RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT FOR THE ONWARD OCEANSIDE PROJECT, AND ADOPTING THE FINDINGS OF FACT, STATEMENT OF OVERRIDING CONSIDERATIONS AND MITIGATION MONITORING AND REPORTING PROGRAM

APPLICANT: City of Oceanside
LOCATION: Citywide

THE CITY COUNCIL OF THE CITY OF OCEANSIDE, CALIFORNIA DOES RESOLVE AS FOLLOWS:

WHEREAS, a Final Program Environmental Impact Report (FEIR) for Phase 2 of the Comprehensive General Plan Update (GPU), Smart & Sustainable Corridors Specific Plan (SSCSP) and Climate Action Plan (CAP) Update, collectively termed the "Onward Oceanside Project", was prepared and proper notification was given in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, on May 24, 2021, per the CEQA Guidelines Section 21092, the City processed a Notice of Preparation (NOP) for the proposed Draft EIR (DEIR, SCH: 2021050529) to the State Office of Planning and Research (OPR) and the San Diego County Clerk, as well as published in the local newspaper of general circulation, regarding a public scoping meeting and a 30-day public comment period; and

WHEREAS, the City released the NOP from May 24, 2021 to June 23, 2021 for public review of the project description and scoping meeting on June 9th, 2021. In coordination with the NOP and scoping meeting, the public was presented an overview of the "Project" and details surrounding its impact. The forum was primarily intended to prime participants to review and provide written comments on the project deliverables and the associated DEIR; and

WHEREAS, the City released draft versions of the GPU, SSCSP, CAP, and DEIR for public review on June 4, 2024, for the standard minimum 45-day review period as required by CEQA. During the public review period, staff conducted a Community Forum on June 20, 2024, to provide a project overview, series of real-time polling questions, and breakout sessions on the new GPU elements, the SSCSP, and CAP Update. After extending the public comment period twice in response to public requests, the public review phase for the draft documents mentioned above closed on August 5, 2024 (62 days total); and

WHEREAS, following significant changes to the GPU and associated documents, additional updates to the DEIR were required to match new information. The documents were re-released for public review for the standard minimum 45-day review period as required by CEQA (December 18, 2025 to February 1, 2026). Following close of public review, comments were received, compiled and followed by a response to comments (RTC) for issues regarding the FEIR. These comments and responses were further made publicly available as required under CEQA Guidelines Section 15088(b) on May 8th, 2026 (RTC part of FEIR); and

WHEREAS, the Planning Commission, after giving the required notice, did on the 18th day of May, 2026, conduct a duly advertised public hearing where the Commission received a presentation from staff, heard public testimony on the matter, and voted 6-1 (Gonzalez – No) to recommend that the City Council certify the Project's FEIR, adopt the Findings of Fact, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program; and

WHEREAS, the City Council, after giving the required notice, did on the 24th day of June, 2026, conduct a public hearing, heard and considered written evidence and oral testimony by all interested parties and the recommendation of the Planning Commission on this matter; and

WHEREAS, studies and investigations made by the City Council and in its behalf reveal the following facts:

For the Environmental Impact Report (FEIR):

1. The FEIR was completed in compliance with the provisions of the California Environmental Quality Act (California Public Resources Code Section 21000 *et seq.*);
2. There are certain potentially significant environmental effects detailed in the FEIR which have been avoided or mitigated to a less than significant level by mitigation measures detailed in the project's MMRP (Exhibit A).
3. There are certain significant and unavoidable environmental effects detailed in the FEIR that cannot be mitigated to a level below significance. As required by CEQA Guidelines Sections 15091 and 15093, Findings of Fact for each significant effect and a Statement of Overriding Considerations (Exhibit B) have been prepared to substantiate that the project's specific benefits in relation to housing, economic opportunity, improved mobility, expansion of parkland, biological resource preservation and implementation of the Climate Action Plan Update outweigh the potential unavoidable adverse environmental impacts.
4. The FEIR, MMRP, Findings of Fact and Statement of Overriding Considerations were presented to the City Council, and the City Council reviewed and considered the information

contained therein prior to making a decision to certify the FEIR. Furthermore, the City Council finds the FEIR, MMRP, Findings of Fact and Statement of Overriding Considerations have been determined to be accurate and adequate documents which reflect the independent judgement of the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OCEANSIDE DOES RESOLVE AS FOLLOWS:

1. The City Council does hereby certify the Final Environmental Impact Report (FEIR) for Phase 2 of the Comprehensive General Plan Update, Smart & Sustainable Corridors Specific Plan and Climate Action Plan Update (collectively the Onward Oceanside Project), and adopt the MMRP (Exhibit A), Findings of Fact and Statement of Overriding Considerations (Exhibit B).
2. The documents and other materials that constitute the record of proceedings upon which the City Council's decision is based are located at the City of Oceanside Planning Division, 300 N. Coast Highway, Oceanside CA 92054.
3. Notice is HEREBY GIVEN that the time within which judicial review must be sought on this decision is governed by the provisions of the California Environmental Quality Act.

PASSED AND ADOPTED at a meeting of the City Council of the City of Oceanside, California, held on the 24th day of June, 2026 by the following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

APPROVED AS TO FORM:

_____ _____
CITY CLERK CITY ATTORNEY

Exhibit A – Mitigation Monitoring & Reporting Program

Exhibit B – Draft Findings of Fact & Statement of Overriding Consideration

# Chapter 9.0
# Mitigation Monitoring and Reporting Program

California Environmental Quality Act (CEQA) Section 21081.6 requires that a mitigation monitoring and reporting program (MMRP) be adopted upon certification of an Environmental Impact Report (EIR) to ensure that the mitigation measures are implemented. The MMRP specifies what the mitigation is, the entity responsible for monitoring the program, and when in the process it should be accomplished.

This Recirculated Program EIR (RPEIR) is prepared for the City of Oceanside (City) General Plan Update (GPU), Smart and Sustainable Corridors Specific Plan (SSCSP), and Climate Action Plan (CAP) Update, collectively referred to as the project, incorporated herein as referenced, focuses on issues determined to be potentially significant City.

The issues addressed in the RPEIR include land use, aesthetics, agricultural and forestry, air quality, biological resources, cultural and tribal resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, mineral resources, noise, population and housing, public services and recreation, transportation, utilities and service systems, and wildfire.

Public Resources Code Section 21081.6 requires monitoring of only those impacts identified as significant or potentially significant. After analysis, the following potentially significant impacts were identified:

- Agricultural and forestry resources (farmland conversion, agricultural zoning or Williamson Act Contracts)
- Air quality (consistency with air quality plans, air quality standards)
- Biology (sensitive species and habitat, jurisdictional wetlands and waters)
- Cultural and tribal cultural resources (historical resources, archaeological sites, tribal cultural resources)
- Geology (paleontological resources or unique geologic feature)
- Noise (increase in ambient noise levels)
- Public Services (new or expanded fire and police protection facilities)
- Utilities and service systems (utility facilities)

The environmental analysis concluded that the potentially significant impacts associated with the resource areas identified above would be reduced to less than significant levels through implementation of mitigation measures, where applicable, to the extent feasible. However, the environmental analysis concluded that the following impacts would remain significant and unavoidable:

- Air quality (consistency with air quality plans)
- Greenhouse Gas (GHG) (GHG emissions, conflict with plans)
- Noise (increase in ambient noise levels)

- Public services (new or expanded fire and police protection facilities)
- Utilities and service systems (utility systems)

Table 9-1
Mitigation Monitoring and Reporting Program

| Mitigation Measure | Potentially Significant Impact | Mitigation Measure | Timeframe for Mitigation | Monitoring, Enforcement, and Reporting Responsibility |
|---|---|---|---|---|
| Air Quality | | | | |
| AQ-1 | Air Quality – Air Quality Standards | **AQ-1: Daily Operational Emissions**<br>For individual projects that may exceed the daily operational emissions thresholds established by the City and the SDAPCD, the owner/permittee shall conduct an analysis of the project's operational air quality impacts using the latest available CalEEMod mode, or other analytical method determined in conjunction with the City. If such analyses identify potentially significant regional or local air quality impacts, project-level mitigation and/or project design features would be required to reduce operational impacts to less than significant. Mitigation to reduce operational impacts depends on the specific project, but may include measures such as, but not limited to:<br>• Demonstrate net zero energy expenditure;<br>• Implementation of transportation demand management measures;<br>• Prohibit the installation of woodstoves, hearths, and fireplaces in new construction facilitate by the GPU;<br>• Expand and facilitate completion of planned networks of active transportation infrastructure;<br>• Implement electric vehicle charging infrastructure beyond requirements set forth in the 2022 California Green Building Standards Code (CALGreen) mandatory measures, such as Tier 2 voluntary measures set forth in 2022 CALGreen (or future more stringent) standards; and<br>• Implement traffic demand measures, such as unbundling parking fees from rent/lease options, encouraging/developing a ride-share program for the community, and provide car/bike sharing services, that will reduce daily individual car usage and reduce project VMT. | Prior to the issuance of any land development permits or development activities. | City of Oceanside |
| Biological Resources | | | | |
| BIO-1 | Biology – Sensitive Species and Habitat | **BIO-1: Biological Assessment and Habitat Based Mitigation**<br>Prior to approval of development permits, where new development is proposed on land that may support special-status species or sensitive vegetation communities, the City shall require an assessment of potential impacts to existing biological resources. The assessment must be conducted by an independent, qualified biologist. The biological analysis shall include an evaluation of the project's direct, indirect, and cumulative impacts to sensitive species, sensitive habitats and wetlands. Surveys shall follow guidelines established for state- and/or federally-listed species. The analysis shall evaluate how the project has been designated to minimize and avoid impacts to the extent feasible and demonstrate consistency with the GPU and SSCSP policy framework, as applicable. Any unavoidable impacts to sensitive habitats shall be mitigated following the ratios identified in the City's VSR Element Table 5-1. The location of mitigation shall not be isolated and shall support overall buildout of the City's preserve system. The biological analysis shall identify species present or with a potential to occur on-site and shall identify avoidance strategies to minimize or avoid impacts to special-status species. Any potential impacts to state- or federally-listed species or their habitats and/or to jurisdictional waters would require permitting under the appliable regulatory agency including but not limited to the USACE, USFWS, CDFW, and the Regional Water Quality Control Board. Any unavoidable wetland impacts shall be mitigated to ensure a no net loss of wetlands. The analysis shall identify mitigation to ensure adverse effects are minimized to the extent feasible, consistent with the City's policy and conservation framework. A monitoring and reporting program that ensures long-term stewardship of sensitive habitats conserved as mitigation or avoidance shall be implemented. | Prior to the issuance of any land development permits or development activities. | City of Oceanside; U.S. Army Corps of Engineers; U.S. Fish and Wildlife Service; California Department of Fish and Wildlife; and Regional Water Quality Control Board |
| BIO-2 | Biology – Sensitive Species and Habitat | **BIO-2: Conservation Requirements**<br>1. Prior to approval of development permits, require all mitigation sites to be designated as Preserve, protected by legally binding conservation easements and managed in perpetuity by a qualified and adequately resourced entity (e.g., private land trust, government agency).<br>2. Utilize City-owned habitat areas primarily to mitigate impacts associated with capital improvement projects and other City-initiated actions.<br>3. Allow mitigation outside of Oceanside only as a last resort and only when such mitigation contributes to habitat connectivity in areas covered by the North County Multiple Habitat Conservation Plan. | Prior to the issuance of any land development permits or development activities | City of Oceanside |
| | Biology – Jurisdictional Wetlands and Waters | See BIO-1 and BIO-2 | | |
| | Wildlife Movement | See BIO-1 and BIO-2 | | |
| Cultural and Tribal Cultural Resources | | | | |
| CUL-1 | Cultural and Tribal Cultural Resources – Historical Resources | **CUL-1: Buildings Older than 45 Years**<br>Prior to issuance of any permit for a future development project that would directly or indirectly affect a building/structure in excess of 45 years of age, the City shall determine whether the affected building/structure is historically significant. The City may require preparation of a historic evaluation to verify the historic significance of a structure. The evaluation of historic architectural resources shall be based on criteria such as: age, location, context, association with an important person or event, uniqueness, or structural integrity, as defined by the California Register of Historical Resources. If a building is found to be not historically significant, no additional requirements would be imposed. However, if a structure is found to be historically significant, avoidance or mitigation shall be implemented. | Prior to the issuance of any land development permits or development activities. | City of Oceanside |

Table 9-1
Mitigation Monitoring and Reporting Program

| Mitigation Measure | Potentially Significant Impact | Mitigation Measure | Timeframe for Mitigation | Monitoring, Enforcement, and Reporting Responsibility |
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| | | Preferred mitigation for historic buildings or structures is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm to the resource shall be taken. Depending upon project impacts, measures shall include, but are not limited to:<br>• Preparing a historic resource management plan;<br>• Designing new construction which is compatible in size, scale, materials, color and workmanship to the historic resource (such additions, whether portions of existing buildings or additions to historic districts, shall be clearly distinguishable from historic fabric);<br>• Repairing damage according to the Secretary of the Interior's Standards for Rehabilitation;<br>• Screening incompatible new construction from view through the use of berms, walls, and landscaping in keeping with the historic period and character of the resource; and<br>• Shielding historic properties from noise generators through the use of sound walls, double glazing, and air conditioning.<br>• Documentation of the building or structure to be removed using the Historic American Building Survey (HABS) or Historic American Engineering Record (HAER) formats.<br>• Interpretive panels, displays, brochures, and/or websites to interpret and display the stories, associations, and feelings tied to the building or structure.<br><br>If potentially significant impacts to an identified historical resource are identified, the historic resources report would recommend appropriate mitigation to reduce the impacts to below a level of significance. | | |
| CUL-2 | Cultural and Tribal Cultural Resources – Archaeological Sites | **CUL-2: Archaeological Sites**<br>During future City review of development applications, the City shall review proposed development sites to identify the potential for the site to support buried archaeological resources. Redevelopment of existing developed sites or development on existing graded sites would not require further study due to a lack of potential to support buried archaeological resources. However, where development is proposed on previously undisturbed sites or where grading would disturb portions of the soil profile that were previously undisturbed, the City shall require the following steps be taken to determine the presence of archaeological resources and the appropriate mitigation for any significant resources which may be impacted by a development activity.<br>1. The City shall require preparation of an archaeological survey report prepared by a qualified archaeologist. The evaluation report would generally include background research, field survey, archaeological testing, as needed, and analysis. A confidential appendix must be submitted (under separate cover) including records search information gathered during background research and California Department of Parks and Recreation site forms for archaeological sites and traditional cultural properties containing the confidential resource maps.<br>2. Before actual field reconnaissance would occur, background research is required which includes a record search at the SCIC at San Diego State University. A review of the Sacred Lands File maintained by the NAHC must also be conducted at this time. Information about existing archaeological collections should also be obtained from the San Diego Archaeological Center and any tribal repositories or museums. Once the background research is complete, a field reconnaissance must be conducted by a qualified archaeologist. Native American participation is required for field surveys when there is likelihood that the project site contains prehistoric archaeological resources or traditional cultural properties.<br>3. If an archaeological or tribal cultural resource has been identified, a significance determination must be made. It should be noted that tribal representatives and/or Native American monitors will be involved in making recommendations regarding the significance of prehistoric archaeological sites during this phase of the process. The testing program may require reevaluation of the proposed project in consultation with the Native American representative which could result in a combination of project redesign to avoid and/or preserve significant resources as well as mitigation in the form of data recovery and monitoring (as recommended by the qualified archaeologist and Native American representative). An archaeological testing program will include evaluating the horizontal and vertical dimensions of a site, the chronological placement, site function, artifact/ecofact density and variability, presence/absence of subsurface features, and research potential. A Native American observer must be retained for all subsurface investigations, including geotechnical testing and other ground-disturbing activities, whenever a Native American Traditional Cultural Property or any archaeological site would be impacted.<br>4. If significant archaeological or tribal cultural resources are identified an agreement on the appropriate form of mitigation is required prior to distribution of a draft environmental document. If no significant resources are found, and site conditions are such that there is no potential for further discoveries, then no further action is required. Resources found to be non-significant as a result of a survey and/or assessment will require no further work beyond documentation of the resources on the appropriate Department of Parks and Recreation (DPR) site forms and inclusion of results in the survey and/or assessment report. If no significant resources are found, but results of the initial evaluation and testing phase indicate there is still a potential for resources to be present in portions of the property that could not be tested, then archaeological monitoring is required during ground disturbance.<br>5. Preferred mitigation for historical resources is to avoid the resource through project redesign. If cultural resources avoidance is pursued, a cultural open space easement may be required to ensure protection of the site in perpetuity. Fencing and/or signage may be required depending on the location of the avoided site and its accessibility. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm shall be taken. Where | Prior to the issuance of any land development permits or development activities. | City of Oceanside;<br>Tribal Representatives |

Table 9-1
Mitigation Monitoring and Reporting Program

| Mitigation Measure | Potentially Significant Impact | Mitigation Measure | Timeframe for Mitigation | Monitoring, Enforcement, and Reporting Responsibility |
|---|---|---|---|---|
| | | preserve in place is not feasible, Site Capping Plan may be implemented. A qualified archaeologist shall prepare a capping plan for review by the City for approval. The plan shall include site capping duties, a contract agreement that the capping will be completed, and a cost estimate for the capping plan and reporting. The qualified archaeologist shall provide evidence that a Native American of the appropriate tribal affiliation has also been contracted to perform Native American Monitoring of the capping plan activities. Upon completion of the implementation of the capping plan, a report of the results shall be presented to the City, or a consultant designated by the City, for review and approval.<br>6. For archaeological resources where preservation is not an option, a Research Design and Data Recovery Program is required, which includes a Collections Management Plan for review and approval. The data recovery program shall be based on a written research design and is subject to the provisions as outlined in CEQA, Section 21083.2. The data recovery program must be reviewed and approved by the City prior to draft CEQA document distribution. All archaeological materials recovered during both the survey, significance testing, and data recovery phases, shall be curated at a San Diego facility that meets federal standards per 36 Code of Federal Regulations Part 79, or a tribal curation facility or repatriation program. The collections and associated records shall be transferred, including title, to an appropriate curation facility as deemed adequate by the City of Oceanside, to be accompanied by payment of the fees necessary for permanent curation. Upon completion of the data recovery program, the applicant shall submit a final cultural resources report to the City of Oceanside, or a consultant designated by the City, for review and approval. The final report shall include a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid. | | |
| CUL-3 | Cultural and Tribal Cultural Resources – Archaeological Sites | **CUL-3: Grading Monitor**<br>All development projects that have identified the potential for unearthed archaeological and/or tribal cultural resources shall include a qualified archaeological and Native American monitor as follows:<br>1. Prior to the start of ground-disturbing activities, the applicant shall retain a qualified archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for archaeology (Federal Register 48 44716 1983, as amended in 1997). The applicant shall also retain a Native American monitor of Luiseño decent.<br>2. Prior to start of ground-disturbing activities, the qualified archaeologist shall conduct cultural resources sensitivity training for all construction personnel. Construction personnel shall be informed of the types of archaeological resources that may be encountered, and of the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains. The applicant shall ensure that construction personnel attend the training and sign an attendance acknowledgement form. The applicant shall retain documentation demonstrating attendance.<br>3. The qualified archaeologist, or an archaeological monitor (working under the direct supervision of the qualified archaeologist), shall observe all initial ground-disturbing activities, including but not limited to brush clearance, vegetation removal, grubbing, grading, and excavation. The qualified archaeologist, in coordination with the City and Native American monitor, may reduce or discontinue monitoring if it is determined by the qualified archaeologist that the possibility of encountering buried archaeological deposits is low based on observations of soil stratigraphy or other factors. Archaeological monitoring shall be conducted by an archaeologist familiar with the types of archaeological resources that could be encountered within the project site. The archaeological monitor shall be empowered to halt or redirect ground-disturbing activities away from the vicinity of a discovery until the qualified archaeologist has evaluated the discovery and determined appropriate treatment (as prescribed below). The archaeological monitor shall keep daily logs detailing the types of activities and soils observed, and any discoveries. After monitoring has been completed, the qualified archaeologist shall prepare a monitoring report that details the results of monitoring. The report shall be submitted to the City and any Native American groups who request a copy. A copy of the final report shall be filed at the SCIC.<br>4. The Native American monitor shall be present for any pre-construction meeting and for all ground-disturbing activities associated with the project. Should any cultural or tribal cultural resources be discovered, no further grading shall occur in the area of the discovery until a designee of the City, with concurrence from the Native American monitor and archaeologist, is satisfied with the evaluation of the discovery and treatment of the resource has occurred. I<br>5. If it is determined that the discovered archaeological resource constitutes a historical resource or a unique archaeological resource under CEQA, avoidance and preservation in place is the preferred manner of preservation. Preservation in place may be accomplished by, but is not limited to, avoidance, incorporating the resource into open space, capping, or deeding the site into a permanent conservation easement. In the event that preservation in place is demonstrated to be infeasible and data recovery through excavation is the only feasible method available, a Cultural Resources Treatment Plan shall be prepared and implemented by the qualified archaeologist in consultation with the City and Native American monitor that provides for the adequate recovery of the scientifically consequential information contained in the archaeological resource.<br>6. To document the completion of archaeological and Native American grading monitoring during the grading phase of the project, a final Grading Monitoring and Data Recovery Report that documents the results, analysis, and conclusions of all phases of the Archaeological/Tribal Cultural Monitoring Program shall be prepared. The report shall include the following: (1) daily monitoring logs; (2) evidence that all cultural resources collected during the grading monitoring program has been curated at a San Diego facility that meets federal standards per 36 CFR Part 79, a tribal curation facility or repatriation program,; and (3) if no cultural resources are discovered, a Negative Monitoring Report must be submitted stating that the grading | Prior to the issuance of any land development permits or development activities. | City of Oceanside;<br>Tribal Representatives |

Table 9-1
Mitigation Monitoring and Reporting Program

| Mitigation Measure | Potentially Significant Impact | Mitigation Measure | Timeframe for Mitigation | Monitoring, Enforcement, and Reporting Responsibility |
|---|---|---|---|---|
| | | monitoring activities have been completed. The final Grading Monitoring and Data Recovery Report shall be submitted to the City, or consultant designated by the City, for review and approval. | | |
| | Cultural and Tribal Cultural Resources – Tribal Cultural Resources | See CUL-2 and CUL-3 | | |
| Geology and Soils | | | | |
| GEO-1 | Geology – Paleontological Resources or Unique Geologic Feature | **GEO-1: Paleontological Resources**<br>Prior to the issuance of grading permits, the applicant shall provide written confirmation to the City of Oceanside that a qualified paleontologist been retained. A qualified paleontologist is defined as an individual with an MS or PhD in paleontology or geology who is familiar with paleontological procedures and techniques and has expertise in local geology, stratigraphy, and biostratigraphy. The qualified paleontologist shall perform the following:<br>• Attend the pre-construction meeting and provide worker environmental awareness training at the pre-construction meeting as well as at the jobsite the day grading is to be initiated. In addition, the qualified paleontologist shall inform the grading contractor and City Engineer of the paleontological monitoring program methodologies.<br>• Identification of where paleontological monitoring of excavations impacting the San Diego Formation, Old Alluvial Floodplain Deposits, and deep excavations (greater than five feet below the ground surface) in areas underlain by Young Alluvial Floodplain Deposits is required within the project site based on construction plans and/or geotechnical reports.<br>• Procedures for adequate paleontological monitoring (including necessary monitoring equipment), methods for treating fossil discoveries, fossil recovery procedures, and sediment sampling for microvertebrate fossils, including the following requirements:<br>o A paleontological monitor shall be on-site at all times during the original cutting of previously undisturbed sediments of moderately to highly sensitive geologic units (e.g., San Diego Formation, Old Alluvial Floodplain Deposits, and excavations below a depth of five feet below the ground surface in areas underlain by Young Alluvial Floodplain Deposits) to inspect cuts for contained fossils. (A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials.) The paleontological monitor shall work under the direction of a qualified paleontologist. Monitoring is not required during shallow excavations within Young Alluvial Floodplain Deposits.<br>o Paleontological monitoring is not required in areas underlain by Artificial Fill unless grading activities are anticipated to extend beneath the veneer of fill and impact underlying geological units with moderate to high paleontological sensitivity (e.g., San Diego Formation, Old Alluvial Floodplain Deposits, or deeper excavations into Young Alluvial Floodplain Deposits).<br>o If fossils are discovered, the qualified paleontologist and/or paleontological monitor shall recover them. The paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading within 50 feet of the resource to allow recovery of fossil remains. Because of the potential for the recovery of small fossil remains, it may be necessary in certain instances, and at the discretion of the qualified paleontologist, to set up a screen-washing operation on the project site. Alternatively, sediment samples can be collected and processed off-site.<br>• Paleontological reporting and collections management:<br>o Prepared fossils along with copies of all pertinent field notes, photos, maps, and the final paleontological monitoring report discussed below shall be deposited in a scientific institution with paleontological collections such as the San Diego Natural History Museum within 90 days of completion of monitoring unless the City of Oceanside and the qualified paleontologist determine the extent of fossils recovered will require more preparation, stabilization, and/or curatorial time. Any curation costs shall be paid for by the applicant.<br>o A final paleontological monitoring report shall be completed. This report shall include discussions of the methods used, stratigraphy exposed, fossils collected, and significance of recovered fossils, and shall be submitted to the designated scientific institution within 90 days of the completion of monitoring unless the City of Oceanside and the qualified paleontologist determine the extent of fossils recovered will require more preparation, stabilization, and/or curatorial time. | Prior to the issuance of any land development permits or development activities. | City of Oceanside |

EXHIBIT B

# DRAFT CANDIDATE FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE City of Oceanside Onward Oceanside Project

General Plan Update
Smart and Sustainable Corridors Specific Plan
Climate Action Plan Update

State Clearinghouse No. 2021050529

April 2026

**TABLE OF CONTENTS**

## 1.0 Introduction

### 1.1 Findings of Fact and Statement of Overriding Considerations

The California Environmental Quality Act (CEQA) (Pub. Res. Code § 21000 et seq.), and the CEQA Guidelines (Guidelines) (14 Cal. Code Regs. § 15000 et seq.) require that the environmental impacts of a proposed project be examined before a project is approved. In addition, once significant impacts have been identified, CEQA and the Guidelines require that certain findings be made before project approval. It is the exclusive discretion of the decision maker certifying the Environmental Impact Report (EIR) to determine the adequacy of the proposed candidate findings. Specifically, regarding findings, Guidelines Section 15091 provides:

(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

(b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.

(c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subdivision (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.

(d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

(e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.

(f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

These requirements also exist in Section 21081 of the CEQA statute. The "changes or alterations" referred to in Section 15091(a)(1), above, that are required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effects of the project may include a wide variety of measures or actions as set forth in Guidelines Section 15370's definition of mitigation, including:

(a) Avoiding the impact altogether by not taking a certain action or parts of an action.

(b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.

(c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.

(d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.

(e) Compensating for the impact by replacing or providing substitute resources or environments.

Should significant and unavoidable impacts remain after changes or alterations are applied to the project, a Statement of Overriding Considerations (SOC) must be prepared. The statement provides the lead agency's views on whether the benefits of a project outweigh its unavoidable adverse environmental effects. Regarding an SOC, Guidelines Section 15093 provides:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or state-wide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or state-wide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

Having received, reviewed, and considered the Final Program EIR (PEIR) for the Onward Oceanside Project (Project; State Clearinghouse No. 2021050529), as well as all other information in the Record of Proceedings (as defined below) on this matter, the following Findings are hereby adopted by the City Council of the City of Oceanside (City) in its capacity as the CEQA lead agency. These Findings set forth the environmental basis for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the Project.

### 1.2 Record of Proceedings

For purposes of CEQA and these Findings and SOC, the Record of Proceedings for the Project consists of the following documents and other evidence, at a minimum:

- The Notice of Preparation (NOP) and all other public notices issued by the City in conjunction with the Project;
- Comments received on the NOP;
- The Draft Recirculated PEIR for the Project;
- All written comments submitted by agencies or members of the public during the June 4, 2024 to August 5, 2024 public review comment period on the Draft EIR and December 18, 2025 to February 1, 2026 public review comment period on the Draft Recirculated PEIR;
- All responses to written comments submitted by agencies or members of the public during the public review and comment period for the Draft Recirculated PEIR;
- All written and oral public testimony presented during a noticed public hearing for the Project at which such testimony was taken;
- The Mitigation Monitoring and Reporting Program (MMRP);
- All documents, studies, EIRs, or other materials incorporated by reference or cited in the Draft Recirculated PEIR and the Final PEIR;
- All supplemental documents prepared for the Recirculated PEIR and submitted to the City Council prior to its public hearing on the Project;
- Matters of common knowledge to the City, including but not limited to federal, state, and local laws and regulations;
- Any documents expressly cited in these Findings;
- Any City staff report prepared for the public hearing related to the Project and any exhibits thereto;
- Project permit conditions; and
- Any other relevant materials required to be in the Record of Proceedings by Public Resources Code (PRC) Section 21167.6(e).

### 1.3 Custodian and Location of Records

The documents and other materials which constitute the Record of Proceedings for the City's actions on the Project and all related appendices were made available for public review and inspection during the public review period at the City of Oceanside Development Services Department, located at 300 N.

Coast Highway, Oceanside, CA 92054, and on the City's webpage. Copies of the documents that constitute the Record of Proceedings are, and at all relevant times have been, available upon request at the offices.

The Draft Recirculated PEIR and Final PEIR are available for review on the City's CEQA website at: https://www.ci.oceanside.ca.us/government/development-services/planning/ceqa/general-plan-update-phase-2-onward-oceanside. This information is provided in compliance with PRC Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e).

## 2.0 PROJECT SUMMARY

### 2.1 Project Description

The Project consists of three separate but interrelated planning documents:

(1) the General Plan Update (GPU) would recreate a policy framework and associated land use designations to update the existing General Plan and serve a revised blueprint for physical development throughout the City;

(2) the Smart and Sustainable Corridors Specific Plan (SSCSP) would facilitate infill and redevelopment along the City's major east-west commercial corridors: Mission Avenue, Oceanside Boulevard, and Vista Way; and

(3) the Climate Action Plan (CAP) Update to address greenhouse gas (GHG) emissions associated with changes in density and intensity of land uses implemented through the GPU and SSCSP.

#### 2.1.1 GPU Update

The GPU would guide future development throughout the City. The GPU is a planning document which provides goals and policies to support the City's plan for new population growth, increased employment opportunities, housing needs, improved public services, and environmental protection. The GPU is organized into thematic elements: Remarkable Communities; Efficient and Compatible Land Use; Integrated Mobility; Vital and Sustainable Resources (VSR); Safe and Resilient Environment; and Healthy and Livable Community. The GPU would support increased density and intensity of land uses throughout the City, guiding development focused on expanded residential capacity and employment opportunities. The GPU also provides direction for improving all modes of mobility, increased park and recreational opportunities, and preservation of agriculture and biological resources.

#### 2.1.2 SSCSP

The SSCSP is a regulatory document that outlines strategies, standards, and processes meant to foster the revitalization of the City's commercial corridors: Mission Avenue, Oceanside Boulevard, and Vista Way. Implementation of the SSCSP would support the revitalization of the corridors with new housing and employment opportunities, a variety of integrated mobility options, and urban parkland. A key goal of the SSCSP is to expand mobility options by improving pedestrian and bicycle connections both within the corridors and between the corridors and nearby residential areas, public parks, and institutional uses. The SSCSP also includes design guidelines allowing each corridor to maintain its

distinct character. The SSCSP is composed of eight chapters: Introduction; Setting and Context; Land Use; Urban Design; Mobility; Environmental Quality; Infrastructure and Utilities; and Implementation and Financing.

### 2.1.3 CAP Update

The Project includes an update to the CAP to account for the GHG emissions projected with increased housing and employment growth resulting from the 2026 General Plan Update ("GPU") and the Smart & Sustainable Corridor Specific Plan ("SSCSP"). GHG emission forecasts would be updated to account for the additional growth, and CAP measures have been developed accordingly to ensure the City would make progress towards GHG reduction goals that are consistent with the state's long-term emission reduction targets. A

## 2.2 Statement of Objectives

Pursuant to CEQA Guidelines Section 15124(b) and as described in Section 3.1.2 of the Final PEIR, the Project has the following objectives:

1. Create opportunities for residential growth and economic development throughout the City, supporting a balance between employment and housing opportunities.

2. Address required rezoning to implement Programs 7, 8, and 9 of the 6th Cycle 2021–2029 Housing Element, providing for the opportunity for future residential development with a density range of at least 35 dwelling units per acre on selected sites.

3. Channel the bulk of future housing and job growth into already urbanized areas to reduce urban sprawl, create synergies between residential and non-residential uses, and promote active transportation and transit ridership.

4. Minimize potential land use compatibility conflicts associated with the proposed changes to existing land use designations and zoning.

5. To the extent feasible, protect the integrity of existing single-family neighborhoods and provide appropriate transitions between these neighborhoods and adjacent areas accommodating more intensive land use and development.

6. Facilitate the preservation and proper stewardship of passive and recreational open space, sensitive habitat, and other natural resources.

7. Provide adequate community services and facilities to all community members and coordinate with other public agencies and the local non-profit sector to maintain and expand access to health care, educational opportunities, recreational activities, and cultural and social experiences.

8. Identify, protect, and enhance those characteristics that make the City a unique and interesting community.

9. Promote water conservation, energy efficiency, renewable energy sourcing, and other sustainable practices.

10. Minimize risks associated with natural hazards, including those exacerbated by climate change, and enhance the resiliency of historically under-resourced communities.

## 3.0 ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City conducted an environmental review under CEQA (California PRC Sections 21000, et seq.) and the Guidelines promulgated thereunder in the California Code of Regulations, Title 14. Further, the City as the lead agency shall be primarily responsible for carrying out the Project. In compliance with Section 15082 of the CEQA Guidelines, the City published an NOP on May 24, 2021, which began a 30-day period for comments on the appropriate scope of the EIR. Due to the declared state of emergency related to the COVID-19 virus and in the interest of protecting public health and safety, the City followed health mandates from Governor Newsom and the County of San Diego to slow the spread of the COVID-19 virus by limiting public meetings. Therefore, the Scoping Meeting was held virtually via Zoom. A pre-recorded presentation was made available on the City's website throughout the NOP period. The purpose of this meeting was to seek input from the public regarding the environmental effects that may potentially result from the Project. Various agencies and other interested parties responded to the NOP. The NOP, comment letters, and a transcript of comments made during the scoping meeting are included as Appendix A of the Final PEIR.

The City prepared and published a Draft PEIR, which was circulated for an extended public review and comment period of June 4, 2024, through August 5, 2024, in compliance with CEQA. After a review of the comments received, the City determined that recirculation of the PEIR would be required. Thereafter, the City published and circulated the Draft Recirculated PEIR from December 18, 2025, through February 1, 2026. During the public review period, the City received comments on the environmental document. After the close of public review period, consistent with CEQA Guidelines Section 15088, the City reviewed all comments and provided written responses to those comments raising significant environmental issues.

On May 18, 2026, the Planning Commission held a public hearing to consider the Project and, by a 6-1 vote (Gonzalez – No), recommended approval of the Project and certification of the Final PEIR. On June 24, 2026 the City Council certified the Final PEIR, adopted these Findings of Fact and SOC, and approved the Project.

## 4.0 GENERAL FINDINGS

The City hereby finds as follows:

- Pursuant to CEQA Guidelines Sections 15050 and 15051, the City is the "Lead Agency" for the Project.

- The Draft Recirculated PEIR and Final PEIR were prepared in compliance with CEQA and the CEQA Guidelines.

- The City has independently reviewed and analyzed the Draft Recirculated PEIR and Final PEIR, and these documents reflect the independent judgment of the City.

- An MMRP has been prepared for the Project, which the City has adopted or made a condition of approval of the Project. That MMRP is incorporated herein by reference and is considered part of the Record of Proceedings for the Project.

- The MMRP designates responsibility and anticipated timing for the implementation of mitigation measures. The City will serve as the MMRP Coordinator.

- In determining whether the Project has a significant impact on the environment, and in adopting these Findings pursuant to Section 21081 of the PRC, the City has based its decision on substantial evidence and has complied with PRC Sections 21081.5 and 21082.2, and CEQA Guidelines Section 15901(b).

- The impacts of the Project have been analyzed to the extent feasible at the time of certification of the Final PEIR.

- The City reviewed the comments received on the Draft PEIR and the responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts associated with the Project. The City has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings concerning the environmental impacts identified and analyzed in the Final PEIR.

- The responses to comments on the Draft PEIR, which are contained in the Final PEIR, clarify and amplify the analysis in the Draft PEIR, and do not result in new information being added to the Final PEIR that would require another recirculation pursuant to CEQA Guidelines Section 15088.5(a).

- The City has made no decisions that constitute an irretrievable commitment of resources toward the Project prior to certification of the Final PEIR, nor has the City previously committed to a definite course of action with respect to the Project.

- Copies of all the documents incorporated by reference in the Draft PEIR and/or Final PEIR are and have been available upon request at all times at the offices of the City, custodian of record for such documents or other materials.

- Having received, reviewed, and considered all information and documents in the record, the City hereby conditions the Project and finds as stated in these Findings.

## 5.0 SUMMARY OF IMPACTS

The Final PEIR contains an environmental analysis of the potential impacts associated with Project implementation. The Final PEIR concludes that the Project would have **no significant direct, indirect or cumulative impact and require no mitigation measures** associated with the following issue areas:

- Land Use (all thresholds)
- Aesthetics (all thresholds)
- Agriculture and Forestry Resources (all thresholds)
- Air Quality (Air Quality Standards [Construction], Sensitive Receptors, Odor)
- Biological Resources (Ordinance/Policy Consistency, Conflict with Habitat Conservation Plan)
- Historic Resources (Human Remains)
- Energy (all thresholds)
- Geology/Soils (Seismic Hazards, Erosion, Landslide/Liquefaction, Expansive Soils)
- Hazardous Materials (all thresholds)
- Hydrology and Water Quality (all thresholds)
- Mineral Resources (all thresholds)
- Noise (Land Use Compatibility [Railroad, Stationary, Construction], Groundbourne Vibration, Airport Land Use Plan)
- Population and Housing (all thresholds)
- Public Services (Schools, Parks, Libraries, Recreation Facilities)
- Transportation (all thresholds)
- Utilities and Sewer Systems (Water Supply, Wastewater, and Solid waste)
- Wildfire (all thresholds)

The Final PEIR concludes that implementation of the Project would result in **significant direct, indirect, and/or cumulative impacts that would be mitigated to less than significant levels** with respect to the following issues:

- Biological Resources (Sensitive Species and Habitats, Wetlands, Wildlife Movement)
- Cultural and Tribal Cultural Resources (Historical Resources, Archeological Resources, Tribal Cultural Resources)
- Geology/Soils (Paleontology Resources)

The Final PEIR concludes that implementation of the Project would result in **significant and unavoidable direct and/or cumulative impacts** with respect to the following issues:

- Air Quality (Plan Consistency, Air Quality Standards [Operation])
- GHGs (all thresholds)
- Noise (Ambient Noise)
- Public Services (Fire Protection, Police Protection)
- Utilities and Sewer Systems (New or Expanded Facilities)

**6.0 FINDINGS REGARDING SIGNIFICANT IMPACTS**

In making each of the findings below, the City has considered the plans, programs, and policies discussed in the Final EIR. The plans, programs, and policies discussed in the Final EIR are existing regulatory plans and programs the Project is subject to, and, likewise, are explicitly made conditions of the Project's approval.

**6.1 Findings Regarding Impacts that will be Mitigated to Below a Level of Significance [CEQA § 21081(a)(1) and CEQA Guidelines § 15091(a)(1)]**

The City, having independently reviewed and considered the information contained in the Final PEIR and the Record of Proceedings pursuant to Public Resource Code § 21081(a)(1) and CEQA Guidelines § 15091(a)(1), adopts the following findings regarding the significant effects of the Project, as follows:

- Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the significant effects on the environment as identified in the Final EIR (PRJ-0698277/State Clearinghouse [SCH] No. 2022060468) as described below.

**6.1.1 Biological Resources**

## 6.1.1.1 Potentially Significant Effect: Sensitive Species and Habitat

The Project could result in substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS). Additionally, the Project could result in a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS.

## Facts in Support of Finding

Buildout under the GPU and SSCSP would result in increased development throughout the City. Future development has the potential to impact sensitive plant and wildlife species either directly through the loss of habitat (including critical habitat) and/or direct take, or indirectly by placing development in or adjacent to sensitive habitat. Specifically, impacts to federal- or state-listed species, Narrow Endemic Species, plant species with a California Native Plant Society Rare Plant Rank of 1 or 2, and wildlife species included on the CDFW's Special Animals List could occur. Potential impacts to sensitive species

and/or designated critical habitat of listed species would be reduced through regulatory compliance and adherence to proposed GPU and SSCSP policies and application of Standard Conditions of Approval. However, absent project-specific development plans, it is not possible to state whether impacts to sensitive species and/or habitat would be adequately protected. Therefore, at this program level, without the benefit of project-specific design measures and development plans, impacts would be significant.

## Mitigation Measures

### *BIO-1: Biological Assessment and Habitat Based Mitigation*

Prior to approval of development permits, where new development is proposed on land that may support special-status species or sensitive vegetation communities, the City shall require an assessment of potential impacts to existing biological resources. The assessment must be conducted by an independent, qualified biologist. The biological analysis shall include an evaluation of the project's direct, indirect, and cumulative impacts to sensitive species, sensitive habitats and wetlands. Surveys shall follow guidelines established for state- and/or federally-listed species. The analysis shall evaluate how the project has been designated to minimize and avoid impacts to the extent feasible and demonstrate consistency with the GPU and SSCSP policy framework, as applicable. Any unavoidable impacts to sensitive habitats shall be mitigated following the ratios identified in the City's VSR Table 5-1. The location of mitigation shall not be isolated and shall support overall buildout of the City's preserve system. The biological analysis shall identify species present or with a potential to occur on-site and shall identify avoidance strategies to minimize or avoid impacts to special-status species. Any potential impacts to state- or federally-listed species or their habitats and/or to jurisdictional waters would require permitting under the appliable regulatory agency including but not limited to the USACE, USFWS, CDFW, and the Regional Water Quality Control Board. Any unavoidable wetland impacts shall be mitigated to ensure a no net loss of wetlands. The analysis shall identify mitigation to ensure adverse effects are minimized to the extent feasible, consistent with the City's policy and conservation framework. A monitoring and reporting program that ensures long-term stewardship of sensitive habitats conserved as mitigation or avoidance shall be implemented.

### *BIO-2: Conservation Requirements*

1. Prior to approval of development permits, require all mitigation sites to be designated as Preserve, protected by legally binding conservation easements, managed in perpetuity by a qualified and adequately resourced entity (e.g., private land trust, government agency) and funded through a non-wasting endowment.

2. Utilize City-owned habitat areas primarily to mitigate impacts associated with capital improvement projects and other City-initiated actions.

3. Allow mitigation outside of Oceanside only as a last resort and only when such mitigation contributes to habitat connectivity in areas covered by the North County Multiple Habitat Conservation Plan.

### Finding

Implementation of the mitigation measures BIO-1 and BIO-2 require that future projects conduct site-specific, on-site biological assessments and use accepted conservation measures. Therefore, direct and indirect biological impacts would be reduced to less than significant levels.

### Reference

Final EIR, Section 4.5.4.

## 6.1.1.2 Potentially Significant Effect: Jurisdictional Wetlands and Waters

The Project could have a substantial adverse effect on state- or federally protected wetlands (including, but not limited to, marsh, vernal pool, and coastal) through direct removal, filling, hydrological interruption, or other means.

### Facts in Support of Finding

Future development under the GPU and SSCSP would increase residential density and intensity of land uses which could result in impacts to migratory wildlife, including the use of wildlife movement areas. In addition, future construction activities may require vegetation removal and/or construction activity noise levels that could disturb nesting birds. While adherence to federal and state regulations, City planning strategies, GPU policy compliance, and implementation of Standard Conditions of Approval would reduce significant impacts, absent project-specific development plans, it is not possible to state whether impacts to wildlife corridors and nursery sites would be reduced to less than significant levels. Therefore, at this program level, without the benefit of project-specific design measures and development plans, impacts would be significant

### Mitigation Measures

See Section 6.1.1.1, mitigation measures BIO-1 and BIO-2.

### Finding

Implementation of the mitigation measures BIO-1 and BIO-2 require that future projects conduct site-specific, on-site biological assessments and use accepted conservation measures regarding wildlife movement. Therefore, direct and indirect wildlife movement corridor impacts would be reduced to less than significant levels.

## 6.1.1.3 Potentially Significant Effect: Wildlife Corridors

The Project could interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

## Facts in Support of Finding

Future development under the GPU and SSCSP would increase residential density and intensity of land uses which could result in impacts to migratory wildlife, including the use of wildlife movement areas. In addition, future construction activities may require vegetation removal and/or construction activity noise levels that could disturb nesting birds. While adherence to federal and state regulations, City planning strategies, GPU policy compliance, and implementation of Standard Conditions of Approval would reduce significant impacts, absent project-specific development plans, it is not possible to state whether impacts to wildlife corridors and nursery sites would be reduced to less than significant levels. Therefore, at this program level, without the benefit of project-specific design measures and development plans, impacts would be significant.

## Mitigation Measures

See Section 6.1.1.1, mitigation measures BIO-1 and BIO-2.

## Finding

Implementation of the mitigation measures BIO-1 and BIO-2 require that future projects conduct site-specific, on-site biological assessments and use accepted conservation measures regarding wildlife movement. Therefore, direct and indirect wildlife movement corridor impacts would be reduced to less than significant levels.

### 6.1.2 Cultural Resources

# 6.1.2.1 Potentially Significant Effect: Historical Resources

The Project could result in a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.

## Facts in Support of Finding

Future development throughout the City could result in adverse changes to historic resources if future construction activity is within proximity to significant historic buildings, structures, objects, landscapes, or sites. Additionally, future development could result in alteration or removal of structures that are greater than 45 years old and could qualify for historic significance. Therefore, potential impacts to historic resources would be significant.

## Mitigation Measures

### *CUL-1: Buildings Older than 45 Years*

Prior to issuance of any permit for a future development project that would directly or indirectly affect a building/structure in excess of 45 years of age, the City shall determine whether the affected building/structure is historically significant. The City may require preparation of a historic evaluation to verify the historic significance of a structure. The evaluation of historic architectural resources shall

be based on criteria such as: age, location, context, association with an important person or event, uniqueness, or structural integrity, as defined by the California Register of Historical Resources. If a building is found to be not historically significant, no additional requirements would be imposed. However, if a structure is found to be historically significant, avoidance or mitigation shall be implemented.

Preferred mitigation for historic buildings or structures is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm to the resource shall be taken. Depending upon project impacts, measures shall include, but are not limited to:

- Preparing a historic resource management plan;
- Designing new construction which is compatible in size, scale, materials, color and workmanship to the historic resource (such additions, whether portions of existing buildings or additions to historic districts, shall be clearly distinguishable from historic fabric);
- Repairing damage according to the Secretary of the Interior's Standards for Rehabilitation;
- Screening incompatible new construction from view through the use of berms, walls, and landscaping in keeping with the historic period and character of the resource; and
- Shielding historic properties from noise generators through the use of sound walls, double glazing, and air conditioning.
- Documentation of the building or structure to be removed using the Historic American Building Survey (HABS) or Historic American Engineering Record (HAER) formats.
- Interpretive panels, displays, brochures, and/or websites to interpret and display the stories, associations, and feelings tied to the building or structure.

If potentially significant impacts to an identified historical resource are identified, the historic resources report would recommend appropriate mitigation to reduce the impacts to below a level of significance.

## Finding

Implementation of mitigation measure CUL-1 ensures that buildings greater than 45 years old be evaluated as site-specific projects and processed. Therefore, implementation of mitigation measure CUL-1 would ensure significant resources are treated properly to reduce significant direct impacts to less than significant

## Reference

Final PEIR, Section 4.6.4.

## 6.1.2.2 Potentially Significant Effect: Archeological Resources

The Project could cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.

### Facts in Support of Finding

In addition to known resources, future development, especially within areas of the City identified as having moderate or high archaeological sensitivity levels, could support unidentified archaeological resources that have not been evaluated. Generally, future development proposed within existing developed sites or sites that have been previously graded would have lost their potential to support buried archaeological resources. However, where grading would occur within previously undisturbed sites or where grading would disturb portions of the soil profile that were previously undisturbed, adverse impacts to buried archaeological resources could occur.

### Mitigation Measures

#### *CUL-2: Archeological Sites*

During future City review of development applications, the City shall review proposed development sites to identify the potential for the site to support buried archaeological resources. Redevelopment of existing developed sites or development on existing graded sites would not require further study due to a lack of potential to support buried archaeological resources. However, where development is proposed on previously undisturbed sites or where grading would disturb portions of the soil profile that were previously undisturbed, the City shall require the following steps be taken to determine the presence of archaeological resources and the appropriate mitigation for any significant resources which may be impacted by a development activity.

1. The City shall require preparation of an archaeological survey report prepared by a qualified archaeologist. The evaluation report would generally include background research, field survey, archaeological testing, as needed, and analysis. A confidential appendix must be submitted (under separate cover) including records search information gathered during background research and California Department of Parks and Recreation site forms for archaeological sites and traditional cultural properties containing the confidential resource maps.

2. Before actual field reconnaissance would occur, background research is required which includes a record search at the SCIC at San Diego State University. A review of the Sacred Lands File maintained by the NAHC must also be conducted at this time. Information about existing archaeological collections should also be obtained from the San Diego Archaeological Center and any tribal repositories or museums. Once the background research is complete, a field reconnaissance must be conducted by a qualified archaeologist. Native American participation is required for field surveys when there is likelihood that the project site contains prehistoric archaeological resources or traditional cultural properties.

3. If an archeological or tribal cultural resource has been identified, a significance determination must be made. It should be noted that tribal representatives and/or Native American monitors will be involved in making recommendations regarding the significance of prehistoric archaeological sites during this phase of the process. The testing program may require reevaluation of the proposed project in consultation with the Native American representative which could result in a combination of project redesign to avoid and/or preserve significant resources as well as mitigation in the form of data recovery and monitoring (as recommended by the qualified archaeologist and Native American representative). An archaeological testing program will includes evaluating the horizontal and vertical dimensions of a site, the chronological placement, site function, artifact/ecofact density and variability, presence/absence of subsurface features, and research potential. A Native American observer must be retained for all subsurface investigations, including geotechnical testing and other ground-disturbing activities, whenever a Native American Traditional Cultural Property or any archaeological site would be impacted.

4. If significant archeological or tribal cultural resource are identified an agreement on the appropriate form of mitigation is required prior to distribution of a draft environmental document. If no significant resources are found, and site conditions are such that there is no potential for further discoveries, then no further action is required. Resources found to be non-significant as a result of a survey and/or assessment will require no further work beyond documentation of the resources on the appropriate Department of Parks and Recreation (DPR) site forms and inclusion of results in the survey and/or assessment report. If no significant resources are found, but results of the initial evaluation and testing phase indicates there is still a potential for resources to be present in portions of the property that could not be tested, then archaeological monitoring is required during ground disturbance.

5. Preferred mitigation for historical resources is to avoid the resource through project redesign. If cultural resources avoidance is pursued, a cultural open space easement may be required to ensure protection of the site in perpetuity. Fencing and/or signage may be required depending on the location of the avoided site and its accessibility. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm shall be taken. Where preserve in place is not feasible, Site Capping Plan may be implemented. A qualified archeologist shall prepare a capping plan for review by the City for approval. The plan shall include site capping duties, a contract agreement that the capping will be completed, and a cost estimate for the capping plan and reporting. The qualified archeologist shall provide evidence that a Native American of the appropriate tribal affiliation has also been contracted to perform Native American Monitoring of the capping plan activities. Upon completion of the implementation of the capping plan, a report of the results shall be presented to the City, or a consultant designated by the City, for review and approval.

6. For archaeological resources where preservation is not an option, a Research Design and Data Recovery Program is required, which includes a Collections Management Plan for review and approval. The data recovery program shall be based on a written research design and is subject to the provisions as outlined in CEQA, Section 21083.2. The data recovery program must be reviewed and approved by the City prior to draft CEQA document distribution. All archaeological materials recovered during both the survey, significance testing, and data

recovery phases, shall be curated at a San Diego facility that meets federal standards per 36 Code of Federal Regulations Part 79, or a tribal curation facility or repatriation program. The collections and associated records shall be transferred, including title, to an appropriate curation facility as deemed adequate by the City of Oceanside, to be accompanied by payment of the fees necessary for permanent curation. Upon completion of the data recovery program, the applicant shall submit a final cultural resources report to the City of Oceanside, or a consultant designated by the City, for review and approval. The final report shall include a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

### *CUL-3: Grading Monitor*

All development projects that have identified the potential for unearthed archaeological and/or tribal cultural resources shall include a qualified archaeological and Native American monitor as follows:

1. Prior to the start of ground-disturbing activities, the applicant shall retain a qualified archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for archaeology (Federal Register 48 44716 1983, as amended in 1997). The applicant shall also retain a Native American monitor of Luiseño decent.

2. Prior to start of ground-disturbing activities, the qualified archaeologist shall conduct cultural resources sensitivity training for all construction personnel. Construction personnel shall be informed of the types of archaeological resources that may be encountered, and of the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains. The applicant shall ensure that construction personnel attend the training and sign an attendance acknowledgement form. The applicant shall retain documentation demonstrating attendance.

3. The qualified archaeologist, or an archaeological monitor (working under the direct supervision of the qualified archaeologist), shall observe all initial ground-disturbing activities, including but not limited to brush clearance, vegetation removal, grubbing, grading, and excavation. The qualified archaeologist, in coordination with the City and Native American monitor, may reduce or discontinue monitoring if it is determined by the qualified archaeologist that the possibility of encountering buried archaeological deposits is low based on observations of soil stratigraphy or other factors. Archaeological monitoring shall be conducted by an archaeologist familiar with the types of archaeological resources that could be encountered within the project site. The archaeological monitor shall be empowered to halt or redirect ground-disturbing activities away from the vicinity of a discovery until the qualified archaeologist has evaluated the discovery and determined appropriate treatment (as prescribed below). The archaeological monitor shall keep daily logs detailing the types of activities and soils observed, and any discoveries. After monitoring has been completed, the qualified archaeologist shall prepare a monitoring report that details the results of monitoring. The report shall be submitted to the City and any Native American groups who request a copy. A copy of the final report shall be filed at the SCIC.

4. The Native American monitor shall be present for any pre-construction meeting and for all ground-disturbing activities associated with the project. Should any cultural or tribal cultural resources be discovered, no further grading shall occur in the area of the discovery until a designee of the City, with concurrence from the Native American monitor and archaeologist, is satisfied with the evaluation of the discovery and treatment of the resource has occurred.

5. If it is determined that the discovered archaeological resource constitutes a historical resource or a unique archaeological resource under CEQA, avoidance and preservation in place is the preferred manner of preservation. Preservation in place may be accomplished by, but is not limited to, avoidance, incorporating the resource into open space, capping, or deeding the site into a permanent conservation easement. In the event that preservation in place is demonstrated to be infeasible and data recovery through excavation is the only feasible method available, a Cultural Resources Treatment Plan shall be prepared and implemented by the qualified archaeologist in consultation with the City and Native American monitor that provides for the adequate recovery of the scientifically consequential information contained in the archaeological resource.

6. To document the completion of archaeological and Native American grading monitoring during the grading phase of the project, a final Grading Monitoring and Data Recovery Report that documents the results, analysis, and conclusions of all phases of the Archaeological/Tribal Cultural Monitoring Program shall be prepared. The report shall include the following: (1) daily monitoring logs; (2) evidence that all cultural resources collected during the grading monitoring program has been curated at a San Diego facility that meets federal standards per 36 CFR Part 79, a tribal curation facility or repatriation program,; and (3) if no cultural resources are discovered, a Negative Monitoring Report must be submitted stating that the grading monitoring activities have been completed. The final Grading Monitoring and Data Recovery Report shall be submitted to the City, or consultant designated by the City, for review and approval.

## Finding

Implementation of mitigation measures CUL-2 and CUL-3 requires archaeological and Native American monitoring during grading to ensure oversight during ground-disturbing activities. Should unidentified potentially significant historic archaeological or Tribal Cultural resources be discovered during future project grading, the monitors would halt work to allow the resources to be evaluated. If significant resources are recovered, implementation of a Research Design and Data Recovery Program would be required. Therefore, implementation of mitigation measures CUL-2 and CUL-3 would ensure significant resources are treated properly to reduce significant direct impacts to less than significant.

## Reference

Final PEIR, Section 4.6.5.

### 6.1.2.3 Potentially Significant Effect: Tribal Cultural Resources

The Project could result in a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k); or
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

#### Facts in Support of Finding

Future development throughout the City could result in unearthing unknown and unrecorded tribal cultural resources. While proposed GPU policies would provide guidance for the protection of tribal cultural resources, it is impossible to ensure the successful preservation of all resources. Therefore, at this program level of review, potential impacts to tribal cultural resources, including sacred sites, would be significant.

#### Mitigation Measures

See Section 6.1.2.2, mitigation measures CUL-2 and CUL-3.

#### Finding

Implementation of mitigation measure CUL-2 and CUL-3 requires archaeological and Native American monitoring during grading to ensure oversight during ground-disturbing activities. Should unidentified potentially significant historic archaeological or Tribal Cultural resources be discovered during future project grading, the monitors would halt work to allow the resources to be evaluated. If significant resources are recovered, implementation of a Research Design and Data Recovery Program would be required. Therefore, implementation of mitigation measures CUL-2 and CUL-3 would ensure significant resources are treated properly to reduce significant direct impacts to less than significant.

#### Reference

Final PEIR, Section 4.6.7.

### 6.1.3 Geology and Soils

## 6.1.3.1 Potentially Significant Effect: Paleontological Resources

The Project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature

## Facts in Support of Finding

The City is primarily classified with a high paleontological sensitivity rating. Due to the highly developed condition, future redevelopment projects that do not exceed the original depth of excavation are unlikely to encounter paleontological resources. However, future new development or redevelopment that increases excavation depths could result in the disturbance of previously unknown paleontological resources. Similarly, unique geologic features could be adversely affected if destroyed due to site development. Therefore, at this program level of review, without known development and grading plans, projects that propose new grading or an increase in existing graded depths could result in significant impacts to paleontological resources

## Mitigation Measures

### *GEO-1: Paleontological Resources*

Prior to the issuance of grading permits, the applicant shall provide written confirmation to the City of Oceanside that a qualified paleontologist been retained. A qualified paleontologist is defined as an individual with an MS or PhD in paleontology or geology who is familiar with paleontological procedures and techniques and has expertise in local geology, stratigraphy, and biostratigraphy. The qualified paleontologist shall perform the following:

- Attend the pre-construction meeting and provide worker environmental awareness training at the preconstruction meeting as well as at the jobsite the day grading is to be initiated. In addition, the qualified paleontologist shall inform the grading contractor and City Engineer of the paleontological monitoring program methodologies.

- Identification of where paleontological monitoring of excavations impacting the San Diego Formation, Old Alluvial Floodplain Deposits, and deep excavations (greater than five feet below the ground surface) in areas underlain by Young Alluvial Floodplain Deposits is required within the project site based on construction plans and/or geotechnical reports.

- Procedures for adequate paleontological monitoring (including necessary monitoring equipment), methods for treating fossil discoveries, fossil recovery procedures, and sediment sampling for microvertebrate fossils, including the following requirements:

    - A paleontological monitor shall be on-site at all times during the original cutting of previously undisturbed sediments of moderately to highly sensitive geologic units (e.g., San Diego Formation, Old Alluvial Floodplain Deposits, and excavations below a depth of five feet below the ground surface in areas underlain by Young Alluvial Floodplain Deposits) to

inspect cuts for contained fossils. (A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials.) The paleontological monitor shall work under the direction of a qualified paleontologist. Monitoring is not required during shallow excavations within Young Alluvial Floodplain Deposits.

- Paleontological monitoring is not required in areas underlain by Artificial Fill unless grading activities are anticipated to extend beneath the veneer of fill and impact underlying geological units with moderate to high paleontological sensitivity (e.g., San Diego Formation, Old Alluvial Floodplain Deposits, or deeper excavations into Young Alluvial Floodplain Deposits).

- If fossils are discovered, the qualified paleontologist and/or paleontological monitor shall recover them. The paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading within 50 feet of the resource to allow recovery of fossil remains. Because of the potential for the recovery of small fossil remains, it may be necessary in certain instances, and at the discretion of the qualified paleontologist, to set up a screen-washing operation on the project site. Alternatively, sediment samples can be collected and processed off-site.

- Paleontological reporting and collections management:

  - Prepared fossils along with copies of all pertinent field notes, photos, maps, and the final paleontological monitoring report discussed below shall be deposited in a scientific institution with paleontological collections such as the San Diego Natural History Museum within 90 days of completion of monitoring unless the City of Oceanside and the qualified paleontologist determine the extent of fossils recovered will require more preparation, stabilization, and/or curatorial time. Any curation costs shall be paid for by the applicant.

  - A final paleontological monitoring report shall be completed. This report shall include discussions of the methods used, stratigraphy exposed, fossils collected, and significance of recovered fossils, and shall be submitted to the designated scientific institution within 90 days of the completion of monitoring unless the City of Oceanside and the qualified paleontologist determine the extent of fossils recovered will require more preparation, stabilization, and/or curatorial time.

## Finding

Implementation of mitigation measure GEO-1 requires a complete paleontological monitoring program and protocol during grading to ensure oversight during ground-disturbing activities. Should unidentified potentially significant resources be discovered during future project grading, the monitors would halt work to allow the resources to be evaluated. If significant resources are recovered, implementation of a full report would be required.

## Reference

Final PEIR, Section 4.8.8.

### 6.2 Findings Regarding Mitigation Measures Which are the Responsibility of Another Agency (CEQA § 21081(a)(2)) and CEQA Guidelines § 15091(a)(2))

The City, having reviewed and considered the information contained in the Final EIR and the Record of Proceedings, finds pursuant to CEQA § 21081(a)(2) and CEQA Guidelines § 15091(a)(2) that there are no changes or alterations that could reduce significant impacts that are within the responsibility and jurisdiction of another public agency.

### 6.3 Findings Regarding Significant Impacts and Unavoidable (CEQA § 21081(a)(3) and CEQA Guidelines § 15091(a)(3))

The City, having reviewed and considered the information contained in the Final EIR and the Record of Proceedings and pursuant to Public Resource Code § 21081(a)(3) and CEQA Guidelines § 15091(a)(3), makes the following findings regarding air quality impacts associated with sensitive receptors:

> "Specific economic, legal, social, technological, or other considerations, including considerations of the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the Final EIR (Project No. 658548/SCH No. 2021040374) as described below."

"Feasible" is defined in Section 15364 of the CEQA Guidelines to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." The CEQA statute (Section 21081) and Guidelines (Section 15019(a)(3)) also provide that "other" considerations may form the basis for a finding of infeasibility. Case law makes clear that a mitigation measure or alternative can be deemed infeasible on the basis of its failure to meet project objectives or on related public policy grounds. This finding is appropriate with respect to the Project because there are no feasible mitigation measures available that would reduce the identified impacts to below a level of significance.

#### 6.3.1 Air Quality

## 6.3.1.1 Significant and Unavoidable Impact: Consistency with Air Quality Plans

The Project would conflict with or obstruct the implementation of the applicable air quality plan.

## Facts in Support of Finding

Buildout of the GPU and SSCSP would result in an increase in development and an associated increase in emissions when compared to buildout of the City's adopted zoning and land use designations. Therefore, buildout of the GPU and SSCSP would exceed the assumptions used to develop the Regional Air Quality Strategy (RAQS). Even with implementation of applicable GPU and SSCSP goals and policies, this impact would be significant.

## Mitigation Measures

### *AQ-1: Daily Operational Emissions*

For individual projects that may exceed the daily operational emissions thresholds established by the City and the San Diego Air Pollution Control District, the owner/permitee shall conduct an analysis of the project's operational air quality impacts using the latest available CalEEMod mode, or other analytical method determined in conjunction with the City. If such analyses identify potentially significant regional or local air quality impacts, project level mitigation and/or project design features would be required to reduce operational impacts to less than significant. Mitigation to reduce operational impacts depends on the specific project, but may include measures such as, but not limited to:

- Demonstrate net zero energy expenditure
- Implementation of transportation demand management measures
- Prohibit the installation of woodstoves, hearths, and fireplaces in new construction
- Expand and facilitate completion of planned networks of active transportation infrastructure
- Implement electric vehicle charging infrastructure beyond requirements set forth in the 2022 CalGreen mandatory measures, such as Tier 2 voluntary measures set forth in 2022 CalGreen (or future more stringent) standards
- Implement traffic demand measures, such as unbundling parking fees from rent/lease options, encouraging/developing a ride-share program for the community, and provide car/bike sharing services, that will reduce daily individual car usage and reduce project VMT

## Finding

Notwithstanding application of mitigation measure AQ-1 and implementation of GPU goals and policies, the population and employment assumptions of the RAQS would continue to be exceeded until the RAQS is revised and incorporates the projections of the GPU. Therefore, impacts would remain significant and unavoidable.

No other feasible mitigation measures have been identified or proposed that would mitigate this impact to below a level of significance. Specific economic, legal, social, technological, or other considerations described below make the mitigation measures or Project alternatives identified in the Final PEIR infeasible.

## Reference

Final PEIR, Section 4.4.4.

### 6.3.1.2 Significant and Unavoidable Impact: Air Quality Standards (Operation)

The Project would result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment under an applicable federal or state ambient air quality standard.

## Facts in Support of Finding

The Project includes planning-level actions that do not propose any physical development at this time. In general, the Project would reduce air quality impacts through implementation of GPU and SSCSP policies and actions, as well as the proposed CAP Update reduction measures. However, it is possible that for future projects, adherence to the regulations may not adequately protect air quality, and such projects would require additional measures to avoid or reduce significant air quality impacts. Additionally, because the Project would conflict with implementation of the RAQS, air emissions associated with the Project would have a potentially significant impact on regional air quality.

## Mitigation Measures

See Section 6.3.1.1, mitigation measure AQ-1.

## Finding

Notwithstanding implementation of mitigation measure AQ-1, it is possible that future projects would require additional measures to avoid or reduce significant air quality impacts. Because operational emissions associated with development anticipated under the Project would be greater when compared to adopted land uses and the assumptions used to develop the RAQS, and because it cannot be known at this program level whether future projects would be able to reduce emissions below the significance thresholds, this impact would be significant and unavoidable.

No other feasible mitigation measures have been identified or proposed that would mitigate this impact to below a level of significance. Specific economic, legal, social, technological, or other considerations described below make the mitigation measures or Project alternatives identified in the Final PEIR infeasible.

## Reference

Final PEIR, Section 4.4.5.

#### 6.3.2 Greenhouse Gas

### 6.3.2.1 Significant and Unavoidable Impact: GHG Emissions

The Project would generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.

## Facts in Support of Finding

The quantification analysis demonstrated that the total estimated reductions from all GHG reduction measures would be sufficient to meet the 2030 GHG reduction targets consistent with state goals. While the proposed measures and actions in the CAP Update would make substantial progress towards 2045 and 2050 targets, the analysis shows that the quantified measures and actions would not be sufficient to meet the 2045 and 2050 targets. The monitoring program and implementation strategy would allow the City to track progress towards these targets and make adjustments as needed. City staff will annually evaluate the implementation status and performance of each GHG reduction measure and its actions. The City will prepare a comprehensive update to the CAP every five years, with the next comprehensive update occurring five years from the City Council's adoption of the CAP Update. Updates would reflect the findings and recommendations of the monitoring reports and GHG inventory updates. However, long-term targets will likely require development of technology or other changes that are not currently known or available. Therefore, additional reduction measures in addition to the policies presented within the CAP Update would not be feasible at this time. Because at this time 2045 and 2050 targets would not be met, impacts would be significant.

## Mitigation Measures

While the City would continue to implement and monitor the effectiveness of the CAP Update, there is no feasible mitigation available at this time to address the emissions gap associated with 2045 and 2050 targets.

## Finding

While implementation of the measures and actions in the CAP Update would reduce GHG emissions to the extent feasible, the Project would not achieve the State's GHG reduction goals beyond 2030. Therefore, implementation of the Project would result in a significant and unavoidable GHG emission impact after mitigation.

No feasible mitigation measures have been identified or proposed that would mitigate this impact to below a level of significance. Specific economic, legal, social, technological, or other considerations described below make the mitigation measures or Project alternatives identified in the Final PEIR infeasible.

## Reference

Final PEIR Section 4.9.4.

# 6.3.2.2 Significant and Unavoidable Impact: Conflict with Plans

Post 2030. the Project would conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHG.

## Facts in Support of Finding

The Project would be consistent with all applicable SANDAG 2021 Regional Plan policy objectives and strategies. The Project would be consistent with the 2017 and 2022 CARB Scoping Plans strategies outlined to achieve the statewide GHG reduction targets consistent with Senate Bill 32 and Assembly Bill 1279. However, even though the Project would be consistent with the overall Scoping Plan strategies and meet applicable 2030 State GHG reduction targets, as discussed in Section 4.9.4.3 of the Final PEIR, the analysis shows that the quantified measures would not be sufficient to meet the 2045 and 2050 State targets. Therefore, the Project would conflict with implementation of the 2022 Scoping Plan and long-term statewide reduction goals. Impacts associated with conflicts with plans, policies, and regulations would be significant.

## Mitigation Measures

There is no feasible mitigation available at this time to address the emissions gap associated with 2045 and 2050 reduction targets.

## Finding

While implementation of the Project would reduce GHG emissions to the extent feasible, the Project would not meet the State's GHG emission reduction goals beyond 2030 and therefore would conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHG, resulting in a significant and unavoidable GHG emission impact after mitigation.

No feasible mitigation measures have been identified or proposed that would mitigate this impact to below a level of significance beyond 2030. Specific economic, legal, social, technological, or other considerations described below make the mitigation measures or Project alternatives identified in the Final PEIR infeasible.

## Reference

Final PEIR Section 4.9.5.

### 6.3.3 Noise

# 6.3.3.1 Significant and Unavoidable Impact: Ambient Noise Levels

The Project would generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

## Facts in Support of Finding

GPU buildout would result in a significant noise increase over existing ambient noise levels at several roadway segments. With the exception of the segments of Oceanside Boulevard between Rancho Del Oro Drive and College Boulevard, Marron Road between Western City Limit and College Boulevard, and

Foussat Road between Alex Road and Mission Avenue, there are noise-sensitive residential uses located adjacent to each of these roadway segments. The GPU contains goals and policies that would reduce noise levels at new noise-sensitive development. However, existing land uses would be exposed to significant increase in ambient noise, which would be a significant impact.

## Mitigation Measures

Because the significant noise impacts would be to existing homes and other noise-sensitive uses in an already urbanized area, there is no feasible mitigation.

## Finding

For existing noise sensitive land uses, possible noise-reduction measures would include retrofitting older structures with acoustically rated windows and doors featuring higher Sound Transmission Class ratings, which is a measure of exterior noise reduction performance. However, there is no mechanism in place for implementing such a retrofit program. Because the significant noise impacts would be to existing homes and other noise-sensitive uses in an already urbanized area, there is no feasible mitigation. Therefore, impacts would remain significant and unavoidable.

## Reference

Final PEIR, Section 4.13.4.

### 6.3.4 Public Services

# 6.3.4.1 Significant and Unavoidable Impact: Fire Protection Services

The Project would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection services.

## Facts in Support of Finding

Buildout under the GPU and SSCSP would increase the demand on fire protection services in comparison to existing conditions. Construction of new fire stations in the future could result in environmental impacts, including disturbances or conversion of habitat, water pollution during construction, increased noise levels, and an increase in impermeable surfaces. While existing regulations and proposed GPU policies would reduce future developments' need to expand or construct new fire facilities to serve the Project, absent specific development plans the need for expanded or new future fire stations cannot be determined. Therefore, it cannot be ensured that all impacts associated with the construction and operation of potential future fire facilities associated with new development would be mitigated to a less than significant level. Impacts at this program level would be potentially significant

## Mitigation Measures

No feasible mitigation measures are available at this program level of analysis.

## Finding

Buildout of the GPU and SSCSP would result in increased demands on fire and police protection services. Absent specific development plans and project-level details, potential impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, remain unknown. Impacts would remain significant and unavoidable.

No feasible mitigation measures have been identified or proposed that would mitigate these impacts to below a level of significance. Specific economic, legal, social, technological, or other considerations described below make the mitigation measures or Project alternatives identified in the Final PEIR infeasible. Thus, the impacts are significant and unavoidable.

## Reference

Final PEIR Section, 4.15.1.

# 6.3.4.2 Significant and Unavoidable Impact: Police Protection Services

The Project would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection services.

## Facts in Support of Finding

Buildout under the GPU and SSCSP would increase the demand for police services in comparison to existing conditions. Construction of new police facilities in the future could result in environmental impacts, including disturbances or conversion of habitat, water pollution during construction, increased noise levels, and an increase in impermeable surfaces. While existing regulations and proposed GPU policies would reduce future developments' need to expand or construct new police facilities to serve the Project, absent specific development plans the need for expanded or new future police stations cannot be determined. Therefore, it cannot be ensured that all impacts associated with the construction and operation of potential future police facilities associated with new development would be mitigated to a less than significant level. Impacts at this program level would be potentially significant.

## Mitigation Measures

No feasible mitigation measures are available at this program level of analysis.

## Finding

Buildout of the GPU and SSCSP would result in increased demands on fire and police protection services. Absent specific development plans and project-level details, potential impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, remain unknown. Impacts would remain significant and unavoidable.

No feasible mitigation measures have been identified or proposed that would mitigate these impacts to below a level of significance. Specific economic, legal, social, technological, or other considerations described below make the mitigation measures or Project alternatives identified in the Final PEIR infeasible. Thus, the impacts are significant and unavoidable.

## Reference

Final PEIR, Section 4.15.1.

### 6.3.5 Utilities and Service Systems

# 6.3.5.1 Significant and Unavoidable Impact: Utility Facilities

The Project would require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

## Facts in Support of Finding

Future development under the GPU and SSCSP would increase demand of utilities system facilities associated with water, sewer, storm drains, electrical power, natural gas, and telecommunications. Future development would implement policies focused on the assurance of adequate services facilities. Specifically, future projects would be subject to project-specific review to determine the need for upsizing and/or relocation of existing utilities. Individual development projects would be required to demonstrate adequate facilities would be available to support the proposed development. At the time future development projects are proposed, they would require project-specific environmental review and compliance with applicable regulations and policies to ensure adequate facilities are provided. Although physical impacts associated with the construction and operation of new facility improvements would be addressed at the time they are proposed, at this program level of review, absent project-specific development plans, impacts would be potentially significant.

## Mitigation Measures

No feasible mitigation measures are available at this program level of analysis.

## Finding

Absent specific development plans, it is unknown what specific impacts may occur associated with the future construction and operation of potential utility upgrades. While it is anticipated that the physical impacts of utility upgrades can be reduced to less than significant in most cases through compliance with applicable City policy, regulations and mitigation frameworks identified in this PEIR; at a program level of review, it cannot be known with certainty that all impacts can be reduced to less than significant. Therefore, because it cannot be ensured that all impacts associated with the construction and operation of potential future facilities would be mitigated to less than significant, impacts would be significant and unavoidable.

No feasible mitigation measures have been identified or proposed that would mitigate these impacts to below a level of significance. Specific economic, legal, social, technological, or other considerations described below make the mitigation measures or Project alternatives identified in the Final PEIR infeasible. Thus, the impacts are significant and unavoidable.

## Reference

Final PEIR, Section 4.17.4.

**7.0 Findings Regarding Alternatives (CEQA § 21081(a)(3) and CEQA Guidelines § 15091(a)(3))**

Because the Project has the potential to cause one or more significant environmental effects, the City must make findings with respect to the alternatives to the Project considered in the Final PEIR, evaluating whether these alternatives could feasibly avoid or substantially lessen the Project's significant environmental effects while achieving most of its objectives (listed in Section 2.2 above, and in Section 3.2 of the Final PEIR).

The City, having reviewed and considered the information contained in the Final EIR and the Record of Proceedings, and pursuant to Public Resource Code § 21081(a)(3) and State CEQA Guidelines § 15091(a)(3), makes the following findings with respect to the alternatives identified in the Final PEIR (PRJ-0698277/SCH No. 2022060468):

> Specific economic, legal, social, technological, or other considerations, including considerations of the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the Final EIR (PRJ-0698277/ SCH No. 2022060468) as described below.

"Feasible" is defined in Section 15364 of the CEQA Guidelines to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." The CEQA statute (Section 21081) and Guidelines (Section 15019(a)(3)) also provide that "other" considerations may form the basis for a finding of infeasibility. Case law makes clear that a mitigation measure or alternative can be deemed infeasible on the basis of its failure to meet Project objectives or on related public policy grounds. This finding is appropriate with respect to the Project because there are no feasible mitigation measures available that would reduce the identified impacts to below a level of significance.

## 7.1 Alternative 1: No Project Alternative

CEQA Guidelines Section 15126.6(e) requires that an EIR evaluate a "no project" alternative, along with its impacts. The purpose of describing and analyzing a no project alternative is to allow a lead agency to compare the impacts of approving the project to the impacts of not approving it. Specifically, CEQA Guidelines Section 15126.6(e)(3)(A) states: "When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, an alternative will be the continuation of the existing plan, policy or operation into the future. Typically, this is a situation where other projects initiated under the existing plan will continue while the new plan is developed. Thus, the projected impacts of the proposed plan or alternative plans would be compared to the impacts that would occur under the existing plan."

Consistent with CEQA Guidelines Section 15126.6(e)(3)(A), the No Project Alternative represents the continued implementation of the adopted General Plan and the adopted CAP without the addition of the SSCSP. A comparative analysis of the impacts associated with this alternative and the Project is provided below.

Compared to the Project, the No Project Alternative would not support the opportunity for housing to be placed in proximity to active transportation. It would, therefore, not align as strongly as the Project with the Regional Transportation Plan and anticipated growth. Although the No Project Alternative would allow for development consistent with the existing General Plan, this alternative would provide for increases in allowable residential and mixed-use development intensities within the City's urban corridors where the City would support transit-oriented jobs and increased housing capacity needed to support long-term regional growth. Overall, the No Project Alternative would achieve the Project objectives, but to a lesser extent than the Project.

### 7.1.1 Potentially Significant Effects

When compared to the Project, the No Project Alternative would result in incrementally fewer impacts on Air Quality (consistency, sensitive receptors, and odors), Public Services and Recreation, and Utilities (water supplies, wastewater capacity, solid waste). Under the No Project Alternative, greater impacts would occur to Land Use and Planning, Aesthetics, Agricultural and Forestry Resources, Energy, GHG, Noise (groundbourne vibration), Transportation (land use conflicts), and Wildfire (emergency evacuation). All other impacts would be the same (see Final PEIR Table 6-1).

### 7.1.2 Finding/Rationale

The No Project Alternative would not meet most of the Project objectives. Specifically, this alternative would not provide an opportunity for the City to increase residential and economic growth throughout the City (Objective 1), implement Housing Element Programs focused on high density residential development (Objective 2), and improve residential and economic growth potential in already urbanized areas, including the City's primary corridors (Objective 3). Additionally, the No Project Alternative would not provide a vehicle to reduce land use compatibility conflicts through rezones (Objective 4). With respect to biological stewardship, the No Project Alternative would not refocus City policies on improving and preserving habitat (Objective 6). Furthermore, the No Project Alternative would not include an implementation mechanism for future projects to conform with CAP measures

which would afford the City with energy-efficient and sustainable developments (Objective 9). While the No Project Alternative could meet a portion of Objectives 5, 7, 8, and 10, it would be to a lesser degree than the Project.

The City, having reviewed and considered the information contained in the Final PEIR, rejects the No Project Alternative, as it fails to satisfy the Project's underlying purpose and most of its alternative objectives. The City finds that any of these grounds are independently sufficient to support rejection of this alternative.

## Reference

Final PEIR, Section 6.2.

### 7.2 Alternative 2: Reduced Density/Intensity Alternative

The Reduced Density/Intensity Alternative is a land use alternative that would reduce the overall density allowances and thereby decrease intensity of land uses proposed throughout the City. Specifically, density would still meet the state Regional Housing Needs Allocation obligation of 5,443 dwelling units but would not exceed this amount of new hosing potential. Similarly, this alternative would result in less intense commercial and mixed-use opportunities. Overall growth projections assumed under this alternative would be reduced compared to the Project. The Reduced Density/Intensity Alternative would meet all the Project objectives; however, it would be to a lesser degree compared to the Project.

#### 7.2.1 Potentially Significant Effects

When compared to the Project, the Reduced Density/Intensity Alternative would result in incrementally fewer impacts on Air Quality (consistency, sensitive receptors, and odors), Cultural Resources (historical resources, archeological resources, tribal cultural resources), Energy, Geology and Soils, Noise (noise level increases, groundbourne vibration), and Public Services and Utilities. Under the Reduced Density/Intensity Alternative, greater impacts would occur to Transportation (land use conflicts), and Wildfire (flooding/landslides). All other impacts would be the same (see Final PEIR Table 6-1).

#### 7.2.2 Finding/Rationale

The Reduced Density/Intensity Alternative would meet all of the Project objectives; however, it would be to a lesser degree compared to the Project. Specifically, while this alternative would address required rezoning to implement Programs 7, 8, and 9 of the 6th Cycle 2021–2029 Housing Element (Objective 2), the City would not likely be able to accommodate anticipated growth pursuant to SANDAG forecasts. Additionally, absent the intensity of the Project, the City would not channel the bulk of future housing and job growth into already urbanized areas to reduce urban sprawl, create synergies between residential and non-residential uses, and promote active transportation and transit ridership (Objective 3) as it could under the Project.

The City, having reviewed and considered the information contained in the Final PEIR, rejects the Reduced Density/Intensity Alternative as it fails to satisfy the Project's underlying purpose and fails to

meet most of the Project alternative objectives. The City finds that any of these grounds are independently sufficient to support rejection of this alternative.

## Reference

Final EIR, Section 10.6.2.

### 8.0 FINDINGS REGARDING OTHER CEQA CONSIDERATIONS

### 8.1 Growth Inducement

#### 8.1.1 Short-Term Growth-Inducing Effects

During construction activities associated with the Project, demand for various construction trade skills and labor would increase. However, it is anticipated that this demand would be met by the local labor force and would not require the importation of a substantial number of workers, which could cause an increased demand for temporary or permanent housing in this area. Further, construction of the Project would be short-term and temporary. It would not lead to an increase in employment on-site that would stimulate the need for additional housing or services. Therefore, no associated substantial short-term growth-inducing effects would result.

#### 8.1.2 Induce Population Growth

The Project would result in greater projected population growth than originally assessed under the City's General Plan. The proposed additional units are not anticipated to result in an unplanned population increase beyond SANDAG's Regional Population and Housing Forecast, considering there is a shortage of housing to accommodate the existing and planned population. Although the Project would increase the residential density throughout the city, the proposed housing would be growth accommodating because of the need for housing to support the anticipated regional growth that would occur with or without development of the Project. Thus, the Project would not directly induce substantial unplanned population growth.

#### 8.1.3 Induce Extension of Roads

Since the GPU Project site is surrounded by existing development and would connect to existing utility infrastructure, implementation of the Project would not remove a barrier to economic or population growth through the construction or connection of new public utility infrastructure. The Project would not induce road extensions or the need for new infrastructure.

Overall, the Project would not remove barriers to growth and would not be considered growth inducing.

### 8.2 Significant Irreversible Environmental Changes that Will Be Caused by the Project

As required by Section 15126.2(c) of the CEQA Guidelines, the significant irreversible environmental changes of a project shall be identified. Irreversible commitments of non-renewable resources are evaluated to ensure that their use is justified. Irreversible environmental changes typically fall into

three categories: primary impacts, such as the use of nonrenewable resources; secondary impacts, such as highway improvements that provide access to previously inaccessible areas; and environmental accidents associated with a project. Section 15126.2(d) of the CEQA Guidelines states that irretrievable commitments of resources should be evaluated to ensure that the current consumption of resources is justified.

### 8.2.1 Impacts Related to Nonrenewable Resources

Development would occur as a result of the Project, which would entail the commitment of energy and natural resources. The primary energy sources would be electricity, natural gas, and fossil fuels. The use of electricity, natural gas, and fossil fuels represents an irreversible commitment of these resources. Construction of the Project would also require the use of various raw materials, including cement, concrete, lumber, steel, etc. These resources would also be irreversibly committed. Once constructed, the operation of the Project would entail a further commitment of energy resources in the form of fossil fuels and electricity. This commitment would be a long-term obligation since the Project would result in the development of structures that are likely to have a useful life of 20 to 30 years or more.

The Project would increase demand for energy in the Project area and San Diego Gas & Electric's service area. However, no adverse effects on non-renewable resources are anticipated. The Project would follow Uniform Building Code and Title 24 requirements for energy efficiency and would incorporate sustainable design features directed at reducing energy consumption. The impact of increased energy usage would not result in a significant adverse environmental impact.

## 9.0 FINDINGS REGARDING RECIRCULATION OF THE PEIR

Pursuant to the CEQA Guidelines, Section 15088.5(a), an agency is required to recirculate a Draft EIR when significant new information is added to the Draft EIR after public review of the Draft EIR, but before certification. Significant new information can include changes in the project or environmental setting, as well as additional data or other information. New information added to a Draft EIR is not significant unless the Draft EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse effect of the project or a feasible way to mitigate or avoid such an effect (including feasible alternatives) that the project's proponents have declined to implement, or makes insignificant modifications in an adequate EIR.

As described in the CEQA Guidelines Section 15088.5(a), "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 implemented.

(2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

(3) A feasible project alternative or mitigation measure 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. (Mountain Lion Coalition v. Fish and Game Com. (1989) 214 Cal.App.3d 1043).

The Final PEIR includes the comments received on the Draft Recirculated PEIR and responses to those comments. The focus of the responses to comments is on the disposition of significant environmental issues that are raised in the comments, as specified by CEQA Guidelines section 15088(c).

### 9.1 Finding/Rationale

Responses to comments made on the Draft Recirculated PEIR and revisions in the Final EIR merely clarify and amplify the analysis presented in the Draft EIR, and do not trigger the need to recirculate per CEQA Guidelines section 15088.5(b).

## 10.0 STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to Section 21081(b) of CEQA and Sections 15093 and 15043(b) of the CEQA Guidelines, the City is required to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or state-wide benefits, of a proposed project against its unavoidable significant environmental impacts when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable pursuant to PRC Section 21081.

Pursuant to PRC Section 21081(b) and the CEQA Guidelines Section 15093, the City has balanced the benefits of the Project against potential unavoidable significant impacts associated with the Project and has examined alternatives to the Project that could avoid these significant impacts, and has rejected them as infeasible, finding that none of them would fully meet the basic Project objectives.

Each of the separate benefits of the Project, as stated herein, is determined to be, unto itself and independent of the other Project benefits, a basis for overriding all potential unavoidable significant environmental impacts identified in these findings. Any one of the reasons set forth below is sufficient to justify approval of the Project. Substantial evidence supports the various benefits and such evidence can be found whether in the preceding section, which are by reference in this section, the Final EIR, or in documents that comprise the Records of Proceedings in this matter.

Having considered the entire administrative record on the Project, and (i) made a reasonable and good faith effort to eliminate or substantially mitigate the impacts resulting from the Project, adopting all feasible mitigation measures; (ii) examined a reasonable range of alternatives to the Project and, based on this examination, determined that all those alternatives are either environmentally inferior, fail to meet the basic Project objectives, or are not feasible, and therefore should be rejected; (iii) recognized all significant, unavoidable impacts; and (iv) balanced the benefits of the Project against the Project's significant and unavoidable effects, the City hereby finds that the following economic, legal, social, technological, or other benefits, including region-wide benefits, of the Project outweigh the potential unavoidable adverse environmental impacts and render those potential adverse environmental impacts acceptable based upon the following considerations, set forth below.

## 10.1 Considerations

### 10.1.2 Housing Needs

The Project will increase residential development potential by 16,875 units (beyond the adopted plan), 8,300 of which will be within the SSCSP Planning Area. The Project will serve the region and City's critical housing needs and will address compliance with the state Regional Housing Needs Allocation goals assigned to the City.

### 10.1.2 Increase Economic Opportunities

The Project will increase employment opportunities, estimating an increase of 28,500 new jobs (beyond the adopted plan), 14,500 of which will be within the SSCSP Planning Area. Additionally, the Project will provide new development potential of 952,282 square feet of retail, 1,265,128 square feet of office, and 6,185,674 square feet of industrial land uses.

### 10.1.3 Improve Mobility

The Project will foster multimodal mobility improvements, especially along the City's major commercial corridors, improving safety and accessibility for transit riders, pedestrians, and bicyclists.

- Pedestrian: The Project includes plans for a dedicated pedestrian network (see Final PEIR Figure 3-3) that will introduce Pedestrian Priority Zones to enhance and encourage highest pedestrian activity.

- Bicycle: Bicycle improvements will also prevail throughout the City, including construction of Class I bike paths, Class II bicycle lanes, Class III bicycle routes, and Class IV cycle tracks to enhance existing bicycle pathways and provide additional connects for greater mobility options.

- Transit: The Project will improve and expand public transit opportunities through high-density land use plans and supporting planned improvements identified in the SANDAG Regional Transportation Plan, including conversion of several City-serving North County Transit District bus routes to Rapid services.

### 10.1.4 Expand City Parkland

The Project will provide incentives for the enhancement and improvement of parks and recreation facilities, including dedicated support to fulfill the vision of the City's 2019 Parks and Recreation Master Plan. The Project provides guidance for additional park land to take the form of small parks, plazas, and linear parks that are integrated into new development.

### 10.1.5 Biological Resource Preservation/ Biological Resource Protection Ordinance

The Project will focus on ensuring the continued support and enhancement of biological open space, sensitive vegetation, and wildlife. Specifically, adoption of the VSR Element will provide the City with tools for enhanced biological protection and management as suggested in the Draft Subarea Plan.

Specifically, the City will develop a Biological Resource Protection Ordinance (BRPO) that will codify biological resource policy directives within the VSR. At a minimum, new developments proposed on any parcel that may support special-status species or sensitive vegetation communities would be required to assess the impacts to sensitive biological resources from the Project and include measures to avoid or mitigate impacts to protected vegetation communities consistent with mitigation ratios that will be codified in the BRPO, which are generally those outlined in the Draft Subarea Plan. Additionally, the BRPO will establish land use adjacency standards for development adjacent to conserved lands, identify measures to minimize impacts on species and habitats, and define requirements for conservation land monitoring, management, and endowment funding.

### 10.1.6 Implementation of CAP

The Project will update the City's CAP as a proactive step toward the continued goal of reducing the City's GHG emissions. The CAP Update will provide a refined road map for the City to collaborate with communities in assessing vulnerability to future climate change, developing overarching adaptation strategies, and implementing measures to enhance resilience. Pursuant to the CAP Update, the City will adopt guidelines for discretionary projects subject to CEQA to demonstrate consistency with the CAP during the standard development review process. This will ensure that the specified emissions targets identified in the CAP are achieved.

## 10.2 Conclusion

For the foregoing reasons, the City Council finds in accordance with PRC 21081(b) and 21085.5 and CEQA Guidelines 15093 and 15043, that the Project's adverse, unavoidable environmental impacts are outweighed by the noted benefits, any of which individually would be sufficient to reach the conclusion that overriding findings justify the significant, unmitigated effects that were found. Therefore, the City Council has adopted this SOC.