



September 7, 2018

Robert Dmohowski
Planning Department
City of Oceanside
Sent via email

Subject: Comments on DEIR for North River Farms

Dear Mr. Dmohowski:

These comments are made on behalf of Preserve Calavera. Preserve Calavera is a grassroots conservation organization whose mission is to preserve, protect and enhance the natural resources of coastal north San Diego County.

This project is one of the most egregious ones we have seen in this area for some time. It epitomizes the kind of old thinking about sprawl development and is exactly the opposite of what our region needs to be doing to protect our natural resources, preserve community character and help move our world toward climate stabilization.

The following are our specific issues of concern:

Executive Summary

- Failure to include the second public scoping meeting on January 16, 2018 or a summary of the verbal comments made at the two public scoping meetings.

At the initial public scoping meeting on December 13, 2017 it was announced that because of the fire and disruption it caused for so many local residents, a second meeting would be held to allow input to the EIR scoping. That second meeting was held on January 16, 2018, was recorded, and is included as part of the public input on the city's webpage for the project. All comments received from the second meeting, both verbal and written should also be included as part of the public record. The Executive Summary fails to mention this second meeting so it is unknown if any of this input has been considered. Plus, it needs to be clarified if the analysis included consideration of all verbal input from both of these public meetings in addition to the written comments that are identified in Appendix A. We see that many people offered verbal comments that were not included in Appendix A. All such comments need to be summarized and included as part of the record of the meeting and to insure they were considered as part of the analysis of input to the EIR. Other places provide a written summary of such verbal comments so they are properly documented.

Environmental Setting

- Existing residential uses

The description states there is a single-family home used as office space and "several vacant

dilapidated single-family structures are located in the northern and central portions of the project site.” Such dilapidated residential housing is often used for intermittent farm labor housing- either for the existing farm or those in the vicinity. Loss of such housing could have an adverse impact on continuing farm operations in the area- adding to the cumulative impacts from this project adversely impacting continued farming in the area. Furthermore, this area along the San Luis Rey River has a long history of transient encampments. Occupants of such areas often move around in a project vicinity as they are removed from one site, they take up occupancy nearby. Such abandoned residences might serve such intermittent uses with resultant impacts on water quality, fire risk, etc. The potential impact from transient, intermittent use should also be evaluated. Failure to do so results in a potential unmitigated cumulative impact.

Project Description

- False characterization of “Agritourism “

Agritourism is being developed in the city of Oceanside, and throughout the agricultural areas in California, the rest of the country, and many parts of the world. It is not putting a few acres of agricultural land in the middle of a new housing project. It is, according to the Agritourism Strategic Plan of the City of Oceanside (incorporated by reference), “Any business conducted by a farmer for the enjoyment of the public to promote the products of the farm and to generate additional farm income. It includes a variety of facilities and activities that are increasingly available in San Diego County, such as agricultural festivals, farm visits, farm tours, demonstration farms, farm stays, wineries, bursary trails, and agricultural museums.” Having land in agriculture use by itself is not agritourism. Nor are 689 housing units.

- What the heck is “eco-tourism”

Page 3-2 says... “the proposed project would aid in the development of an eco-tourism zone by developing a community farm that enhances the rich history of the region and supports the existing agricultural efforts.” There is nothing in the project objectives related to “eco” or “tourism.” There is no such zone described. There is no analysis of such land uses. This appears to just be gratuitous language that sounds good and means nothing. Please put some meat on the bones or get rid of it. This is of concern because other economic studies would question the viability of a hotel in this location. This appears to be an attempt to legitimize the hotel and imply it is part of some bigger plan for attracting tourists which is not described in the DEIR, project objectives, land use plan or anywhere in the document that we could find.

Furthermore, there is no support for the conclusion that “this agricultural hub would be the central point for North County to obtain freshly harvested produce and other locally made goods, learn about growing foods, create bonds with their families and neighbors, and form strong connections with their home.” Cyclops Farms is such a hub in Fire Mountain and it doesn’t include 689 homes. There are farmers’ markets in every north county community that provide the majority of this same experience without adding thousands of miles of VMT. There are numerous other places in Oceanside and North County that provide exactly the same experiences.

- Clarify “windrow” shown on Figure 3-3

Merriam online definition of windrows is as follows:

1a: a row of hay raked up to dry before being baled or stored

b: a similar row of cut vegetation (such as grain) for drying

2: a row heaped up by or as if by the wind

3a: a long low ridge of road-making material scraped to the side of a road

b: [BANK](#), [RIDGE](#), [HEAP](#)

As a farmer’s granddaughter I am familiar with windrows being rows of trees planted between fields to block the wind and reduce the loss of topsoil. That certainly is not the purpose of a row of trees planted along an interior road in a housing project. Furthermore, Figure 3-7 seems to show a trail on each side of the road, exactly where the “windrow” is located.

- Concerns with project phasing

The description of project phasing on page 3-17 provides no assurances that there is any of the public amenities or commercial uses that are essential to get any benefits from having a mixed-use project. Other projects have included requirements that x amount of commercial is built with a specified number of residential units. The phasing plan must describe how public amenities are incorporated into the phasing plan. Failure to do so could result in completion of housing and commercial land uses long before there are the parks and other facilities essential to support such development.

Visual Resources

- Potential impact on scenic vistas

The DEIR correctly notes that the “relatively low elevation of the project site compared to surrounding topography creates opportunities in which the project site would be visible from surrounding higher elevations.” It then notes that these potential impacts are of particular concern for areas along the San Luis Rey River and Guajome Park. None of the Key Observation Points (KOP) that were selected in fact can evaluate the particular concerns noted in the text. The issue is really the panoramic nature of the scenic view of which this parcel is just one portion. It is a particularly important portion as it is between the scenic San Luis Rey River valley and Morro Hills, an area of 3,400 acres of rolling, primarily agricultural hills that from many vantage points extend as far as the eye can see and that connect to adjacent rolling hills outside the city of Oceanside giving the entire area an even greater scenic vista. It was noted that the project site can be seen from many higher elevations and there are numerous locations on all four sides of the project where the project site is part of a scenic vista from public streets and parks. It is impossible to adequately assess these impacts on the panoramic views without extending out into the broader landscape, assessing topography in the region and then determining from what public vantage points would the site be seen and how will the project impact the character of that view. Three of the 5 KOPs are on the immediate edges of the

project - (1,2, and 3) at the same elevation - where the text says view impacts would be expected when looking from higher elevations at the relatively low elevation project site. KOPs 4 and 5 again appear to be at approximately the same elevation as the project site, but from a greater distance and on the south side of the SLR River. What about views from higher elevations on other public roads, parks at a distance where the panoramic vista is visible? You can't evaluate the view from higher elevations if the only KOPs are essentially all at the same elevation as the project. You can't assess the impacts on panoramic views if the only KOPs are so near the project you have no panoramic view. The DEIR concluded that while there are numerous areas along nearby public roads with panoramic views towards the project site that the impacts are intermittent, partially blocked by vegetation, would blend with other nearby development or for other reasons the impacts are less than significant. The limited analysis of KOPs that are at the same elevation and too close to provide any panoramic vista fail to adequately assess numerous areas where there is a high potential for adverse impacts.

You can't assess the impacts on sense of place - a river adjacent to rolling hillsides if you do not even attempt to evaluate the existing view of this area, from higher elevations, and greater distances.

- Potential for cumulative view impacts

A major concern is that once this project proceeds there is nothing to stop continued conversion of these agricultural lands to more such dense development degrading the entire visual character of the 3,400-acre Morro hills area. The Population and growth inducing analyses concluded this is a likely outcome. That growth will certainly also impact views of this area.

- Potential new source of light or glare on protected biological resources

The draft Oceanside Sub Area Plan (SAP) includes specific lighting standards to protect hardline protected open space from adjacent land uses (edge effects). Light impact is one area of particular concern. The DEIR failed to identify if the project will meet the edge effect standards for lights near to the protected SLR River corridor.

Failure to adequately address all of these issues results in potential unmitigated significant impacts to visual resources.

Agricultural Resources

- Failure to adequately assess direct, indirect, and cumulative impacts to agricultural resources

The letter of December 21, 2017 from the State of California Division of Land Resource Protection specified four specific areas of analysis needed to assess and mitigate for the potential impacts of this project to agricultural resources. These included:

- Direct and indirect impacts from conversion of farmland - including type, amount and location

Only direct impacts were considered. There was no discussion of the indirect impacts associated with beginning the conversion of these agricultural lands, e.g., how one project could lead to others and what the potential cumulative impacts such things as higher traffic volumes/speeds effecting the ability of other farms in the area from continuing with agriculture.

- Impacts on current and future agricultural operations

The letter identified specific factors that should be considered including impact on land use, land values and taxes, loss of ag infrastructure, etc. The DEIR included no such analysis on either current or future agricultural operations. In the adjacent city of Carlsbad owners of the Robertson Ranch farm stated that the extension of College Blvd across their farm holdings was the death knell for their farming operations. They could not move farm equipment around the area, and had to compete with higher volume, fast moving traffic. Once residential neighborhoods are built next to farmland there are often additional conflicts from things like odor, pests, and the use of chemicals, particularly aerial spraying. All of those factors historically cause conflicts with agriculture and adjacent residential neighborhoods.

- Inadequate mitigation for conversion of agricultural lands

The single mitigation measure (MM) proposed provides no assurance that local agriculture is protected as credits can be purchased through the PACE program anywhere in the county. Failure to protect ag land in the project area of Oceanside will have indirect land use impacts in this city that have not been considered.

- Failure to identify cumulative impacts to agricultural resources

The LESA Model instructions allocate 50% of the score from the land evaluation (land capability classification and Storie Index) and 50% from site assessment (size, water, surrounding agricultural land and protected land). The DEIR concludes that impacts are significant as each subscore is greater than 20 and the total score is between 40 and 59 points. This very structured analysis methodology means that the next project will get a lower site assessment score, and each succeeding project an even lower score as there is less surrounding land in agriculture. This ensures the dominoes will continue to fall as approving one project lowers the score and makes it easier for others to follow, with less or no mitigation required. The DEIR failed to identify this as a cumulative impact.

- The identified Mitigation Measure (MM) fails to address local impacts

The DEIR identifies a MM and then says that if such a program is adopted prior to filing first grading permit then it would be obligated to purchase mitigation credits. However, there is no such program in effect and the timing to create such a program is not specified and is not

mandated. This remains an unmitigated significant impact unless the project is conditioned to do this.

Air Quality

- Erroneous conclusion that population increase with the project is already included in population estimates in the RAQS

Page 4.3.22 states that “The addition of 689 residential units (approximately 1,971 new residents), to the SRA as a result of the proposed project would be accommodated in the population forecast used to prepare the 2016 RAQS.” This statement is only true if all other growth remains as assumed in the 2016 RAQS which was based on the adopted General Plan and amendments made to date. What that fails to include is other increases in growth that have already been approved since the RAQS was adopted. For example, Park Villas at El Corazon was planned for 32 units but 70 were permitted and are under construction. The Villa Storia site planned for far fewer units than the 420 that were approved in the General Plan amendment. While this project is included on Table 5-1 Cumulative Projects, that does not mean that all growth is within the projected growth assumed in the RAQS, which must also allow for every other parcel that has not yet been built to the allowed the number of units included in the General Plan or Housing Element. If not, then this analysis is assuming that some future project is the one that will exceed the assumed population growth and it will trigger non-compliance with the RAQS growth projections. Some other landowner will pay the price for allowing this one to exceed its zoning. Please provide the actual numbers for population growth that support the conclusion in the DEIR that these 689 units are within the population assumption of the RAQS.

- Cumulative operational VMT emissions are underestimated

Page 4.3-29 states “The SIP and RAQS rely on SANDAG growth projections based on population, vehicle trends, and land use plans developed by the cities and the County as part of the development of their General Plans.” However, a key element of this analysis is that SANDAG assumes that the majority of growth in the region occurs at 200 smart growth sites. Achieving smart growth is critical to the assumptions for VMT and GHG reductions. But neither the region nor Oceanside have demonstrated any capacity to have “the majority “of growth near the smart growth sites. A quick review of Table 5-1 would say that none of these 1638 units¹ are located within ½ mile of a designated smart growth site. In fact, very few of the units built since adoption of the 2012 Sustainable Community Strategy have in fact been built within ½ mile of a smart growth site. Failure to locate units as assumed will substantially increase the number of trips (reduced access to alternative transportation) and increase trip length as sprawl development is built further from jobs and services. Both factors will result in a substantial increase in VMT above what was assumed in the SQS and the resulting transportation plan modeling. These errors in underestimating the increase in VMT affect both the air quality and GHG impacts. The DEIR has improperly computed air quality impacts and as a result these impacts remain potentially significant.

¹ Counting 70 units for El Corazon

- Insufficient mitigation for construction diesel exhaust

MM-AQ-1 specifies Tier 4 for some types of diesel powered equipment and Tier 3 for others. But it allows this requirement to be waived if the applicant demonstrates that such equipment is not available. That is not a valid exception. This is a cost factor for the applicant that is part of the cost of doing business. Either they can pay a higher rate for the specified level of certification, or they can adjust the construction schedule so fewer pieces of equipment are operating at once and reduce the diesel pollutants that way. Exceeding the cancer risk to build faster is not an acceptable tradeoff for the health of the children and seniors of this community.

- Insufficient consideration of the poor air quality in the San Diego region

The American Lung Association's State of the Air report for 2018 (<http://www.lung.org/our-initiatives/healthy-air/sota/city-rankings/most-polluted-cities.html>), (incorporated by reference) shows that the San Diego-Carlsbad urban area is the sixth-worst area for ozone pollution in the United States and is classified by the federal EPA and the California Air Resources Board as a nonattainment area for ozone. The DEIR states that the San Diego Air Basin does not meet either the federal 8-hour ozone standard, the California 8-hour ozone standard, or the California standard for either coarse particulate matter PM 10 or fine particulate matter PM 25. (DEIR Table 4.3-1).

The State of the Air report provides a full description of the health impacts from this poor air quality which can include worsened asthma, increased hospital visits for respiratory distress, worsened COPD, decreased lung damage, increased risk of heart attack in people with cardiovascular disease, and low birth weight and decreased lung function in newborns. The DEIR failed to adequately consider these significant health impacts, and the significance of adding even more air pollutants to this area that already has health impacts from poor air quality.

Biological Resources

- Failure to evaluate or comply with requirements related to conversion of agricultural lands in the draft Oceanside Sub Area Plan (SAP)

Section 4.3.1.3 Agricultural Exclusion Zone for the Oceanside SAP says "discretionary actions or conversions to nonagricultural uses will invoke additional conservation guidelines, which include preserving, restoring or enhancing 50- or 100-foot upland buffers of natural vegetation adjacent to existing wetland vegetation communities." It goes on to add requirements for "assessment of wildlife movement and habitat linkages across the property and the project shall be designed and maintained to enhance such movement corridors and habitat linkages." It further states that the focus is on "maintaining or creating wetlands and 'or upland buffers along the San Luis Rey River" and "functional linkages from the San Luis Rey River from other habitat areas inside or outside of the City." These provisions were specifically called out in the State of California Department of Fish and Wildlife letter of January 22, 2018 included in App A. The proposed project proposes to convert the majority of the 176.6 acres to non-agricultural

uses. The majority of the agriculture that would be reestablished on site would provide greatly reduced biological function as it would consist of small, isolated patches surrounded by development.

The DEIR includes a figure marking the boundaries of a 100-foot buffer but provides no discussion about what will be allowed in this buffer, how it will be managed in perpetuity to mitigate for the impacts of this development. Since much of this buffer is outside of the project boundaries there needs to be a mechanism to ensure that this will occur.

In addition, Figure 4.4-3a does not map any buffer along the offsite impacts from widening of the North River Road to the east of the project boundaries or for the two drainages pipes that will extend from the project, through the buffer to the sensitive habitat along the SLR.

Agricultural lands provide substantial secondary benefits for both wildlife and native plants. Agricultural land can easily be enhanced to create native habitat, wetlands/buffers and improve wildlife corridors and linkages. There is little potential to create such functional improvements in land once it is developed. That is why the SAP specifies additional conservation actions if such land was to be converted to other uses.

Figure 4.4-1 fails to show the regional wildlife corridor links between the San Luis Rey River and “other habitat areas inside or outside of the city.” It shows existing housing development to the east and west of the project site which means only the project site has the potential to provide such linkages. The conditions associated with agricultural land conversion are intended to address these issues as development occurs so that what remains has protected the long-term biological function of the Agricultural Exclusion Zone. This area was excluded from the more specific requirements of the rest of the city with the condition that if such land was converted the biological value had to be protected by complying with these conditions.

The DEIR has failed to comply with these key provisions of the SAP. This remains a significant unmitigated impact both to Land Use and to Biological Resources.

- No evaluation of wetlands avoidance

The DEIR provided no discussion of wetlands avoidance or minimization. It appears that North River Road could be realigned slightly to the north and avoid all of the wetlands impacts along that road. Since wetlands impacts require first considering avoidance, then reducing the impacts and only as a last resort mitigation, this fails to comply with the requirements for analysis and protection of wetlands.

- Failure to evaluate potential impacts on migratory birds associated with the San Luis Rey (SLR) River.

The limited number of surveys would not have captured the full range of avian species associated with our very few local fresh water wetlands of which the SLR River is key. A few years ago, dredging of the SLR resulted in the largest take of an endangered species in the state of California (Least Bell's Vireo). While there is no such vireo habitat on site, the requirement to

enhance river buffers could potentially support increased migratory bird use.

- Failure to evaluate/mitigate for potential impacts from invasive shot hole borers (ISHBs)

This was specifically identified as an issue of concern in the letter from DFW and again was ignored. This invasive species has been found nearby and can be easily spread. Proper evaluation and mitigation are essential to protect further damage in this region from this invasive pest.

Land Use

- Failure to identify inconsistency with Agritourism Strategic Plan (ASP)

This plan was recently completed as part of a several-year effort to identify how agritourism might help make continued agriculture more economically viable. One of the key objectives of the plan is “A. The Countryside Experience of South Morro Hills offers one of the last places along the San Diego County coast that has agricultural open space with quiet country roads, vistas of rolling hills leading to the mountains, orchards, and farm life. Today’s urban resident wants to find that setting, and immerse themselves in it to escape.”

The ASP has provided the foundation for new ordinances that recently were adopted to specifically support agritourism. The DEIR failed to evaluate the project’s consistency with this on-going effort in the city of Oceanside. Failure to do so results in a potential conflict with this plan that has not been identified, evaluated or mitigated.

Transportation

- Unclear impacts of amending the Circulation Element to reclassify North River Road from Stallion Drive to Sleeping Indian Road from a Major Arterial to a Four Lane Collector.

Please clarify exactly what changes would result from this and if there are any direct or indirect impacts.

- False characterization of accessibility of public transit

The San Luis Rey Transit Center is 1 mile from the Village Core, and an even greater distance from the northern and eastern parts of the project site. Studies of public transit use rates indicate the importance of land uses within a ¼ mile and a ½ mile radius. At a distance of a mile, with no transit service to the site, this project can be expected to have minimal use of public transit. Furthermore, the transit service is bus. The housing is well below the density thresholds needed to support high frequency transit use. The housing mix, primarily single-family homes well above the median income level of current NCTD transit users, historically has minimal transit use. NCTD bus users, except for a few direct shuttles to Coaster or Sprinter stations, are primarily transit dependent. The housing mix, location and limited access to jobs and services will not result in this area serving a transit dependent, low-income population.

- Inconsistencies in roadway figures/descriptions

There are numerous inconsistencies between roadway figures and between figures and text in the project description making it impossible to fully understand the distinctions between roads and how the circulation plan will actually operate. For Example: 1) Pvt Street A is shown in 2 colors on Figure 3-5, but only one color is on the legend. The cross sections on Figure 3-6a for the two portions show no difference above ground and neither indicates the windrow shown on Figure 3-3. 2) The Wilshire Road segment between K and North River Rd shows as the same as K street on Figure 3-5 but on but on Figure 3-6b it is shown as 35' ROW half width with a 2' drainage swale whereas street K on Figure 3-6a is a 60' ROW with no drainage swale (this connector is of particular concern as it is associated with a roundabout). 3) Street G is shown as a loop between two points on street G whereas on Figures 3-6a and 3-6b it ends at a cul-de-sac with only one connection to street G.

Please correct these figures for internal consistency and ensure that the analysis is based on correct information.

- Apparent error on Figure 3-7

The colors on the legend do not match the colors/labels on the map. (for example, see street G.H.I and J) on the map

- Windrow is not shown on cross section of Pvt St A Figure 3-6a

The cross section does not indicate what the 9' sections are between the gutters and natural paved natural paved walks are. Is this where the "windrow" is located?

- Gaps in bicycle network shown on Figure 3-8

Section 3.3.2.4 says "the proposed project includes an integrated system of bicycle facilities and allows for future linkages and improvements." However, Figure 3.8 as shown has gaps in the links for both Class I and Class II bike trails. For example, how does a bike get around the roundabout - the figures show right turns only? There is no connection shown between the Class I and Class II trails - is that intentional? Many of the Class II trails do not show a connection to a street - for example, the stub near street L. Furthermore, the figure does not show where bicycle racks/facilities are located. If the intent is to facilitate movement around the project site by bicycle, key bicycle destinations where facilities are provided must be accurately shown.

- Alternative transportation connections to the San Luis Rey Transit center

Figure 3-11c shows a section of Off-Site Street and Trail Improvements, west of the project site. However, the key connectivity issue is connection to the transit center and that is not shown. Both texts and figure need to clearly indicate how full pedestrian and bicycle access is provided between the project site and the transit center.

Greenhouse Gas

- Inaccurate characterization of project level GHG threshold

Page 4.8-28 states "... the city has established efficiency metric thresholds, which projects are to use to evaluate impacts from GHG emissions." It states these thresholds as 4.0 MT of CO₂e per service population per year (MT CO₂e/SP/yr) for year 2020 and 3.0 for 2030. We are aware of no such efficiency metrics being established in the city of Oceanside. In fact, we have seen multiple thresholds used for evaluating GHG impacts at a project level in this city. Please provide documentation that confirms the City has established these metrics which were used as the threshold in the analysis of impacts.

- Inaccurate computation of per capita GHG efficiency

Using only per capita GHG efficiency provides no assurances that Oceanside will be able to achieve the actual reductions in GHG that are required by state law. They only work if there is a limit on population and there is no such limit in place. For example, a service population of 100 people with 4 MT/capita has 400 MT emissions. A service population of 150 people with 3 MT/capita has 450 MT emissions. The actual amount of GHG emissions needs to be declining—not just the per capita amount. The draft Climate Action Plan (CAP) has identified a gap in emission reductions for the city that the CAP actions will be designed to address. All of the emissions from this project are above what was assumed in the inventory as they are not consistent with the existing General Plan. All of the project emissions will increase the community-wide GHG emission for the city and all will require mitigation. It is not sufficient to say the project will achieve the per capita thresholds because the population increase has not been accounted for. Achieving the per capita reductions for this single project – when all of these emissions are being added to the baseline community wide emissions per year is a significant adverse impact that has not been properly identified or mitigated.

- Project is not consistent with SANDAG's San Diego Forward (SDF): The Regional Plan

Table 4.8-10 Regional Plan Consistency Analysis is presumably intended to support the conclusion that the project is consistent with SDF. In fact, the letter from SANDAG dated December 20, 2017 included in Appendix A specifically says it is not a Smart Growth site. Since the SDF assumes that the majority of growth is at the designated smart growth sites and this is not such a site, the entire project itself conflicts with smart growth as assumed in SDF. While the letter recognizes the project for including some mixed-use development it identifies numerous conditions that need to be included, based on their analysis of what the SDF policies would require as applied to this project. Many of those have been ignored while others are only partially addressed. For example, it says there need to be connections to the SLR transit center, bicycle, pedestrian, and even shuttles. The bicycle and pedestrian maps do not address connections all the way to the transit center and no shuttles are being proposed. It lists a number of recommended TDM strategies, but none of them are described in sufficient detail, if at all, to ensure they will result in what the SDF is trying to achieve - fewer auto trips and reduced VMT. It also recommends a Park and Ride lot because of proximity to I-15; this was ignored.

Furthermore, the consistency analysis on Table 4.8-10 shows 11 categories are Not Applicable and 7 as Consistent. Those found to be consistent include “Focus growth in areas that are already urbanized.” This project is not in an urbanized area, it is farmland. “Protect and restore our region’s urban canyons, coastline beaches and water resources.” The project does nothing to protect and restore such resources; yet it is found consistent. “Address the housing needs of all economic segments of the population.” This project is not included as part of the city of Oceanside Housing Element (HE) so it has not been integrated with the plan to address housing needs. Simply providing housing does not make it consistent. The DEIR fails to identify housing units at each of the identified income levels, as required for compliance with the HE. The HE identifies how the city will provide the additional housing units specified for each income level per the regional Housing Needs Assessment (RHNA). The DEIR has failed to provide this essential information necessary to determine that the project is in compliance with these key provisions.

Furthermore, its location far from jobs and not convenient for public transit will make it very unlikely this would serve any low income housing needs. Section 5.4.14 concludes it would be growth inducing which is also not consistent with SDF – particularly since it is not addressing sufficient affordable housing needs for the region and the city of Oceanside.

- GHG impacts have not been mitigated by the proposed MM-GHG-2

The DEIR must mitigate all of the adverse GHG impacts from this project ie all of the GHG emissions, not just a portion of them. The city of Oceanside is obligated to address its GHG emissions. Baseline emissions have been determined by a community wide inventory. This inventory assumed this land was consistent with the adopted General Plan for the purposes of estimating emissions. That identifies the project land as zoned agricultural with essentially no GHG emissions. The emissions from this project are all in addition to what was assumed in the baseline community inventory. Consequently all of the project emissions are above what was included in the baseline inventory, must be added to community wide emissions and therefore 100% must be mitigated, not just “approximately 30%” as identified in MM-GHG-2. Furthermore, these emissions need to be mitigated within the jurisdiction where they occur, and not through carbon off sets outside of the city of Oceanside. See Sierra Club comment letter on the County of San Diego CAP on this issue hereby incorporated by reference.

Hazardous Materials

- Inadequate testing of soil and water for hazardous materials

We are frankly shocked that no soil testing was done and that the only interview as shown on page 4.9-4 was the project applicants representative Ninia Hammond - not an unbiased source. We do not recall any project in this area that had been in agricultural use that did not find hazardous materials on site requiring remediation. It really is irrelevant what the law says about the handling of toxic chemicals; there is no reason to assume the law is complied with 100% of the time. The laws changed about what chemicals can be used and many remain in the

soil for generations. Soil disturbance from mass grading of a large site like this can and does result in release of these substances. Page 4.9-17 indicates the last HMMD inspection was done in 2011 although this site has remained in continuous use since that time. It further notes there were reports of disposal of “unspecified waste in 2011 and 2012.” No recent site inspections, two reports of unspecified waste disposal, pattern of pesticide use throughout this region, proximity to the SLR river and inadequate interviews to assess site conditions all leave this analysis grossly inadequate. Failure to adequately assess site conditions leaves this a potential unmitigated impact from on-site hazardous materials

- Fire Protection Plan (FPP) failed to account for effects of climate change

Technical analysis by the San Diego Foundation summarized in “San Diego’s Changing Climate: A Regional Wake-up Call” (included by reference) concludes that by 2050 “wildfires will be more frequent and intense”. They found that the fire season will be longer, droughts will increase fire risk, Santa Ana winds may occur for longer periods of time prolonging extreme fire conditions, and the number of days each year with ideal conditions for large-scale fires will increase by as much as 20%. This and other fire risk studies have determined that past history of fire frequency and intensity is not a good predictor of future conditions. The DEIR has used past history to project conditions thereby underestimating the actual fire risks.

The DEIR concluded the risk from failure to meet response time standards was a “significant and unavoidable” impact. However, the magnitude of this impact is substantially greater than was identified.

- FPP Analysis fails to consider several key risk factors

The DEIR notes the presence of *Arundo donax* in the SLR riparian corridor, and the large volume of dead material that adds to the fire risk. This habitat along the river was evaluated as “extremely flammable” on page 13 and as a “moderate to high” fire threat on page 17 of Appendix J1. This area is not just a fire risk. There has been a long-term problem with fires along the SLR from transient encampments with some intentionally set. That human activity in the riparian corridor further increases this fire risk.

- Response time analysis underestimates the number of calls that fail to meet the 5 minute response time goal

Table 7 in Appendix J1 summarizes Fire Station 5 call volumes that were used as the basis of the analysis. However, Table 7 ends in 2015 and has shown consistent increases in call volumes every year without the project. There is no reason to assume this historic pattern will decline. Furthermore, it is highly likely that increasing call volumes from other stations will continue to increase the call volume at FS 5. The DEIR projects daily average calls as 5.4 and then assumes with annual calls from the project as 265 the new average daily calls of 6.1 can be absorbed by Fire Station 5. The number of existing calls is based on data almost 3 years old. If the 2015 data is adjusted by a conservative increase of 2%/year the baseline number of calls without the project would be 6.3 by buildout in 2024. Adding another .7 calls per day would be 7 calls/day- not 6.4- and that is without any spillover from nearby stations that would also experience

increases and further add to average daily calls.

- No mitigation is proposed to address the significant impact of failure to meet response time goals

The FPP identified failure to meet the performance goal of 90% of calls responded to within 5 minutes as a “significance and unavoidable impact.” They concluded a new fire station may be needed. But the alternative per page 23 is for the project applicant to pay fire impact mitigation fees that would constitute their fair share of the cost of such a station. This was identified as a significant impact in Appendix J1 Fire Protection Plan, but was not properly carried forward into the DEIR as a significant impact, nor was any mitigation proposed.

We disagree that even if the proposed MM was carried forward this is adequate mitigation as there is no basis upon which to determine a “fair-share” contribution as there is no plan for such a new fire station, no land or location specified, no funding in place and no assurance such a facility would be built in time to address the response time impacts by buildout in 2024. It is worth noting that when the city of Carlsbad proposed to build the Quarry Creek project near the Oceanside boundary that would result in response time failures they modified the MM to require a new fire station to be built and operational by the time 500 units had been built. Similar mitigation must be provided for this project or this remains a significant unmitigated impact.

- Prohibited plants list fails to include those prohibited by ordinance

Appendix D Prohibited Plants of Appendix J1 fails to include the specific species named in the analysis as contributing to the high fire threat in the SLR riparian corridor- giant reed (*Arundo donax*). This is one of the invasive species in the city of Oceanside that are specifically restricted as part of fire safety conditions, yet they are not included. Please add this and the other invasive species specifically prohibited by ordinance because of their fire risk.

Also of note the Appendix title is “Prohibited” plants but the actional chart in the appendix is labelled as “undesirable” and seems to leave some discretion about the use of the listed species. Please clarify this discrepancy.

- Appendix J2 pages 27-34 blank

It appears these blank pages may have been intended for insertion of figures that are missing. Please clarify and provide missing information.

- Key conditions identified in Appendix J2 are not carried forward into the DEIR

Page 36 states “It shall be binding on the HOA to actively participate as a partner with the OFD to assist with coordination and distribution of fire safety information they develop.” Earlier this educational component is described as including encouragement to participate in CERT training, for the HOA to do annual evacuation public outreach and provide links on their webpage. Page 41 states “identification of potential safety zones will require additional

focused study of OFD and the fire and law enforcement agencies.” The DEIR concludes there is no significant impact yet none of these conditions have been properly carried forward into the DEIR as conditions of approval or MM. Failure to address these issues leaves this a potentially significant impact.

- Emergency evacuation plan arbitrarily limited the analysis to focus on the project site and within the site on the HOA

Numerous residents raised concerns about fire evacuation both verbally and in written comments on the NOP and they did not live on the project site. The analysis of project impacts on evacuation arbitrarily focused just on the project site instead of considering the broader impacts on evacuation from all of Morro Hills that could be impeded by hundreds of additional autos on the three designated evacuation routes. All three identified evacuation routes rely on the use of North River Farms Road and the project is located on both sides of the road. The analysis needs to consider broader impacts on evacuation and not just the residents of the project site. Furthermore, the project is supposedly designed to attract lots of visitors - at the hotel, commercial areas, classes, farms and community gardens. The analysis focused almost entirely on the responsibility of the HOA to inform the residents of evacuation plans and failed to describe how all of the other users of the site would be included.

The DEIR needs to assess broader implications of evacuation on the entire area and how all area residents, employees and visitors would be incorporated. Furthermore, there is no funding for the activities specified and the role is much larger than a volunteer HOA is expected to perform. In other places the DEIR mentions potential fire impact fees (for fair share costs of new fire station). All of these other ongoing costs also need to be provided for along with a mechanism for ensuring conditions are met in perpetuity. Failure to address this remains a significant unmitigated impact.

Hydrology

- Unclear how farming operations have been incorporated into the SWQMP

Farming within a residential neighborhood is not a common practice and is not specifically addressed in the City’s BMP Design Manual. The DEIR concludes that since the proposed BMPs were designed in accordance with the City’s BMP Design Manual as identified in the SWQMP (Appendix K) there are no significant impacts. This discussion includes nothing about potential impacts from this unusual condition of farming in a residential neighborhood and how this has been specifically addressed in the SWQMP. Please add some discussion of this issue so it is possible to determine if this has been properly considered and mitigated.

- Unclear floodplain map with project

The DEIR text says flooding impacts as shown on Figure 4.10-1 have all been addressed by basically raising the building pads out of the flood zone. The technical appendices still show the with-project conditions as having substantial portions of the project site within the 100-year flood level and that only delineated the project site. We could not find a figure that addressed

the entire area with project conditions that demonstrate there is no remaining flood risk. Please add project maps into the DEIR and demonstrate that flooding conditions have been addressed, on the project site and upstream and downstream.

- Cost of required additional flood control systems

Figure 4.10-1 shows large areas both within and upstream and downstream of the project that are within the 0.2% Annual Chance Flood Hazard area. The text says the buildings will be above the 100-year flood limits, a new LOMR will be provided and BMPs will address all significant flooding impacts. Project objectives on page 3-2 include “11. Provide sufficient number of residential units to support the necessary improvements to public facilities” and “12. Include a mix of land uses and facilities that will maintain a positive fiscal impact on the City of Oceanside General fund.” There is no clear identification of what structural BMPs are included and their associated long-term O and M and replacement costs. In the absence of this information it is impossible to determine if the project meets objectives 11 and 12. Please provide a detailed list of these improvements and long-term O and M costs and incorporate in an overall cost assessment to verify compliance with these two project conditions.

Land Use and Planning

- Project is not consistent with numerous SANDAG RCP Smart Growth principles

Table 4.11-3 falsely concludes the project is consistent by ignoring key requirements and focusing on minor ones. For example, Land use and Urban Design. The critical criterion is to concentrate development in core areas and through infill. The project does the opposite by including dense housing far from core areas. On another item, Jobs/Housing Mix, the key is to locate housing near or within major employment areas. The project worsens the city’s job/housing ratio by adding 689 homes and few jobs. It is unlikely that the employees in a hotel or farm workers will be able to afford living on site; there has been no analysis of income levels and affordability of the new units. Furthermore, just saying the project allows for hotel and commercial uses does not mean there will be such uses on site. In fact, often such mixed-use projects in non-core areas like this end up with unused commercial spaces. Even in more urbanized areas like downtown Oceanside this has been problematic with numerous vacant/underutilized commercial spaces on the ground floor of mixed use residential projects or as portions of horizontal mixed use like the project on Vista Way. The principle says to locate housing “near or within major employment areas.” The analysis assumes that means anywhere in downtown Oceanside, southern Oceanside and anywhere in the city of Vista. Where actually are the major employment centers in these two cities and what is the proximity of the project site to what is a major employment center? In fact, this project is located in the far northeastern corner of Oceanside - about as far from downtown and southern oceanside as you can get.

- Project is not consistent with the Agritourism Strategic Plan and related Zoning ordinance currently being considered

The definition of agritourism as stated in the Agritourism Strategic Plan is as follows: “A form of

commercial enterprise that links agricultural production and/or processing with tourism in order to attract visitors onto a farm, ranch, or other agricultural business for the purposes of entertaining and/or educating the visitors and generating income for the farm, ranch, or business owner.” No where does it describe 689 housing units, or any housing units as part of that definition or of the zoning being considered. Agritourism is intended as a way to support agriculture by allowing related commercial operations, not by drastically reducing the number of acres of land that is used for agriculture and replacing it with housing.

- Project conflicts with the Draft SAP

This was discussed previously.

- Project conflicts with numerous General Plan provisions

Table 4.11-2 concludes that in every case the project is consistent with the stated, policy, objective or goal. These conclusions are directly contradicted by numerous other documents and statements made by staff at public meetings on the project. In fact, there are numerous conflicts with the city of Oceanside’s General Plan and land use provisions. For example, the staff report for Planning Commission hearing on this issue of February 27, 2017 Item 5 (incorporated by reference) discussed the project compliance with eight critical criteria. As stated in the staff report it also evaluated the project against the agricultural policies outlined in Section 2.5 of the Land Use Element to “assure the integrity and viability of remaining agriculturally zoned properties in South Morro Hills and prevent land use conflicts between agricultural and non-agricultural uses.” The staff report then concluded the project failed to meet 5 of the 8 criteria, one was not applicable one required further analysis and only one was found in compliance.

The criteria where it was found not consistent are fundamental to assess actual GP/Land use compliance. It was found not consistent with provisions for (1) smart growth, (2) the housing element, (4) Jobs/housing ratio (5) infrastructure, and (6) provided no public benefits beyond what would be required. The only area it was found consistent was (8) it will generate additional tax revenue. If it is not consistent with things like the Housing Element then compliance with detailed provisions - designed for housing in other parts of the city that are consistent with the GP HE – are really irrelevant.

On the evaluation of impacts on the remaining agricultural land it found there were four potentially significant impacts. This single project represented about 7% of the agriculturally zoned land and was one of very few large parcels and consequently its impact would be greater than might otherwise be expected. The staff report concluded it “would have a significant impact on the agricultural productivity on the rest of Morro Hills.” It further stated that further evaluation would be needed to assess buffers for this land use conflict. These General Plan/Land use consistency concerns were also supported by the Planning Commission and public comment at this hearing.

Following that hearing, the March 8 2017 City Council workshop staff report (incorporated by reference) again concluded the project was not consistent with numerous provisions of the

General Plan. It further said it was “premature” to make judgements about the impact in light of current efforts to boost agritourism.

The following are just three examples to document the failure of the consistency analysis to include relevant information and make defensible conclusions about consistency. The DEIR has essentially ignored all of this input, failed to address the conflicts that have been raised and provides no substantive basis for its own conflicting conclusions.

Example 1. Policy 1.1B Land Use Element

Policy test: Land uses shall not significantly distract from nor negatively impact surrounding conforming land uses.

Consistency Analysis: The project site would be in a transitional area and serve as a transition point between the more urbanized areas to the west and agricultural areas of Morro Hills.

Conformance/Non-Conformance - Consistent

In fact, the project will result in substantial impacts to the neighboring agricultural lands and as the DEIR concludes in Housing/growth will likely lead to further conversions beginning a domino effect of converting agricultural lands to other uses. This issue was called out in the February 27, 2017 staff report and remains both a significant impact and a conflict with the existing provisions of the GP - it is not consistent.

Example 2. Goal Public Safety Element Goal: Public Safety Element

Policy test: Take the action necessary to ensure an acceptable level of public safety for prevention and reduction of loss of life and personal property of the citizens of Oceanside.

Consistency Analysis: The project would improve roadways, provide adequate lighting, provide signs, comply with geo-technical requirements, include fuel modification zones and provide building pads above the 100-year floodplain.

Conformance/Non-Conformance - Consistent

In fact, while the city of Oceanside has a goal for 90% of emergency responses to be made within 5 minutes, on the project site 90% are projected to exceed five minutes. Furthermore, response will be delayed in much of the land beyond the project limits because of the “significant and unavoidable” traffic congestion that will be a result of the project. These minor design issues are irrelevant when it is response time that is the critical factor in determining the loss of life and personal property. The project is not consistent.

Example 3: Goal 1 Transportation Demand Management

Policy test: Support programs that encourage increased vehicle occupancies and trip reduction in order for residents to enjoy the quality of life that currently exists in Oceanside.

Consistency Analysis: The project would provide on and off-site improvements to the circulation element and NCTD provides public transit services in the site’s “vicinity.”

Conformance/Non-Conformance - Consistent

In fact, the DEIR concludes that the project will result in “significant and unavoidable” traffic impacts. Traffic congestion is a key contributor to residents’ quality of life as documented in several surveys. Traffic congestion will be worse with the project and is an adverse impact that will affect the quality of life for many residents. The project is not consistent with this goal.

The DEIR has essentially ignored all of this input, failed to address the conflicts that have been raised and provides no substantive basis for its own conflicting conclusions.

Mineral Resources

In addition to the discussion in the DEIR the city has provided a separate document “Statement of Reasons to Permit the Proposed Use and Eliminate Access to Mineral Resources of Regional Significance (MRZ-2). The DEIR concludes there are no significant impacts, yet state law requires processing of this statement which implies it is of sufficient impact to require state review/noticing. This should be identified as a potentially significant impact subject to being conditioned that this state notification is properly processed.

Noise

In many areas where residential units have been built adjacent to agricultural uses noise is often one of the areas of concern. Farm operations include kinds and pattern of noise not usually associated with homes. The project proposes to integrate agricultural uses throughout the site, often in close proximity to new residences. There is nothing in the DEIR that describes how the agricultural operations will be conditioned to ensure this will not be a problem. In the case of construction noise this has limited hours and days of operation, limits use of bells, etc., to warnings when needed, etc. The DEIR has failed to adequately evaluate the potential noise impact from farming operations. Such potential impacts need to be identified, analyzed and appropriate project conditions/mitigation included.

Population and Housing

- Analysis fails to evaluate compliance with RHNA allocations by income level

Table 4.14-2 identifies the City of Oceanside Regional Housing Needs Assessment (RHNA) by income level. The ability to achieve housing at each level is a key part of compliance with the Housing Element. The DEIR fails to evaluate how the proposed project potentially impacts achievement of housing by income levels. City ordinances allow payment of in lieu fees rather than actually building affordable units on site. The project is unclear about how it will meet this obligation. If payment of fees, then this is an additional indirect impact wherever those affordable units are constructed. This potential impact needs to be analyzed and mitigated.

- Failure to address adverse impacts to jobs/housing ratio

Achievement of a jobs housing ratio of 1:1 is a key factor in achieving the economic sustainability of the city, and being able to provide quality affordable housing where the residents have access to transit, services and jobs. Oceanside's poor jobs/housing ratio has long been identified as an issue of concern. Policies to improve this have been adopted by the City Council and by resolutions of the Chamber of Commerce (incorporated by reference). Recently, there has been substantial analysis of this issue and recommendations to address it in the preparation of the draft Economic Development Element (EDE) planned to be included in the City's General Plan. (See PowerPoint presentation https://www.ci.oceanside.ca.us/documents/Planning/Oceanside_EDE_Workshop_11-27-17_KMA.pdf and the associated technical papers by KMA incorporated by reference)

Per page 4.14-10 of the DEIR for the purpose of determining the projects service population, an average household size of 2.86 persons per dwelling unit was used. That results in a projected service population of 1,971 residents plus 190 employees or 2,161 people total. With 689 residential units that is a jobs/housing ratio of 190/689 is 0.28/1. This, of course, requires further analysis as the project proposes a boutique hotel and some commercial uses and farming. But at least a portion of those jobs would be included in the 190. It is clear this project will make it harder for the city to improve its job/housing ratio and in fact, it will make it worse. The actions necessary to compensate for this disparate impact will result in further indirect impacts that have not been identified or analyzed. Furthermore, this is in conflict with the project objective 12 to maintain a positive fiscal impact on the city of Oceanside's general fund.

Public Safety

- Increases in fire/emergency response times

See discussion under hazardous materials.

- Evacuation impacts of piecemeal roadway widening

The proposed project would complete widening of North River Road only along its frontage. This will create two bottlenecks at each end of the widening that would impact evacuations. Figure 3-6a fails to show where these lane/roadway width changes will occur - presumably at each end of the frontage road. The analysis fails to consider the impact on roadway operations from two sets of road width changes along a major evacuation route.

- Cumulative fire risk

The increasing rate and severity of wildfires in California is well documented. This August 6, 2018 story in the Sacramento Bee discusses a study by Verisk Analytics about the number of housing units in high severity fire risk areas. They found overall that about 15% of the housing units in the state are at high risk. But San Diego County was among those with the highest actual number of units at risk, before building even more projects like this.

<https://www.sacbee.com/news/state/california/fires/article216076320.html>

Parks and Recreation

- Clarification of who is responsible for the 16 acres of parks

Section 3.3.1.3 Describes six categories of parks and open space and says “detailed programming and design for the initial installation would be developed in collaboration with the City’s Recreation and Parks Department.” Are these private parks or city parks or a combination of both? Does the city have approval authority? Are city funds being used for any part of the design, construction, operations and maintenance of these facilities?

- Location/size of proposed park acres

The City of Oceanside has a park master plan and is in the process of updating it. The DEIR concludes that because the General Plan would require 9.86 acres of parkland for the anticipated 1,971 new residents with the project and that it has provided 10.2 acres that exceeds the standard. So there is no impact. However, that analysis fails to consider the ability of several small parks in this single area to meet a full range of recreational needs. That is why cities typically specify several types of recreational facilities and their distribution so that all residents have access to a full range of recreational services - for example soccer fields and baseball diamonds. This project proposes 100% of the park need will be provided by several small parks within the planned development. There is no discussion of adequacy beyond total acres which is insufficient to evaluate if there could be an adverse impact on “existing neighborhood and regional parks or other recreational facilities.”

Transportation

- Failure to include comprehensive mitigation consistent with Circulation Element Section 3.8.3

The DEIR analysis identifies three roadway segments with direct and/or cumulative impacts that are “Partially reduced, significant and unavoidable” (Table 4.17-19).

The City of Oceanside Circulation Element (CE) adopted September 2012 and incorporated by reference includes detailed discussion of mitigation measures required for a project that will result in a street segment or intersection that operates worse than LOS D. It clarifies the obligation of the developer to “propose, prepare and provide feasible mitigation measure(s) for the City to review that would improve the impacted location(s) to an acceptable LOS.” It goes on to describe several ways this might be addressed through on and off-site improvements, right-of-way and improvements to pedestrian and/or bicycle facilities. It then adds in underlined text “If 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.”

The DEIR fails to adequately evaluate what mitigation has been proposed and considered.

Table 4.17-19 lists mitigation for each of the identified significant impacts that were determined not to be feasible but then fails to include any that would lessen the impacts or to address the mitigation measures specified in the CE to be applied when there are no feasible mitigation measures that would fully mitigate the impacts.

- Failure to adequately consider alternative transportation

Not one of the transportation mitigation measures addresses alternative transportation, nor does the DEIR indicate that there has been any analysis of this. It describes bicycle and transit services as part of the description of existing conditions but then fails to evaluate the adequacy of alternative transportation measures provided by the project or to consider whether any additional improvements to these could help reduce the significant traffic impacts caused by the project. This shortcoming is even more egregious because this is specifically called out in the CE section 3.8.3 but still was ignored.

Transportation accounts for about 40% of the community wide GHG in Oceanside and this project will add 10,453 metric tons of GHG/year per Table 4.8-8. There is no discussion of mode split and how VMT has been considered in the transportation analysis. New state guidance on how the change in CEQA traffic impact analysis from LOS to VMT is still pending final approval. But other jurisdictions routinely include VMT as part of transportation system analysis. Furthermore, state guidance on CEQA review requires consideration of alternative transportation. This should all be considered as part of the analysis of traffic impacts.

- Failure to adequately evaluate cumulative traffic impacts

How much impact a single project has on overall cumulative impacts at least partially depends upon whether the city is following its own guidelines to address cumulative impacts. These guidelines described in section 3.9 of the CE are really a framework for broad city action. If these are not being followed, then each project will have even greater cumulative impacts. There are costs associated with these actions and some presumption that they would move forward in proportion to traffic increases. Furthermore, they include imposing fees to fund transportation system improvements and to update the City's Thoroughfare Fee and Traffic Signal Fee ordinances "periodically." The DEIR should consider whether there has been any good faith effort to improve the overall system as one way to minimize the cumulative impacts of each future project. The DEIR failed to include any such analysis. Unfortunately, we believe the city has failed to comply with its own guidelines and the result is that cumulative impacts continue to get worse with no real plan to address them.

- Failure to evaluate full compliance of roadway changes on noise, views and biological resources

Section 3.9 of the CE, items 8, 9, and 10 identify specific roadway design mitigation measures to address noise, preservation of natural features, views and wetlands. The DEIR has failed to evaluate if the proposed roadway changes are consistent with these guidelines. Failure to do so leaves this a potential significant impact that has not been addressed.

Water Supply

- Failure to mitigate for projected water supply shortfall

Page 4.19-17 states “under multiple-dry year conditions the project will increase supply shortfalls to 3.9% and 8.4% for the third year of 2035 and 2040, respectively. Therefore, the project creates an incremental shortfall of approximately .6% in 2040. These deficits would be addressed through implementation of extraordinary conservation measures and/or through the conversion of additional customers to recycled water. In addition, the city has developed a Water Shortage Contingency Plan that identifies ways in which the City can reduce water consumption during catastrophic events and in drought years.” This is a clear statement of significant potential impacts with no mitigation proposed. Climate projections make it clear that our region will be experiencing more frequent and severe droughts in coming years. To say that everyone in the city will have to take extraordinary conservation measures to make up for the 245 AFY of this project is appalling. At a minimum mitigation should include additional water conservation measures required of the project, and extraordinary measures during drought so everyone in the city does not pay for the failures of one project to address its own impacts.

Cumulative Impacts

- Inadequate analysis of cumulative impacts on biological resources

The DEIR analysis is inconsistent in determining that it is growth-inducing but has no cumulative impacts on biological resources. Throughout San Diego growth puts increasing strains on remaining habitat. Increased population results in more and more people using fewer and fewer acres of land – especially for outdoor recreation. The Agricultural Exclusion Zone had very specific requirements for additional evaluation if these lands were to be converted to other uses. That is not just the buffer along the SLR River. Agricultural lands themselves, whether they include actual habitat or not have substantial secondary benefits for wildlife - from forage in fields by small mammals to birds of prey. These 3400 hundred acres of land provide substantial opportunities for forage, cover and migration of birds, mammals , amphibians and seed dispersal for native plants. Of course, it is not the same as high quality habitat. But converting it to hundreds of more homes removes all of that secondary value while also adding additional impacts to the little remaining habitat.

Alternatives Analysis

The DEIR did a credible job of considering a range of alternatives to the project. The DEIR analysis documents that every alternative considered dramatically reduces the adverse impacts as compared to the proposed project. But it is not clear if any of these alternatives, other than “No Build”, reduce all of the significant impacts to below a level of significance. It is good to know the impacts are reduced as shown on Table 7-2, but are they reduced sufficiently to eliminate the identified significant impacts?

In spite of having alternatives to reduce the project impacts, the applicants still propose their

project with numerous significant “unavoidable” impacts. Of course, the impacts can be avoided - with a project properly designed to comply with the available infrastructure, the adjacent land uses and the wishes of the people of this community.

Conclusion

The Project and the associated DEIR have documented that this is a seriously flawed project that does not fit with existing city, or regional plans. Sprawl development like that proposed with this project will have lasting impacts to the city of Oceanside, and our entire region as we try to address climate change. The DEIR has failed to address numerous significant environmental impacts identified in this letter, and many other comment letters that you will be receiving. There remain significant impacts that have not been adequately evaluated or mitigated. We urge you to reject this project as proposed and require massive modifications and improved mitigation before proceeding with any further project approval.

Thank you for your consideration of our comments.

Sincerely,

Diane Nygaard, President
Preserve Calavera
760-724-3887