comments on the Draft EIR state that the project would develop too many homes at the site and conflicts with the rural character of the area surrounding the proposed project.

The comment that the project would develop more homes than currently allowed under the General Plan and zoning designations restates information contained in the Draft EIR, and does not challenge the adequacy of the Draft EIR's disclosure of information or impact analysis. For information purposes, the General Plan and zoning designations for the project site allow for 61 single-family detached homes or 167.4 acres of agricultural uses at the site, as detailed in the Draft EIR Section 7, Alternatives (see Table 7-1, Comparative Summary of Alternatives under Consideration and Proposed Project.)

Section 3.3 of the Draft EIR details that the project would allow for the development of up to 689 dwelling units for an overall density of approximately 4 dwelling units per gross acre. The project would also allow for a variety of agricultural uses, housing types, a boutique hotel, an education center, and flexible commercial uses on the site. Approximately 31.6 acres would be dedicated to agriculture, and 16.0 acres of the site are planned for park and open space features, including parks, buffers, trails, and farm plots. The project development would require an amendment to the General Plan Land Use Element to amend the existing land use designation from Agricultural District (A) designation to the following Agricultural (A), Open Space (OS), Single-Family Residential (SFD-R), Medium Density Residential A (MDA-R), Medium Density Residential B (MDB-R), and Special Commercial (SC). (Draft EIR Section 3.4, Table 3-3.) The Draft EIR accordingly discloses that the project would develop more homes than allowed under existing designations.

The comment contends that the project is inconsistent with the rural community character. First, the court in *Preserve Poway v. City of Poway* (2016) made clear that CEQA does not require analysis of "subjective psychological feelings or social impacts," or economic impacts, upon community character that may result from a project (*Preserve Poway v. City of Poway* (2016) 245 Cal.App.4th 560, 581). Therefore, the City does not have a specific significance threshold for community character separate from visual character/quality or other physical changes which have

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been addressed in the EIR. Purely subjective “community character” concerns related to economic, social, or political impacts do not raise an environmental issue within the meaning of CEQA, but will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

The project site is located in an “Urbanized area” as defined by CEQA Guideline Section 15387. As defined in Section 15387, “Urbanized area” means a central city or a group of contiguous cities with a population of 50,000 or more, together with adjacent densely populated areas having a population density of at least 1,000 persons per square mile.” The City of Oceanside’s population alone is approximately 176,193. As described in the Draft EIR at Section 4.2.1, the project site is surrounded by a variety of existing land uses, including suburban and residential uses, agricultural uses, commercial uses, and institutional uses. Directly west of the property are institutional uses, including two churches and Melba Bishop Park. To the northwest lies the Morro Hills Master Planned Community (Arrowood) containing approximately 1,135 homes and a golf course. Directly north of the project site is a large commercial dog training and boarding facility. To the northeast lies the Paradise Falls wedding and event venue. At the northeast corner of the project site are greenhouse and nursery agriculture operations (east of Wilshire Road).

Immediately adjacent to the project site on the south and southeast are isolated agricultural fields (tomatoes) and the San Luis Rey River. South of the San Luis Rey River are two other isolated pockets of agriculture (tomatoes). These agricultural areas south of the San Luis Rey River border large, residential subdivisions.

The site is also approximately a half a mile from the San Luis Rey Transit center, a Walmart Supercenter, the Mission Marketplace large commercial center, State Route (SR-) 76, a Home Depot, and the Mission Vista High School campus. Also within this range are many large residential subdivisions with hundreds of homes each to the west, south, and east. The project site is proximate to existing employment centers within downtown and southern Oceanside and the City of Vista. Draft EIR Figure 2-2, Project Site and Surroundings, shows the various surrounding suburban areas to the north, south, and west; and more rural agricultural areas to the east of the site.

The project is designed to be compatible with the unique character of the area. The project would include agricultural uses, a variety of housing types, a boutique hotel, an education center, open space, and flexible commercial uses compatible with the surrounding community (refer to Project Objectives 1, 3, 4, 5, 6, 7, and 9). This is realized through the inclusion of agricultural and community based land uses throughout the project site (listed previously and found in Section 3.3.1.1 of the Draft EIR), and specifically within the Village Core. Bike routes and pedestrian trails developed as part of the project would provide walkable connections to connect to farmland, commercial, lodging, and residential uses in the community. On-site bike routes and trails would connect to off-site facilities, and provide access to access the San Luis Rey Transit Center. Circulation elements would also be designed to fit in with existing development.

Second, the Draft EIR analyzed impacts on the visual character and aesthetic resources on site and in the surrounding area, including the potential for cumulative impacts to occur within the project viewshed from other cumulative projects (refer to Chapter 5.0 of the Draft EIR, pages 4.1-16 through 4.1-19). The Draft EIR concluded that while the proposed development would represent a noticeable change from the existing condition, impacts to visual quality would be less than significant. This is because, in part, the guiding principles of the PD Plan involve incorporation of an agricultural identity, as reflected in the proposed architectural guidelines, development standards, and overall site planning. The project provides for a transition in the visual environment by placing the concentration of development near the center of the site, and avoiding massing near agricultural and multi-acre properties. Vegetation, landscaping, and other buffers would surround the site. Other improvements (such as public right of way improvements) would enhance the overall visual quality of the site. For these reasons and the others detailed in Chapter 5.0 of the Draft EIR, impact to visual character would be less than significant.

Third, to the extent community character comments addresses the project's physical impact on the surrounding area, these environmental issues (e.g., agricultural resources, planning, traffic, aesthetics, EIR alternatives, growth inducement) received extensive analysis in the Draft EIR. Various General Plan goals and policies also address community character including Community Facilities Element Policy 0.6, Traffic Calming Goal 1, Land Use Element Policy 2.32B, Land Use Element Policy 2.32B address community character. As analyzed at Table 4.11-2, the project is consistent with these General Plan policies. Please refer to the detailed EIR analyses contained in Sections 4.1 (Aesthetics), 4.2 (Agriculture), 4.11 (Land Use and Planning), 4.17 (Transportation and Traffic), 7.0 (Alternatives), 6.1 (Growth Inducement) of the Draft EIR.

Topical Response LU-3: Consistency with SANDAG Planning Documents

This comment states that the project is not compatible with SANDAG's regional planning documents, including the RTP/SCS, because it would be developed in an area not designated as a "smart growth" area. As discussed in Section 4.14 of the Draft EIR, the project site is not identified on the Smart Growth Concept Map for the North County Subregion. However, approximately 0.7 miles west of the project site adjacent to San Luis Rey Transit Center—southeast of the intersection of Vandegrift Boulevard and N. River Road—is a smart growth site identified as OC-8. OC-8 is a potential (community center site labeled as "The San Luis Rey Transit Center and North River Village mixed-use project," which conceptually includes 106 condominium units, approximately 13,700 square feet of commercial retail space within 26 commercial condominium units, and the NCTD San Luis Rey Bus Transit Center. The OC-8 site has been constructed as residential development.

Regional Comprehensive Plan

SANDAG's Regional Comprehensive Plan (RCP) is the strategic planning framework for the San Diego region. The RCP identifies challenges faced by the region and offers guidance for growth. The RCP, adopted in 2004, called for a preferred planning concept that focuses on the following (SANDAG 2004):

1. Improving connections between land use and transportation plans using smart growth principles;
2. Using land use and transportation plans to guide decisions regarding environmental and public facility investments; and
3. Focusing on collaboration and incentives to achieve regional goals and objectives.

The RCP recommended identification of Smart Growth Opportunity Areas where compact, mixed use, pedestrian-oriented development either exists now, is currently planned, or has the potential for future incorporation into local land use plans. SANDAG would then place a higher priority on directing transportation facility improvements and other infrastructure resources toward those areas. SANDAG could incentivize growth in smart growth areas through the allocation of funds. The designation would also provide guidance to local governments. The RCP implementation approach thus focuses on incentives as well as collaboration.

SANDAG monitors performance of RCP implementation. The 2004 RCP is now fully integrated into the *San Diego Forward: The Regional Plan*, discussed below.

Regional Transportation Plan/Sustainable Communities Strategy

SB 375 required the California Air Resources Board (CARB) to adopt regional GHG reduction targets for the automobile and light-truck sector for 2020 and 2035. Regional metropolitan planning organizations (MPOs) such as SANDAG are then responsible for preparing a Sustainable Communities Strategy (SCS) within their Regional Transportation Plan (RTP). The goal of the SCS is to establish a forecasted development pattern for the region that, after considering transportation measures and policies, will achieve, if feasible, the GHG reduction targets.¹⁹

¹⁹ In 2010, CARB adopted the SB 375 targets for the regional MPOs. The targets for SANDAG were a 7% reduction in emissions per capita by 2020 and a 13% reduction by 2035. (Draft EIR pp. 4.11-5 through 4.11-6.) CARB recently adopted an update to the SB 375 regional reduction targets for year 2035. For purposes of the SANDAG region, CARB adopted an increase in the target from a 13% to 19% reduction in GHG emissions per capita. Based on CARB's evaluation of SANDAG's current SCS, the region is anticipated to achieve an 18% reduction in GHG emissions per capita by 2035. As such, and practically speaking, SANDAG will need to achieve 1% in additional reductions by 2035 to meet this current proposal. (See, *CARB Final Resolution 18-22*, Adopted March 22, 2018, <https://www.arb.ca.gov/cc/sb375/finalres18-12.pdf>; *Updated Final Staff Report, Proposed Update to the SB 375 Greenhouse Gas Emission Reduction Targets*, February 2018, https://www.arb.ca.gov/cc/sb375/sb375_target_update_final_staff_report_feb2018.pdf. [Table 5: 2030 Target].)

SANDAG completed and adopted its 2050 RTP/SCS in October 2011. The approval marked the first time that our regional transportation plan included a SCS. The 2011 RTP/SCS was the subject of prolonged litigation, which was recently resolved. Meanwhile, however, the 2050 RTP/SCS was superseded by the *San Diego Forward: The Regional Plan*, which has not been subject to legal challenge.

San Diego Forward: The Regional Plan

In October 2015, SANDAG adopted *San Diego Forward: The Regional Plan*, which is a combined update of the RCP and the 2050 RTP/SCS. Like the RCP, this planning document continues to include key principles for encouraging integration of land use and transportation throughout the County. And the SCS demonstrates the region would achieve CARB's 2020 and 2035 GHG emissions reduction targets, if implemented.

The Draft EIR evaluates the project's consistency with SANDAG's *San Diego Forward: The Regional Plan*. Section 4.11.4 and specifically Table 4.11-3 undertakes a consistency evaluation with each of the "Smart Growth Principles" of the Regional Plan. The Draft EIR determines that the project would be consistent with the Regional Plan's Smart Growth Principles, and therefore impacts would be less than significant. (Draft EIR p. 4.11-11 through 4.11-12, 4.11-15.)

Ample information in the Draft EIR and summarized at Table 4.11-3 supports this determination. The proposed project would provide a variety of housing choices in proximity to existing employment centers within downtown and southern Oceanside and the City of Vista. The proposed project also results in job-producing land uses (Mixed Use Retail/Office) in proximity to residential land uses.

The project emphasizes pedestrian and bicycle friendly design, and includes mixed use development. As discussed in the Draft EIR in Section 3 and Appendix B, Planned Development Plan, the proposed trail network within the project site is composed of an interconnected system of on-street sidewalks, Class II and III bicycle lanes, and Class I trails. Along N. River Road, Class I and Class II bicycle lanes are designed to connect to existing lanes. The trail network within the project site is designed to connect to the City's planned off-site trail network by connecting to the existing trail along N. River Road and also providing a "river trail" adjacent to the San Luis Rey River setback. The Village Core would provide walkable connections to farmland, commercial, lodging, and residential uses in the community. The Village Core will increase the retail options in the area and have a distinct character from existing strip retail and commercial uses located along Vandegrift Boulevard. SANDAG, in its comments responding to the Notice of Preparation, commended the project for including a Village Core and recommended walking and biking amenities such as those provided by the project.

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In addition, the project has been designed to protect biological resources and incorporated environmentally sensitive design elements. Section 4.4 of the Draft EIR discusses mitigation and avoidance of biological open space and habitat areas. Native, drought tolerant plants would be used in project landscaping. (Appendix B, Planned Development Plan, Section 7.5.) Section 4.6, Section 4.19, and Appendix B (Planned Development Plan, Sections 3.2, 3.3, and 3.4) discuss energy and water conservation measures. Further, subsequent to circulation of the Draft EIR and as originally proposed through the Development Agreement, the project applicant has determined to revise Mitigation Measure MM-GHG-2 to offset 100% of its GHG emissions for the life of the project. With this measure, the project would not result in any net additional GHG emissions²⁰, resulting in a reduction in GHG emissions compared to the analysis performed by SANDAG as part of its regional planning.²¹

NCTD provides public transit services to the project site's vicinity. The proposed project is proximate to the San Luis Rey Transit Center—located south of N. River Road between Vandegrift Boulevard and Waterview Way—slightly more than half a mile from the project site. The San Luis Rey Transit Center is served by Routes 303, 309, 311, 313, and 315.

Bike routes and pedestrian trails, proposed as part of project development (see discussion above and in Chapter 3 of the Draft EIR), would permit residents and visitors to access the Transit Center, reducing the need for single occupancy vehicle trips. According to SANDAG's comments on the NOP, the connections would help implement the Regional Plan despite the project not being located in a Smart Growth Opportunity Area. (See, Draft EIR Appendix A, SANDAG comments dated December 20, 2017.)

In summary, because the project would be located in close proximity to jobs and public transit; and because the project would include site design elements, project design features, and other elements designed to promote sustainability and smart growth; the EIR concludes the project would be consistent with applicable smart growth principles of the Regional Plan.

The Draft EIR also evaluated project consistency with RTP/SCS Policy Objectives and Strategies (Section 2.7, Greenhouse Gas Emissions, Table 2.7-15) and with Regional Plan policy objectives related to habitat and open space preservation, and healthy and complete communities (Section

²⁰ CARB has already determined that implementation of mitigation requirements that are comparable to those established in Mitigation Measure M-GHG-2 would enable another project to not result in any net additional GHG emissions. (See CDFW, Final Additional Environmental Analysis for the Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan (SCH No. 2000011025) (June 2017); CARB, California's 2017 Climate Change Scoping Plan (November 2017); and, Letter from CARB to CDFW re: "[CARB] Review of the [GHG] Analysis in the Final Additional Environmental Analysis for the Newhall Ranch [RMDP/SCP]" (June 7, 2017).) CARB has also recognized the appropriate use of carbon offsets through approval of AB 900 projects throughout the State of California.

²¹ In accordance with Government Code Section 65080(b)(2)(B), SANDAG's SCS plans utilize "the most recent planning assumptions considering local general plans and other factors." The RTP/SCS therefore accounted for development on the project site consistent with the site's land use designation in the City's General Plan.

4.11, Land Use and Planning, Table 4.11-4). As detailed in those sections of the Draft EIR, the project would further the objectives and policies of the RTP/SCS and the Regional Plan, and would not conflict with or obstruct implementation of the plan. In land use decisions, “consistency” does not require perfect, rigid conformity. (See, e.g., *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656, 678.) The project would provide a mix of uses, would be located in proximity to employment centers, would provide a variety of travel choices including bicycle and pedestrian options, would be located in close proximity to transit, would integrate bicycle and trail systems, and would preserve open space. These attributes are consistent with the applicable goals and policies outlined in the 2015 RTP/SCS, *San Diego Forward: The Regional Plan*.

Comments imply no growth may occur outside of designated Smart Growth Opportunity Areas and be considered “consistent” with SANDAG’s regional planning. As discussed above, the Smart Growth Opportunity Areas designation is intended to provide incentive opportunities for investments in certain areas, and to provide guidance to local governments. It is not intended to preclude development in areas lacking the smart growth designation.

Further, it is noted that while SANDAG is responsible for the preparation of regional planning reports and projects, land use authority to implement regional planning is vested in the 18 incorporated cities and the County of San Diego. Government Code Section 65080(b)(2)(K) is express in its declarations that an SCS does *not* regulate the use of land and does *not* supersede the exercise of the City’s land use authority. If this project is approved by the City, SANDAG will include the project in the next RTP/SCS update (as required by Government Code Section 65080(b)(2)(B)) and will address progress towards meeting its GHG reduction targets. Subsequent actions or mitigation developed by SANDAG for the RTP/SCS that would be applicable in the City would apply to the project’s future residents, workers, and visitors.

Accordingly, as discussed above, consistency with the *San Diego Forward: The Regional Plan* is addressed in the Draft EIR. The project is consistent with the applicable principles, goals, and policies in SANDAG’s long range planning documents. (See, e.g., *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656, 678.)

Topical Response LU-4: Project Consistency with the Draft Agritourism Strategic Plan

Comments received on the Draft EIR state that the project is not consistent with the preliminary draft Agritourism Strategic Plan. Note that an EIR is not required to include consistency analysis with draft planning documents that are not yet adopted.

As background, South Morro Hills is an approximately 3,400 acre area in the north east corner of Oceanside. Of the nearly 3,400 acres approximately 2,200 is owned and farmed by large scale commercial farming operations (in many cases family operations). Over the last twenty years, the

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families have joined together to tell their story of farming and to also talk about the struggles they faced with rising water and labor costs. In response, the farmers, neighbors, and City officials commissioned an agritourism study to explore ideas for adding revenue to the region.

In the summer of 2016, the Oceanside City Council reviewed the agritourism study, titled the “Agritourism Strategic Plan,”²² which called for “Tier I” and “Tier II” activities to promote agritourism in South Morro Hills. Tier I activities focused on small-scale, low-intensity, education and branding of the region. Tier II activities called for development of a comprehensive vision for the area, development of a community plan, completion of a financial feasibility study, and a study of the value of agricultural space to Oceanside residents. The study noted that, at this time, “[t]here are competing visions, and no clear sense of the available future options for this agricultural area. There is a need to develop a unified vision for the South Morro Hills area with participation from farmers, residents, the City of Oceanside and other interested parties.” (Agritourism Strategic Plan, p. 45.)

As discussed in the Section 4.11.2, of the Draft EIR, at the August 17, 2016 City Council meeting the City Council received the strategic plan and authorized implementation for Tier I activities. Section 4.11.4 (pages 4.11-10 through 4.11-11) discusses that the Agritourism Strategic Plan is preliminary and provides suggestions for marketing and planning efforts on behalf of the City, such as the development of a community plan for South Morro Hills, and the review of existing zoning. The Agritourism Strategic Plan does not yet serve as an officially-adopted planning document, but rather provides guidance for future planning and land use actions. On November 1, 2017, the City Council authorized staff to initiate zoning text amendments to facilitate Tier 1 agritourism activities such as limited food processing, limited retail sales, and camping as incidental uses on sites primarily used for agricultural purposes. The City Council subsequently adopted text amendments on October 3, 2018 introducing Tier 1 agritourism activities into Article 14 of the Zoning Ordinance.

While Tier I activities progressed, the project applicant submitted its application for development. The application incorporated many of the concepts explored in the Agritourism Strategic Plan including a community garden, market garden, production agriculture, a vineyard, orchards, a farm hub, a hotel farm, and an ecology center, maker spaces, farm visits, farm to table dinners, concerts, and lodging. The project therefore proposes the uses encouraged by the Agritourism Strategic Plan, and would not conflict with this preliminary study or its objectives. Refer to Section 4.11 of the Draft EIR for additional details.

²² The Agritourism Strategic Plan is incorporated in Appendix T4 to the Final EIR. It is also available at <https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=47528>

Population and Housing

Topical Response PH-1: Growth Inducement

Several comments were received on the population and housing impact analysis shown in Chapter 4.14, Population and Housing, of the Draft EIR. The Draft EIR considered the project's potential growth-inducing impacts in Section 4.14 of the EIR, and concluded that the project, "has [the] potential for growth inducement, which may result in subsequent adverse environmental effects as a result of such growth." The Draft EIR thus acknowledges that the project would result in a potentially significant impact to population and housing. The proposed project would directly induce growth through the development of residential and commercial land uses, which would introduce new residents and jobs to the area. Accordingly, even though there is not a hardline number or percentage available to determine whether or not this estimated growth would be considered a substantial increase in population, the proposed project would increase the population of the area and exceed the planned population growth under the site's General Plan land use designation.

However, an EIR is not required to provide a detailed analysis of a project's effects on growth, and is not required to engage in speculation (CEQA Guidelines Section 15126.2(d) (2); *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 369; *Federation of Hillside & Canyon Assns. v. City of Los Angeles* (2000) 83 Cal.App.4th 1252, 1265). The particular growth that can be attributed to a project can be difficult to predict, given the large number of variables at play, including uncertainty about the nature, extent, and location of growth and the effect of other contributors to growth besides the project. As a result, the court in *Napa Citizens* concluded that it would not be reasonable to require the EIR to "undertake a detailed analysis of the results of such growth." The court concluded that nothing in the Guidelines, or in the cases, requires more than a general analysis of projected growth. (*Napa Citizens for Honest Gov't, supra*, 91 CA4th at 369.) No further analysis of potential impacts on growth can be provided at this time without engaging in undue speculation, which is not required by CEQA.

Topical Response PH-2: Land Use Plan Consistency

Some comments have also been received that incorrectly assert that the project cannot result in a less- than-significant impact to land use and planning, since the project would exceed the planned population growth allowed pursuant to the site's General Plan land use designation. Indeed, the proposed project would introduce new land uses that would conflict with the site's current General Plan land use designation. However, the project is proposing an amendment to the City's General Plan changing the existing land use designations to the proposed designations, which, if approved, would result in the proposed project's consistency with the City's General Plan Land Use policies. Refer Table 4.11-2 of the Draft EIR, included at the end of the section, which provides the City's

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applicable General Plan Land Use Element policies, followed by a land use consistency analysis with regard to each policy.

The project also complies with applicable policies which implement the Housing Element's goals and objectives. Specific components of the Housing Element include the following: an assessment of housing needs and inventory, an analysis and program for preserving assisted housing developments, a statement of community goals and policies; quantified objectives, policies relative to the maintenance, preservation, improvement, and development of housing, resources and opportunities, constraints, and a program which sets forth a five-year schedule of actions that the City is undertaking, or intends to undertake to implement the policies set forth in the Housing Element (City of Oceanside 2013). The total fair share housing allocation allocated to the City by SANDAG, for the 2010-2020 Housing Element projection period, is 6,210 units.

The City has determined that there are adequate sites available with appropriate zoning to accommodate the Regional Housing Need Assessment (RHNA) allocation for this Housing Element cycle (City of Oceanside 2013). Therefore, amendments to the City's General Plan and existing zoning are not required for the City to meet its RHNA allocation. Yet most of the residentially zoned land identified in the City's Housing Element, is already developed with relatively few vacant properties remaining. Most of the RHNA housing needs must be accommodated on commercially zoned land. However many of the underutilized commercial sites are less than one acre in size which would require site consolidation under one ownership. As of 2013, the City has a remaining 5,650 dwelling units needed to fulfill its RHNA allocation by 2020.

The City has the discretion to adjust allocated housing units/sites as necessary to balance proposed plans for residential development, approved/constructed residential development, and sites identified within the housing inventory that is not yet planned for development. Further, Program 9 of the Housing Action Plan within the Housing Element calls for the City's Planning Department to continually monitor its housing sites inventory such that the City meets the RHNA (Oceanside 2013). The City would then be able to account for the proposed units and estimated population resulting from the proposed project when considering future residential development proposals. Additionally, the estimated buildout of the proposed project would carry over into the next Housing Element cycle in which both SANDAG and the City would be required to assess housing needs allocation and the ability for the City to reach that allocation.

The proposed project would provide a variety of housing choices in proximity to existing employment centers within downtown and southern Oceanside and the City of Vista. The proposed project would provide a variety of housing types, including single-family residential and medium-density residential housing, at different affordability levels to meet the needs of households with a range of incomes. The project would also provide minimum affordable housing within the City equivalent to 10% of project unit count, through either: (1) reservation of 10% of housing units onsite for affordable housing; (2) payment of the established in-lieu fee; or (3) development of

affordable housing offsite. In addition, the project would include accessory dwelling units (ADUs) in single-family residential zones, where appropriate (Appendix B to the Draft EIR, p. 35 and Table 4-1, Land Use by Planning Area.) ADUs provide an important source of affordable housing in existing residential neighborhoods where adequate public facilities and services would also be available (City Zoning Ordinance Section 3006.)

The proposed project results in job-producing land uses (Mixed Use Retail/Office) in proximity to residential land uses. The Village Core would provide walkable connections to farmland, commercial, lodging, and residential uses in the community. The Village Core would increase the retail options in the area and have a distinct character from existing strip retail and commercial uses located along Vandegrift Boulevard. The North County Transit District (NCTD) provides public transit services to the project site's vicinity. The proposed project is proximate to the San Luis Rey Transit Center located south of N. River Road between Vandegrift Boulevard and Waterview Way. The San Luis Rey Transit Center is served by Routes 303, 309, 311, 313, and 315.

Even though the proposed project would be consistent with applicable policies that implement the Housing Element's goals and objectives, the proposed project would still introduce a population beyond what is planned for the project site. Additionally, as the project site is developed and eventually built out as proposed, existing adjacent and nearby land may be encouraged to intensify uses. Such intensification could include future applications for General Plan and Zoning Ordinance Amendments to increase residential and commercial development in the vicinity of the proposed project (for example, property owners in the area may be encouraged to propose additional community serving retail based on the new residences proposed). Please refer to Chapter 4.14, Population and Housing, of the Draft EIR for additional detail.

Traffic and Circulation

Topical Response TR-1: Impacts to N. River Road

Comments submitted on the Draft EIR state that delays on N. River Road would be impacted by the project, and therefore that N. River Road should be widened along its entire length.

The project's traffic impacts were analyzed in the TIA (Appendix N to the Draft EIR) and the results of that analysis were presented in Section 4.17, Traffic and Circulation, of the Draft EIR. The TIA and Draft EIR Section 4.17 present the existing traffic conditions on the roads and expressway facilities impacted by project traffic (refer to Tables 4.17-1, 4.17-2, and 4.17-3 of the Draft EIR, and Figures 3-1 and 3-2 of Appendix N); the traffic that would be generated by the project (refer to project trip generation, Table 4.17-5 of the Draft EIR); how this traffic would be distributed across the offsite road network (refer to Figure 7-1 in Appendix N); how the traffic from other known planned and approved projects (cumulative projects—refer to Tables 4.17-8 of the Draft EIR and Figure 9-2 in Appendix N) would be distributed across the road network; and

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the unmitigated and mitigated conditions on the road network with the project traffic and cumulative projects' traffic added to the existing traffic volumes on the road network.

N. River Road was analyzed in the TIA and Draft EIR from Douglas Drive to SR-76/Mission Road along seven (7) separate roadway segments and considering ten (10) separate intersections. The TIA also evaluated direct project traffic and cumulative traffic scenarios along N. River Road for eight (8) analysis scenarios, including:

- Existing Conditions
- Existing Plus Project
- Existing Plus Near-Term Cumulative Projects
- Existing Plus Near-Term Cumulative Projects Plus Project
- Year 2035 Without Project
- Year 2035 With Project
- Year 2035 Without Project (With Melrose Drive Extension)
- Year 2035 With Project (Without Melrose Drive Extension)

The analysis identified significant impacts to three (3) N. River Road segments: North River Circle to Stallion Drive, Stallion Drive to Wilshire Road, and Wilshire Road to Sleeping Indian Road. The analysis also identified significant impacts to four (4) N. River Road intersections: Vandegrift Boulevard/N. River Road, N. River Road/Leon Street, Douglas Drive/N. River Road, and N. River Road/College Boulevard. Consistent with CEQA requirements, mitigation measures have been recommended in the TIA and incorporated in the Draft EIR to reduce the project's significant direct and cumulative impacts to N. River Road segments and intersections to less than significant levels.

On N. River Road from North River Circle to Stallion Drive (identified as street segment #5), two mitigation options are presented in mitigation measure MM-TRA-7 in the TIA and EIR that would reduce project impacts to less than significant. Option 1 would involve restriping the existing roadway to remove on-street parking and the bike lane buffer to provide four 11-foot lanes, maintain a 10-foot two-way left turn lane, and maintain the 5-foot bike lanes consistent with City Secondary Collector standards. Option 2 would involve restriping the existing roadway to two 11-foot eastbound travel lanes, an 11-foot two-way left turn lane, one 11-foot westbound lane, 2-foot bike buffers, and 4-foot bike lanes in each direction while maintaining the 8-foot on-street parking on the north side of the roadway. Both options would accommodate traffic within existing right-of-way (refer to Figures 16-1 and 16-2 of Appendix N) Both options would provide adequate capacity to reduce project impacts to less than significant under direct, cumulative, and future year conditions.

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On N. River Road from Stallion Drive to Wilshire Road (identified as street segment #6), which consists of the area along the project frontage, the project proposes to enhance the roadway to provide a traffic signal at the main project access, and to provide two roundabouts at the secondary access points (one of which aligns with Wilshire Road). The proposed General Plan Amendment would reclassify this roadway to Four-Lane Secondary Collector standards. The project would dedicate right-of-way to Four-Lane Secondary Collector standards and construct two travel lanes separated by a raised median. Additional widening is proposed to construct a raised median, bike lanes, landscaped parkways, and reserve right-of-way for any future widening of the roadway. Per the analysis shown in the TIA, the peak hour analysis of N. River Road along the project frontage with the improvements proposed by the project results in level of service (LOS) C or better operations. However, in Year 2035 without the connection of the Melrose Avenue bridge, the westerly project roundabout is predicted to operate at LOS F. Thus, the project proposes additional mitigation, mitigation measure MM-TRA-8, consisting of a fair-share contribution towards the restriping of this roundabout to provide two travel lanes at a future time when the roundabout operations degrade to LOS E (i.e., when the threshold of 21,000 average daily trips (ADT) on this segment of N. River Road has been met.)

For N. River Road, east of the project site from Wilshire Road to Sleeping Indian Road (identified as street segment #7), the TIA and EIR propose mitigation measure MM-TRA-9 which would require intersection improvements providing an eastbound dedicated left-turn lane at the N. River Road/Sleeping Indian Road. The provision of this turn lane would provide a refuge lane for left-turning vehicles, thus improving the flow of eastbound through traffic and reducing the potential for vehicular conflict due to the slowing of eastbound traffic. A queue analysis at this intersection indicates that approximately 25 feet of queuing storage would be required; the project includes a 75 foot turn pocket. Please refer to Appendix N of the Final EIR for additional information. The improvements proposed at the easterly project roundabout at Wilshire Road would also improve operations along this segment. With this mitigation, impacts along this segment would be reduced to less than significant.

Modeling in the TIA demonstrates that additional project traffic does not warrant widening the portion of N. River Road from Wilshire Road to Sleeping Indian Road to four lanes for several reasons. First, impacts would be mitigated to less than significant levels through the N. River Road/Sleeping Indian Road Intersection improvements. Second, widening this portion of N. River Road to four lanes is undesirable and infeasible²³ as such widening would provide excess capacity, more than anticipated to be necessary. A two-lane N. River Road has a capacity of approximately 12,500 ADT at LOS E. The proposed project adds 1,943 ADT to this segment of N. River Road. Widening to four lanes would add 17,500 ADT of capacity, much greater than the amount of added

²³ “Feasibility” “encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417.)

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project traffic. Excess capacity could potentially induce demand for drivers to use two-lane Sleeping Indian Road as a “cut-through route” through Bonsall and Fallbrook to/from I-15, which would be undesirable. Widening to four lanes is accordingly not proposed along this segment.

For the Vandegrift Boulevard/N. River Road (intersection #2), the TIA and EIR provide mitigation measure MM-TRA-1 which would require the applicant to construct a second northbound right turn lane with overlapping traffic signal phasing. The improvement described at MM-TRA-1 would fully mitigate permanent operational impacts at this intersection to less-than-significant levels. However, as it is not certain the needed right-of-way to construct this improvement will be timely acquired by the City, this impact is conservatively considered significant. It is further anticipated that the earliest feasible time for right-of-way acquisition and completion of this improvement, given legal constraints, is the 100th building permit for a “for sale” unit. The identified significant effect would occur at an earlier equivalent dwelling (specifically, at the 19th dwelling unit). Completion of the improvement prior to the issuance of the building permit for the 19th dwelling unit is considered legally infeasible. Temporary impacts until completion of this improvement would thus be considered significant and unavoidable.

The N. River Road/Leon Street intersection (identified as intersection #4) would be fully mitigated by mitigation measure MM-TRA-2, which would require the restriping of lanes to provide dedicated right and left turn lanes. Similarly, the Douglas Drive/N. River Road intersection (identified as intersection #9) would be fully mitigated by mitigation measure MM-TR-3 by providing an eastbound right-turn overlap phase at the intersection.

The N. River Road/College Boulevard intersection is currently built with dual westbound to northbound right-turn lanes, and reciprocal southbound to eastbound left-turn lanes. Right-turn overlap (RTOL) phases are also provided to accommodate heavy right-turn movements. To fully mitigate the direct and cumulative impacts to below significant levels, additional lanes or a large increase in storage length of the existing right turn lane would be needed at this intersection. Right-of-way is constrained at this location and would be infeasible to obtain, and the intersection is very proximate to the College Boulevard bridge across the San Luis Rey River. The City’s Master Transportation Roadway Plan does indicate widening of the westbound (College Boulevard) approach to include an additional left-turn lane. However, the implementation of these planned improvements, which would include widening of the bridge over the river by any one private development project, would be economically infeasible.

The project engineers evaluated a potential solution of eliminating the shopping center leg of the intersection. Options were analyzed to provide sufficient access to the shopping center if the driveway were eliminated. Ultimately, a solution that would allow full inbound and outbound movements into and out of the shopping center could not be found due to high volumes on N. River Road and this potential solution was rejected.

According to the City's Master Transportation Roadway Plan, this intersection is forecasted to operate at LOS E or F in the future. Per the City's adopted General Plan, this intersection is accepted at LOS F conditions. Although the City identifies improvements for this intersection, the City's Thoroughfare and Traffic Signal Fee Program Update Study does not provide a funding mechanism for the proposed project to pay a fair share toward. Therefore, mitigation measure MM-TRA-4 is provided, which would partially, but not fully reduce impacts at this intersection. Despite widening of the College Boulevard Bridge being out of proportion with project impacts, the applicant has agreed to implement MM-TRA-4 prior to the issuance of the 142nd building permit. The additional travel lanes provided by mitigation measure MM-TRA-4 would extend right-turn lanes on College Boulevard at N. River Road, resulting in an improvement in delays. As such, MM-TRA-4 would fully mitigate this impact to less-than-significant once completed. However, the identified impact would occur at an earlier equivalent dwelling unit than the 142nd. Accordingly, the bridge improvements identified in MM-TRA-4 are not guaranteed to be completed early enough to reduce short-term significant project impacts at this location. Therefore, impacts would remain significant and unavoidable until completion of the bridge improvements.

In sum, the project is able to fully mitigate, through funding and direct implementation of improvements, its direct and cumulative significant impacts to N. River Road roadway segments. With this mitigation, the road facilities impacted by the project would perform at the same or at an improved level of service with project traffic and cumulative traffic added to existing conditions. Therefore, the Draft EIR determined impacts to the segments of N. River Road would be mitigated to less than significant. However, as also described above, two of the four intersections of N. River Road would remain significant and unavoidable.

Topical Response TR-2: Bridge Crossings

Comments submitted on the Draft EIR state that the project would add trips to already crowded bridge crossings, and that the project should implement widening/expansion of the College Boulevard Bridge and/or completion of the Melrose Drive Bridge crossing of the San Luis Rey River. The following response is provided to these comments.

College Boulevard Bridge

Currently, for the thousands of homes located north of the San Luis Rey River, only two connections exist to provide access to the south: Douglas Avenue Bridge and College Boulevard Bridge. The four-lane College Boulevard bridge section between N. River Road and Adams Street currently operates at LOS F conditions and the intersection of N. River Road at College Boulevard operates at LOS E in the PM peak hour. The deficient operations along this section are the result of existing infrastructure constraints crossing the San Luis Rey River.

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College Boulevard originally crossed the San Luis Rey River as an Arizona crossing²⁴ that was subject to flooding. In 1984, the existing College Boulevard Bridge (then named Murray Road Bridge) of the San Luis Rey River was completed, spanning approximately 666 feet with a width of 77 feet 9 inches. Originally operated with two lanes in each direction, the bridge was designed to expand to six lanes when the need warranted.²⁵ The original above-grade bridge was constructed using revenue bonds to finance its construction. A toll was collected over a 20-year period, often to the outrage of residents.²⁶ In addition, in 1983, the City established its Thoroughfare and Traffic Signal Fee Program (Fee Program) to impose development fees to complete Master Transportation Roadway Plan infrastructure projects. Originally, the College Boulevard Bridge was included in the Fee Program to help pay off its construction.

In 2010, the City began its Master Transportation Roadway Plan Update. A Mitigated Negative Declaration (MND) study was prepared to evaluate the College Boulevard Bridge Widening Project to widen the bridge to six lanes. However, during the process, the project was threatened with a lawsuit. City Council consequently directed staff not to pursue the widening of the College Boulevard Bridge, and the widening of the bridge to six lanes was removed from the draft Master Transportation Roadway Plan. The Fee Program was also updated to remove the College Boulevard Bridge widening. Ultimately, the Master Transportation Roadway Plan was adopted with the College Boulevard Bridge widening included; however, the Fee Program no longer included this improvement, and the MND remained unadopted.

As the College Boulevard Bridge was no longer included in the Fee Program, funds originally collected for the bridge were allocated to other sources. No new funding has since been collected for a College Boulevard Bridge widening. As a result, there are no current plans to widen this bridge to six lanes, which could alleviate existing congestion along this corridor.

With the existing poor levels of service calculated on this roadway, the project results in direct and cumulative impacts to the segment of College Boulevard spanning the bridge and to intersections along this roadway, as detailed in Section 4.17.4, Impacts Analysis, of the Draft EIR. It is worth noting, however, that significant impact to the bridge would occur under an existing zoning alternative even without the proposed project. Given the little reserve capacity remaining, and with existing LOS E and F operations (the LOS E capacity of this segment is 40,000 and existing ADT is approximately 45,980), even the 71 dwelling units (DU) permitted under existing zoning for the project site allows would result in a significant effect.

²⁴ An Arizona crossing is a low-water crossing that provides a bridge/roadway when water flow is low, however the roadway would become inundated during high-flow conditions.

²⁵ Lemke, Caroline. "Crossing Over to the Other Side," L.A. Times, June 27, 1991. http://articles.latimes.com/1991-06-27/news/nc-1696_1_toll-bridge/3

²⁶ Glionna, John M. "Some Pay Price, but for Others Oceanside Span Takes Bigger Toll," L.A. Times, August 3, 1989. http://articles.latimes.com/1989-08-03/local/me-593_1_toll-bridge.

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Although the Master Transportation Roadway Plan identifies intersection improvements and the widening of the bridge to six lanes, there is no program or plan in place for the project to pay a fair share toward to mitigate their cumulative impacts. Further, the physical widening of the bridge to accommodate any improvements would be infeasible. “Feasible” means “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” (CEQA Guidelines, Section 15364.) Legal, environmental, and social factors have previously prevented bridge widening from being completed, despite City impetus to complete this improvement.

Furthermore, requiring the project to be completely responsible for the College Boulevard Bridge expansion conflicts with the “rational nexus test,” which establishes that new development should bear no more than its equitable share of improvement costs, and that jurisdictions must determine that share based on the extent to which a development benefits from the improvements. In the U.S. Supreme Court case of *Dolan v. City of Tigard* (1994) 512 U.S. 374, the Supreme Court ruled that the government must demonstrate that an essential nexus exists between the legitimate state interest and the exaction imposed, and that the nature of the exaction must be “roughly proportional” to the impact the project is creating.²⁷ The expansion is financially infeasible for any one developer, and fails to comply with the rough proportionality test. The bridge widening has previously been estimated to cost \$7.3 million (in 2010 dollars), and would take years to complete. The existing volume on the bridge is 45,980 ADT. The project adds approximately 3,886 ADT to this segment, which equates to approximately 8% of the total volume. There is no rational nexus to require the project to pay 100% of the cost of bridge expansion based on an 8% increase in traffic volumes. The widening is thus legally infeasible.

Therefore, the Draft EIR and TIA recommend alternative mitigation for this corridor. It is recommended that the project lengthen the southbound dual left-turn lanes by 100 feet to provide additional storage for this heavy movement, thus removing turn vehicles from the southbound flow on N. River Road. In addition, it is recommended that the project conduct a signal optimization study and implement the results along College Boulevard between N. River Road and SR-76. Without an established program permitting the project to pay a fair share toward future improvements outlined in the Master Transportation Roadway Plan, the mitigation recommended in the traffic study constitutes all feasible mitigation for this impact, and would partially mitigate impacts to the College Boulevard bridge. The Draft EIR concludes that impacts would remain significant and unavoidable. Please refer to Table 4.17-19, Significant Impact Summary, of the Draft EIR.

²⁷ See also, *Nollan v. California Coastal Comm’n* (1987) 483 U.S. 825.

Melrose Bridge

The Melrose Drive Extension has a similar history to the College Boulevard Bridge. Melrose Drive currently terminates in several locations within the City. Since the early 1990s, the City has been discussing and planning completion of a Melrose Drive Extension. Changes in funding priorities and other issues have led to its ongoing postponement. However, the City's 2030 Master Transportation Roadway Plan includes, as planned future roadway network changes, the completion of two (2) separate connections along Melrose Drive: in the south, a connection between North Santa Fe Avenue and Spur Avenue (South Melrose Drive Extension); and in the north, a connection over the San Luis Rey River, between SR-76 and N. River Road (North Melrose Drive Extension or Melrose Bridge).

The City proposed three designs for the South Melrose Drive Extension, and prepared an EIR for the extension 2010. The City Council voted to approve completion of the \$20 million South Melrose Drive Extension in 2011. However, a CEQA lawsuit promptly followed.²⁸ The extension has remained controversial and has still not been completed.

As with widening of College Boulevard Bridge and completion of the South Melrose Drive Extension, completion of the Melrose Bridge over the San Luis Rey River faces numerous environmental constraints due to its location over the river valley. In addition, even though this connection is assumed in the Master Transportation Roadway Plan, it too was excluded from the Fee Program due to community and environmental concerns. Thus, no funding has been collected for this connection, and there is no established fee program or plan to exact fair share fees for completion of the Melrose Bridge.

The TIA and Draft EIR accordingly evaluated project traffic impacts under two future scenarios: (1) With the Melrose Drive Extension (Master Transportation Roadway Plan); and (2) Without the Melrose Avenue Extension. As shown in the TIA, the same impacts occur within the study area regardless of whether the Melrose Drive Extension is completed. Accordingly, construction of the Melrose Drive Extension would not provide mitigation for the project's identified significant traffic impacts.

In addition, even if the Melrose Drive Extension provided mitigation, it is infeasible. As with the College Boulevard Bridge, the physical construction of the Melrose Drive Extension would be financially infeasible for any one developer to incur. Further, the North Melrose Drive Extension has never been analyzed from an environmental perspective (i.e., been subject to CEQA review), nor has a design been completed. The Melrose Bridge is subject to the same legal, environmental, and social constraints that led the City to abandon the College Bridge expansion and postpone

²⁸ Huard, Ray, "Region: Environmental group sues to stop Melrose Drive extension," San Diego Union Tribune, July 1, 2011. <http://www.sandiegouniontribune.com/sdut-region-environmental-group-sues-to-stop-melrose-2011jul01-story.html>.

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indefinitely the South Melrose Drive Extension. Melrose Bridge would likewise be incapable of successful or reasonably timely completion.

Construction of the Melrose Bridge also fails to meet the rough proportionality and rational nexus test. The forecasted volume on the bridge from the SANDAG Series 12 traffic model is 15,000 ADT. The project would add 2,050 ADT to this segment if completed, which equates to approximately 14% of the total volume. It would be disproportional to require the project to pay 100% of the cost to construct the bridge to four lanes based on a 14% increase in traffic volumes.

Therefore, although the connection of the Melrose Bridge over the San Luis Rey River would provide an alternative route to College Boulevard and Douglas Avenue, it would not mitigate project impacts; fails the rational nexus test; and is infeasible for legal, economic, environmental, social, technological and other reasons.

Topical Response TR-3: Impacts to Sleeping Indian Road

Comments submitted on the Draft EIR state that the project would result in significant impacts to levels of service on Sleeping Indian Road.

A peak hour analysis of the N. River Road/Sleeping Indian Road intersection was included in the TIA and Draft EIR for eight (8) analysis scenarios (as identified in Topical Response TR-1 and in Section 4.17 of the Draft EIR). As shown in the TIA, LOS D or better operations are reported at this intersection with the addition of project traffic under all eight scenarios.

The City received comments that noted that Sleeping Indian Road is used as a “cut-through route” through Fallbrook and Bonsall to/from I-15 and Oceanside (Camp Pendleton). Although the peak hour intersection analysis at N. River Road and Sleeping Indian Road shows acceptable LOS D or better operations, in response to this comment, subsequent daily segment analysis for Sleeping Indian Road from N. River Road to Morro Hills Road has been prepared to further evaluate the roadway operations. Sleeping Indian Road is classified and currently functions as a two-lane Collector Roadway with an LOS E capacity of 10,000 ADT. The existing traffic volume on the roadway is 2,150 ADT, which results in LOS A operations. The forecast volume on Sleeping Indian Road per the SANDAG traffic model shows a projected volume of 5,900 ADT in Year 2035. The project adds 3% of total generated project trips to this segment ($7,771 \text{ ADT} \times 3\%$) = 230 ADT. In total, $5,900 + 230 = 6,130$ ADT in the Year 2035 with the addition of project traffic, which results in LOS C operations. Therefore, no significant impacts would occur on Sleeping Indian Road as a result of development of the proposed project.

As part of the mitigation to improve traffic flow along N. River Road and onto Sleeping Indian Road, the project is proposing to construct an eastbound left-turn lane from N. River Road onto northbound Sleeping Indian Road. This lane would provide a refuge for left-turning vehicles out of the way of eastbound through traffic while waiting for a gap in westbound

through traffic to turn onto Sleeping Indian Road, improving roadway circulation in this area. A queue analysis at this intersection indicates that approximately 25 feet of queuing storage would be required; the project includes a 75 foot turn pocket. Please refer to Appendix N of the Final EIR for additional information.

Water Supply

Topical Response WS-1: Water Shortage/Drought

Comments on the Draft EIR state that Southern California is currently in a drought and that the project's increase in residents within the City worsen the problem. Further, comments state that drought conditions will require that mandatory rationing be imposed on existing agricultural water customers in order to accommodate the proposed project.

As discussed in the Draft EIR Section 4.19, a water supply assessment (WSA) was prepared for the project, and is included as Appendix Q to the Draft EIR. While the proposed project would result in an increase in water demand compared to the existing land uses and what was assumed for the site in the 2015 UWMP, the City has determined it has sufficient water supplies from available entitlements and resources to serve the proposed project in addition to serving other existing and planned land uses within the City's service area. The State Water Resources Control Board (SWRCB) on May 9, 2016, adopted a statewide water conservation approach that replaces the prior percentage-based water conservation standard. The new standard requires water agencies to conduct a "stress test", certifying whether they have sufficient available supplies to meet customer demand assuming dry conditions continue for an additional three years. The data and analysis prepared by the City submitted to the SWRCB demonstrate that the City has sufficient water supplies to meet demands over the next three years (through 2019 at the time of preparation (refer to the following website: https://www.ci.oceanside.ca.us/gov/water/services_programs/save/selfcert.asp.) Sufficient, reliable supplies are available to serve both the demands of the North River Farms project and other potable water customers.

Water Shortage and Drought Response

During the recent drought, cutbacks were made to City customers as mandated by an Executive Order from Governor Brown. Cutbacks were not due to any supply shortage as, even during the depth of the drought, the City's wholesale water provider — the San Diego County Water Authority (Water Authority)²⁹ — projected adequate supplies of 85,196 acre-feet of water in storage after

²⁹ Draft EIR Appendix R, City of Oceanside 2015 Urban Water Management Plan (UWMP), June 2016, p. 1-2. Also available at: <https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=42608>.

assuming an additional three consecutive years of drought. The Water Authority currently has 202,437 acre-feet of water in storage, and no restrictions on deliveries to any agency.³⁰

The Water Authority also has plans in place to help manage demand during times of limited supply (e.g., droughts). The Water Authority's plans and programs are implemented working with other retail water districts or agencies in the San Diego region. To assist the San Diego region manage water resources when supplies are limited (e.g., droughts), the Water Authority's Board, in August 2017, approved the Water Shortage Contingency Plan (WSCP).³¹ This comprehensive shortage planning document outlines a series of orderly, progressive steps for the Water Authority to take during shortages to minimize impacts to the region's economy and quality of life.

Section 8 of the City's UWMP comprises the City's WSCP. The City's WSCP likewise provides for orderly steps during water shortages. The WSCP is consistent with the long-term framework contained in the April 2017 Final Report, *Making Water Conservation a California Way of Life, Implementing Executive Order B-37-16*. The City's WSCP identifies four levels of drought response with progressive water-use restrictions that are designed to align demand with supply during water shortages. Presently, the City has returned to its lowest level—drought “level 1” – which is designed to encourage water use efficiency at all times.³² Notably, none of the City's drought response levels call for restrictions to be placed on irrigation for crops, commercial growers, or nurseries during times of water supply shortages.³³

Reliable Water Supplies

The City has a diversified portfolio of supplies so that it is not dependent on any single source for its water. The City has three major water sources: purchases from the Water Authority; local groundwater from Mission Basin; and non-potable recycled water from San Luis Rey Water Reclamation Facility (SLRWRF). (Draft EIR, Appendix Q, page 21.) The City plans to expand its recycled water system through additional non-potable recycled water deliveries and an indirect potable reuse (IPR) project to increase water supply reliability. The City is also considering seawater desalination use via a feasibility study.

The City also promotes conservation and use of best management practices through a number of mandatory water use efficiency measures, as well as incentive programs, workshops, classes, and rebates.³⁴ The City has further adopted and recently updated its Water Conservation Master Plan

³⁰ San Diego County Water Authority Board Meeting Documents, August 23, 2018, at p. 150.

https://www.sdcwa.org/sites/default/files/2016-12/Board/2018_Agendas/2018_08_23FormalBoardPacketSEC.pdf

³¹ San Diego County Water Authority Water Shortage Contingency Plan, August 2017. Available at: <https://www.sdcwa.org/sites/default/files/Water%20Shortage%20Contingency%20Plan%20August%202017.pdf>.

³² Draft EIR Appendix R, p. 8-2.

Oceanside Drought Response webpage, available at https://www.ci.oceanside.ca.us/gov/water/services_programs/save/info/default.asp.

³³ Draft EIR, Appendix R, pp. 8-2 through 8-4.

³⁴ See: https://www.ci.oceanside.ca.us/gov/water/services_programs/save/save_our_water/default.asp

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to help enable the City become more self-sufficient with its water supply.³⁵ Efficiency and conservation measures will help maintain adequate City water supplies.

In addition, the City engages in a variety of future supply planning efforts. Every 5 years, the City prepares an Urban Water Management Plan (Draft EIR, Appendix R, page 1-1) that identifies the projected water resource mix. Preparation of this plan involves updating the City's water demand forecast and conservation savings projections, documenting the supplies, and coordinating on local supply projections.

The Water Authority, the City's wholesale water provider, has also diversified its water supply portfolio to enhance regional supply reliability by developing new local and imported water supplies.³⁶ By 2020, local supplies are projected to meet 36% of the region's water demand. The Water Authority has also secured new imported water supplies through a long-term (45 to 75 years) water conservation and transfer agreement with the Imperial Irrigation District. The deal, reached in 2003, will provide 100,000 acre-feet of highly reliable Colorado River water in 2013 and increases to 200,000 acre-feet annually by 2021.

In addition to developing new water supplies, the Water Authority (and its retail member agencies) encourages the use of its existing water resources as wisely and efficiently as possible. Conservation has been a key component of the Water Authority's supply diversification strategy for the last two decades. The Water Authority works with its retail member agencies and other partners to offer programs that improve water use efficiency for residential, commercial, and agricultural users and help promote conservation as a way of life in the San Diego region.³⁷

Reduced Water Use

Water use has been less than projected by the City in recent years. Based on the water demands projected in the 2015 UWMP, and with assumption of linear increase on water demands between planning years, potable water demands were estimated to be 25,156 AFY and 26,699 AFY for 2016 and 2017, respectively. (Draft EIR, Appendix Q, page 17) However, the actual total potable water usage for 2016 and 2017 was 23,579 AFY and 23,972 AFY, respectively, substantially lower than the 2015 UWMP's projected demands. (Draft EIR, Appendix Q, page 17) Through its conservation programs, the City projects it further reductions in overall water demands.

While the project was not considered in the 2015 UWMP, it is anticipated to increase demands by less than 0.7% by 2040. Given the significant reduction in actual city-wide use compared to

³⁵ 2011 Water Conservation Master Plan, <https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=25976>; 2015 Water Conservation Master Plan Update, <https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=42630>.

³⁶ San Diego County Water Authority, Enhancing Water Supply Reliability, <https://www.sdcwa.org/enhancing-water-supply-reliability>.

³⁷ See, <https://www.sdcwa.org/water-supplies>

UWMP projections, the City is confident this project potable water demand can be met in addition to its existing customers and future users.

Project Water Conservation

The project would incorporate numerous water conserving design features to reduce water demand. The California Green Building Standards Code (CALGreen Code)³⁸ (codified in the California Code of Regulations, Title 24, Part 11) published by the California Building Standards Commission (CBSC) identifies certain mandatory measures for residences, including indoor and outdoor water uses. Indoor measures restrict water used by toilets, showers and baths, faucets, dishwashers, clothes washing machines, and other uses. The most recent amendment to the CALGreen Code calls for a 20% reduction in indoor water use and sets stringent standards for plumbing fixtures in new construction, resulting in the most significant reduction in indoor water use in the history of California building codes.

Evidence confirms new residences utilize substantially less water indoors than existing residences. New homes overall use *half* as much water as most of the existing housing stock in California. More than half of California's 7.5 million existing single-family homes were built before 1980, which means they are equipped with outdated fixtures that can use up to three times more water than current models required under the CALGreen Code. For example, new three-bedroom single-family homes with four occupants in California use an estimated 46,500 gallons of water per year for indoor use.³⁹ This represents a savings of over 20,500 gallons of water per year from homes built in 1992 and a savings of 47,000 gallons of water per year from homes built in 1980. Thus new growth does not necessarily translate to extra water use due to extensive conservation measures.⁴⁰ These water conserving features thus significantly minimize the project's indoor water use compared to existing residences.

Outdoors, the project's landscaping and irrigation system will also be designed to conserve water. (Draft EIR, Appendix B, Planned Development Plan, Section 7.4, Irrigation & Water Conservation.) The use of native and adapted plants, which require low water use, is encouraged and provided through the project's landscaping palette. Among other measures, the irrigation system will utilize weather-based technology that automatically adjusts to rainfall to ensure the system will only irrigate when necessary. Irrigation design will accommodate hydrozones on separate systems. Automatic irrigation systems would include rain shutoff valves. Moisture sensors would be installed at appropriate intervals in commercial and mixed-use areas to minimize the potential for overwatering. Mulching and rain water use

³⁸ For more information on the CALGreen Code, see www.bsc.ca.gov/Home/CALGreen.aspx.

³⁹ California Homebuilding Foundation, "Codes and Standards Research Report: California's Residential Indoor Water Use" (2d ed.), May 8, 2015, available at www.cbfa.org/uploads/5/1/2/6/51268865/codes_and_standards_residential_indoor_water_use_may_15_v2.pdf.

⁴⁰ The Sacramento Bee, "Sacramento wants to grow; will drought say no?" May 9, 2015, available at www.sacbee.com/news/state/california/water-and-drought/article20600319.html.

will also reduce reliance on irrigation. Through these water efficient measures, the project will achieve substantial reductions in outdoor water use.

The project further intends to construct recycled water infrastructure to obtain the beneficial use of such water for parks, irrigated open space, and potentially agriculture when such water becomes available. (Draft EIR Section 4.19, p. 4.19-11; Draft EIR Appendix P, p. 13) Implementation of these features would further reduce project water use below projections in the WSA.

Conclusion

In sum, comprehensive future planning addressing supply reliability and demand reduction through conservation strategies will ensure adequate supplies to serve the project, in addition to existing and planned future water demands within the City. There will be no burden—financial or otherwise—on any of the City’s existing or future customers to accommodate the project. Finally, the City would not impose rationing on existing agricultural water customers in order to accommodate the proposed project.

Other Topics

Topical Response OT-1: Independent City Review Process

The City has received comments that the EIR does not appear to reflect the City’s independent judgment. While the comment does not raise an environmental issue within the meaning of CEQA, the following response is provided to promote public transparency.

CEQA requires an EIR be prepared by, or under contract to, a public agency, using one of the following arrangements:

1. Preparing the draft EIR directly with its own staff.
2. Contracting with another entity, public or private, to prepare the draft EIR.
3. Accepting a draft prepared by the applicant, a consultant retained by the applicant, or any other person.
4. Executing a third party contract or Memorandum of Understanding with the applicant to govern the preparation of a draft EIR by an independent contractor.
5. Using a previously prepared EIR. (CEQA Guidelines, Section 15084(d), California Public Resources Code, Section 21082.1(a))

Before using a draft EIR prepared by another person, the lead agency must subject the draft to the agency’s own review and analysis such that the draft EIR circulated for public review reflects the agency’s independent judgment (CEQA Guidelines, Section 15084(e).) An agency must also certify the final EIR reflects its independent judgment (Public Resources Code,

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Section 21082.1 (c), CEQA Guidelines, Section 15090(a)(3), *Friends of La Vina v. County of Los Angeles* (1991) 232 Cal.App.3d 1446, 1455).

Here, subject to the City's sole right and discretion to determine the adequacy of performance of the EIR consultant, and its responsibility to independently review and analyze all documentation for the project, the City allowed the project applicant to select and retain Dudek, an environmental consulting firm contracted by the applicant, to prepare the EIR submitted to the City for independent review. The EIR also includes various technical supporting studies and report prepared by independent experts in various fields such as geotechnical, hydrological, traffic, and noise.

The City extensively reviewed the proposed project, the Draft EIR, and its analyses to ensure the EIR reflects the City's own independent judgment. Multiple iterations of technical reports and the Draft EIR were "screen-checked" by the City and its staff to ensure the analyses contained therein are factual, accurate, applicable, and based on the City's independent review and judgment.

As the lead agency, City planning staff completes an independent evaluation of private land development applications, including this project, for compliance with applicable City, State, and Federal laws, regulations, and ordinances. City staff is not an advocate for or against the project, but acts in an independent regulatory capacity as the lead agency to review and independently evaluate the EIR and project.

In addition, to assist with the independent review of the EIR, the City separately retained and contracted HDR, Inc. (HDR) to provide expert third party review of the EIR and supporting documentation, as outlined in the following timeline:

1. A Request for Proposals for third party review of the EIR was released on January 11, 2018 with a closing date of February 12, 2018
2. Seven proposals were received by February 14th from AECOM, Chambers Group, ESA, HDR, PlaceWorks, Rincon, and Ultra Systems
3. On March 8, 2018, proposals were reviewed by the City using a rating form and four firms were invited to interview
4. On March 22, 2018, interviews were conducted with Rincon, Placeworks, HDR, and AECOM
5. Finally, on March 26, 2018, HDR was offered the contract and accepted

HDR worked collaboratively with the City to provide review, comments, and revisions during the administrative drafting of the EIR. The City and HDR conducted multiple screen-check reviews of the draft EIR prior to release for public review. The City and HDR also conducted multiple reviews of technical studies prior to public review, including the TIA, biological resource technical report, FPP, and evacuation plan. City staff and HDR provided comments to be addressed by edits/updates in subsequent iterations.

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City staff and HDR also met with the applicant and its consultants on numerous occasions to seek clarification and resolve outstanding issues and questions as they arose. Such meetings included the applicant, their technical experts and/or consultants, City staff, HDR, and other experts as needed.

The City has further reviewed and edited, as necessary, the submitted working drafts to reflect the City's own independent judgment, including through reliance on City technical personnel from various City departments. City staff thoroughly screened each iteration of the EIR and technical reports, and offered edits and comments to ensure technical adequacy and completeness of analysis consistent with CEQA Guidelines Section 15003(i) guidance that "CEQA does not require technical perfection in an EIR, but rather adequacy, completeness, and a good-faith effort at full disclosure." The results in the EIR's technical studies have been corroborated through review by HDR and City reviewers with expertise in these technical areas. After the completion of public review of the Draft EIR, the City retained an additional third party reviewer, IBI Group, to provide expert review of traffic and circulation comments, responses, and any additional traffic analysis.

Through this process, the City has exercised an extraordinary level of independence, objectivity, and thoroughness to ensure the EIR is technically adequate, accurate, and reflects the City's independent judgment. Extensive public/agency involvement and participation already has occurred during the two public EIR scoping meetings, the Notice of Preparation public/agency review period, and the 45-day public/agency review and comment period, formally extended by an additional one week, on the Draft EIR. All such comments received during the Draft EIR comment period are responded to in writing and included in the Final EIR to be presented to the Planning Commission and the City Council prior to noticed public hearings.

A1 OCEANSIDE UNIFIED SCHOOL DISTRICT (1)

A1-1 This comment is an introduction to comments that follow. It should be noted that the Oceanside Unified School District (OUSD) provided a revised comment letter (A5) acknowledging that OUSD has sufficient capacity to meet the anticipated increase in student generation associated with the proposed project. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

A1-2 The comment states that OUSD will not have sufficient staff and facilities to serve the proposed project if it were approved. However, it should be noted that the Oceanside Unified School District (OUSD) provided a revised comment letter (A5) acknowledging that OUSD has sufficient capacity to meet the anticipated increase in student generation associated with the proposed project.

As described in Section 4.15, Public Services of the Draft EIR, Chapters 32B and 32E of the City's Municipal Code provide guidelines for ensuring school facility adequacy as new development occurs and the requirement of new development impact fees towards public facilities. Additionally, although OUSD does not have yield factors associated with commercial space, the proposed project could result in indirect growth associated with employees of the proposed commercial space. OUSD has a statutory fee of \$3.79 per square foot of residential development and \$0.61 per square foot of commercial development. Through payment of this fee, the proposed project would be in compliance with City and OUSD requirements, and would ensure that adequate school facilities remain available to existing students and children residing in new residential developments.

A1-3 This comment provides background information that was previously provided by OUSD and was therefore, included in the Draft EIR analysis. The comment provides the enrollment and capacity of the OUSD schools which would serve the proposed project, and the statutory fees that would apply to the project. Additionally, the comment states that "school construction costs far exceed the SB50 mitigation formula and the related State School Facility Program/State Allocation Board matching funds. Other sources of revenue and mitigation should be considered."

As described in Section 4.15, Public Services of the Draft EIR, Chapters 32B and 32E of the City's Municipal Code provide guidelines for ensuring school facility adequacy as new development occurs and the requirement of new development impact fees (school fees determined by OUSD) towards public facilities. Additionally, although OUSD does not have yield factors associated with commercial space, the proposed project could result in indirect growth associated with employees of the proposed

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commercial space. OUSD has a statutory fee of \$3.79 per square foot of residential development and \$0.61 per square foot of commercial development. Through payment of this fee, the proposed project would be in compliance with City and OUSD requirements, and would ensure that adequate school facilities remain available to existing students and children residing in new residential developments.

A2 RINCON BAND OF LUISEÑO INDIANS

- A2-1** The commenter's review and concurrence with mitigation related to cultural resources is acknowledged. It is also noted that the commenter's recommendations for daily monitoring logs and notes their interest in participating in tribal monitoring for the proposed project. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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A3 CALIFORNIA DEPARTMENT OF TRANSPORTATION

A3-1 This comment is introductory in nature and specific comments follow. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is necessary.

A3-2 The comment states a new interchange at Rancho Del Oro and SR-78 is not shown or listed in the City's General Plan Circulation Element (June 2017). It is unclear what June 2017 City's General Plan Circulation Element document the commenter is referring to. To clarify, the adopted Oceanside Circulation Element Master Transportation Plan was adopted in September 2012, and is available at <https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=29697>. The adopted City's General Plan Circulation Element identifies that "Rancho Del Oro Road [sic] at SR78 is an interchange," at Section 3.7, Proposed 2030 Master Transportation Roadway Plan. (City's General Plan, Circulation Element, page 29.)

The comment states the new interchange at Rancho Del Oro and SR-78 was included in the project's Transportation Impact Analysis (TIA), Appendix N of the Draft EIR, for Year 2030 and in the EIR's Traffic and Circulation Section for the 2035 traffic scenario, and requests clarification concerning this assumption. The comment is correct that the TIA and EIR analyzed the project's potential effect on the circulation system with this interchange in place. Specifically, the TIA analyzes the Year 2035 adopted Master Transportation Roadway Plan, which identifies that Rancho Del Oro Road at SR-78 as an interchange. Refer to the TIA, Section 4.2, Analysis Approach, and Section 11.1, which identifies Year 2035 Master Transportation Roadway Plan Network Conditions.

However, understanding that there are certain improvements in the City that are not funded or planned for construction, the TIA also analyzed a Year 2035 (Without Melrose Drive Extension) scenario, also referred to as the Alternative 2 scenario, which evaluated the street network with key changes to the ultimately adopted Master Transportation Roadway Plan. The Year 2035 (Without Melrose Drive Extension) scenario assumed that Rancho Del Oro Road at SR-78 is not an interchange. (Appendix N, Traffic Impact Assessment, p. 85.) Please refer to the TIA, Section 4.2, Analysis Approach, and Section 14.0, Year 2035 Without Melrose Drive Extension for additional information. Thus the TIA and EIR evaluated the potential effects of the project both with and without this interchange completed, and identified mitigation to address impacts under this scenario.

A3-3 The City and project applicant will coordinate with Caltrans to ensure future improvements to College Boulevard at SR-76 comply with appropriate standards.

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A3-4 The comment correctly notes that lane configurations at Intersection #22, SR-76/Old River Road/E. Vista Way are incorrectly shown on Figure 3-1 of the TIA (Appendix N). However, this is a graphical error and the analysis uses the correct lane configurations. Therefore, no revisions to the analysis of the Draft EIR are warranted.

A3-5 In response to this comment, the project residential trip generation has been revised as shown in the table below. It should be noted that trip generation from other proposed land uses within the project have been revised. In order to account for this change in trip generation rates for the residential portion of the proposed project, the total dwelling units have been reduced from 689 to 656 units, in order to maintain a similar total project trip generation. Please refer to Section 10.2 of the Final EIR for a full explanation regarding the change in dwelling unit total.

The project trip generation was calculated using SANDAG trip rates from the *(Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region*, April 2002, which is incorporated in Appendix T8 to the Final EIR (also available at https://www.sandag.org/uploads/publicationid/publicationid_1140_5044.pdf). SANDAG categorizes trip generation rates based on density and housing type. Residential densities correspond to the following trip rates:

- Condominium (or any multifamily 6–20 DU per acre) = 8 ADT per DU
- Single Family Detached (average 3–6 DU per acre) = 10 ADT per DU

Based on the proposed development densities, the Final EIR correctly applies the condominium (6–20 DU per acre) and single-family detached (average 3–6 DU per acre) trip rates to the trip generation calculations shown below, with a reduction to a total 656 units. Based on this evaluation, there is a reduction in the overall trip generation reported in the Draft EIR; no new or more severe impacts would result. Refer below and Appendix T8 for a revised project trip generation table reflecting 656 units.

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**Table 7-1
Project Trip Generation**

	Land Use	Size	Daily Trip Ends (ADTs)		AM Peak Hour						PM Peak Hour					
			Rate ^a	Volume	% of ADT ^a	In:Out	In:Out	Volume			% of ADT ^a	In:Out	In:Out	Volume		
						Split		In	Out	Total		Split		In	Out	Total
RESIDENTIAL TRIPS																
UNIT TYPE																
	≤ 20 DU per acre	347 DU	8 /DU	2,776	8%	20%	80%	44	178	222	10%	70%	30%	195	83	278
	≤ 6 DU per acre	309 DU	10 /DU	3,090	8%	30%	70%	74	173	247	10%	70%	30%	216	93	309
A	RESIDENTIAL TRIP GENERATION	656 DU		5,866	—	—	—	118	351	469	—	—	—	411	176	587

Footnotes:

a. Rates based on SANDAG's (Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region, April 2002.

A3-6 The comment states trip distribution on SR-76 appears low and unreasonable. As discussed in the Section 7.2 of the TIA, the distribution of project traffic was determined using a Select Zone Assignment (SZA) computerized traffic model prepared by SANDAG as customized with the project land uses. The SANDAG travel demand model is based on demographic data and is widely considered to be the most accurate indicator of vehicle travel in the San Diego region. The model utilizes the County and City general plans as the basis for the land use and roadway network assumptions, and, as part of the select zone and trip distribution analyses, takes into consideration existing travel patterns. Appendix D of the TIA includes a copy of the SANDAG SZA traffic model. Based on the SANDAG model, 13% of project trips would travel to/from the northeast on SR-76/Mission Road (Intersection #8) north of N. River Road. Therefore, 13% was the distribution percentage used in the analysis.

In the westerly cordon of the study area at SR-76/Douglas Avenue, 11% (Intersection #15), the SANDAG model calculated that 11% of project trips would travel to/from the west. Based on professional judgement and technical expertise, LLG increased the trip distribution to 12% to account for rounding errors at the intersection. Therefore, 12% was the distribution used in the analysis.

Notably, the distribution of project trips at these eastern and western ends of the study area do not comprise full project traffic trip distribution on SR-76. Figure 7–1 of the TIA shows the regional and local distribution of project trips (under existing and near-term conditions, without Melrose Drive extension); Figure 7–2 depicts the proposed project traffic assignment; and Figure 7–3 depicts the Existing Plus Project traffic volumes. As shown on these figures, project trips would also utilize SR-76 between Douglas Avenue and N. River Road to access routes to the south, including, for example, North Santa Fe Avenue and East Vista Way.

A3-7 The Synchro files in the TIA show SR-76 was generally analyzed as a coordinated congruent network and the Caltrans signal timing plans were used in the analysis.⁴¹ However, certain intersections in the eastern portion of the study area were disconnected from the network, since there are intersections in between the studied intersections and remainder of the analyzed network that do not warrant analysis (i.e., the analysis determined that it was not necessary to analyze these intersections because the project would add less than 50 peak hour trips in either direction to these intersections; see, TIA Section 4.1, Study Area). Therefore, a limited number of SR-76 intersections were analyzed as standalone. The project traffic engineers have conducted numerous analyses of network corridors with and without certain intersections and

⁴¹ As background, the TIA explains that intersection delay was determined using the methodology found in the *Highway Capacity Manual* with the assistance of *Synchro* (version 10) computer software. (TIA, Section 4.3, Methodology.) The Synchro analysis worksheets are attached as appendices to the TIA.

APPENDIX T0 (Continued)

found that the exclusion of intersections within the network has very little effect on the overall analyses results, and would not affect the levels of service.

The Synchro files show SR-76 as a coordinated, connected network, per the Caltrans timing plans used in the analysis, except at logical break points where there are large distances and/or signalized intersections outside of the study in between. The HCM 2010 states that “platoons formed at a signalized intersection are typically dispersed by the time they reach a point about 0.6 miles downstream of the signal (pg. 17-6). At such a distance the effect of a traffic signal on adjacent intersections becomes negligible. The following describes the boundaries of connected and disconnected segments within the Synchro network. This includes new intersections added to the study to address Comments A3-8 through A3-10. It is demonstrated that there are no further intersections that would be warranted for inclusion based on their proximity to other study area intersections.

- SR-76 is analyzed as a connected network from Foussat Road (Intersection #24)—the western boundary of the study area—to Melrose Drive (Intersection #21).
- Between Melrose Drive (Intersection #21) and Old River Road/ E. Vista Way (Intersection #22), the network is disconnected. There is one signalized intersection, Singh Way, located between Melrose Drive and Old River Road/ E. Vista Way which does not warrant analysis, as the project would add less than 50 peak hour trips to this intersection. The distance between Melrose Drive and Singh Way is approximately 0.66 miles. The distance between Singh Way and Old River Road/Melrose Drive is about 1.08 miles. Therefore, analysis of Melrose Drive and Old River Road/ E. Vista Way as standalone is appropriate. The addition of Singh Way into the Synchro network would have no effect or a negligible effect on adjacent intersections due to the distance separating these intersections.
- In response to this comment, the Final EIR evaluates the intersections on SR-76 between Old River Road / E. Vista Way (Intersection #22) and N. River Road (Intersection #8) as part of a connected network. Previously these two intersections were shown as disconnected. With the connection of these two intersections in the Synchro software, there is no change in LOS from that reported in the Draft EIR, nor are there any new or more severe impacts. The distance between these two intersections is approximately 0.68 miles. Due to this substantial distance, it was anticipated that there would be no change in intersection analysis results—this presumption has now been confirmed.
- Between N. River Road (Intersection #8) and Olive Hill Road/Camino Del Rey (Intersection #26) the network is disconnected. There is one signalized intersection between the N. River Road and Olive Hill Road/Camino Del Rey

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intersections: Via Montellano. The distance from N. River Road to Via Montellano is approximately 0.60 miles and the distance from Via Montellano to Olive Hill Road/Camino Del Rey is about 1.14 miles. Therefore, analysis of N. River Road and Olive Hill Road/Camino Del Rey as standalone is appropriate. The addition of Via Montellano into the Synchro network would have no effect or a negligible effect on adjacent intersections due to the distance separating these intersections.

- SR-76 is analyzed as a connected network between Olive Hill Road (Intersection #26) and S. Mission Road (Intersection #27)—the eastern boundary of the study area.

With regard to Intersections #8 and #22, N. River Road and E. Vista Way, respectively, these intersections were erroneously shown as standalone analyses in the Draft EIR's Synchro files, rather than analyzed as part of a network. In response to the comment, the Final EIR evaluates these intersections as part of a network. Based on this evaluation, there is no change in LOS from that reported in the Draft EIR, nor are there any new or more severe impacts

Appendix T8 includes additional and re-analyzed intersections and roadway segments. Attachment A of Appendix T8 shows the delays and LOS for the various scenarios at each of the additional study area intersections. Attachment B of Appendix T8 contains the Synchro analysis sheets.

A3-8 The comment states that based on Figure 7-2 of the TIA, there are 91 PM peak hour trips on SR-76 west of Douglas Drive, and therefore the SR-76/Foussat Road intersection and corresponding SR-76 segment should be included in the traffic study.

As background, the TIA Section 4.1, Study Area, explains that, “Based on the criteria identified in the San Diego Traffic Engineering Council (SANTEC)/Institute of Traffic Engineers (ITE) Guidelines for Traffic Impact Studies in the San Diego Region, March 2, 2000, the study area was generally determined by the limits or extent of where 50 peak hour Project trips would travel to/from the site.” Refer to General Plan Circulation Element, Appendix G, which is incorporated in Appendix T10 to the Final EIR (also available at <https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=29704>).

Accordingly, the study area is limited to those locations to which the project would add 50 peak hour trips in “either direction.”

At the SR-76/Foussat Road intersection, 91 PM total peak hour trips would occur in both directions. On a directional basis, 60 peak hour eastbound trips are forecasted. Thus, in response to this comment, the Final EIR includes analysis of the intersection of SR-76/Foussat Road (Intersection #24).

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Appendix T8 includes additional and re-analyzed intersections and roadway segments. Attachment A of Appendix T8 shows the intersection operations under the various scenarios considered in the TIA (i.e., existing, Year 2035, etc.) at additional study area intersections (see also Responses to Comments A3-9 and A3-10). Attachment B of Appendix T8 contains the Synchro analysis sheets. As shown, the analysis identifies no new significant impacts.

In addition to analyzing impacts at this intersection and others recommended by the commenter (see Responses to Comment A3-9 and A3-10 below), because these intersections are part of a network of new, coordinated traffic signals, the previously-established study area was re-analyzed to see if any delay values had changed. Appendix T8 also contain results and worksheets for the previously studied intersections where delay was slightly affected by the introduction of new adjacent intersections in the network.

Only signalized intersections on SR-76 immediately adjacent to newly added intersections—specifically, Intersections #15, #18, and #19— were affected by the inclusion in Synchro modeling of these additional network intersections. Delay values at all other intersections remained the same as reported in the TIA. At Intersections #15, #18, and #19, delays decreased as compared to the analysis presented in the TIA and Draft EIR. This is generally the expected result under these circumstances because the introduction of a coordinated signal adjacent to any given intersection allows for timed, coordinated platoons of traffic flow on that approach, as opposed to the random arrival of vehicles that the analysis software otherwise assumes. While the delays at these three intersections decreased slightly, no changes to the significance determinations in the Draft EIR occur under any of the scenarios analyzed.

With respect to the comment concerning analysis of the corresponding SR-76 segment, the roadway segment between Foussat Road and Douglas Drive was included and analyzed as part of the TIA in the Draft EIR—please refer to analysis of Segment # 16. Thus, no additional roadway segment analysis is warranted.

A3-9 The comment states that based on Figure 7-2 of the TIA, there are 100 PM peak hour trips on SR-76 east of N. River Road, and therefore the SR-76/Camino Del Rey/ Olive Hill Road, SR-76/South Mission Road, and corresponding SR-76 segment should be analyzed in the traffic study.

As discussed in Response to Comment A3-8, the 100 PM peak hour trips identified are the sum of all trips at the N. River Road intersection. On a directional basis, 66 peak hour southbound trips are forecast. Thus, in response to the comment, the Final EIR includes analysis of the intersections of SR-76/Olive Hill Road/Camino Del Rey and

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SR-76/South Mission Road. See Appendix T8 for additional intersection and street segment analysis tables and for Synchro analysis sheets. As shown, the analysis identifies no new significant impacts.

With respect to the comment concerning analysis of the corresponding SR-76 segment, the segment northeast of N. River Road (listed as N. River Road to Via Montellano) is already included in the TIA in the Draft EIR—please refer to analysis of Segment #25. In response to the comment, the Final EIR includes analysis of the SR-76 segments from Via Montellano to Olive Hill Road/Camino Del Rey and Olive Hill Road/Camino Del Rey to South Mission Road. See Appendix T8 for additional intersection and street segment analysis tables and for Synchro analysis sheets. As shown, the analysis identifies no new significant impacts.

- A3-10** The comment states that the intersections of SR-76 /Town Center Drive and SR-76/Guajome Lake Road should be included in the traffic study.

With respect to the SR-76/Guajome Lake Road intersection, as discussed in Response to Comment A3-8, the City limits the study area to those intersections where 50 peak hour project trips would travel to/from the site. Applying this study area criteria, the intersection of SR-76 at Guajome Lake Road does not warrant analysis. Based on the project trip distribution as calculated by the SANDAG model, just 10 AM/30PM peak hour westbound trips would travel through the Guajome Lake Road intersection, with 20 AM/13PM peak hour eastbound trips.

For the SR-76/Town Center Drive intersection, 61 peak hour westbound trips are forecast. Thus, in response to the comment, the Final EIR includes analysis of the intersection of SR-76/Town Center Drive. See Appendix T8 for additional intersection analysis tables and for Synchro analysis sheets. As shown, the analysis identifies no new significant impacts at this intersection.

- A3-11** The comment requests clarification of the impact findings at SR-76 and N. River Road, and states Caltrans obtained different figures for this intersection using the Synchro/SimTraffic methodology.

As discussed in Section 4.17-4, Draft EIR, the traffic analysis utilizes uses the Synchro/SimTraffic (version 10) software utilizing the methodology found in the 2010 Highway Capacity Manual (HCM) (6th Edition) version. HCM 2010 is an established and well-supported model for analyzing traffic impacts. Prepared by the Transportation Research Board in collaboration with Federal Highway Administration and American Association of State Highway and Transportation Officials, HCM 2010 provides guidelines and computational procedures for analyzing various traffic systems (see page

2.7-7, Section 2.7.1.2, Regulatory Setting, of the Draft EIR for additional information). HCM 2010 is currently the most widely used traffic modeling methodology and provides consistent end results for evaluating impacts among and between various jurisdictions. The City's guidance for the preparation of traffic impact study reports requires that traffic impacts be evaluated using the most recent version of the HCM methodology. (Refer to General Plan Circulation Element, Appendix G, available at <https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=29704>).

Furthermore, the California Department of Transportation (Caltrans) *Guide for the Preparation of Traffic Impact Studies* states that consistency with HCM 2010 is advocated in most cases, including for signalized intersections (Caltrans 2002).

Accordingly, under the applicable HCM 2010 standards and modeling, the TIA correctly states that the existing AM LOS at SR-76 and N. River Road is C (Table 6-1 Existing Intersection Operations) and the increased delay with the project is 5.6 seconds (Table 8-1, Existing + Project Intersection Operations.)

On September 18, 2018, the project applicant, Caltrans, and City staff met to discuss Caltrans' September 10, 2018 comment letter. During the meeting, the participants determined that the commenter erroneously relied on analysis results based on calculations using the Highway Capacity Manual (HCM) 2000 methodology, rather than the 2010 methodology used for the TIA analysis. The Transportation Research Board (TRB), who publishes the HCM, has since updated their manual to a 2010/6th Edition version, which, as discussed above was utilized in preparation of the Project's Draft EIR. The key differences between 2000 and the latest 2010/ 6th Edition versions are the ability of the Synchro/SimTraffic software to compute enhanced multi-model operations and the effects of those operations on vehicle operations. Hence, there are differences in delay calculations between the 2000 and newer editions. Based on conversations with Caltrans and City staff, the analysis provided in the TIA correctly relied on the 2010 HCM methodology as required by the City.

Note that the HCM 2010 methodology and conclusions—the preferred analytical model of the City and the San Diego region and an accepted traffic modeling methodology—provides an appropriate and adequate evaluation of traffic impacts. No changes to the analysis or its conclusions are warranted, and no new impacts would occur.

- A3-12** The comment states that for the SR-76 and Douglas Drive intersection, the increase in delay shown at Table 8-1 of the TIA is greater than 2 seconds, and requests clarification of the corresponding impact finding. The delay shown in Table 8-1 for the intersection of SR-76 at Douglas Drive reports acceptable operations at LOS C and D conditions. The LOS in the AM peak hour is LOS D with an increase in delay of 1.4 seconds. The LOS in the PM peak hour is LOS C with an increase in delay of 3.6 seconds. This does

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not result in a significant impact since the increase in delay of 3.6 second in the PM peak hour results in operations at an acceptable LOS C.

The comment also states concern with queuing for the southbound left turn on Douglas Drive and on westbound SR-76 in the AM and eastbound SR-76 in the PM, and requests clarification of this impact finding. Although increased queue lengths are an issue along SR-76 during peak hours under existing and future scenarios, the Caltrans *Guide for the Preparation of Traffic Impact Studies*, December 2002, does not identify queue lengths as a measure of effectiveness (MOE) for determining significant impacts. In addition, City of Oceanside Traffic Impact Significance Thresholds do not include queue lengths as a MOE for determining impacts. Therefore, although queue lengths are disclosed in the TIA, neither Caltrans nor the City have adopted thresholds of significance related to queuing.

- A3-13** The comment requests clarification of the impact findings at SR-76 and Old Grove Road, and states Caltrans obtained different figures for this intersection using the Synchro/ SimTraffic methodology. Please refer to Response to Comment A3-11 for information. As explained in Response to Comment A3-11, the Draft EIR relied on 2010 HCM methodology to model project impacts, whereas the commenter erroneously relied on the 2000 HCM methodology. Under the applicable HCM 2010 standards and modeling, the TIA correctly states that the existing AM LOS at SR-76 and Old Grove Road is E (Table 6-1 of the TIA) and the increased delay with the project is 1.0 seconds (Table 8-1 of the TIA). No changes to the Draft EIR's analysis or its conclusions are warranted, and no new impacts would occur.

Please refer to Response to Comment A3-12 regarding queuing.

- A3-14** The comment requests clarification of the impact findings at SR-76 and Frazee Road, and states Caltrans obtained different figures for this intersection using the Synchro/ SimTraffic methodology. Please refer to Response to Comment A3-11 for information. As explained in Response to Comment A3-11, the Draft EIR relied on 2010 HCM methodology to model project impacts, whereas the commenter erroneously relied on the 2000 HCM methodology. Under the applicable HCM 2010 standards and modeling, the TIA correctly states that the existing AM LOS at SR-76 and Frazee Road is D (Table 6-1 of the TIA) and the increased delay with the project results in LOS D (Table 8-1 of the TIA). No changes to the Draft EIR's analysis or its conclusions are warranted by this comment, and no new impacts would occur.

- A3-15** The comment requests clarification of the impact findings at SR-76 and North Santa Fe Avenue, and states Caltrans obtained different figures for this intersection using the Synchro/SimTraffic methodology. Please refer to Response to Comment A3-11 for

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information. As explained in Response to Comment A3-11, the Draft EIR relied on 2010 HCM methodology to model project impacts, whereas the commenter erroneously relied on the 2000 HCM methodology. Under the applicable HCM 2010 standards and modeling, the TIA correctly states that the existing PM LOS at SR-76 and North Santa Fe Avenue is F with a delay of 109.0 seconds (Table 6-1 of the TIA) and the increased delay with the increased delay with the project is 0.7 seconds (Table 8-1 of the TIA). No changes to the Draft EIR's analysis or its conclusions are warranted by this comment, and no new impacts would occur.

Please refer to Response to Comment A3-12 regarding queuing.

- A3-16** The comment address queuing. Please refer to Response to Comment A3-12.
- A3-17** The comment address queuing. Please refer to Response to Comment A3-12.
- A3-18** The comment address queuing. Please refer to Response to Comment A3-12.
- A3-19** The comment address queuing. Please refer to Response to Comment A3-12.
- A3-20** The comment request additional details about the proposed mitigation measure for Adaptive Traffic Signal Controls (ATSC) on SR-76 and analysis that shows it will mitigate project impacts. The comment states ATSC will need to be reviewed and approved by Caltrans. In response to the comment, additional analysis of the effectiveness of ATSC to relieve traffic congestion has been conducted for those locations where proposed by the Draft EIR to mitigate identified significant impacts — specifically, Intersections #16, #17, and #18. Adaptive Traffic Signal Controls work by adjusting signal timing plans in real time based on actual traffic conditions, demand, and system capacity. This functionality is not explicitly handled by the HCM or the Synchro software. LLG has simulated the effects of Adaptive Signals within the Synchro program by increasing the ideal saturation flow rate by 10% for only the major street through movements along the adaptive corridor. This is the factor in the HCM computations which is adjusted by the Synchro software to account for other influences on capacity such as heavy vehicles, parking maneuvers, grades, or turning traffic.

LLG has researched several case studies where adaptive traffic signal control has been implemented. For locations within San Diego County, peak hour delay reductions ranging from 18% to 46%, and averaging around 32% were observed. Peak hour travel time reductions ranging from 3% to 18% and averaging about 14% were also reported. Therefore the 10% increase to major-street through movement capacity assumed for modeling purposes to evaluate the effectiveness of ATSC as project mitigation provides a reasonable and conservative estimate of the positive effects of ATSC. The results of the additional analysis indicate that implementation of ATSC at each of the three

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intersections would fully mitigate the project's significant impacts at these locations by reducing delay to pre-project or better conditions.

Attachment C of Appendix T8 contains tables that show the post-mitigation analysis results at the intersections where ATSC is proposed. Attachment D of Appendix T8 contains the Intersection Analysis Worksheets. To implement the controls as mitigation, the project applicant will coordinate with Caltrans.

- A3-21** Please refer to Response to Comments A3-2 through A3-18. Based on the additional analysis provided in Appendix T8, no new impacts would occur.
- A3-22** This comment provides factual background information and does not raise an environmental issue within the meaning of CEQA. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required.
- A3-23** This comment provides factual background information and does not raise an environmental issue within the meaning of CEQA. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required.
- A3-24** Physical improvements to Caltrans' facilities are only proposed at the SR-76/College Blvd intersection. The Caltrans Intersection Control Evaluation analysis has been prepared at this intersection for a previous project (the approved Villa Storia project). These improvements at this intersection are currently undergoing design. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required.
- A3-25** Any future work within the Caltrans right-of-way will undergo applicable processes required by Caltrans, including permitting and additional review by Caltrans, prior to performing work. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required.

A4 SAN DIEGO ASSOCIATION OF GOVERNMENTS

- A4-1** This comment is an introduction to comments that follow. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- A4-2** As shown in Figure 3-7, Proposed Pedestrian and Trail Network, and Figure 3-8, Proposed Bicycle Network of the Draft EIR, the project would include a Class I bike trail/street-adjacent pedestrian trail within the Village Core and an off-street trail adjacent to the Village Core. The North County Transit District (NCTD) operates the San Luis Rey Transit Center located at Vandegrift Boulevard and N. River Road located approximately 1 mile from the Village Core. A street-adjacent pedestrian trail and Class II bike trail would be provided along N. River Road to the extents of the project site. Although NCTD does not currently provide service to the project site or to the areas to the east along N. River Road, NCTD indicated that future service may be expanded to the area (Appendix A of the Draft EIR). The proposed project includes east/west bus stop infrastructure along N. River Road within the project site to prepare for any future contemplated service by NCTD. Therefore, the project includes features, where feasible, that could reduce the need for single-occupancy vehicle trips, and help implement the 2015 Regional Plan.
- A4-3** It is acknowledged that the commenter encourages the City to preserve farmland on the project site or near the project site prior to implementing the credit purchases outlined in MM-AGR-1. Please refer to Topical Response AG-1.
- A4-4** The City will coordinate with SANDAG to ensure that implementation of the project would not interfere with the Coastal Rail Trail and Interstate 15 Bikeway. SANDAG would be informed of future project implementation related to pedestrian and bicycle trail development through the project site.
- The roundabout will be designed in accordance with City standards. However, the Second Edition National Cooperative Highway Research Program Report 672 during the design of the roundabout will be considered. As shown in Figure 3-6b, bike lanes would be integrated into the design of both roundabout proposed on N. River Road.
- As shown in Figure 3-8, Proposed Bicycle Network, of the Draft EIR, Class I and II bike trails would be located throughout the project site, would be interconnected, and would connect to the Village Core.
- A4-5** Although these details for the project are not yet known, the City and project applicant has considered incorporation of Transportation Demand Management (TDM) measures

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as part of project implementation. The following preliminary TDM strategies have been incorporated into the PD Plan to allow flexibility in implementation:

The proposed TDM Strategy would be organized into two main strategy types:

Land Use Strategies – These strategies include land use diversity (mixed-use) and supporting design features that encourage residents/employees to walk, bike, or take transit within the project site and surrounding area:

- The project would provide a mix of land uses, including residential, commercial, educational, farming/food production and parks, so that residents of the project have access to basic shopping, education, fresh food and recreation opportunities without having to travel outside of the project site. This would lower vehicle miles traveled because residents can use alternative transportation modes to reach the various land uses available within the site, and if they do need to drive, the trip is very short.

Commute/Travel Services for Residents – These strategies would provide residents with travel options other than private auto for trips to destinations inside and outside of the project site and surrounding area:

- Develop a comprehensive pedestrian/bicyclist trails network that provides connections to all land uses.
- Implement an electric bike-share program to provide community trips that could be completed without the use of a vehicle. The bikes associated with the bike share program would be available for check-out in the project site and could be used throughout the site and the South Morro Hills community.
- Promote carpooling and market the TDM strategies to residents by:
 1. Coordinating with SANDAG's iCommute program for carpool programs that are specific to the project's residents.
 2. Promoting available websites providing transportation options for residents.
 3. Creating and distributing a "new resident" information packet addressing alternative modes of transportation.
 4. Promoting a transportation options app for use on mobile devices (tech enabled mobility app).
- Coordinate with NCTD and SANDAG as to the future siting of transit stops/stations within the project site.

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- A4-6** This information will be considered these resources for project implementation. Listed resources, particularly those related to parking strategies, designing for smart growth, bicycle and pedestrian planning, and transportation demand management would likely be applicable in future considerations for the Village Core.
- A4-7** The City will send any future CEQA documentation associated with this project to the address provided.

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A5 OCEANSIDE UNIFIED SCHOOL DISTRICT (2)

- A5-1** This comment is an introduction to comments that follow. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- A5-2** This comment is an introduction to comments that follow. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- A5-3** This comment provides factual background information and does not raise an environmental issue within the meaning of CEQA. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.
- A5-4** The comment refers to the “FMP” which is assumed to be the OUSD Long Range Facilities Master Plan. The FMP assumed that residential development would increase by 1,062 units within the OUSD service area, which would translate to 148 new students, resulting in a student yield rate of 0.13. OUSD recommends that this yield rate be applied to the project, and with this yield rate, the project would result in 91 new students. It is acknowledged that OUSD concludes that there is sufficient capacity for the anticipated increase in student generation associated with the project. This anticipated increase in student generation would be below the projections provided in the Draft EIR; however, to provide a conservative analysis the Draft EIR was not revised to show the new student generation rate.
- A5-5** The comment provides the enrollment and capacity of the OUSD schools which would serve the proposed project, the estimated student generation associated with the project, and the remaining capacity. This anticipated increase in student generation would be below the projections provided in the Draft EIR; however, to provide a conservative analysis the Draft EIR was not revised to show the new student generation rate.
- A5-6** The comment provides the statutory fees that would apply to the project. As stated in response to comment A1-2, the project is subject to the statutory fees, and through payment of this fee, the proposed project would be in compliance with City requirements.
- A5-7** The comment states that school construction costs exceed the SB50 mitigation formula and other sources of revenue and mitigation should be considered. OUSD does not provide further explanation of what additional forms of mitigation should be considered. Because the applicant would pay the statutory fees, the project would contribute its fair share contribution to OUSD. As described in Section 4.15, Public

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Services of the Draft EIR, Chapters 32B and 32E of the City's Municipal Code provide guidelines for ensuring school facility adequacy as new development occurs and the requirement of new development impact fees towards public facilities. Additionally, although OUSD does not have yield factors associated with commercial space, the proposed project could result in indirect growth associated with employees of the proposed commercial space. OUSD has a statutory fee of \$3.79 per square foot of residential development and \$0.61 per square foot of commercial development. Through payment of this fee, the proposed project would be in compliance with City and OUSD requirements, and would ensure that adequate school facilities remain available to existing students and children residing in new residential developments. It is acknowledged that OUSD concludes that there is sufficient capacity for the anticipated increase in student generation associated with the project. Therefore, no new facilities or expansion of existing facilities would be required as a result of project implementation. This anticipated increase in student generation would be below the projections provided in the Draft EIR; however, to provide a conservative analysis the Draft EIR was not revised to show the new student generation rate.

- A5-8** This comment provides concluding remarks that do not raise new or additional environmental issues concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

**A6 U.S. FISH AND WILDLIFE SERVICE AND CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE**

- A6-1** This comment is an introduction to comments that follow and also provides an accurate summary of the proposed project. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- A6-2** As stated in Section 4.4.4, Impacts Analysis, of the Draft EIR, the project site is within the Agricultural Exclusion Zone as defined in Section 5.3.3 of the Oceanside Subarea Plan and the area immediately to the south is actively managed as agricultural land up to the edge of the San Luis Rey River. The area between the proposed project and the San Luis Rey River will continue to be maintained and operated as active agricultural lands. Because this land use will not be changed, and this area is not a part of the proposed project, a 100-foot wide biological buffer of upland habitats is not required. However, per the Oceanside Subarea Plan (2010; Section 5-18) a 100-foot conservation buffer (i.e., no impacts) shall be placed around the San Luis Rey River, beginning at the outer edge of the riparian vegetation (Section 4.4.4 of the Draft EIR). Impacts within the buffer are proposed; however, they are required for improvements to N. River Road, for off-site storm drain easements, and outfalls to the San Luis Rey River, which are allowable uses within the 100-foot conservation buffer (City of Oceanside 2010). In accordance with the City of Oceanside Subarea Plan (City of Oceanside 2010), the slope along the road in the western portion of the site where minor impacts would occur to native habitats within the 100-foot buffer of the San Luis Rey River will be revegetated with native habitat (MM-BIO-3).
- A6-3** As stated in Section 4.4.4, Impacts Analysis, of the Draft EIR, the area immediately to the south of the project site is actively managed up to the edge of the San Luis Rey River. There is a 4- to 5-foot continuous berm along the edge where the agricultural area meets the San Luis Rey River. In addition to the berm, there is exclusionary fencing along the northern edge of the berm. The berm and fencing acts as a barrier between the project site and the San Luis Rey River which would deter or prevent wildlife, such as arroyo toads, from entering the site. The site does not contain suitable habitat for arroyo toads and therefore the lack of habitat and the barriers to movement would prevent the species from utilizing the site. The berm will remain in place following project construction and will be approximately 150- to 250-feet from the edge of development.

APPENDIX T0 (Continued)

Because the project site and the land immediately to the south between the site and the San Luis Rey River is highly disturbed and regularly tilled, there is a low potential for Stephens' kangaroo rat (who are burrowing animals) to occupy the area and thus focused surveys for this species are not warranted. However, during the 404 Permit process, the U.S. Army Corps of Engineers has an obligation to ensure that federally listed endangered or threatened species are not impacted as a result of their actions and initiate informal consultation should there be a potential for the project to directly or indirectly impact these species. This active management would also prevent arroyo toads from utilizing the project site. Photographs of the berm and fencing separating the project site and agricultural area to the south of the site from the San Luis Rey River are provided below.



APPENDIX T0 (Continued)



APPENDIX T0 (Continued)

- A6-4** To fund habitat restoration, Section 5.5.2 of the draft Oceanside Subarea Plan (City of Oceanside 2010) provides for the collections of fees in accordance with the Habitat Development Fee program for the conversion of agricultural and other vacant, disturbed land to urban use. Section 4.4.1.2.2 of the Draft EIR, acknowledges that the project may be subject to this habitat development fee. However, as the Oceanside Subarea Plan is not formally adopted or finalized, the City believes that the authority to collect such a fee is not present.
- A6-5** This comment concludes the letter and the commenter's request for a meeting to discuss the issues raised in the letter is acknowledged. Please also refer to Responses to Comments A6-2 through A6-4.

O1 SAN DIEGO COUNTY ARCHAEOLOGICAL SOCIETY, INC.

- O1-1** The San Diego County Archaeological Society's review of the Draft EIR is acknowledged and its concurrence with the analysis and conclusions regarding archaeological resources is noted. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers.

APPENDIX T0 (Continued)

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O2 BUENA VISTA AUDUBON SOCIETY

- O2-1** This comment provides factual background information and does not raise an environmental issue within the meaning of CEQA. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.
- O2-2** The comment addresses general subject areas, which received extensive analysis in the Draft EIR. The comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. As the comment does not raise any specific issue regarding the Draft EIR's analysis, no more specific response can be provided or is required.
- O2-3** This comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

APPENDIX T0 (Continued)

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O3 PRESERVE CALVERA

O3-1 This comment provides an introduction to comments that follow and expresses the opinions of the commenter. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

O3-2 The commenter is correct in noting that the Executive Summary (specifically, Section ES.3, Areas of Controversy) only discusses the first public scoping meeting held on December 13, 2017. However, Section 1.4.2, Notice of Preparation and Scoping, correctly states that two public scoping meetings were held on December 13, 2017 and January 16, 2018. This section also notes that both meetings were recorded and are viewable on the City's website for the proposed project (<http://www.ci.oceanside.ca.us/gov/dev/planning/project/nrfp.asp>). Therefore, the verbal comments presented at both scoping meetings are included in the record for the project. It is important to note that Section 1.4.2 also clearly indicates that all comments received during the public scoping period were considered in preparation of the Draft EIR. The Executive Summary erroneously failed to include this information. In response to this comment, Section ES.3 of the Draft EIR has been revised to include all public scoping information as described in Section 1.4.2 of the Draft EIR.

These revisions to the Draft EIR are presented in ~~strikeout~~/underline format. To the extent these changes and additions to the Draft EIR provide new information that may clarify or amplify information already found in the Draft EIR, and do not raise important new issues about significant effects on the environment, such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines.

All comments at the scoping meeting were noted and taken into consideration for the Draft EIR, including verbal comments. At the scoping meetings, the City asked commenters to also submit their comments in writing so that the City could accurately assess input for inclusion in the Draft EIR. Both scoping meetings were recorded and are viewable on the City's website for the proposed project (<http://www.ci.oceanside.ca.us/gov/dev/planning/project/nrfp.asp>). Links to these videos were provided in Section 1.4.2 of the Draft EIR. Per CEQA Guidelines, Section 15084(c), the information or comments may be included in the Draft EIR in whole or in part. Please refer to Appendix A for all written public scoping comments.

O3-3 As stated in Section 4.14, Population and Housing, of the Draft EIR, the existing structures on-site are not used for housing. Therefore, the with the comment reflects the commenter's opinion regarding the project's potential effect on farm labor, which pertains to economic issues that do not appear to relate to any physical effect on the environment.

APPENDIX T0 (Continued)

The comment regarding transient encampments is noted. This comment is speculative in nature and the potential impacts from transient use of the project site and surroundings is beyond the scope of the Draft EIR.

This comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

- O3-4** This comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

As stated in Section 3.3.1.2, Agriculture, of the Draft EIR, agritourism is defined as any business conducted by or for a farmer for the education of the public to promote the products of the farm and to generate additional farm income. Agritourism can include a variety of facilities and activities including education, farm dinners, festivals, farm visits, lodging, tours, demonstrations, wineries, animal interactions, trails, and museums. A farm is envisioned to be associated with the proposed hotel. Therefore, the project includes multiple components that fall under the definition of agritourism.

It should be noted that, as stated in Section 4.11, Land Use and Planning, the Agritourism Strategic Plan is preliminary and does not yet serve as an officially adopted planning document. Please refer also to Topical Response LU-4.

- O3-5** In response to this comment, the last paragraph of Section 3.3.1.2, Agriculture, has been deleted.

These revisions to the Draft EIR are presented in ~~strikeout~~/underline format. To the extent these changes and additions to the Draft EIR provide new information that may clarify or amplify information already found in the Draft EIR, and do not raise important new issues about significant effects on the environment, such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines.

- O3-6** Refer to Response to Comment O3-5. This comment and notes that it provides background information. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

- O3-7** The area labeled as “windrow” on Figure 3-3 is intended to describe a tree-lined roadway, similar in aesthetics to that of traditional windrows described by the

commenter. It should be noted that proposed plantings would not interfere with proposed pedestrian circulation as shown on Figure 3-7.

O3-8 As stated in Section 3.3.4, necessary infrastructure and utilities, private roads, entry and access points, neighborhood amenities, private parks, trails and community landscaping would be developed accordingly as planned and as required in conjunction with specific development proposals for each phase and planning area. At the time of preparation of the Draft EIR, it is not known which of the four phases would be implemented first. Therefore, the proposed phasing accounts for major preliminary infrastructure work to be completed in conjunction with the first phase of the project to move forward. It should be noted that the only commercial and mixed-use portion of the project would be located within the Village Core and that it is possible for other phases to be constructed prior to the Village Core.

O3-9 The commenter is correct in noting that the Draft EIR states that the “proposed project site’s low elevation relative to surrounding topography creates opportunities in which the project site would be visible from surrounding higher elevations.” However, the sentence that immediately follows states that due “to the lack of substantial elevation gain, the project site generally is not visible from the trails and recreational areas of Guajome Regional Park, such that panoramic vistas are afforded. The gently rolling topography, intervening existing mature vegetation, and surrounding development screen views of the project site from the park” (Draft EIR, page 4-15). Given the extent of development surrounding Guajome Regional Park and the San Luis Rey River, the proposed project would not adversely affect its scenic value, consistent with the General Plan Land Use Element objectives and policies regarding the Guajome Regional Park sphere of influence.

Similarly, on page 4-15, the Draft EIR states:

The area of Morro Hills to the north and northeast of the project site is at a higher elevation than the project site; generally, the elevation gain traveling north from the project site is gradual and lacks sudden increases in elevation that would contribute to ridgelines or prominent peaks. Due to the gradual changes and fluctuations in elevation and intervening structures and vegetation lining roadways, public panoramic views towards the project site, including views that also contain the San Luis Rey River, are not readily afforded.

Further discussion in the Draft EIR acknowledge that it is possible that travelers along public roadways, particularly to the north and east, may be afforded panoramic views that include some or all of the project site and the surrounding visual resources.

APPENDIX T0 (Continued)

However, motorists travelling along these roadways would experience brief views towards the project site at varying speeds, with those generally travelling faster on SR-76 compared to Sleeping Indian Road. Additionally, at distance, the proposed project would blend with the surrounding residential development to the west and south across the San Luis Rey River, as well as the existing highly developed lands of the greater Oceanside and Vista areas. Therefore, the proposed project would not adversely affect scenic or panoramic views towards the project site. As such, the Draft EIR adequately assessed scenic vistas.

The KOPs are representative vantage points in the project site that illustrate conditions from which the proposed project will be viewed by the various viewer groups. It should be noted that the primary focus of visual simulations prepared for the project is to illustrate the anticipated visual change associated with implementation of the project. As such, visual simulations are typically static images used as tools for illustrate noticeable changes to the visual environmental. The limitations of using visual simulations are acknowledged, hence the analysis does not solely rely on simulations to support the conclusions of the Draft EIR.

- O3-10** Please refer to Response to Comment O3-9.
- O3-11** Please refer to Response to Comment O3-9.
- O3-12** This comment addresses cumulative and growth inducing changes to Morro Hills resulting from the project. Please refer to Topical Response CU-1.
- O3-13** As stated throughout Section 4.4, Biological Resources, the area between the proposed project and the San Luis Rey River will continue to be maintained and operated as active agricultural lands; therefore, indirect impacts from noise, lighting, and invasive species occurring adjacent to the San Luis Rey River would not change with project implementation. Further, as stated in Section 4.1.4 of the Draft EIR, while the proposed project would introduce new sources of lighting to the project site, light spillover into adjacent properties would be restricted to the extent feasible through compliance with Chapter 39 of the City's Municipal Code. Sky glow would be minimized to the extent feasible through the use of downward facing and shielded light fixtures and appropriately chosen lighting sources for the intended use such that excess lighting is avoided. Thus indirect impacts from lighting to the River would not occur with project implementation. There would be a total of 1.50 acres of impacts within the 100-foot buffer of the San Luis Rey River. Impacts within the buffer are required for improvements to N. River Road and for some off-site improvements. These improvements are required to support the proposed project and do not fall under one of the three prohibited uses within the buffer.

APPENDIX T0 (Continued)

- O3-14** Please refer to Response to Comments O3-9 through O3-13. For reasons discussed in Section 4.1 of the Draft EIR, impacts to aesthetics would be less than significant.
- O3-15** This comment states that only direct impacts to agriculture were considered. However, indirect impacts resulting from the conversion of agricultural land on the project site was considered in Section 4.2.4 of the Draft EIR, under the following threshold question: “Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?”
- Regarding the cumulative and growth inducing effects on agriculture, refer to Topical Response CU-1.
- Additionally, it is unclear from the comment how higher traffic volumes would affect the continued function of surrounding agricultural operations. The comment provides no basis for this claim. Additionally, as stated in Section 4.17 of the Draft EIR, the current speed limit on N. River Road through the project site and continuing east is posted at 50-55 miles per hour. Roundabouts will be constructed as part of the project along this portion of N. River Road. The project would not increase traffic speeds, and would instead implement roundabouts that would slow traffic.
- O3-16** Please refer to Response to Comment O3-15 and Topical Response CU-1.
- O3-17** This comment addresses the adequacy of mitigation for impacts to agriculture. Please refer to Topical Response AG-1.
- O3-18** This comment states that the “next project” and “each succeeding project” would have lower LESA Model scores as a result of the proposed project. This comment is speculative in nature and beyond the scope of the Draft EIR. It is not reasonably foreseeable to assume possible LESA Model evaluations for hypothetical future projects in the Morro Hills areas as such analysis is site specific. Therefore, the Draft EIR adequately assesses cumulative impacts, including cumulative agricultural impacts, in Chapter 5 of the Draft EIR. Additionally, the Draft EIR does acknowledge that the project would be considered growth inducing. Please also refer to Topical Response CU-1.
- O3-19** This comment addresses the adequacy of mitigation for impacts to agriculture. Please refer to Topical Response AG-1.
- O3-20** Please refer to Response to Comment O4-9 regarding conformance with the SIP and RAQS.

APPENDIX T0 (Continued)

O3-21 The comment states that the vehicle miles travelled (VMT) emissions are underestimated because the commenter assumes that the VMT evaluated in the Draft EIR is based on the SANDAG Sustainable Community Strategy, which assumes that growth in the region would occur in smart growth site and the project itself is not located in one of the smart growth areas identified by SANDAG. However, it should be noted that the VMT were developed from the trip generation and trip lengths that were provided in Appendix N, Traffic Impact Analysis of the Draft EIR. The distribution of Project traffic was determined using a Select Zone Assignment (SZA) computerized traffic model prepared by SANDAG. The SZA used SANDAG's Series 12 model with the base year (existing) roadway network and land use conditions, and matches trip generating uses (such as residential) with trip-attracting uses (such as retail/commercial), and presents the relative percentage of traffic on the roadway system.

The growth forecast for the SANDAG Series 12 model is completed in two stages. During the first stage SANDAG staff produces a forecast for the entire San Diego region, called the regionwide forecast. This regionwide forecast does not include any land use constraints, but simply projects growth based on existing demographic and economic trends such as fertility rates, mortality rates, domestic migration, international migration, and economic prosperity. During the second stage, SANDAG staff develops a subregional forecast by working with local jurisdictions to understand existing land use plans. These land use plans then become an input to a subregional, or neighborhood-level, forecast model that utilizes data on existing development, future land use plans, proximity to existing job centers, past development patterns, and travel times to project where growth is likely to occur in the future. The forecast is not intended to be a prescription for future growth. Rather, the forecast is intended to show possible future development patterns based on regional projections and local input (SANDAG 2018)⁴². The model is accepted by and is consistently used by the City as a comprehensive tool for determining traffic distribution.

O3-22 Please refer to Response to Comment O4-12 regarding mitigation measure MM-AQ-1.

O3-23 Regarding the health risks, Section 4.3, Air Quality of the Draft EIR, the results of the HRA demonstrate that the TAC exposure from construction diesel exhaust emissions would result in cancer risk on site above the 10 in 1 million threshold for the proposed project. Therefore, TAC emissions from construction activities of the proposed project was determined to potentially expose sensitive receptors to substantial pollutant concentrations requiring the implementation of MM-AQ-1. MM-AQ-1 requires that all diesel-powered cranes, generator sets, trenchers,

⁴² <https://www.sandag.org/index.asp?classid=12&subclassid=84&projectid=355&fuseaction=projects.detail>

forklifts, rubber-tired dozers, and tractors/loaders/backhoes are powered with California Air Resources Board (CARB)-certified Tier 4 Interim engines while all other construction equipment should be classified as Tier 3 or higher, at a minimum. As presented in Table 4.3-14 of the Draft EIR, implementation of MM-AQ-1, the mitigated results demonstrate that the construction mobile sources exhibit maximum individual cancer risks (MICR) would reduce impacts below the 10 in a million threshold. Furthermore, please see response O4-12 below which adds clarity to the MM-AQ-1 language used. In short, the supplemental language provides an explanation in regards to the City granting an exception if the engine tier requirements if Tier 4 interim or Tier 3 engines are not available.

O3-24 As stated in Section 4.4.4, Impacts Analysis, of the Draft EIR, the project site is within the Agricultural Exclusion Zone as defined in Section 5.3.3 of the Oceanside Subarea Plan and the area immediately to the south is actively managed as agricultural land up to the edge of the San Luis Rey River. The area between the proposed project and the San Luis Rey River will continue to be maintained and operated as active agricultural lands. Because this land use will not be changed, and this area is not a part of the proposed project, a 100-foot wide biological buffer of upland habitats is not required. However, per the draft Oceanside Subarea Plan (2010; Section 5-18) a 100-foot conservation buffer (i.e., no impacts) shall be placed around the San Luis Rey River, beginning at the outer edge of the riparian vegetation (Section 4.4.4 of the Draft EIR). Impacts within the buffer are proposed; however, they are required for improvements to N. River Road, for off-site storm drain easements, and outfalls to the San Luis Rey River, which are allowable uses within the 100-foot conservation buffer. In accordance with the draft Oceanside Subarea Plan (City of Oceanside 2010), the slope along the road in the western portion of the site where minor impacts would occur to native habitats within the 100-foot buffer of the San Luis Rey River will be revegetated with native habitat (MM-BIO-3). Refer also to Comment Letter A6, submitted by USFWS/CDFW.

O3-25 As stated throughout Section 4.4, Biological Resources, the area between the proposed project and the San Luis Rey River is outside of project boundaries and will continue to be maintained and operated as active agricultural lands. As discussed in Section 4.4.4 of the Draft EIR, although impacts would occur within the buffer of the San Luis Rey River, they would occur primarily within agricultural land (0.58 acres), developed land (0.36 acres), and disturbed habitat (0.31 acres). The remaining impacts are to 0.15 acres of mulefat scrub, 0.02 acres of non-vegetated channel, 0.07 acres of disturbed wetlands, and 0.02 acres of southern arroyo willow riparian forest. Therefore, there would be a total of 1.50 acres of impacts within the 100-foot buffer of the San Luis Rey River. Impacts within the buffer are required for improvements to N. River Road and for some

APPENDIX T0 (Continued)

off-site improvements. These improvements are required to support the proposed project and do not fall under one of the three prohibited uses within the buffer.

Of the 1.50 acres of impacts within the 100-foot buffer, 0.58 acres of existing agriculture and the existing road and adjacent disturbed habitat (0.67 acres) would remain. However, impacts to 0.26 acres of native habitat within the 100-foot buffer of the San Luis Rey River would be potentially significant. This impact includes 0.07 acres of disturbed wetland, 0.15 acres of mulefat scrub, 0.02 acres of non-vegetated channel, and 0.02 acres of southern arroyo willow riparian forest. Implementation of MM-BIO-2, which requires preservation in accordance with the draft Oceanside Subarea Plan, and MM-BIO-3, which requires revegetation of slopes, would reduce potentially significant impacts to a level below significance.

- O3-26** This comment refers to Figure 4.4-3a, which depicts on-site impacts to biological resources. Please refer to Figure 4.4-3b, which depicts off-site impacts to biological resources.
- O3-27** This comment provides background information. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- O3-28** Figure 4.4-1, Regional Planning Context, provides context between the project site, proposed limits of development, the San Luis Rey River, and the Hardline Preserve of the draft Oceanside Subarea Plan. This figure is not intended or implied to show regional wildlife corridor linkages. Therefore, commenter's assertion that Figure 4.4-1 fails to show the regional wildlife corridor links is unclear. Figure 4.4-1 accurately depicts what is described in Section 4.4 of the Draft EIR and no revisions are required.

Additionally, as discussed in Section 4.4.1 of the Draft EIR, the San Luis Rey River Valley is identified as a hardline preserve in the Oceanside Subarea Plan and the MHCP to allow for east–west wildlife movement. However, wildlife movement is constrained by existing residential housing and active agricultural lands. Large mammals, such as mule deer (*Odocoileus hemionus*) and mountain lion (*Puma concolor*), would not be expected to move through this area due to the limited native habitat present and urban surroundings.

General wildlife movement could occur in the riparian corridor associated with the San Luis Rey River, which is present off site to the south of the project development boundary. The area has the potential to provide open space for raptors to forage and potentially nest, but due to the lack of habitat diversity and agricultural environment, only a limited number of synanthropic species would be expected to move through the project site. Therefore, the project site does not provide for considerable wildlife movement or serve as an important

APPENDIX T0 (Continued)

habitat linkage. The project site is not located within the Wildlife Corridor Planning Zone identified by the Oceanside Subarea Plan (City of Oceanside 2010).

O3-29 As discussed in Section 4.4, Biological Resources, and the Biological Resources Technical Report, Appendix E, of the Draft EIR, the proposed project complies with all applicable Oceanside Subarea Plan requirements. Please refer to Responses to Comments O3-14 through O3-29, as well as Topical Response BR-1 and Comment Letter A6.

O3-30 This comment suggests realignment of N. River Road to avoid wetland impacts. As N. River Road is currently constructed, with existing disturbed areas, right-of-way, and utility easements; realignment would be far more environmentally harmful, technically difficult, time consuming, and costly. Therefore, while impacts to jurisdictional resources have been minimized to the extent feasible, full avoidance of 0.09 acres of jurisdictional resources was deemed infeasible. Mitigation in compliance with the Oceanside Subarea Plan (MM-BIO-2) is required of the project to mitigate impacts to jurisdictional resources. Impacts would be less than significant.

O3-31 The area between the proposed project and the San Luis Rey River will continue to be maintained and operated as active agricultural lands providing a buffer of the existing land use between the San Luis Rey River and the proposed project; therefore, indirect impacts occurring to special-status species which use the San Luis Rey River would not change with project implementation. Additionally, minimization measures required by Section 5.2.8 of the Oceanside Subarea Plan would be applied to avoid indirect impacts to special-status wildlife species. Loss of suitable habitat for special-status wildlife species is limited given that the majority of impacts are to extensive row crop agriculture (159 acres or 95%), which does not provide native, natural habitat for special-status wildlife species.

Additionally, as discussed in Section 4.4.4 of the Draft EIR, construction activities could result in the loss of nests, eggs, and fledglings of nesting birds protected under the Migratory Bird Treaty Act (MBTA) if vegetation clearing and ground-disturbing activities occur during the nesting season (February 15 through August 31 for most species, January 15 through August 31 for raptors). Therefore, impacts would be potentially significant. Mitigation measure MM-BIO-1, which requires pre-construction nesting bird surveys, would reduce potentially significant impacts to nesting birds protected under the MBTA to a level below significance.

O3-32 This comments states that evaluation and mitigation for potential impacts from invasive shot hole borers should be addressed. No work is proposed within the San Luis Rey River and the project would not contribute to the spread of invasive shot hold borers within the San Luis Rey River. The existing agricultural buffer would be maintained

between the river and the project. There would be no project landscaping within close proximity to the river, and project landscaping would be regularly maintained to provide a healthy tree landscape within the project.

It is acknowledged that the CDFW provided scoping comments regarding this invasive species; however, upon the USFWS/CDFW review of the Draft EIR, it was no longer identified this species as an issue. Refer to Comment Letter A6.

O3-33 Section 4.11, Land Use and Planning, provides a discussion on the City's Agritourism Strategic Plan. As stated in Section 4.11.4, the plan is preliminary and provides suggestions for marketing and planning efforts on behalf of the City, such as the development of a community plan for South Morro Hills, and the review of existing zoning. Therefore, the Agritourism Strategic Plan does not yet serve as an officially-adopted planning document. The proposed project would include several agritourism features, such as a community garden, market garden, production agriculture, a vineyard, orchards, a farm hub, a hotel farm, and an ecology center. Therefore, by providing the uses that are encouraged in the Agritourism Strategic Plan, the proposed project would not conflict with the Agritourism Strategic Plan. Please refer to Topical Response LU-4.

O3-34 A discussion of the proposed General Plan classification of N. River Road from Stallion Drive to Sleeping Indian Road is provided in Section 4.17 of the Draft EIR. As discussed in Section 4.17, N. River Road is classified on the Master Transportation Roadway Plan as a Four-Lane Major Arterial from Vandegrift Boulevard to the future Melrose Avenue extension (approaching Sleeping Indian Road) location and a Four-Lane Secondary Collector with a two-way left-turn lane (TWLTL) from the extension to the City limits. The proposed project would involve improvements to N. River Road along the project frontage. Specifically, the proposed project would dedicate right-of-way along its frontage to Four-Lane Secondary Collector standards to accommodate an enhanced parkway for pedestrians and on-street bicycle facilities, but only two vehicular lanes (one in each direction) separated by a raised median are proposed. The roadway would be constructed to provide two 20-foot travel lanes (11-foot vehicle lanes with 5-foot bike lanes and 4-foot bike lane buffers) with a 16-foot center median. Ten-foot parkways would be provided on both sides of the roadway with an 8-foot naturally paved pedestrian path on one side of the road.

Approaching Sleeping Indian Road, east of the project site, the roadway would also remain two lanes and an eastbound left-turn pocket is proposed at the intersection of N. River Road at Sleeping Indian Road, thus improving the flow of eastbound through traffic and reducing the potential for vehicular conflict due to the slowing of eastbound traffic behind a vehicle turning left onto Sleeping Indian Road.

APPENDIX T0 (Continued)

The analysis of the intersections provided in this section along the segment of N. River Road from Stallion Drive to Sleeping Indian Road show that with the proposed project improvements, LOS D or better operations are calculated in the peak hours along this segment. Future volumes at these locations are expected to be less than one-half of the maximum capacity available for a Four-Lane Major Arterial. Refer to Tables 4.17-6 through 4.17-16 of the Draft EIR.

Given the above, the project proposes a General Plan Amendment to reclassify N. River Road from Stallion Drive to Sleeping Indian Road from a Four-Lane Major Arterial to a Four-Lane Secondary Collector.

Refer also to the Year 2035 analysis found in Section 4.17 of the Draft EIR for analysis regarding the potential impacts of this reclassification.

- O3-35** This comment suggests that the Draft EIR presents a false characterization of accessibility of public transit. As correctly stated by the comment and in Section 3.3.2.5 of the Draft EIR, the North County Transit District (NCTD) operates the San Luis Rey Transit Center located at Vandegrift Boulevard and N. River Road located approximately 1 mile from the Village Core. This center is a vehicular travel time distance of approximately 30 minutes from the Oceanside and Vista transit centers. The transit center accommodates five local and regional bus routes and provides connections to Camp Pendleton and SPRINTER rail services, as well as local BREEZE bus service within northeastern Oceanside. Other portions of the project site would be located as a greater distance, however, the Draft EIR does not imply otherwise.

Further, NCTD does not currently provide service to the project site or to the areas to the east along N. River Road. NCTD indicated that future service may be expanded to the area (Appendix A). The proposed project includes east/west bus stop infrastructure along N. River Road within the project site to prepare for any future contemplated service by NCTD. The close proximity of this transit hub, plus extensive pedestrian and bicycle connections, and ridesharing, carpooling, and car sharing would provide residents and employees within the project site with simple and efficient transportation options.

- O3-36** Figures 3-5, 3-6a, and 3-6b have been reviewed for consistency and accuracy. In response to this comment, revised figures have been incorporated into the Final EIR.
- O3-37** Figures 3-7 has been reviewed for consistency and accuracy. In response to this comment, revised figures have been incorporated into the Final EIR.
- O3-38** Refer to Response to Comment O3-36.

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- O3-39** Figure 3-8 illustrates designated Class I and Class II bicycle facilities through the project site and is for illustrative purposes. Figure 30-8 does not imply that connections do not exist between proposed facilities. Connections between these facilities would be provided on the private streets within the project site where vehicular traffic and speeds are low, providing for safety for the bicyclists, including at Private Drive “L”, as pointed out by the commenter. Similarly, bicyclists would be able to traverse the proposed roundabouts as typically permitted by roundabouts, and would be able to enter and exit at any point. Figure 3-8 shows Class II bicycle trails travelling east/west around the roundabouts on N. River Road, however they do not extend south. This would not preclude bicyclists from travelling south into the Riverside Village or Village Core; it illustrates that Class II bicycle trails are not provided at such locations.
- O3-40** As stated in Section 3.3.6 and shown on Figure 3-11c, the proposed project would connect the existing sidewalk on the southern side of N. River Road, just west of Stallion Drive, to the project right-of-way (approximately 550 feet). This improvement is clearly shown on Figure 3-11c. Proposed sidewalks and bicycle lanes would connect to existing sidewalks and bicycle lanes west of the project site on N. River Road, allowing for connection from the project site to the San Luis Rey Transit Center. Refer to various sections of the Draft EIR for text describing such pedestrian and bicycle connections, including Sections 3.3.2 and 3.3.6, as well as Figures 3-6a, 3-6b, 3-7, 3-8, and 3-11c.
- O3-41** Please refer to Comment Letter O4 regarding GHG.
- O3-42** Please refer to Comment Letter O4 regarding GHG and Topical Response GHG-1.
- O3-43** This comment addresses project consistency with SANDAG’s San Diego Forward: The Regional Plan. Please refer to Topical Response LU-3. Please also refer to Response to Comment O3-40 regarding pedestrian and bicycle connections to the San Luis Rey Transit Center as well as Comment Letter A4, submitted by SANDAG on the Draft EIR. While SANDAG provided recommendations within their scoping letter (Appendix A to the EIR), Comment Letter A4 provided during public review of the Draft EIR provides a different list of recommended transportation demand management (TDM) strategies. In response to SANDAG’s comment letter, the project applicant has incorporated various TDM measures as described in Response to Comment A4-5. It should be noted that the project’s consistency with San Diego Forward: The Regional Plan is addressed in Topical Response LU-3 regardless of the inclusion of SANDAG’s recommended TDM measures outlined in Comment Letter A4.

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- O3-44** This comment addresses project consistency with SANDAG's San Diego Forward: The Regional Plan and well as consistency with the General Plan Housing Element. Please refer to Topical Responses LU-3 and PH-2.
- O3-45** This comment addresses project consistency with SANDAG's San Diego Forward: The Regional Plan. Please refer to Topical Responses LU-3 and PH-2.
- O3-46** This comment is similar to, and references the comment letter submitted by the Sierra Club (Comment Letter O4). Please refer to Response to Comments O4-21 through O4-31, regarding mitigation measure MM-GHG-2, and Topical Responses GHG-1 and GHG-2.
- O3-47** Section 4.9, Hazards and Hazardous Materials, of the Draft EIR discusses hazardous materials. The Phase I ESA (Appendix I to the Draft EIR) did not identify any RECs or potential environmental concerns associated with the project site or adjacent/near properties. Previous soil sampling and analysis (performed in October 2014) concluded that potential chemical concentrations do not exceed thresholds that would adversely affect the public or the environment (refer to Section 4.9.1). Therefore, it is not expected that soils would present substantial hazard to the public and environment during excavation. However, should suspect or stained soils be encountered during grading, additional testing and remediation in accordance with the County of San Diego Department of Environmental Health requirements would be performed. Therefore, impacts would be less than significant. As correctly stated by the comment and in Section 4.9 of the Draft EIR, the most recent County Hazardous Materials Management Division inspection was performed in November 2011 and the HAZNET database reports disposal of unspecified waste in 2011 and 2012. However, this information was known and considered as part of the Draft EIR analysis and it does not alter the conclusions and recommendations of the Phase I ESA or the Draft EIR.
- Laws regarding chemical handling are not irrelevant, as the comment otherwise states. It is reasonable to assume that applicable laws, regulations, and ordinances would be adhered to during construction, including as it pertains to suspect or stained soils.
- It should be noted that user/owner questionnaires are a standard procedure when preparing a Phase I ESA.
- O3-48** The comment asserts that the project's FPP underestimated fire risks. The FPP was prepared in accordance with industry standard and accepted methodology to assess fire risk, as detailed in Appendix J1 of the Draft EIR. Please also refer to Topical Response FR-1.

The commenter's opinion regarding emergency response standards is noted. Please refer to Topical Response FR-5.

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- O3-49** The comment asserts that the FPP fails to consider fire risk along the San Luis Rey River. Refer to Section 4 of the FPP (Appendix J1) which accounts for the San Luis Rey River vegetation in fire behavior modeling. The also comment expresses the commenter's opinion regarding fire risk at the project site. Please also refer to Topical Response FR-1.
- O3-50** The FPP (Appendix J1 to the Draft EIR) does not assume that call volume to Fire Station 5 would decline, as implied by the comment. Instead, the FPP uses an average of the most recent available data as a reasonable basis of analysis. Even if the analysis included the suggested induced calls per day included in the comment, the conclusions regarding emergency response standards presented in the Draft EIR would remain the same. Refer also to Topical Response FR-5.
- O3-51** This comment addresses feasible mitigation for impacts to emergency response. Please refer to Topical Response FR-5.
- O3-52** This comment addresses feasible mitigation for impacts to emergency response. Please refer to Topical Response FR-5.
- O3-53** As indicated in Section 6.3.1.1 of the FPP (Appendix J1 to the Draft EIR), the prohibited (or undesirable) plant list included as Appendix D to Appendix J1 is a proposed list. The list is also not exhaustive. As stated in Section 6.3.1.1 of the FPP, fuel modification zones within the project would be subject to and consistent with the 2016 California Fire Code (adopted by OFD) for defensible spaces. Additionally, the discrepancy between "prohibited" and "undesirable" is noted. However, as stated previously and in Section 6.3.1.1 of the FPP, the list provided is a non-exhaustive and proposed list; OFD and the City reserve authority over plantings with the fuel modification zones.
- O3-54** The commenter's identification of missing figures is appreciated. The Draft EIR erroneously left out these figures from Appendix J2. The Draft EIR has since been revised to include the missing figures. To the extent these changes and additions to the Draft EIR provide new information that may clarify or amplify information already found in the Draft EIR, and do not raise important new issues about significant effects on the environment, such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines.
- O3-55** The FPP and Evacuation Plan (Appendices J1 and J2 to the Draft EIR, respectively) have been incorporated into project design and would be required of the proposed project as a condition of approval.
- O3-56** This comment addresses evacuation. Please refer to Topical Responses FR-3 and FR-4.

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- O3-57** This comment addresses evacuation. Please refer to Topical Responses FR-3 and FR-4.
- O3-58** The proposed agricultural areas located along the southern boundary of the project site would remain as agriculture use; therefore, no changes from potential water quality impacts would occur from the existing condition. For all other proposed agriculture areas, such as community gardens, water quality requirements would be imposed as part of permit issuance. The proposed agricultural areas would not introduce any new sources of pollutants compared to the existing condition. As detailed in Section 4.10.4 of the Draft EIR, source control BMPs to be implemented include storm drain stenciling or signage; protection of trash storage areas from rainfall, run-on, runoff, and wind; and vegetative landscaping to control for erosion (Appendix K). All runoff flow within the project site would be transported through the proposed drainage system and contained and treated in on-site biofiltration basins. The biofiltration basins would treat runoff to the maximum extent practicable by capturing and detaining inflows for treatment, which would be achieved through filtration, sedimentation, sorption, biochemical processes, and vegetative uptake, prior to discharge into the San Luis Rey River.
- O3-59** Please refer to the Conditional Letter of Map Revision (CLOMR) Request (Appendix L2 to the Draft EIR) for requested maps of the post-development floodplain at the project site as well as up and downstream.
- O3-60** The comment regarding insurance is noted and it raises economic, social, or political issues that do not relate to physical effects on the environment. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. Please also note that the project is required to construct such that residences are outside of the floodplain and undergo the LOMR process through FEMA and BMPs would be required through the project permit approval process.
- O3-61** This comment addresses consistency with SANDAG Smart Growth principles. Please refer to Topical Responses LU-2, LU-3, and PH-2.
- O3-62** Please refer to Response to Comment O3-4 and Topical Response LU-4.
- O3-63** Comment noted. Please refer to previous responses regarding the draft Oceanside Subarea Plan, including Responses to Comments O3-24 through O3-32.
- O3-64** The comment includes background information regarding previous staff reports on the proposed project. Since the time of the preparation of the staff reports referenced by the commenter, the proposed project has undergone revisions and additional assessment regarding consistency with the General Plan. Refer also to Topical Response LU-1.

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O3-65 Refer to Response to Comment O3-64.

O3-66 Refer to Response to Comment O3-64. For reasons described in Table 4.11-2, the proposed project would be in conformance with Policy 1.1B of the General Plan Land Use Element, which states:

Land use designations immediately surrounding the project site include Agricultural (A), Estate A Residential (EA-R), Open Space (OS), and Estate B Residential (EB-R). The project site has a land use designation of Agricultural (A). The proposed project would include medium-density residential, single-family residential, park/open space, agriculture, mixed-use, and commercial land uses.

The project site would be located in a transitional area between the agricultural and farming uses associated with South Morro Hills and a more urbanized area to the west. The proposed project itself would serve as a transition point between these two areas by tying together the surrounding land uses and using agriculture as an organizing element of the overall neighborhood plan; therefore providing better public access to proposed on-site agricultural uses. The proposed project would be compatible with the surrounding land uses and, therefore, would not distract from the surrounding communities.

As stated in Section 4.14 of the Draft EIR, the proposed project would introduce a population beyond what is planned for the project site, and the development of the site may encourage surrounding lands to intensify uses. The expansion of existing sewer infrastructure could remove a barrier to growth, resulting in the potential for surrounding properties to intensify development. Refer also to Topical Responses LU-1 and CU-1.

O3-67 For reasons described in Table 4.11-2, the proposed project would be in conformance with this goal of the Public Safety Element, which states:

As described in Section 4.17, proposed on-site roadways have been designed to accommodate anticipated traffic volumes, pedestrians, and bicyclists. The proposed project would not substantially increase hazards through a design feature because all improvements would be designed to the applicable City roadway and circulation standards.

Landscape lighting would be used carefully to avoid light pollution and adhere to Dark Sky Guidelines while providing safety and accentuating key community features. Efficient lighting design would improve

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nighttime visibility by avoiding glare, minimize building and site light trespass onto neighboring property, and increase visibility of the night sky. All outdoor lighting would meet Chapter 39 of the City Code (Light Pollution Ordinance) and would be completely shielded appropriately. Where color rendition is important, high-pressure sodium, metal halide or other such lights would be use and shown on final building and electrical plans.

Signs would be utilized only where necessary within the residential portions of the neighborhood and in an understated manner, emphasizing an attractive image of permanence and quality; however, signs would offer adequate visibility and reflectivity, where appropriate, to provide for safety and orientation at night.

A Preliminary Geotechnical Investigation was prepared in 2017 for the proposed project. As provided in the Preliminary Geotechnical Investigation, recommendations include but are not limited to groundwater dewatering, surficial soils and alluvial materials removal and compaction, and surcharge embankment and settlement monitoring (if groundwater cannot be completely removed). Therefore, recommendations found in the Preliminary Geotechnical Investigation were provided as MM-GEO-1, which would ensure geological safety.

The proposed project would include fuel modification zones (FMZs) consistent with the 2016 California Fire Code (Section 4907, Defensible Space), Government Code 51175, 51189, and Public Resources Code 4291, which require that fuel modification zones be provided around every building that is designed primarily for human habitation or use and buildings designed specifically to house farm animals. Fuel modification consists of at least 100 feet, measured in a horizontal plane, around all structures. A typical landscape/FMZ installation consists of a 30-foot-wide, irrigated Zone 1 and a 70-foot-wide, non-irrigated, Zone 2. Refer to 4.9-1 for a conceptual fuel modification design and Appendix J1 for additional details.

As shown on Figure 4.10-1, portions of the project site south of N. River Road within the Riverside Village and Village Core Planning Areas would be within the 100-year flood hazard area. Therefore, the proposed project would place housing, commercial, and other structures within the 100-year flood hazard area, and impacts would be potentially significant. The applicant is required to demonstrate appropriate grading elevations

and flood-control improvements necessary to remove the portions of the property from the 100-year flood hazard area defined by FEMA through the Letter of Map Revision (LOMR) process. The Conditional LOMR Request is included as Appendix L2. As part of the Conditional LOMR Request, hydrologic modeling was performed to analyze potential changes in flood elevations on the project site, as well as downstream and upstream of the project site. The hydrologic modeling determined that building pads within the project site, as well as downstream and upstream of the site within the floodway, would be above the 100-year floodplain inundation elevation (Appendix L2). The LOMR process is required to be completed prior to any occupancy within the existing 100-year flood hazard zone. Proposed housing and other structures as determined necessary by the City and FEMA would be removed from the 100-year flood hazard area, and floodplain elevations would not raise above allowed tolerances, including off-site areas. Therefore, potentially significant impacts related to placing housing within the 100-year flood hazard area would be reduced to a level below significance.

Regarding emergency response time, refer to Topical Response FR-5.

- O3-68** For reasons described in Table 4.11-2, the proposed project would be in conformance with Goal 1 under Transportation Demand Management, which states:

The proposed project would include on- and off-site improvements to the existing and proposed circulation network that would support the proposed project operations. Pedestrian, bicycle, and road improvements would be implemented to facilitate efficient flow of traffic and the safe and effective passage of pedestrians and cyclists, reducing single occupancy vehicle trips.

The NCTD provides public transit services to the project site's vicinity. The proposed project is proximate to the San Luis Rey Transit Center located south of N. River Road between Vandegrift Boulevard and Waterview Way. The San Luis Rey Transit Center is served by Routes 303, 309, 311, 313, and 315.

While the proposed project would result in significant and unavoidable impacts related to traffic and circulation, it does not preclude the proposed project from conforming to this goal, which encourages supporting programs to increase vehicle occupancy and reduce trips. Refer also to Topical Response LU-2 and LU-3.

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- O3-69** The Draft EIR adequately assessed potential impacts to mineral resources in Section 4.12 and has complied with the California Surface Mining and Reclamation Act. As detailed in the Draft EIR at Section 4.12.4, while the development of the project would occur over 49.9 acres of land designated as MRZ-2, project impacts related to the loss of mineral resources would be less than significant as, among other reasons given: no mining currently exists on or near the site; increased area urbanization and incompatible land uses would preclude mineral resource operations; and mineral extraction would likely be incompatible with the adjacency to sensitive biological resource areas within the San Luis Rey River. In addition, according to the City's General Plan, the County undertook a River Sand Resource Study in June 1974; the study concludes that the San Luis Rey River probably does not have the potential for supplying an increasingly large percentage of the County's sand needs unless a cheaper means of transportation than trucking becomes available (City of Oceanside 2002).
- O3-70** As shown in Table 4.13-4, City of Oceanside Exterior Noise Standards, of the Draft EIR, areas zoned Agricultural are subject to the same noise level limits as Residential Estate, Single-Family Residential, and Medium Density Residential. Therefore, compliance with the City's Municipal Code would ensure noise levels from agricultural uses on-site would not exceed the allowable limit at proposed residences. Further, as noted in the Draft EIR, the proposed agricultural land uses are not typically considered substantial sources of noise, due to intermittent nature of equipment use. (Draft EIR p. 4.13-20.) Additionally, normal agricultural operating hours are during the daytime.
- O3-71** This comment addresses RHNA allocations. Please refer to Topical Response PH-2. As discussed in Topical Response PH-2, the project would also provide minimum affordable housing within the City equivalent to 10% of project unit count, through either: (1) reservation of 10% of housing units onsite for affordable housing; (2) payment of the established in-lieu fee; or (3) development of affordable housing offsite. If the project pays the established in-lieu fee, impacts of construction elsewhere need not be evaluated as part of this project. All such future projects associated with the construction of affordable housing would be subject to separate and additional environmental review under CEQA. Further, such an analysis cannot be provided at this time without engaging in undue speculation, which is not required by CEQA. (CEQA Guidelines Section 15126.2(d)(2).)
- O3-72** The comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

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- O3-73** The comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.
- O3-74** This comment references previous comments on emergency response times. Please refer to previous responses to such comments and Topical Response FR-5.
- O3-75** The proposed project would dedicate right-of-way along its frontage to Four-Lane Secondary Collector standards to accommodate an enhanced parkway for pedestrians and on-street bicycle facilities, but only two vehicular lanes (one in each direction) separated by a raised median are proposed. Therefore, the widening of N. River Road would not create bottlenecks. Concerning evacuation, refer to Topical Response FR-3 and FR-4.
- O3-76** The comment provides factual background information and does not raise an environmental issue within the meaning of CEQA. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.
- O3-77** On-site park, recreation, and open space facilities would total 16.0 acres and include a variety of parks, buffers, trails, and community gardens. Of this open space area, 10.2 acres would be dedicated to parks. The proposed project would include a mix of private and public parks; parkland dedication would be based on the requirements set forth in the City's Zoning Code. In addition, as with all residential developments, in order to avoid the substantial physical deterioration of local recreation facilities, the proposed project would be required to satisfy the City's park land dedication and in-lieu park fee requirement by either dedicating 9.86 acres of land for local parks to the City, paying the park fee (currently \$4,431 per dwelling unit), or paying a portion of the park fee and dedicating a portion of park land. (City Municipal Code Chapter 32B and 32D.) Funds collected as City park fees must be used for the acquisition, planning, and/or development of local park land and recreation facilities. Payment of the City's park fee of \$4,431 per dwelling unit minus the eligible parkland provided on site by the proposed project would ensure the City is able to maintain adequate standards of operation at existing parks and to meet new demand for park facilities.
- O3-78** Refer to Response to Comment O3-77. Please refer also to Chapter 6 of the Planned Development Plan, Draft EIR Appendix B, for discussion of the various passive and active uses planned at the various parks.

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O3-79 The comment correctly quotes the City’s Circulation Element of the General Plan regarding mitigation measures. The proposed project’s Transportation Impact Analysis (Draft EIR, Appendix N) was prepared in conjunction with City traffic engineering staff. Based on the assessment of the potentially significant impacts discussed in Section 4.17.5 and summarized in Table 4.17-9 of the Draft EIR, impacts to the intersections of Vandegrift Boulevard/N. River Road and N. River Road/College Boulevard and the segment of College Boulevard from N. River Road to Adams Street would remain significant and unavoidable, even with implementation of mitigation. Because mitigation to fully reduce impacts are infeasible, the proposed mitigation measures include optimization studies, which constitute the non-physical improvements required of the Circulation Element. Per the Circulation Element, “[i]f there are no feasible mitigation measures that would fully mitigate traffic impacts, the developer shall propose, prepare and provide various mitigation measures, such as Traffic Management Center tools and resources, which may not include physical improvements to the impacted facility.” Therefore, the proposed project and Draft EIR comply with Circulation Element mitigation requirements.

O3-80 Refer to Response to Comment O3-79. Table 4.17-9 summarizes the measures that would be required to fully mitigate the identified impacts, and describes why such measures are infeasible. Refer also to Section 4.17.5 of the Draft EIR for more detailed descriptions.

O3-81 Section 4.17 of the Draft EIR does not identify any potentially significant impacts related to alternative transportation. Therefore, no mitigation measures are required. Refer to Section 4.17.4 of the Draft EIR for an analysis regarding alternative transportation, as well as Section 4.11 of the Draft EIR regarding compliance with Circulation Element policies.

As explained in Section 4.17.2 of the Draft EIR, at the time of preparation of this EIR, however, evaluation of transportation impacts using the VMT metric is not required by the State or City of Oceanside CEQA Guidelines, and LOS is the official metric for identifying traffic impacts and mitigation. Even if the draft revisions to the CEQA Guidelines are adopted by the California Natural Resources Agency, the possible new CEQA Guidelines, Section 15064.3, regarding needed VMT analysis for a development project will not require use of the VMT metric to analyze transportation impacts until January 1, 2020. Therefore, the Draft EIR does not rely on VMT metrics for transportation impact analyses.

O3-82 Section 3.9 of the Circulation Element provides additional recommended guidelines for the City’s transportation network. Section 3.9 of the Circulation Element does not provide guidelines or significance thresholds for evaluating cumulative traffic

impacts within the City. Section 3.9 refers to recommended actions to be performed by the City on the transportation network, as opposed to evaluation and/or mitigation of cumulative traffic impacts. As described in Section 4.17.3 of the Draft EIR, the City uses the published San Diego Traffic Engineering Council/Institute of Traffic Engineers guidelines for the determination of the significance of impacts. Cumulative impacts were calculated in the near-term and long-term conditions where proposed project-added traffic resulted in a significant increase in intersection delay or street segment volume-to-capacity ratios over the allowable thresholds shown in Table 4.17-4 of the Draft EIR at locations with pre-existing LOS deficiencies (LOS E or F). Cumulative traffic impacts are evaluated in Section 4.17.4 of the Draft EIR, with Table 4.17-9 and 4.17-10 summarizing near-term cumulative intersection and street segment operations. Section 4.17.5 describes the feasible mitigation proposed to reduce identified impacts. Table 4.17-19 provides a summary of potentially significant impacts, including cumulative impacts, and level of significance after the incorporation of mitigation measures. Year 2035 significant impacts are considered cumulative impacts since traffic generated by existing development, future general growth, and other development projects are all included in the Year 2035 traffic volume projections, in addition to project traffic. Such impacts are cumulative by definition in CEQA. Mitigation measures for cumulative impacts were subject to a fair-share calculation based on fees published in the City's Thoroughfare and Traffic Signal Fee Program Update Study.

- O3-83** Section 4.13, Noise, of the Draft EIR, includes an analysis of operational traffic noise for future traffic scenarios, as well as construction of roadway improvements. Section 4.1, Aesthetics, addresses both construction and long-term impacts associated with project implementation, including roadway improvements. For example, proposed roadways improvements are included in the visual simulations of the project used to aid the analysis. Section 4.4, Biological Resources, includes an analysis of biological resource impacts including all on-site and off-site roadway improvements. Therefore, the Draft EIR adequately assessed roadways changes, contrary to this comment's claim.
- O3-84** This comment addresses water supply. Please refer to Topical Response WS-1.
- O3-85** This comment states that because the project was determined to be growth inducing, then it would also have a significant cumulative impact on biological resources. Cumulative impacts to biological resources are addressed in Section 5.4.4 of the Draft EIR. It is presumed that all reasonably foreseeable cumulative projects, including those described in Table 5-1 of the Draft EIR, would be required to conform to existing regulations with respect to avoidance, minimization, and mitigation of impacts to sensitive habitat, achieving no-net-loss of wetlands and like/kind replacement for impacts to sensitive habitat that cannot be avoided. Therefore, it is assumed that impacts would be

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assessed and mitigated pursuant to CEQA, and those projects within the City's jurisdiction would be reviewed by the City during the project review and approval process.

The project site, and cumulative projects, is located within the proposed North County Multiple Habitat Conservation Program (MHCP) (SANDAG 2003), which is a long-term regional conservation plan established to protect sensitive species and habitats in northern San Diego County. The MHCP is divided into seven subarea plans—one for each jurisdiction within the MHCP—that are permitted and implemented separately from one another. A draft Oceanside Subarea Habitat Conservation Plan/Natural Communities Conservation Plan (Oceanside Subarea Plan) has been prepared, and although the Oceanside Subarea Plan has not been approved or permitted, it is used as a guidance document for projects in the City of Oceanside (City) (City of Oceanside 2010). All cumulative projects within the City would be required to comply with the Oceanside Subarea Plan, such that regional conservation to protect sensitive species and habitats is maintained. Refer to Section 4.4 and Appendix E to the Draft EIR for additional details of Oceanside Subarea Plan compliance.

- O3-86** Section 15126.6(a) of CEQA Guidelines requires that an environmental impact report (EIR) “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 but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” As such, an EIR is tasked with comparing alternatives to the proposed project, as opposed to providing conclusions of significance for each issue area under each alternative.
- O3-87** The comment expresses the opinion of the commenter. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- O3-88** The comment concludes the letter. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

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O4 SIERRA CLUB SAN DIEGO

O4-1 The comment as an introduction to comments that follow. It also should be noted that the comment incorrectly describes the project as proposing the development of 725 dwelling units. As provided on page 3-3 of the Draft EIR, the project “would allow for the development of up to 689 dwelling units.” Therefore, development of up to 689 dwelling units is the basis of the analysis for the residential portion of the project in the Draft EIR. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

O4-2 As recognized by the comment, the Draft EIR accurately describes the nonattainment status of the San Diego Air Basin with respect to the federal and state 8-hour ozone, state 1-hour ozone, and state coarse and fine particulate matter (PM₁₀ and PM_{2.5}) standards. (See Draft EIR Table 4.3-1, San Diego Air Basin Attainment Classification.) The comment provides further background information about ozone pollution in the San Diego-Carlsbad urban area, as compared to the rest of the nation, via reference to a report published by the American Lung Association.

Regarding the description of health risks, EIR Section 4.3, Air Quality provides a brief summary of the health effects of ozone exposure. (See Draft EIR Table 4.3-10, Pollutants, Sources, Health Effects, and Attainment Status.) Appendix D1, Air Quality Report, of the Draft EIR provides further discussion on this subject. This approach is consistent with the direction provided in CEQA Guidelines Sections 15141 and 15147, which specifically direct that the body of a Draft EIR be as concise as practical, accounting for a project’s scope and complexity. “Placement of highly technical and specialized analysis and data in the body of an EIR should be avoided through inclusion of supporting information and analyses as appendices to the main body of the EIR” (CEQA Guideline Section 15147).

O4-3 The comment questions the accuracy of a textual summary regarding the federal air quality attainment plans prepared for the San Diego Air Basin provided on page 4.3-11 of the Draft EIR. In response, the subject text simply summarizes the information provided in the *2016 Revision of the Regional Air Quality Strategy for San Diego County* (RAQS), a document prepared and adopted by the San Diego County Air Pollution Control District (SDAPCD). The textual summary does not independently assess whether the RAQS is likely to result in the Air Basin’s attainment of the federal ozone standard. Instead, the Draft EIR summarizes the RAQS document to provide context about the region’s current and anticipated federal attainment status. No further information about how the Air Basin would obtain federal attainment is required for purposes of the Final EIR.

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It is not the responsibility of an individual project to demonstrate how the County, as a whole, would achieve attainment of the federal ozone standard. Instead, it is the responsibility of the SDAPCD to demonstrate how the County would achieve attainment of the federal ozone standard, which is outlined in the RAQS. Furthermore, future iterations of the Emissions Factor model (EMFAC) and California Emissions Estimator Model (CalEEMod) would reflect the latest emissions inventory methods and emission rates for motor vehicles operating on roads. Therefore, the Draft EIR relies on the available information provided by the SDAPCD, and summarizes the findings of the RAQS.

Under CEQA, an EIR should analyze if an individual project would conflict with or obstruct an applicable air quality plan, such as the RAQS. And, the required assessment is provided in EIR Section 4.3, Air Quality. (See Draft EIR, pages 4.3-21 to 4.3-22.) It also is noted that the assessment of the project's individual and cumulative effects is not based on an assumption that the San Diego Air Basin achieves the federal and state air quality standards. Instead, the analysis is based on the existing condition, which reflects ozone and particulate matter nonattainment.

- O4-4** As described in Response to Comment O4-3, this information is provided to summarize the findings of the RAQS and to provide context about the region's current and anticipated federal attainment status. It is not the responsibility of an individual project to demonstrate how the SDAPCD's entire jurisdictional area would achieve attainment of the federal ozone standard. However, in accordance with CEQA, the Draft EIR does assess whether the project would conflict with or obstruct implementation of the RAQS. (See Draft EIR, pages 4.3-21 to 4.3-22.)
- O4-5** Please refer to Response to Comment O4-3 for discussion of the relevance and role of the EIR's background discussion of the RAQS. Importantly, because the Draft EIR accurately discloses the San Diego Air Basin's attainment classifications for federal and state standards and local ambient air quality data in Tables 4.3-1 and 4.3-2, respectively, the Draft EIR provides an accurate "air pollution baseline."
- O4-6** The comment selectively quotes a portion of the Draft EIR regarding criteria air pollutant thresholds, in order to support an argument that the EIR uses improper, unsubstantiated thresholds. However, the comment ignores the entirety of the statement provided on page 4.3-19 of the Draft EIR, which reads:

As part of its air quality permitting process, the SDAPCD and the County of San Diego has established thresholds in Rule 20.2 requiring the preparation of Air Quality Impact Assessments (AQIA) for permitted stationary sources (SDAPCD 2016b). The SDAPCD sets

forth quantitative emission thresholds below which a stationary source would not have a significant impact on ambient air quality. Although these trigger levels do not generally apply to mobile sources or general land development projects, for comparative purposes, these levels may be used to evaluate the increased emissions which would be discharge to the SDAB from proposed land development projects (County of San Diego 2007).

This statement is from the County of San Diego's *Guidelines for Determining Significance and Report and Format and Content Requirements – Air Quality*. As described, the County states that these thresholds may be used to evaluate increased emissions associated with proposed land development projects.

Further, it is the decision of the lead agency, in this case, the City of Oceanside, to use a threshold they find appropriate for the purposes of CEQA. The City has relied on this threshold (i.e., the SDAPCD Rule 20.2 values) in the past to determine the air quality impacts for land use development projects. And, scientifically speaking, there is no reason to distinguish stationary source projects from land use development projects for purposes of assessing the significance of a quantitative criteria air pollutant emissions value. The SDAPCD's Rule 20.2 is focused on stationary sources because those are the types of sources/projects that fall within the SDAPCD's jurisdictional permitting purview. Therefore, the City finds that the thresholds provided in Table 4.3-4 of Section 4.3 of the Draft EIR are appropriate for this project, and no change to the Draft EIR is required.

- O4-7** This comment concludes that the EIR has not “really considered the ecological implications of approving” the project relative to air quality. Draft EIR Section 4.3, Air Quality, contains an assessment of project impacts relative to each of the areas of inquiry set forth in CEQA Guidelines Appendix G, and utilizes protocols and methodologies routinely relied upon by CEQA practitioners to render its significance determinations. The comment seems to impliedly suggest that any uncertainty with respect to future regional attainment demonstrations precludes the ability to complete project-specific environmental analysis under CEQA. However, that is not the case. Regional air quality is fluid and ever-changing, and influenced by the emergence of new technologies, changing population projections and trends, weather patterns and other factors. That being said, under CEQA, project impacts can be assessed by reference to the *existing* environmental condition, which is defined in accordance with CEQA Guidelines Section 15125(a) and accurately reported in EIR Section 4.3.

Please also refer to Response to Comment O4-3 for information regarding the San Diego Air Basin's attainment status, and Response to Comment O4-6 for information regarding the numeric thresholds used to evaluate the significance of the project's daily emissions levels.

- O4-8** The comment states that the project's operational vehicle miles traveled quantities will result in a significant cumulative impact with respect to the San Diego Air Basin's attainment status. However, as provided on pages 4.3-28 and 4.3-29 of the Draft EIR:

In analyzing cumulative impacts from a project, the analysis must specifically evaluate the proposed project's contribution to the cumulative increase in pollutants for which the basin is designated as nonattainment for the CAAQS and NAAQS. If the proposed project does not exceed thresholds and is determined to have less than significant project-specific impacts, it may still contribute to a significant cumulative impact on air quality if the emissions from the proposed project, in combination with the emissions from other proposed or reasonably foreseeable future projects, are in excess of established thresholds. However, a project would only be considered to have a significant cumulative impact if the proposed project's contribution accounts for a significant proportion of the cumulative total emissions (i.e., it represents a "cumulatively considerable contribution" to the cumulative air quality impact).

Additionally, for the basin, the RAQS serves as the long-term regional air quality planning document for the purpose of assessing cumulative operational emissions in the basin to ensure the SDAB continues to make progress toward NAAQS- and CAAQS-attainment status. As such, cumulative projects located in the San Diego region would have the potential to result in a cumulative impact to air quality if, in combination, they would conflict with or obstruct implementation of the RAQS.

Draft EIR Section 4.3 explains that, because the project's daily emissions would be below the SDAPCD's criteria air pollutant thresholds, and because the project would not conflict with or obstruct implementation of the RAQS (due to the parameters used to develop the RAQS' growth forecast and emissions inventory), the project would not result in a cumulatively considerable increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. No change to the Draft EIR is required.

- O4-9** In response to the comment's concern that the project conflicts with the RAQS and sets forth an inconsistent analytic in the RAQS consistency analysis, pages 4.3-21 and 4.3-22 of the Draft EIR state:

While the SDAPCD and City do not provide guidance regarding the analysis of impacts associated with air quality plan conformance, the

County's Guidelines for Determining Significance and Report and Format and Content Requirements – Air Quality do discuss conformance with the RAQS (County of San Diego 2007). The guidance indicates that if a project, in conjunction with other projects, contributes to growth projections that would not exceed SANDAG's growth projections for the City, the proposed project would not be in conflict with the RAQS (County of San Diego 2007). As previously discussed, the proposed project would require a zoning amendment in order to allow the land uses proposed, and therefore, the proposed project would contribute to additional unaccounted for growth to the region.

The County's guidance also indicates that, in the event that a project requires a general plan amendment, additional analysis may still provide substantial evidence that the growth is accounted for in the RAQS assumptions. To demonstrate conformance in this case, a growth projection analysis can be completed for the applicable Subregional Area (SRA) and/or Metropolitan Statistical Area (MSA) by comparing the SANDAG growth projections with the actual development expected to occur. If the proposed project in conjunction with other projects, contributes to growth projections that would not exceed SANDAG's growth projections for that SRA or MSA, the proposed project would not be in conflict with the RAQS or SIP.

Therefore, because the project would require a general plan amendment, further analysis (per the County of San Diego's *Guidelines for Determining Significance and Report and Format and Content Requirements – Air Quality*) was undertaken to determine if the project, in conjunction with growth forecasts for the City of Oceanside, would exceed the growth projections used in the RAQS for the specific SRA. As provided on pages 4.3-22 and 4.3-23 of the Draft EIR, the project's addition of 1,971 residents would not exceed the projected growth of 9,322 new residents for SRA 42 per SANDAG population forecasts for the City. Therefore, the project would not exceed the growth forecasts used within the RAQS to develop the emissions forecast and no conflict with the RAQS would result. No change to the Draft EIR is required.

- O4-10** The comment suggests that Draft EIR Section 4.3, Air Quality, should have assessed the project's impacts to SANDAG's Regional Plan. However, unlike the SDAPCD's RAQS, the Regional Plan is not an air quality planning document. As such, it is not considered in the air quality analysis but is more appropriately considered elsewhere in the EIR. (See, e.g., Draft EIR 4.14, Population and Housing.) Please see prior responses to this comment letter for information regarding the air quality analysis' baseline and thresholds of significance.

O4-11 The comment restates information contained in the Draft EIR regarding toxic air contaminants (TACs) and diesel particulate matter (DPM), and raises issues with the mitigation provided in the Draft EIR. The results of the HRA demonstrate that the TAC exposure from construction diesel exhaust emissions would result in cancer risk on site above the 10 in 1 million threshold for the proposed project. Therefore, TAC emissions from construction activities of the proposed project was determined to potentially expose sensitive receptors to substantial pollutant concentrations requiring the implementation of MM-AQ-1. MM-AQ-1 requires that all diesel-powered cranes, generator sets, trenchers, forklifts, rubber-tired dozers, and tractors/loaders/backhoes are powered with California Air Resources Board (CARB)-certified Tier 4 Interim engines while all other construction equipment should be classified as Tier 3 or higher, at a minimum. As presented in Table 4.3-14 of the Draft EIR, implementation of MM-AQ-1, the mitigated results demonstrate that the construction mobile sources exhibit maximum individual cancer risks (MICR) would reduce impacts below the 10 in a million threshold. Furthermore, please see response O4-12 below which adds clarity to the MM-AQ-1 language used. In short, the supplemental language provides an explanation in regards to the City granting an exception if the engine tier requirements if Tier 4 interim or Tier 3 engines are not available.

O4-12 This comment states that Mitigation Measure MM-AQ-1 does not provide a clear definition of how the City would determine whether certain engine tiers of construction equipment are “not available.” To add clarity, the following language will be added to MM-AQ-1:

Before an exception to the engine tier requirements exemption may be granted considered by the City, the applicant shall be required to demonstrate that three construction fleet owners/operators in the San Diego region with fleets sufficiently sized to provide the types and quantities of equipment needed by the project were contacted and that the owners/operators determined that the requested equipment (Tier 4) could not be located within the region.

The comment also states that the applicant is not required to use the next-best tier if the specified equipment is not available. In response, MM-AQ-1 has been supplemented as follows:

In the case that Tier 4 Interim engines are not available, the City shall require the applicant to use Tier 3 engines for the subject types of equipment. As such, the City shall require the applicant to prioritize the use of higher engine tiers over lower engine tiers.

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The comment also states that there is no evaluation in the EIR without using the MM-AQ-1. However, the emissions and health risk results from the project prior to implementing MM-AQ-1 are shown in Table 4.3-12 of the DEIR. No further response is required or necessary.

- O4-13** Please see Response to Comment O4-12 for information regarding the changes to MM-AQ-1 text that serve to prioritize the use of higher engine tiers where available.
- O4-14** Please refer to Response to Comment O4-12 for information that is responsive to this comment. As provided therein, the availability determination is a geographic/locational one, and not based on financial constraints.
- O4-15** The comment provides concluding remarks that do not raise new or additional environmental issues concerning the adequacy of the Draft EIR. For that reason, no further response is provided to this comment.
- O4-16** The comment restates information contained in the Draft EIR and provides background information regarding the effects of climate change on California. The comment does not raise an environmental issue regarding the adequacy of the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required.
- O4-17** To begin, and as a minor point of clarification, the comment states that the Draft EIR uses an “efficiency matrix” to evaluate the significance of the project’s GHG emissions. However, the terminology used in the Draft EIR refers to an “efficiency metric.”

The comment restates information from the Draft EIR regarding the analysis’ application of a 900 MT CO₂e screening-level criterion, and subsequent application of an efficiency metric specific to the project’s build-out year (2025). As explained on page 4.8-30 of the Draft EIR, the City’s efficiency metrics for 2020 and 2030 are based on city-wide population and employment forecasts for future years, and the City’s GHG emissions forecasts for future years. Because the efficiency metrics are based on the City’s GHG emissions inventories and anticipated service population, the metrics are geographically and jurisdictionally specific to the City.

The efficiency metric for the project’s build-out year (2025) used in the Draft EIR was calculated by interpolating City-specific emissions, employment and population data for years 2020 and 2030. Use of interpolation ensures that the project does not interfere with the GHG reductions trajectory necessary for the City to move from its targeted 2020 emissions level to 2030 emissions level.

Related to this point, the efficiency metrics are designed to ensure that the City's emissions levels are consistent with statewide GHG reduction goals set forth in AB 32 and SB 32. As such, the comment's reference to the metrics as "descriptive" rather than "prescriptive" is not correct. The efficiency metrics are prescriptive because they set the emissions targets that shall be achieved in order to support a determination that environmental impacts would be less than significant.

Finally, in footnote six, the comment states that it "would be prudent" for the City "to postpone consideration" of this project until its pending Climate Action Plan (CAP) is adopted, "in order to avoid the possibility that such approval will compromise the CAP." In response, note that CEQA does not require the existence of a validated CAP prior to consideration of project-specific environmental analysis (see CEQA Guidelines Section 15064.4). Further, as provided on page 4.8-28 of the Draft EIR, the efficiency metric has been developed in conjunction with the CAP, "in order to help the City to meet state reduction targets for 2020 and 2030." In other words, the efficiency metric has been designed to ensure that individual projects will not "compromise the CAP." (Please refer to Topical Response GHG-2 for additional information on this point.) It also is noted that the EIR's mitigation framework has been revised to require the project to offset *all* GHG emissions that remain following implementation of the identified on-site reduction measures, thus ensuring that the project achieves carbon neutrality (an approach that further ensures no potential conflict with the City's subsequent adoption of a CAP).

O4-18 This comment, building from Response to Comment O4-17, suggests that the City's efficiency metrics for 2020 and 2030 are not based on emissions levels that must be achieved by the City in order to demonstrate consistency with the statewide reduction goals set forth in AB 32 and SB 32. However, this is not the case. As explained in Response to Comment O4-17, the emissions forecast data developed by RECON (the City's CAP consultant) for future years, which was used to delineate the efficiency metrics, has been calibrated to reflect the emissions levels that the City must achieve in order to align its emissions levels with the AB 32 and SB 32 statewide reduction goals. Contrary to the comment's representation, the City's efficiency metrics are not used to determine whether projects have "kept pace with what is happening on the ground," but rather to determine whether projects have kept pace with the emissions reduction trajectory that is required for the City to align its emissions levels with statewide reduction goals. As a result, the City-specific emissions forecasts upon which the efficiency metrics are based have been correlated to the AB 32 and SB 32 statewide reduction goals.

O4-19 The comment serves to conclude the critique of the City's efficiency metrics as not being "adequately stringent," and serves as an introduction to comments addressing the inadequacy of the project's mitigation measures. Please see Responses to Comments

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O4-17 and O4-18 above for information responsive to the efficiency metrics, and Responses to Comments O4-20 through O4-31 below for information responsive to the mitigation measures. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

O4-20 The comment states that certain portions of mitigation measure MM-GHG-1 are “unacceptable because they are not clearly defined.” Specific comments and the response to the comments made are included in the table below.

Comment	Response
“Include wiring for at least one electric charging station’ for all residential buildings (EIR, p. 4.8-41): first, the term ‘wiring’ is ambiguous, and may be read not to require that a fully operable charging station, but only preparatory wiring, must be provided.”	In response to the comment, MM-GHG-1 has been revised in the Final EIR to read: <u>“Include wiring for at least one electric car charging station. All private residential garages shall include one electric vehicle charging station.”</u>
“Second, charging stations are required neither for commercial buildings nor for the proposed hotel.”	In response to the comment, additional language has been included in MM-GHG-1 as follows: <u>“In all on-site, non-residential parking areas with ten or more spaces, electric vehicle charging stations shall be installed in a minimum of 12 percent of the parking spaces.”</u>
“Requirements for ‘energy efficient lighting’ for street, parking, and area lighting for residential and non-residential buildings (EIR, p.4.8-42): the term is vague, and should have a specified efficiency standard that is applicable at least as a floor.”	In response to the comment, MM-GHG-1 has been revised in the Final EIR to read: “Prior to approval of Improvement Plans, the applicant shall verify the exclusive use of energy efficient lighting <u>that meets or exceeds CalGreen Tier 1 requirements</u> for all street, parking, and area lighting associated with the proposed project, including all on-site and off-site lighting.”
“Requirements for paving of parking lots with reflective coatings are considered feasible only if the additional cost is less than 10% of the cost of a standard asphalt material. No justification for this number is given, and no assessment of the increase in GHG emissions if ‘infeasibility’ is invoked.”	In response to the comment, MM-GHG-1 has been revised in the Final EIR to read, “Prior to the issuance of building permits, the Proposed Project applicant or its designee shall submit building plans illustrating that all outdoor pavement, including all parking lots and walkways, are paved with reflective coatings (albedo = 0.30 or better) <u>or concrete</u> . ~~This measure is considered feasible if the additional cost is less than 10% of the cost of applying a standard asphalt product.”~~

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Comment	Response
"Requirement to minimize use of turf 'where this option is feasible' should have standards as to what is to be considered 'feasible.' (See, e.g., <i>Preserve Wild Santee v. City of Santee</i> (2012) 210 Cal.App.4th 260, 280 [delayed mitigation without standards showing it will perform as specified in EIR is impermissible].)"	In response to the comment, MM-GHG-1 has been revised in the Final EIR to read, <u>"Maximize the amount of drought tolerant landscaping by minimizing and minimize the amount of turf in all areas where this option is feasible-used. Turf should be limited to parks or other active use and/or high visibility areas. Low groundcover and native grasses shall be used as an alternative to turf. Any turf used shall be warm-season turf or shall have a plant species factor of 0.6 or lower."</u>
"In addition, we note that the recent Newhall Ranch project in Los Angeles County includes as feasible mitigation for its GHG emissions the creation of subsidies for the purchase of electric vehicles, a mitigation measure that is not included here, but should be evaluated for inclusion. (Article describing Newhall Ranch settlement is available at http://www.latimes.com/local/lanow/la-me-newhall-ranch20170925-story.html#.)"	The City has reviewed the article referenced, and notes that the scale of this project is quite different from that of the Newhall Ranch Project, which is for the development of more than 21,000 residential units and more than 9 million square feet of non-residential uses. The variation in scale affects the ability of various reduction strategies, including the strategy referenced here to be effective and economically, politically, socially, and legally feasible. Note that the State of California, through the Clean Vehicle Rebate Project, administers a successful rebate program for the purchase of clean vehicles (see https://cleanvehiclerebate.org). Also of relevance is the finding that the project's impacts would be less than significant with implementation of the on-site reduction strategies and carbon offsets; as such, no further mitigation is required.

O4-21 The comment restates information in the EIR concerning MM-GHG-2 and the purchase of carbon offsets, and states that "[t]he use of these purchased offsets to support a claim of reduction of GHG emissions impacts to less than significant lacks substantial evidence." Specifically, the comment states that offsets may be purchased from "any other reputable registry or entity that issues carbon offsets," and contends that without adequate standards for what would constitute a "reputable registry," mitigation is inadequate. The comment also states, at footnote 10, that no substantial evidence supports limiting the purchase of offsets to 30 years.

First, note that as discussed in Topical Response GHG-1, in response to comments received, the applicant has agreed to exceed the standard established by the 2020 build-out year efficiency metric and instead adopt mitigation to achieve net zero GHG emissions.

Second, as discussed in Topical Response GHG-3, carbon offsets are effective and appropriate mitigation under CEQA. CARB recognizes that it might be appropriate to mitigate a project's emissions through purchasing and retiring carbon credits issued by a recognized and reputable, accredited carbon registry when on-site measures or regional investments are infeasible or non-effective (see, e.g., CARB's *California's 2017 Climate Change Scoping Plan*). Moreover, as concerns reliance on "any reputable registries," note that MM-GHG-2 and MM-GHG-3 require that carbon offsets first be purchased through a CARB-approved registry, including the Climate Action Reserve, American Carbon Registry, Verra (previously, Verified Carbon Standard), or any other registry approved by CARB to act as a registry under the State's cap-and-trade program. Only if no CARB-approved registry is in existence can the applicant seek offsets from any other reputable registry to the satisfaction of the Development Services Director. The sufficient carbon offsets are available for use for this project based on offset projects registered and issued to date by the noted carbon registries, as detailed in Topical Response GHG-3.⁴³

Nonetheless, in response to the comment, MM-GHG-2 has been revised as follows:

First, "carbon offset" shall mean an instrument issued by any of the following: (i) the Climate Action Reserve, the American Carbon Registry, and ~~the Verra~~ (~~formerly~~, Verified Carbon Standard), (ii) any registry approved by the California Air Resources (CARB) to act as a registry under the state's cap-and-trade program; or (iii) ~~if no registry is in existence as identified in options (i) and (ii), above, then~~ any other reputable registry or entity that issues carbon offsets. Prior to use of option (iii), it shall be demonstrated that the other reputable registry or entity follows accounting, quantification and monitoring protocols, as well as eligibility and procedural performance standards, that are comparable to those used by the registries identified in option (i). For additional information about the protocols and standards referenced in this paragraph, please see the State-approved "Newhall Ranch Greenhouse Gas Reduction Plan," which is included in Appendix H1 of

⁴³ See, e.g., *Unlocking Potential: State of the Voluntary Carbon Markets 2017*, Ecosystem Marketplace, available at <https://www.cbd.int/financial/2017docs/carbonmarket2017.pdf>. As of November 2017, the Climate Action Reserve has issued more than 100 million carbon offsets. See <http://www.climateactionreserve.org/blog/2017/11/06/thank-you-for-helping-us-reach-100-million-metric-tons-of-ghg-emissions-reductions/> and <http://www.climateactionreserve.org/blog/2017/11/06/north-american-climate-action-shows-its-strength-and-impact-with-milestone-100-million-offset-credits-issued-by-a-california-carbon-market-pioneer/>. The American Carbon Registry has issued more than 100 million carbon offsets, see, <https://americancarbonregistry.org/news-events/program-announcements/acr-reaches-milestone-issuance-of-100-million-tonnes-of-greenhouse-gas-emissions-reductions>. Verra has certified more than 1,300 projects that have removed or reduced more than 200 million tonnes of GHGs; see, <http://verra.org/project/vcs-program/>.

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the EIR. Section IX of the “Newhall Ranch Greenhouse Gas Reduction Plan” outlines the protocols and standards that must be followed in order for a registry and the offsets it issues to qualify under this measure.

Third, use of a 30-year project life when delineating the duration of MM-GHG-2’s mitigation period is appropriate and well-supported. CEQA Guidelines Section 15064.4(a) requires a lead agency to make a “good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas [GHG] emissions resulting from a project.” Section 15064.4(a)(1) further provides that a lead agency, when deciding whether to assess the significance of the project’s emissions using a quantitative or qualitative approach, has the “discretion to select the model or methodology it considers most appropriate provided it supports its decision with substantial evidence.”

As provided in the Final EIR, MM-GHG-2 requires the project applicant to purchase and retire carbon offsets in a quantity that is sufficient to reduce the project’s operational GHG emissions to net zero for a 30-year period. The City of Oceanside, as the lead agency, has determined that a 30-year project life is the appropriate methodology for delineating the extent of the project’s GHG emissions inventory for purposes of MM-GHG-2’s applicable mitigation period. The 30-year project life, as documented below, presents the reasonable limits of scientific and evidentiary data for the project, given current modeling tools, the changing regulatory structure, the level of unknowns beyond 2050 with respect to regulatory programs mandating further reductions in GHG emissions, and other available information.

Each of the following grounds provides an independent basis for utilizing the 30-year analytical framework:

1. The California Air Resources Board (CARB), the state agency charged with the responsibility for and expertise to administer the state’s GHG emissions policies (Health & Safety Code Section 38510), has approved the use of a 30-year project life when mitigating operational GHG emissions associated with land use development projects in furtherance of achieving a no net increase in GHG emissions levels. Specifically, when working with the California Department of Fish and Wildlife (CDFW) to evaluate the environmental impacts of the Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan (RMDP/SCP), which would facilitate the development of a large-scale, master-planned community in Los Angeles County, CARB determined that utilization of a 30-year mitigation period would enable the RMDP/SCP project to achieve net zero GHG emissions. (See CDFW, *Final Additional Environmental Analysis for the Newhall Ranch*

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Resource Management and Development Plan and Spineflower Conservation Plan (SCH No. 2000011025) (June 2017), Appendix 1; and, Letter from CARB to CDFW re: “[CARB] Review of the [GHG] Analysis in the Final Additional Environmental Analysis for the Newhall Ranch [RMDP/SCP]” (June 7, 2017).)

2. In an analogous setting, CARB also has approved the use of a 30-year project life when certifying Assembly Bill (AB) 900 “leadership projects” (Public Resources Code Sections 21178 through 21189.3). To obtain certification as a “leadership project,” a project must, among other requirements, “not result in any net additional emission of [GHGs], including [GHG] emissions from employee transportation, as determined by CARB pursuant to Division 25.5 (commencing with Section 38500) of the Health and Safety Code.” (Pub. Resources Code, Section 21183(c).) Thus, AB 900 requires leadership projects to mitigate all project-related GHG emissions to net zero. Currently, 13 applications have been submitted to CARB and the Governor for the certification of proposed leadership projects. The majority, if not all, of the projects use a project life of 30 or fewer years when calculating GHG emissions reductions.⁴⁴

While the North River Farms project has not submitted an application for the “leadership project” designation, the Draft EIR for the project incorporates mitigation measures to mitigate all project-related GHG emissions to net zero, consistent with the AB 900 designation (and akin to the mitigation framework established for the Newhall Ranch RMDP/SCP Project).

3. Guidance from the South Coast Air Quality Management District (SCAQMD) supports using a 30-year project life to analyze a project’s GHG emissions under CEQA, as more fully explained below. While the project site is located in the San Diego Air Basin under the jurisdiction of the San Diego Air Pollution Control District (SDAPCD), the SDAPCD does not provide guidance on the subject of mitigation periods for GHG emissions. SCAQMD’s guidance for use in calculating GHG emissions is referenced. (SCAQMD is principally responsible for comprehensive air pollution control in the South Coast Air Basin, which includes portions of Los Angeles, Riverside and San Bernardino counties and all of Orange County.)

SCAQMD generally authorizes the use of a 30-year project life to calculate GHG emission offsets in the CEQA mitigation context for land use development. More specifically, in conjunction with its development of GHG emissions significance thresholds for application in the CEQA context, SCAQMD identified a 30-year project life offset criterion after multiple

⁴⁴ The cited documentation for the referenced AB 900 projects is located at <http://www.opr.ca.gov/ceqa/california-jobs.html>.

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stakeholder working group meetings. SCAQMD recommended this specific project life because:

... the 30-year life of credits is based on a standard 30-year economic life of a project (equipment, etc.) and the SCAQMD is looking at that time period as a default time period. Other shorter options, such as equipment permitted for a shorter time period, would be considered and evaluated on a project-by-project basis.

(SCAQMD, Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group Meeting #6 (October 22, 2008), p. 4; see also ICF International Technical Memorandum, Appendix B, Summaries of Working Group Meetings, Figure B-3, Proposed Tiered Decision Tree Approach, at p. B-10 (Jul. 30, 2008) [“Offsets provided for 30-year project life, unless project life limited by permit, lease, or other legally binding conditions.”].)

SCAQMD folded this 30-year project life into its recommendation for arriving at GHG emissions reduction measures, stating:

[T]he lead agency would quantify GHG emissions from the project and the project proponent would implement offsite mitigation (GHG reduction projects) or purchase offsets to reduce GHG emission impacts to less than the proposed screening level. In addition, the project proponent would be required to provide offsets for the life of the project, which is defined as 30 years.

(SCAQMD, Draft Guidance Document – Interim CEQA GHG Significance Threshold, Attachment E, pp. 3-16 (Oct. 2008);⁴⁵ see also id., Figure 3-1, p. 3-11 and Table 3-4, pp. 3-18.) Indeed, SCAQMD recognized that a shorter project life (i.e., less than 30 years) can be appropriate for use in modeling under certain circumstances. (See id., Figure B-3, pp. B-10.)

In December 2008, SCAQMD’s Board adopted the staff-recommended interim GHG significance threshold for stationary source/industrial projects where the air district is the CEQA lead agency; that threshold uses a 30-year project life for modeling purposes and for determining required mitigation. SCAQMD’s Board was not asked to take final action on the significance evaluation framework developed by staff for residential and commercial projects, due to the need for further work efforts related to CARB’s then-pending interim GHG proposal. However, SCAQMD’s documentation does not discriminate between project type (industrial vs. residential/commercial) for purposes of delineating the project life criterion. Instead, like in the industrial/stationary source context,

⁴⁵ Attachment E of the Draft Guidance Document, which is available at [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/ghgattachmente.pdf?sfvrsn=2](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/ghgattachmente.pdf?sfvrsn=2), is hereby incorporated by reference pursuant to CEQA Guidelines Section 15150.

the mitigation offsets criterion for residential/commercial projects also applies to a 30-year project life.

Based on the information from SCAQMD, the 30-year project life is a supported methodological parameter for analyzing GHG emissions and calculating offsets under CEQA.

4. Additional support for use of the 30-year project life is illustrated in the CEQA analysis completed by CEQA consultants and accepted by lead agencies when evaluating a project's construction and operation GHG emissions. It is industry practice to amortize construction emissions for residential and commercial projects over a 30-year period, which corresponds to the assumed operational life of such projects.

The City of Oceanside is the local land use agency with jurisdiction over the project site. The City – when operating in its capacity as a lead agency under CEQA – routinely considers GHG emissions inventory estimates that are presented on an annual basis and quantified after applying a 30-year amortization period to construction emissions. See, for example, the Initial Study and Mitigated Negative Declaration for the Moody's El Corazon Recycling Facility Relocation Project⁴⁶ and the City of Oceanside Pure Water Oceanside Mitigated Negative Declaration⁴⁷.

This standard practice extends to lead agencies and expert consultants across California. See, for example, the Certified Final EIR for the Otay Ranch University Villages Project⁴⁸; the Draft EIR for the Qualcomm Stadium Reconstruction Project⁴⁹; and the Certified Final EIR for The Landing at Walnut Creek Apartments Project⁵⁰.

5. Executive Order (EO) S-3-05 established 2050 as the target year for an 80% reduction in statewide GHG emissions below 1990 levels. The regulatory framework needed to achieve this target requires transforming the state's transportation, energy, and industrial sectors. As such, the future GHG emission

⁴⁶ SCH No. 2018071017, July 2018. Available at <https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=47710>.

⁴⁷ SCH No.2018091044, September 2018. Available at <https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=48172>.

⁴⁸ SCH No. 2013071077, November 2014. Lead Agency: City of Chula Vista, GHG Consultant: Dudek, Global Climate Change Section at pages 5.14-21 and 5.14-24 (available at: <http://www.chulavistaca.gov/home/showdocument?id=8453>).

⁴⁹ SCH No. 2015061061, August 2015. Lead Agency: City of San Diego, GHG Consultant: AECOM, Greenhouse Gas Emissions Section at pages 4.5-14, 4.5-16 and 4.5-19 (available at: <https://www.sandiego.gov/sites/default/files/legacy/cip/pdf/stadiumeir/chap4.pdf>).

⁵⁰ SCH No. 2013092048, May 2014, Lead Agency: City of Walnut Creek, GHG Consultant: The Planning Center I DC&E (PlaceWorks), Greenhouse Gas Emissions Section at pages 4.7-14 and 4.7-15 (available at: <http://www.walnut-creek.org/home/showdocument?id=3000>).

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profiles for these sectors are not generally known. And, modeling emissions significantly beyond 2050 requires speculation about GHG emissions that are not knowable or known. The 30-year project life generally aligns with the 2050 horizon year established in EO S-3-05.

Here, the project's mitigation period under Mitigation Measure MM-GHG-2 is 30 years. Because the mitigation obligation is subject to phased implementation, based on the incremental portion of development associated with each Site Plan and its corresponding building permits, the mitigation period extends beyond 2050 for Site Plans with corresponding building permits that are issued later in the project's construction schedule. For example, for building permits for implementing Site Plans are issued in 2024, the mitigation period would extend to 2053.

Given known and knowable information beyond 2050, a 30-year project life (that extends beyond the target year established by the referenced EO) has been established as the period of time for which GHG emissions can be reasonably estimated without undue speculation.

The modeling analysis likely overestimates the project's GHG emissions because the modeling does not take into account reasonably foreseeable regulatory programs and other governmental strategies and technological factors that likely would result in further reductions in GHG emissions levels throughout California that are needed to achieve the 2030 and 2050 targets. Future GHG reductions would continue to decrease with the improvement of statewide strategies including the Low Carbon Fuel Standard (LCFS), California, Renewable Energy Portfolio (RPS) standard, changes in the Corporate Average Fuel Economy (CAFE) standards, and other action measures as necessary to ensure the State is on target to achieve the GHG emissions reduction goals of AB 32 and SB 32. In September 2018, CARB adopted regulatory amendments to extend the LCFS for an additional ten years with a target of 20% carbon intensity reduction from 2010 levels by 2030. Furthermore, SB 100 was adopted in September 2018 improves the standards established in SB 350, requiring that 44% of the total electricity sold to retail customers in California per year by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030 be secured from qualifying renewable energy sources.

In using the 30-year project life, the City of Oceanside recognizes that the residential and non-residential development facilitated by the project could continue to exist for more than 30 years. During and after the 30-year project life period, the project would be subject to a range of existing and future regulatory standards and policies applicable to the built environment. As discussed below, California is expected to implement numerous additional policies, regulations and programs to reduce statewide emissions

to achieve the GHG reduction goals of SB 32 and EO S-3-05. The City of Oceanside has exercised its discretion to determine that a 30-year project life is reasonable and supported by the substantial evidence discussed below.

In summary, and in accordance with the authority established by CEQA Guidelines Section 15064.4(a)(1), the choice of a 30-year project life is consistent with established modeling frameworks used in CEQA analysis and the available scientific and evidentiary information.

O4-22 The comment expresses concerns that offsets will only be “paper,” will represent past reductions, and will not be not real or additional. Refer to Topical Response GHG-3, which explains that carbon offsets must meet certain standards—namely, that offsets be real, permanent, quantifiable, verifiable, enforceable, and additional, as defined in Cal. Health & Safety Code Section 38562(d)(1). Offsets may only be issued for emissions reductions that are a result of complete emissions accounting. The emissions reductions must be permanent and not be reversed. The emissions reductions from an activity must be rigorously quantified. To receive offset credits, emission reductions must be well documented and transparent enough to be capable of objective review by a neutral, third-party verifier. In order to be eligible to generate offsets from reputable programs, the implementation of the activity must represent the legally binding commitment of the offset project developer. And lastly, emission reductions must be “additional,” meaning the offsets would not have occurred without the offset activity.⁵¹ These criteria ensure the environmental benefit of activities that generate carbon offsets.⁵²

Carbon offset registries measure compliance with approved protocols using rigorous, standardized review processes. As a general rule, when approving a GHG reduction project, the climate registry would require that the offset project meet the following steps to receive offsets: (1) listing or registration; (2) independent, qualified third-party confirmation of reduction or sequestration; (3) registry approval and issuance; (4) carbon offset retirement. These steps generally comprise the following:

Listing or Registration: Apply to list or register the proposed GHG emission reduction project with the climate registry. The climate registry will review the application and accept it only if it complies with the applicable climate registry requirements.

⁵¹ See generally American Carbon Registry, “The American Carbon Registry Standard” (January 2015); Climate Action Reserve, “Program Manual” (Sept. 1, 2015); VCS, “VCS Program Guide” (Oct. 19, 2016); see also Health & Safety Code Section 38562(d)(1)-(2).

⁵² See, e.g., *Our Children’s Earth Foundation v. CARB* (2015) 234 Cal.App.4th 870; Three-Regions Offsets Working Group, “Ensuring Offset Quality: Design and Implementation Criteria for a High-Quality Offset Program” (May 2010) at pp. 3-4.

Independent, Qualified Third-Party Confirmation of Reduction or Sequestration:

Once a GHG emission reduction project has begun, the climate registry will require the offset project developer to retain an independent, qualified, third-party to verify the reduction or sequestration achieved by the project. Each climate registry has adopted stringent requirements applicable to the accreditation of third parties and only such third parties are qualified to verify and audit the activities under the applicable registry rules. This process typically takes place on an annual basis. Activities undertaken in a given 12-month period are typically verified during the following 6-12 months. Most climate registry rules and protocols require “boots on the ground” audits, although in certain instances desktop reviews may be sufficient.

Registry Approval and Issuance: The final step under most climate registry rules and protocols involve the issuance of the offsets. Registry rules and protocols require the project developer to apply for issuance and to provide the verification report prepared by the independent, qualified third-party. The registry will typically review a verification report and, to the extent that the registry finds that the report complies with the applicable registry requirements, the registry will issue the offsets to the account of the project developer.

Carbon Offset Retirement: Each registry has adopted rules and procedures governing the retirement or cancellation of offsets. Typically these rules or procedures involve the transfer of the offset serial numbers from a registry account and ensure that once a carbon offset credit has been retired, the retirement is permanent and the carbon offset cannot be further used in any manner.

These protocols and processes ensure that offsets issued by offset registries satisfy the environmental integrity criteria described above, as multiple jurisdictions implementing such programs have recognized. CARB has recognized the accounting procedures ensure real, permanent, and additional GHG emission reductions.⁵³ CARB has also adopted its own protocols, taking almost verbatim from Climate Action Reserve, and has expanded its program to accept carbon offsets issued under American Carbon Registry and Verra methodologies.⁵⁴

⁵³ E.g., CARB, “Proposed Regulation to Implement the California Cap-and-Trade Program, Part I, Volume I: Initial Statement of Reasons” (October 28, 2010) at II-48.

Available at <https://www.arb.ca.gov/regact/2010/capandtrade10/capisor.pdf>. Accessed August 20, 2018. See also <http://www.climateactionreserve.org/how/protocols/> [identifying 18 protocols for different project types that must be complied with, as verified by an independent third party, prior to being registered and issued offset credits]. Accessed August 20, 2018.

⁵⁴ See, e.g., CARB, “Compliance Offset Protocol Livestock Projects: Capturing and Destroying Methane from Manure Management Systems” (October 20, 2011). See, e.g., Cal. Code Regs., Tit. 17, Section 95990(c)(5).

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Further, there is a broad consensus on the accounting principles necessary to ensure environmentally sound offsets. The standards include International Organization for Standardization (ISO) 14064 and 14065. The ISO is an independent, non-governmental international organization with a membership of 162 countries, including the United States. The ISO publishes standards for a wide variety of industrial activities, such as food safety management, medical device management, and anti-bribery management.⁵⁵ In short, the ISO is an independent, rigorous, neutral developer of standards, including greenhouse gas emission reduction accounting standards.

Given these rigorous standards and protocols to ensure offsets are real and not legal fictions, the state has endorsed using offsets as CEQA mitigation for GHG emissions. By relying on established protocols from recognized registries, the City would ensure confirmation of the additionality of any carbon offsets used for Mitigation Measures MM-GHG-2 and MM-GHG-3. Thus, contrary to the comment, the use of carbon offsets are valid, incorporate adequate standards, and would actually offset the project's GHG emissions.

- O4-23** The comment states MM-GHG-2 requires that the applicant must provide evidence “to the satisfaction of the Development Services Director,” but the comment states no standards “govern or direct the Director’s ‘satisfaction’ or what level of proof must support it.” The comment states that “[s]uch measures are not fully enforceable.”

The comment asserts that measures requiring proof the applicant has purchased and retired carbon offsets or taken other actions to the satisfaction of the Development Services Director are not fully enforceable. The requirements in MM-GHG-2 that proof be made to the satisfaction of the Development Services Director would ensure that the mitigation measure is timely implemented consistent with project development and the evaluation in the EIR, and is fully enforceable by the City. (Public Resources Code Section 21081.6(b); CEQA Guidelines Section 15126.4(a)(2).) Further, the Draft EIR estimates annual net GHG emissions from the project at Tables 4.8-8 and 4.8-9. The Development Services Director must ensure each implementing Site Plan identifies the overall carbon offsets required to mitigate the entire proposed project's GHG emissions, and identify the amount of carbon offsets purchased to date as well as the remaining carbon offsets required to reduce the proposed project's emissions. (See MM-GHG-2.)

MM-GHG-2 has been further revised in the Final EIR as follows:

As to operational greenhouse gas (GHG) emissions, prior to the City of Oceanside's (City's) issuance of the first building permits for each implementing Site Plan (“D” Designator), the applicant or its designee shall purchase and retire carbon offsets in

⁵⁵ ISO, “Standards” available at <http://www.iso.org/iso/home/standards.htm>.

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a quantity sufficient to offset approximately 30 100% of the proposed project-generated ~~greenhouse gas (GHG)~~ emissions in order to achieve carbon neutrality (i.e. a net zero emissions level), for a 30-year period, consistent with the performance standards and requirements set forth below.

First, “carbon offset” shall mean an instrument issued by any of the following: (i) the Climate Action Reserve, the American Carbon Registry, and the Verra (formerly, Verified Carbon Standard); (ii) any registry approved by the California Air Resources Board (CARB) to act as a registry under the state’s cap-and-trade program; or (iii) ~~if no registry is in existence as identified in options (i) and (ii), then~~ any other reputable registry or entity that issues carbon offsets. Prior to use of option (iii), it shall be demonstrated that the other reputable registry or entity follows accounting, quantification and monitoring protocols, as well as eligibility and procedural performance standards, that are comparable to those used by the registries identified in option (i). For additional information about the protocols and standards referenced in this paragraph, please see the State-approved “Newhall Ranch Greenhouse Gas Reduction Plan,” which is included in Appendix H1 of the EIR. Section IX of the “Newhall Ranch Greenhouse Gas Reduction Plan” outlines the protocols and standards that must be followed in order for a registry and the offsets it issues to qualify under this measure.

Second, consistent with CEQA Guidelines Section 15126.4(c), any carbon offset used to reduce the proposed project’s GHG emissions shall be a carbon offset that represents the past reduction or sequestration of one metric ton of carbon dioxide equivalent that is “not otherwise required.”

Third, “Applicant” shall mean the NRF Project Owner LLC or its designee.

Fourth, regarding operational emissions, prior to the City’s issuance of the first building permits for each implementing Site Plan (“D” Designator), the applicant shall provide evidence to the satisfaction of the Development Services Director that the applicant has purchased and retired carbon offsets in a quantity sufficient to offset ~~approximately 100~~30% of the proposed project’s GHG emissions for a 30-year period. The “project life” is 30 years. This methodology is consistent with the 30-year project life time frame used by the South Coast Air Quality Management District’s GHG guidance, as well as the methodological parameters used by the California Air Resources Board when reviewing AB 900 projects. The emissions reduction obligation associated the building permit shall be calculated by reference to the certified EIR’s Greenhouse Gas Emissions Technical Report (Appendix H), which determined total operational emissions as equaling 10,288 metric tons of carbon dioxide equivalent (MT CO₂e) annually, which equates to 308,640 MT

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CO₂e (10,288 MT CO₂e × 30 years). In making such a determination, the Development Services Director shall require the Project applicant or its designee to provide an attestation or similar documentation from the selected registry(ies) that a sufficient quantity of carbon offsets meeting the standards set forth in this measure have been purchased and retired, thereby demonstrating that the necessary emission reductions are realized.

Fifth, the purchased carbon offsets used to reduce operational GHG emissions shall achieve real, permanent, quantifiable, verifiable, and enforceable reductions.

Sixth, the amount of carbon offsets required for each implementing Site Plan shall be based on the ~~GHG emissions with the implementing Site Plan and shall include~~ operational GHG emissions as identified in the approved GHG emissions report.

Seventh, each implementing Site Plan shall include a tabulation that identifies the overall carbon offsets required to mitigate the entire proposed project's GHG emissions, ~~and shall identify the amount of carbon offsets purchased, and the locational attributes of the carbon offsets in order to allow Development Services Director to track and monitor the implementation of the geographic priority provision to date as well as the remaining carbon offsets required to reduce the proposed project's emissions. Such tabulation and tracking shall be to the satisfaction of the Director of PDS.~~

Eighth, ~~this EIR acknowledges that the proposed project's GHG emissions estimates are conservative because the proposed project's GHG emissions are expected to decrease beyond the estimates presented in the EIR's analysis, in part, due to reasonably foreseeable improvements in fuel efficiency, vehicle fleet turnover, technological improvements related to transportation and energy, and updates to emissions models and methodologies. Thus, the operational emission estimates that govern implementation of this proposed project are subject to the satisfaction of the Development Services Director.~~

~~Ninth~~Eighth, all carbon offsets required to reduce the proposed project's operational emissions shall be associated with reduction activities that are geographically prioritized according to the following locational attributes ~~the City's Development Services Department will consider, to the satisfaction of the Development Services Director, the following geographic priorities for GHG reduction features, and GHG reduction projects and programs:~~ (1) project design features/on-site reduction measures, (2) off site within the City, (3) off site within the County of San Diego, (4) off site within the state of California, (5) off site within the United States, and (6) off site internationally. As listed, geographic priorities would focus first on

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local reduction options/features (including projects and programs that would reduce GHG emissions) to ensure that reduction efforts achieved locally would provide cross-over, co-benefits related to other environmental resource areas, even though the co-benefits are not needed to mitigate impacts to these other environmental resource areas air quality criteria pollutant reductions within the San Diego Air Basin and to aid in San Diego County jurisdictions' efforts to meet their GHG reduction goals. The applicant or its designee shall first pursue carbon offsets projects and programs locally within unincorporated areas of the City consistent with this geographic priority strategy to the extent such offset projects and programs are financially competitive in the global offset market.

The project applicant or its designee shall submit proof to the City that offsets are unavailable in a higher priority category before seeking offsets from the next lower priority category. The Development Services Director shall issue a written determination that offsets are unavailable in a higher priority geographic category before allowing the Project applicant or its designee to use offsets from the next lower priority category. In considering whether offsets are unavailable, the Development Services Director shall consider the feasibility factors as defined in CEQA Guidelines Section 15364 and information available at the time the first building permit request is submitted, including but not limited to:

- The availability of in-State emission reduction opportunities;
- The geographic attributes of carbon offsets that are listed for purchase and retirement;
- The temporal attributes of carbon offsets that are listed for purchase and retirement;
- The pricing attributes of carbon offsets that are listed for purchase and retirement; and/or,
- Any other information deemed relevant to the evaluation, such as periodicals and reports addressing the availability of carbon offsets.

O4-24 The comment refers to text located on page 4.8-44 of the Draft EIR that it interprets to suggest that the quantity of offsets required for the project may change, and states that the consequences to the environment of such change are never analyzed or discussed in the EIR. In response, note that the quantity of required offsets estimated for the project will not change; as such, no environmental consequences have been unanalyzed.

O4-25 The comment states that MM-GHG-2's requirement that the applicant must provide evidence "to the satisfaction of the Development Services Director" may be subject to

- additional CEQA review because such decisions from the Director may have “the potential to harm the environment.” In response, please refer to Response to Comment O4-23 for modifications to MM-GHG-2 and the standards applicable to the mitigation measure. The comment suggests that authority accorded to the Development Services Director to ensure the full enforcement of MM-GHG-2 (see Public Resources Code Section 21081.6(b), CEQA Guidelines Section 15126.4(a)(2)) would have the potential to significantly impact the environment. In all instances, substantial evidence must confirm that the total carbon offsets value is consistent with the project commitment to achieve and maintain carbon neutrality (i.e., net zero emissions) for the 30-year life of the project. The “to the satisfaction” verbiage essentially serves to require the Development Services Director’s approval of three items: (1) the quantity of carbon offsets provided; (2) the tabulation of carbon offsets purchased to date, as well as those needed for the balance of the development; (3) the locational attributes of the carbon offsets, as evaluated under the City’s prioritization standard. Each of these items can be reviewed and approved relative to substantial evidence that either is published in the EIR or provided at the time of mitigation implementation; such an approach is consistent with CEQA and does not afford the Development Services Director with unfettered discretion or a mitigation framework incapable of effective implementation.
- O4-26** The comment addresses the hierarchy established in MM-GHG-2 for the location of offsets, and states “the system mandated in this Mitigation Measure does not meet accepted CEQA standards for mitigation.” The comment is an introduction to comments that follow, but does not concur with the comment. Please refer to Topical Response GHG-3.
- O4-27** The comment provides background information regarding mitigation adequacy standards established by CEQA, including its implementing case law. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. Please refer to Topical Response GHG-3 and Response to Comment O4-28.
- O4-28** The comment addresses the effectiveness and appropriateness of carbon offsets sited outside the United States. Please refer to Topical Response GHG-3 and Response to Comment O4-22. As noted in Topical Response GHG-3, under mitigation measure MM-GHG-2, the purchase of offsets would be prioritized amongst enumerated geographies, beginning within the City, then the County, State, U.S., and finally internationally. Use of the next priority level within the geographic hierarchy would only be allowed if the applicant demonstrates infeasibility of the other options. This geographic priority system recognizes that the availability of carbon offsets should be determined on a “real time,” as-needed basis because the market conditions for carbon offsets are constantly changing and evolving.

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Topical Response GHG-3 and Response to Comment O4-22 address the effectiveness, adequacy, and verifiability of carbon offsets. As illustrated by CEQA Guidelines Section 15126.4(c)(3)-(4), the use of carbon offsets as CEQA mitigation is appropriate and supported. And, the County's development of this combination of on- and off-site reduction strategies is consistent with the discretion afforded to it by CEQA for purposes of mitigating GHG emissions.

- O4-29** The comment addresses further the effectiveness and appropriateness of carbon offsets sited outside the United States. Please refer to Topical Response GHG-3 and Response to Comments O4-22 and O4-28. As explained in those responses, the protocols and procedures set in place by the subject registries ensure that the carbon offsets generated meet criteria that refute concerns about the effectiveness of the mitigation strategy.

In addition, as explained in MM-GHG-2, compliance would be required incrementally, prior to the City's issuance of building permits for each implementing Site Plan. Proof that the project applicant or its designee has purchased and retired a sufficient quantity of carbon offsets must be provided to the satisfaction of the Development Services Director. This requirement would ensure that the mitigation measure is timely implemented consistent with project development and the evaluation in the EIR, and is fully enforceable by the County. (Pub. Resources Code Section 21081.6(b); CEQA Guidelines Section 15126.4(a)(2).)

MM-GHG-2 also would be included in the CEQA-mandated Mitigation Monitoring and Reporting Program for the project, to be considered by decision-makers prior to project approval. (Public Resources Code Section 20181.6.) The City is proposing to require mitigation reporting for MM-GHG-2, as specified in the Mitigation Monitoring and Reporting Program, which will ensure that compliance with the mitigation measure is adequately monitored. Accordingly, sufficient monitoring parameters would be in place to assure compliance with the mitigation program.

- O4-30** The comment addresses the provision of MM-GHG-2 which directs that the "applicant or its designee shall first pursue offset projects and programs locally within ...(sic) the City to the extent such offset projects and programs are financially competitive in the global offset market." The comment states that there "is no reasonable expectation or evidentiary basis to conclude that the Director does now or will at the relevant time possess experience and expertise as to economic competitiveness in the 'global offset market.'"

In response to this comment, the subject verbiage in Mitigation Measure MM-GHG-2 has been revised as follows:

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The project applicant or its designee shall first pursue carbon offsets projects and programs locally within unincorporated areas of the City consistent with this geographic priority strategy to the extent such offset projects and programs are financially competitive in the global offset market.

The project applicant or its designee shall submit proof to the City that offsets are unavailable in a higher priority category before seeking offsets from the next lower priority category. The Development Services Director shall issue a written determination that offsets are unavailable in a higher priority geographic category before allowing the Project applicant or its designee to use offsets from the next lower priority category. In considering whether offsets are unavailable, the Development Services Director shall consider the feasibility factors as defined in CEQA Guidelines Section 15364 and information available at the time the first building permit request is submitted, including but not limited to:

- The availability of in-State emission reduction opportunities;
- The geographic attributes of carbon offsets that are listed for purchase and retirement;
- The temporal attributes of carbon offsets that are listed for purchase and retirement;
- The pricing attributes of carbon offsets that are listed for purchase and retirement; and/or,
- Any other information deemed relevant to the evaluation, such as periodicals and reports addressing the availability of carbon offsets.

Practically speaking, the City anticipates that the evidentiary showing will be made through the applicant's submittal of reports authored by carbon brokers that provide a timely survey of and assess the marketplace for voluntary carbon offset transactions at the time of need for offsets. The City anticipates that one or more such reports may be submitted for approval as development is phased over time via the processing of individual Site Plans.

While the mitigation has been revised as shown above, it is noted that CEQA provides lead agencies with discretion to formulate feasible mitigation measures for the reduction of GHG emissions. Specifically, CEQA Guidelines Section 15126.4(c) addresses the mitigation of GHG emissions and provides a non-exclusive list of potentially feasible mitigation concepts for consideration by lead agencies and project proponents.

Of importance, CEQA Guidelines Section 15126.4(c) does not establish a hierarchy of allowable mitigation options – there are no limits imposed on the geographic or

locational attributes of the mitigation options, and there is no imperative to secure additional on-site reductions before utilizing carbon offsets. Unlike criteria pollutants where individual districts are characterized by varying levels of pollutant concentrations and source types, GHGs and their attendant climate change ramifications are a global problem (CAPCOA 2008). Climate change is a global phenomenon in that all GHG emissions generated throughout the earth contribute to it; the action of GHGs is global in nature, rather than local or regional (or even statewide or national) (CAPCOA 2008). While it may be true that many GHG sources are individually too small to make any noticeable difference to climate change, it is also true that the countless small sources around the globe combine to produce a very substantial portion of total GHG emissions (CAPCOA 2008). Accordingly, geographical limits to mitigation options does not align with the science and understanding of GHGs and the global, cumulative nature of GHG emissions. As all GHG emissions generated throughout the earth contribute to climate change, a reduction in GHG emissions on earth would offset the generation of GHG emissions and their contribution to climate change regardless of geographic location. Please refer to Topical Response GHG-3.

The comment suggests that the decision to allow the purchase of offsets at a non-local level could require separate CEQA compliance. No additional environmental effects could result because, in all instances, substantial evidence must confirm that the total carbon offsets value is consistent with the project commitment to achieve and maintain carbon neutrality (i.e., net zero emissions) for the 30-year life of the project.

- O4-31** The comment states there is no substantial evidence presented that sufficient offsets will be available to meet project requirements where other projects in the San Diego area also propose to use such offsets. The comment also states offsets may become scarcer and more expensive.

Please refer to Topical Response GHG-3. As noted, sufficient carbon offsets are available for use for this project and others in the San Diego area based on offset projects registered and issued to date by the noted carbon registries. As of November 2017, the Climate Action Reserve has issued more than 100 million carbon offsets.⁵⁶ The American Carbon Registry has also issued more than 100 million carbon offsets.⁵⁷

⁵⁶ See <http://www.climateactionreserve.org/blog/2017/11/06/thank-you-for-helping-us-reach-100-million-metric-tons-of-ghg-emissions-reductions/> and <http://www.climateactionreserve.org/blog/2017/11/06/north-american-climate-action-shows-its-strength-and-impact-with-milestone-100-million-offset-credits-issued-by-a-california-carbon-market-pioneer/>.

⁵⁷ See, <https://americancarbonregistry.org/news-events/program-announcements/acr-reaches-milestone-issuance-of-100-million-tonnes-of-greenhouse-gas-emissions-reductions>.

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Verra has certified 1,300 projects that have removed or reduced more than 200 million tonnes of GHGs.⁵⁸

In addition, a look at the state of the voluntary carbon markets in 2017 identified:

While respondents reported transacting 63.4 M [million] tCO₂e offsets last year, these organizations have nearly equal that amount—56.2 MtCO₂e—still available for sale within their portfolios.⁸

⁸ The actual amount of available supply is much higher than that. The 54.4 MtCO₂e volume is based on responses from 72 organizations responding to this question and should be viewed as a supply minimum.

(Ecosystem Marketplace, “Unlocking Potential: State of the Voluntary Carbon Markets 2017,” May 2017, at page 17. Available at: <https://www.cbd.int/financial/2017docs/carbonmarket2017.pdf>.)

Regarding the price of offsets, the comment raises an economic issue that does not appear to relate to any physical effect on the environment. In all instances, substantial evidence must confirm that the total carbon offsets purchased is consistent with the project commitment to achieve and maintain carbon neutrality (i.e., net zero emissions) for the 30-year life of the project.

O4-32 The comment addresses vehicle miles traveled (VMT) attributable to the project’s operation and GHG emissions from mobile sources. The comment states the “City should carefully consider whether to permit a project whose residential component appears to consist wholly of single family dwellings (EIR, p.3-4 and 3-5) in an area not connected to transit, and where such growth has not been expected for planned for.” The comment continues, “[i]nstead the project should be clustered, with higher density in appropriate areas, a greater emphasis on transit connectivity, and a more balanced jobs/housing ratio.”

The comment expresses general opposition to the project, and restates information contained in the Draft EIR. However, several points of clarification are warranted.

First, the North County Transit District (NCTD) provides public transit services to the project site’s vicinity. The project site is located just over half a mile from the San Luis Rey Transit Center, located south of N. River Road between Vandegrift Boulevard and Waterview Way. The San Luis Rey Transit Center is served by Routes 303, 309, 311, 313, and 315.

⁵⁸ Verra has certified more than 1,300 projects that have removed or reduced more than 200 million tonnes of GHGs, see, <http://verra.org/project/vcs-program/>.

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Second, the project includes single-family residential development north of N. River Road to provide an effective transition to neighbors outside of the project; however, it also includes Medium Density Residential A (MDA-R), Medium Density Residential B (MDB-R), and Special Commercial (SC) land use designations at the mixed use core. Higher density residential development would occur in the Riverside Village and Village Core areas, with density ranges of 6.0-9.9 dwelling units per acre and 10.0-15.0 dwelling units per acre, respectively. (See Planned Development Plan, Appendix B to the Draft EIR, Table 4-1.) In the Riverside Village, residential products could include zero lot line product type, a cluster homes or an alley load single family home. Village Core Residential could consist of a variety of Medium Density Residential and housing types including zero lot line detached homes, alley load detached homes, detached cluster homes in a 4 or 5 unit configuration, mixed use residential and commercial living, or townhomes with a strong architectural edge on the street.

In addition, as detailed in the Planned Development Plan, Appendix B to the Draft EIR, the Village Core area would provide walkable connections to farmland, commercial, lodging and residential uses in the community. The Core aims to enhance both environmental and economic sustainability through transit connections and job creation, offering a variety of retail and flex office uses; boutique hotel; maker spaces; a farmer's market; collaborative work spaces; craft production; a farm; and an education center.

Third, in *California's 2017 Climate Change Scoping Plan* (November 2017), CARB "recommends that lead agencies prioritize on-site design features that reduce emissions, especially from VMT, and direct investments in GHG reductions within the project's region that contribute potential air quality, health, and economic co-benefits locally." However, on that same page (page 102), CARB recognizes that "[w]here further project design or regional investments are infeasible or not proven to be effective," it also "may be appropriate and feasible to mitigate project emissions through purchasing and retiring carbon credits." As such, much like the framework established in CEQA Guidelines Section 15126.4(c), CARB recognizes the utilization of a portfolio-based approach in the development and selection of feasible mitigation measures for the reduction of GHG emissions, while simultaneously recommending the prioritization of GHG emissions-reducing strategies in a project's vicinity due to the corresponding economic and air quality co-benefits.

Here, as revised in the Final EIR, Mitigation Measure MM-GHG-1 includes multiple, on-site features to reduce GHG emissions associated with the project's residential and non-residential development areas. In addition to implementing these on-site sustainability features, as discussed at Topical Response GHG-1, the project would

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purchase carbon offsets to reduce GHG emissions to net zero. As illustrated by CEQA Guidelines Section 15126.4(c)(3)-(4), the use of carbon offsets as CEQA mitigation is appropriate and supported. And, the development of this combination of on- and off-site reduction strategies is consistent with the discretion afforded to it by CEQA for purposes of mitigating GHG emissions.

- O4-33** The comment concludes the comment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required.
- O4-34** The enclosed document, which consists of a report by the American Lung Association on the overall state of air quality in the United States, has been reviewed and considered. The comment provides factual background information and does not raise an environmental issue within the meaning of CEQA. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

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O5 BUENA VISTA AUDUBON SOCIETY (2)

O5-1 The comment serves as an introduction to comments that follow and notes that the comment expresses the opinions of the commenter. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

O5-2 The comment states that the “project is inconsistent with the Oceanside Land Use Element agricultural policy that includes a statement to ‘assure the integrity and viability of remaining agriculturally zoned properties in South Morro Hills and prevent land use conflicts between agricultural and nonagricultural uses.’” Please refer to Topical Response LU-1. The project incorporates agriculture through proposed on-site uses, but also through amenities and site design to transition between urban uses and adjacent agricultural land. Nonetheless, the Draft EIR acknowledges the project would be considered growth inducing (Section 4.14 and 6.1). Refer to Topical Response CU-1

The comment also states that the plan to include agriculture within a residential development is not realistic, due to conflicts between these uses, including insects, farm chemicals, and odors and that the project would have a significant impact on agriculture in Oceanside and North County. Please refer to Topical Response AG-1. The comment addresses hazardous materials and odors, which received extensive analysis in Section 4.9 and 4.3, of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

O5-3 The comment states that the project proponents emphasize the need for affordable housing but the project is not included in the Oceanside Housing Element, nor does it plan to achieve the housing units specified for each income level per the Regional Housing Needs Assessment. The comment also states that the project is not located near public transit or jobs. Please refer to Topical Response PH-2.

The comment restates information contained in the Draft EIR concerning growth inducing impacts and does not raise an environmental issue within the meaning of CEQA. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

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The comment restates information contained in the Draft EIR concerning fire protection, and expresses concerns with access. Please refer to Topical Response FR-1 through FR-4.

The comment also states alternatives should be considered to reduce significant project. Chapter 7 of the Draft EIR identified five alternatives to the proposed project identified as having the potential to reduce significant project impacts, and evaluated each alternative relative to the proposed project.

O5-4 Please refer to Response to Comment O4-18 and Topical Responses GHG-1 through GHG-3. The comment states that GHG emission impacts should be mitigated within the City. There is no state requirement that cumulative GHG impacts must be mitigation within the City. Global warming is not a localized issue, it is a global, cumulative impact; therefore, GHG emission impacts are not required to be mitigated within the City.

O5-5 The comment states that agricultural lands have value for wildlife movement, especially because the project is located near the San Luis Rey River and that the project is located in an Agricultural Exclusion Zone per the Oceanside Sub Area Plan, and when converted to other uses triggers additional conservation guidelines. As described in Section 4.4, Biological Resources of the Draft EIR, the City recognizes that the project is located in an Agricultural Exclusion Zone per the Oceanside Sub Area Plan. Although the majority of the site would be converted to non-agricultural uses, surveys for Stephens' kangaroo rat (*Dipodomys stephensi*) and arroyo toad are not required due to the presence of exclusionary fencing and a small berm, which precludes these species from entering the site. The area between the proposed project and the San Luis Rey River will continue to be maintained and operated as active agricultural lands.

In addition, although impacts would occur within the buffer of the San Luis Rey River, they would occur primarily within agricultural land (0.58 acres), developed land (0.36 acres), and disturbed habitat (0.31 acres). The remaining impacts are to 0.15 acres of mulefat scrub, 0.02 acres of non-vegetated channel, 0.07 acres of disturbed wetlands, and 0.02 acres of southern arroyo willow riparian forest. Therefore, there would be a total of 1.50 acres of impacts within the 100-foot buffer of the San Luis Rey River. Impacts within the buffer are required for improvements to N. River Road and for some off-site improvements. These improvements are required to support the proposed project and do not fall under one of the three prohibited uses within the buffer. Of the 1.50 acres of impacts within the 100-foot buffer, 0.58 acres of existing agriculture and the existing road and adjacent disturbed habitat (0.67 acres) would remain. However, impacts to 0.26 acres of native habitat within the 100-foot buffer of the San Luis Rey River would

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be potentially significant. This impact includes 0.07 acres of disturbed wetland, 0.15 acres of mulefat scrub, 0.02 acres of non-vegetated channel, and 0.02 acres of southern arroyo willow riparian forest. Implementation of MM-BIO-2, which requires preservation in accordance with the Oceanside Subarea Plan, and MM-BIO-3, which requires revegetation of slopes, would reduce potentially significant impacts to a level below significance. Language regarding the Agricultural Exclusion Zone mitigation requirements are provided in MM-BIO-2.

The comment states there will be edge effects associated with the project on the San Luis Rey riparian environment, suggesting impacts may occur to Least Bell's Vireo was identified offsite 0.5 miles from the property and Southwest Willow Flycatcher was identified 100 feet offsite. As stated in Section 4.4 of the Draft EIR, due to the disturbed character and limited amount of riparian vegetation located on site, there is low potential for these species to nest or forage in the project boundary. Edge effects, or indirect impacts, are evaluated in Section 4.4, Biological Resources of the Draft EIR. These indirect impacts were determined to be less than significant because, among other reasons given, nighttime lighting would be directed downward away from adjacent properties; the area between the site and San Luis Rey River would continue to be maintained as agricultural lands, providing a buffer between the River and the project; and minimization measures required by Section 5.2.8 of the Oceanside Subarea Plan would be applied. (Draft EIR p. 4.4-22 through 4.4-23.) The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

The comment states that the Draft EIR shows a 100-foot buffer outside of the project site, with no discussion of who would manage the buffer in the long term. As discussed in Section 4.4.4 of the Draft EIR, the area between the project site and San Luis Rey River is not a part of the project, and will continue to be maintained and operated as active agricultural lands.

The comment states that construction associated with N. River Road would result in impacts to wetlands, and the Draft EIR does not provide avoidance or minimization measures. As N. River Road is currently constructed, with existing disturbed areas, right-of-way, and utility easements, avoidance of 0.09 acres of jurisdictional resources was deemed infeasible. Realignment would be far more environmentally harmful, technically difficult, time consuming, and costly. Therefore, full avoidance of 0.09 acres of jurisdictional resources was deemed infeasible. Mitigation in compliance with the Oceanside Subarea Plan (MM-BIO-2) is required of the project to mitigated for impacts to jurisdictional resources. Impacts would be less than significant. Section 4.4,

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Biological Resources, identifies impacts associated with improvements to N. River Road. Specifically, as described in Section 4.4, impacts within the buffer are required for improvements to N. River Road and for some off-site improvements. Please refer to pages 4.4-25 through 4.4-27 of the Draft EIR for a description of those impacts. Implementation of MM-BIO-2, which requires preservation in accordance with the Oceanside Subarea Plan, would reduce to this impact to a less-than-significant level.

The comment states that the project does not comply with the draft Sub Area Plan and would result in significant and unmitigated cumulative effects to wildlife. A draft Oceanside Subarea Habitat Conservation Plan/Natural Communities Conservation Plan (Oceanside Subarea Plan) has been prepared, and although the Oceanside Subarea Plan has not been approved or permitted, it is used as a guidance document for projects in the City (City of Oceanside 2010). Implementation of MM-BIO-2, which requires preservation in accordance with the draft Oceanside Subarea Plan, would reduce cumulative impacts to wildlife habitats. Additionally, MM-BIO-1 would mitigate impacts to special status wildlife species. With mitigation incorporated, the projects impacts to biological resources would be less than significant. Further, all cumulative projects within the City would be required to comply with the draft Oceanside Subarea Plan, such that regional conservation to protect sensitive species and habitats is maintained. Refer to Section 4.4 and Appendix E to the Draft EIR for additional details of Oceanside Subarea Plan compliance.

- O5-6** Please refer to Topical Response LU-1. The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

O6 SOUTH MORRO HILLS COMMUNITY ASSOCIATION

- O6-1** The comment serves as an introduction to comments that follow. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- O6-2** The comment explains that a project description must include future expansion or later phases of a project that will foreseeably result from project approval and the project description must be internally consistent. The comment provides background information and does not raise an environmental issue within the meaning of CEQA. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.
- O6-3** The comment states that the project description is inaccurate, incomplete, and inconsistent, because it does not evaluate the changes to the existing land use designations and density. The comment provides an introduction to comments that follow. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- O6-4** The comment provides a description of the residential designations and associated densities, per the City's zoning code. The comment serves as an introduction to comments that follow. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- O6-5** The comment states that although the Draft EIR evaluates the development of up to 689 dwelling units, within 4 planning areas, the original project proposal would have involved the construction of 1,000 dwelling units. In response, as described in the Draft EIR, the proposed project would allow for the development of up to 689 dwelling units for an overall density of approximately 4 dwelling units per gross acre. Any previous proposals are not relevant to the discussion of the Draft EIR. The comment does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response is provided to this comment.
- O6-6** The comment provides Table 3-1, Proposed Land Uses from the Draft EIR and provides a summary of that table. The comment restates information contained in the Draft EIR and does not raise an environmental issue within the meaning of CEQA. The City will include the comment as part of the Final EIR for review and consideration by

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the decision-makers prior to a final decision on the project. No further response is required or necessary.

- O6-7** The comment provides a description of the RS designations per the City's Zoning Ordinance and states that the North Village and Hilltop Village project planning areas fall into the RS zoning category. The proposed zoning for the North Village and Hilltop Village project planning areas are not RS, rather they would be zoned (PD) Planned Development. Please refer to Table 3-2, Proposed General Plan Land Use Designations and Zoning by Planning Area. The Planned Development Plan will provide the guidelines and standards for implementation of future development of the proposed project.
- O6-8** The comment states that the Riverside Village is categorized under the RM zoning designation, but is contemplated as medium density residential in the Draft EIR. The comment states that the RM zoning designation prohibits the construction of single-family dwellings in favor of patio homes, duplexes, townhouses, multi-dwelling structures and cluster housing. The comment states that the characterization of the Riverside Village planning area as single-family residential is misleading. The proposed zoning for the Riverside Village project planning area is not RM, rather it would be zoned (PD) Planned Development. Please refer to Table 3-2, Proposed General Plan Land Use Designations and Zoning by Planning Area. Please refer to Response to Comment O6-7.
- O6-9** The comment states that because the Riverside Village planning area is characterized as single-family residential, the Draft EIR results in an inaccurate and incomplete estimation of density; therefore, the project allows for the construction of 1,000 dwelling units. The project as proposed would allow for the development of a maximum 689 dwelling units, for an overall density of approximately 4 dwelling units per gross acre. While dwelling unit counts may be adjusted within the villages and some density transfer is permitted amongst planning areas (See Table 3-2), the project identifies a maximum 689 dwelling units. The dwelling unit maximum is applicable to the overall project site within the density ranges noted for each planning area. (See Table 3-2.) The project does not propose nor permit the construction of 1,000 dwelling units. Please see Response to Comment O6-7, discussing that the site will be zoned PD, and the Planned Development Plan will provide the guidelines and standards for implementation of future development of the proposed project.
- O6-10** The comment states that the Village Core planning area does not clearly correspond to a zoning ordinance designation. The proposed zoning designation for the Village Core project planning area is (PD) Planned Development. Please refer to Response to Comment O6-7, above, and Table 3-2, Proposed General Plan Land Use Designations and Zoning by Planning Area.

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The comment states that the project description for Riverside Village, North Village, and Hilltop Village planning areas allows for development at a much higher density than contemplated in the Draft EIR. Please refer to Response to Comment O6-7 through O6-9.

- O6-11** The comment states that the Riverside Village planning area is described as 20.6 acres zoned RMA and 7.8 acres zoned RMB and describes the corresponding densities of each of these designations. The comment states that based on these densities, the Riverside Village planning area could have up to 320 dwelling units. The proposed zoning designation for the Riverside Village project planning area is (PD) Planned Development. Please refer to Response to Comment O6-7 through O6-10 and Table 3-2, Proposed General Plan Land Use Designations and Zoning by Planning Area. As described in Table 3-2, the proposed land use density range is 6.0-9.9 dwelling units per acres, as proposed in the Planned Development Plan. Therefore, the densities described in the comment do not accurately reflect the densities of the Riverside Village planning area. The Draft EIR analyzes the construction of 250 dwelling units for the Riverside Village planning area, as proposed in the Planned Development Plan. Therefore, the project does not propose the construction of 320 dwelling units in this area.
- O6-12** The comment states that the RS district's maximum density of 5.9 dwelling units per gross acre, North Village and Hilltop Village could add an additional 411 dwelling units. Please refer to Response to Comment O6-7 through O6-11 and Table 3-2, Proposed General Plan Land Use Designations and Zoning by Planning Area. The Draft EIR analyzes the construction of 209 and 100 dwelling units for the North Village and Hilltop Village planning area, respectively, as proposed in the Planned Development Plan. Therefore, the project does not propose the construction of an additional 411 dwelling units in these areas.
- O6-13** The comment states that based on the designations provided in the Draft EIR Project Description, the total dwelling units contemplated for Riverside Village, Village Core, and North Village could include up to 732 dwelling units. Please refer to Response to Comment O6-7 through O6-12 and Table 3-2, Proposed General Plan Land Use Designations and Zoning by Planning Area. The Draft EIR analyzes the construction of 250, 130, 209, and 100 dwelling units for the Riverside Village, Village Core, North Village, and Hilltop Village planning areas, respectively, for a total of 689 units, as proposed in the Planned Development Plan. Therefore, the project does not propose the construction of 732 dwelling units.
- O6-14** The comment states that the Draft EIR refers to the Village Core as "Medium-Density Residential/Mixed Use" and it is unclear what associated land use designation and density restriction applies. This information is provided in Table 3-2, Proposed General Plan Land Use Designations and Zoning by Planning Area of the Draft EIR. The

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proposed zoning designation for the Village Core project planning area is (PD) Planned Development and the proposed General Plan land use designations are Special Commercial/Medium-Density Residential B (SC/MDB-R) and Agricultural (A). As described in Table 3-2, the proposed land use density range is 10.0-15.0 dwelling units per acres.

- O6-15** The comment states that because the Draft EIR describes the Village Core as medium-density residential, the Village Core's maximum potential density could be up to 20.9 dwelling units per gross acre and this would add an additional 288 units. Please refer to Response to Comment O6-7 through O6-12 and Table 3-2, Proposed General Plan Land Use Designations and Zoning by Planning Area. As described in Table 3-2, the Draft EIR analyzes the construction of 130 dwelling units for the Village Core planning area and a proposed land use density range of 10.0-15.0 dwelling units per acres, as proposed in the Planned Development Plan. Therefore, the project does not propose the construction of an additional 288 dwelling units in this area.
- O6-16** The comment states that the project could result in the development of 1,020 dwelling units based on the proposed densities of the planning areas. Please refer to Response to Comment O6-7 through O6-12, O6-15, and Table 3-2, Proposed General Plan Land Use Designations and Zoning by Planning Area. The Draft EIR analyzes the construction of 250, 130, 209, and 100 dwelling units for the Riverside Village, Village Core, North Village, and Hilltop Village planning areas, respectively, for a total of 689 units. While dwelling unit counts may be adjusted within the villages and some density transfer is permitted amongst planning areas (see Table 3-2), the project identifies a maximum 689 dwelling units. The dwelling unit maximum is applicable to the overall project site within the density ranges noted for each planning area. (Table 3-2) The project does not propose the construction of 1,020 dwelling units.
- O6-17** The comment states that the higher density estimates, provided by the commenter, are consistent with the original project density and these estimates align with similar developments constructed by the project developer. The Draft EIR analyzes the construction of 689 dwelling units for an overall density of approximately 4 dwelling units per gross acre. The project does not propose nor permit the construction of 1,020 dwelling units.

The comment states that the proposed boutique hotel would likely not be constructed and a 3-story condominium would likely be built instead. Planned Development Plan will provide the guidelines and standards for implementation of future development of the proposed project. Within the Village Core, the PD Plan identifies the permitted mixed use components envisioned for the area, including a boutique hotel to provide a unique destination and serve an area currently lacking these facilities. (Draft EIR,

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Appendix B, Section 4.3.) All future plans for development at the site will be reviewed for consistency with the PD Plan. The Draft EIR therefore analyzes the construction of a boutique hotel in this area. No evidence is provided supporting the commenter's claim a 3-story condominium project will be developed in lieu of a hotel in this area.

- O6-18** The comment states that the City webpage, where the Draft EIR is available, provides a project description that is not consistent with the Draft EIR Project Description. Please refer to Chapter 3, Project Description of the Draft EIR. Although additional dwelling units were considered prior to preparation of the Draft EIR, the project has since been modified; previous proposals are not considered as part of the Draft EIR. Additionally, it should be noted that the project's webpage is intended to provide status updates and is not a formal project record. The comment does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- O6-19** The comment states that the Draft EIR must be substantially revised to accurately describe the project and include the maximum buildout potential. The Draft EIR analyzes the construction of 689 dwelling units for an overall density of approximately 4 dwelling units per gross acre. The PD Plan would place a maximum cap on the overall unit count on the project site. Therefore, the project does not propose the construction of additional dwelling units.
- O6-20** The comment provides background information and does not raise an environmental issue within the meaning of CEQA. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.
- O6-21** The comment states that the NOP for the project was published in 2017, and the project site was zoned as Agricultural (A) with Scenic Park (SP) at the time. The comment states that the Draft EIR analysis does not reflect those conditions and the Draft EIR assumes that the approval of the underlying entitlements have occurred.

The comment suggests that the Draft EIR does not reflect the existing zoning of the project site. However, Chapter 2, Environmental Setting, of the Draft EIR provides a brief description of the existing physical conditions at the project site and in the surrounding vicinity at the time of filing of the Notice of Preparation (NOP), as required by Section 15125 of the CEQA Guidelines. Additional details and descriptions of the existing conditions specific to each environmental issue area can also be found through

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Chapter 4, Environmental Analysis, of the Draft EIR. Sections 2.1.3 and 2.1.4 of the Draft EIR clearly state the existing zoning and General Plan land use designations of the project site and surroundings included in the baseline conditions. The SP overlay is described in the Draft EIR with respect to aesthetic impacts at pages 4.1-13 and 4.1-14. Refer also to Figures 4.11-1 and 4.11-2 for graphical depictions of the existing zoning and General Plan land use designations.

The environmental analysis of the Draft EIR must assume that the proposed General Plan Amendment and Zoning Ordinance Amendment are approved because the proposed amendments are a component of the project. The proposed amendments are not a separate action requested by the project applicant. As stated at the beginning of Section 3.3, Project Overview and Major Components, “[t]he proposed project proposes a planned development consisting of a General Plan Amendment, Zoning Ordinance Amendment, PD Plan, Development Agreement, and Vesting Tentative Map.” Therefore, any such analysis that relies on the proposed General Plan Amendment and Zoning Ordinance Amendment correctly assesses the proposed project as a whole against the baseline condition.

O6-22 The comment states that the Draft EIR does not consider the project’s impacts relative to the applicable general, regional, and specific plans, because the Draft EIR does not consider the existing environmental regulatory setting. Please refer to Response to Comment O6-21 and Topical Response LU-1.

O6-23 The comment states that the project is inconsistent with the General Plan, because the General Plan states that residential should only permitted where it does not conflict with existing agricultural land uses. Please refer to Response to Comment O6-21 and Topical Response LU-1, and Section 4.11, Land Use and Planning, of the Draft EIR addressing General Plan consistency.

The comment states that although the Draft EIR recognizes that the project site includes significant agricultural resources, the Draft EIR does not consider the significant impacts or mitigation thereof. Please refer to Topical Response AG-1 and Section 4.2, Agriculture, of the Draft EIR, where this subject area received extensive analysis. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

O6-24 The comment provides background information and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

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- O6-25** The comment states that the Draft EIR relies on inaccurate estimates of projected development density and limiting the Draft EIR analysis to 689 units is piecemealing. The proposed densities for each planning area is described in Table 3-2, Proposed General Plan Land Use Designations and Zoning by Planning Area. The Draft EIR analyzes the construction of 689 dwelling units for an overall density of approximately 4 dwelling units per gross acre. The project does not propose the construction of additional dwelling units, as posited by the commenter.
- O6-26** The comment states that the Draft EIR does not properly consider cumulative impacts, improperly rejects feasible alternatives, insufficiently considers the traffic and circulation impacts, fails to evaluate impacts of ingress/egress in the event of an earthquake or fire, fails to substantiate the significance threshold for greenhouse gas emissions, fails to propose adequate mitigation measures, and ignores feasible alternatives.
- The comment addresses cumulative impacts, traffic and circulation, emergency evacuation, greenhouse gas emissions, and alternatives, which received extensive analysis in Chapter 5, Sections 4.17, 4.9, 4.8, and Chapter 7 of the Draft EIR. Please refer to Topical Responses FR-1 through FR-5. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- O6-27** The comment states that once the Draft EIR is revised to include an accurate Project Description, additional substantive issues may be raised. As described in Response to Comments O6-1 through O6-26, the Draft EIR does not need to be revised based on the comments provided.

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07 FRIENDS OF LOMA ALTA CREEK

- 07-1** The comment serves as an introduction to comments that follow and also expresses the opinion of the commenter. The request for the extension of public review of the Draft EIR is noted. Under CEQA Guidelines Section 15105, the City is required to provide a 45-day public review period on a Draft EIR. The public comment period for the Draft EIR began on July 27, 2018 and was noticed to end on September 10, 2017. In order to provide additional time, the City extended the period for public review and comment by one week, to end September 17, 2018. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- 07-2** The comment expresses the opinion of the commenter, as well as raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. Contrary to the comment, the EIR explains there are considerable public services and infrastructure in the immediate vicinity of the project, and that numerous public facilities and infrastructure would be installed at the applicant's expense should the City approve the project. Refer to Section 4.10, Hydrology and Water Quality; Section 4.15, Public Services; Section 4.17, Traffic and Circulation; and Section 4.19, Utilities and Service Systems, etc. of the Draft EIR for a discussion of the planned infrastructure improvements to be developed with the project. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- 07-3** Section 4.19, Utilities and Service Systems, of the Draft EIR provides an analysis of estimated water usage of proposed land uses. Refer to Tables 4.19-2 and 4.19-5 for average daily water use rate of residential, commercial, and agricultural land uses and estimated water demand of the proposed project, respectively.
- 07-4** This comment generally states that impacts to the flood zone are not adequately analyzed but does not raise a specific issue regarding this analysis. Refer to Section 4.10, Hydrology and Water Quality and Appendix L2 of the Draft EIR as well as Topical Responses HYD-1 and HYD-2 for additional information.
- The comment regarding insurance is noted and it raises economic, social, or political issues that do not relate to physical effects on the environment. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- 07-5** All proposed development, including grading and structural improvements, south of N. River Road are adequately described in Chapter 3, Project Description, and are incorporated into the analysis throughout the Draft EIR. Refer to Section 4.10,

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Hydrology and Water Quality and Appendix L2 of the Draft EIR as well as Topical Responses HYD-1 and HYD-2 for analysis of development such that all building pads within the project site, as well as downstream and upstream of the site within the floodway, would be above the 100-year floodplain inundation elevation. Concerning grading, fill, and soil removal, Chapter 4.3, Air Quality, at Section 4.3.4 explains that:

The proposed project would grade approximately 155 acres of the 176.6-acre site. Cut-and-fill quantities would be balanced on site and no external soil export would be required. Soil balance would occur within each subset area and hauling would not be required between subset areas. A total of approximately 1,040,200 cubic yards of cut and fill would occur within the site.

O7-6 The comment expresses the opinion of the commenter regarding the approval of the Conditional Letter of Map Revision (CLOMR). The commenter's specific reasoning regarding this comment follow; refer to Responses to Comments O7-7 through O7-10. Please also refer to Topical Responses HYD-1 and HYD-2.

O7-7 The comment asserts that the Endangered Species Act (ESA) Compliance Letter (included as Attachment 2 to Appendix L2 of the Draft EIR) is defective. However, the ESA Compliance letter correctly summarizes the conclusions and mitigation of the project's Biological Resources Technical Report (BTR) (Appendix E of the Draft EIR) and Section 4.4, Biological Resources, of the Draft EIR.

As discussed in Section 4.4, Biological Resources, the proposed project is within the draft Oceanside Subarea Plan, a draft plan used as a guidance document for projects in the City. The proposed project is consistent with the requirements of the draft Oceanside Subarea Plan. Specifically, as required in Section 5.3.4 of the draft Oceanside Subarea Plan, the proposed project would mitigate for impacts to biological resources within the Off-Site Mitigation Zone, with mitigation within the Wildlife Corridor Planning Zone or pre-approved Mitigation Areas (City of Oceanside 2010). The project site is within the Agricultural Exclusion Zone as defined in Section 5.3.3 of the Oceanside Subarea Plan and the area immediately to the south is actively managed as agricultural land up to the edge of the San Luis Rey River. Mitigation measures MM-BIO-2 and MM-BIO-3 accurately incorporate mitigation consistent with the requirements of the draft Oceanside Subarea Plan.

As discussed in Section 4.4, Biological Resources, it should be noted that there are documented occurrences of least Bell's vireo (*Vireo bellii pusillus*) within 0.5 miles of the site. Similarly, the project site contains USFWS critical habitat for least Bell's vireo. However, due to the disturbed character and limited amount of riparian

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vegetation located on site, there is low potential for these species to nest or forage on the project site and suitable habitat is absent. California coastal gnatcatcher was not reported to occur on-site, or to have critical habitat on-site.

Therefore, the ESA compliance letter accurately summarizes the conclusions of the Biological Technical Report (Draft EIR, Appendix E) and Section 4.4 of the Draft EIR.

- O7-8** The San Luis Rey River Valley is identified as a hardline preserve in the draft Oceanside Subarea Plan and the MHCP to allow for east–west wildlife movement. As discussed in Section 4.4.1.1 of the Draft EIR and shown on Figure 4.4-1, only a very small portion of the proposed project, at the intersection of N. River Road and Wilshire Road, is located within the hardline preserve. This area is already developed as N. River Road and agricultural production, such that it is likely that this is a mapping conflict that will need to be corrected by the City with concurrence from the Wildlife Agencies per Section 6.5.1 of the draft Oceanside Subarea Plan. The project would not remove habitat from this area as it is already developed. With exception of the potential mapping conflict described, the proposed project is not located within the hardline preserve of the draft Oceanside Subarea Plan.
- O7-9** The comment appears to discuss the Community Rating System of the National Flood Insurance Program, which is a voluntary incentive program under the Federal Emergency Management Agency (FEMA). This comment does not appear to relate to any physical effect on the environment. Please refer to Section 4.10, Hydrology and Water Quality, and Topical Responses HYD-1 and HYD-2, for analysis of the project’s less than significant impacts related to flooding. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to the final decision on the project.
- O7-10** Section 4.10, Hydrology and Water Quality, analyzes potential impacts related to dam inundation. As stated in Section 4.10, the project site is not located in a dam inundation zone, as referenced by SanGIS 2009. SanGIS 2009 is a digitized boundary of all dam inundation zones within San Diego County, including Lake Henshaw Dam. Therefore, the Draft EIR already includes Lake Henshaw Dam, as requested by the commenter.
- O7-11** This comment concerns the proposed roundabout on N. River Road (located in the western portion of the project site and at the intersection with Wilshire Road) and the lane configuration of N. River Road through, and immediately surrounding, the project site. This comment is incorrect in stating that N. River Road currently exceeds 20,000 average daily trips (ADT) along the segments where roundabouts are proposed (from Stallion Drive to Sleeping Indian Road, identified as street segments 5 through 8 in Section 4.17 of the Draft EIR).

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- Table 4.17-1, Existing Traffic Volumes the ADT for the segments of N. River Road in question. As shown in the table, none of street segments 5 through 8 exceed 20,000 ADT, as stated in this comment. It should also be noted that, as discussed in Section 3.3.2 of the Draft EIR, the proposed project would dedicate right-of-way along its frontage to Four-Lane Secondary Collector standards to accommodate an enhanced parkway for pedestrians and on-street bicycle facilities. The roundabout would be an acceptable diameter for a two lane road. Additionally, mitigation measure MM-TRA-8 is required, which requires the applicant to pay a fair share contribution toward the provision of a possible future two-lane roundabout that at the time the 21,000 ADT threshold on N. River Road from Stallion Drive to Wilshire Road has been met. Table 12-1 of the TIA shows that the proposed roundabout at the N. River Road/Wilshire Road intersection would operate at LOS B in the Year 2035 time frame. Roundabouts are becoming more prevalent in Southern California and are shown to provide safe means to convey traffic when constructed to standards. Roundabouts are also an industry recognized traffic calming device and will serve to help keep traffic speeds to the proper level along N. River Road. Refer also to Topical Response TR-1.
- O7-12** The commenter is correct. While a fire risk map was not explicitly prepared, such information was included in the Draft EIR. Please refer to Section 4, Anticipated Fire Behavior, of the FPP (Appendix J1) for a discussion of the project site fire assessment and fire behavior modeling results, as well as Attachment B of Appendix J1, which show the fire history in the vicinity of the project site. Refer also to Topical Response FR-1. The information requested has been adequately considered and disclosed in the Draft EIR.
- O7-13** The comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment or the adequacy of the Draft EIR. Nevertheless, please refer to Topical Responses FR-1 and FR-4, which explains in greater detail that new communities are subject to ignition resistant building standards and a system of fire protection which have been proven to successfully prevent home and structure loss in wildfire situations. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- O7-14** Please refer to mitigation measure MM-TRA-7, Option 1, which would require the removal of on-street parking on N. River Road from North River Circle to Stallion Drive.
- O7-15** Consistent with the City's inclusionary housing requirements, the project would provide minimum affordable housing within the City equivalent to 10% of project unit count, through either: (1) reservation of 10% of housing units onsite for affordable housing; (2) payment of the established in-lieu fee; or (3) development of affordable

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housing offsite. Please refer to Topical Response PH-2 and Draft EIR Table 4.11-2 for further discussion.

- O7-16** This comment addresses the traffic study area. As stated in Section 4.17 of the Draft EIR, the traffic study area (shown on Figure 4.17-1) is based on the criteria identified in the San Diego Traffic Engineering Council/Institute of Traffic Engineers Guidelines for Traffic Impact Studies in the San Diego Region, March 2, 2000, which indicates that the study area cordons were determined by the limits or extent of where 50 peak-hour project trips would travel to/from the site. The traffic study area was defined through coordination between City staff and LLG traffic engineers. Therefore, the Draft EIR includes a traffic study area based on established methodology and industry standards, which is adequate for analysis under CEQA. The distribution of proposed project traffic was determined using a Select Zone Assignment (SZA) computerized traffic model prepared by SANDAG. The SZA used SANDAG's Series 12 model with the base year (existing) roadway network and land use conditions, and matches trip generating uses (such as residential) with trip-attracting uses (such as retail/commercial), and presents the relative percentage of traffic on the roadway system. Future residents would not have a reason to typically drive on small residential streets within Morro Hills and would instead be travelling to work, commercial uses, recreational areas, etc. which is accounted for in the SZA 12 model.

This comment also generally addresses traffic volume during a fire evacuation. Please refer to Topical Responses FR-3 and FR-4.

- O7-17** This comment addresses scenic vistas which are thoroughly addressed in Section 4.1.4 of the Draft EIR. Please refer to Section 4.1.4 and Figures 4.1-1 through 4.1-5 for the analysis and explanation requested.

As a point of clarification, please note that the majority of the proposed development would consist of one- and two-story structures, with potential for three-story structures within the Village Core or for agricultural facilities. The project thus provides for a transition in the visual environment with consideration of surrounding land uses by placing the concentration of development near center of the site.

- O7-18** Minimal nighttime lighting currently exists on the project site, as stated in Section 4.1.1.3 of the Draft EIR. However, it should be noted that the threshold of significance pertaining to lighting per Appendix G of CEQA states: "Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?" As stated in Section 4.1.4 of the Draft EIR, while the proposed project would introduce new sources of lighting to the project site, light spillover into adjacent properties would be restricted to the extent feasible through compliance with Chapter

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39 of the City's Municipal Code. Additionally, sky glow, a common aspect of light pollution, would be minimized to the extent feasible through the use of downward facing and shielded light fixtures and appropriately chosen lighting sources for the intended use such that excess lighting is avoided. Therefore, the proposed project would not introduce a substantial new source of lighting that would adversely affect day or nighttime views. Impacts would be less than significant.

O7-19 This comment requests analysis and photographs “as is” versus simulations with the proposed project. Existing conditions for each visual simulation are currently provided on Figures 4.1-1 through 4.1-5.

O7-20 This comment addresses agricultural impacts and proposed mitigation. Please refer to Topical Response AG-1.

The comment references a recent court case. The case reference pertains to carbon offsets which has no bearing on agricultural mitigation. Therefore, no further response is required.

O7-21 This comment addresses agricultural jobs and income. The comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. It should also be noted that the “fiscal study” referenced by the comment refers to the City's General Plan, which provides basic economic information related to agriculture. This information is provided as background information within the Draft EIR, and none of the analysis is contingent on this information.

Additionally, potential impacts from pesticide use is discussed in the Draft EIR; please refer to Sections 4.2, 4.3, and 4.9 of the Draft EIR.

O7-22 The City has held public workshops on the City's General Plan Update, which includes development of a draft CAP and a draft policy framework for the General Plan Energy and Climate Action Element (E-CAP). In conjunction with developing a CAP, the City has established efficiency metric thresholds, which projects are to use to evaluate impacts from GHG emissions, in order to help the City to meet state reduction targets for 2020 and 2030. Projects are required to meet an efficiency metric threshold of 4.0 MT of CO₂e per service population per year (MT CO₂e/SP/yr) for year 2020 and an efficiency metric threshold of 3.0 MT CO₂e/SP/yr for year 2030. Projects that meet these thresholds would be considered consistent with the City's CAP. The final CAP is anticipated to be released in 2018. Therefore, the draft CAP does not apply to the proposed project.

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Section 4.8.4 of the Draft EIR provides a greenhouse gas emissions analysis for all phases of the project including construction, annual operational emissions, loss of sequestered carbon from removal of existing vegetation, and gain of sequestered carbon from planting vegetation. Additionally, please refer to Topical Responses GHG-1, GHG-2, and GHG-3 for additional detail regarding GHG analysis, mitigation, and the City's in-progress CAP/ E-CAP.

- O7-23** The proposed amendments are not a separate action requested by the project applicant. As stated at the beginning of Section 3.3, Project Overview and Major Components, “[t]he proposed project proposes a planned development consisting of a General Plan Amendment, Zoning Ordinance Amendment, PD Plan, Development Agreement, and Vesting Tentative Map.”

As stated in Section 4.11.4, the proposed project would introduce new land uses that would conflict with the current City's General Plan land use designation. However, the applicant is proposing an amendment to the City's General Plan changing the existing land use designations to the proposed designations, which is processed concurrently with development of the proposed project and other associated discretionary project approvals.

Please refer to Topical Response LU-1 and LU-2.

- O7-24** This comment generally addresses land use compatibility with the surrounding area and the City's General Plan Land Use Element and Zoning Ordinance, which receive extensive analysis in the Draft EIR. Please refer to Section 4.11, Land Use and Planning, of the Draft EIR as well as Topical Responses LU-1 and LU-2.

- O7-25** Refer to Response to Comment O7-24.

- O7-26** This comment references the SANDAG (Not so) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region (April 2002), which was utilized by the TIA and the Draft EIR to determine trip generation rates of each of the proposed project land uses. The cited SANDAG source is the most current and applicable document for use of determining trip generation. The traffic study utilizes the SANDAG Series 12 traffic model to forecast traffic volumes, which is consistent with the City of Oceanside Master Transportation Roadway Plan traffic analysis.

- O7-27** As explained in Section 4.17.2 of the Draft EIR, at the time of preparation of this EIR, evaluation of transportation impacts using the VMT metric is not required by the State or City of Oceanside CEQA Guidelines; LOS is the official metric for identifying traffic impacts and mitigation. Even if the draft revisions to the CEQA Guidelines are adopted by the California Natural Resources Agency, the possible new CEQA Guidelines, Section 15064.3, regarding needed VMT analysis for a development

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project will not require use of the VMT metric to analyze transportation impacts until January 1, 2020. However, a preliminary VMT analysis was conducted for the proposed project and is included in Appendix T8 of the Final EIR.

- O7-28** N. River Road as proposed would still allow for adequate movement of existing agricultural delivery vehicles through the project site. (See, Appendix L of Draft EIR Appendix N, Traffic Impact Assessment.) As the proposed on-site production agriculture and community gardens are intended to be available/sold on-site, no additional agricultural delivery vehicles are expected to be generated by the project.
- O7-29** This comment states that the project applicant has failed to do any basic engineering for the proposed roundabouts. This comment does not provide any evidence for the basis of this claim. All proposed roadways and roadway improvements would be design to City roadway standards. Please also refer to Section 3.3.2, Circulation and Access, and Appendix N, Traffic Impact Assessment (see e.g., Appendix L and Appendix N of the Traffic Impact Assessment), of the Draft EIR for additional detail regarding proposed roadways.
- O7-30** Section 3.3.2.3 of the Draft EIR provides a description of the proposed pedestrian and trail network. Section 3.3.2.4 of the Draft EIR provides a description of the proposed bicycle circulation network. Please refer to Figures 3-7 and 3-8 for depictions of the pedestrian and bicycle networks, respectively. Pedestrian and bicycle facilities are further analyzed in Section 4.17.4 of the Draft EIR.
- O7-31** This comment addresses potential impacts to N. River Road. Please refer to Topical Response TR-1. Please also note that the proposed project is not proposing any lane reductions on N. River Road, contrary to this comment.
- O7-32** The proposed project includes several request entitlements, including a General Plan Amendment. As described in Table 3-3, Required Actions and Approvals, implementation of the proposed project would also involve an amendment to the City's General Plan Circulation Element to reclassify N. River Road from Stallion Drive to Sleeping Indian Road from a Major Arterial to a Four-Lane Secondary Collector. The ultimate authority on such an action is Oceanside City Council, as stated in Section 3.4 of the Draft EIR.
- O7-33** This comment addresses smart growth analysis. Please refer to Topical Response LU-3. Contrary to the comment, the project is not located "more than a mile from public transit." The project is proximate to the San Luis Rey Transit center—located about half a mile from the project site south of N. River Road between Vandegrift Boulevard

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and Waterview Way. The San Luis Rey Transit Center is served by NCTD Routes 303, 309, 311, 313, and 315.

This comment also addresses potential impacts to public services, which received extensive analysis in the Draft EIR. Please refer to Section 4.15, Public Services.

O7-34 This comment generally addresses fire hazards and safety and response times, which have been thoroughly addressed in the Draft EIR. Please refer to Section 4.9 and 4.15 of the Draft EIR as well as Topical Response FR-1 through FR-5.

O7-35 It is unclear the exact issue the commenter is raising. This comment does, however, state that “there is no acceptable road service level now or for any future project.” Please refer to Section 4.17, Traffic and Circulation, for a detailed analysis of roadway and intersection level of service.

This comment also states “explain how this project does not contribute to unmitigable impacts”. The basis of this comment is unclear. As discussed in Section 4.17.6 of the Draft EIR, feasible mitigation measures would not fully reduce several impacts to an acceptable level of service, thereby resulting in significant and unavoidable traffic impacts.

As this comment also likely relates to evacuation, please refer to Topical Responses FR-3 and FR-4.

O7-36 Potential impacts to fire response times is analyzed in Section 4.15 of the Draft EIR. Please also refer to Topical Response FR-5.

O7-37 The comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue. Nonetheless, as noted in Section 4.14, Population and Housing, the project is projected to introduce jobs to the area through development of commercial land uses. The EIR forecasts the project would support 190 employees.

O7-38 This comment generally addresses impacts to public services including public safety, libraries, fire, police, and parks and greenspace. The Draft EIR thoroughly evaluated these impacts; please refer to Sections 4.15, Public Services, and 4.16, Recreation. As detailed in the EIR regarding fire, while the applicant would pay the appropriate fire mitigation fees to help fund such future improvements as OFD deems are needed; because, no new station is currently planned for the area impacts would remain significant. Please refer to Topical Response FR-5 regarding the incorporation of a temporary fire station.

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Regarding parks and greenspace, the Draft EIR explains that, in addition to paying the impact fee for parks, the project proposes 10.2 acres of park space, which would exceed the City's 9.86 acres of parkland requirement for new residents. (Refer to Draft EIR Section 4.15.4.)

The comment questions the effectiveness of impact fees. Development impact fee amounts are established and adjusted by the City as needed to maintain adequate service ratios and provide for needed facility expansions. Payment of development impact fees would ensure the expansion of public facilities is adequately funded in order to meet the increased demand from new populations.

- O7-39** The comment asks for detail concerning project phasing. As explained in the Draft EIR Section 3.3.4, "The proposed project is anticipated to be implemented in four phases generally corresponding to the four separate planning areas. It is anticipated that development of the proposed project would occur over several years and that the timing and sequence of project phases may be adjusted as necessary in response to market conditions." The commenter's opinion concerning phasing is noted, and it raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

- O7-40** This comment addresses various traffic situations. Regarding fire evacuations, please refer to Topical Responses FR-3 and FR-4.

The traffic analysis presented in the TIA (Appendix N) and Section 4.17 of the Draft EIR assesses potential impacts to roadway and intersection level of service based on average daily traffic (ADT). Existing AM (7:00 a.m.–9:00 a.m.) and PM (4:00 p.m.–6:00 p.m.) peak hour traffic volumes at key area intersections and 24-hour street segment counts were manually collected in April and November 2016 while schools were in session. Counts on N. River Road were conducted in October 2017. As such, the analysis focuses on reasonably foreseeable average traffic volumes on roadways and intersections, as opposed to seasonal or weekend traffic. Potential changes in circulation due to road closures is considered speculative, and beyond the scope of the Draft EIR.

- O7-41** This comment addresses alternatives. Please refer to Topical Response ALT-1.

The comment expresses the commenter's general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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- O7-42** The comment expresses the commenter's general opposition for the project. This comment also generally summarizes the preceding comments made above. Please refer to specific previous comments for individual responses to each issue re-stated here. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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O8 SOUTH MORRO HILLS ASSOCIATION

- O8-1** The comment provides background information regarding the project site and the South Morro Hills Association. The City notes the comment provides background information and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.
- O8-2** The comment states that the project does not respect the AgriVision Plan. Please refer to Topical Response LU-4.
- The comment states that there is no feasible business plan for the project. The City acknowledges the comment and notes it raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.
- O8-3** The comment states that the proposed hotel will not be built, because it will not be financially viable. The comment also states that the farming and ecology center would only survive if the City is to subsidize it. The City acknowledges the comment and notes the comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.
- O8-4** The comment provides examples of successful agricultural operations in South Morro Hills. The City notes the comment provides background information and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.
- O8-5** The City acknowledges the comment as an introduction to comments that follow and notes that the comment expresses the opinions of the commenter. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

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O8-6 The comment states that the Draft EIR's baseline does not accurately reflect the existing conditions of the project site. The City does not agree with this comment. Chapter 2, Environmental Setting, of the Draft EIR provides a brief description of the existing physical conditions at the project site and in the surrounding vicinity at the time of filing of the Notice of Preparation (NOP), as required by Section 15125 of the CEQA Guidelines. Additional details and descriptions of the existing conditions specific to each environmental issue area can also be found through Chapter 4, Environmental Analysis, of the Draft EIR. Sections 2.1.3 and 2.1.4 of the Draft EIR clearly state the existing zoning and General Plan land use designations of the project site and surroundings included in the baseline conditions. Refer also to Figures 4.11-1 and 4.11-2 for graphical depictions of the existing zoning and General Plan land use designations.

The environmental analysis of the Draft EIR must assume that the proposed General Plan Amendment and Zoning Ordinance Amendment are approved because the proposed amendments are a component of the project. The proposed amendments are not a separate action requested by the project applicant. As stated at the beginning of Section 3.3, Project Overview and Major Components, "[t]he proposed project proposes a planned development consisting of a General Plan Amendment, Zoning Ordinance Amendment, PD Plan, Development Agreement, and Vesting Tentative Map." Therefore, any such analysis that relies on the proposed General Plan Amendment and Zoning Ordinance Amendment correctly assesses the proposed project as a whole against the baseline condition.

O8-7 The comment states that the Draft EIR provides vague references to the proposed planning areas and results in an inaccurate and incomplete estimation of proposed density. The City does not agree with this comment. The proposed densities for each planning area is described in Table 3-2, Proposed General Plan Land Use Designations and Zoning by Planning Area. The Draft EIR analyzes the construction of 689 dwelling units for an overall density of approximately 4 dwelling units per gross acre. Therefore, the project does not propose the construction of additional dwelling units. However, if such a project change were proposed, it would be subject to additional discretionary review, including CEQA.

O8-8 The commenter defines agritourism, per the "Agritourism Strategic Plan of the City of Oceanside" and states that because the project site is located within existing agricultural land use it does not mean the project is an example of agritourism.

The project would preserve 31.6 acres of agricultural land onsite, and incorporates an agricultural identity. As detailed in the Draft EIR and PD Plan, the project would include several agritourism features such as a community garden, market garden, production agriculture, a vineyard, orchards, a farm hub, a hotel farm, and an ecology

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center (Draft EIR Section 4.11.4). Orchards, orchard intercropping, market gardens, and a vineyard would be placed between N. River Road and the proposed residential land uses, providing a transitional landscape to the South Morro Hills region.

O8-9 The comment states that the Draft EIR does not acknowledge the scenic view corridor surrounding Guajome Park and north across State Route 76 into South Morro Hills. The comment states that the Draft EIR did not include a study of the views across the San Luis Rey River valley. The City does not agree with this comment. As demonstrated in Section 4.1, Aesthetics, five key observation points (KOPs) were used in the analysis as representative vantage points that illustrate conditions from which the proposed project will be viewed by the various viewer groups identified in the existing conditions discussion. Specifically, KOP 4, as shown in Figure 4.1-4 of the Draft EIR, is at the cul-de-sac of Chincoteague Court, southeast of the project site, across the San Luis Rey River. KOP 5, as shown on Figure 4.1-5 of the Draft EIR, is at a park located off of Raspberry Way, southeast of the project site, across the San Luis Rey River. Therefore, the analysis in Section 4.1, of the Draft EIR does include views across the San Luis Rey River valley and the scenic corridor surrounding Guajome Park. Factors considered in the selection of KOPs used in visual simulations included proximity to the project site, angle of observation, volume of viewer, viewer sensitivity, and length of time the proposed project is in view.

O8-10 The comment states that the Draft EIR traffic analysis failed to include intersections “south to Hwy 76 across College and Douglas Bridges.” The comment addresses traffic and circulation, which received extensive analysis in Section 4.17 of the Draft EIR. The City does not agree with this comment. The Draft EIR included several intersections with Douglas Drive, State Route 76, and College Boulevard, as described in pages 4.17-1 and 4.17-2. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

The comment states that the Draft EIR traffic analysis used average daily trips instead of the more current acceptable Level of Service Peak Hour trips. The City does not agree with this comment. Refer to page 4.17-4 of the Draft EIR, where the Level of Service methodology is described. The City utilizes average daily traffic to analyze roadway segments and does not use peak hour volumes. Peak hour volumes are only utilized at the intersection level.

O8-11 The comment states that the Draft EIR fails to mention that Sleeping Indian Road is an evacuation route for Fallbrook. Please refer to Topical Response TR-3 and FR-3.

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O8-12 The comment states that it is absurd to think the City, citizens of Oceanside, and landowners would be saddled with the cost of the construction of the Melrose Bridge. Please refer to Topical Response TR-2.

O8-13 The comment states that the traffic study should be expanded to all affected areas and provide the financial contributions to the City infrastructure. The comment addresses traffic and circulation, which received extensive analysis in Section 4.17 of the Draft EIR. The Draft EIR included affected several intersections surrounding the project site, as described in pages 4.17-1 and 4.17-2. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

The comment states that the “AgriVision Plan” calls for agricultural buffers between the proposed dwelling units and future roadways. The comment states that the N. River Road frontage is calculated as landscape buffer in the Draft EIR, but when N. River Road is expanded the landscape buffer would disappear. The City does not agree with this comment. Please refer to Figure 3-6a and 3-6b, Roadway Sections and Figure 3-3, Proposed Agricultural Areas. Both figures show that the agricultural buffer area does not conflict with the roadway improvements on N. River Road.

The comment states that the project should be within the framework of the “AgriVision Plan.” Please refer to Topical Response LU-4.

The comment states that traffic impacts are significant and will affect the entire population of Oceanside and the surrounding area during times of disaster events. Please refer to Topical Response FR-3.

O8-14 The City notes the comment provides background information and does not raise an environmental issue within the meaning of CEQA. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

O8-15 The City notes the comment provides background information and does not raise an environmental issue within the meaning of CEQA. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

O8-16 The comment states that the project will require adequate police and fire services from the City and an ambulance provided by the project would not affect response times. Please refer to Topical Response FR-5.

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- O8-17** The comment states that indirect agricultural impacts were not considered in the Draft EIR, specifically, how this project would result in the conversion of other agricultural land. Please refer to Topical Response CU-1.

The comment states that the project would conflict with the General Plan and would result in land use compatibility issues. Please refer to Topical Response LU-1 and LU-2.

The comment states that the Draft EIR did not consider land values and taxes, and loss of agricultural infrastructure. The City notes this comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

- O8-18** The comment states that the loss of agricultural land should be mitigated within the City. Please refer to Topical Response AG-1.

- O8-19** The comment states that the project is not adequately mitigating greenhouse gas (GHG) emissions and air quality impacts. The comment addresses air quality and GHG emissions, which received extensive analysis in Sections 4.3 and 4.8 of the Draft EIR. Please also refer to Topical Response GHG-1. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

- O8-20** The comment states that there have been no soils testing on the project site. The City does not agree with this comment. As stated on page 4.9-2, of the Draft EIR, Geocon Inc. conducted previous ESAs on the project site. In October 2014, Geocon Inc. performed a Phase I ESA of the project site, which identified recognized environmental conditions (RECs) related to gasoline, diesel, and oil aboveground storage tanks (ASTs), a potential release of ethylene glycol, potential impact of metals to soil within an outdoor welding area, and the potential for residual pesticides in soil from historical and current agricultural use, as shown on Figure 4.9-1.

To further evaluate the identified RECs, a limited Phase II ESA was performed in October 2014, which involved soil sampling and analysis. Geocon Inc. conducting limited soil sampling that included 60 soil borings across the site and collecting discrete soil samples at depths of 0.5 and 2 feet for pesticide and arsenic analysis. Nine additional borings were conducted to further evaluate pesticide impacts at the reported location of a former chemical storage building. Furthermore, six borings in the transfer facility equipment storage yard to evaluate identified RECs in relation to the welding area, ASTs, and potential ethylene glycol release were completed. A soil vapor survey

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in the transfer facility equipment storage yard assessed the presence of volatile organic compounds (VOCs) in soil vapor.

The comment states that part of the project site served as a dumpsite, but this is not considered in the Draft EIR.

The City does not agree with this comment. As stated on page 4.9-17, of the Draft EIR, of the databases searched, the project site is found on the County Hazardous Materials Management Division (HMMD), HAZNET, and AST databases. The HMMD database indicates the last inspection occurred in November 2011, and no violations were noted. The HAZNET database reports disposal of unspecified waste in 2011 and 2012.

The comment states that the project developer intends to sell 57 acres of the project site as wetland mitigation and the cleanup issue would be left as an issue for somebody else to resolve. The City acknowledges the comment and notes the comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

- O8-21** The comment states that the Draft EIR touts the project as smart growth, but the City has already identified smart growth parcels all over the City that meet the Regional Housing Needs Assessment. The City acknowledges the comment and notes it does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- O8-22** The comment states that impacts associated with building the project in a 100-year floodplain is significant and unavoidable. Please refer to Topical Response HY-1.
- O8-23** The comment states that the project would result in a 100% greater demand on municipal water, because well water would not be able to serve the project. Section 4.19, Utilities and Service Systems, of the Draft EIR provides an analysis of estimated water usage of proposed land uses. Refer to Tables 4.19-2 and 4.19-5 for average daily water use rate of residential, commercial, and agricultural land uses and estimated water demand of the proposed project, respectively. Please refer to Topical Response WS-1.
- O8-24** The comment states that the Draft EIR analysis is inconsistent because no cumulative biological resource impacts are identified, but there are growth-inducing impacts identified. The comment states that the Agricultural Exclusion Zone has specific requirements, which would apply to the project site. As described in Section 4.4,

APPENDIX T0 (Continued)

Biological Resources of the Draft EIR, the City recognizes that the project is located in an Agricultural Exclusion Zone per the Oceanside Sub Area Plan. Although the majority of the site would be converted to non-agricultural uses, surveys for Stephens' kangaroo rat (*Dipodomys stephensi*) and arroyo toad are not required due to the presence of exclusionary fencing and a small berm, which precludes these species from entering the site. The area between the proposed project and the San Luis Rey River will continue to be maintained and operated as active agricultural lands.

In addition, although impacts would occur within the buffer of the San Luis Rey River, they would occur primarily within agricultural land (0.58 acres), developed land (0.36 acres), and disturbed habitat (0.31 acres). The remaining impacts are to 0.15 acres of mulefat scrub, 0.02 acres of non-vegetated channel, 0.07 acres of disturbed wetlands, and 0.02 acres of southern arroyo willow riparian forest. Therefore, there would be a total of 1.50 acres of impacts within the 100-foot buffer of the San Luis Rey River. Impacts within the buffer are required for improvements to N. River Road and for some off-site improvements. These improvements are required to support the proposed project and do not fall under one of the three prohibited uses within the buffer. Of the 1.50 acres of impacts within the 100-foot buffer, 0.58 acres of existing agriculture and the existing road and adjacent disturbed habitat (0.67 acres) would remain. However, impacts to 0.26 acres of native habitat within the 100-foot buffer of the San Luis Rey River would be potentially significant. This impact includes 0.07 acres of disturbed wetland, 0.15 acres of mulefat scrub, 0.02 acres of non-vegetated channel, and 0.02 acres of southern arroyo willow riparian forest. Implementation of MM-BIO-2, which requires preservation in accordance with the Oceanside Subarea Plan, and MM-BIO-3, which requires revegetation of slopes, would reduce potentially significant impacts to a level below significance. Language regarding the Agricultural Exclusion Zone mitigation requirements are provided in MM-BIO-2.

Edge effects, or indirect impacts, are evaluated in Section 4.4, Biological Resources of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

- O8-25** The comment states that the “piecemeal project” ignores the General Plan and ignores the cumulative effects. The comment addresses project density and states that the project should be placed on hold until the “AgriVision Plan” is completed and adopted into the General Plan. Please refer to Topical Response LU-1, LU-2, and LU-4.

APPENDIX T0 (Continued)

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I1 DUBOIS, STEVE (1)

- I1-1** The comment expresses concerns regarding water demand and supply for the project. The commenter's assumptions regarding water consumption and the source of these assumptions is not clear. Please refer to Table 4.19-5 of the Draft EIR regarding estimated project water demand. Please refer to Topical Response WS-1.
- I1-2** The comment expresses concerns regarding electricity demand and supply for the project. As discussed in Section 4.6, Energy Consumption, the proposed project would implement PV systems in order to offset electrical consumption. The proposed project would implement design features to minimize its demand for electricity through the use of enhanced building energy efficiency standards. In addition, the proposed project would provide an offset of 100% of residential and non-residential buildings electrical energy usage through the installation of PV solar panels.
- Implementation of the proposed project would not result in substantial amounts of demand for local or regional energy supplies compared to existing conditions. The resultant increase in energy demand would not exceed the available capacity of SDG&E servicing infrastructure to the site or beyond.
- I1-3** The comment expresses concerns regarding evacuation during a wildfire. Please refer to Topical Response FR-3, which addresses the comment's issue with respect to roadway capacity and evacuation routes.

APPENDIX T0 (Continued)

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I2 MRAZ, JASON

I2-1 For clarification of the project characteristics, as described in the Executive Summary, Section ES 2.2, the proposed project would allow for the development of up to 689 dwelling units for an overall density of approximately 4 dwelling units per gross acre. The proposed project would also allow for a variety of agricultural uses, housing types, a boutique 100-room hotel, an education center, and flexible commercial uses on the site. The proposed project would include the development of up to 30,000 square feet of commercial space (including 5,000 square feet of restaurant space). Approximately 31.6 acres would be dedicated to agriculture throughout the project site. Another 16.0 acres of the site are planned for park and open space features, including parks, buffers, trails, and farm plots.

The proposed project would allow for flexibility of use within the Village Core. For the purposes of analysis within the EIR and its supporting technical studies, a conservative assumption of 30,000 square feet of commercial space (including 5,000 square feet of restaurant space) and a 100-room hotel was used. The ultimate buildout of the Village Core would be determined by future development plans and influenced by market conditions. Refer to Table 4-4 of the Planned Development Plan (Appendix B to the EIR) for a full list of allowable uses within the Village Core. The comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

I2-2 The comment expresses concerns regarding evacuation during a wildfire. It should be noted that the significant impacts regarding fire protection services reference by this comment pertains to emergency response time standards as opposed to wildfire hazard and risk. Please refer to Topical Response FR-1 through FR-4. Specifically, Topical Response FR-4 provided information regarding mitigation related to fire and emergency response time standards.

I2-3 As described in Section 4.3, Air Quality, the proposed project would not result in any significant air quality impacts. All air quality impacts would be mitigated to a less than significant level with implementation of mitigation measure (MM)-AQ-1 and MM-AQ-2. As, also described in Section 4.3, the proposed project would require a Zoning Ordinance Amendment that will change the existing zoning designations of the project site to Planned Development (PD). The PD designation would allow for the project site to be developed with a variety of land uses including residential, commercial, mixed use, recreational, and agriculture.

APPENDIX T0 (Continued)

The comment regarding a City-wide vote expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

- I2-4** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

I3 LOWE, MARGOT

- I3-1** The comment expresses general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.
- I3-2** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I3-3** The comment addresses traffic and circulation, which received extensive analysis in Section 4.17 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I3-4** The comment addresses biological resources, which received extensive analysis in Section 4.4 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I3-5** The comment addresses water and sewer infrastructure, and fire protection and school services, which received extensive analysis in Sections 4.15 and 4.19 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. Additionally, the comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I3-6** The comment expresses concerns regarding evacuation during a wildfire. Please refer to Topical Response FR-3.
- I3-7** The comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

- I3-8** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I3-9** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

I4 HENDRICKS, RICHARD

- I4-1** The comment expresses concerns regarding land use capability and density of the proposed project and its surroundings. Please refer to Topical Response LU-1 and LU-2.

APPENDIX T0 (Continued)

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I5 MCDOWELL, WILLIAM (1)

- I5-1** The comment expresses concern regarding impacts to agricultural resources resulting from the project. It should be noted that the project itself would not eliminate all of the agriculture in the City, as suggested by the comment. Please refer to Topical Response AG-1.
- I5-2** The comment suggests that only a list of current projects was provided and no meaningful cumulative analysis was undertaken; refer to Section 5.4.2 of the Draft EIR which provides analysis of potential cumulative impacts to agricultural resources. Please also refer to Topical Response CU-1.

APPENDIX T0 (Continued)

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I6 MCDOWELL, WILLIAM (2)

- I6-1** The comment pertains to how the project relates to the fair share housing. It should be noted that the Draft EIR does not state that the project is necessary to meet future affordable housing requirements, contrary to this comment. Please refer to Topical Response PH-2.
- I6-2** The Draft EIR adequately includes a reasonable list of past, present, and foreseeable projects, consistent with Section 15140 of the CEQA Guidelines, as provided in Table 5-1 of the Draft EIR. The commenter suggests that the Arrowood development should have been included within the list of cumulative projects. Given the age of the development, the cumulative analysis instead relies on more recent past cumulative projects. Additionally, the inclusion of the Arrowood project in the cumulative analysis would not likely alter any conclusions regarding cumulative impacts, including agricultural resources.
- I6-3** The comment expresses concern that the project would result in additional growth in the area. Please refer to Topical Response CU-1.
- I6-4** The comment characterizes the agricultural component of the project as a community garden in the middle of a housing development and notes concern how it would promote or is compatible with agriculture. Please refer to Section 3.3.1, Land Uses, of the Draft EIR for a detailed description of the incorporation of agriculture within the project site. As described in Section 3.3.1, the project would incorporate community gardens and agricultural trails through the project site and larger production agricultural farms plots would be located in the southern portion of the project site. Additionally, as described in Section 3.3.1 of the Draft EIR, the Village Core would integrate agricultural events and programming such as a permanent farmer's market, an education center, workshops, garden volunteering, community farm dinners, and other events.
- I6-5** The comment expresses concern regarding impacts to agricultural resources resulting from the project. Please refer to Topical Response AG-1.
- I6-6** The Draft EIR provides analysis of potential traffic impacts as required by CEQA. Refer to Section 4.17, Traffic and Circulation, of the Draft EIR for analysis regarding potential impacts to traffic. Please also refer to Topical Responses TR-1 through TR-3.

APPENDIX T0 (Continued)

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I7 STALLARD, ALEXANDRA

- I7-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I8 TARTARI, ALLISON

- I8-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

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I9 LAJINESS, AMY

- I9-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

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I10 METZLER, ANDREA

- I10-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I11 CHAU ANDY

- I11-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

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I12 SENIOR, ANGELA

- I12-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I13 MATHEWS, ASHLEY

- I13-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

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I14 ROBERTSON, CANDACE

- I14-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I15 BADGER, CHARLES E.

- I15-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I16 BELL, CHERI (1)

- I15-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I17 GILHOI, CHRISTI

- I17-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I18 DANNERTH, CHRISTINE

- I18-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I19 WALTERS, COURTNEY

- I19-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I20 ALLAN, DONNA

- I20-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I21 BOTZ, EDRALYN

- I21-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I22 LEE, EMILY

- I22-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I23 CHAVEZ, GABRIEL

- I23-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

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I24 MEJIA, GERONIMO

- I24-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I25 JONES, HEIDI

- I25-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

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I26 CRUZ, ISABEL

- I26-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I27 DALATEN, JACQUELYN

- I27-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I28 VITTI, JAN

- I28-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

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I29 BURNS, JENNIFER

- I29-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I30 FOSTER, JENNY

- I30-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I31 ZAVATTERO, JOE

- I31-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I32 WRIGHT, KATIE

- I32-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

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I33 GONZALEZ, KIMBERLY

- I33-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I34 HORAI, KJERSTI

- I34-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I35 WEBSTER, KRISTA

- I35-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I36 KRELL, KRISTY

- I36-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

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I37 OLMSTEAD, LANA

- I37-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I38 DUDEK, LAURA

- I38-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I39 CUNNINGHAM, LEANNA

- I39-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I40 REYES, MARY ANN

- I40-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I41 GILMORE, MIA

- I41-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I42 ZAVADA, MICHAEL

- I42-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I43 HAKALA-WOLF, MICHELLE

- I43-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

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I44 WALSH, MOLLY

- I44-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I45 BUCHANAN, NELLY

- I45-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

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I46 MIANI, NICOLE

- I46-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

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I47 NGUYEN, PHUONG

- I47-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

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I48 RAHMAN, RATIN

- I48-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

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I49 GREEN, REGAN

- I49-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

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I50 FARNSWORTH, RYAN

- I50-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I51 JUNG, SARAH

- I51-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I52 MORAN, SHERYL

- I52-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I53 KARLEEN, BARBARA

I53-1 The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

I53-2 The comment expresses concerns regarding evacuation and earthquakes. Please refer to Topical Response FR-3. Additionally, potential impacts regarding earthquakes is addressed in Section 4.7, Geology and Soils, of the Draft EIR. As discussed in Section 4.7, impacts related to earthquakes would be less than significant with incorporation of MM-GEO-1.

I53-3 The comment expresses concerns regarding evacuation. Please refer to Topical Response FR-3.

The comment regarding the Melrose Drive Extension is noted. The Melrose Drive Extension was analyzed in the Traffic and Circulation section of the Draft EIR (Section 4.17). It should be noted that the Melrose Drive Extension is not proposed as part of the project. Rather, this is an improvement that has been identified by the City and is a separate action from the proposed project.

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APPENDIX T0 (Continued)

I54 BRAZEAU, CAROL

- I54-1** The comment expresses general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

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APPENDIX T0 (Continued)

I55 BRAZEAU, CAROL

- I55-1** The comment expresses general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.
- I55-2** The comment addresses water demand, energy consumption, and traffic and circulation which received extensive analysis in Sections 4.19, 4.6, and 4.17 of the Draft EIR, respectively. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. Additionally, the comment expresses concern that the project would result in additional growth in the area. Please refer to Topical Response CU-1.
- I55-3** The comment expresses concerns about traffic induced by the project. Specifically, the comment addresses the Melrose Drive Extension, which was analyzed in the Traffic and Circulation section of the Draft EIR (Section 4.17). It should be noted that the Melrose Drive Extension is not proposed as part of the project. Rather, this is an improvement that has been identified by the City and is a separate action from the proposed project. The comment does not raise any specific issue regarding the Traffic and Circulation analysis of the Draft EIR and, therefore, no more specific response can be provided or is required.
- 155-4** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

APPENDIX T0 (Continued)

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I56 MAYSE, CARRIE

- I56-1** The comment addresses traffic and circulation and wastewater, which received extensive analysis in Sections 4.17 and 4.19 of the Draft EIR, respectively. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. Additionally, the comment expresses concern regarding evacuation during a wildfire. Please refer to Topical Responses FR-1 and FR-3.

APPENDIX T0 (Continued)

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I57 RADIGAN, CHERYL

- I57-1** The comment expresses concerns regarding water demand and supply for the project. Please refer to Topical Response WS-1.
- I57-2** The comment expresses concerns about housing being introduced to the area and the development density. Please refer to Topical Response LU-2. The comment addresses traffic and circulation, which received extensive analysis in Section 4.17 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. No further response is required or necessary.
- I57-3** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I58 DRESSER, CODY

- I58-1** The comment expresses concerns about the proposed development density. Please refer to Topical Response LU-2.
- I58-2** The comment expresses concerns that the project would be inconsistent with the Agritourism and Vision Plan for South Morro Hills and the project would damage South Morro Hills agriculture. Please refer to Topical Response LU-4.
- I58-3** The comment expresses concerns about the proposed development density. Please refer to Topical Response LU-2.
- I58-4** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I58-5** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

APPENDIX T0 (Continued)

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I59 STEELE, DANIELLE (1)

- I59-1** The comment addresses traffic and circulation, which received extensive analysis in Section 4.17 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
- I59-2** The comment addresses biological resources, which received extensive analysis in Section 4.4 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
- I59-3** The comment expresses concerns regarding water demand and supply for the project. Please refer to Topical Response WS-1.

APPENDIX T0 (Continued)

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I60 BITKER, DEBBIE

- I60-1** The comment addresses traffic and circulation, which received extensive analysis in Section 4.17 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

APPENDIX T0 (Continued)

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I61 MASTRO, DEBBIE (1)

- I61-1** The comment states that the public was not allowed to view the EIR. It should be noted that the Draft EIR was available during a 45-day public review period, commencing on July 27, 2018 and ending on September 10, 2018. The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

APPENDIX T0 (Continued)

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I62 VANDRUFF, DIANE (1)

- I62-1** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

APPENDIX T0 (Continued)

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I63 JOHNSON, DONALD

- I63-1** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

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APPENDIX T0 (Continued)

I64 CEFOLA, ELAINE (1)

- I64-1** The comment expresses general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.
- I64-2** The comment expresses concern regarding wildfires. Please refer to Topical Responses FR-1.
- I64-3** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I65 MASIELLO, ELLIE

- I65-1** The comment expresses general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I66 FIEDLER, EMMILY

- I66-1** The comment addresses traffic and circulation, which received extensive analysis in Section 4.17 of the Draft EIR. Specifically, Section 4.17 addresses traffic impacts to Vandegrift Boulevard from N. River Road to Douglas Drive and multiple segments of College Boulevard. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
- I66-2** The comment addresses traffic on Sleeping Indian Road and its potential as a “cut-through” route. Please refer to Topical Response TR-3. Additionally, the project would not result in increased speeds or speed limits on Sleeping Indian Road.
- I66-3** The comment expresses concerns regarding evacuation during a wildfire. Please refer to Topical Response FR-3.

APPENDIX T0 (Continued)

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I67 POKLETAR, FAYE

- I67-1** The comment as an introduction to comments that follow. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I67-2** The comment expresses concerns about the proposed development density. Please refer to Topical Response LU-2.
- I67-3** The comment expresses concerns about the proposed development density. Please refer to Topical Response LU-2. The comment addresses traffic and circulation, which received extensive analysis in Section 4.17 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

APPENDIX T0 (Continued)

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I68 LEWIS, FEROL

- I68-1** The comment addresses traffic and circulation and noise, which received extensive analysis in Sections 4.17 and 4.13 of the Draft EIR, respectively. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
- I68-2** Section 4.13, Noise, of the Draft EIR analyzes off-site and on-site noise impacts to sensitive receptors associated with the proposed increase in traffic. As described in page 4.13-18, none of the modelled off-site receptors would experience noise levels that increase from below 65 dBA CNEL to greater than 65 dBA CNEL. Since the limit of acceptable exterior noise exposure for residences is 65 dBA CNEL, project-related traffic noise increases would not cause traffic noise exposure at existing residences to exceed an established standard. Additionally, impacts to residents of the proposed project associated with traffic noise were determined to be less than significant. However, an interior noise study of the proposed residential units would be required as part of MM-NOI-3. Upon implementation of MM-NOI-3, impacts would be less than significant. Therefore, noise abatement for existing residents along SR-76 and Melrose Drive would not be required.
- I68-3** The comment addresses traffic and circulation, which received extensive analysis in Section 4.17 of the Draft EIR. The proposed project would result in impacts to roadway segments and intersections, which are identified in Section 4.17. However, the applicant would be responsible for implementing certain roadway improvements and paying a fair share contribution to roadways and intersections that have already been identified for improvement by the City. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
- I68-4** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

APPENDIX T0 (Continued)

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I69 DUCLOS, GREG AND JENNIFER

- I69-1** The comment expresses the opinions of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I69-2** The comment expresses the opinions of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I70 RUIS, NANCY

- I70-1** The comment serves as an introduction to comments that follow. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I70-2** The comment addresses traffic and circulation, which received extensive analysis in Section 4.17 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
- I70-3** The comment expresses concerns regarding evacuation during a wildfire. Please refer to Topical Response FR-3.
- I70-4** The comment expresses the opinions of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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I71 ZAWACKI, JANE

I71-1 The comment expresses concerns regarding evacuation during a wildfire. Please refer to Topical Response FR-3.

The comment addresses traffic and circulation, police and fire protection services, and schools, which received extensive analysis in Sections 4.17 and 4.15 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

APPENDIX T0 (Continued)

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I72 BLACKBURN, JEANETTE

- I72-1** The comment expresses the opinions of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I72-2** The comment addresses traffic and circulation, which received extensive analysis in Section 4.17 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
- I72-3** The comment addresses water supply, wastewater, police and fire protection services, and schools, which received extensive analysis in Sections 4.19 and 4.15 of the Draft EIR. Please also refer to Topical Response WS-1. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
- I72-4** The comment expresses the opinions of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I72-5** The comment expresses the opinions of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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I73 CARDANI, JOE

- I73-1** The comment expresses the opinions of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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I74 BAILEY, KAREN

- I74-1** The comment addresses traffic and circulation and water supply which received extensive analysis in Sections 4.17 and 4.19 of the Draft EIR, respectively. Please also refer to Topical Response WS-1. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

APPENDIX T0 (Continued)

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I75 COMBS, KATHY

- I75-1** The comment expresses the opinions of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I76 KEN

- I76-1** The comment addresses traffic and circulation which received extensive analysis in Section 4.17 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The comment also expresses concern regarding project density. Please refer to Topical Responses LU-1 through LU-3.

APPENDIX T0 (Continued)

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I77 HARRINGTON, KIM

- I77-1** The comment expresses the opinions of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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I78 FLINN, LAURA

- I78-1** The comment addresses traffic and circulation which received extensive analysis in Section 4.17 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The comment also expresses concern regarding project density. Please refer to Topical Responses LU-1 through LU-3.

APPENDIX T0 (Continued)

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I79 BRITTON, LAURI

- I79-1** The comment serves as an introduction to comments that follow. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I79-2** The comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.
- I79-3** The comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.
- I79-4** The comment addresses traffic and circulation which received extensive analysis in Section 4.17 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
- I79-5** The comment addresses traffic and circulation which received extensive analysis in Section 4.17 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
- I79-6** The comment addresses water demand, energy consumption, and solid waste which received extensive analysis in Sections 4.19 and 4.6 of the Draft EIR. Please refer to Topical Response WS-1. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
- I79-7** The comment expresses the opinions of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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I80 RICE, MARC

- I80-1** The comment addresses traffic and circulation and police and fire protection services, which received extensive analysis in Sections 4.17 and 4.15 of the Draft EIR, respectively. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The comment also expresses concern regarding project density, water supply, and wildfire evacuation. Please refer to Topical Responses LU-1 through LU-3, WS-1, and FR-3.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I81 OCHS, MARK (1)

- I81-1** The comment expresses the opinions of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I81-2** The comment addresses traffic and circulation, which received extensive analysis in Section 4.17 of the Draft EIR. As described in Section 4.17.5, Mitigation Measures, several roadway improvements would be required as part of the project, including improvements to N. River Road. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
- I81-3** The comment addresses infrastructure improvements, which received extensive analysis in Section 4.17, Utilities and Service Systems, of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
- I81-4** The comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.
- I81-5** The proposed project would provide a variety of housing types, including single-family residential, medium-density residential, and affordable housing (consistent with the City's inclusionary housing requirements).
- I81-6** As discussed in Section 4.6, Energy Consumption, the proposed project would implement PV systems in order to offset electrical consumption. The proposed project would implement design features to minimize its demand for electricity through the use of enhanced building energy efficiency standards. In addition, the proposed project would provide an offset of 100% of residential and non-residential buildings electrical energy usage through the installation of PV solar panels. Therefore, the project would reduce greenhouse gas emissions through design.
- I81-7** The comment expresses concern regarding impacts to agricultural resources resulting from the project. Please refer to Topical Response AG-1.
- I81-8** Impacts to Tribal Cultural Resources were addressed in Section 4.18 of the Draft EIR. Mitigation Measures MM-TCR-1 and MM-CUL-1 require that a Native American and archaeological monitor are present during ground-disturbing activities with the greatest

APPENDIX T0 (Continued)

potential to encounter Native American cultural resources. Therefore, Native American resources were adequately addressed in the Draft EIR.

- I81-9** The comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.
- I81-10** The comment expresses the opinions of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

I82 MCMAHON, MIKE

- I82-1** The comment states that the project is being “pushed through” without a proper CEQA and public review process. It should be noted that the Draft EIR was available during a 45-day public review period in accordance with Section 15105 of the CEQA Guidelines, commencing on July 27, 2018 and ending on September 10, 2018. The public review period was then formally extended by one additional week, ending on September 17, 2018. The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

APPENDIX T0 (Continued)

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I83 MELLANO SENIOR, MIKE

- I83-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I84 KOGAN, MILTON

- I84-1** The comment expresses concerns regarding evacuation during a wildfire. Please refer to Topical Response FR-3.
- I84-2** The comment addresses agricultural resources and biological resources, which received extensive analysis in Sections 4.2 and 4.4 of the Draft EIR, respectively. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
- I84-3** It should be noted that the Draft EIR provided analysis for all CEQA-mandated environmental resources areas, and was available during a 45-day public review period in accordance with Section 15105 of the CEQA Guidelines, commencing on July 27, 2018 and ending on September 10, 2018. The public review period was then formally extended by one additional week, ending on September 17, 2018. The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

APPENDIX T0 (Continued)

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I85 JOHNSTON, PHIL (1)

I85-1 The comment expresses the opinions of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

I85-2 The comment addresses floodplain hazards, which received extensive analysis in Section 4.10 of the Draft EIR. As discussed in this analysis, the southern portions of the project site would be located within the 100-year flood hazard area, as shown on Figure 4.10-1 of the Draft EIR. Specifically, residential, commercial, and recreational structures within the Riverside Village and Village Core Planning Areas would be located within the 100-year flood hazard area. Therefore, the proposed project would place within a 100-year flood hazard area structures which would impede or redirect flood flows.

The project would implement appropriate grading elevations and flood control improvements necessary to remove the portions of the property from the 100-year flood hazard area defined by Federal Emergency Management Agency through the Letter of Map Revision process. The applicant shall be required to construct flood control improvements to contain or redirect the 100-year flood flows away from the property as necessary, such that hazards from the 100-year flood would not adversely affect proposed structures on site. Hydrological modeling determined that all building pads within the project site, as well as downstream and upstream of the site within the floodway, would be above the 100-year floodplain inundation elevation. Therefore, potential impacts related to the 100-year flood hazard area would be reduced to a level below significance.

The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

APPENDIX T0 (Continued)

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I86 BERRY, RALPH

- I86-1** The comment expresses the opinions of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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I87 BURTON, RICHARD

- I87-1** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I87-2** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I87-3** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I87-4** The comment expresses concerns about the Melrose Drive Extension, which was analyzed in the Traffic and Circulation section of the Draft EIR (Section 4.17). It should be noted that the Melrose Drive Extension is not proposed as part of the project. Rather, this is an improvement that has been identified by the City and is a separate action from the proposed project. The comment does not raise any specific issue regarding the Traffic and Circulation analysis of the Draft EIR and, therefore, no more specific response can be provided or is required.

APPENDIX T0 (Continued)

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I88 SINCLAIR, RICHARD L.

- I88-1** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. The comment also expresses concern regarding project density. Please refer to Topical Responses LU-1 through LU-3.

APPENDIX T0 (Continued)

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I89 POKLETAR, ROBERT

I89-1 The comment expresses concern regarding project density and traffic. Please refer to Topical Responses LU-1 through LU-3. Additionally, potential traffic impacts have been adequately analyzed in Section 4.17, Traffic and Circulation, of the Draft EIR.

The commenter expresses general opposition for the project.

APPENDIX T0 (Continued)

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I90 MARTINEZ, ROGELINA

- I90-1** The comment expresses general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I91 SOBKOW, ROSEANNE

- I91-1** The comment generally addresses public services and traffic, which received extensive analysis in Sections 4.15, 4.17, and 4.19 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I92-1** The comment concerns regarding traffic on Sleeping Indian Road and evacuation during fire emergencies. Please refer to Section 4.17 of the Draft EIR which assess potential impacts to traffic and circulation as well as Topical Responses TR-1 through TR-3. Regarding fire evacuation, please refer to Topical Responses FR-3 and FR-4. This commenter's general opposition for the project is also noted. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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I92 MCREYNOLDS, SANDY

I92-1 The comment generally addresses fire, traffic, and water, which received extensive analysis in Sections 4.9, 4.17, and 4.19 of the Draft EIR. Please also refer to Topical Responses FR-1 through FR-4, TR-1 through TR-3, and WS-1. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

The comment expresses the opinions of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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I93 SEGIEN, SANDY

- I93-1** The comment expresses the opinions of the commenter and general opposition for the project. The comment generally addresses traffic which received extensive analysis in Section 4.17 of the Draft EIR. Please also refer to Topical Responses TR-1 through TR-3. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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I94 SCHWARZE, SHANNA (1)

- I94-1** The comment expresses the opinions of the commenter and general opposition for the project. The comment also generally addresses greenhouse gas emissions which received extensive analysis in Section 4.8 of the Draft EIR. Please also refer to Topical Response GHG-1 through GHG-3.
- I94-2** The comment generally addresses traffic, fire hazards, evacuation, air quality, emergency response, growth inducement, and greenhouse gas emissions, which received extensive analysis in Sections 4.3, 4.8, 4.9, 4.14, 4.15, 4.17, and 6.1 of the Draft EIR. Please also refer to Topical Responses FR-1 through FR-4, GHG-1 through GHG-3, PH-1, and TR-1 through TR-3. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
- I94-3** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I94-4** The comment provides background information and expresses general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I95 OCHS, SHARON SINCLAIR (1)

- I95-1** The comment provides background information and expresses the opinions of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I95-2** The comment generally addresses traffic and public services, which received extensive analysis in Sections 4.15 and 4.17 of the Draft EIR. Please refer to Topical Responses TR-1 through TR-3. Please also refer to comment A5-4, provided by Oceanside Unified School District, which states “As shown in the following table, based on the District’s yield rate and 3-year projections for enrollment there is sufficient capacity to accommodate the student generation from the proposed project description.” The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
- I95-3** The comment provides background information and expresses the opinions of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I95-4** The comment generally addresses utilities, energy, and evacuation, which received extensive analysis in Sections 4.6, 4.9 and 4.9 of the Draft EIR. Please also refer to Topical Responses WS-1, FR-3, and FR-4.
- I95-5** The comment expresses the opinions of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

APPENDIX T0 (Continued)

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I96 COBAS, SUSAN

- I96-1** The comment expresses general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I97 TAUNT, TAMMY

- I97-1** The comment expresses the opinions of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I97-2** The comment expresses the opinions of the commenter and general opposition for the project. The comment also generally addresses fire hazards, evacuation, and growth inducement, which received extensive analysis in Sections 4.9, 4.14, and 6.1 of the Draft EIR. Please also refer to Topical Responses FR-1 through FR-4 and PH-1. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
- I97-3** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I97-4** The comment provides background information and expresses general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I98 MASTER, TERESA

- I98-1** The comment provides background information and expresses general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I99 HAAS, TERRY

- I99-1** The comment generally addresses fire hazards and evacuation, which received extensive analysis in Section 4.9 of the Draft EIR. Please also refer to Topical Responses FR-1 through FR-4 and PH-1. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I99-2** The comment expresses the opinions of the commenter and general opposition for the project. The comment also addresses proposed zoning and community character. Please also refer to Topical Response LU-1. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I100 EDMONDS, TOMMY (1)

- I100-1** The comment expresses general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I101 EDMONDS, TOMMY (2)

- I101-1** The comment expresses the opinion of the commenter, but does not raise any issue concerning the adequacy of the Draft EIR. Contrary to the commenter's assertion that the City is not bypassing full review of the project.

The City has complied with the necessary public scoping and review requirements under CEQA. Pursuant to Section 15082 of the CEQA Guidelines, the City circulated a Notice of Preparation (NOP) dated November 22, 2017, to interested agencies, organizations, and parties. Two public scoping meetings were held on December 13, 2017, and January 16, 2018, at the Melba Bishop Recreation Center (5306 N. River Road) to gather additional public input. Both scoping meetings were recorded and are viewable on the City's website for the proposed project (<http://www.ci.oceanside.ca.us/gov/dev/planning/project/nrfp.asp>). The initial 30-day public scoping period was extended and ended on January 30, 2018. The Draft EIR was be made available to members of the public, responsible agencies, and interested parties for a 45-day public review period, commencing on July 27, 2018 and ending on September 10, 2018, in accordance with CEQA Guidelines, Section 15105. Additional opportunities for public involvement during the EIR process will occur during the public hearing process for the project.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I102 D'AULA, TONY

- I102-1** The comment expresses the opinions of the commenter and general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I103 MARTIN, ULRICH

I103-1 The comment generally addresses traffic, which received extensive analysis in Section 4.17 of the Draft EIR. Please also refer to Topical Responses TR-1 through TR-3. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

The comment expresses the opinions of the commenter and general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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I104 SCHAFFNER, VICTORIA

- I104-1** The comment expresses the opinions of the commenter and general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I105 MCDOWELL, WILLIAM (3)

- I105-1** The comment expresses the opinions of the commenter and general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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I106 MCDOWELL, WILLIAM (4)

- I106-1** The comment provides background information and expresses the opinions of the commenter and general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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I107 HOWE, WILLIAM (1)

- I107-1** The comment addresses growth inducement, cumulative impacts, and smart growth areas, which received extensive analysis in Sections 4.7, 4.11, and 6.1 of the Draft EIR. Please also refer to Topical Responses CU-1, LU-1, and PH-1. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. Additionally, the commenter does not provide evidence for the conclusion regarding “30,000 residents”.
- I107-2** The comment generally addresses public services, which received extensive analysis in Section 4.15 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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I108 HOWE, WILLIAM (2)

- I108-1** The comment generally addresses fire response and evacuation, which received extensive analysis in Sections 4.9 and 4.15 of the Draft EIR. Please also refer to Topical Responses FR-1 through FR-4. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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I109 HOWE, WILLIAM (3)

- I109-1** The comment addresses traffic impacts, which received extensive analysis in Section 4.17 of the Draft EIR. Please also refer to Topical Responses TR-1 through TR-3. As shown in Section 4.17 (specifically Sections 4.17.6 and 4.17.6 and Table 4.17-19), the majority of potentially significant traffic impacts would be reduced to a level below significance. However, impacts to intersections and segments along N. River Road would only be partially reduced and would remain significant and unavoidable, as explained in Topical Response TR-1.

APPENDIX T0 (Continued)

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I110 HOWE, WILLIAM (4)

- I110-1** The comment raises economic, social, or political issues and expresses the opinion of the commenter that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.
- I110-2** The comment raises economic, social, or political issues and expresses the opinion of the commenter that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

APPENDIX T0 (Continued)

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I111 RANSOM, AL AND CATHIE

- I111-1** The comment expresses the opinions of the commenter and general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I111-2** The comment expresses the opinion of the commenter. The comment addresses traffic impacts, which received extensive analysis in Section 4.17 of the Draft EIR. Please also refer to Topical Responses TR-1 through TR-3. As shown in Section 4.17 (specifically Sections 4.17.6 and 4.17.6 and Table 4.17-19), the majority of potentially significant traffic impacts would be reduced to a level below significance. However, impacts to intersections and segments along N. River Road would only be partially reduced and would remain significant and unavoidable, as explained in Topical Response TR-1.
- I111-3** The comment generally addresses fire evacuation traffic impacts, which received extensive analysis in Sections 4.9 and 4.17 of the Draft EIR. Please also refer to Topical Responses FR-3, FR-4, and TR-1 through TR-3. Topical Responses FR-3 and FR-4 specifically addresses evacuation. As shown in Section 4.17 (specifically Sections 4.17.6 and 4.17.6 and Table 4.17-19), the majority of potentially significant traffic impacts would be reduced to a level below significance. However, impacts to intersections and segments along N. River Road would only be partially reduced and would remain significant and unavoidable, as explained in Topical Response TR-1. The commenter's opinion regarding the installation of another bridge across the San Luis Rey River is noted. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I111-4** The commenter raises concern regarding noise sourced from their business affected future residents of the project. This specific issue was analyzed in Section 4.13.4 of the Draft EIR. As stated in the Section 4.13.4, the location of these events on the Paradise Falls property would be located at a distance greater than 400 feet from the nearest future on-site residential property line.

As referenced by the commenter, the commenter has met with the project applicant regarding concerns of adjacency of proposed on-site residences and the Paradise Falls property. On June 30, 2017 via email, after meeting with the project applicant, the commenter indicated that a 200 foot setback from the Paradise Falls property would resolve concerns regarding noise and adjacency. In response to this request, the project applicant redesigned the corner of the project site near the intersection of Wilshire Road

and N. River Road such that the nearest future residential property line is approximately 215 feet from the Paradise Falls property. This design of the project was included in the Draft EIR circulated for public review. Therefore, the proposed setbacks and that the analysis regarding off-site noise impacts on future on-site residents are adequate.

- I111-5** The comment expresses the opinions of the commenter and general opposition for the project as proposed, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

I112 BRAGEN, MARK

I112-1 The comment expresses general opposition for the project.

This comment generally addresses potential traffic impacts on roadways, specifically SR-76, College Boulevard, and N. River Road, which received extensive analysis in Section 4.17, Traffic and Circulation, of the Draft EIR. Please also refer to Topical Responses TR-1 through Tr-3 for additional information regarding traffic, including potential impacts to N. River Road.

Proposed improvements to N. River Road are described in Section 3.3.2 and shown on Figures 3-6a and 3-6b of the Draft EIR. As described in Section 3.3.2, N. River Road is currently built as a two-lane collector road and is designated in the City's General Plan Circulation Element as a four-lane major road. The TIA recommends improvements to N. River Road between N. River Circle and Stallion Drive which would improve the road to either three-lane or four-lane standards providing an additional 5,000-15,000 ADT of capacity and mitigating the impact to below a level of significance. Table 16-6 of the TIA shows the pre- and post-mitigation operations on N. River Road. The proposed project would also complete widening along its frontage, and complete the installation of one travel lane in each direction, additional through lanes at the proposed traffic signal intersection, sidewalks, and landscape improvements within an average 112-foot-wide right-of-way.

Implementation of the proposed project would also involve an amendment to the City's General Plan Circulation Element to reclassify N. River Road from Stallion Drive to Sleeping Indian Road from a Major Arterial to a Four-Lane Secondary Collector. The proposed project would dedicate right-of-way along its frontage to Four-Lane Secondary Collector standards to accommodate an enhanced parkway for pedestrians and on-street bicycle facilities, but only two vehicular lanes (one in each direction) separated by a raised median are proposed.

I112-2 This comment generally addressed infrastructure plans, however it is unclear what specific infrastructure plans the commenter is referencing. The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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I113 FERRER, SUSIE

- I113-1** This comment generally addresses compatibility with the surrounding area, which is discussed in Topical Response LU-2. The comment expresses the opinions of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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I114 JOHNSON, LAURA

- I114-1** The comment addresses traffic and circulation, which received extensive analysis in Section 4.17 of the Draft EIR. Please also refer to Topical Responses TR-1 through TR-3. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
- I114-2** The comment expresses the opinion of the commenter regarding roadway infrastructure timing. Please also refer to Topical Response TR-2 regarding bridge crossings. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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I115 HOWE, WILLIAM (5)

I115-1 The comment generally addresses General Plan consistency, public safety, and traffic, which received extensive analysis in Sections 4.9, 4.11, and 4.17 of the Draft EIR. Please also refer to Topical Responses LU-1 and TR-1 through TR-3. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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I116 WEBER, BILL AND CHARLENE

- I116-1** The comment expresses opposition for the project, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I116-2** This comment addresses traffic, specifically on Sleeping Indian Road. Please refer to Topical Response TR-3, which addresses Sleeping Indian Road.

APPENDIX T0 (Continued)

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I117 PALACIOS, CARMEN

I117-1 The commenter is correct in noting that the proposed density and some of the proposed uses are not currently permitted under the existing General Plan and zoning designations. As stated in Section 3.4, Discretionary Actions, and further discussed in Section 4.11.4 of the Draft EIR, the proposed project would conflict with the current General Plan and zoning designations and would therefore require a General Plan Amendment and Zoning Ordinance Amendment. Please refer to Topical Response LU-1 for additional information.

The comment expresses the opinion of the commenter regarding the merits of the project, which does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

I117-2 This comment correctly summarizes the existing Level of Service (LOS) at the identified intersections, which can be found in Table 4.17-2 of the Draft EIR. This comment addresses the Melrose Drive Extension, which was analyzed in Section 4.17, Traffic and Circulation, of the Draft EIR. It should be noted that the Melrose Drive Extension is not proposed as part of the project. Rather, this is an improvement that has been identified by the City and is a separate action from the proposed project.

I117-3 The analysis and mitigation measures included in Section 4.17 and the Transportation Impact Analysis (TIA) (Appendix N) of the Draft EIR, were prepared by experienced City and consulting traffic experts, utilized industry standard methodology, and were based on several accepted guidance documents including the San Diego Traffic Engineering Council/Institute of Traffic Engineers Guidelines for Traffic Impact Studies in the San Diego Region, the Highway Capacity Manual, the SANDAG (Not so) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region, and the General Plan. Therefore, the Draft EIR has adequately identified feasible mitigation measures to reduce identified significant traffic impacts. However, as indicated in Table 4.17-9, several impacts would remain significant and unavoidable because full mitigation would be infeasible. As such, the Draft EIR identifies two intersections and one roadway segment where mitigation beyond re-striping would be required to fully mitigate the significant impact.

Figure 7–1 in the TIA shows the project distribution of traffic and shows that the project traffic will utilize several study area roadways such that no single roadway segment will have “8,000” ADT added to it, as suggested by the commenter. It should also be noted that the mitigation measures would be implemented prior to the full buildout of

APPENDIX T0 (Continued)

the project. Each mitigation measure is tied to the issuance of a specific dwelling unit count such that improvements would occur as the site is developed over time.

The commenter's opinion regarding implementation of the re-striping is noted. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

- I117-4** The comment expresses the opinion of the commenter regarding the timing of the project with respect to Melrose Drive Extension. Please refer to Response to Comments I117-1 through I117-4. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

I118 DUNBECK, DAVID

- I118-1** The comment generally addresses traffic, fire hazards, and evacuation, which received extensive analysis in Sections 4.9 and 4.17 of the Draft EIR. Please also refer to Topical Responses FR-1 through FR-4 and TR-1 through TR-3. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

The comment expresses opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

- I118-2** The comment expresses the opinion of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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I119 CEFOLA, ELAINE (2)

I119-1 The comment expresses general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. This comment contains a numbered list of issues raised by the commenter. The numbered responses below coincide with each numbered issue contained in this comment.

1. This comment generally addresses water supply. Please refer to Topical Response WS-1.
2. The comment indicates that the project would impact Vista Unified School District. Please note that the proposed project is fully located within the boundaries of the Oceanside Unified School District, as discussed in Section 4.15, Public Services, of the Draft EIR. Please also refer to comment A5-4, provided by Oceanside Unified School District, which states “As shown in the following table, based on the District’s yield rate and 3-year projections for enrollment there is sufficient capacity to accommodate the student generation from the proposed project description.”
3. This comment generally addresses infrastructure costs. The comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment.
4. This comment addresses fire risk. Please refer to Topical Responses FR-1 through FR-4. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
5. This comment generally address traffic, which received extensive analysis in Section 4.17, Traffic and Circulation, of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
6. This comment generally address impacts to air quality from vehicles, which received extensive analysis in Sections 4.3 and 4.8 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
7. This comment generally addresses the housing market. The comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment.
8. This comment addresses traffic impacts to SR-76, which received extensive analysis in Section 4.17 of the Draft EIR. Please also refer to Response to Comment Letter A3, for comments on the Draft EIR regarding SR-76 from Caltrans.

APPENDIX T0 (Continued)

9. This comment generally addresses crime. The comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment.

I119-2 The comment expresses the opinion of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

I119-3 The comment expresses the opinion of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

I121 DOMERCQ, JENIENE

- I121-1** The comment expresses general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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I122 OBRITE, YVONNE (1)

- I122-1** The comment expresses general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I122-2** This comment states that water facilities and water supply during drought conditions were not assessed within the Draft EIR. Section 4.18, Utilities and Service Systems, of the Draft EIR provide an analysis regarding the project's potential impact on water treatment facilities and water supply, including during drought conditions. Please also refer to The Water Supply Assessment and Water Supply Verification (Appendix Q to the Draft EIR), City of Oceanside 2015 Urban Water Management Plan (Appendix R to the Draft EIR), City of Oceanside Water Conservation Master Plan Update (Appendix S to the Draft EIR), and Topical Response WS-1.
- I122-3** This comment states that project drainage into the San Luis Rey River was not addressed in the Draft EIR.

Project drainage into the San Luis Rey River is first described in Section 3.3.6 and shown on Figure 3-11a of the Draft EIR. Further, potential impacts on drainage and impacts to the San Luis Rey River are thoroughly analyzed in Section 4.10, Hydrology and Water Quality, of the Draft EIR, as well as the Drainage Study (Appendix L1 to the Draft EIR) and the Conditional Letter of Map Revision Request (Appendix L2 to the Draft EIR).

As discussed in Section 4.10 and shown on Table 4.10-3 of the Draft EIR, the existing 100-year peak flow within the project site is approximately 229.5 cubic feet per second (cfs). With development of the proposed project, the 100-year peak flow would be approximately 266.11 cfs.

The proposed project includes a drainage system incorporated into the project design. The drainage system would be designed to convey runoff through a system of storm drain inlets and piping and biofiltration basins. The proposed drainage system would be designed in accordance with City requirements to accommodate predicted peak flows from the project site such that flooding would not occur. Impacts would be less than significant.

- I122-4** The comment states that connecting corridors to the project are not addressed. As stated in Section 4.17 of the Draft EIR, the traffic study area (shown on Figure 4.17-1) is based on the criteria identified in the San Diego Traffic Engineering Council/Institute of Traffic Engineers Guidelines for Traffic Impact Studies in the San Diego Region, March 2, 2000, which indicates that the study area cordons were determined by the

APPENDIX T0 (Continued)

limits or extent of where 50 peak-hour project trips would travel to/from the site. The traffic study area was developed through coordination between City staff and LLG traffic engineers. Therefore, the Draft EIR includes a traffic study area based on established methodology and industry standards, which is adequate for analysis under CEQA. As such, the identified intersection of S. Santa Fe Avenue (located in the City of Vista, approximately 4 miles south of the project site, or approximately 7 to 9 miles via roadways depending on the route), did not meet the criteria to be included within the traffic study area for the project.

- I122-5** This comment generally addresses fire hazards. Please refer to Topical Responses FR-1 through FR-4.
- I122-6** The comment provides background information and the opinion of the commenter, which does not raise an environmental issue within the meaning of CEQA. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

I123 OBRITE, YVONNE (2)

- I123-1** This comment provides an accurate summary of the project’s potential significant and unavoidable impacts, as identified Section ES.6 and throughout the Draft EIR.

The commenter states that the Draft EIR does not address any impact to the environment. As stated in Section 1.2 of the Draft EIR, the Draft 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) possible ways to minimize any significant environmental impacts, and (3) feasible alternatives to the proposed project that would reduce or avoid significant impacts associated with the proposed project (California Public Resources Code, Section 21002.1[a]; 14 CCR 15121[a]). The analysis and findings in this EIR reflect the independent judgment of the City. Please also refer to Topical Response OT-1.

The comment expressed the opinion of the commenter. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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I124 NAMAULEG, BERNADETTE

- I124-1** The comment expresses general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I124-2** The comment expresses concerns regarding wildfires and evacuation during a wildfire. Please refer to Topical Response FR-1 and FR-3.
- I124-3** The comment addresses traffic and circulation, and police and fire protection services, which received extensive analysis in Sections 4.17 and 4.15 of the Draft EIR. It should be noted that the North County Transit District (NCTD) operates the San Luis Rey Transit Center located at Vandegrift Boulevard and N. River Road located approximately 1 mile from the Village Core. Therefore, the project is located proximate to public transportation. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

APPENDIX T0 (Continued)

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I125 MCCLENDON, BOB

- I125-1** The comment addresses water supply, agricultural resources, GHG emissions, and traffic, which received extensive analysis in Sections 4.19, 4.2, 4.8, and 4.17 of the Draft EIR. Please also refer to Topical Response WS-1. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

APPENDIX T0 (Continued)

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I126 HANSON, DIANE

- I126-1** The comment expresses concerns about the loss of agricultural land associated with the proposed project. The proposed project would retain approximately 31.6 acres of the site in agricultural uses and would compensate for the entire 176.64 acres of the project site as part of MM-AG-1. Additionally, the comment expresses concern that the project would result in additional growth in the area. Please refer to Topical Response CU-1. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I126-2** This comment asserts that the citizens of Oceanside would have to subsidize the infrastructure to this project. The applicant would be responsible for implementing infrastructure improvements, including roadway improvements and paying a fair share contribution to roadways and intersections that have already been identified for improvement by the City. The comment addresses traffic and circulation, which received extensive analysis in Section 4.17 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I126-3** The comment expresses general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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I127 VANDRUFF, DIANE (2)

- I127-1** The comment expresses general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I128 GILLIGAN, JANE (2)

- I128-1** The comment addresses infrastructure and public services, which received extensive analysis in Sections 4.15, 4.17, and 4.19 of the Draft EIR. The comment also expresses concerns regarding wildfires and evacuation during a wildfire. Please refer to Topical Response FR-1 and FR-3. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
- I128-2** The comment expresses concerns that the project would be inconsistent with the Agritourism and Vision Plan for South Morro Hills. Please refer to Topical Response LU-4.

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I129 MCDONALD, JASON

- I129-1** The comment addresses traffic and circulation, air quality, and noise which received extensive analysis in Sections 4.17, 4.3, and 4.13 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
- I129-2** The comment also expresses concerns regarding wildfires and evacuation during a wildfire. Please refer to Topical Response FR-1 and FR-3.
- I129-3** The comment addresses traffic and circulation which received extensive analysis in Sections 4.17 of the Draft EIR. Regarding impacts to N. River Road, please refer to Topical Response TR-1. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I130 HUGHES, PATRICIA

- I130-1** The comment addresses infrastructure and public services, which received extensive analysis in Sections 4.15, 4.17, and 4.19 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
- I130-2** The comment expresses concerns regarding wildfires and evacuation during a wildfire. Please refer to Topical Response FR-1 and FR-3.

APPENDIX T0 (Continued)

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I131 HAAS, SANDRA

- I131-1** The comment expresses concern regarding project density and traffic. Please refer to Topical Responses LU-1 through LU-3. Additionally, potential traffic impacts have been adequately analyzed in Section 4.17, Traffic and Circulation, of the Draft EIR.
- I131-2** The comment expresses concerns regarding wildfires and evacuation during a wildfire. Please refer to Topical Response FR-1 and FR-3.
- I131-3** The comment expresses concern regarding project density, infrastructure, and traffic. Please refer to Topical Responses LU-1 through LU-3. Traffic and utilities impacts have been adequately analyzed in Sections 4.17 and 4.19, of the Draft EIR.
- I131-4** The comment expresses concern regarding project density. Please refer to Topical Responses LU-1 through LU-3.

APPENDIX T0 (Continued)

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I132 DUBOIS, STEVE (2)

- I132-1** The comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I132-2** The comment addresses schools, which received extensive analysis in Section 4.15 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

APPENDIX T0 (Continued)

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I133 STEIN, SUSAN

- I133-1** The comment expresses concern regarding project density, safety, and traffic. Please refer to Topical Responses LU-1 through LU-3. Traffic and safety impacts have been adequately analyzed in Sections 4.15 and 4.17, of the Draft EIR.

APPENDIX T0 (Continued)

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I134 STEELE, DANIELLE (2)

- I134-1** The comment addresses traffic and circulation which received extensive analysis in Sections 4.17 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
- I134-2** The comment addresses biological resources, which received extensive analysis in Section 4.4 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I134-3** The comment expresses concerns regarding water demand and supply for the project. Please refer to Topical Response WS-1.

APPENDIX T0 (Continued)

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I135 SCHWARZE, SHANNA (2)

I135-1 The comment expresses concerns regarding wildfires and evacuation during a wildfire. Please refer to Topical Response FR-1 through FR-4.

I135-2 As described in Chapter 0, Executive Summary, Section ES 2.2, the proposed project would allow for the development of up to 689 dwelling units for an overall density of approximately 4 dwelling units per gross acre. The proposed project would also allow for a variety of agricultural uses, housing types, a boutique 100-room hotel, an education center, and flexible commercial uses on the site. The proposed project would include the development of up to 30,000 square feet of commercial space (including 5,000 square feet of restaurant space). Approximately 31.6 acres would be dedicated to agriculture throughout the project site. Another 16.0 acres of the site are planned for park and open space features, including parks, buffers, trails, and farm plots.

The comment expresses concerns regarding land use capability and density of the proposed project and its surroundings. Please refer to Topical Response LU-1 and LU-2.

I135-3 As described in Section 4.3, Air Quality, the proposed project would not result in any significant air quality impacts. All air quality impacts would be mitigated to a less than significant level with implementation of mitigation measure (MM)-AQ-1 and MM-AQ-2. Also described in Section 4.3, the proposed project would require a Zoning Ordinance Amendment that will change the project site to Planned Development (PD). The PD designation would allow for the project site to be developed with a several land uses including residential, commercial, mixed use, recreational, and agriculture.

The comment regarding a City-wide vote expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

I135-4 The comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

I135-5 The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I136 BONILLA, ADRIANNA

- I136-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I137 BOONE, CONNIE

- I137-1** The comment expresses general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I138 MASTRO, DEBBIE (2)

- I138-1** The comment expresses concern regarding project density, traffic, air quality, water supply, and emergency response times. Please refer to Topical Responses LU-1 through LU-3, WS-1, and FR-5. Traffic, air quality, water supply, and public service impacts have been adequately analyzed in Sections 4.17, 4.3, 4.19, and 4.15, of the Draft EIR. The comment expresses concerns regarding wildfires. Please refer to Topical Response FR-1 through FR-4. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

APPENDIX T0 (Continued)

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I139 NGUYEN, JESSICA

- I139-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I140 BALMA, LOUISE

- I140-1** The comment expresses concerns regarding land use compatibility and density of the proposed project and its surroundings. Please refer to Topical Response LU-1 and LU-2.
- I140-2** The comment expresses concern regarding impacts to agricultural resources resulting from the project. Please refer to Topical Response AG-1.
- I140-3** As described in Section 4.5, Cultural Resources and Appendix F1, Archaeological, Built Environment, and Paleontological Resources Survey and Evaluation Report for the North River Farms Plan, of the Draft EIR, one prehistoric bedrock milling site (CA-SDI-16083) is located on the project site and has the potential to be impacted based on the project site plan. CA-SDI-16083 has no apparent potential to yield important archaeological information due to its disturbed nature, small number of common archaeological features, and lack of associated artifacts or a subsurface cultural component. However, it is possible for other locations within the project site to contain unanticipated buried deposits. Therefore, impacts related to encountering previously unidentified subsurface artifacts would be potentially significant.
- Mitigation measure (MM-) CUL-1 would require cultural and Native American resource monitoring during ground-disturbing activities, including a pre-grading meeting, qualifications and abilities for the monitor, procedures should resources be encountered, and reporting protocols. Incorporation of MM-CUL-1 would reduce potentially significant impacts to a level below significance. It should be noted that Appendix F1 was prepared by archaeologists Micah Hale, PhD, RPA and Adam Giacinto, MA, RPA, who are accredited as Register of Professional Archaeologists.
- I140-4** The commenter is requesting that additional alternatives be considered as part of the Final EIR. Please refer to Topical Response ALT-1.
- I140-5** The comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. In addition, the comment expresses concerns about public services, which received extensive analysis in Section 4.15 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I140-6** As demonstrated in Section 4.1, Aesthetics, five key observation points (KOPs) were used in the analysis as representative vantage points that illustrate conditions from which the proposed project will be viewed by the various viewer groups identified in the existing conditions discussion. Specifically, KOP 4, as shown in Figure 4.1-4 of the

APPENDIX T0 (Continued)

Draft EIR, is at the cul-de-sac of Chincoteague Court, southeast of the project site, across the San Luis Rey River. KOP 5, as shown on Figure 4.1-5 of the Draft EIR, is at a park located off of Raspberry Way, southeast of the project site, across the San Luis Rey River.

Therefore, the analysis in Section 4.1, of the Draft EIR does include views across the San Luis Rey River valley. Factors considered in the selection of KOPs used in visual simulations included proximity to the project site, angle of observation, volume of viewer, viewer sensitivity, and length of time the proposed project is in view.

- I140-7** KOP 2, as shown on Figure 4.1-2 of the Draft EIR, is located on N. River Road at the western entrance of the project site. The view is oriented looking east towards the project site. Potential viewers at KOP 2 would be motorists and bicyclists. As shown in Figure 4.1-2 and Figure 3-3, Proposed Agricultural Areas, of the Draft EIR, orchards, orchard intercropping, vineyards, the hotel farm, and the market garden are proposed just north and south of N. River Road. Therefore, views from N. River Road would include views of orchard crops and other agricultural uses.

The comment states that more aesthetic studies from additional KOPs should be provided; however, the comment does not state which additional KOPs or studies should be provided. Therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

- I140-8** The comment expresses concerns about the significant and unavoidable traffic and circulation and fire protection public services impacts. Regarding fire protection impacts, please refer to Topical Responses FR-1 through FR-5. Please also refer to comment A5-4, provided by Oceanside Unified School District, which states “As shown in the following table, based on the District’s yield rate and 3-year projections for enrollment there is sufficient capacity to accommodate the student generation from the proposed project description.” Traffic and public service impacts have been adequately analyzed in Sections 4.17 and 4.15, of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

The comment states that the project should only be approved if there are plans to construct the Melrose Bridge expansion and that the Final EIR should include analysis of the Melrose Bridge expansion. Please refer to Topical Response TR-2.

I141 HADLEY, MICHAEL

- I141-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

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APPENDIX T0 (Continued)

I142 GEORGE, SUSAN

- I142-1** The comment expresses concerns regarding evacuation during a wildfire. Please refer to Topical Response FR-1 through FR-4.
- I142-2** The comment expresses concerns regarding density of the proposed project and its surroundings. Please refer to Topical Response LU-1 and LU-2.

APPENDIX T0 (Continued)

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I143 LUEBE, SYDNE

- I143-1** It should be noted that the proposed project would retain approximately 31.6 acres of the site in agricultural uses. The County acknowledges the comment and notes the comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I143-2** The comment expresses concern regarding project density, traffic, noise, air quality, and biological resources. Please refer to Topical Responses LU-1 through LU-3. Traffic, noise, air quality, and biological resource impacts have been adequately analyzed in Sections 4.17, 4.13, 4.3, and 4.4, of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
- I143-3** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I143-4** The comment expresses concerns regarding evacuation during a wildfire. Please refer to Topical Response FR-1 through FR-4.
- I143-5** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

APPENDIX T0 (Continued)

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I144 METCALFE, ALISON

- I144-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I145 BRANDT, ARIANNE

- I145-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I146 COLEMAN, BRETT

- I146-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I147 BELL, CHERI (2)

- I147-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I148 VOSS, EMMA

- I148-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I149 BURKE, GREG

- I149-1** The comment expresses general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I150 CASE, JEROME

- I150-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I151 BELL, JOE

- I151-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I152 HESTER, NAKISHA

- I152-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I153 LEFKOWITZ, NATASHA

- I153-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I154 BARBATO, NICOLE

- I154-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I155 LOPEZ, NICOLE

- I155-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I156 MORRIS, REBECCA

- I156-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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APPENDIX T0 (Continued)

I157 RODRIGUEZ, SUZANNE

- I157-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I158 LARKIN, TAMMY

- I158-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I159 SUSTACHECK, WENDY

- I159-1** The comment expresses general support for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I160 KORNACHER, SUSAN

I160-1 The comment expresses general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

I160-2 The comment addresses traffic and circulation, greenhouse gas emissions, water supply, public services, which received extensive analysis in Sections 4.17, 4.8, 4.19, and 4.15 of the Draft EIR. Please also refer to Topical Response WS-1. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

The comment expresses concerns regarding land use capability and density of the proposed project and its surroundings. Please refer to Topical Response LU-1 and LU-2. The comment also expresses concerns regarding evacuation during a wildfire. Please refer to Topical Response FR-1 through FR-4. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

I160-3 The comment expresses general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I161 RIGG, ALICE

- I161-1** The comment addresses traffic and circulation, which received extensive analysis in Sections 4.17 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The comment also expresses concerns regarding evacuation during a wildfire. Please refer to Topical Response FR-1 through FR-4. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I161-2** The comment expresses general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I162 SIDHU, ASHA AMBER

I162-1 The comment addresses traffic and circulation, noise, air quality, greenhouse gas emissions, utilities and water supply, and public services, which received extensive analysis in Sections 4.17, 4.13, 4.3, 4.8, 4.19, and 4.15 of the Draft EIR. Please also refer to Topical Response WS-1. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

The comment expresses concerns regarding land use capability and density of the proposed project and its surroundings. Please refer to Topical Response LU-1 and LU-2. The comment also expresses concerns regarding wildfire. Please refer to Topical Response FR-1 through FR-4. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

I162-2 The comment expresses general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

APPENDIX T0 (Continued)

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I163 MILLER, DENNEY

- I163-1** The comment expresses concern that the project would result in additional growth in the area. Please refer to Topical Response CU-1. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I163-2** The comment addresses traffic and circulation, public services, utilities, air quality, greenhouse gas emissions, hydrology and water quality, and biological resources, which received extensive analysis in Sections 4.17, 4.13, 4.3, 4.8, 4.19, and 4.15 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

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I164 MARTINEK, DENNIS

I164-1 The comment addresses floodplain hazards, which received extensive analysis in Section 4.10 of the Draft EIR. As discussed in this analysis, the southern portions of the project site would be located within the 100-year flood hazard area, as shown on Figure 4.10-1 of the Draft EIR. Specifically, residential, commercial, and recreational structures within the Riverside Village and Village Core Planning Areas would be located within the 100-year flood hazard area. Therefore, the proposed project would place within a 100-year flood hazard area structures which would impede or redirect flood flows.

The project would implement appropriate grading elevations and flood control improvements necessary to remove the portions of the property from the 100-year flood hazard area defined by Federal Emergency Management Agency through the Letter of Map Revision process. The applicant shall be required to construct flood control improvements to contain or redirect the 100-year flood flows away from the property as necessary, such that hazards from the 100-year flood would not adversely affect proposed structures on site. Hydrological modeling determined that all building pads within the project site, as well as downstream and upstream of the site within the floodway, would be above the 100-year floodplain inundation elevation. Therefore, potential impacts related to the 100-year flood hazard area would be reduced to a level below significance.

The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

I164-2 The comment expresses concerns regarding wildfire. Please refer to Topical Response FR-1 through FR-4. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

I164-3 The comment expresses concerns regarding land use compatibility and conflicts with the General Plan. Please refer to Topical Response LU-1 and LU-2. The comment also addresses agricultural resources, which received extensive analysis in Section 4.2 of the Draft EIR. The comment expresses concerns about the loss of local agricultural land associated with the proposed project and its effects on the surrounding community. The proposed project would retain approximately 31.6 acres of the site in agricultural uses and would compensate for the entire 176.64 acres of the project site as part of MM-AG-1. Of the retained agricultural land on site, the proposed project would include several agricultural features, such as a community garden, market garden, production agriculture, a vineyard, orchards, a farm hub, a hotel farm, and an ecology center, which would benefit the future residents and the surrounding community. Further, as

APPENDIX T0 (Continued)

discussed in Topical Response AG-1, the City does not currently have an adopted agricultural mitigation program in which the project can participate and which is enforceable by the City. Therefore, at this time, such mitigation is infeasible. However, mitigation measure MM-AG-1 is structured such that, in the event the City adopts an effective agricultural conservation or mitigation program prior to the project's first application for a grading permit, the applicant would be required to mitigate for agricultural impacts within the City.

- I164-4** The comment expresses concerns regarding land use compatibility and conflicts with the General Plan. Please refer to Topical Response LU-1 and LU-2.
- I164-5** The comment addresses agricultural resources, which received extensive analysis in Section 4.2 of the Draft EIR. The comment expresses concerns about the loss of agricultural land associated with the proposed project. The proposed project would retain approximately 31.6 acres of the site in agricultural uses and would compensate for the entire 176.64 acres of the project site as part of MM-AG-1. The comment states that a Land Evaluation and Site Assessment (LESA) analysis should be included as part of the Final EIR. It should be noted that a LESA analysis was conducted and is summarized in Section 4.2 of the Draft EIR.

I165 OCHS, MARK (2)

- I165-1** The comment expresses general opposition for the project. This comment also serves as an introduction to more specific comments that follow; please refer to the responses below.
- I165-2** This comment repeats the primary comments submitted by the Sierra Club on the Draft EIR (Comment Letter O4). Please refer to Response to Comments O4-2 through O4-5.
- I165-3** This comment repeats the primary comments submitted by the Sierra Club on the Draft EIR (Comment Letter O4). Please refer to Response to Comments O4-6 through O4-8.
- I165-4** This comment repeats the primary comments submitted by the Sierra Club on the Draft EIR (Comment Letter O4). Please refer to Response to Comments O4-6 through O4-8.
- I165-5** This comment repeats the primary comments submitted by the Sierra Club on the Draft EIR (Comment Letter O4). Please refer to Response to Comments O4-11 through O4-15.
- I165-6** This comment repeats the primary comments submitted by the Sierra Club on the Draft EIR (Comment Letter O4). Please refer to Response to Comment O4-16.
- I165-7** This comment repeats the primary comments submitted by the Sierra Club on the Draft EIR (Comment Letter O4). Please refer to Response to Comment O4-32.
- I165-8** Potential effects from lighting on the San Luis Rey River was discussed in the Section 4.4, Biological Resources, of the Draft EIR. As stated in Section 4.4.4 of the Draft EIR, the area between the proposed project and the San Luis Rey River will continue to be maintained and operated as active agricultural lands; therefore, indirect impacts from noise, lighting, and invasive species occurring adjacent to the San Luis Rey River would not change with project implementation. Additionally, as described in Section 4.1, Aesthetics, outdoor nighttime lighting would be directed downward and away from adjacent properties, reducing light spillover, in compliance with City municipal code. Refer also to Topical Response BR-1 regarding overall impacts to the San Luis Rey River.
- I165-9** Evaluation of the proposed project and compliance with the Oceanside Subarea Plan is included in Section 4.4, Biological Resources, of the Draft EIR (pages 4.4-27 and 4.4-28).
- I165-10** Figure 4.4-1, Regional Planning Context, provides context between the project site, proposed limits of development, the San Luis Rey River, and the Hardline Preserve of

APPENDIX T0 (Continued)

the Oceanside Subarea Plan. This figure is not intended or implied to show regional wildlife corridor linkages. Therefore, commenter's assertion that Figure 4.4-1 fails to show the regional wildlife corridor links is unclear. Figure 4.4-1 accurately depicts what is described in Section 4.4 of the Draft EIR and no revisions are required.

- I165-11** Please refer to Topical Response BR-1.
- I165-12** Section 4.9, Hazards and Hazardous Materials, of the Draft EIR discusses hazardous materials. The Phase I ESA (Appendix I to the Draft EIR) did not identify any RECs or potential environmental concerns associated with the project site or adjacent/near properties. Previous soil sampling and analysis concluded that potential chemical concentrations do not exceed thresholds that would adversely affect the public or the environment (refer to Section 4.9.1). Therefore, it is not expected that soils would present substantial hazard to the public and environment during excavation. However, should suspect or stained soils be encountered during grading, additional testing and remediation in accordance with the County of San Diego Department of Environmental Health requirements would be performed. Therefore, impacts would be less than significant.
- I165-13** This comment addresses the adequacy of the proposed project's evacuation plan. Please refer to Topical Response FR-3.
- I165-14** Please refer to Topical Responses FR-3 and FR-4 regarding adequacy of evacuation plan analysis and preparation.
- I165-15** The comment raises economic issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.
- I165-16** This comment addresses RHNA requirements. Please refer to Topical Response PH-2.
- I165-17** Please refer to Response to Comment I165-14.
- I165-18** This comment addresses water supply. Please refer to Topical Response WS-1.
- I165-19** This comment addresses schools. Please refer to comment A5-4, provided by Oceanside Unified School District, which states "As shown in the following table, based on the District's yield rate and 3-year projections for enrollment there is sufficient capacity to accommodate the student generation from the proposed project description."

APPENDIX T0 (Continued)

- I165-20** The comment expresses the opinion of the commenter. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I165-21** This comment states that traffic impacts heading east from the project have been completely ignored. As described in Section 4.17.1 and shown on Figure 4.17-1 of the Draft EIR, the traffic study area includes roadway segments and intersections east of the project site along N. River Road. The Draft EIR adequately assessed potential impacts within the traffic study area utilizing the published San Diego Traffic Engineering Council/Institute of Traffic Engineers guidelines for the determination of the significance of impacts, as identified in Section 4.17.3 of the Draft EIR. The commenter's opinion regarding the widening of N. River Road has been noted. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- Please refer to Topical Responses TR-1 through TR-3. Please also refer to responses to Comment Letter A3 regarding the comments submitted by Caltrans on the proposed project.
- I165-22** The comment raises economic issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.
- I165-23** The comment raises economic and political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.
- I165-24** The comment expresses the opinion of the commenter. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I165-25** The comment expresses the opinion of the commenter regarding mitigation for greenhouse gas emissions. Please refer to Topical Response GHG-1 through GHG-3. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I165-26** The comment expresses the opinion of the commenter regarding mitigation for agricultural impacts. Please refer to Topical Response AG-1. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

APPENDIX T0 (Continued)

- I165-27** This comment states that Native American artifacts that been completely overlooked in the Draft EIR. Please refer to Section 4.5, Cultural Resources, which discusses potential impacts to archaeological resources, including those of Native American concern. Refer to Comment Letter A2 which states that the Rincon Band of Luiseño Indians are in agreement with mitigation measure MM-CUL-1. Additionally, Section 4.18, Tribal Cultural Resources, of the Draft EIR documents the City's tribal consultation efforts as required by Assembly Bill 52.
- I165-28** The comment raises economic and political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.
- I165-29** The comment expresses general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

I166 MILLER, SANDY

I166-1 The comment generally addresses traffic, fire hazards, and evacuation, which received extensive analysis in Sections 4.9 and 4.17 of the Draft EIR. Please also refer to Topical Responses FR-1 through FR-4 and TR-1 through TR-3. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

The comment expresses the opinion of the commenter. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

I166-2 The comment states that the proposed project would require increased fire protection, police services, and schools. The comment is consistent with the analysis regarding public services in the Draft EIR. Please refer to Section 4.15, Public Services of the Draft EIR, as well as Topical Responses FR-5. Please also refer to comment A5-4, provided by Oceanside Unified School District, which states “As shown in the following table, based on the District’s yield rate and 3-year projections for enrollment there is sufficient capacity to accommodate the student generation from the proposed project description.”

I166-3 There areas within the City are designated for residential uses, as stated by the comment. This comment also states that the project site is not located in a Smart Growth Area. The comment is consistent with the statements found in Sections 4.11 and 4.14 of the Draft EIR.

I166-4 The comment expresses the opinion of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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I167 HARVEY, SEAN

- I167-1** The comment generally addresses traffic, which received extensive analysis in Section 4.17 of the Draft EIR. Please also refer to Topical Responses TR-1 through TR-3. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I167-2** The comment generally addresses fire hazard and evacuation, which received extensive analysis in Section 4.9 of the Draft EIR. Please also refer to Topical Responses FR-1 through FR-5. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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I168 OCHS, SHARON SINCLAIR (2)

- I168-1** The comment provides background information and expresses the opinions of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I168-2** This comment repeats the primary comments submitted by the Sierra Club on the Draft EIR (Comment Letter O4). Please refer to Response to Comments O4-2 through O4-5.
- I168-3** This comment repeats the primary comments submitted by the Sierra Club on the Draft EIR (Comment Letter O4). Please refer to Response to Comments O4-6 through O4-8.
- I168-4** This comment repeats the primary comments submitted by the Sierra Club on the Draft EIR (Comment Letter O4). Please refer to Response to Comments O4-11 through O4-15.
- I168-5** This comment repeats the primary comments submitted by the Sierra Club on the Draft EIR (Comment Letter O4). Please refer to Response to Comment O4-16.
- I168-6** This comment repeats the primary comments submitted by the Sierra Club on the Draft EIR (Comment Letter O4). Please refer to Response to Comment O4-32.
- I168-7** Potential effects from lighting on the San Luis Rey River was discussed in the Section 4.4, Biological Resources, of the Draft EIR. As stated in Section 4.4.4 of the Draft EIR, the area between the proposed project and the San Luis Rey River will continue to be maintained and operated as active agricultural lands; therefore, indirect impacts from noise, lighting, and invasive species occurring adjacent to the San Luis Rey River would not change with project implementation. Additionally, as described in Section 4.1, Aesthetics, outdoor nighttime lighting would be directed downward and away from adjacent properties, reducing light spillover, in compliance with City municipal code. Refer also to Topical Response BR-1 regarding overall impacts to the San Luis Rey River.
- I168-8** Evaluation of the proposed project and compliance with the Oceanside Subarea Plan is included in Section 4.4, Biological Resources, of the Draft EIR (pages 4.4-27 and 4.4-28).
- I168-9** The comment generally addresses traffic and public services, which received extensive analysis in Sections 4.15 and 4.17 of the Draft EIR. Please refer to Topical Responses TR-1 through TR-3. Please also refer to comment A5-4, provided by Oceanside Unified School District, which states “As shown in the following table, based on the District’s yield rate and 3-year projections for enrollment there is sufficient capacity to accommodate the student generation from the proposed project description.” The

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comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

The comment provides background information and expresses the opinions of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

I168-10 The comment generally addresses utilities, energy, and evacuation, which received extensive analysis in the Draft EIR. Please also refer to Topical Responses WS-1, FR-3, and FR-4.

I168-11 The comment expresses the opinions of the commenter and general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

I169 TILLINGHAST, STEVE AND HEIDI

- I169-1** The comment expresses general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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I170 JOHNSON, ROBERT H.

- I170-1** The comment expresses general opposition for the project. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I170-2** This comment generally addresses traffic, air quality, and greenhouse gas emissions, which received extensive analysis in Sections 4.3, 4.8, and 4.17 of the Draft EIR. Refer also to Response to Comment O4-32. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I170-3** The comment expresses the opinion of the commenter. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

This comment generally addresses traffic, noise, air quality, water supply, emergency services, utilities, and overall impacts to the environment, which received extensive analysis throughout the entire Draft EIR, including Sections 4.3, 4.9, 4.13, 4.15, 4.17, and 4.19. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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I171 JOHNSON, KRISTEN

- I171-1** The comment states that the project applicant needs to provide space and financing for a new fire station. Please refer to Topical Response FR-5.
- I171-2** This comment states that the project is not near public transportation. As stated in several areas of the Draft EIR, including Chapter 3, the western edge of the project site and the Village Core are about 0.5 mile and 1 mile from the San Luis Rey Transit Center, respectively. Additionally, as stated in 3.3.2.5 of the Draft EIR, NCTD does not currently provide service to the project site or to the areas to the east along N. River Road. NCTD indicated that future service may be expanded to the area (Appendix A). The proposed project includes east/west bus stop infrastructure along N. River Road within the project site to prepare for any future contemplated service by NCTD.
- This comment also states that the project site is not located in a Smart Growth Area. The comment is consistent with the statements found in Sections 4.11 and 4.14 of the Draft EIR.
- I171-3** The comment generally addresses traffic, fire hazards, and evacuation, which received extensive analysis in Sections 4.9 and 4.17 of the Draft EIR. Please also refer to Topical Responses FR-1 through FR-4 and TR-1 through TR-3. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.
- I171-4** The project would also provide minimum affordable housing within the City equivalent to 10% of project unit count, through either: (1) reservation of 10% of housing units onsite for affordable housing; (2) payment of the established in-lieu fee; or (3) development of affordable housing offsite.
- I171-5** The comment provides information related to City finances and infrastructure improvements and does not raise an environmental issue regarding the analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I171-6** The comment expresses the opinion of the commenter. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I171-7** The comment expresses the opinion of the commenter. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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- I171-8** The comment expresses the opinion of the commenter. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

I172 JOHNSON, JONI

- I172-1** Comments at the scoping meeting were noted and taken into consideration for the Draft EIR. However, the City asked commenters to submit their comments in writing so that the City could accurately assess input for inclusion in the Draft EIR. Both scoping meetings were recorded and are viewable on the City’s website for the proposed project (<http://www.ci.oceanside.ca.us/gov/dev/planning/project/nrfp.asp>). Links to these videos were provided in Chapter 1, Introduction, Section 1.4.2 of the Draft EIR. Per CEQA Guidelines, Section 15084 (c), the information or comments may be included in the Draft EIR in whole or in part. Please refer to Appendix A for all written public scoping comments.

The comment expresses concerns about the project not adequately mitigating impacts to fire protection services, schools, parks, and medical services. The comment also expresses concerns about emergency evacuation being impacted by the project’s stresses on infrastructure systems. The commenter does not explain why impacts have not been properly mitigated; therefore, no further response can be provided. However, please refer to Topical Responses FR-1 through FR-5. Please also refer to comment A5-4, provided by Oceanside Unified School District, which states “As shown in the following table, based on the District’s yield rate and 3-year projections for enrollment there is sufficient capacity to accommodate the student generation from the proposed project description.”

- I172-2** The comment states that the parkland proposed as part of the project is inadequate, because the project proposes 10.2 acres of parkland, but would result in a net loss of 50 acres of scenic park. As described in Section 4.16, Recreation of the Draft EIR, the proposed project includes 16.0 acres of park, recreational, and open space. Of this open space area, 10.2 acres would be park space, which would exceed the General Plan standard.

In addition, as with all residential developments, in order to avoid the substantial physical deterioration of local recreation facilities, the proposed project would be required to satisfy the City’s park land dedication and in-lieu park fee requirement by either dedicating 9.86 acres of land for local parks to the City, paying the park fee (currently \$4,431 per dwelling unit), or paying a portion of the park fee and dedicating a portion of park land. (City Municipal Code Chapter 32B and 32D.) Funds collected as City park fees must be used for the acquisition, planning, and/or development of local park land and recreation facilities. Payment of the City’s park fee of \$4,431 per dwelling unit minus the eligible parkland provided on site by the proposed project would ensure the City is able to maintain adequate standards of operation at existing parks and to meet new demand for park facilities.

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I172-3 The proposed project is not located in a Smart Growth Opportunity Area on the SANDAG Smart Growth Concept Map. However, as shown in Figure 3-7, Proposed Pedestrian and Trail Network, and Figure 3-8, Proposed Bicycle Network of the Draft EIR, the project would include a Class I bike trail/street-adjacent pedestrian trail within the Village Core and an off-street trail adjacent to the Village Core. The North County Transit District (NCTD) operates the San Luis Rey Transit Center located at Vandegrift Boulevard and N. River Road located approximately 1 mile from the Village Core. A street-adjacent pedestrian trail and Class II bike trail would be provided along N. River Road to the extents of the project site.

Although NCTD does not currently provide service to the project site or to the areas to the east along N. River Road, NCTD indicated that future service may be expanded to the area (Appendix A of the Draft EIR). The proposed project includes east/west bus stop infrastructure along N. River Road within the project site to prepare for any future contemplated service by NCTD. Therefore, the project includes features, where feasible, that could reduce the need for single-occupancy vehicle trips.

I172-4 Please refer to Appendix J1, Fire Protection Plan, of the Draft EIR. The Fire Protection Plan includes a description of proposed fire protection systems and defensible space and vegetation management. Therefore, these items were considered as part of the project and Draft EIR. This comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

I172-5 The comment expresses concerns about wildfires. Please refer to Topical Responses FR-1 through FR-5.

I172-6 The comment expresses concerns about wildfires. Please refer to Topical Responses FR-1 through FR-5.

I172-7 The comment also expresses concerns regarding wildfire evacuation. Please refer to Appendix J2, Evacuation Plan, of the Draft EIR. Please refer to Topical Responses FR-1 through FR-5.

I172-8 Please refer to Response to Comment I172-2.

I172-9 The comment expresses concerns regarding the density of the proposed project and its surroundings. Please refer to Topical Response LU-1 and LU-2. The comment also expresses concerns regarding wildfires and evacuation. Please refer to Topical Responses FR-1 through FR-5.

I172-10 Please refer to Appendix J1, Fire Protection Plan, of the Draft EIR. The Fire Protection Plan includes a description of proposed fire protection systems and defensible space

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and vegetation management. Therefore, these items were considered as part of the project and Draft EIR. This comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

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I173 KELLY, CRISTEN

- I173-1** The comment addresses infrastructure, and school services, which received extensive analysis in Sections 4.15 and 4.19 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. Additionally, the comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I173-2** The comment addresses traffic and circulation, which received extensive analysis in Section 4.17 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The comment also expresses concerns regarding wildfire. Please refer to Topical Response FR-1 through FR-4. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I173-3** The applicant would be responsible for implementing infrastructure improvements, including roadway improvements and paying a fair share contribution to roadways and intersections that have already been identified for improvement by the City. The comment addresses traffic and circulation, utilities, and public services, which received extensive analysis in Section 4.17, 4.19, and 4.15 of the Draft EIR.

As described in Section 4.15, Public Services of the Draft EIR, Chapters 32B and 32E of the City's Municipal Code provide guidelines for ensuring school facility adequacy as new development occurs and the requirement of new development impact fees towards public facilities. Additionally, although OUSD does not have yield factors associated with commercial space, the proposed project could result in indirect growth associated with employees of the proposed commercial space. OUSD has a statutory fee of \$3.79 per square foot of residential development and \$0.61 per square foot of commercial development. Through payment of this fee, the proposed project would be in compliance with City requirements, and would ensure that adequate school facilities remain available to existing students and children residing in new residential developments. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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I174 LONG, JOSEPH W.

- I174-1** The comment addresses traffic and circulation, and emergency services, which received extensive analysis in Sections 4.17 and 4.15 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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I175 MACIARIELLO, JAMES

- I175-1** The comment addresses traffic and circulation, which received extensive analysis in Section 4.17 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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I176 NELSON, BOB

- I176-1** The comment expresses general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.
- I176-2** The Melrose Drive Extension is not proposed as part of the project. Since the early 1990s, the City has been discussing and planning completion of a Melrose Drive Extension. Changes in funding priorities and other issues have led to its ongoing postponement. For that reason, Section 4.17, Traffic and Circulation considers Year 2035 scenarios with and without the Melrose Drive Extension. Please refer to Topical Response TR-2.
- I176-3** The comment states that the project should include an extension of the San Luis Rey River Trail across the College Avenue Bridge to the East on the northerly side of the river for eventual connection to the San Luis Rey River Park near Vista Way for connection to future trails there. The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I176-4** The comment addresses floodplain hazards, which received extensive analysis in Section 4.10 of the Draft EIR. As discussed in this analysis, the southern portions of the project site would be located within the 100-year flood hazard area, as shown on Figure 4.10-1 of the Draft EIR. Specifically, residential, commercial, and recreational structures within the Riverside Village and Village Core Planning Areas would be located within the 100-year flood hazard area. Therefore, the proposed project would place within a 100-year flood hazard area structures which would impede or redirect flood flows.

The project would implement appropriate grading elevations and flood control improvements necessary to remove the portions of the property from the 100-year flood hazard area defined by Federal Emergency Management Agency through the Letter of Map Revision process.

The applicant shall be required to construct flood control improvements to contain or redirect the 100-year flood flows away from the property as necessary, such that hazards from the 100-year flood would not adversely affect proposed structures on site. Hydrological modeling determined that all building pads within the project site, as well as downstream and upstream of the site within the floodway, would be above the 100-

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year floodplain inundation elevation. Therefore, potential impacts related to the 100-year flood hazard area would be reduced to a level below significance.

The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

I177 ODEGAARD, MICHAEL

- I177-1** The comment expresses concerns about inadequate fuel modification buffering along the sloping north edge of the property and suggests that irrigated fields be provided in this area instead. Please refer to Appendix J1, Figure 9 of the Draft EIR. A fuel modification zone would be placed between the project site and the surrounding properties. The comment states that the proposed fuel modification buffering is inadequate but does not explain why. Therefore, no more specific response can be provided or is required.
- I177-2** The comment addresses traffic and circulation, which received extensive analysis in Section 4.17 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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I178 GREEN, KAREN

I178-1 This comment is introductory in nature and alludes to issues raised by comments that follow. The commenter claims that the Draft EIR is required to be recirculated. While the Draft EIR has been revised, none of the revisions constitute “significant new information” as it is used in Section 15088.5 of the CEQA Guidelines. As stated in Section 15088.5:

“Significant new information” requiring recirculation, include, for example, a disclosure showing that:

1. A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implement.
2. A substantial increase in the severity of an environmental impact would result unless mitigation measure are adopted that reduce the impact to a level of significance.
3. A feasible project alternative or mitigation measures considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it.
4. The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

The Draft EIR, as revised, does not meet any of the four criteria requiring recirculation, as defined by Section 15088.5 of the CEQA Guidelines.

Please also note that cited CEQA Guidelines section in the comment (15123(b)(3)) appears to not be applicable to this comment as the cited section refers to the contents of an EIR’s executive summary.

I178-2 The comment correctly cites and quotes the CEQA Guidelines. As this comment does not raise an environmental issue, no further response is necessary.

I178-3 The commenter states that the Draft EIR uses a hypothetical future condition as the baseline for environmental analysis. Chapter 2, Environmental Setting, of the Draft EIR provides a brief description of the existing physical conditions at the project site and in the surrounding vicinity at the time of filing of the Notice of Preparation (NOP), as required by Section 15125 of the CEQA Guidelines. Additional details and descriptions of the existing conditions specific to each environmental issue area can also be found through Chapter 4, Environmental Analysis, of the Draft EIR. Sections 2.1.3 and 2.1.4

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of the Draft EIR clearly state the existing zoning and General Plan land use designations of the project site and surroundings included in the baseline conditions. Refer also to Figures 4.11-1 and 4.11-2 for graphical depictions of the existing zoning and General Plan land use designations.

The environmental analysis of the Draft EIR must assume that the proposed General Plan Amendment and Zoning Ordinance Amendment are approved because the proposed amendments are a component of the project. The proposed amendments are not a separate action requested by the project applicant. As stated at the beginning of Section 3.3, Project Overview and Major Components, “[t]he proposed project proposes a planned development consisting of a General Plan Amendment, Zoning Ordinance Amendment, PD Plan, Development Agreement, and Vesting Tentative Map.” Therefore, any such analysis that relies on the proposed General Plan Amendment and Zoning Ordinance Amendment correctly assesses the proposed project as a whole against the baseline condition.

It should also be noted, that two existing zoning alternatives, the Existing Zoning – Residential Alternative and Existing Zoning – Agricultural Alternative, were analyzed in Chapter 7 of the Draft EIR.

I178-4 Refer to Response to Comment I178-3.

I178-5 Refer to Response to Comment I178-3.

I178-6 Refer to Response to Comment I178-3.

I178-7 The commenter states that the Draft EIR provides an incomplete documentation of received public comments. All comments at the scoping meeting were noted and taken into consideration for the Draft EIR, including verbal comments. At the scoping meetings, the City asked commenters to also submit their comments in writing so that the City could accurately assess input for inclusion in the Draft EIR. Both scoping meetings were recorded and are viewable on the City’s website for the proposed project (<http://www.ci.oceanside.ca.us/gov/dev/planning/project/nrfp.asp>). Links to these videos were provided in Section 1.4.2 of the Draft EIR. Per CEQA Guidelines, Section 15084(c), the information or comments may be included in the Draft EIR in whole or in part. Please refer to Appendix A for all written public scoping comments.

The commenter’s request for a verbal transcription of the public scoping meetings is noted. The provision of videos on the City’s website, with a link included in the Draft EIR as indicated above, is sufficient.

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I178-8 The Draft EIR does not imply that the project site is located outside Morro Hills. The description of “transition” is within the context of the project objectives (specifically Objective 4), which notes that the project as proposed would serve as a transition between surround urban and agricultural uses. As stated in Section 2.1.1 of the Draft EIR, the project site marks the western entry to a region known as South Morro Hills within the City. Additionally, as stated in Section 4.11.4 of the Draft EIR, the project site is located in the southwestern portion of the South Morro Hills region of the City. Therefore, the Draft EIR does not mislead the reader in terms the location.

Additionally, the location of the project site at the western most edge of the Morro Hills and the surrounding urban uses to the west and south (as thoroughly described throughout the Draft EIR, including Sections 2.1.2, 4.1.1.3, 4.2.1, etc.) is accurately described as an area that can serve as a transition once developed as the project. However, in response to this comment, Section 2.1.1 of the Draft EIR has been revised to clearly state that the project site is located within the Morro Hill Neighborhood Area, as defined by Figure LU-24 of the City’s General Plan. Please also refer to Topical Response LU-2.

These revisions to the Draft EIR are presented in ~~strikeout~~/underline format. To the extent these changes and additions to the Draft EIR provide new information that may clarify or amplify information already found in the Draft EIR, and do not raise important new issues about significant effects on the environment, such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines.

I178-9 The Draft EIR provides an accurate representation of the agricultural component of the proposed project. It should be noted, and as stated in Chapter 3 of the Draft EIR, that the proposed project is a Planned Development (PD) Plan. Therefore, the entire project site would be zoned PD and development would be subject to the PD Plan. The proposed agricultural areas would be implemented through the PD Plan, Vesting Tentative Map, and Development Plan. Each of the agricultural use areas, identified on both the landscape plans and farm plans will be preserved as agriculture through an agricultural easement to the benefit of the City. Therefore, Section 3.3.1.2 does not require revisions as suggested by the comment.

I178-10 Refer to Response to Comment I178-9. Additionally, as stated in Section 3.3, Project Overview and Major Components, the proposed project proposes a planned development consisting of a General Plan Amendment, Zoning Ordinance Amendment, PD Plan, Development Agreement, and Vesting Tentative Map. The proposed project would allow for the development of up to 689 dwelling units for an overall density of approximately 4 dwelling units per gross acre. The proposed project would also allow for a variety of agricultural uses, housing types, a boutique hotel, an

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- education center, and flexible commercial uses on the site. Approximately 31.6 acres would be dedicated to agriculture throughout the project site. The customized zoning regulations and development standards promote compatibility with adjacent uses, including by providing for agricultural and open spaces. Subject to the PD Plan standards and guidelines, the ultimate density and buildout of the site would be determined by future development plans and subject to additional discretionary review, as discussed below. It should be noted that the entirety of the proposed development analyzed within the Draft EIR is envisioned by the PD Plan.
- I178-11** Both agricultural trails and agritourism are appropriately categorized and included within the total proposed agricultural area.
- I178-12** This comment is unclear as it makes reference to Appendix L2, Part 7, which does not exist. Additionally, Appendix L2 pertains to the Conditional Letter of Map Revision and flooding, as opposed to project plans. The Vesting Tentative Map (shown on Figures 3-12a and 3-12b) accurately depicts the proposed agricultural areas along the north side and portions of the south side of N. River Road, contrary to the comment's claim of misrepresentation.
- I178-13** This comment refers to the descriptions for plantings along N. River Road as described in the Landscape and Farm Plan designs. These landscape treatments are designed to be easily grown and maintained in areas where people will live and walk while still creating an agrarian atmosphere.
- I178-14** It is acknowledged that Figure 3-3 includes identified agricultural areas not explicitly identified in Section 3.3.1.2. The exact acreage for each individual component is not yet known at this time. As described in Section 3.3.1.1, each planning area would support a variety of potential uses as described within the Draft EIR. However, ultimate and final buildout of each planning area would be determined by future development plans for which the PD Plan provides the framework and guidelines. The project as a whole would include approximately 31.6 acres of agriculture throughout the site.
- I178-15** Production agriculture is described in Section 3.3.1.2 of the Draft EIR. Refer also to Chapter 5 of the PD Plan included as Appendix B to the Draft EIR.
- I178-16** Each of the agricultural use areas, identified on both the landscape plans and farm plans will be preserved as agriculture through an agricultural easement to the benefit of the City. The farm areas will be maintained by a professional farmer, hired by the non-profit Owner of the farm areas. A service CFD will be applied to all of the homes within the community which will provide a subsidy. The farm will have retail opportunities at the maker space outlet as well as the farmer's market.

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- I178-17** The comment states that the project phasing described in Section 3.3.4 of the Draft EIR is inadequate. As stated in Section 3.3.4, necessary infrastructure and utilities, private roads, entry and access points, neighborhood amenities, private parks, trails and community landscaping would be developed accordingly as planned and as required in conjunction with specific development proposals for each phase and planning area. At the time of preparation of the Draft EIR, it is not known which of the four phases would be implemented first. Therefore, the proposed phasing accounts for major preliminary infrastructure work to be completed in conjunction with the first phase of the project to move forward. It should be noted that the only commercial and mixed-use portion of the project would be located within the Village Core and that it is possible for other phases to be constructed prior to the Village Core.
- I178-18** The comment provides background information and does not raise an environmental issue within the meaning of CEQA. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.
- I178-19** The comment states that the Zone of Influence as shown on Figure 4.2-4 is too narrowly defined. The Zone of Influence shown on Figure 4.2-4 is determined through specific steps according to the California Agricultural Land Evaluation and Site Assessment (LESA) Model Instruction Manual (refer to Appendix A to Appendix C to the Draft EIR). The Zone of Influence was appropriately determined by following the steps outline in Section II, Part 3 of the LESA Model Instruction Manual. It should be noted that this Zone of Influence is used for specific determinations for the LESA Model analysis. The geographic scope of cumulative and growth inducing impacts are not defined by the Zone of Influence shown on Figure 4.2-4, but rather discussed individually for each environmental issue area in Chapter 5 of the Draft EIR. Refer also to Topical Response CU-1.
- I178-20** This comment is introductory to this section of the comment letter and alludes to issues raised by comments that follow. Specific responses to issues summarized by this introductory comment are found below. Refer to Response to Comments I178-21 through I178-32.
- I178-21** Refer to Response to Comment I178-21 and Topical Response LU-2. In response to this comment, Section 4.1.1.3 of the Draft EIR has been revised to state that the project lies on the border between developed areas and South Morro Hills.

These revisions to the Draft EIR are presented in ~~strikeout~~/underline format. To the extent these changes and additions to the Draft EIR provide new information that may clarify or

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amplify information already found in the Draft EIR, and do not raise important new issues about significant effects on the environment, such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines.

- I178-22** The comment states the description of the visual character of the project site is biased. The comment quotes text from Page 4.1-7 of the Draft EIR, which is found under Section 4.1.1.3, Existing Visual Resources and Environment, Subsection Visual Character – Project Site. The purpose of this subsection is to visually describe the project site only. Descriptions of the project site surroundings as well as the Key Observation Points (KOPs) provide a visual description of the site in context with the surrounding areas. Please also refer to Topical Response LU-2.

This comment also notes that the majority of the project site is comprised of agricultural farmland. As stated in Section 4.1.1.3 of the Draft EIR, “[v]isually, the project site is heavily influenced by the existing farm plots that cover the majority of the site.”

- I178-23** Refer to Response to Comment I178-3. The analysis of scenic vistas found in Section 4.1.4 focuses on identified scenic resources and areas (San Luis Rey River and Guajome Regional Park sphere of influence). It should also be noted that one of the primary purposes of the Scenic Park Overlay District (Article 22 of the City’s Zoning Ordinance) is to conserve and protect valuable natural resources of recreational and scenic areas in and adjacent to the Guajome Regional Park. The analysis contained in Section 4.1.4 of the Draft EIR assess potential impacts to Guajome Regional Park. Regardless of the requirements of Article 22, Scenic Park Overlay District, of the City’s Zoning Ordinance, the proposed project includes a Zoning Ordinance Amendment, thus rendering the existing zoning inapplicable to the project.

- I178-24** This comment includes three parts:

1. Refer to Response to Comments I178-3 and I178-23.
2. Refer to Response to Comments I178-3 and I178-23. Please note that N. River Road does not have any zoning designation. Additionally, the discussion regarding scenic vistas in Section 4.1.4 of the Draft EIR also assesses viewers travelling east along N. River Road.
3. The analysis regarding scenic vistas along N. River Road is accurate and adequate under CEQA for reasons summarized by the commenter and described in Section 4.1.4 of the Draft EIR. As stated in Section 4.1.1.3, a scenic vista is typically defined as a panoramic view or vista from an identified view/vista point, public roads, public trails, public recreational areas, or scenic highways. Therefore, the Draft EIR accurately describes scenic vistas afforded to viewers

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travelling east along N. River Road into the project site, as opposed to the visual transition between urban and agricultural areas.

I178-25 Local golfers at Arrowood may be considered a viewer group. However, as noted in several places throughout Section 4.1 of the Draft EIR, the analysis of visual impacts under CEQA pertains to views from public areas (vantage points, roadways, parks, trails, etc.). Therefore, views from private property, such as Arrowood Golf Course would not be considered in the analysis of KOPs.

I178-26 The comment requests specific figure revisions. In response to this comment, the inset map on Figures 4.1-1 through 4.1-5 have been revised to show only the project site boundary, as opposed to a shaded filled polygon. It should be noted that a larger and similar graphic is currently available to the reader on Figure 2-2.

These revisions to the Draft EIR are presented in ~~strikeout~~/underline format. To the extent these changes and additions to the Draft EIR provide new information that may clarify or amplify information already found in the Draft EIR, and do not raise important new issues about significant effects on the environment, such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines.

I178-27 Refer to Response to Comments I178-3 and I178-23.

I178-28 The comment recommends the inclusion of project generated traffic within the visual analysis. First, it should be noted that the primary focus of the aesthetics analysis and visual simulations prepared for the project is to describe and illustrate the anticipated visual change associated with implementation of the project. As such, visual simulations are typically static images used as tools for illustrate noticeable changes to the visual environment resulting from demolition and new construction. The limitations of using visual simulations is acknowledged, hence the analysis does not solely rely on simulations to support the conclusions of the Draft EIR. Therefore, the visual simulations included in the Draft EIR do not require revisions showing daily project traffic.

In addition to the visual effects described for each KOP and illustrated in the visual simulations (Figures 4.1-1 through 4.1-4), it is acknowledged that implementation of the project would result in an increase of average daily traffic on project site roads. Increased daily traffic on roadways such as N. River Road would be experienced by motorists and residences and would be most pronounced during peak hours (i.e. morning and evening commute hours). As such project traffic would also be a component of the overall visual change associated with the project. For similar reasons

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described in Section 4.1.4 of the Draft EIR, the visual change associated with increased daily traffic would be less than significant.

- I178-29** The Draft EIR currently provides visual and aesthetic analysis of proposed residential development in the context of the surrounding area, including Morro Hills. Refer to various portions of Section 4.1, Aesthetics, of the Draft EIR including Section 4.1.1.3, which provides a visual description of the areas east and north of the project site (Morro Hills); Section 4.1.4, which provides a visual impact analysis of the proposed project in the context of the site and surroundings (including the agricultural areas of Morro Hills); and specifically analysis regarding KOPs 4 and 5, shown on Figures 4.1-4 and 4.1-5.
- I178-30** Refer to Response to Comments I178-3 and I178-23. Please note that N. River Road is not officially identified as a scenic roadway by the City.
- I178-31** Refer to Response to Comments I178-3 and I178-23.
- I178-32** Night-time light is addressed in Section 4.1.4 of the Draft EIR. As concluded in Section 4.1.4, while the proposed project would introduce new sources of lighting to the project site, light spillover into adjacent properties would be restricted to the extent feasible through compliance with Chapter 39 of the City's Municipal Code. Impacts would be less than significant.
- I178-33** This comment addresses project compatibility with off-site agricultural land. Please refer to Topical Responses CU-1 and LU-2 regarding land use compatibility with surrounding agricultural lands. Additionally, Section 4.2.4 of the Draft EIR addresses potential indirect impacts resulting from the project on off-site agricultural lands. Refer to Response to Comment I178-19 regarding the Zone of Influence.
- I178-34** Response.
- I178-35** Refer to Response to Comment I178-33.
- I178-36** This comment addresses the project's growth inducing potential and its potential to induce similar development proposals within the City. Refer to Topical Response CU-1.
- I178-37** This comment addresses fire evacuation. Please refer to Topical Responses FR-3 and FR-4.
- I178-38** This comment includes attachments included in support of the previous comments. The attachments are noted. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

I179 BULLOCK, MIKE

- I179-1** The comment serves as an introduction to comments that follow. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I179-2** The comment states that the Draft EIR does not comply with CEQA because it does not demonstrate if the project would conform “to a plan showing that cars and light-duty trucks can achieve climate-stabilizing targets” or not.

Section 4.8, Greenhouse Gas Emissions, evaluates whether the project would result in a significant impact associated with greenhouse gas emissions using the significance criteria per Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to greenhouse gas emissions would occur if the proposed project would:

1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
2. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Therefore, per the second significance criteria, the Draft EIR analyzed the project’s consistency with applicable plans associated with reducing the emissions of greenhouse gases. Specifically, the Draft EIR evaluated the project’s consistency with SANDAG’S San Diego Forward: The Regional Plan, the City’s General Plan, Senate Bill 32 and Executive Order S-3-05 (California Air Resource’s Board Climate Change Scoping Plan). As described in Section 4.8, Greenhouse Gas Emissions, upon implementation of MM-GHG-1 and MM-GHG-2, impacts would be less than significant per the second significance criteria.

The Draft EIR cannot specifically evaluate whether the project would conflict with a plan showing if “cars and light-duty trucks can achieve climate-stabilizing targets,” because that is outside of the control of the project. Rather, the Draft EIR can and does evaluate whether the project itself would either directly or indirectly, generate greenhouse gas emissions that may have a significant impact on the environment, per the first significance criteria. As described in Section 4.8, Greenhouse Gas Emissions, upon implementation of MM-GHG-1 and MM-GHG-2, impacts would be less than significant per the first significance criteria.

The comment states that the project would result in 15.33 million vehicle miles travelled (VMT) per year. However, it should be noted that the annual VMT was

determined to be 25.39 million, as shown in Appendix H, Greenhouse Gas Emissions Technical Report of the Draft EIR.

- I179-3** The comment states that Section 2.6 of Appendix H, and Section 4.8, Potential Effects of Climate Change, of the Draft EIR, “hide the severity and the existential nature of our climate crisis.” The comment later explains that the Draft EIR must identify the extinction of humanity as a potential impact.

Section 4.8, Potential Effects of Climate Change, of the Draft EIR includes a summary of current and future climate change impacts to resource areas in California, as discussed in the *Safeguarding California: Reducing Climate Risk* (California Natural Resources Agency [CNRA] 2014⁵⁹). This summary includes a description of potential public health impacts, which include mortality associated with heat related illness, and the increased frequency of ailments which is likely to subsequently increase the direct risk of injury and/or mortality. *Safeguarding California: Reducing Climate Risk* does not describe human extinction as a potential impact; therefore, human extinction is not described as a potential impact in Section 4.8, Potential Effects of Climate Change, of the Draft EIR.

The comment states that a consistency analysis with California’s climate mandates is not enough to determine impacts, and that the Draft EIR “must show compliance or non-compliance with achieving ‘climate-stabilizing targets’, where ‘climate-stabilizing targets’ means targets that will, considering cumulative impacts, prevent ‘climate destabilization.’” Please refer to Response to Comment I179-2.

The Draft EIR evaluates whether the project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, per Appendix G of the CEQA guidelines. Section 15064(h)(3) of the CEQA Guidelines also states that “a lead agency may determine that a project’s incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located.” Accordingly, the Draft EIR evaluates impacts using an interpolation the City’s efficiency metric threshold, as described on page 4.8-30 of the Draft EIR. Without mitigation, the project would result in emissions that would exceed this threshold. However, with implementation of MM-GHG-1 and MM-GHG-2 impacts would be less than significant. The commenter does

⁵⁹ CNRA. 2014. *Safeguarding California: Reducing Climate Risk: An Update to the 2009 California Climate Adaptation Strategy*. July 2014. Accessed May 2017. http://resources.ca.gov/docs/climate/Final_Safeguarding_CA_Plan_July_31_2014.pdf.

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not explain why the use of this efficiency metric is not adequate for the purposes of CEQA. Therefore, no further response can be provided.

The comment refers to the CARB's updated Scoping Plan, and states that it says that all mitigations should be implemented if they are "technologically feasible and cost effective" and that the Draft EIR "needs to apply this criterion to all of the identified mitigation measures, including those in this letter." As described in Section 4.8, Greenhouse Gas Emissions, mitigation measures MM-GHG-1 and MM-GHG-2 would reduce impacts to a less than significant level. The commenter does not explain what additional mitigation measures should be considered or implemented as part of the project. Therefore, no further response can be provided.

The comment states that "predicting LDV's [*light duty vehicles*] VMT is primarily Oceanside's responsibility, because writing an accurate EIR is Oceanside's responsibility, it becomes obvious that Oceanside must either find and identify or write a plan showing how LDVs can achieve climate-stabilizing targets." The comment also states that "Oceanside must take the lead on achieving the needed per-capita driving, assuming the state's RUC [*road use charge*], which should help to reduce VMT." It should be noted that the annual mitigated VMT was determined to be 25.39 million, as shown in Appendix H, Greenhouse Gas Emissions Technical Report of the Draft EIR. Currently there are no VMT targets established by the City of Oceanside, because the City is not required to adopt VMT standards until January 1, 2020, per Senate Bill 743. However, the Draft EIR does otherwise evaluate GHG emissions associated with the project's estimated VMT in Section 2.8 of the Draft EIR. Without mitigation, the project would result in significant impacts. However, with implementation of MM-GHG-1 and MM-GHG-2 impacts would be less than significant.

The comment states that the California Democratic Party advocates for a "state plan showing how cars and light-duty trucks can hit climate stabilizing targets, by defining enforceable measures to achieve the needed fleet efficiency and per-capita driving." The comment includes a reference (referred to as "Reference 1") that the commenter says should be considered as such a plan. The comment states that the Draft EIR should demonstrate consistency with such a plan. The Draft EIR analyzed the project's consistency with applicable plans associated with reducing the emissions of greenhouse gases. Specifically, the Draft EIR evaluated the project's consistency with SANDAG'S San Diego Forward: The Regional Plan, the City's General Plan, Senate Bill 32 and Executive Order S-3-05 (California Air Resource's Board Climate Change Scoping Plan). The document the commenter refers to as Reference 1 is not an adopted document; therefore, it is not required, nor is it recommended that the Draft EIR analyze consistency with such a plan.

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- I179-4** The comment states that if “CARB gives a 2035 target that is not climate-stabilizing, that fact would not relieve Oceanside of its responsibility to figure out how cars and light-duty trucks can achieve a reasonable climate-stabilizing target, for the reasons provided in the above section of this letter.” Please refer to Response to Comment I179-2.

The Draft EIR evaluates whether the project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, per Appendix G of the CEQA guidelines. Section 15064(h)(3) of the CEQA Guidelines also states that “a lead agency may determine that a project’s incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located.” Accordingly, the Draft EIR evaluates impacts using an interpolation the City’s efficiency metric threshold, as described on page 4.8-30 of the Draft EIR. Without mitigation, the project would result in emissions that would exceed this threshold. However, with implementation of MM-GHG-1 and MM-GHG-2 impacts would be less than significant. The commenter does not explain why the use of this efficiency metric is not adequate for the purposes of CEQA. Therefore, no further response can be provided.

- I179-5** The commenter states that SANDAG funds earmarked for highway expansion should be reallocated to transit and transit-design upgrades and that “Oceanside needs to assume this mitigation measure and then do everything it its power to convince the SANDAG Board that it must be done.” The City cannot include such a mitigation measure in the Draft EIR. This mitigation measure is infeasible, because the City has no control over its implementation. As stated in Section 15126.4 (a)(5) of the CEQA Guidelines, “If the lead agency determines that a mitigation measure cannot be legally imposed, the measure need not be proposed or analyzed.” In this case, such a “mitigation measure” cannot be legally imposed.

- I179-6** The commenter states that the City and SANDAG need to support a comprehensive Road-Use Charge system to cover the cost of maintaining roads, while fees collected from gas taxes decline. The County acknowledges the comment and notes the comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

- I179-7** The comment provides background information regarding value-priced parking. The comment provides factual background information and does not raise an environmental issue within the meaning of CEQA. The City will include the comment as part of the

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Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

- I179-8** The comment provides a sample mitigation measure for value-priced parking. The comment recommends that the City consider this mitigation measure for the Draft EIR. Parking impacts are not considered as part of the CEQA Guidelines Appendix G Checklist. As stated in Section 15126.4 (a)(3) of the CEQA Guidelines, “Mitigation measures are not required for effects which are not found to be significant.” Therefore, the City cannot include such a mitigation measure in the Draft EIR.
- I179-9** The comment provides suggestions for the City to improve bicycle access throughout the City and safety training for bicyclists. The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I179-10** The comment provides background on transit oriented development and states that these are reasons that the City needs to weigh in on the redesign and rezoning of the downtown Transit Center. The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

The comment also states “Since there is no overall plan showing how LDVs could achieve climate-stabilizing targets the EIR’s attempts to show the reader that the project’s GHG emissions would be insignificant are, in the final analysis, bogus.” The comment later states that any additional GHG emission would contribute to a significant impact. Please refer to Response to Comment I179-2.

The Draft EIR evaluates whether the project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, per Appendix G of the CEQA guidelines. Section 15064(h)(3) of the CEQA Guidelines also states that “a lead agency may determine that a project’s incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located.” Accordingly, the Draft EIR evaluates impacts using an interpolation the City’s efficiency metric threshold, as described on page 4.8-30 of the Draft EIR. Without mitigation, the project would result

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in emissions that would exceed this threshold. However, with implementation of MM-GHG-1 and MM-GHG-2 impacts would be less than significant. The commenter does not explain why the use of this efficiency metric is not adequate for the purposes of CEQA. Therefore, no further response can be provided.

- I179-11** The comment provides background information on atmospheric CO₂ levels and recommends that this information be included in the Final EIR. The comment provides factual background information and does not raise an environmental issue within the meaning of CEQA. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.
- I179-12** The comment states that the City should require the project to provide an automated electric-bus transit service. The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I179-13** The comment provides reference material which was referred to throughout the comment letter. The comment provides background information and does not raise an environmental issue within the meaning of CEQA. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

I180 FORSTER, CHRISTINE

- I180-1** The comment expresses general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.
- I180-2** The comment addresses traffic and circulation, which received extensive analysis in Section 4.17 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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I181 BRAZEL, JOYCE

- I181-1** It should be noted that the proposed project would allow for the development of up to 689 dwelling units for an overall density of approximately 4 dwelling units per gross acre, as described in Chapter 0, Executive Summary, Section ES 2.2. The comment expresses concerns regarding water demand and supply for the project. Please refer to Topical Response WS-1.
- I181-2** The comment addresses noise and traffic and circulation, which received extensive analysis in Sections 4.13 and 4.17 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I181-3** The comment addresses water supply and energy consumption, which received extensive analysis in Sections 4.19 and 4.6 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I181-4** The comment expresses general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

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I182 HAMILTON, LISA

- I182-1** The Draft EIR does not include a fire risk map, because as stated in Section 4.9, Hazards and Hazardous Materials, according to CAL FIRE's Very High Fire Hazard Severity Zones in LRA (Local Responsibility Area) map, the project site (and the majority of the City) is not located within a Very High Fire Hazard Severity. Fire hazard designations are based on topography, vegetation, and weather, among other factors, with more hazardous sites including steep terrain, unmaintained fuels/vegetation, and wildland urban interface (WUI) locations. However, none of these conditions are found on the project site.

Additionally, Figure 4.9-2 in Section 4.9, presents a graphical view of the project site's recorded fire history. As presented on the map, there have been approximately 19 fires recorded since 1910 by CAL FIRE in their FRAP database (CAL FIRE 2016)⁶⁰ in the direct vicinity of the project site. These fires, occurring in 1937 (twice), 1938, 1941, 1953, 1957, 1971, 1972, 1975, 1983, 1984, 1985, 2005, 2007, 2010, 2014 (three times), and 2017, burned within 5 miles of the project site. No fires in the recorded history have burned across the project site; however, the River Fire burned within the San Luis Rey Riverbed near the southwestern corner of the project site in 2014, burning 168 acres. The 2017 Lilac Fire, which burned approximately 5 miles to the northeast of the project site, was the most recent and second largest wildfire in the vicinity of the proposed project, with a total burned area of approximately 4,100 acres. The Oceanside Fire Department (OFD) may have data regarding smaller fires (less than 10 acres) that have occurred near the site that are not included in CAL FIRE's dataset.

- I182-2** The comment addresses floodplain hazards, which received extensive analysis in Section 4.10 of the Draft EIR. As discussed in this analysis, the southern portions of the project site would be located within the 100-year flood hazard area, as shown on Figure 4.10-1 of the Draft EIR. Specifically, residential, commercial, and recreational structures within the Riverside Village and Village Core Planning Areas would be located within the 100-year flood hazard area. Therefore, the proposed project would place within a 100-year flood hazard area structures which would impede or redirect flood flows.

The project would implement appropriate grading elevations and flood control improvements necessary to remove the portions of the property from the 100-year flood hazard area defined by Federal Emergency Management Agency through the Letter of Map Revision process.

⁶⁰ Based on polygon GIS data from CAL FIRE's Fire and Resource Assessment Program (FRAP), which includes data from CAL FIRE, USDA Forest Service Region 5, BLM, NPS, Contract Counties and other agencies. The data set is a comprehensive fire perimeter GIS layer for public and private lands throughout the state and covers fires 10 acres and greater between 1878–2016.

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The applicant shall be required to construct flood control improvements to contain or redirect the 100-year flood flows away from the property as necessary, such that hazards from the 100-year flood would not adversely affect proposed structures on site. Hydrological modeling determined that all building pads within the project site, as well as downstream and upstream of the site within the floodway, would be above the 100-year floodplain inundation elevation. Therefore, potential impacts related to the 100-year flood hazard area would be reduced to a level below significance.

The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

- I182-3** The comment addresses traffic and circulation, which received extensive analysis in Section 4.17 of the Draft EIR. It should be noted that the analysis of the Traffic and Circulation section of the Draft EIR was based on the North River Farms Transportation Impact Analysis that was prepared for the proposed project by Linscott, Law & Greenspan (LLG). This Transportation Impact Analysis was prepared in July 2018. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I182-4** The comment addresses traffic and circulation, sewer infrastructure, water demand, and fire protection and police services, which received extensive analysis in Sections 4.17, 4.15, and 4.19 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. Additionally, the comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I182-5** The comment expresses concerns regarding evacuation during a wildfire. Please refer to Topical Response FR-1 through FR-4.
- I182-6** The proposed bicycle routes are shown in Figure 3-8, Proposed Bicycle Network of the Draft EIR. As shown in Figure 3-8, the project would include a Class I bike trail/street-adjacent pedestrian trail within the Village Core and an off-street trail adjacent to the Village Core.
- I182-7** The comment expresses concerns regarding water supply. Please refer to Topical WS-1.
- I182-8** The comment states that the Draft EIR is complete. Please refer to Response to Comments I182-1 through I182-7.

I183 COBAS, MICHAEL AND SUSAN

- I183-1** The comment expresses general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, no further response to this comment is provided.

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I184 SOTIRE, TRISHA

- I184-1** The comment addresses traffic and circulation, which received extensive analysis in Section 4.17 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I184-2** The comment expresses concerns regarding evacuation during a wildfire. Please refer to Topical Response FR-1 through FR-4.
- I184-3** The comment addresses traffic and circulation, which received extensive analysis in Section 4.17 of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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I185 JOHNSTON, KAREN

- I185-1** The comment provides background information and expresses the opinion of the commenter. The commenter's personal wildlife observations on their own property does not have any bearing on the wildlife species observed during the reconnaissance survey performed for the proposed project. Additionally, the commenter provides no duration at which these species were observed personally on their own property.

Regardless of the validity of this comparison, during the project surveys, 13 wildlife species were observed on the project site, as stated in Section 4.4.1.2.2 of the Draft EIR and in the Biological Technical Report (Appendix E to the Draft EIR). As also described in Section 4.4.1.2.2 and Appendix D to the Biological Technical Report of the Draft EIR, numerous special-status species were evaluated for having the potential to occur on the project site and in the project area. However, due to the disturbed nature of the site, heavy human influence, and limited existing habitat on site, the Biological Technical Report concluded it is not likely that any special-status wildlife species would occur on site.

- I185-2** As correctly quoted by the commenter, Section 4.4.1.2.2 of the Draft EIR states that “[d]ue to lack of suitable habitat, no focused wildlife surveys were conducted and no special-status wildlife species were observed on site during any of the biological surveys.” This survey effort provides an accurate representation of the potential for special-status species to occur in the project site. The results of the study contained in Appendix E and presenting in this section provide a reasonable, accurate assessment of the project site. Based on the surveys and assessment of the project site, focused wildlife species surveys are not warranted. Please refer to Responses to Comment Letter A6, and specifically A6-3.

- I185-3** The comment quotes the scoping comment provided by CDFW. The Draft EIR prepared for the proposed project has fully complied with biological survey requirements and addressed potential direct and indirect impacts offsite. Please refer to Draft EIR, Section 4.4, Biological Resources, and Appendix E, Biological Technical Report. Please also refer to Responses to Comment Letter A6. As the comment does not raise any specific issue regarding the EIR's analysis, no more specific response can be provided or is required.

- I185-4** Please refer to Response to comment I185-1 through I185-3.

- I185-5** The comment restates information in the Draft EIR, at Appendix E, Table D-1. The City extensively evaluated potential impacts to biological resources in the Draft EIR Section 4.4, Biological Resources. As concluded in Section 4.4, potential impacts to

APPENDIX T0 (Continued)

biological resources would be less than significant with implementation of mitigation measures. To the extent to comment contends otherwise, the comment does not raise any specific issue with the EIR's analysis. Please also refer to Response to comment I185-1 through I185-3.

- I185-6** Additional and focused surveys would not alter the conclusions of the analysis provided in Section 4.4 and Appendix E of the Draft EIR. As stated in Section 4.4.4, Impacts Analysis, of the Draft EIR, the project site is within the Agricultural Exclusion Zone as defined in Section 5.3.3 of the draft Oceanside Subarea Plan, and the area immediately to the south is actively managed as agricultural land up to the edge of the San Luis Rey River. The area between the proposed project and the San Luis Rey River will continue to be maintained and operated as active agricultural lands. Since this land use will not be changed, and this area is not a part of the proposed project, a 100-foot wide biological buffer of upland habitats is not required. However, per the draft Oceanside Subarea Plan (2010; Section 5-18) a 100-foot conservation buffer (i.e., no impacts) shall be placed around the San Luis Rey River, beginning at the outer edge of the riparian vegetation (Section 4.4.4 of the Draft EIR). Impacts within the buffer are proposed; however, they are required for improvements to N. River Road, for off-site storm drain easements, and outfalls to the San Luis Rey River, which are allowable uses within the 100-foot conservation buffer. In accordance with the draft Oceanside Subarea Plan (City of Oceanside 2010), the slope along the road in the western portion of the site where minor impacts would occur to native habitats within the 100-foot buffer of the San Luis Rey River will be revegetated with native habitat (MM-BIO-3). Please also refer to Responses to Comment A6-3.
- I185-7** The comment expresses general opposition for the project. The comment addresses general subject areas—biological resources, traffic, evacuation, water supply, fire services, schools, and police services—which received extensive analysis in the Draft EIR at Sections 4.4, Biological Resources, 4.9, Hazards and Hazardous Materials, 4.15, Public Services, 4.17, Traffic and Circulation, and 4.19, Utilities and Service Systems. The comment does not raise any specific issue regarding the Draft EIR's analysis and, therefore, no more specific response can be provided or is required. For that reason, no further response to this comment is provided.

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I186 JOHNSTON, PHIL (2)

- I186-1** The comment states that the project is not consistent with the City's General Plan and zoning ordinance. Please refer to Topical Response LU-1.
- I186-2** The comment states that project objective 2, provided in Section 3.2 of the Draft EIR conflicts with the existing General Plan designation and the existing maximum housing density for the project site. Please refer to Topical Response LU-1.
- I186-3** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I186-4** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I186-5** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I186-6** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I186-7** The comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

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