

INITIAL STUDY ASSESSMENT GUIDELINES



April 26, 2011

Forward

The purpose of these Initial Study Assessment Guidelines is to inform the public, project applicants, consultants and County staff of the threshold criteria and standard methodology used in determining whether or not a project (individually or cumulatively with other projects) could have a significant effect on the environment. Furthermore, these Guidelines provide instructions for completing the Initial Study and determining the type of environmental document for individual projects.

These Initial Study Assessment Guidelines have been prepared in accordance with the County of Ventura's Administrative Supplement to State CEQA Guidelines. These Guidelines were originally adopted in 1992 by the directors of those County agencies/departments responsible for evaluating environmental issues and by the County's Environmental Quality Advisory Committee. Prior to their adoption, public notification and workshops were conducted, and appropriate revisions were made. Similarly, all subsequent amendments to these Guidelines have included public notification and review prior to their adoption in accordance with State CEQA Guidelines and the County's Administrative Supplement.

The Initial Study Assessment Guidelines present a range of quantitative, qualitative, and performance levels for particular environmental effects. Normally, in the absence of substantial evidence to the contrary, an affirmative response to any one threshold will mean the project will result in a significant effect, whereas effects that do not meet any of the thresholds will normally be determined to be "less than significant." Section 15064(b) of the State CEQA Guidelines states:

"The determination whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on factual and scientific data. An ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting."

These Initial Study Assessment Guidelines assist in providing a consistent, objective and predictable evaluation of significant effects. These Guidelines are not binding on any decision-maker and should not be substituted for the use of independent judgment to determine significance or the evaluation of evidence in the record. The County reserves the right to modify these Guidelines in the event of scientific discovery or alterations in factual data that may alter the common application of a threshold.

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Instructions for Preparing an Initial Study

An Initial Study shall be completed for each discretionary project per the requirements of CEQA, the CEQA Guidelines and the County's Administrative Supplement. However, if a department or agency determines that a full EIR will be required for a public project, an Initial Study is not required (Section 15063 of the State CEQA Guidelines). However, it may still be desirable as a means to focus the EIR. Without an Initial Study document, the EIR must address all environmental issues listed in the Initial Study Checklist. Also, each County department/agency listed in the Initial Study Checklist must concur with the factual basis for determining both individual and cumulative effects for their specific environmental issue.

The Initial Study shall consist of four sections: Project Description, Initial Study Checklist and Discussion of Responses to Checklist, Mandatory Findings of Significance, and Determination of Environmental Document. The following are instructions on how to properly prepare the Initial Study:

Section A. Project Description

The project description is to be completed by the agency/department responsible for administering the project, and should include sufficient information to enable all preparers and reviewers of the Initial Study to fully understand the nature and extent of the project (see Definition of Project in Section 4.2 of the County Administrative Supplement to the CEQA Guidelines). This section should include the project name and number, name of applicant, project location (including map), specific description of the nature and purpose of the project, existing and proposed General Plan designation and zoning of the project site, a description of the physical alterations/improvements caused by the project (including site plan, elevations, off-site improvements, etc), a description of the public facilities (e.g., roads, water supply, sewers, utilities) that must be extended or expanded to serve the project, and a list of all Responsible Agencies.

Section B. Initial Study Checklist and Discussion of Responses

For each issue listed in the attached Initial Study Checklist, and described in the attached Description of Issues, a determination shall be made as to whether the project (individually and cumulatively) would have an effect on the existing environment, and whether that effect would be significant. The Initial Study must consider the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts. For purposes of technical review, most issues have been assigned to specific agencies/departments on the basis of their professional expertise (see Checklist). Those issues that are unassigned to specific agencies shall be addressed by the agency/department responsible for administering the project, which is responsible for acquiring appropriate professional expertise.

In responding to each issue on the Checklist, the applicable agency/department shall use the adopted Initial Study Assessment Guidelines and its professional judgment, which requires analysis of the scientific and factual data that are a matter of public record. For all County public works projects occurring within city limits, the County agency/department may use city-adopted Initial Study threshold criteria that cover the same subject found within the County of Ventura Initial Study Checklist. County General Plan goals and policies do not apply within cities.

Project Impacts:

Project impacts include direct and reasonably foreseeable indirect physical changes to the environment which may be caused by the project. Direct physical change is a physical change in the environment which is caused by and immediately related to the project. Examples include dust, noise, and traffic of heavy equipment that would result from construction of a sewage treatment plant. Indirect physical change are not immediately related to the project, but are caused indirectly by the project. If a direct physical change in turn causes another change, then the other change is an indirect impact. For example, the construction of a new sewage treatment plant or extension of a sewer may facilitate population growth in the service area due to the increase in sewage treatment or service capacity and may lead to an increase in air pollution. (State CEQA Guidelines Sec 15064(d))

Indirect impacts include reasonably foreseeable growth inducing impacts (see definition of “growth inducement” in Section 15 of the County Administrative Supplement to the State CEQA Guidelines).

If the applicable agency/department determines that the project would have absolutely no effect on a particular issue, the agency/department shall place a check under the "N" (no impact) column.

If the applicable agency/department determines that the project could have an effect but the effect would be less than significant, the agency/department shall place a check under the "LS" (less than significant impact) column.

If the applicable agency/department determines that a project could have a potentially significant effect, but the effect can be mitigated to a less than significant level through project redesign or conditions, the agency/department shall place a check under the “PS-M” (potentially significant impact - mitigation incorporated) column.

If the applicable agency/department determines that a project may have a potentially significant effect that cannot yet be determined to be feasibly mitigated to a less than significant level, the agency/department shall place a check under the “PS” (potentially significant impact) column.

Cumulative Impacts:

“Cumulative Impacts” is defined by CEQA Guideline section 15355 as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

- (a) The individual effects may be changes resulting from a single project or a number of separate projects.
- (b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.”

See also CEQA Guideline section 15065(a)(3).

“A cumulative impact results from the combination of an adverse impact of the project together with related impacts caused by other projects. The project must contribute to the adverse impact; otherwise the impact cannot be characterized as a cumulative impact of that project.” (1 Kostka & Zischke, Practice Under the Cal. Environmental Quality Act (Cont.Ed.Bar 2009) § 13.38, p. 647; *Sierra Club v. West Side Irrig. Dist.* (2005) 128 Cal.App.4th 690) In other words, if a project does not make some contribution to a cumulative environmental effect, the cumulative effect cannot be characterized as a cumulative impact of that project. See Appendix for additional discussion of cumulative impacts.

If the applicable agency/department determines that the project would not have the potential to cause a significant impact on a particular issue, the agency/department should place a check under the "N" (no impact) column.

If the applicable agency/department determines that the incremental impacts of a project are not cumulatively considerable (i.e., “the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects and the effects of probable future projects.” (CEQA Guidelines §15064, para (h)(1)) because they are so small they make only a de minimis contribution to a potentially significant cumulative impact caused by other projects, the agency/department shall place a check under the “LS” (less than significant impact) column.

A de minimis contribution means that the environmental conditions would essentially be the same (no measurable or perceptible change) whether or not the proposed project is implemented.

If the applicable agency/department determines that a project’s incremental contribution to a cumulative impact is not cumulatively considerable because the project will comply with the requirements in a previously approved plan or mitigation program which provides specific requirements that will avoid or substantially lessen the cumulative impact (e.g., water quality control plan, air quality management , integrated waste management plan, traffic impact mitigation fee program) within the geographic area in which the project is located, the agency/department shall place a check under the “LS” (less than significant impact). Such plans or programs must be specific in law or adopted by the county/special

district with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the county/special district.

If the applicable agency/department determines that a project might contribute to a significant cumulative impact, but the contribution will be rendered less than cumulatively considerable through mitigation measures set forth in a MND, the agency/department shall place a check under the "PS-M" (potentially significant cumulative impacts - mitigation incorporated).

If the applicable agency/department determines that a project will have a substantial contribution to a potentially significant cumulative impact, the agency/department shall place a check under the "PS" (potentially significant impact) column. Please see CEQA Guidelines §§ 15064 (esp. paragraphs (h)(1)-(4)), 15126, 15126.2, 15130 and 15355 for a complete discussion of this matter.

Discussion of Responses:

For every "N", "LS", "PS-M" or "PS" determination in the checklist, the applicable agency/department shall provide a brief description of the environmental setting for each issue and the factual basis for each impact determination with respect to both individual and cumulative impacts, and shall also provide appropriate references to the source(s) of such factual data. Examples of such information sources include, but are not limited to previously certified EIRs, general plans, zoning ordinances, initial study assessment guidelines, or other published documents in support of the determination being made. Reference to previously prepared document(s) should, where appropriate, include a reference to the page or pages where the substantiating information appears. A source list should be attached to the Initial Study, and other sources used or individuals contacted should be cited in the discussion. All responses must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

For every "PS-M" determination in the checklist, the applicable agency/department shall also provide a description of the mitigation measure(s) that are proposed to be incorporated into the project in order to reduce an otherwise "PS" impact to "PS-M. This description shall also include a brief explanation of how each mitigation measure will reduce the identified effect to a less than significant level. The proposed mitigation measures must be "feasible" pursuant to CEQA Guidelines sections 15126.4, 15364 and 15370, shall include sufficient information to comply with the mitigation or reporting requirements of Public Resources Code section 21081.6 and Section 15097 of the State CEQA Guidelines, and must be agreed to by the project applicant. If the project applicant does not agree to a project revision(s) that would reduce the impact to a less-than-significant level, then an EIR must be prepared (CEQA Guidelines § 15070(b)(1)).

For every "PS" determination made in the checklist, the applicable agency/department shall, if possible, specify what additional information would be required in order to enable the agency/department to make a "PS-M" determination. This additional information may subsequently take the form of an expanded and/or revised Initial Study (if time permits) or an EIR.

Section C. Mandatory Findings of Significance

Based on the response to the issues listed in the checklist and the discussion of effects and mitigation measures in Section B, the agency/department responsible for administering the project shall answer the questions in Section C of the Initial Study.

Section D. Determination of Environmental Document

Based on responses to the questions in Section C, and the information supplied in Section B, the agency/department responsible for administering the project shall determine which environmental document should be prepared. An EIR should be prepared when a "yes" or "maybe" determination has been made in Section C. The agency/department responsible for administering the project shall, during the preparation of the Initial Study, consult with those public agencies specified by the County's Administrative Supplement to CEQA.

Section B Initial Study Checklist and Discussion of Responses

PROJECT NO. _____

| | Issue (Responsible Department) | Project Impact Degree Of Effect* | | | | Cumulative Impact Degree Of Effect* | | | |
|--|---|----------------------------------|----|--------|----|-------------------------------------|----|--------|----|
| | | N | LS | PS - M | PS | N | LS | PS - M | PS |
| Resources: | 1. Air Quality (APCD) | | | | | | | | |
| | 2. Water Resources (PWA): | | | | | | | | |
| | a. Groundwater Quantity | | | | | | | | |
| | b. Groundwater Quality | | | | | | | | |
| | c. Surface Water Quantity | | | | | | | | |
| | d. Surface Water Quality | | | | | | | | |
| | 3. Mineral Resources (PIng.): | | | | | | | | |
| | a. Aggregate | | | | | | | | |
| | b. Petroleum | | | | | | | | |
| | 4. Biological Resources | | | | | | | | |
| | 5. Agricultural Resources: | | | | | | | | |
| | a. Soils (PIng.) | | | | | | | | |
| | b. Land Use Incompatibility (Ag. Dept.) | | | | | | | | |
| | 6. Scenic Resources (PIng) | | | | | | | | |
| | 7. Paleontological Resources | | | | | | | | |
| | 8. Cultural Resources: | | | | | | | | |
| | a. Archaeological | | | | | | | | |
| | b. Historical (PIng.) | | | | | | | | |
| 9. Coastal Beaches & Sand Dunes | | | | | | | | | |
| Hazards: | 10. Fault Rupture (PWA) | | | | | | | | |
| | 11. Ground Shaking (PWA) | | | | | | | | |
| | 12. Liquefaction (PWA) | | | | | | | | |
| | 13. Seiche & Tsunami (PWA) | | | | | | | | |
| | 14. Landslides/Mudslides (PWA) | | | | | | | | |
| | 15. Expansive Soils (PWA) | | | | | | | | |
| | 16. Subsidence (PWA) | | | | | | | | |
| | 17. Hydraulic Hazards: | | | | | | | | |
| | a. Non-FEMA (PWA) | | | | | | | | |
| | b. FEMA (WPD) | | | | | | | | |
| | 18. Fire Hazards (Fire) | | | | | | | | |
| | 19. Aviation Hazards (Airports) | | | | | | | | |
| | 20. Hazardous Materials/Waste: | | | | | | | | |
| | a. Hazardous Materials (EH/Fire) | | | | | | | | |
| | b. Hazardous Waste (EH) | | | | | | | | |
| | 21. Noise and Vibration | | | | | | | | |
| 22. Daytime Glare | | | | | | | | | |
| 23. Public Health (EH) | | | | | | | | | |
| 24. Greenhouse Gases (APCD) | | | | | | | | | |

| | Issue (Responsible Department) | Project Impact Degree Of Effect* | | | | Cumulative Impact Degree Of Effect* | | | |
|------------------------------|---|----------------------------------|----|--------|----|-------------------------------------|----|--------|----|
| | | N | LS | PS - M | PS | N | LS | PS - M | PS |
| Land Use: | 25. Community Character (PIng.) | | | | | | | | |
| | 26 Housing (PIng.) | | | | | | | | |
| Public Facilities/ Services: | 27. Transportation/Circulation: | | | | | | | | |
| | a. Roads and Highways: | | | | | | | | |
| | (1) Level of Service (PWA) | | | | | | | | |
| | (2) Safety/Design of Public Roads(PWA) | | | | | | | | |
| | (3) Safety/Design of Private Access (Fire) | | | | | | | | |
| | (4) Tactical Access (Fire) | | | | | | | | |
| | b. Pedestrian/Bicycle (PWA/PIng.) | | | | | | | | |
| | c. Bus Transit | | | | | | | | |
| | d. Railroads | | | | | | | | |
| | e. Airports (Airports) | | | | | | | | |
| | f. Harbors (Harbors) | | | | | | | | |
| | g. Pipelines | | | | | | | | |
| | 28. Water Supply: | | | | | | | | |
| | a. Quality (EH) | | | | | | | | |
| | b. Quantity (PWA) | | | | | | | | |
| | c. Fire Flow (Fire) | | | | | | | | |
| | 29. Waste Treatment/Disposal: | | | | | | | | |
| | a. Individual Sewage Disposal System (EH) | | | | | | | | |
| | b. Sewage Collection/Treatment Facilities (EH) | | | | | | | | |
| | c. Solid Waste Management (PWA) | | | | | | | | |
| | d. Solid Waste Facilities (EH) | | | | | | | | |
| | 30 Utilities | | | | | | | | |
| | 31. Flood Control/Drainage: | | | | | | | | |
| | a. WPD Facilities/Watercourses (WPD) | | | | | | | | |
| | b. Other Facilities/Watercourses (PWA) | | | | | | | | |
| | 32. Law Enforcement/Emergency Svcs. (Sheriff): | | | | | | | | |
| | 33. Fire Protection (Fire): | | | | | | | | |
| | a. Distance/Response Time | | | | | | | | |
| | b. Personnel/Equipment/Facilities | | | | | | | | |
| | 34. Education: | | | | | | | | |
| | a. Schools | | | | | | | | |
| | b. Libraries (Lib. Agency) | | | | | | | | |
| | 35. Recreation (GSA): | | | | | | | | |

Degree of Effect:

- N = No Impact.
- LS = Less Than Significant
- PS-M = Potentially Significant Impact Unless Mitigation Incorporated.
- PS = Potentially Significant Impact.

Agencies:

| | | |
|------------------------------------|---------------------------------------|---------------------------------------|
| Airports - Department Of Airports | Ag. Dept. - Agricultural Department | APCD - Air Pollution Control District |
| EH - Environmental Health Division | Fire - Fire Protection District | GSA - General Services Agency |
| Harbors - Harbor Department | Lib. Agency - Library Services Agency | PIng. - Planning Division |

The discussion of responses may be inserted after each issue or following the Checklist.

Section C. - Mandatory Findings Of Significance

Based on the information contained within Sections B and C:

Yes/Maybe No

| 1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? | | |
|--|--|--|
| 2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one that occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future). | | |
| 3. Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effect of other current projects, and the effect of probable future projects. (Several projects may have relatively small individual impacts on two or more resources, but the total of those impacts on the environment is significant). | | |
| 4. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? | | |

Section D. - Determination Of Environmental Document

On the basis of this initial evaluation:

| |
|---|
| <input type="checkbox"/> I find the proposed project could not have a significant effect on the environment, and a Negative Declaration should be prepared. |
| <input type="checkbox"/> I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measure(s) described in section C of the Initial Study will be applied to the project. A Mitigated Negative Declaration should be prepared. |
| <input type="checkbox"/> I find the proposed project, individually and/or cumulatively, MAY have a significant effect on the environment and an Environmental Impact Report is required.* |
| <input type="checkbox"/> I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An Environmental Impact Report is required, but it must analyze only the effects that remain to be addressed. |
| <input type="checkbox"/> I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or Negative Declaration pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. |

Signature of Person Responsible for Administering
the Project

Date

*EIR Issues of Focus:

1. Air Quality

A. Definition of Issue

1. *Regional* - The concentration of ozone or particulate matter in the ambient air.
2. *Local* - The amount or concentration of dust, odors, carbon monoxide, and toxins present in the ambient air.

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Polices and Programs:

Goals 1.2.1-1 & -2
Policies 1.2.2-1 through 3 and-5

El Rio/Del Norte Area Plan:

Goals 1.1.1_1 & -2
Policies 1.1.2-1 through -3

Lake Sherwood/Hidden Valley Area Plan:

Goals 2.3.1-1 through -3
Policies 2.3.2-1 through -5

North Ventura Avenue Area Plan:

11. AQMP Implementation Program

Oak Park Area Plan:

Goals 1.1.1-1 through -3
Policies 1.1.2-1 through -7

Ojai Valley Area Plan:

Goals 1.1.1-1 through -4
Policy 1.1.2-1

Piru Area Plan:

Goals 1.7.1-1 & -2
Policies 1.7.2-1 through -5

Saticoy Area Plan:

Goals 1.1.1-1 & -2
Policies 1.1.2-1 through -5

Thousand Oaks Area Plan:

Goal 1.1.1
Policies 1.1.2-1 through -16

C. Threshold of Significance Criteria

In accordance with the Ventura County General Plan and the Ventura County Administrative Supplement to the CEQA Guidelines, all County agencies, departments and special districts shall utilize the air quality assessment guidelines as adopted and periodically updated by the Ventura County Air Pollution Control District (APCD). Copies of these guidelines can be obtained from the APCD, 669 County Square Drive, Ventura, CA, 93003.

Adopted by the Board of Supervisors on July 27, 2010

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2a. Water Resources - Groundwater Quantity

A. Definition of Issue

The purpose of this guideline is to help ensure consistent and complete assessment of project related impacts to groundwater quantity. The volume of groundwater for one or more beneficial uses is usually expressed in gallons or acre-feet. One acre-foot of water is equivalent to 325,851 gallons or 43,560 cubic feet of water.

B. Definition of Technical Terms

Groundwater - Water that occurs beneath the land surface and fills the pore spaces of the alluvium, soil, or rock formation in which it is situated. It excludes water held by capillary action in the unsaturated zones of soil or rock (California Department of Water Resources (DWR) Bulletin Number 118 October 2003).

Groundwater Basin – An alluvial aquifer or a stacked series of alluvial aquifers with reasonably well-defined boundaries in a lateral direction and having a definable bottom (DWR Bulletin Number 118).

Overdrafted Basin - The condition of a groundwater basin in which the amount of water withdrawn by pumping exceeds the amount of water that recharges the basin over a period of years during which water supply conditions approximate average conditions (DWR Bulletin Number 118).

Hydrologic Unit - A drainage area boundary delineated by California Department of Water Resources (DWR) as a hydrologic unit, subunit or subarea which may contain one or more groundwater basins.

Historical groundwater extraction - The average annual groundwater extraction as calculated for the 15 year period ending two years prior to project application (private projects) or Initial Study preparation (public projects). The Ventura County Watershed Protection District Director may approve an alternative method of calculating historic groundwater extraction in unusual or unique circumstances, provided such alternative method is consistent with the water resource goals of the General Plan.

C. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 1.3.1-1 & -4

Policies 1.3.2-1 through -10

El Rio/Del Norte Area Plan:

Goal 1.2.1-1

Policies 1.2.2-1 & -4

Lake Sherwood/Hidden Valley Area Plan:

Goals 2.4.1-3 & -4

Policies 2.4.2-5,-6,-7 & -9

Oak Park Area Plan:

Goals 1.2.1- 4

Policies 1.2.2-1,-3 & -4,

Ojai Valley Area Plan:

Policies 1.2.2-1 & -3

Piru Area Plan:

Goals 1.9.1-1 & -2

Policies 1.9.2-1 & -2

Saticoy Area Plan:

Goals 1.2.1-2

Policies 1.2.2-3

Thousand Oaks Area Plan:

Goal 1.2.1

Policies 1.2.2-1 & -2

D. Threshold of Significance Criteria

Threshold of significance criteria for determining if a land use or project activity has the potential to cause a significant adverse impact upon groundwater resources in itself or on a cumulative basis include, but are not limited to:

1. Any land use or project that will directly or indirectly decrease, either individually or cumulatively, the net quantity of groundwater in a groundwater basin that is overdrafted or creates an overdrafted groundwater basin shall be considered to have a significant groundwater quantity impact.
2. In groundwater basins that are not overdrafted, or are not in hydrologic continuity with an overdrafted basin, net groundwater extraction that will individually or cumulatively cause overdrafted basin(s), shall be considered to have a significant groundwater quantity impact.
3. In areas where the groundwater basin and/or hydrologic unit condition is not well known or documented and there is evidence of overdraft based upon declining water levels in a well or wells, any proposed net increase in groundwater extraction from that groundwater basin and/or hydrologic unit shall be considered to cause a significant groundwater quantity impact until such time as reliable studies determine otherwise.
4. Regardless of items 1-3 above, any land use or project which would result in 1.0 acre-feet, or less, of net annual increase in groundwater extraction is not considered to have a significant project or cumulative impact on groundwater quantity.
5. General Plan Goals and Policies - Any project that is inconsistent with any of the policies or development standards relating to *groundwater quantity* of the Ventura County General Plan Goals, Policies and Programs or applicable Area Plan (above), may result in a significant environmental impact. This threshold is not applicable if the project includes a General Plan Amendment (GPA) that would eliminate the inconsistency, and the GPA itself would not have a significant impact on *groundwater quantity* or be inconsistent with any *groundwater quantity* policy or development standard of the General Plan or applicable Area Plan (above).

E. Methodology

The Ventura County Watershed Protection District (District) shall identify the groundwater basins and/or hydrologic units in Ventura County that are overdrafted. The District shall also identify the groundwater basins and/or hydrologic units where basin conditions are not well known or documented.

In determining a project's impact on groundwater quantity, the net amount of groundwater extraction resulting from the proposed project shall be compared to the historical groundwater extraction for the project site.

1. To determine if the impact is potentially significant using Threshold Criteria No. 1 from above, the following method shall apply:

Compare the proposed project annual groundwater use to the historical groundwater use for the project and determine if there is an increase in groundwater use. Determine if the project will reduce groundwater recharge. If the proposed project has an increase in groundwater use greater than 1.0 acre-feet year and/or decreases groundwater recharge that will cause a net decrease in groundwater quantity in the overdrafted basin, then the project shall be considered potentially significant for project and cumulative impact. If the net effect on groundwater quantity is zero or an increase in groundwater quantity, then the project and cumulative impact shall be considered less than significant.
2. To determine if the impact is potentially significant using Threshold Criteria No. 2 from above, the following method shall apply:

Compare the proposed groundwater extraction amount to the total groundwater extractions from the groundwater basin and or hydrologic unit (if no data is available go to Methodology No. 3 below). If the comparison shows that the project has the potential to cause overdraft, then the project and cumulative impact shall be considered potentially significant. This evaluation requires a review of any supporting data, including estimates of annual groundwater withdrawals from the basin and or hydrologic unit, estimates of the project's proposed groundwater use, and evaluation of groundwater levels over time.
3. To determine if the impact is potentially significant using Threshold Criteria No. 3 from above, the following method shall apply:

In areas where the overdraft status of the groundwater basin and or hydrologic unit is not well known, historical water levels in the basin shall be evaluated for trends. The trend evaluation includes investigation of hydrographs generally from 1972 forward. If further evaluation determines declining water levels indicate a net deficit in groundwater storage and the project has an increase in groundwater extraction, then the impact is considered potentially significant for project and cumulative impact. If there is no change in groundwater extraction, then the project and cumulative impact shall be considered less than significant.

4. When necessary for determining cumulative impacts (larger or more complex projects), the Watershed Protection District (Staff) will obtain a list from the County Planning Division of the recently approved, current, and probable future projects from the Planning Division and, if applicable, from the Cities, that are located within the same groundwater basin and or hydrologic unit as the project site, in order to assess the project's contribution to cumulative impacts on *groundwater quantity*.

After acquiring the information stated above, Staff must compare the project's estimated amount of groundwater usage as well as the goals, objectives, policies, and/or development standards that apply to the project in order to identify, and evaluate the significance of, the impacts using the threshold criteria (above).

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2b. Water Resources - Groundwater Quality

A. Definition of Issue

The purpose of this guideline is to ensure consistent and complete assessment of project related direct and indirect impacts to groundwater quality. Direct and indirect impacts include the downstream effects of surface water and down gradient effects of groundwater. Groundwater quality shall be determined in relationship to the water quality objectives and beneficial uses set by the Water Quality Control Plan for Los Angeles Region No. 4 (Basin Plan).

B. Definition of Technical Terms

Groundwater - Water that occurs beneath the land surface and fills the pore spaces of the alluvium, soil, or rock formation in which it is situated. It excludes soil moisture, which refers to water held by capillary action in the upper unsaturated zones of soil or rock (DWR Bulletin Number 118).

Groundwater Basin – An alluvial aquifer or a stacked series of alluvial aquifers with reasonably well-defined boundaries in a lateral direction and having a definable bottom (DWR Bulletin Number 118).

Groundwater Quality Objectives - A numerical objective that if exceeded indicates an impairment of a beneficial use of groundwater set by the Basin Plan.

Hydrologic Unit - A drainage area boundary delineated by California Department of Water Resources (DWR) as a hydrologic unit, subunit or subarea which may contain one or more groundwater basins.

Impacted Basin - A Groundwater Basin where one or more Water Quality Objectives (as specified in the Basin Plan) are exceeded.

C. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 1.3.1-1 & -3

Policies 1.3.2-1 through -10

El Rio/Del Norte Area Plan:

Goal 1.2.1-1

Policies 1.2.2-2,-3,-5 & -6

Lake Sherwood/Hidden Valley Area Plan:

Goals 2.4.1-1 & -4

Policies 2.4.2-4,-5,-6,-7 & -9

Oak Park Area Plan:

Goals 1.2.1-1 & -4

Policies 1.2.2-3 & -4

Ojai Valley Area Plan:

Goal 1.2.1-1

Policies 1.2.2-1 through -4

Piru Area Plan:

Goals 1.9.1-1

Policies 1.9.2-2

Saticoy Area Plan:

Goals 1.2.1-1 & -2

Policies 1.2.2-1 through -4

Thousand Oaks Area Plan:

Goal 1.2.1

Policies 1.2.2-1 & -2

D. Threshold of Significance Criteria

Threshold of significance criteria for determining if a land use or project activity has the potential to cause a significant adverse impact upon groundwater quality in itself or on a cumulative basis include, but are not limited to:

1. Any land use or project proposal that will individually or cumulatively degrade the quality of groundwater and cause groundwater to exceed groundwater quality objectives set by the Basin Plan shall be considered to have a significant impact.

2. A land use or project shall be considered to have a significant impact on groundwater quality where there is evidence that the proposed land use or project could cause the quality of groundwater to fail to meet the groundwater quality objectives set by the Basin Plan. , This finding of a potential significant groundwater quality impact shall remain until such time as reliable studies determine otherwise.
3. Any land use or project that proposes the use of groundwater in any capacity and is located within two miles of the boundary of a former or current test site for rocket engines.
4. General Plan Goals and Policies - Any project that is inconsistent with any of the policies or development standards relating to *groundwater quality* of the Ventura County General Plan Goals, Policies and Programs or applicable Area Plan (above), may result in a significant environmental impact. This threshold is not applicable if the project includes a General Plan Amendment (GPA) that would eliminate the inconsistency, and the GPA itself would not have a significant impact on *groundwater quality* or be inconsistent with any *groundwater quality* policy or development standard of the General Plan or applicable Area Plan (above).

E. Methodology

1. **Known Groundwater Quality Impacts** - Compare the impacts of each constituent resulting from the proposed land use with the water quality objectives in the current Basin Plan.
2. a. **Non-impacted Basin** - In hydrologic units where all groundwater constituents meet the current Basin Plan water quality objectives, the proposed land use that individually or cumulatively causes the hydrologic unit to exceed these objectives, shall be considered to have a potentially significant adverse impact. Proposed land use that does not individually or cumulatively cause the hydrologic unit to fail to meet Basin Plan objectives shall be considered not significant.
2. b. **Impacted Basin** - If the proposed land use overlies a Basin where one or more water quality objectives exceed the Basin Plan objectives, the Basin is considered impacted. If the proposed land use causes further exceedance of water quality objectives, the proposed land use shall be considered potentially significant for project and cumulative impacts.
3. **Hazardous Materials** - The potential discharge of materials known to be hazardous to the State of California shall be considered potentially significant.
4. **Nitrate Formula** - Projects proposing the use of septic tanks and animal husbandry or animal boarding facilities in Basins known to be impacted due to concentrations of nitrates shall be subject to the limitations of the "nitrate formula" as defined by the Watershed Protection District, or an updated nitrate loading formula or model approved by the District.
5. **Testing for Perchlorate and TCE** - All discretionary projects proposing the use of groundwater in any capacity that are located within two miles of the boundary of a former or current test site for rocket engines will be required to test for the constituents of perchlorate and TCE.
 - a. Groundwater samples shall be taken by a qualified consultant and tested by a state certified laboratory experienced in the performance of testing for perchlorate and TCE. A chain of custody shall be maintained for each sample. Groundwater results shall be compared to the Federal and State of California, Maximum Contaminant Level (MCL). The most stringent MCL shall be used in this analysis. Currently the most stringent MCLs are from the State of California. The State of California MCL for Perchlorate in water is 6 parts per billion (ppb), and for Trichloroethylene (TCE) in water is 5 ppb (September 2007).
 - b. Two sampling locations will be determined that are satisfactory to the Watershed Protection District. Water samples will be taken by a qualified consultant and tested by a state certified laboratory at two locations; 1) at the highest groundwater elevation on the project site and 2) at the lowest groundwater elevation on the site. Test wells may be required to perform this sampling. If groundwater sampling conducted in a manner approved by the Watershed Protection District has occurred onsite within the preceding twelve months, this requirement may be waived.

- c. Perched or semi-perched water, if present, need not be tested unless required by the County/Watershed Protection District.
6. When necessary for determining cumulative impacts (larger or more complex projects), the Watershed Protection District (Staff) will obtain a list from the County Planning Division of the recently approved, current, and probable future projects that are located within the same groundwater basin as the project site, in order to assess the project's contribution to cumulative impacts on *groundwater quality*.

After acquiring the information stated above, Staff must compare the project's estimated potential amount of groundwater pollution or contamination, as well as the goals, objectives, policies, and/or development standards that apply to the project in order to identify, and evaluate the significance of, the impacts using the threshold criteria (above).

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2c. Water Resources - Surface Water Quantity

A. Definition of Issue

The purpose of this guideline is to help ensure consistent and complete assessment of project related impacts to surface water quantity.

B. Definition of Technical Terms

Surface Water - Water present on the bed surface of streams, canals, channels, lakes, reservoirs, estuaries, and harbors usually generated by precipitation and base flow conditions. Surface waters also include discharges from urban sources. The Pacific Ocean is considered part of the surface water resources in Ventura County. *Surface Water Allocation* – Surface water diversions are permitted by the State Water Resources Control Board (SWRCB) under certain surface water hydrologic conditions for the purposes of non-consumptive and consumptive uses. Surface water volumes are periodic and finite in each stream watershed. Applications for proposed diversions are regulated under Orders WR-25, WR 90-2, WR 91-07, and WR 98-08, applicable state Water and Public Resource Code sections, and corresponding state regulations.

Surface Water Resources – Per Section 1.3 of the Ventura County General Plan, surface water resources are divided into the following hydrologic units:

- Ventura River
- Santa Clara-Calleguas
- Rincon Creek
- Cuyama
- San Joaquin
- Malibu

Surface Water Beneficial Uses – The Water Quality Control Plan for Los Angeles Region No. 4 (Basin Plan) lists existing, potential, and intermittent beneficial uses for the surface waters in Ventura County (Table 2-1, Basin Plan).

C. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs: Ojai Valley Area Plan:

Goals 1.3.1-1 & -4

Policies 1.3.2-1,-2,-3,-4,-5,-6,-7 & -10

Goal 1.2.1-1

Policies 1.2.2-3 & -4

El Rio/Del Norte Area Plan:

Goal 1.2.1-1

Policies 1.2.2-4

Piru Area Plan:

Goals 1.9.1-1 & -2

Policies 1.9.2-2

Lake Sherwood/Hidden Valley Area Plan:

Goals 2.4.1-1,-3 & -4

Policies 2.4.2-5,-6,-7 & -8

Saticoy Area Plan:

Goals 1.2.1-2

Policies 1.2.2-1

Oak Park Area Plan:

Goals 1.2.1-4

Policies 1.2.2-3 & -4

Thousand Oaks Area Plan:

Goal 1.2.1

Policies 1.2.2-1

In summary, the various goals promote the inventory, management, and protection of all water resources, as well as conservation, reclamation, and reuse. Policies require discretionary development, including landscaping, to avoid adverse impacts to water resources.

D. Threshold of Significance Criteria

Threshold of significance criteria for determining if a land use or project activity has the potential to cause a significant adverse impact upon surface water quantity in itself or on a cumulative basis include, but are not limited to:

1. Any project that will increase surface water consumptive use (demand), either individually or cumulatively, in a fully appropriated stream reach as designated by SWRCB or where unappropriated surface water is unavailable, shall be considered to have a significant adverse impact on surface water quantity.
2. Any project that will increase surface water consumptive use (demand) including but not limited to diversion or dewatering downstream reaches, either individually or cumulatively, resulting in an adverse impact to one or more of the beneficial uses listed in the Basin Plan per Section B, above, is considered a significant adverse impact.
3. General Plan Goals and Policies - Any project that is inconsistent with any of the policies or development standards relating to *surface water quantity* of the Ventura County General Plan Goals, Policies and Programs or applicable Area Plan (above), may result in a significant environmental impact. This threshold is not applicable if the project includes a General Plan Amendment (GPA) that would eliminate the inconsistency, and the GPA itself would not have a significant impact on *surface water quantity* or be inconsistent with any *surface water quantity* policy or development standard of the General Plan or applicable Area Plan (above).

E. Methodology

The following outlines the process to be used in completing the Initial Study and consulting with the appropriate agencies.

1. Review topographic maps, drainage studies, and other geographic resources to determine if surface water resources occur on or near the project site. Describe where the project occurs in relationship to natural and artificial surface water bodies and the hydrologic relationship to those bodies.
2. Evaluate the project's direct and indirect impacts to surface waters identified in Item 1. Determine if the project will increase or decrease the quantity of surface water either individually or cumulatively, in these surface waters. Evaluate how this change in surface water flow will affect the beneficial uses listed in Section B.
3. Evaluate the project's direct and indirect potential to increase surface water consumptive use or demand. If the project utilizes surface water for construction or long-term operation, the source of the water must be disclosed and the potential use quantified.
4. Determine if the surface water for the project will be from a fully appropriated stream reach as designated by SWRCB. Determine if unappropriated surface water is available for the project.
5. If the water used for the project is from a municipal source, the source and supply of surface water from that municipal source must be disclosed and evaluated to determine if the project will result in an increase of surface water use. Evaluate and disclose the potential impacts of this increase in surface water use.
6. When determining cumulative impacts, obtain a list from the County Planning Division of the recently approved, current, and probable future projects including adjacent Cities if applicable, that are located within the same vicinity as the project site, in order to assess the project's contribution to cumulative impacts on surface water quantity.
7. Compare the project's potential to impact surface water quantity to the goals, objectives, policies, and/or development standards that apply to the project.

Adopted by the Board of Supervisors on July 27, 2010

2d. Water Resources - Surface Water Quality

A. Definition of Issue

The purpose of this guideline is to ensure consistent and complete assessment of project related impacts to Surface Water quality. The Surface Water quality must be suitable to meet all water quality standards as derived through the application of principles as outlined in Chapters 2 and 3 of the *Basin Plans*.

B. Definition of Technical Terms

Basin Plans - The *Water Quality Control Plans* for three *California Regional Water Quality Control Boards* covering the *Ventura County area*: *Los Angeles Region* (Region 4); the *Central Coast Region* (Region 3); and the *Central Valley Region* (Region 5), as amended from time to time.

MS4 Permit - NPDES Permit No. CAS004002, LARWQCB Order No. 09-0057, Waste Discharge Requirements (WDR) for Storm Water and Non-storm Water Discharges from the Municipal Separate Storm Sewer Systems (MS4) Within the Ventura County Watershed Protection District, County of Ventura, and the Incorporated Cities Therein, or the then-current MS4 Permit.

NPDES Permit – A water quality permit allowing a discrete discharge of water or wastes to “navigable waters” of the United States, as established under the federal Clean Water Act’s National Pollutant Discharge Elimination System (NPDES).

Surface Water - All above-ground water bodies within Ventura County as identified in the *Basin Plans*.

Water Quality Objectives - The allowable limits or levels of water quality constituents or characteristics which are established for the reasonable protection of beneficial uses of water or the prevention of nuisance within a specific area as outlined in the *Basin Plans*.

C. Applicable General Plan Goals and Policies

1. Although the primary driving force for development oriented water quality guidelines are dictated by the federal *Clean Water Act*, the state *Porter-Cologne Water Quality Control Act*, and the *Basin Plans*, the Ventura County General Plan also provides several goals and policies that must be considered:

Countywide Goals, Policies and Programs:

Goals 1.3.1-1, -2, -3, & -6
Policies 1.3.2-1, 2, -4, -6, & -10

El Rio/Del Norte Area Plan:

Goal 1.2.1-1
Policies 1.2.2-3 & 4

Lake Sherwood/Hidden Valley Area Plan:

Goals 2.4.1-1 through -4
Policies 2.4.2-1 through -3 & -8

Oak Park Area Plan:

Goals 1.2.1-1 through -4
Policies 1.2.2-4 & -5

Ojai Valley Area Plan:

Goal 1.2.1-1
Policies 1.2.2-3 through -4

Piru Area Plan:

Goals 1.9.1-1 through -3
Policies 1.9.2-2

Saticoy Area Plan:

Goals 1.2.1-1 & -2
Policies 1.2.2-1

Thousand Oaks Area Plan:

Goal 1.2.1

D. Threshold of Significance Criteria

Threshold of significance criteria for determining if a land use or project activity has the potential to cause a significant adverse impact upon surface water quality individually or cumulatively when combined with recently approved, current, and/or reasonably foreseeable future projects, include, but are not limited to the following:

1. Any land use or project proposal that is expected to individually or cumulatively degrade the quality of Surface Water causing it to exceed water quality objectives as contained in Chapter 3 of the three *Basin Plans*.
2. Any land use or project development that directly or indirectly causes stormwater quality to exceed water quality objectives or standards in the applicable MS4 Permit or any other NPDES Permits.

E. Methodology

1. **Surface Water Quality Impacts** – Watershed Protection District staff will compare the impacts of each constituent resulting from the proposed land use with the water quality objectives as contained in Chapter 3 of the applicable *Basin Plans* to determine whether the proposed land use is expected to degrade Surface Water quality causing it to exceed water quality objectives set forth therein.
2. **Potential Stormwater Quality Impacts** – Watershed Protection District staff will consider and evaluate the proposed development for any potential stormwater quality impacts in accordance with the MS4 Permit or any other NPDES Permits. The following potential stormwater quality impacts are required for consideration and appropriate mitigation if deemed necessary:
 - (A) Potential impact of project construction on storm water runoff.
 - (B) Potential impact of project post-construction activity on storm water runoff.
 - (C) Potential for discharge of storm water from material storage areas, vehicle or equipment fueling areas, vehicle or equipment maintenance (including washing) areas, waste handling areas, hazardous materials handling or storage areas, delivery areas or loading docks, or other outdoor work areas.
 - (D) Potential for discharge of storm water to impair the beneficial uses of the receiving waters.
 - (E) Potential for the discharge of storm water to cause significant harm on the biological integrity of the waterways and waterbodies.
 - (F) Potential for significant changes in the flow velocity or volume of storm water runoff to cause harm to or impair the beneficial uses of natural drainage systems.
 - (G) Potential for significant increases in erosion at the project site or surrounding areas.

Adopted by the Board of Supervisors on July 27, 2010

3a. Mineral Resources - Aggregate

A. Definition of Issue

Aggregate resources include construction grade sand, rock and gravel. This issue involves hampering or precluding extraction of, or access to, these resources.

B. Definition of Technical Terms

Surface Mining and Reclamation Act of 1975 (SMARA) –enacted in 1975 to ensure the proper reclamation of surface mining operations and to safeguard access to mineral resources of regional and statewide significance in the face of competing land uses and urban expansion.

Resource Protection Map – The policy map of the Goals, Policies and Programs Resources Chapter (Figure 1) or the Ventura County General Plan, that delineates Mineral Resource Areas, Scenic Resource Areas and Scenic Highways.

Mineral Resource Zones (MRZ's) – The County's aggregate resources are classified by the State as one of several different mineral resource zone categories (MRZ-1, MRZ-2, MRZ-3, MRZ-3(a), and MRZ -4). These classifications are generally based upon the relative knowledge concerning the resource's presence and the quality of the material. The State-adopted definitions of each classification are defined by state law and regulations and is also set out in the Ventura County General Plan.

Mineral Resource Zone 2 (MRZ-2) – Areas where adequate information indicates that significant mineral deposits are present or where it is judged that a high likelihood for their presence exists. This zone shall be applied to known mineral deposits or where well-developed lines of reasoning, based upon economic geologic principles and adequate data, demonstrate that the likelihood for occurrence of significant mineral deposits is high.

Production Consumption Regions (PCR) – Areas containing aggregate deposits which are near centers of consumption.

C. Applicable General Plan Goals and Policies

The County General Plan contains goals and policies to "manage mineral resources in a manner which effectively plans for the access to, development and conservation of mineral resources for existing and future generations." The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 1.4.1-1 through -3
Policies 1.4.2-6 through -8

El Rio/Del Norte Area Plan:

Goal 1.3.1-1
Policies 1.3.2-1 through -5

Ojai Valley Area Plan:

Goals 1.3.1-1 & -2
Policies 1.3.2-1 through -9

Piru Area Plan:

Goals 1.1.1-1 through -3
Policies 1.1.2-1 & -2

D. Threshold of Significance Criteria

1. Any land use or project activity which is proposed to be located on or immediately adjacent to land zoned Mineral Resource Protection (MRP) overlay zone, or adjacent to a principal access road to an existing aggregate Conditional Use Permit (CUP), and which has the potential to hamper or preclude extraction of or access to the aggregate resources, shall be considered to have a significant adverse impact on the environment.

2. A project would have a cumulative impact on aggregate resources if when considered with other pending and recently approved projects in the area, hampers or precludes extraction or access to identified resources.

E. Methodology

Determinations of significance of project and cumulative impacts requires a case-by-case determination based on the type of land use being requested and its location relative to aggregate resource areas and CUPs. Mineral Resource Areas (aggregate resources) have been mapped by the State Division of Mines and Geology and are depicted as MRZ-2 Figure of the Ventura County General Plan and on the Planning Division GIS that is maintained by the GIS Section of RMA. The County General Plan Goals, Policies and Programs has established the Mineral Resource Protection (MRP) overlay zone, which has been applied to appropriate MRZ-2

If the subject property is not located on or adjacent to land classified as MRZ-2 or containing an aggregate extraction CUP, then the project would have no impact on the **extraction of** aggregate resources. If the subject property is not zoned MRP, and is not adjacent to land zoned MRP, then the project would have a less-than-significant impact on extraction of aggregate resources. If the subject property is located on or adjacent to land zoned MRP or containing an aggregate CUP, then the Division of Mines and Geology should be consulted and should review the project application. Significance must be determined on a case-by-case basis by the Planning Director.

If the subject property is not located adjacent to a road used as a principal means of access to an existing CUP for aggregate extraction, and the proposed use is not sensitive to the effects of truck traffic to and from the aggregate CUP, then the project would have no impact on **access to** aggregate resources. Otherwise, determinations of significance must be determined on a case-by-case basis by the Planning Director.

Pending and recently approved projects can be located on the Planning Division website at: <http://www.ventura.org/rma/planning/Permits/projects.html>.

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3b. Mineral Resources - Petroleum

A. Definition of Issue

Petroleum resources means oil and gas deposits. This issue involves hampering or precluding extraction of, or access to, this resource.

B. Applicable General Plan Goals and Policies

The County General Plan contains goals and policies to "manage mineral resources in a manner which effectively plans for the access to, development and conservation of mineral resources for existing and future generations." Figure 1.4.7 of the Resources Appendix of the General Plan shows petroleum resource areas in the County. This map is derived from maps prepared by the State Division of Oil and Gas that depict the boundaries of known petroleum fields. The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 1.4.1-1 through -4
Policies 1.4.2-1, -4, -5, -6, -8, & -9

Coastal Area Plan:

Coastal Act

§ 30262, § 30265 & § 30265.5

El Rio/Del Norte Area Plan:

Goal 1.3.1-1
Policies 1.3.2-1 through -5

North Ventura Avenue Area Plan:

6. Oilfield Industrial (Oil Extraction)

Ojai Valley Area Plan:

Goals 1.3.1-1 & -2
Policies 1.3.2-1 through -9

Piru Area Plan:

Goals 1.2.1-1 through -3
Policies 1.2.2-1 through -5

C. Threshold of Significance Criteria

Determinations of significance require a case-by-case determination based on the type of land use being requested and its location relative to petroleum resource areas and CUPs. Generally,

1. Any land use that is proposed to be located on or immediately adjacent to any known petroleum resource area, or adjacent to a principal access road to an existing petroleum CUP, has the potential to hamper or preclude access to petroleum resources.
2. If the subject property is not located on or adjacent to land located in an oil field or containing an oil extraction CUP, then the project would not cause a significant impact on the **extraction of** oil resources. If the subject property is located on or adjacent to land located in an oil field or containing an oil extraction CUP, then the state Division of Oil and Gas Regulation should be consulted for their review of the project application.
3. If the subject property is not located adjacent to a road used as a principal means of access to an existing CUP for oil extraction, and the proposed use is not sensitive to the effects of truck traffic to and from the oil CUP, then the project would not cause a significant impact on **access to** oil resources.

D. Methodology

Petroleum resource areas are depicted on the petroleum resources map (Figure 1.4.7) in the Resources Appendix of the General Plan. Existing petroleum CUPs are depicted on the RMA Planning GIS system that is maintained by the GIS Section of RMA. Determinations of significance of project and cumulative impacts must be determined on a case-by-case basis by the Planning Director.

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4. Biological Resources

A. Definition of Issue

Biological resources include plant and animal species and their habitats, plant communities and ecosystems. For the purpose of assessing impacts to biological resources, the issue is organized into three categories: *species*, *ecological communities*, and *habitat connectivity*.

B. Definition of Terms

Biological Resources Assessment – An on-site survey, literature review, and written report conducted and prepared by a *qualified biological consultant* approved by the County to identify the biological resources on a project site and evaluate the potential impacts of a proposed project on those resources.

California Fully Protected Species – Animals which are rare or face possible extinction and are protected by California Department of Fish and Wildlife pursuant to Fish & Wildlife Code Sections 3511, 4700, 5050, and 5515.

Candidate Species –

Federal Candidate Species are plants and animals for which the U.S. Fish and Wildlife Service has sufficient information on their biological status and threats to propose them as endangered or threatened under the Endangered Species Act, but for which development of a proposed listing regulation is precluded by higher priority listing activities.

State Candidate Species are native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that the commission has formally noticed as being under review by the department for addition to either the list of endangered species or the list of threatened species, or a species for which the commission has published a notice of proposed regulation to add the species to either list. State Candidate Species have equal legal protection as State listed threatened and endangered species under Fish and Wildlife Code Section 2081.

Chokepoint – A narrow, impacted, or otherwise tenuous *wildlife movement corridor* or *linkage* (like the chokepoint of an hourglass).

Coastal Habitat – See *Environmentally Sensitive Habitat Areas* (ESHA).

Conservation Easement - any limitation in a deed, will, or other instrument in the form of an easement, restriction, covenant, or condition, granted to a qualified entity or organization under California Civil Code Section 815.3, which is or has been executed by or on behalf of the owner of the land subject to such easement and is binding upon successive owners of such land, and the purpose of which is to retain land predominantly in its natural, scenic, historical, agricultural, forested, or open space condition for the preservation and protection of native plants, animals and biotic communities.

Core Habitat Areas – Extensive areas of habitat, usually containing more than one habitat type and supporting multiple wildlife species.

Development Footprint – Includes the proposed maximum limits of temporary or permanent direct land or vegetation disturbance for a project, including but not limited to the building pad(s), roads/road improvements, grading, septic systems, wells, drainage improvements, fire hazard brush clearance area(s), landscaping, storage/stockpile areas, construction staging areas, fire department turnarounds, utility trenching and other grading areas.

Direct Impacts – Physical changes in the environment which are caused by and immediately related to the project. *Direct impacts* on biological resources include, but are not limited to: the removal of habitat from grading activities, construction activities, and fire hazard vegetation clearance; the construction of a substantial barrier in a *wildlife corridor* that would impede wildlife movement; or loss of individual plants or animals due to construction activities.

Ecological Communities – Groups of interacting species occupying the same geographical area. The Ecological Communities category of the threshold criteria include the General Plan defined Wetland Habitat, Coastal Habitat, and Locally Important Communities.

Element Occurrence (EO) – A biological unit that has practical conservation value for a species or ecological community and sustains or contributes to the survival of a species or ecological community. An *element occurrence*, as used in the Threshold of Significance Criteria below, is a population of a species that is present and would be impacted by the project. The following examples of *element occurrences* are provided as guidance:

Plants – A population or group of populations found within 0.25 miles and not separated by significant habitat discontinuities.

Animals with Limited Mobility (e.g., most invertebrates, amphibians, reptiles, small mammals, and resident birds) – A breeding population.

Mobile Animals (e.g., migratory birds, fish and larger mammals) – The location of breeding areas (including nesting territories, dens, and leks) or parts of the range of a mobile population that contribute to the persistence of that population, such as roosts, overwintering areas, migration areas and staging areas.

Endangered, Rare or Threatened Species - Pursuant to CEQA Guidelines section 15380, *Endangered, Rare or Threatened Species* means:

- (a) "Species" as used in this section means a species or subspecies of animal or plant or a variety of plant.
- (b) A species of animal or plant is:
 - (1) "Endangered" when its survival and reproduction in the wild are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, disease, or other factors; or
 - (2) "Rare" when either:
 - (A) Although not presently threatened with extinction, the species is existing in such small numbers throughout all or a significant portion of its range that it may become endangered if its environment worsens; or
 - (B) The species is likely to become endangered within the foreseeable future throughout all or a significant portion of its range and may be considered "threatened" as that term is used in the Federal Endangered Species Act.
- (c) A species of animal or plant shall be presumed to be endangered, rare or threatened, as it is listed in:
 - (1) Sections 670.2 or 670.5, Title 14, California Code of Regulations¹; or
 - (2) Title 50, Code of Federal Regulations Sections 17.11 or 17.12 pursuant to the Federal Endangered Species Act as rare, threatened, or endangered.
- (d) A species not included in any listing identified in subdivision (c) shall nevertheless be considered to be endangered, rare or threatened, if the species can be shown to meet the criteria in subdivision (b).
- (e) This definition shall not include any species of the Class Insecta which is a pest whose protection under the provisions of CEQA would present an overwhelming and overriding risk to man as determined by:
 - (1) The Director of Food and Agriculture with regard to economic pests; or
 - (2) The Director of Health Services with regard to health risks.

Environmentally Sensitive Habitat Areas (ESHA) – Any area in the Coastal Zone in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or harmed by human activities and development (California Public Resources Code, Division 20, California Coastal Act, Section 30107.5). ESHA includes Areas of Special Biological Significance as identified by the State Water Resource Control Board; rare

¹ California Endangered Species Act

and *endangered species*' habitats identified by the State Department of Fish and Wildlife; all coastal wetlands and lagoons; all marine, wildlife, and education and research reserves; nearshore reefs; stream corridors; lakes; tidepools; seacaves; islets and offshore rocks; kelp beds; significant coastal dunes; indigenous dune plant habitats; and wilderness and primitive areas (*Ventura County Coastal Zoning Ordinance*, §8172-1). ESHA includes coastal dunes, beaches, tidepools, wetlands, creek corridors, and certain upland habitats in the Santa Monica Mountains (*Ventura County Coastal Area Plan*). ESHA within upland habitats of the Santa Monica Mountains can be identified using the Coastal Commission's methodology (Memorandum from the Coastal Commission to Ventura Staff titled "Designation of ESHA in the Santa Monica Mountains," 2003).²

Habitat Connectivity – The degree to which the landscape facilitates movement of organisms among *habitat patches*, providing for seasonal wildlife migration, foraging, finding mates, dispersal of offspring, and the ability to react to environmental changes. Key *habitat connectivity* features include *linkages*, *wildlife movement corridors*, *stepping stones* and *chokepoints*.

Habitat Patch – An area that supports wildlife and is distinguished from its surroundings by discontinuities in vegetation or habitat. Often an area of native or naturalized habitat surrounded by non-native/urbanized conditions.

Indirect Impacts – Physical changes in the environment which are not immediately related to the project, but which are caused indirectly by the project. If a direct physical change in the environment in turn causes another change in the environment, then the other change is an indirect physical change in the environment. Unlike *direct impacts* which typically occur at one point in time, *indirect impacts* often persist over extended periods of time and may increase in severity. *Indirect impacts* commonly result near the periphery of a project site. *Indirect impacts* can include, but are not limited to, the following:

- The introduction of urban mesopredators (e.g. rats) into a relatively undisturbed ecological community;
- Increased or polluted water runoff into a biological system (from increased impervious cover);
- The introduction of invasive, non-native plant species into a biological system;
- Increased levels of noise and nighttime lighting (from both construction/demolition and operational phases of a project);
- Alteration of stream flow characteristics or fire cycles;
- Increased inputs of sediment, nutrients, pesticides, chlorides and other pollutants into wetlands;
- Fragmentation of habitats (resulting from direct loss of habitat);
- Fencing along the perimeter of properties as a result of an increased number of residences; and
- Increased human activity as a result of increased development intensity.

Linkage – An area of land that supports or contributes to the long term movement of wildlife and genetic exchange by providing live-in habitat that connects to other habitat areas.

Locally Important Species – The General Plan defines a *locally important species* as a plant or animal species that is not an *endangered*, *threatened*, or *rare species*, but is considered by qualified biologists to be a quality example or unique species within the County and region. The following criteria further define what local qualified biologists have determined to be *locally important species*:

Locally Important Plants

- Taxa that are declining throughout the extent of their range AND have a maximum of five (5) *element occurrences* in Ventura County.

² The memorandum from the Coastal Commission to Ventura Staff titled "Designation of ESHA in the Santa Monica Mountains" is available at: <http://www.ventura.org/rma/planning/>.

Locally Important Animals

Taxa for whom habitat in Ventura County is crucial for their existence either globally or in Ventura County. This includes:

- Taxa for which the population(s) in Ventura County represents 10 percent or more of the known extant global distribution; or
- Taxa for which there are five or fewer *element occurrences*, or less than 1,000 individuals, or less than 2,000 acres of habitat that sustains populations in Ventura County; or,
- Native taxa that are generally declining throughout their range or are in danger of extirpation in Ventura County.

Qualified Biological Consultant – Any person or firm who meets Ventura County's Minimum Qualifications as listed in Attachment 1.

Restrictive Covenant – a written agreement between a property owner and the County usually, but not always in a deed or lease, that restricts certain future alterations or uses of real property or requires additional County review and approval prior such future alterations or uses.

Riparian/Riparian Habitat – Riparian refers to the bank of a stream, creek or river. Riparian habitat is the aquatic and terrestrial habitats that occur along streams, creeks and rivers.

Sensitive Plant Communities – Plant communities that are ranked as G1 or S1 (critically imperiled globally or subnationally [state]), G2 or S2 (imperiled), or G3 or S3 (vulnerable to extirpation or extinction) through NatureServe's Natural Heritage Program and the California Natural Diversity Database (California Department of Fish and Wildlife, Vegetation Classification and Mapping Program, List of California Vegetation Alliances, as amended); and oak woodlands, pursuant to Section 21083.4 of the California Public Resources Code. These plant communities are locally important plant communities as defined by the Ventura County General Plan.

Special Status Species – Species listed as Endangered, Threatened, or Rare under the federal or state Endangered Species Acts, *Candidate Species*, *California Fully Protected Species*, and, pursuant to CEQA Guidelines Section 15380(d), all other species tracked by the California Natural Diversity Database (CNDDDB), which are considered by the California Department of Fish and Wildlife (CDFG) to be those species of greatest conservation concern, and *locally important species* as defined by the Ventura County General Plan. Plant species with a California Rare Plant Rank (Rank) of 1 (plants presumed extinct in California, or rare, threatened, or endangered in California and elsewhere), 2 (plants that are rare, threatened, or endangered in California but more common elsewhere) or 4 (plants of limited distribution in California) are included in this definition, but plant species with a Rank of 3 (plants for which insufficient information is available to determine their status) are not included in this definition. Species tracked by the CNDDDB are listed in CDFG's lists of Special Plants and Special Animals.

Species – Generally, a group of organisms which can interbreed and produce fertile offspring. The Species category of the threshold criteria include the General Plan defined Endangered, Threatened, and Rare Species and Locally Important Species.

Stepping Stones – A type of *wildlife movement corridor* which consists of a series of isolated patches of suitable habitat, often only for temporary occupancy, that relatively mobile organisms use to move in steps from one survival patch to another.³

Survey Area – The physical area a biologist evaluates as part of a *biological resources assessment*. This includes all areas that could be subject to *direct and indirect impacts* from the project.

Waters and Wetlands – For the purposes of impact assessment, waters and wetlands that meet the definition for waters, wetlands or streambeds used by one or more of the following agencies: U.S Army Corps of Engineers (Section 404 of the Clean Water Act), CDFG (California Fish and Wildlife Code, Section 1602), the California Coastal Commission (in Coastal Zone only, Section 30121 of the California Coastal Act), or Ventura County (as defined in the *Ventura County General Plan*).

³ Hilty, J.A., W.Z. Lidicker, Jr., and A.M. Merenlender. 2006. *Corridor Ecology: The Science and Practice of Linking Landscapes for Biodiversity Conservation*. Washington, D.C.: Island Press.

Wetland Habitats – Plant communities that inhabit wetlands as defined by the *Ventura County General Plan Glossary*.

Wildlife Movement Corridor (Corridor) – A space identifiable by species using it, which facilitates the movement of animals and plants over time between two or more patches of otherwise disjunct habitat.⁴ Examples include riparian pathways along streams and creeks and other remaining pathways of natural vegetation between developed areas that are frequented by wildlife moving between habitats.

C. General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goal 1.5.1

Policies 1.5.2-1 through -6

Coastal Area Plan:

Coastal Act – Environ. Sensitive Habitats:

§ 30230, § 30231, § 30233,

§ 30236, § 30240 & § 30607.1

North Coast - ESHA:

A. Tidepools and Beaches

Objective

Policies 1 through 7

B. Creek Corridors

Objective

Policies 1 through 4

Central Coast - ESHA:

A. Coastal Dunes

Objective

Policies 1 through 4

B. Wetlands

Objective

Policies 1 through 9

South Coast - ESHA:

A. Coastal Dunes

Objective

Policy 1

B. Tidepools

Objective

Policies 1 through 6

C. Creek Corridors

Objective

Policies 1 through 6

D. Santa Monica Mountains

Objective

Policies 1 through 6

E. Mugu Lagoon and San Nicholas Island

El Rio/Del Norte Area Plan:

Goals 1.4.1-1 and -2

Policies 1.4.2-1 through -3

Lake Sherwood/Hidden Valley Area Plan:

Goals 2.1.1-1 through -6

Policies 2.1.2-1 through -20

Oak Park Area Plan:

Goals 1.3.1-1 through -5

Policies 1.3.2-1 through -9

Ojai Valley Area Plan:

Goals 1.4.1-1 through -3

Policies 1.4.2-1 through -8

Piru Area Plan:

Goals 1.5.1-1 through -3

Policies 1.5.2-1 through -3

Saticoy Area Plan:

Goal 1.3.1

Policies 1.3.2-1 through -4

Thousand Oaks Area Plan:

Goals 1.3.1-1 through -8

Policies 1.3.2-1 through -6

⁴ Ibid.

D. Threshold of Significance Criteria

The *State CEQA Guidelines* [California Code of Regulations, Title 14, Chapter 3, §15065(a)] Section 15065(a) states that a lead agency shall find that a project may have a significant effect on the environment if it has the potential to: "...

- Substantially reduce the habitat of a fish or wildlife species;
- Cause a fish or wildlife population to drop below self sustaining levels;
- Threaten to eliminate a plant or animal community;
- Substantially reduce the number or restrict the range of an *endangered, rare or threatened species*; ..."

The *State CEQA Guidelines* [§15064(d)] provide additional guidance on the evaluation of the significance of potential impacts to biological resources; they state:

"In evaluating the significance of the environmental effect of a project, the lead agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project."

Given the complexity and variety of biological systems in Ventura County, it may not always be feasible to provide numerical thresholds of significance for biological resources. These guidelines are, however, presented to identify the general parameters of potentially significant impacts to biological resources and a list of significance thresholds is provided as guidance for the identification of project-specific impacts for each of the biological resource categories.

In the absence of biologically-based, substantial evidence to the contrary, if an impact from a project has the potential to meet or exceed the following thresholds of significance, such impact will be considered a significant impact. If biologically-based, site specific, substantial evidence is presented during the biological resources assessment that indicates that there is no potential for significant environmental impacts on a biological resource, that evidence may be considered by the County in finding that the project's impacts on this biological resource are less than significant.

1. Species

Project Impact Thresholds

A project will have a direct or indirect physical impact to a plant or animal species if a project, directly or indirectly:

- (a) reduces a species' population,
- (b) reduces a species' habitat,
- (c) increases habitat fragmentation, or
- (d) restricts reproductive capacity.

The determination of whether a project's impact is significant or not shall be based on both the current conservation status of the species affected and the severity or intensity of impact caused by the project. *Endangered, rare and threatened species*, as well as *special status species*, are more susceptible to project impacts than a more common species. If a project's impact is severe or intense, it may cause a population of a more common species to decline substantially or drop below self-sustaining levels, which would be considered a significant impact.

The following types of impacts to plant and animal species or their habitats are considered potentially significant:

- Loss of one or more individuals, occupied habitat or Critical Habitat designated by the U.S. Fish and Wildlife Service of a species officially listed as Endangered, Threatened or Rare under the federal Endangered Species Act (Title 50, Code of Federal Regulations Sections 17.11 or 17.12) or California Endangered Species Act (Sections 670.2 or 670.5, Title 14,

California Code of Regulations), a *Candidate Species*, or a *California Fully Protected Species*.

- Impacts that would eliminate or threaten to eliminate one or more *element occurrences* of a *special-status species* not otherwise listed under the federal Endangered Species Act or California Endangered Species Act, or as a *Candidate Species* or *California Fully Protected Species*.
- Impacts that would threaten the viability of a habitat that sustains a population of a *special-status* wildlife species.
- Impacts that would restrict the reproductive capacity of a *special-status species*.
- “Take” of birds protected under the California Fish and Wildlife Code (Sections 3503.5, 3511, and 3513) and the federal Migratory Bird Treaty Act (MBTA), as “take” is defined in the Fish and Wildlife Code and MBTA.
- Increases in noise and/or nighttime lighting to a level above ambient levels that would adversely affect a *special status species*.
- Increases in human access, predation or competition from domestic animals, pests or exotic species, or other indirect impacts, to levels that would adversely affect *special status species*.
- Impacts severe enough to substantially reduce the habitat of a wildlife species or cause a wildlife population to decline substantially or drop below self-sustaining levels, pursuant to Section 15065 of the CEQA Guidelines, Mandatory Findings of Significance.

Cumulative Impact Thresholds

The threshold criteria listed above under Project Impact Thresholds are used to determine whether cumulative impacts are significant. The evaluation of cumulative impacts must consider the project AND other projects causing related impacts. The other projects considered in the cumulative analysis for plant and animal species are recently approved, present, and reasonable foreseeable probable future projects that may directly or indirectly impact the *element occurrence* of a plant or animal species that was evaluated for project impacts.

For example, a project that would remove a few individuals of a population of a *special status* plant species (*element occurrence*) may not have a significant impact on its own, but when combined with other impacts caused by projects located near the *element occurrence*, the cumulative impact may threaten the viability of that *element occurrence*, in which case the project’s cumulative impact would be considered potentially significant.

2. Ecological Communities

a. Sensitive Plant Communities

Project Impact Thresholds

The following types of impacts to *sensitive plant communities* are considered potentially significant:

- Construction, grading, clearing, or other activities that would temporarily or permanently remove *sensitive plant communities*. Temporary impacts to sensitive plant communities would be considered significant unless the sensitive plant community is restored once the temporary impact is complete.
- *Indirect impacts* resulting from project operation at levels that would degrade the health of a *sensitive plant community*.

Cumulative Impact Thresholds

The threshold criteria listed above under Project Impact Thresholds are used to determine whether cumulative impacts are significant. The evaluation of cumulative impacts must consider the project AND other projects causing related impacts. The other projects considered in the

cumulative analysis for *sensitive plant communities* are recently approved, present, and reasonable foreseeable probable future projects that may directly or indirectly impact the *sensitive plant community* that was evaluated for project impacts.

For example, a project that would cause *indirect impacts* to a *sensitive plant community* may not have a significant impact on its own, but when combined with other *indirect impacts* caused by projects located near the *sensitive plant community*, the cumulative impact may substantially degrade the *sensitive plant community*, in which case the project's cumulative impact would be considered potentially significant.

b. Waters and Wetlands

All *waters and wetlands* are considered important resources to Ventura County, because of the documented loss of *waters and wetlands* throughout California and the Nation and the valuable ecological functions wetlands provide to plant and animal species. In urban areas, remaining wetlands can still support important plant and animal species. Though many of these wetlands are disturbed by human activities, they can still be considered significant resources.

Project Impact Thresholds

An analysis of potential project impacts to *waters and wetlands* must examine the *direct and indirect impacts* to the entire aquatic or wetland ecosystem potentially impacted by the project, including impacts within the watershed that would adversely affect the aquatic or wetland ecosystem. *Waters and wetlands* depend on a source of water, and therefore impacts to the quality, quantity, flow rate, or timing of that water source can adversely impact a water or wetland just as much as direct development impacts to aquatic or wetland habitat.

Wetlands perform numerous beneficial functions, including groundwater recharge, stream recharge, pollution filtration, flood control, and wildlife habitat. Impacts that reduce or eliminate the functions provided by a wetland would be considered significant.

The following project impacts to *waters and wetlands* are considered potentially significant:

- Any of the following activities that would adversely affect *waters and wetlands* as defined in Section B above:
 - removal of vegetation;
 - grading;
 - obstruction or diversion of water flow;
 - change in velocity, siltation, volume of flow, or runoff rate;
 - placement of fill;
 - placement of structures;
 - construction of a road crossing;
 - placement of culverts or other underground piping; and/or
 - any disturbance of the substratum.
- Disruptions to *wetland* or *riparian* plant communities that would isolate or substantially interrupt contiguous habitats, block seed dispersal routes, or increase vulnerability of wetland species to exotic weed invasion or local extirpation. An example would be disruption of adjacent upland vegetation to a level that would adversely affect the ecological function of the wetland, such as where such vegetation plays a critical role in supporting *riparian*-dependent wildlife species (e.g., amphibians), or where such vegetation aids in stabilizing steep slopes adjacent to the *riparian habitat*, which reduces erosion and sedimentation potential.
- Interference with ongoing maintenance of hydrological conditions in a *water or wetland*. The hydrology of wetlands systems must be maintained if their function and values are to be preserved. Adverse hydrological changes might include altered freshwater input; changes in the watershed area or run-off quantity, quality, or velocity; drawing down of the groundwater table to the detriment of groundwater-dependent habitat; substantial increases in sedimentation; introduction of toxic elements or alteration of ambient water temperature.

- The project does not provide an adequate buffer for protecting the functions and values of existing *waters* or *wetlands*. The buffer is measured from the top-of-bank or edge of *wetland* or *riparian habitat*, whichever is greater. Ventura County General Plan Policy 1.5.2-4 requires a minimum buffer of 100 feet from significant *wetland habitat*. In accordance with this policy, buffer areas may be increased or decreased upon evaluation and recommendation by a qualified biologist and approval by the decision-making body. Factors to be used in determining adjustment of the 100 foot buffer include soil type, slope stability, drainage patterns, presence or absence of endangered, threatened or rare plants or animals, and compatibility of the proposed development with the wildlife use of the wetland habitat area.⁵

Note: ACOE or CDFG permits may not be required for *waters* or *wetlands* that do have biological significance (such as isolated wetlands). In addition, a permit from a Federal or State agency may not address Ventura County's General Plan protections of wetlands.

Cumulative Impact Thresholds

The threshold criteria listed above under Project Impact Thresholds are used to determine whether cumulative impacts are significant. The evaluation of cumulative impacts must consider the project AND other projects causing related impacts. The other projects considered in the cumulative analysis for *waters and wetlands* are recently approved, present, and reasonable foreseeable probable future projects that may directly or indirectly impact the *waters and/or wetlands* that were evaluated for project impacts.

Due to the cumulative loss of *waters and wetlands* in the County and State, a significant direct project impact to *waters and wetlands* is considered to be a cumulatively considerable impact, unless mitigated to a less than significant project level impact.

Project-level *indirect impacts* to *waters and wetlands* may not have a significant impact alone, but when combined with other *indirect impacts* caused by other projects to the *waters and wetlands* under evaluation, the cumulative impact may significantly degrade the *waters and wetlands*, in which case the project's cumulative impact would be considered potentially significant.

According to General Plan Policy 1.5.2-3, unless a project is located within lands designated "Urban" or "Existing Community," significant impacts to significant *wetland habitats* are prohibited with no provision for adopting a statement of overriding considerations. Therefore, significant project impacts to significant *wetland habitat* must be avoided or mitigated to less than significant, which would reduce impacts to less than cumulatively considerable.

c. ESHA (Applies to Coastal Zone Only)

In the Coastal Zone, *Environmentally Sensitive Habitat Areas* (ESHA), as defined by the County's Coastal Area Plan, the State Coastal Act, and Title 14, California Code of Regulations, Division 5.5, are protected. ESHA is "any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments" (Public Resources Code § 30107.5). ESHA includes coastal dunes, beaches, tidepools, wetlands, creek corridors, and certain upland habitats in the Santa Monica Mountains (Ventura County Coastal Area Plan). The identification of ESHA within upland habitats of the Santa Monica Mountains will be determined by using the Coastal Commission's methodology (Memorandum from the Coastal Commission to Ventura County Staff titled "Designation of ESHA in the Santa Monica Mountains," 2003).⁶

Section 8174-9 of the County's Coastal Zoning Ordinance permits only the following uses within ESHA or ESHA buffer areas:

- Nature study;
- Developments where the primary function is habitat enhancement or restoration;
- Shoreline protective devices;
- Passive recreational uses not involving structures;

⁵ Ventura County General Plan, Policy 1.5.2-4

⁶ The memorandum from the Coastal Commission to Ventura Staff titled "Designation of ESHA in the Santa Monica Mountains" can be found at <http://www.ventura.org/rma/planning/>.

- Uses dependent on habitat values such as aquaculture and scientific research;
- Public Works facilities in accordance with this Article and Section 8175-5.9, and all other applicable provisions of this Chapter and the LCP Land Use Plan.

Within ESHA buffer areas, the Coastal Zoning Ordinance does allow for new principal structures if prohibition of the structure from the buffer will preclude the utilization of the larger parcel for its designated use, but impacts to the ESHA buffer must be eliminated or reduced to a less than significant level.

Therefore, all ESHA on a project site shall be identified and mapped during a *biological resources assessment*. Within the M Overlay Zone (the Coastal Zone portion of the Santa Monica Mountains) a restrictive covenant shall be recorded on all ESHA identified on a project site to assure that such habitat areas are permanently maintained in open space.⁷

Project Impact Thresholds

The following types of impacts to ESHA are considered potentially significant:

- Construction, grading, clearing, or other activities and uses that would temporarily or permanently remove ESHA or disturb ESHA buffers. (ESHA buffers are within 100 feet of the boundary of ESHA as defined in Section 8172-1 of the Coastal Zoning Ordinance).
- *Indirect impacts* resulting from project operation at levels that would degrade the health of an ESHA.

Cumulative Impact Thresholds

The threshold criteria listed above under Project Impact Thresholds are used to determine whether cumulative impacts are significant. The evaluation of cumulative impacts must consider the project AND other projects causing related impacts. The other projects considered in the cumulative analysis for ESHA are recently approved, present, and reasonable foreseeable probable future projects that may directly or indirectly impact the ESHA that was evaluated for project impacts.

Due to the State and County policies protecting ESHA, all potentially significant project impacts to ESHA are considered cumulatively considerable, unless mitigated to a less than significant project level.

3. Habitat Connectivity

Project Impact Thresholds

A project would impact *habitat connectivity* if it would: (a) remove habitat within a *wildlife movement corridor*; (b) isolate habitat; (c) construct or create barriers that impede fish and/or wildlife movement, migration or long term connectivity; or (d) intimidate fish or wildlife via the introduction of noise, light, development or increased human presence.

The following types of impacts to *habitat connectivity* are considered potentially significant:

- A *habitat connectivity* feature (e.g., a *linkage, corridor, chokepoint* or *stepping stone*) would be severed, substantially interfered with, or potentially blocked.
- Wildlife access to foraging habitat, breeding habitat, water sources, or other areas necessary for their reproduction would be prevented or substantially interfered with.
- Wildlife would be forced to use routes that endanger their survival. For example, constraining a *corridor* for mule deer or mountain lion to an area that is not well-vegetated or that runs along a road instead of through a stream corridor or along a ridgeline.
- Lighting, noise, domestic animals, or other *indirect impacts* that could hinder or discourage fish and/or wildlife movement within habitat connectivity feature (e.g., a *linkage, corridor, chokepoint* or *stepping stone*) would be introduced.

⁷ Ventura County Coastal Zoning Ordinance Section 8177-4.2.2(a).

- The width of *linkage, corridor* or *chokepoint* would be reduced to less than the sufficient width for movement of the target species (the species relying upon the connectivity feature). The adequacy of the width shall be based on the biological information for the target species; the quality of the habitat within and adjacent to the *linkage, corridor, or chokepoint*; topography; and adjacent land uses.
- For wildlife relying on visual cues for movement, visual continuity (i.e., lines-of-sight) across highly constrained wildlife *corridors*, such as highway crossing structures or *stepping stones*, would not be maintained.

Cumulative Impact Thresholds

The threshold criteria listed above under Project Impact Thresholds are used to determine whether cumulative impacts are significant. The evaluation of cumulative impacts must consider the project AND other projects causing related impacts. The other projects considered in the cumulative analysis for habitat connectivity are recently approved, present, and reasonable foreseeable probable future projects that may directly or indirectly impact the habitat connectivity feature that was evaluated for project impacts.

For example, a project that would only partially constrict a habitat connectivity feature may not have a significant impact on its own, but when combined with other impacts caused by projects located within or near the habitat connectivity feature, the cumulative impact may substantially interfere with or potentially block the feature, in which case the project's cumulative impact would be considered significant.

E. Methodology

The following outlines the process to be used in completing the Initial Study and consulting with appropriate agencies:

Step 1 - Define Impact Area

Many development projects have a clearly defined area of *direct impact* to the land, and this area should be used to define the potential biological resources impact area. For instance, vegetation trimming or removal, grading, and construction (i.e., the *development footprint*) have clear boundaries for the area of *direct impact*. *Indirect impacts* extend beyond the area of *direct impact*, and include potential project related changes to the environment such as light and noise pollution, and reasonably foreseeable indirect impacts related to increased presence of humans and domestic animals. The extent of *indirect impacts* from the location of the *development footprint* varies, depending on the type of project proposed and level of development intensity and human activity expected. Both *direct* and *indirect impacts* must be considered when defining the impact area, and the identified impact area should be reviewed by the County agency responsible for administering the project prior to commencement of the *biological resources assessment*. When reviewing proposed development projects that have clearly defined boundaries for impacts (e.g., Planned Development Permit, Conditional Use Permit) proceed to Step 2.

Other projects, such as land subdivisions, may not have clearly defined areas of direct or indirect impacts. For subdivisions (including parcel maps and tract maps), lot line adjustments, and conditional certificates of compliance, a feasible buildable area on the property must be defined and mapped. It should be noted that the applicant is not required to build within the buildable area depicted on a tentative subdivision map or lot line adjustment. However, the applicant can propose to limit the location of development on proposed lots to avoid a biological assessment of the entire property as discussed below.

To address biological impacts from subdivision projects, the survey area for the *biological resources assessment* must be carefully delineated under the direction of the County agency responsible for administering the project and in consultation with the *qualified biological consultant*. If the project proponent volunteers to include a *Restrictive Covenant* in the permit application, then the proposed *development footprint(s)* and any other portions of the property not protected by the *Restrictive Covenant* that are potentially subject to direct and indirect impacts from the proposed subdivision

must be surveyed for the *biological resources assessment*. Future proposed modifications of the restrictive covenant would require a *biological resources assessment* and mitigation of potentially significant impacts at that time. If the project proponent does not include a *Restrictive Covenant* in the permit application, then a *biological resources assessment* is required for all areas potentially subject to reasonably foreseeable direct and indirect impacts from the proposed subdivision, as determined by the County agency responsible for administering the project. In some cases the entire property may not be subject to reasonably foreseeable direct and indirect impacts from a proposed subdivision, in which case the entire property would not be required to be surveyed. Factors to be considered in making this determination include, but are not limited to, physical geographic barriers on the project site and existing land uses that preclude the potential for additional effects.

Step 2 - Preliminary Assessment

The purpose of the preliminary assessment is to determine if:

- (a) the project clearly has no potential to impact biological resources; or
- (b) the project has the potential to impact biological resources but project conditions or mitigation measures can be developed and implemented to reduce or avoid those impacts to a less than significant level without a *biological resources assessment* conducted by a *qualified biological consultant* (such as avoiding impacts to nesting birds); or
- (c) the project has the potential to impact biological resources, but a field survey is necessary to determine whether such project impacts would be significant and thus a *biological resources assessment* to be completed by a *qualified biological consultant* is required.

Preliminary assessments shall be completed by County staff using the County's mapped biological resource data and aerial imagery, but, on occasion, may require a site visit by a *qualified biological consultant*. The preliminary assessment involves looking at the County's aerial imagery and other relevant biological GIS data layers such as wetlands, waterbodies, vegetation and habitat connectivity to determine whether a field survey and *biological resources assessment* is necessary to evaluate the potential for biological impacts.

Because biological resources are variable, dynamic, and adaptable, a field survey is often required to determine that a project will or will not directly or indirectly have the potential to cause a significant impact to biological resources. For example, endangered birds can use agricultural trees for habitat; vacant fields that provide no other significant biological value may in fact be very important for *habitat connectivity* and wildlife movement; and native birds are protected by law when nesting in any location.

Examples of project types that would **not** require a *biological resources assessment* may include, but are not limited to:

- Remodeling an existing structure that does not extend past the existing structure footprint.
- Additions to existing structures that are within a previously permitted graded pad area or, if there is no graded pad, an existing developed/landscaped area, if additional fuel modification is not required.
- Demolition of an existing structure and construction of a new structure within the existing building pad area where no additional fuel modification is required.
- New structures and landscaping proposed within the permitted graded pad or, if there is no graded pad, a development area, authorized in a previously approved land use permit.
- Projects on land consisting of non-native grasslands totaling less than 1.0 acre that are completely surrounded by existing urban development (such as urban infill lots).

Step 3 - Biological Resources Assessment Conducted by a Qualified Biological Consultant

When a field survey is needed to evaluate potential impacts to sensitive biological resources, a *biological resources assessment* is required. The *biological resources assessment* procedures described below must be performed by a *qualified biological consultant*. Each Lead Agency is

responsible for establishing procedures to ensure that a biologist who meets the minimum qualifications for qualified biological consultants (Attachment 1) conducts the *biological resources assessment*.

For all *biological resources assessments*, the *qualified biological consultant* is required to review existing data, such as any previous reports or surveys conducted in the project area, conduct a field survey, provide an inventory of the biological resources on the project site, and provide recommendations for the impact analysis and mitigation measures. The following describes these steps and outlines the required contents of a *biological resources assessment* report:

a. Review Existing Data

Prior to conducting the field survey the biologist should compile lists of sensitive biological resources that could occur within the vicinity of the *survey area*. Available GIS data for the area should be consulted. The County's mapped GIS data include, but are not limited to:

- Wetlands (e.g, National Wetlands Inventory)
- Streams and Waterbodies (e.g., National Hydrographic Dataset, Watershed Protection District red-line streams)
- Habitat Linkages (e.g., South Coast Missing Linkages Project)
- Vegetation (e.g., Vegetation Classification of the Santa Monica Mountains National Recreation Area and Environs, GAP Analysis, US Forest Service Vegetation Maps)
- Past Biological Reports (showing parcels studied and a link to the full study)

A form for ordering biological resources maps from the County for a given project can be found on the Planning Division's website at <http://www.ventura.org/rma/planning/>.

Existing mapped biological information has limitations, and therefore it should be used in combination with evidence from other published studies and evidence found during the field survey to evaluate the significance of potential project impacts to a biological resource.

The biologist should also research the California Natural Diversity Database (CNDDDB) for *special status species* observations near the project, as well as other data available on BIOS, the CDFG online biological spatial data server. For example, the County's land use designations and overlay zone boundaries are available on BIOS, as is other biological data collected by State and Federal agencies. Information on how to access this data is found on the Planning Division's website.

The biologist should consult the lists of Locally Important Plants and Locally Important Animals found on the Planning Division's website, which include species known to meet the criteria for Locally Important Species. These lists will be updated annually. The Planning Division will solicit recommendations for additions to and removals from the lists from biologists with expertise regarding the biological resources of Ventura County (e.g., State and federal agencies, universities, qualified consulting biologists) and will compile the proposed changes to the lists and review supporting evidence provided with the recommendations against the criteria for Locally Important Species. The Planning Division will circulate the proposed changes to the Locally Important Species Lists among the biologists with expertise regarding the biological resources of Ventura County and the public for review and comment. If evidence supports the changes to the lists, the lists will be updated each January.

b. Conduct Field Survey

Prior to the field survey, the biologist should also formulate questions and issues that need to be investigated at the *survey area*. Pertinent questions include: What is the significance of the impacted resources on a local or regional scale? What is the rarity or abundance of the resource in the region and elsewhere? What is the resilience of the resource?

All *biological resources assessments* require a minimum of one field survey to determine the type and nature of any biological resources on or adjacent to the *survey area*, and to investigate any issues revealed by mapped data. Additional surveys may be necessary to determine the presence or absence of a special-status species, especially if the species is only identifiable during a particular season or when a responsible agency requires protocol surveys for a listed species.

Field surveys must be performed in the appropriate season when the most critical resources can best be identified and evaluated. Botanical surveys should be conducted in the spring months or during the blooming periods of the plants expected to occur on the project site. Some survey times are mandated per protocols established by State and Federal agencies for certain species. Surveys must result in full coverage of the *survey area* unless access is restricted. The survey area must include all areas potentially subject to direct and indirect impacts from the project, as identified in Step 1 above.

The biologist must walk the *survey area* to develop an accurate description of the site, determine the presence of sensitive habitats and species, and evaluate the potential impacts of the proposed project. The biologist must be sure to closely investigate areas of potential sensitivity found from the data search and aerial photo interpretation.

The survey will result in an inventory of the significant biological resources within the *survey area* along with a discussion of the extent and quality of resources. The biologist must document the locations of all significant biological resources found.

In the Coastal Zone, all ESHA on a project site shall be identified and mapped during a *biological resources assessment*, and a restrictive covenant shall be recorded on all mapped ESHA, restricting uses to those listed in Section 8174-9 of the Coastal Zoning Ordinance. ESHA includes coastal dunes, beaches, tidepools, wetlands, creek corridors, and certain upland habitats in the Santa Monica Mountains (Ventura County Coastal Area Plan). ESHA within upland habitats of the Santa Monica Mountains will be identified using the Coastal Commission's methodology (Memorandum from the Coastal Commission to Ventura County Staff titled "Designation of ESHA in the Santa Monica Mountains," 2003).⁸

A CNDDDB California Native Species Field Survey Form and/or a California Natural Community Field Survey Form should be completed and sent to the CDFG when *special status species* or *sensitive plant communities* are observed.

c. Assess Impacts & Prepare Report

The *biological resources assessment* report contents must include the following:

Summary:

The summary will incorporate the findings of the report; no new information should be provided. The length of the summary depends directly on the nature and complexity of the biological resources within the *survey area*. For projects with little to no biological resources affected by the project, the summary should be quite brief. The purpose of the summary is to provide a quick reference for the public and decision makers. Therefore, the language should be less technical than that used in the remainder of the document.

Development Footprint Description:

Development Proposal Description - Describe the whole of the project, not just the immediate action being pursued. For example, a Tentative Map or Tentative Parcel Map proposes to subdivide property; the project in question is not just the increase in the number of lots, but the ultimate outcome of residential or commercial development on the proposed lots. Another example is an application for a grading permit. The project is not just the immediate grading, but also the end result for which the land will be graded (e.g., building a house). Describe all physical alterations that will occur to the existing site as a result of the project. Describe all proposed structures, their approximate size, location and purpose.

⁸ The memorandum from the Coastal Commission to Ventura County Staff titled "Designation of ESHA in the Santa Monica Mountains" is available on the Planning Division's website: <http://www.ventura.org/rma/planning/>.

Development Footprint Size - State the size of the area proposed for development, including such things as the buildable lot, fire hazard brush clearance areas, roads, and fire department turnaround areas. An estimate of *development footprint* size is acceptable.⁹

Coastal Zone/Overlay Zones - Indicate if the project is within the coastal zone or any overlay zones.

Zoning Designation - Indicate the zoning designation(s) that apply to the parcel(s).

Elevation - Indicate the parcel(s) elevation. An elevation range can be provided when the site has significantly variable elevations.

Survey Area Description and Methodology:

Survey Area Description - Describe the *survey area*. Some projects will have more than one *survey area*. For each *survey area*, describe the location in the regional and local context; the *survey area* boundaries with reference to onsite features as well as to parcel boundaries; the *survey area* environmental setting; and the surrounding area environmental setting.

Cover - Provide a rough estimate, in percentages, of the cover of the *survey area* using the following categories: native vegetation, non-native vegetation, recently burned, ag/grazing, bare ground/cleared/graded, buildings, and paved roads or other impervious cover. Additional categories can be used if appropriate for a given project.

References - Cite all reference documents and sources of information used in the assessment, including any relevant past biological reports or surveys conducted on or near the project.

Survey Details - Provide information on the survey date(s), time period(s), methods, constraints, and the persons conducting the survey(s).

Biological Inventory:

Major Plant Communities Summary - Briefly summarize the major plant communities onsite, at the alliance level, using the State Vegetation Classification (SVC) as maintained by the Vegetation Classification and Mapping Program of the CDFG (www.dfg.ca.gov/biogeodata/vegcamp/pdfs/natcomlist.pdf). Include a description of each plant community's particular qualities at the project location. The description should address the ecological context of the plant community, in terms of relative size, diversity, structure, overall condition (i.e., disturbed, burned, or intact), and quality. The description should also include a list of all plant associations present onsite. A number of plant associations are considered sensitive by CDFG and should be cataloged for each project site. Sensitive or protected plant communities, such as coastal ESHA or oak woodlands, must be identified.

Plant Communities Table and Map - Record in a table and delineate on a map the plant communities discussed in the plant communities summary. Include in the table the community's protection status, condition, approximate acres and acres potentially impacted.

Physical Features - Describe any physical features, such as rock outcroppings, riprap, caves or cliff faces that may be important to the site's biological resources.

Waters and Wetlands Summary - Describe the general location of all *waters and wetlands* located within 300 feet (in non-coastal zone) or 500 feet (in coastal zone) of the *development footprint*. If there are waters and wetlands within these distances extending off site that would not be directly impacted by the project, mapping of these resources using aerial imagery is acceptable. Describe the overall habitat quality of *waters and wetlands* that would potentially be impacted by the project in terms of disturbance, species diversity and connectivity to off-site habitat or hydrologic features. Discuss the local and regional importance of the *waters and wetlands*.

⁹ The development footprint size will be smaller than the survey area size because it does not take into account areas of potential indirect impacts.

Note: For the purposes of the Initial Study, the boundaries of any *waters* or *wetlands* must be defined as the outermost limit of the *riparian* vegetation (canopy drip line or scrub line boundary), hydric soils, or the defined bed and bank of a drainage feature, whichever is greatest. If the project will not avoid impacts to the *waters* or *wetlands* thus identified, or to the County-required minimum 100' setback buffer (see discussion below), then in most cases a formal wetland delineation should be recommended (through an additional study).

Waters and Wetlands Table - Summarize in a table all wetland features described in the Wetland Summary. For each distinct wetland feature observed describe the type of wetland, its name (if any), size, hydrologic status (i.e., dry, saturated, ponded, or flowing), primary water source (if known), its significance from the point of view of General Plan policies, and its distance from the project.

Wetland Buffers - Provide a recommendation for the appropriate buffer distance from any *waters* or *wetlands* based on the threshold criteria for buffers under Section D.2.b above. The General Plan does not define significant *wetland habitat*, and therefore the recommended buffer must be based on a wetland's biological functions and values, and justification for the buffer size must be provided in the report.

Observed Species Table - List in a table the species observed during the site visit(s), and include the variety if necessary to differentiate a subspecies with a different status. If the species of an observed plant or animal is not known, indicate the genus and include any comments on the potential species. Include native and non-native species. Organize the list by the following plant categories: nonvascular (including lichens, algae, fungi, mosses, and liverworts), and vascular; and animal categories: invertebrates, fish, amphibians, reptiles, birds, and mammals.

Observed/Potential *Special Status Species* Table - List in a table all *special status species* directly observed and with the potential to occur within the *survey area* or in areas directly or indirectly affected by the project. For each species, describe the species' protection status, its potential to occur onsite (i.e., none, low, moderate, high, or observed), its habitat requirements, whether the habitat onsite is adequate, and the acres (if any) of habitat potentially impacted. Clear physical evidence (e.g., recent tracks, scat, burrows, and active nests) can be considered an observation. For observed species, provide the number of each species observed. All *special status species* observed must be reported to the California Natural Diversity Database, and copies of the California Native Species Field Survey Forms and California Natural Community Field Survey Forms sent to the California Department of Fish and Wildlife must be attached to the *biological resources assessment* report and provided to the County.

Include in the table the following potentially occurring species:

- All *special status species* that, though not directly observed, are recorded in the CNDDDB within five miles of the *development footprint*.
- Any other *special status species* that, though not directly observed, have a moderate to high potential to be present on or adjacent to the *survey area*.
- Any other unobserved *special status species* that have a low potential to be present but for which, in the biologist's opinion, there is a reason to include the species or notes on the species.

Nesting Bird Summary - Describe the potential for nests of birds protected by the Federal Migratory Bird Treaty Act to be present in the *survey area*.

Wildlife Movement and Connectivity Features - Describe all connectivity features (i.e., *linkages*, *corridors*, routes, *chokepoints*, and *stepping stones*) within or adjacent to the *survey area*. Use evidence from published studies relevant to the project area and evidence observed during the field survey to identify connectivity features. Evidence of connectivity features, including but not limited to information obtained from remote camera surveys, radio collar tracking, evidence (e.g., tracks and sign) of wildlife routes found during the field survey, and critical *chokepoints* remaining between existing urbanized areas, must be provided to support the identification of a connectivity feature. List any species observed, either directly or through evidence, using the connectivity features.

Connectivity Feature - Expected Species - Indicate any other species expected to use the connectivity feature. If specific species are not known, indicate which functional group(s) would be expected to use the feature. Functional groups include: large mammals, medium mammals, small mammals, birds and bats, aquatic/*riparian* reptiles and amphibians, and upland reptiles.

Connectivity Feature - Habitats Connected - Describe the habitats that the connectivity feature is connecting.

Crossing Structures - Describe all existing and proposed crossing structures (e.g., box culverts, pipe culverts, road underpasses, Arizona crossings, and roads) within or adjacent to the *survey area*. For each crossing structure indicate the type of structure, whether it is passable by wildlife, what species/functional groups are expected to use it, and any species (or evidence of species) observed using the structure.

Connectivity Barriers - Describe all barriers to connectivity within the *survey area*. A barrier to connectivity may include a road, housing development, fencing, or any other type of man-made barrier that restricts fish or wildlife movement. For each barrier observed indicate the barrier type and the species or functional groups that are/would be affected by the barrier.

Additional Information Needed - The *biological resources assessment* should note when additional information is necessary to determine the significance of impacts or to develop mitigation measures. For instance, there may be a high potential for several *special status* plants to occur in the *survey area*, but the biological survey was conducted in the fall, and focused plant surveys during the spring season are necessary to determine whether the impact would be significant. Also, whether a wetland is within the jurisdiction of the CDFG, as well as the mitigation that CDFG would require, is necessary to determine how an impact to a wetland would be mitigated and whether the mitigation would be sufficient to reduce the impact to a less than significant level.

Additional permits - Discuss the need for any additional permits or agreements from other agencies, such as jurisdictional delineations for *waters* or *wetlands* or permits (e.g., 401, 404, and 1600), or endangered species permits, etc.

Impact Assessment:

Evaluate the potential adverse effects of the project on the biological resources in the *survey area* using the threshold guidelines provided in Section C (above). Discuss/describe/quantify potential direct and indirect, short- and long-term, project- and cumulative-level impacts. For each impact, indicate its significance (No Impact, Less than Significant, Potentially Significant But Mitigable, or Potentially Significant) and provide substantial evidence as defined by the CEQA Guidelines Section 15384 (facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts) to support the recommended findings. If findings differ from the threshold criteria in Section C, biologically based evidence must be presented in the biological report to support the findings.

For oak woodlands, the publication "Oak Woodland Impact Decision Matrix: A Guide for Planner's to Determine Significant Impacts to Oaks as Required by SB 1334"¹⁰ can be used as a guidance document for determining whether a project's impacts should be considered significant with regard to oak woodlands.

IMPORTANT: The Impact Assessment Section can only be completed if the field survey provided adequate information to make CEQA findings regarding potentially significant impacts and to develop mitigation measures necessary to mitigate potentially significant project and cumulative impacts. DO NOT complete the Impact Assessment section, or the significance checklist or recommend mitigation measures if the information from the field survey is inadequate, inconclusive or needs additional studies.

¹⁰ The "Oak Woodland Impact Decision Matrix: A Guide for Planner's to Determine Significant Impacts to Oaks as Required by SB 1334" is available on-line at: <http://www.ventura.org/rma/planning/>.

Mitigation Measures:

Sufficient, detailed information must be compiled for the record to justify the effectiveness of recommended mitigation measures. Do not provide mitigation measures if inadequate information was provided by the *biological resources assessment*.

Use the following as guidance in the development of mitigation measures:

- Discuss the mitigation approaches listed in the *State CEQA Guidelines* (§ 15126.4 and 15370) (avoiding, minimizing, rectifying, reducing or eliminating, compensating) that are appropriate for the project to reduce impacts.
- Identify the mitigation measures that would avoid impacts and/or reduce impacts to less than significant.
- Consider a range of possibilities, including, but not limited to, avoidance, fencing, *restrictive covenants*, *conservation easements*, clustering and off-site mitigation.
- Identify the potential for the restoration of damaged habitats where appropriate and feasible.
- Identify measurable success criteria for each mitigation measure.
- Identify requirements for monitoring and reporting for mitigation measures.
- Any proposed mitigation areas must be mapped, including areas to be avoided and areas to be restored or protected.

For each significant impact, explicitly state whether the proposed mitigation measures would reduce the impacts to a less than significant level. If the mitigation measures would not reduce the impact to a less than significant level, an EIR must be prepared to continue with the project approval process.

For each mitigation measure, include a discussion of the impact the measure is meant to address, the goal of the measure, a description of the mitigation action, any monitoring or timing that is relevant, and the standard of success for the measure.

IMPORTANT: The formulation of mitigation cannot be deferred to some future time. A future study can only be called for as a mitigation measure if it addresses all the possible outcomes of the future study and outlines very specific performance measures for each outcome that reduce any potential impacts to less than significant. Such a mitigation measure must also be accompanied by a commitment by the applicant and the County to implement all the possible scenarios.

AVOIDING IMPACTS: If the mitigation measure selected to mitigate potentially significant impacts to biological resources is to avoid the impacts, then a *Restrictive Covenant* and/or *Conservation Easement* is used to ensure the protection of the resources being avoided. Such a *Restrictive Covenant* or *Conservation Easement* protects the delineated location of the sensitive resource and a buffer area recommended by a *qualified-biological consultant* and determined adequate by the County agency responsible for administering the project to ensure protection from direct and indirect impacts of the proposed project.

Photos:

Describe and insert in the report color photos taken of the *survey area*. Include a reasonable number of photos to adequately characterize the site, especially the proposed development site.

Maps:

Maps must be provided with all *biological resources assessments* and include the following (if applicable):

If there are any sensitive biological resources within or adjacent to the *survey area*, these resources need to be mapped. Mapped data requirements in these cases include the following (if applicable):

- Development Footprint
- Survey Area boundaries
- Inaccessible areas
- Photo locations
- Impact areas (impacts not covered by the development footprint, such as runoff and lighting)
- Proposed mitigation measure locations (both on- and off-site), if data is adequate from the *biological resources assessment* and the measure can be mapped
- Plant communities
- Physical features
- Wetland boundaries
- Recommended wetland buffers
- Special status species – observed
- Special status species - potential (outline habitats where the species could potentially occur)
- Connectivity features
- Crossing structures
- Barriers to wildlife movement

Attachments:

Attach copies of all CNDDDB California Native Species Field Survey Forms and California Natural Community Field Survey Forms sent to the CDFG to document observations of *special status species* or *sensitive plant communities* found in the *survey area*.

Step 4 - Review of Biological Resources Assessment

The *biological resources assessment* and its findings and recommended mitigation measures shall be reviewed by the County staff person responsible for the project to determine whether the *biological resources assessment* meets the standards of the Initial Study Assessment Guidelines. The recommended mitigation measures should also be reviewed by the applicant to determine the preliminary feasibility/acceptability of the mitigation measures. The necessity for any further study recommended by the *qualified biological consultant*, and its potential cost and environmental document implications, should also be reviewed by County staff and the applicant.

Step 5 – Early Consultation with Resource Agencies

If the *biological resources assessment* finds potential impacts to federal or state listed Endangered, Threatened, or Rare species, County staff shall consult with the responsible permitting agency (US Fish and Wildlife Service or California Department of Fish and Wildlife) regarding protocol surveys, mitigation measures and permitting requirements. Note that even if mitigation measures would reduce impacts to listed species to less than significant levels according to County thresholds, consultation with the appropriate responsible agency is required and permits may be required under the federal and/or state Endangered Species Acts. In addition, if the *biological resources assessment* finds potential impacts to waters or wetlands within the jurisdiction of the Army Corps of Engineers, California Department of Fish and Wildlife, Regional Water Quality Control Board, or County Watershed Protection District, the responsible permitting agency shall be consulted by County staff.

Step 6 - Additional Studies

Sometimes additional studies are required before CEQA findings can be made, for example botanical surveys during the flowering season, protocol *special status species* surveys, or wetland delineations. When such additional studies are called for, these studies must be performed according to the current standards and guidelines of the relevant regulatory resource agency such as the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service (protocol species surveys) and the Army Corps of Engineers (wetland delineations).

Step 7 - Environmental Document Determination

The environmental document determination in relation to biological resource impacts will depend on 1) the *biological resources assessment* results; 2) the feasibility of any project redesign; and 3) the need for more extensive biological review.

a. ND/MND Determination - If the *biological resources assessment* finds no biological impacts or less than significant biological impacts, or if the *biological resources assessment* finds potentially significant biological impacts but the project can incorporate modifications and/or mitigation measures which reduce these impacts to a less than significant level and are agreed to by the applicant, then a Negative Declaration may be prepared (provided that no other significant environmental issues remain).

b. EIR Required - If the *biological resources assessment* indicates that the project could cause significant impacts and feasible mitigation measures cannot be implemented to reduce the impacts to a less than significant level, or if the applicant does not agree to the mitigation measures recommended in the *biological resources assessment*, then an EIR must be prepared.

If a project's cumulative impact is significant, and mitigation measures would reduce the project's cumulative impact to less than cumulatively considerable, an EIR would not be required for this reason. If a project's contribution to a cumulative impact is considerable, even with mitigation, then an EIR is required (CEQA Guidelines Section 15064(h)).

c. Further Biological Review - If the *biological resources assessment* finds that a project's potential to cause a significant impact to biological resources is inconclusive and it is indicated that further investigation is required to determine the nature and extent of these impacts, then either an EIR must be prepared, or a supplemental biological study (if time permits) must be prepared by a *qualified biological consultant*.

If an EIR is being prepared for the project due to issues other than biology, then further biological review could be incorporated as part of the EIR. If an EIR would not otherwise be required, then a supplemental study can be prepared.

If a supplemental study is prepared, one of two environmental document determinations shall be subsequently made:

- (1) Proceed with preparation of a Negative Declaration as in "a." above.
- (2) Proceed with preparation of an EIR or focused EIR as in "b." above if identified impacts cannot be reduced to a less than significant level.

Step 8 - Further Consultation

Per General Plan policy 1.5.2-5, Draft ND/MNDs and EIR NOPs which indicate potential impacts to significant biological resources shall be sent to CDFG, the U.S. Fish and Wildlife Service, the National Audubon Society and the California Native Plant Society. The National Park Service shall be sent such documents when the projects are within the Santa Monica Mountains or Oak Park Area.

Step 9 - Fish and Wildlife Fees

Section 711.4 of the Fish and Wildlife Code requires the project applicant to pay certain prescribed processing fees to the County Clerk of the Board at the time the Notice of Determination is filed. Each County Agency/Department must establish its own procedures to comply with these requirements.

The only projects exempt from these fees are:

- (1) Projects the lead agency determines are not subject to CEQA;
- (2) Projects the lead agency determines to be categorically exempt from CEQA; or
- (3) Projects that have been reviewed by the Department of Fish & Wildlife where a formal written determination of "no effect" has been made.

Adopted by the Board of Supervisors on April 26, 2011

Ventura County Initial Study Assessment Guidelines

Attachments:

Minimum Qualifications for Qualified Biological Consultants

Attachment

Minimum Qualifications for Qualified Biological Consultants

The Environmental Quality Advisory Committee has established the following minimum qualifications for biological consultants for the purpose of conducting biological resources assessments. County agencies/departments responsible for administering projects may establish lists of approved biological consultants and may require additional qualifications as appropriate.

Education - An undergraduate or graduate degree in biology, botany, wildlife biology, natural resources, ecology, conservation biology or environmental biology. It may be determined on a case-by-case basis by the implementing agency that other degrees or combinations of experience and course work meet the intent of this minimum standard.

Experience – Each qualified biological consultant must have at least four years of professional experience with the preparation of biological resources assessments. At least four years of experience in all of the following areas are required (these qualifications can be met by one individual or by combined biologists within a firm who each have at least four years of experience in one or more of the following areas):

- At least four years of professional experience in writing and/or directing the preparation of biological resources assessment reports in compliance with CEQA Guidelines.
- At least four years of experience performing both botanical and wildlife surveys within the region (Ventura, Santa Barbara, Kern, San Luis Obispo or Los Angeles Counties).
- At least four years of professional experience with evaluating compliance with relevant federal and state regulations, policies and procedures, including the following:
 - California Environmental Quality Act
 - Federal Endangered Species Act
 - State Endangered Species Act
 - Army Corps Permitting for Waters and Wetlands of the US
 - CDFG Permitting for streambeds
 - Regional Water Quality Control Board Permitting
- Ability to map survey findings (e.g., plant communities, wetlands, special-status species) in a GIS or access to an individual or firm with the ability to map survey findings in a GIS.

Local and State Expertise -

- Familiarity with the Ventura County General Plan (including Area Plans), Zoning Ordinances, and Initial Study Assessment Guidelines.
- Experience or training using the Manual of California Vegetation (Sawyer/Keeler-Wolf) classification system to identify and map plant communities to the Alliance level.
- Access to an up-to-date subscription to the California Natural Diversity Database/BIOS and experience using its products and in keeping the dataset current using online tools, as well as experience using the CNDDDB field survey form for reporting occurrences of rare plants, animals and natural community stands.

5a. Agricultural Resources - Soils

A. Definition of Issue

Soil that is utilized or suitable for agricultural crop production. This issue entails the direct loss of agricultural soils due to removal or permanent overcovering, and indirect loss due to increased wind or water erosion.

B. General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

- Goal 1.6.1-1
- Policies 1.6.2-1 & -4

Coastal Area Plan:

- Coastal Act – Agriculture:**
- § 30241; § 30242; § 30243;
 - § 30250(a); & § 30411(c)

- North Coast – Agriculture:**
- Objective
 - Policies 1 through 6

- Central Coast – Agriculture:**
- Objective
 - Policies 1 through 5

- South Coast – Agriculture:**
- Objective
 - Policies 1 through 5

El Rio/Del Norte Area Plan:

- Goal 3.2.1-1
- Policies 3.2.2-5 & -6

Lake Sherwood/Hidden Valley Area Plan:

- Goals 2.6.1-1 & -2
- Policies 2.6.2-1 & -2

Ojai Valley Area Plan:

- Goals 1.5.1-1 through -3
- Policies 1.5.2-1 & -2

Piru Area Plan:

- Goals 1.8.1-1 & -2
- Policies 1.8.2-1 & -2

C. Threshold of Significance Criteria

Any project that would result in the direct and/or indirect loss of soils designated Prime, Statewide Importance, Unique or Local Importance will have an impact.

Any project that would result in the direct and/or indirect loss of agricultural soils meeting or exceeding the following criteria will be considered as having a significant project impact:

| General Plan Land Use Designation | Important Farmland Inventory Classification | Acres Lost |
|-----------------------------------|---|------------|
| Agricultural: | Prime/Statewide: | 5 ac. |
| | Unique: | 10 ac. |
| | Local: | 15 ac. |
| Open Space/Rural: | Prime/Statewide: | 10 ac. |
| | Unique: | 15 ac. |
| | Local: | 20 ac. |
| All Others: | Prime/Statewide: | 20 ac. |
| | Unique: | 30 ac. |
| | Local: | 40 ac. |

Any project that would result in the direct and/or indirect loss of agricultural soils is considered as having a contribution to a significant cumulative impact. However, the cumulative loss of agricultural soils was discussed in the Final EIR for the Comprehensive Amendment to the County General Plan (1988)¹. The conclusions of that EIR were that there will be a significant loss of agricultural soils and, although the General Plan contains policies and programs that serve to partially mitigate the cumulative impact, the impact can't be reduced to a less-than-significant level.

Therefore, in accordance with Section 15183 of the CEQA Guidelines, additional cumulative environmental analysis is not required for any project that is consistent with the General Plan. Furthermore, any project that entails a General Plan amendment and would result in the loss of agricultural soils less than that indicated above (project impact), is considered as having a de minimus contribution to a significant cumulative impact and would not require an EIR. Conversely, any project that entails a General Plan amendment and would result in the loss of agricultural soils equal to or greater than that indicated above is considered as having a substantial contribution to a significant cumulative impact, and would require an EIR.

D. Methodology

The staff person responsible for administering the project shall: 1) review the project site plan(s) to determine how much land would be directly removed or permanently covered by buildings, parking areas, driveways, etc., 2) review the General Plan Land Use Maps and Important Farmland Inventory (IFI) Maps on file with the Graphics Section of RMA, and 3) determine if the project meets or exceeds the criteria listed above.

If the project would not result in removal or covering of soils classified under the IFI, the project would have no impact (check "N" on Initial Study Checklist and so state in Section C of the Initial Study).

If the project would result in a less than significant impact for both project impacts and cumulative impacts, the "LS" columns should be checked and an explanation provided in Section C of the Initial Study.

If the project would result in a significant project or cumulative impact, the project description (including site plan) shall be forwarded to the Agricultural Department for review and comment as to possible mitigation measures.

If a project would result in the loss of an agricultural tree row which would increase the potential for wind erosion, or would result in the loss of agricultural soils due to increase water erosion, the Agricultural Department shall be consulted to determine significance and possible mitigation measures, if necessary.

Adopted by the Board of Supervisors on July 27, 2010.

¹ A Susequent EIR was certified by the Board of Supervisors in 2005.

5b. Agricultural Resources - Land Use Incompatibility

A. Definition of Issue

The agricultural resources identified for environmental impact review are the cultural practices of commercial agriculture or agriculture's ability to move and use farm machinery and workers, engage in a variety of practices including chemical applications, etc. and receive protection from dust, uneconomic water usage practices, contaminated drainage, blockage of solar access, trespass, pilferage and unjustified complaints. The Agricultural Commissioner may identify the practices requiring protection or exclusion as warranted by actual facts and consistent with federal or state laws.

B. General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 1.6.1-1 & -2

Policy 1.6.2-6

Coastal Area Plan:

Coastal Act – Agriculture:

§ 30241 (e)

North Coast – Agriculture:

Objective

Policies 1 through 6

Central Coast – Agriculture:

Objective

Policies 1 through 5

South Coast – Agriculture:

Objective

Policies 1 through 5

Lake Sherwood/Hidden Valley Area Plan:

Goal 1.1.1-8

Policy 1.1.2-5

El Rio/Del Norte Area Plan:

Goal 3.2.1-2

Policies 3.2.2-2 through -4

Ojai Valley Area Plan

Goals 1.5.1-1 through -3

Policies 1.5.2-1 & -2

Piru Area Plan:

Goals 3.7.1-1 & -2

Policies 3.7.2-2 & -3

C. Threshold of Significance Criteria

Project Impacts - Any land use or project that is not defined as Agriculture or Agricultural Operations in the zoning ordinances will be evaluated for effects on adjacent *classified farmland*. Analysis is based on the distance between new non-agricultural structures or uses and any common lot boundary line adjacent to off-site classified farmland. See Section 5.a for the definition of *classified farmland*. Any project that is closer than the distances set forth below will be considered to have a potentially significant environmental effect on agricultural resources, unless justification exists for a waiver or deviation from these distances (please see the Methodology section):

| Evaluation for All Non-Agriculture or Non-Agricultural Operations Projects | |
|--|--|
| | Distance from Non-Agricultural Structure or Use and Common Boundary Line Adjacent to Classified Farmland |
| Without Vegetative Screening | 300 feet |
| With Vegetative Screening | 150 feet |
| New K-12 School | 1,320 feet |

Cumulative Impacts - The project's contribution to existing cumulative environmental effects will be evaluated. Projects that are consistent with the General Plan and do not have project-specific effects will result in a determination of less-than-significant environmental effects.

D. Methodology

1. View the Important Farmland Inventory layer of Planning-GIS to determine whether there is any classified farmland adjacent to the project site. If so, the project may be referred to the Agricultural Commissioner's Office for further evaluation.
2. Determine whether the proposed project structures or uses are within 300 feet of any common lot boundary line adjacent to off-site classified farmland (or 1,320 feet if the proposed project is a school site).
3. Determine whether justification for a waiver or deviation from the distance standard is warranted, which will result in a determination of less than significant environmental effects, using the following criteria (not applicable if the proposed project is a school site). Additional conditions of approval may be required to assure compliance.

| Waiver and Deviation Criteria |
|---|
| a. The new use is a single-family dwelling on a parcel with AE, OS or RA zoned land |
| b. Existing topography eliminates or reduces any land use conflicts |
| c. There is mature vegetative screening on the project site at the boundary |
| d. There is an off-site right of way or easement at the boundary that precludes farming |
| e. There are off-site physical features at the boundary area that preclude farming |
| f. The off-site farmer has agreed in writing not to apply Restricted Materials within 300 feet of the common boundary |
| g. A 300-ft or 150-ft setback on a small legal parcel will preclude its reasonable use |
| h. Individuals are not continuously present in the proposed structures or use areas |
| i. The non-agricultural use is a farmworker or other housing complex with a functional notification and response plan for the use of Restricted Materials on or off-site within 300 ft of the housing |
| j. The non-agricultural use can easily be temporarily closed to allow scheduled Restricted Materials applications by an off-site adjacent farmer |
| k. The non-agricultural use is a continuing Industrial use with no substantial changes in existing land use incompatibility |
| l. It can be clearly demonstrated that no land use conflicts will occur (This criteria not valid for Animal Keeping involving horses) |

4. Determine whether project building heights will decrease solar access to any off-site parcel containing classified farmland; this may result in a determination of potentially significant environmental effects.

5. Determine whether dust from construction or ongoing operations will occur. For most projects, the following standard will result in a determination of less than significant environmental effects:

Development Standard for Dust Suppression

Construction activities must be halted during high winds to prevent dust from blowing off-site onto classified farmland. Any operations that create dust, such as vehicles driven on unpaved areas or open storage require periodic watering to prevent dust.

6. Storage of wood may require additional conditions of approval. For most projects, the following standard will result in a determination of less than significant environmental effects. The Agricultural Commissioner may update this condition from time to time.

Development Standard for Storage of Wood

Firewood operations shall not import wood from Alameda, Contra Costa, Humboldt, Marin, Mendocino, Monterey, Napa, San Mateo, Santa Clara, Santa Cruz, Sonoma, Solano, or Lake Counties, California, to prevent the introduction in Ventura County of *phytophthora ramorum*, "sudden oak death disease."

7. Determine whether the project type will deplete a water source intended for agricultural irrigation, or result in contaminated drainage. For most projects, the following standard will result in a determination of less than significant environmental effects:

Development Standard for Agricultural Water Resources

Professional evaluations of surface and well water usage and the drainage contamination are undertaken by the Ventura County Water and Environmental Resources Division, Watershed Protection District. Best management practices are required by these agencies. Unless a peculiar effect is identified by one of these agencies, the Agricultural Commissioner determines that best management practices result in effects to agricultural water resources that are less than significant.

8. Cumulative Impacts Evaluation. Determine whether there are any project-specific peculiar environmental effects (effects that cannot be reduced with standard or custom conditions). Most projects that do not require a General Plan amendment and can comply with Standard Conditions for land use incompatibility will result in a determination of less than significant for cumulative impacts.

Adopted by the Board of Supervisors on July 27, 2010

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6. Scenic Resources

A. Definition of Issue

Scenic resources consist of aesthetically pleasing natural physical features. *Scenic resources* include lakes, beaches, dunes, rivers, creeks, bluffs, mountains, ridgelines, hillsides, native habitat (e.g., wetlands, oak woodlands, and coastal sage chaparral habitat), and rock outcroppings.

B. Definition of Technical Terms

Public Viewing Location – Any physical area that is accessible to the public and from which a *scenic resource* is visible. Examples of *public viewing locations* include (but are not limited to) public roads, parks, trails, bike paths, lakes, and beaches.

Resource Protection Map – The policy map of the Ventura County General Plan Goals, Policies and Programs Resources Chapter (Figure 1), that delineates *Scenic Resource Protection Areas*.¹

Scenic Resource Protection (SRP) Area – *Scenic resource areas* consist of *viewsheds* of lakes and State and County designated scenic highways, and other scenic areas as may be identified by an area plan. The County lakes included in this definition are Lake Casitas, Lake Matilija, Lake Piru, and Lake Sherwood. *Scenic Resource Areas* are depicted on the Ventura County General Plan Goals, Policies and Programs *Resource Protection Map* (Figure 1).²

Scenic Resource – See “Definition of Issue” (above), for the definition of *scenic resource*.

Scenic Vista – A *viewshed* that includes *scenic resources*.

Viewshed – The area that is visible from a *public viewing location*.

C. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 1.7.1-1 & -2

Policies 1.7.2-1 & -2

Coastal Area Plan:

Coastal Act:

§ 30251

El Rio/Del Norte Area Plan:

Goal 1.5.1-1

Policies 1.5.2-1

Lake Sherwood/Hidden Valley Area Plan:

Goals 2.5.1-1 through -3

Policies 2.5.2-1 through -15

North Ventura Avenue Area Plan:

7. Barrancas

10. Scenic Approach

Oak Park Area Plan:

Goals 1.4.1-1 through -3

Policies 1.4.2-1 through -4

Ojai Valley Area Plan:

Goals 1.6.1-1 through -4

Policies 1.6.2-1 through -7

Piru Area Plan:

Goals 1.3.1-1 & -2

Policies 1.3.2-1 through -7

Saticoy Area Plan:

Goals 1.4.1-1 through -4

Policies 1.4.2-1 through -6

Thousand Oaks Area Plan:

Goals 1.4.1-1 through -3

Policies 1.4.2-1 through -7

¹ Ventura County General Plan *Goals, Policies and Programs* (2008), Glossary, 152.

² Ventura County General Plan *Goals, Policies and Programs* (2008), Glossary, 153.

D. Threshold of Significance Criteria

1. A project has the potential to create a significant impact to *scenic resources* if it:
 - a. Is located within an area that has a *scenic resource* that is visible from a *public viewing location*; and,
 - b. Would physically alter the *scenic resource* either individually or cumulatively when combined with recently approved, current, and reasonably foreseeable future projects; or
 - c. Would substantially obstruct, degrade, or obscure the *scenic vista*, either individually or cumulatively when combined with recently approved, current, and reasonably foreseeable future projects.
2. Any project that is inconsistent with any of the above policies of the Ventura County General Plan *Goals, Policies and Programs* or policies of the applicable Area Plan (above), will result in a potentially significant environmental impact.

E. Methodology

The evaluation of a project's potential impacts on *scenic resources* involves a degree of subjectivity because it is a qualitative assessment of the aesthetic characteristics of a physical feature(s) or *viewshed*. Indeed, what may be aesthetically pleasing to one person, may be unsightly or valueless to another. Therefore, it is important that the evaluation of a project's potential impacts on *scenic resources* be supported by substantial evidence in the public record for the project, and is conducted using the threshold criteria (above). This requires the County staff person who is responsible for analyzing the impacts relating to *scenic resources* to conduct a site visit to ascertain the following and, if necessary, obtain photo documentation:

- Any *scenic resources* that might exist on-site or in proximity to the project site, and the visibility of the *scenic resources* from surrounding *public viewing locations*; and,
- The degree to which the project site is visible from, and defines the context of, any *scenic vista* from surrounding *public viewing locations*.

If the project would not physically alter a *scenic resource* or is not visible from a *public viewing location* then the project would have no impact.

In evaluating the potential significance of impacts to scenic resources, the County staff person must consult the Ventura County General Plan *Goals, Policies and Programs Resource Protection Map* (Figure 1) and scenic resource policies, Resources Appendix Figure 1.7.3 – Designated and Eligible Scenic Highways, applicable Area Plan scenic resource policies, and the GIS zoning and land use maps to:

- Determine if the project site is located within a *Scenic Resource Protection (SRP) Area*;
- Obtain the project site's and surrounding area's land use and zoning designations; and,
- Determine which land use and *scenic resource* policies apply to the project.

In certain situations (e.g., projects located within *SRP Areas*), the County staff person might need to request visual simulations and/or line of sight diagrams from the project applicant in order to assist the County staff person when evaluating impacts relating to *scenic resources*.

Finally, the County staff person must obtain a list of the recently approved, current, and reasonably foreseeable future projects that are located within the same *scenic vista* as the project site in order to assess the project's contribution to cumulative impacts relating to *scenic resources*.

After acquiring the information stated above, the County staff person must compare the project plans, project description, and (if requested) visual simulations and/or line of sight diagrams to the existing environment, as well as the goals and policies that apply to the project, in order to identify, and evaluate the significance of, the impacts using the threshold criteria (above). The County staff person must analyze both project-specific impacts and the project's contribution to cumulative impacts relating to *scenic resources*. Determinations as to the significance of the visual impact will be made by the Planning Director in light of applicable CEQA case law on visual and aesthetic impacts.

Adopted by the Board of Supervisors on July 27, 2010

7. Paleontological Resources

A. Definition of Issue

Paleontological resources refer to the fossilized remains or indications of once living plant and animal life. In Ventura County, paleontological remains include examples from throughout most of geological history, including the Paleozoic (600-225 million years ago), the Mesozoic (225-70 million years ago), and the Cenozoic (70 million years ago to the present). Careful scientific study of fossilized life forms preserved in the sedimentary and metamorphic rocks of the Ventura County region can result in the identification of local paleo-environmental conditions and biological evolutionary trends. In addition, certain fossil remains are only found in isolated outcrops in Ventura County and are therefore of unique scientific interest.

Fossil remains are considered important and a paleontologic resource if they meet the following qualifications: 1) well preserved; 2) identifiable; 3) type/topotypic specimens; 4) age diagnostic; 5) useful in environmental reconstruction; 6) represent rare and/or endemic taxa; 7) represent a diverse assemblage; and/or 8) represent associated marine and non-marine taxa. Vertebrate and Megainvertebrate fossils are considered highly important because they are comparatively rare and allow precise age determinations and environmental reconstructions for the strata in which they occur. Microinvertebrate fossils (microfossils) are much more abundant and, for this reason and because of their small size, would not be adversely impacted to the same degree as vertebrate and megainvertebrate fossils.

B. Definition of Technical Terms

The following is a glossary of paleontological terminology. For a more comprehensive glossary, see Sections 1.8.1 and 1.11 of the Resources Appendix of the General Plan:

Fossils - Any remains, trace, or imprint of a plant or animal that has been preserved in the Earth's crust from some past geologic or prehistoric time.

Vertebrate Fossils - (Rare) Animals containing a spine or endoskeleton.

Megainvertebrate Fossils - (Rare) Animals containing no bony or cartilaginous material.

Microinvertebrate Fossils - (Abundant) Also known as Microfossils, and often of economic importance.

Floral Organic Remains - (Abundant) Simple and complex non-faunal materials.

Paleoenvironment Indicators - The use of fossilized plant and animal materials, particularly pollens, in reconstructing past environmental conditions.

Paleontological Resource Importance - Reflects the potential productivity of a geologic formation or exposure and the importance of the particular fossils located in the formation or exposure.

C. Applicable General Plan Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 1.8.1-1 & -2

Policies 1.8.2-1 through -3

Coastal Area Plan:

Coastal Act - Archaeological and Paleontological Resources:

§ 30244

North Coast - B. Paleontology:

Policies 1 through 6

Central Coast - B. Paleontology:

Policies 1 through 6

South Coast - B. Paleontology:

Policies 1 through 6

D. Threshold of Significance Criteria

The geologic formation in which proposed projects would be located can be used to establish the likelihood of paleontological resources being present and their relative importance. Vertebrate and Megainvertebrate fossils are considered highly important because they are comparatively rare and allow precise age determinations and environmental reconstructions for the strata in which they occur. Microinvertebrate fossils (microfossils) are much more abundant and, for this reason and because of their small size, would not be adversely impacted to the same degree as vertebrate and megainvertebrate fossils. For the purposes of paleontological resources, the project area is defined as only the area of the property that is disturbed by or during the construction of the proposed project.

The following is a ranking of geologic formation paleontological importance in the Ventura County area. Formation names are taken after Dibblee Geological Foundation Quadrangle Maps, various dates. (portions from Lander, 1988: 11-27):

Table 1

| Formation | Geologic Age | Paleontological Importance |
|---------------------|-----------------------|----------------------------|
| Santa Susana | Paleocene | High |
| Llajas | Eocene | High |
| Sespe | Oligocene | High |
| Saugus | Pliocene/ Pleistocene | High |
| Las Posas Sand | Pliocene/ Pleistocene | Moderate to High |
| Vaqueros Sandstone | Oligocene | Moderate to High |
| Pico | Pliocene | Moderate to High |
| Monterey | Miocene | Moderate |
| Topanga Group | Oligocene / Miocene | Moderate |
| Chatsworth | Cretaceous | Moderate |
| Caliente | Miocene | Moderate |
| Sisquoc | Miocene | Moderate |
| Santa Margarita | Miocene | Moderate |
| Quatal | Pliocene | Low |
| Lockwood Clay | Pliocene | Low |
| Plush Ranch | Oligocene / Miocene | Low |
| Rincon Shale | Miocene | Low |
| Coldwater Sandstone | Eocene | Low |
| Cozy Dell Shale | Eocene | Low |
| Matilija Sandstone | Eocene | Low |
| Juncal | Eocene | Low |
| Towsley | Pliocene / Miocene | Low |
| Castaic | Miocene | Low |
| Conejo Volcanics | Miocene | None |

Quaternary deposits which represent the last 10,000 to 11,000 years of geological history and include alluvial deposits and landslides, have the potential for high to no resource importance. Direct impacts to fossil sites include grading and excavation of fossiliferous rock, which can result in the loss of scientifically

important fossil specimens and associated geological data. Indirect impacts include increased access opportunities and unauthorized collection of fossil materials from valuable sites. Cumulative impacts include all projects which contribute to the progressive loss of exposed rock in Ventura County that can be studied and prospected for fossil remains. Significance for formations listed as “Moderate to High” or “High”, must be determined by a paleontological consultant (see D.2 below).

E. Methodology

The following steps should be followed in completing the paleontological resource assessment of the Initial Study for a proposed project:

1. Preliminary Assessment

The preliminary assessment should be done by the County Agency acting as the lead agency for the proposed project. The lead agency should first determine the paleontological importance of geologic formations exposed in the proposed project’s disturbed area by reviewing a geologic map showing formations and the Paleontological Map Series of the RMA GIS (see table 1).

If the proposed project’s disturbance is located in an area of “Quaternary Deposits (alluvium), Moderate, Low, or None” no further assessment need be done for the preliminary assessment and the "N" column should be checked in the initial study assessment. In addition, no mitigation measures would be required unless fossil remains are found during construction. If the proposed project’s disturbance area is located in an area of "High ," or “Moderate to High” Importance proceed to the following step.

2. Consultant Assessment

The assessment procedures described below must be performed by a paleontological consultant (paleontologist), professional geologist, or both, as necessary. The consultants must meet the minimum qualifications listed in the Attachment.

The paleontological consultant and/or professional geologist is responsible for completing the appropriate item(s) of the CEQA Initial Study Checklist. This includes providing appropriate responses and mitigation measures to the Initial Study Checklist items, based on the assessment procedures outlined below:

- a) Conduct literature and archival reviews within the project area to document locations of recorded fossil sites.
- b) Conduct a field survey of the appropriate formations (not including areas covered by soil or Quaternary Deposits). If vertebrate fossils are found, contact paleontological consultant to document location of vertebrate fossils. If megainvertebrate fossils are found, contact paleontologic consultant to determine level of significance and allow paleontological consultant to document the location of representative samples, as necessary. Document these sites on topographic maps of the project area.
- c) Subsurface geotechnical studies requiring excavation or drilling must be monitored and reported as in b) above.
- d) As determined necessary by the paleontological consultant, other selected stratigraphic levels within the project may be documented for future collection of matrix samples to process for microinvertebrate remains
- e) Based on steps a), b), c), and d) above, verify or modify level of paleontological importance assigned to each formation in project area.
- f) Identify adverse impacts and assess degree of impact to each formation in project area which will be impacted by the proposed project.
- g) Develop a project specific program to monitor and/or collect fossils documented in items c and d above during construction and address mitigation of project related significant adverse impacts.

- h) Prepare a separate supporting technical report consisting of sensitive data and submit to appropriate public agency. Summarize the technical report for the environmental document determination.

3. Review of Initial Study Responses

Project Impacts

Based on the results of the consultant assessment outlined above, the Lead Agency should review the paleontological consultant report and response to the Initial Study Checklist within the report and, if required, include the consultant's mitigation recommendations.

The agency/department responsible for administering the project, based on review of the various available maps, publications and/or field information, shall determine the project impacts to the paleontological resources and complete the Initial Studies Checklist in cooperation with the paleontological consultant as necessary.

The Lead Agency, based on review of geologic maps and above Table 1, shall determine if the disturbed area of the project is within a geologic formation of High or Moderate to High paleontologic resource. Projects that are not within a High, or Moderate to High resource formation, a determination of **No Impact (NI)** will be used to complete Item 9: Paleontological Resources in the Initial Study Checklist.

If the project is within a geologic formation of High or Moderate to High, paleontologic resource and the formation is buried at depth beneath alluvium in the area of the project disturbance, a determination of **Less than Significant (LS)** will be used to complete Item 9: Paleontological Resources in the Initial Study Checklist.

Alternatively, submission of a letter/report from a qualified paleontologic consultant that concludes the project will have a less than significant impact on paleontological resources also has a determination of **Less than Significant (LS)** to complete Item 9: Paleontological Resources in the Initial Study Checklist

If the project is within a High or Moderate to High formation listed above in Table 1 and a paleontological consultant and/or professional geologist has prepared a letter/report that paleontological resources will or may be impacted by the proposed project and provides recommendations that may include:

- a. Monitoring grading and other ground disturbance activity.
- b. Conditions if fossil remains are found during construction including construction activities being diverted to other areas until fossil materials have been collected, removed by a qualified paleontological consultant, curated, and a letter submitted to the lead agency summarizing the fossil remains, importance and the curated location.
- c. For recommended paleontological monitoring activities that do not find fossil remains, the final monitoring report must consist of the documentation of the monitoring activities.

For these instances, a determination of **Potentially Significant Impact – Mitigation Incorporated (PS - M)** will be used to complete Item 9: Paleontological Resources in the Initial Study Checklist.

If the project lies in a High, or Moderate to High paleontologic resource formation and a paleontologic report indicates the project will have a significant impact on the paleontologic resources and provides no mitigation recommendations, a determination of **Potentially Significant Impact (PS)** will be used to complete Item 9: Paleontological Resources in the Initial Study Checklist.

Alternatively, the Lead Agency may deem the project incomplete and request necessary additional information in order to make a determination of the paleontologic resource significance to the project.

The following standard condition should be incorporated into all projects to mitigate fossil remains found during construction

"If fossil remains are found during construction, construction activities must halt in the area of the remains paleontological consultant shall be notified and a site evaluation conducted as necessary to assess the site and determine further mitigation measures, as appropriate."

Cumulative Impacts

According to the County of Ventura General Plan, the importance of Paleontological resources comes from the identity, inventory, preservation and protection of the fossil remains. Therefore the issue that needs to be explored in a cumulative analysis is the loss of the information. Significant paleontological areas that are placed in protected open space easements or Restrictive Covenants, avoid the impacts and preserve and protect the data. Potentially significant paleontological areas that are not placed within open space easements or Restrictive Covenants must be required to monitor grading and other ground disturbance activity to allow any fossil remains encountered to be identified, preserved and protected by qualified individuals. The resulting reports are filed with the County of Ventura.

4. Update Paleontological Data Base

The Lead Agency should forward one copy of any paleontological report to the Resource Management Agency, Planning Division, for updating the Paleontological Map in the RMA GIS by showing the fossil location, fossil name, fossil age, and formation name containing the fossil.

Adopted by the Board of Supervisors on July 27, 2010

Attachments:

Attachment - Minimum Qualifications for Paleontological Consultants

Attachment

Minimum Qualifications for Paleontological Consultants

The Environmental Quality Advisory Committee has established the following minimum qualifications for paleontological consultants for the purpose of conducting paleontological studies. Prior submitting paleontological studies that are required as part of land use permits, paleontological consultants must first demonstrate that they meet the minimum qualifications for paleontological consultants as defined below.

MINIMUM QUALIFICATIONS

Paleontological Consultants (Paleontologists)

Education/– Paleontological Consultants must hold a Bachelor of Science degree in Paleontology, Geology or related discipline

Experience – A minimum of five years of experience performing paleontological, geological, or related studies is required.

Local and State Expertise – Paleontological Consultants must provide evidence of expertise in local and regional vertebrate and invertebrate paleontology. Evidence of conducting fossil collection, curation and reporting are necessary.

Professional Registration or Certification - Verification of certification in the paleontological field by membership in a professional society is required.

Professional Geologists

1. **Professional Registration or Certification** - Verification of professional registration as a Professional Geologist in the State of California. This may be indicated by signature and professional stamp within the paleontological report.

8a. Cultural Resources - Archaeological

A. Definition of Issue

Archaeological resources are the material remains (artifacts, structures, refuse, etc.) produced purposely or accidentally by members of prehistoric human cultures.

B. Definition of Technical Terms

Archaeological Resources - The material remains (artifacts, structures, refuse, etc.) produced purposely or accidentally by members of prehistoric human cultures.

Cultural Resources - Is most frequently identified with prehistoric or historic items. These include prehistoric districts, sites, structures, artifacts and other evidence of human use considered to be of importance to a culture, subculture, or a community for traditional, religious, scientific or other reasons (Glossary, County General Plan).

Phase I Assessment - Determination as to whether a record search by the Archaeological Information Center SCCIC is required by the lead agency. If a record search is required, a surface survey and Phase I report may be recommended by the SCCIC. The surface survey and report on a project area must be completed by a qualified archaeological consultant.

Phase I Report – Report prepared by a qualified archaeological consultant which summarizes the findings of the record search and surface survey and recommends appropriate actions based on the findings.

Phase II Assessment - Further investigation of archaeological resources identified under Phase I Assessment in order to determine the significance of those resources and to determine direct and indirect impacts of the project to those resources by a qualified archaeological consultant.

Phase III Assessment - Carrying out of mitigation measures associated with project implementation under the direction of a qualified archaeological consultant.

Project Impact Area - The area impacted by the proposed project directly and indirectly including clearing or grading of land and sub-surface disturbance. Examples include foundation trenching, tree removal, any pipe, flume, conduit, siphon, aqueduct, water sprinklers, power lines, fiber optic cables, grading, fencing and other like activities.

Record Search -. Preliminary assessment (quick check) by the SCCIC of archaeological resource literature and other available data to determine whether a surface survey and Phase I report is necessary.

Substantial Adverse Impact - Demolition or material alteration such that the significance or uniqueness of the *archaeological resource* would be impaired.

Unique Archaeological Resource - An archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

1. Contains information needed to answer important scientific research question and that there is a demonstrable public interest in that information.
2. Has a special and particular quality such as oldest of its type or best available example of its type.
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.
4. Identified California “VEN” site: “Ven” means Ventura; A222 indicates the recorded archaeological investigation site number.

C. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

| Countywide Goals, Policies and Programs: | Lake Sherwood/Hidden Valley Area Plan: |
|---|---|
| Goals 1.8.1-1 & -2 | Goals 2.2.1-1 & -2 |
| Policies 1.8.2-1 through -5 | Policies 2.2.2-1 through -10 |
| Coastal Area Plan: | Oak Park Area Plan: |
| North Coast - A. Archaeology: | Goals 1.5.1-1 & -2 |
| Policies 1 through 8 | Policies 1.5.2-1 & -2 |
| Central Coast - A. Archaeology: | Ojai Valley Area Plan: |
| Policies 1 through 8 | Goals 1.7.1-1 through -3 |
| South Coast - A. Archaeology: | Policies 1.7.2-1 & -2 |
| Policies 1 through 8 | Piru Area Plan: |
| El Rio/Del Norte Area Plan: | Goals 1.4.1-1 & -2 |
| Goal 1.6.1-1 | Policies 1.4.2-1 through -3 |
| There are no supplemental policies. | Thousand Oaks Area Plan: |
| | Goals 1.5.1-1 through -4 |
| | Policies 1.5.2-1 & -2 |

D. Threshold of Significance Criteria

An archeological site may be considered an historical resource if it is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military or cultural annals of California (PRC Section 5020.1(j)) or if it meets the criteria for listing on the California Register (14 CCR Section 4850).

If an archeological site is an historical resource (i.e., listed or eligible for listing in the California Register) potential adverse impacts to it must be considered, just as for any other historical resource (PRC Sections 21084.1 and 21083.2(l)).

If an archeological site is not an historical resource, but meets the definition of a “unique archeological resource” as defined in PRC Section 21083.2, then it should be treated in accordance with the provisions of that section.” (Source: California Office of Historic Preservation. http://www.ohp.parks.ca.gov/?page_id=21725)

CEQA requires protection of *unique archaeological resources* that may be damaged or destroyed by a development project.

A project that may cause a substantial adverse change in the significance of an archaeological resource is a project that may have a significant effect on the environment

The significance of an archaeological resource is materially impaired when a project:

1. Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of *historical resources* pursuant to Section 5020.1(k) requirements of Section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not archaeologically or culturally significant; or
2. Demolishes or materially alters in an adverse manner those physical characteristics of a archaeological resource that convey its archaeological significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

Substantial adverse change means demolition, relocation, or alteration such that the significance of an archaeological *resource* would be impaired. [Public Resources Code, Sec. 5020 (q)]

Mandatory Significance - An archaeological resource must be considered significant if it is on or eligible for listing on the National Register of Historic Places or the California Register of Historic Places.

Presumptive Significance - An *archaeological resource* is presumed to be significant if it is listed on a local register of *archaeological resources* unless the preponderance of the evidence demonstrates otherwise. In Ventura County this includes County Landmarks, Sites of Merit and Points of Interest. These are all noted on Permits Plus of the Resource Management Agency.

E. Methodology

Step 1 – Archaeological Significance / Site Sensitivity Analysis

1. **Records Search** – The environmental assessment shall include a determination as to whether a records search is required through the South Central Coast Information Center at Cal State University at Fullerton (SCCIC). The lead agency will search their records including the GIS database and existing Planning Division permit files for previous data with respect to the project impact area.

All project impact areas which are currently vacant and previously undeveloped and which, according to the Planning Division records have not been subject to a past archaeological surface survey shall require a record search by the SCCIC. Exceptions are projects which do not appear to have the potential for direct or indirect impacts on cultural resources such as mergers, minor lot line adjustments, etc. If a project is excepted, the project proceeds to Step 4.

Projects which would involve a change in land use and would not involve any alteration to an already developed site need not be subject to a record search. In this case, the project proceeds to Step 4.

Ventura County Departments should call the SCCIC at 657-278-5395 to obtain instructions for requesting review. The SCCIC will determine whether further investigation of the site is necessary per their recommendation in the records search report. The applicant will be responsible for the cost of the record search.

2. **Surface Survey** – Any surface survey to determine the presence or absence of archaeological resources shall be conducted by a qualified archaeologist. The purpose of the surface survey is to determine whether archaeological resources are present and may be impacted by a proposed project. If planners have any concern after their site visit it should be discussed with the archaeological consultant.
3. **Phase I Assessment** – If a records search and a surface survey are completed, a Phase I report must be prepared by a qualified archaeological consultant and submitted to the lead agency and applicant with findings and a determination, if possible, of the level of significance of the site.

Step 2 - Impact Analysis:

If the Phase I analysis shows that there are subsurface resources, then a Phase II report should be done if the consultant recommends it.

If a Phase I Assessment finds that the level of significance is “none” or “less than significant” the project proceeds to Step 4.

A Phase II Assessment includes further investigation of archaeological resources that were identified under the Phase I Assessment in order to determine the significance of those resources and to determine direct and indirect impacts of the project to those resources. Site significance is based on Chumash concerns, site integrity (preservation condition), research potential, potential for public appreciation and the role the site may have played in the religious life of its creators and descendants.

In a Phase II Assessment, the lead agency shall request the qualified archaeological consultant to create a scope of work which explicitly details recording, mapping and collection procedures, time frames and costs, for review and approval by the Director of the agency responsible for

administering the project and the applicant. A Phase II Assessment should provide the data necessary to formulate feasible mitigation measures.

At the discretion of the Director of the agency responsible for administering the project, Phase II reports may be reviewed by an outside archaeological consultant. Any peer review shall be conducted by a qualified archaeological consultant selected by or approved by the Director of the agency responsible for administering the project.

General Plan Amendment (GPA) or Specific Plan (SP) - Any GPA or SP requires a 90-day notice to Native American tribes. Contact the Native American Heritage Commission to obtain a site-specific list usable only for that site (do not use a previously prepared list from another project). A form for this purpose can be found at <http://www.nahc.ca.gov>. Tribes may request a formal consultation during this 90 day period. [Govt. Code 65352.3(a)]

Formal Consultation: If requested, this must take place between governments and can not be deferred to a consultant. Resolution can include mitigation measures, conditions and the like. The County is required to negotiate in good faith, but is not required to agree with the tribes. See consultation guidelines adopted by the California Office of Planning and Research as part of the General Plan Guidelines.

Cumulative Impact Analysis- According to CEQA, the importance of cultural resources comes from the research value and the information that they contain. Therefore the issue that must be explored in a cumulative analysis is the cumulative loss of that information. For sites considered less than significant, the information is preserved through recordation and test excavations. Significant sites that are placed in protected open space easements avoid impacts to cultural resources and also preserve the data. Significant sites that are not placed within open space easements preserve the information through recordation, test excavations and data recovery programs that would be presented in reports and filed with the County and the SCCIC. The artifact collections from any potentially significant site would be curated at a local museum and must be available to other archaeologists for further study. (County of San Diego, Environmental Impact Report, Montecito Ranch, p. 3.4-9)

Previous environmental reviews for projects in the relevant area should be examined to see if there was a significant impact. The area for examination should be the same 1/4 mile radius used by the SCCIC for their report.

Step 3 – Mitigation:

The completion of the Phase II Assessment shall include the preparation of a report on the results of the investigation, mitigation alternatives relating to the proposed project and any other recommendations of the consulting archaeologist.

The report resulting from the Phase II Assessment shall not be included in the environmental assessment of the project if general circulation of the report would jeopardize the integrity of those resources, possibly resulting in vandalism or unwarranted trespass on private property. The environmental document on a project may include a summary of the conclusions of the report.

The Phase III Assessment constitutes the carrying out of mitigation measures associated with project implementation.

Mitigations -Complete avoidance or, in-situ preservation of a site is the preferred manner of avoiding damage to *archaeological resources*. To the extent that *unique archaeological resources* are not preserved in place or not left in an undisturbed state, mitigation measures must be adopted pursuant to Public Resources Code Sec. 21083.2(c).

Appropriate mitigation measures to preserve the resources in place or in an undisturbed state may include:

- a. Planning construction to avoid archaeological sites;
- b. Planning parks, green space, or other open space to incorporate archaeological sites;

- c. Capping or covering archaeological sites with a layer of soil before building tennis courts, parking lots or similar facilities (See Below); and
- d. Deeding archaeological sites into permanent conservation easements.
- e. Partial or total salvage of resources prior to the adverse impact of the project site.

Capping - A site shall not be capped unless avoidance is not possible and until its "importance" has been evaluated and its boundaries mapped. Also, the fill shall be of the appropriate materials and shall be thick enough to contain all types of utility trenches and other ground disturbances.

In some instances, capping will not be feasible due to local soil conditions or because the building weight would damage the site by compaction. Also, deed restrictions may be required to prevent future excavations below the fill.

Any concerned Native American group requesting the information will be provided with a copy of proposed mitigation measures upon request.

Accidental Discovery During Construction - Finds accidentally discovered must be immediately evaluated. Work shall stop until this occurs. If the find is determined to be a unique archaeological resource, contingency funding and a time allotment sufficient to allow recovering a sample or to employ one of the avoidance measures noted above. Construction may continue away from the find. [(Public Resources Code, Section 21083.2, (i)].

Step 4 – Initial Study Checklist:

In the case where the projects are excepted in Step 1, as they do not appear to have the potential for direct or indirect impacts on cultural resources, they will be determined to be "no impact" on the Initial Study checklist.

In the case where a Phase 1 Reports are prepared and no archaeological resources are identified, they will be determined to be "no impact" on the Initial Study checklist.

If the consultant indicates there is an impact but not a "*Substantial adverse impact*" then that means there will be a "less than significant impact" and the "LS" box must be checked.

If the consultant indicates there will be a "*substantial adverse impact*" or a substantial adverse cumulative impact, then the consultant should check the "Potentially Significant Unless Mitigation Incorporated" box on the Initial Study Checklist, assuming mitigations have been developed.

The "Potentially Significant" box should only be checked if mitigations are not possible.

Step 5 - Other Issues:

Cost Constraints - Costs of mitigation measures shall be determined by the limits imposed in Public Resources Code Section 21083.2, (c-f). Such limits do not apply to *Phase I Assessments*, nor to *Phase II Assessments* that seek to determine the significance of the cultural resource in question.

Burials - If there is a potential for disturbance of any Native American burial remains, at least one Native American monitor shall be selected by the consultant from among the known descendants of the site's population or, from a list the County will obtain from the Native American Heritage Commission for that site only.. These groups shall be consulted with regard to disposition of any remains encountered, with the goal of reaching consensus prior to any necessary excavation or disturbance. In addition, the County Coroner must be notified whenever human burials are encountered. Note: The State Native American Heritage Commission should be contacted whenever a burial is encountered.

Monitors - At least one Native American monitor shall be present during work on any archaeological site which is considered important to any County Native American group, if this is requested by the interested Native American group. Archaeological consultants shall have the responsibility of selecting monitors, from a list obtained from the Native American Heritage Commission for that site only, Compensation of Native American monitors should conform to the consultant's current rate for field personnel (crew members).

Conflicts regarding the number of monitors required, and group affiliation issues, shall be determined by consultation among County Staff and the consultant. The Director of the agency

or department responsible for administering the project will make any final determinations if such conflicts cannot be resolved at the staff level.

Confidentiality - "Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Section 65040.2, the County shall protect the confidentiality of information concerning the specific identity, location, character, and use of those places, features, and objects."

Reporting Requirements - A copy of any report generated by an *archaeological resource* assessment or mitigation of any project under the purview of the County shall be forwarded by the consultant to the SCCIC and to the Ventura County Archaeological Society.

When a case for which the SCCIC has been consulted or any *Phase I, II or III Assessment* is closed out, the Staff responsible for administering the project shall file all the reports and maps in a **Confidential** sub-file within the Case File for the project. Also, any other information about the site or its location obtained in any way shall be filed there.

Cumulative List -A record of the actions is needed to develop cumulative project information. Send a copy of the reports to the Planning Director for this purpose.

Adopted by the Board of Supervisors on July 27, 2010.

Attachments:

Attachment 1 - Cultural Resources Mailing List

Attachment 2 - Minimum Qualifications for Archaeologists

Attachment 1 Cultural Resources Mailing List

Record Searches & Report Depository

SCCIC Department of Anthropology
CSU Fullerton
800 North State College Blvd.
Fullerton, CA 92834
714-278-5542 FAX
sccic@fullerton.edu e-mail

Ventura County Archaeological Society
Ventura County Museum of History and Art
100 East Main Street
Ventura, CA 93003
805-653-0323

Native American Groups

Candelaria American Indian Council
c/o Jesse Roybal or Bruce Stenslie
2635 Wagon Wheel Road
Oxnard, CA 93030
805-983-0488

Ventureño Chumash
c/o Melissa Parra
119 Balsam Street
Oxnard, CA 93030
805-485-8415

Attachment 2

Minimum Qualifications for Archaeologists

The Environmental Quality Advisory Committee has established the following minimum qualifications for archaeological consultants for the purpose of conducting archaeological studies. Prior to submitting archaeological studies that are required as part of land use permit archaeological consultants must first demonstrate that they meet the minimum qualifications for archaeological consultants as defined below.

1. **Education** - Principal Investigators must either hold an advanced degree from an accredited institution (M.A., M.S., Ph.D.) in Archaeology, Anthropology, or a related discipline; or 2) hold a B.A. or B.S. degree, including 12 semester units in supervised Archaeology field work experience; or 3) have at least five years of relevant research or field work experience.

Field Supervisors must either 1) hold a B.A. or B.S. Degree in the requisite discipline; or 2) have at least five years of relevant research or field work experience.
2. **Experience** - Principal Investigators must provide evidence of having designed and executed a relevant study (thesis, dissertation or equivalent).
3. **Local and State Expertise** - Principal Investigators must provide evidence of expertise and/or theoretical or descriptive interest in local and regional pre-history. Demonstrated knowledge of Chumash pre-history is required.
4. **Professional Certification** - Evidence of professional certification is highly desirable. Certification in field research by the Society of Professional Archaeologists (SOPA) is an example.

8b. Cultural Resources - Historic

A. Definition of Issue

For purposes of this section, the term “*historical resources*” includes the following:

1. A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code Section S5024.1; Title 14 CCR, Section 4850 et. seq.).
2. A resource included in a local register of *historical resources*, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in an *historical resource* survey meeting the requirements, Section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an *historical resource*, provided the lead agency’s determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be historically significant if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code Section S5024.1; Title 14 CCR, Section 4852) including the following:
 - a. Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
 - b. Is associated with the lives of persons important in our past;
 - c. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
 - d. Has yielded, or may be likely to yield, information important in prehistory or history.
4. The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of *historical resources* (pursuant to Section 5020.1(k) of the Public Resources Code), or identified in an *historical resources* survey (meeting the criteria in Section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an *historical resource* as defined in Public Resources Code Sections 5020.1(j) or 5024.1.
5. *Historical resource* includes, but is not limited to, any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. (Public Resources Code, Section 5020.1(j).)

B. Definition of Technical Terms

Mandatory Significance - A *historical resource* must be considered significant if it is on or eligible for listing on the National Register of Historic Places or the California Register of Historic Places.

Presumptive Significance - A *historical resource* is presumed to be significant if it is listed on a local register of historic resources unless the preponderance of the evidence demonstrates otherwise. In Ventura County this includes County Landmarks, Site of Merit, and Points of Interest. These are all noted on Permits Plus in the Planning Dept.

Discretionary Significance - A *historical resource* may still be considered significant even if it is not on a federal, state or local list if substantial evidence demonstrates its significance. (*League for Protection of Oakland's Architectural and Historic Resources v. City of Oakland* (1997) 52 Cal. App. 4th 896.)

C. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 1.8.1-1 & -2

Policies 1.8.2-1 through -6

El Rio/Del Norte Area Plan:

Goal 1.6.1-1

There are no supplemental policies.

Ojai Valley Area Plan:

Goals 1.7.1-1 through -3

Policies 1.7.2-1 & -2

Lake Sherwood/Hidden Valley Area Plan:

Goals 2.2.1-1 & -2

Policies 2.2.2-1 through -10

Piru Area Plan

Goals 1.4.1-1 & -2

Policies 1.4.2-1 through -3

Oak Park Area Plan:

Goals 1.5.1-1 & -2

Policies 1.5.2-1 & -2

Thousand Oaks Area Plan:

Goals 1.5.1-1 through -4

Policies 1.5.2-1 & -2

D. Threshold of Significance Criteria

A project with an effect that may cause a substantial adverse change in the *mandatory significance*, *presumptive significance* or *discretionary significance* of an *historical resource* is a project that may have a significant effect on the environment. Substantial adverse change in the significance of an *historical resource* means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an *historic resource* would be materially impaired. (CEQA Guidelines Section 15064.5.)

The significance of an *historic resource* is materially impaired when a project:

1. Demolishes or materially alters in an adverse manner those physical characteristics of an *historical resource* that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or
2. Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of *historical resources* pursuant to Section 5020.1(k) of the Public Resources Act or its identification in a historical resources survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
3. Demolishes or materially alters in an adverse manner those physical characteristics of a *historical resource* that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.
4. Demolition, relocation, or alteration such that the significance of an *historical resource* would be impaired. (Public Resources Code, Sec. 5020(q))

E. Methodology

Step 1. Historic Significance

Examine the Project Site - If completion of the project involves physical changes in anything on the historic site (land, building, structure, object), the project reviewer must first determine

whether the item to be affected by the change has any historical merit. The project reviewer should walk over the site to see if there is a building or other resource on the property that looks old.

Search Existing Records – The project reviewer should first search the County’s records. The Planning Division currently has logged, by Assessor’s Parcel Number, all surveyed historic resources. These are all noted on Permits Plus, Notes section. Additionally, the actual relevant Survey pages for each site are found there. These known surveyed sites by no means cover all of the unincorporated area of the County. Planning staff to the Cultural Heritage Board (CHB) also has the printed surveys. However, it is important to know that most of the historic sites in the County are unknown or not listed.

Next, the project reviewer should contact the South Central Coastal Information Center (SCCIC):

Telephone: 714-278-5395

E-Mail: scsic@fullerton.edu

FAX: 714-278-5542

Address: SCCIC Department of Anthropology
CSU Fullerton
800 North State College Blvd.
Fullerton, CA 92834

The project reviewer should provide to the SCCIC a location map from the Resource Management Agency Geographic Information Systems Staff that shows the same information that a 1:24,000 7.5 USGS topographic quadrangle would show. The map must be a 1:1 copy (no reductions or enlargements). The project reviewer should submit the proper mailing address and provide the contact name, phone number, and billing address information. The SCCIC will return the form with comments and recommendations.

If a resource does not show on Permits Plus and there is a building or other resource on the property, the project reviewer should request documentation as to whether it is over 50 years old or not. This general information should be obtained from the applicant during the presubmittal process, or later as appropriate. It can be in the form of Assessor or Building and Safety records, etc. If over 50 years old, the project should be referred to the Cultural Heritage Program planner for the Ventura County Cultural Heritage Board (CHB) to complete the review process.

Historic Resources Report - The Ventura County Cultural Heritage Board Program Staff or the Board if necessary will determine whether a Historic Resources Report is needed. The Board may visit the site to gather evidence for the determination. If it is determined that a report is needed, a qualified architectural historian must conduct the research. The report will provide evidence as to whether the site is eligible as a County Landmark, Site of Merit, Point of Interest, State or Federal Register or Landmark.

The report, or a determination as to whether a report is needed if Staff has not requested one, will be referred to the Board, who will consider the need for a report or a finding as to whether the site is historically significant. This may entail a site visit by the Board.

The CHB currently meets as needed on the second and fourth Mondays of the month. The project planner should allow thirty days prior to the next meeting for staff to process the project. Following the meeting of the CHB, staff will forward a review document. The CHB, on some occasions, will require a site inspection and may take more than one meeting to deal with the project.

Step 2. Impact Analysis

If the site is determined to be a significant historic resource, the CHB will determine whether the project may cause a substantial change generating a significant effect on the environment. Board Staff will prepare a report for consideration at a public meeting.

Applicable General Plan Goals and Policies - The goals and policies of the General Plan listed in Section C above must be evaluated for applicability to the proposed project.

Cumulative Impact Analysis - An area 1/4 mile in radius (that used by the SCCIC) surrounding the site should be used to see if there have been any recent significant adverse impacts to any significant historic site. These then should be listed and cumulatively analyzed with any identified impacts on the project site.

Effect on Adjacent Sites - In determining whether the project might have an effect on the site/building/s, the reviewer must consider whether it might have an effect on the surroundings. This may also be a consideration when a new project is adjacent to a historic resource site. For example, construction of a new house in the midst of an entire block of historic homes in a documented historic area may be a significant impact. The compatibility of the design of the new house with its surroundings must be analyzed.

In complex, cases, the CHB may request that a consultant be hired to evaluate any of these issues.

Site Not Historically Significant - If a *historical resource* is deemed not significant, the effects of the project on that resource shall be considered a less than significant effect on the environment. It shall be sufficient that both the resource and the effect on it are noted in the Initial Study or EIR, if one is prepared, to address impacts on other resources, but they need not be considered further in the CEQA process.

Step 3. Mitigation

General – Avoidance is an excellent strategy and is preferable. A project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than significant impact on the *historical resource*. Close adherence to the Secretary of the Interior Standards is recommended.

The CHB shall identify feasible measures to mitigate significant adverse changes in the significance of an *historical resource*. The staff person responsible for administering the project shall ensure that any adopted measures to mitigate or avoid significant adverse changes are fully enforceable through permit conditions, agreements, or other measures.

Data recovery shall not be required for a *historical resource* if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the *historical resource*, provided that the determination is documented in the environmental document and that the studies are deposited with the SCCIC.

Demolitions - These constitute an IMPORTANT exception to rule above regarding full mitigation of adverse impacts on a significant *historical resource*. According to case law, demolition of a significant *historical resource* may not be mitigated to a less than significant level and an environmental impact report will be required. Mitigation is still required however, even though commonly used mitigations are no longer sufficient to fully offset the impact. These include:

- Preparation of a historic resources report
- Historic building survey
- Designing the replacement building to reflect the historic elements of the building
- A plaque or marker commemorating the building

Construction Effects - The County staff person responsible for conditioning the project should include conditions in the permit/entitlement for *historical resources* accidentally discovered during construction. These conditions should include an immediate evaluation of the find by a qualified archaeologist. If the find is determined to be an *historical resource*, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation should be made a condition of approval. Work may continue on other parts of the building site while *historical resource* mitigation takes place.

Note: Authority referenced: Sections 21083 and 21087, Public Resources Code; Sections 21002, 21003, 21100, and 21084.1, Public Resources Code; *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal. 3d 553; *Laurel Heights Improvement Association v. Regents of the University of California*, (1988) 47 Cal. 3d 376; *Gentry v. City of Murrieta* (1995) 36 Cal. App. 4th 1359; *Laurel Heights Improvement Association v. Regents of the University of California* (1993) 6 Cal. 4th 1112; and *Sacramento Old City Assn. v City Council of Sacramento* (1991) 229 Cal. App. 3d 1011.

Adopted by the Board of Supervisors on July 27, 2010

Attachments:

Attachment - Minimum Qualifications for Architectural Historian

Attachment

Minimum Qualifications for Architectural Historian

United States Secretary of the Interior's Historic Preservation Professional Qualifications Standards:

The federal professional qualification requirements are published in the "Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation, 48 CFR 44716." They include the following educational requirements. Additionally, the Planning Division has established the following minimum qualifications for experience and local and state expertise. Prior to submitting assessments that are required as part of discretionary permits, architectural historians must first demonstrate that they meet the minimum qualifications for architectural historians as defined below.

Education - The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or closely related field, with coursework in American architectural history; or a bachelor's degree in architectural history, art history, historic preservation, or closely related field plus one of the following:

Experience – At least five years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution or entity.

Local and State Expertise - Principal investigators must provide evidence of expertise and/or theoretical or descriptive interest in Ventura County and regional architectural history. A Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history is required.

9. Coastal Beaches and Sand Dunes

A. Definition of Issue

Coastal Beaches - Beaches function as natural buffers between erosive wave action and uplands, provide recreational value for residents and tourists, and serve as critical habitat for plant and animal species.

Sand beaches are dynamic geologic features, which are formed by: wave deposition of eroded coastal uplands or bluffs and dunes; riverine transport of material to the coastline; and, littoral drift that is the movement of entrained sand grains in the direction parallel to the coast as the result of waves breaking at an angle to the shoreline (i.e., a longshore or littoral current). The size of the eroded sediment in a general way controls the slope of the beach with pebble beaches being steeper than sand beaches.

A section of shoreline where the flow of sand begins at a major sediment source and terminates at a major sediment sink, such as a submarine canyon, is known as a *littoral cell*. Ventura County is part of the Santa Barbara Cell in which waves moving in the direction of prevailing westerly to northwesterly winds generally meet the beaches at a slight angle because of the shoreline's orientation from northwest to southeast. The resultant effect is a net movement of sand over time from northwest to southeast along the beaches, ultimately being deposited in the Mugu and Hueneme submarine canyons

Coastal Sand Dunes - *Coastal sand dunes* are extremely fragile as they are the natural accumulation of wind blown sand. Dunes also act as protective geologic features that help inhibit beach and upland erosion. Dunes form a protective buffer from both wind and wave action for areas and resources, both natural and man-made, immediately inland. They also protect coastal salt marshes and wetlands, and provide critical habitat for a number of coastal plant and animal species.

Coastal sand dunes form as windblown sand collects behind an object of obstruction. *Coastal sand dunes* occur adjacent to and inland from beaches where ample sand is available with a persistent onshore wind and an obstruction or low-lying area landward of the beach that allows the sand to accumulate. Similar to sandy beaches, coastal dune formations are dynamic in nature, migrating and reforming, depending on wind strength and direction, wave patterns, and coastal topography.

In Ventura County, major sand dune communities are found in the McGrath-Mandalay area, at Ormond Beach, in the vicinity of Point Mugu, and near the mouths of the Santa Clara and Ventura Rivers.

B. Definition of Technical Terms

Coastal Beaches - An expanse of sand or pebbles along a seashore which has value as a recreation resource and, along with coastal dunes, form a protective buffer from the processes of storm and wave erosion, and provide habitat for a wide variety of unique plants and animals.

Coastal Sand Dunes - A series of low hills of sand formed by a combination of erosional forces, wind, and topographic features. Coastal dunes are generally divided into: (a) foredunes, which are small hillocks directly facing the ocean; and, (b) backdunes, which are a series of hills that are usually higher and more continuously vegetated than the foredunes.

Littoral Cell – A section of shoreline where the flow of sand begins at a major sediment source such as a river, and terminates at a major sediment sink, such as a submarine canyon.¹

Shoreline Protective Structures – Seawalls, revetments, breakwaters, and other such engineered construction that alters shoreline processes.²

C. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

¹ Ventura County General Plan *Goals, Policies and Programs* (2005), Glossary, 150.

² *Ibid*, 153.

Countywide Goals, Policies and Programs:

Goal 1.10.1

Policies 1.10.2-1 through -4

Coastal Area Plan:

Coastal Act - Beach Erosion and Shoreline Structures:

§ 30235 & § 30253

North Coast:

ESHA - Tidepools and Beaches:

Policies 3 through 7

Beach Erosion:

Policies 1 through 6

Central Coast:

ESHA - Coastal Dunes:

Policies 1 and 2

Beach Erosion:

Policies 1 through 7

South Coast:

ESHA - Coastal Dunes:

Policy 1

ESHA – Tidepools:

Policies 4 and 5

Beach Erosion:

Policies 1 through 7

D. Threshold of Significance Criteria

1. Any project that causes a direct or indirect adverse physical change to a coastal beach or sand dune³, which is inconsistent with any of the coastal beaches and coastal sand dunes policies of the California Coastal Act, corresponding Coastal Act regulations, Ventura County Coastal Area Plan, or the Ventura County General Plan Goals, Policies and Programs (listed above), will be considered to result in a significant environmental impact.

This project-specific threshold of significance does not apply if the proposed project includes a General Plan Amendment (GPA) that eliminates the inconsistency between the proposed project and the applicable General Plan policy or policies, and the GPA itself would not have a significant impact on any other environmental issue or be inconsistent with any other environmental policy of the General Plan.

2. Any project, when considered together with one or more recently approved, current, and reasonably foreseeable probable future projects, would result in a direct or indirect, adverse physical change to a coastal beach or sand dune will result in a significant cumulative environmental impact.

E. Methodology

1. If a *development* project has the potential to impede sand transport (e.g., the construction of *shoreline protective structures* or a use that removes aggregate materials from a stream), the project proponent shall prepare or cause to be prepared a geotechnical and/or coastal engineering report that evaluates the project's direct and indirect effects on adjacent and downstream structures, net littoral drift, and adjacent area beach profiles, using the threshold criteria stated above. The geotechnical and/or coastal engineering report must:
 - (a) Include a detailed description of the existing environmental setting of the project site in both a local and regional context. For projects that involve *development* on or adjacent to

³ Examples of a direct, adverse physical change to a coastal beach or sand dune include (but are not limited to): the excavation and removal of sand from a coastal beach or sand dune, except for what is expressly permitted pursuant to the California Coastal Act; and, the permanent conversion of beach or sand dune habitat through building or structural *development*

coastal beaches, the geotechnical engineering report shall describe the project site in terms of its role/function in the Santa Barbara Cell;

- (b) Evaluate the project in terms of its consistency with the *coastal beaches* and *coastal sand dunes* policies (listed above);
 - (c) Identify all potential project-specific impacts and feasible mitigation measures to reduce impacts on local shorelines and sand supply; and
 - (d) Identify the project's incremental effect in relation to any cumulative impacts relating to *coastal beaches* and *coastal sand dunes*. For projects that involve *development* on or adjacent to *coastal beaches*, the report must evaluate the project's contribution to potential cumulative impacts generated by all current, pending, and reasonably foreseeable future projects within the Santa Barbara Cell. As such, the preparer of the report must contact the County of Santa Barbara, City of Goleta, City of Santa Barbara, City of Carpinteria, City of San Buenaventura, City of Oxnard, and County of Ventura, in order to obtain a list of the current, pending, and probable future projects that must be included in the analysis of cumulative impacts.
2. If the proposed project is determined to have the potential to adversely impact coastal beach or sand dune habitat, or sensitive species, the project proponent and/or the consulting biologist shall also analyze the proposed project according to the procedures outlined in Chapter 4, Biological Resources, of the Initial Study Assessment Guidelines, and contact the County, U.S. Department of Fish and Wildlife, and the California Department of Fish and Wildlife (as appropriate), when analyzing potential project impacts to endangered, rare or threatened species and sensitive habitat.
3. The California Coastal Commission ("CCC") maintains original jurisdiction ("Original Permit Jurisdiction") over certain areas of the coast and inland waterways. For projects that are proposed within the CCC's Original Permit Jurisdiction, a permit is required from the Coastal Commission as well as from Ventura County. The CCC has a certified regulatory program (CEQA Guidelines section 15251, subdivisions (c)) for the consideration and granting of coastal development permits under the Coastal Act of 1976. All environmental documents prepared for projects within the Coastal Zone must be sent to the CCC staff for review and comment. Environmental documents shall be sent to the following address:

California Coastal Commission
South Central Coast Area Office
89 S. California St., Ste. 200
Ventura, CA 93001

The County Harbor Department maintains the beaches at Hollywood Beach and Silver Strand Beach. Environmental documents for projects within these areas must be sent to the Harbor Department for review and comment. Projects within the Channel Islands Harbor are also processed by the Harbor Department through the City of Oxnard.

Adopted by the Board of Supervisors on July 27, 2010

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10. Fault Rupture Hazard

A. Definition of Issue

Fault rupture hazards occur when regional earthquake movements change the surface configuration of the earth. The movement may be in response to an earthquake (seismically induced) or without any earthshaking (aseismic). These vertical or horizontal changes in the earth's surface can damage structures, utilities, and transportation corridors. Fault rupture/displacement may also alter natural drainage and ground water flow direction.

Fault rupture hazards primarily exist along pre-existing faults. Although questions remain regarding distributed, aseismic deformation, moment balance and slip rate calculations indicate that most of the motion in the upper 15 kilometers of the Southern California plate boundary zone occurs as earthquakes on active faults (Stein, R.S. & Hanks, T.C., 1999). These faults are considered to pose a hazard if they have moved within a specific period of time. This period depends upon the type of project. For almost all projects, the period of interest is the past 11,000 years. For the siting of critically hazardous facilities, such as atomic power plants, fault activity over longer periods of time needs to be considered.

B. Definition of Terms

Fault - A fracture in the earth's crust accompanied by displacement of one side of the fracture with respect to the other side. This term is used in the following contexts:

Active Fault - A *fault* that has had surface displacement within the last 11,000 years (Holocene Time). Faults that lack evidence for Holocene displacement at a particular locality may be determined to be active based on data from another locality.

Fault Hazard Area - Land within about 660 feet of *active faults*. These areas generally require the evaluation of the fault hazard prior to any planned development for human occupancy.

Fault Trace - The line formed by the intersection of a *fault* with the earth's surface.

Fault Zone - A *fault* that is exposed as a zone of numerous fractures or breaks.

Inactive Fault - A *fault* that shows no evidence of movement in the last 1.6 million years.

Potentially Active Faults - . A *fault* known to have been active in the Pleistocene Epoch (last 1.6 million years), but cannot be shown to be inactive in the Holocene Period, or a fault that has a high potential for surface rupture and is well defined as a physical surface feature.

C. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goal 2.2.1

Policies 2.2.2-1 through 6

Coastal Area Plan:

Coastal Act – Hazards:

§ 30253

North Coast – Hazards:

Objective

Policies 1 through 5

Central Coast – Hazards:

Objective

Lake Sherwood/Hidden Valley Area Plan:

Goal 3.1.1

Policies 3.1.2-1 through 7

Oak Park Area Plan:

Goal 2.1.1

Policies 2.1.2-1 through -4

Ojai Valley Area Plan:

Goal 2.1.1-1

Policies 1 & 3 through 6
South Coast – Hazards:
Objective
Policies 1 through 5

Policies 2.1.2-1 & -2
Piru Area Plan:
Goal 2.1.1
Policies 2.1.2-1 through -4

D. Threshold of Significance Criteria

Threshold of significance criteria for determining whether a project is potentially at risk with respect to fault rupture is its location within any of the following areas:

- 1) State of California designated Alquist-Priolo Special Fault Study Zone,
- 2) County of Ventura designated Fault Hazard Area.

There is no known cumulative fault rupture hazard impact that would occur as a result of other approved, proposed or probable projects.

E. Methodology

1. The project proponent, working with the County, shall determine if the proposed project is within or at the ends of an Earthquake Fault Zone as identified by the Alquist-Priolo Earthquake Fault Zoning Act. Projects that are not within an Earthquake Fault zone or located at the ends of the zone, a determination of **No Impact (NI)** will be used to complete this item in the Initial Study Checklist.
2. If the proposed project lies in a designated fault zone or at the ends of a designated earthquake fault zone, the project proponent shall obtain an engineering geologic report addressing the fault rupture hazard and potential surface deformation. If an engineering geologic report is required by the County Building Code, other appropriate law or ordinance, or in accordance with standard practices, such report must address the potential fault rupture hazard. If the engineering geologic report concludes that the proposed habitable structures at the project site are free of potential hazards from surface fault rupture and surface deformation, a determination of **Less than Significant (LS)** will be used to complete this item in the Initial Study Checklist.
3. If the proposed project lies in a designated fault zone or at the ends of a designated earthquake fault zone, the project proponent shall obtain an engineering geologic report addressing the fault rupture hazard and potential surface deformation. If an engineering geologic report is required by the County Building Code, other appropriate law or ordinance, or in accordance with standard practices, such report must address the potential fault rupture hazard. If the engineering geologic report concludes that the proposed habitable structures at the project site are subject to hazard from surface fault rupture and/or surface deformation, but that the amount of rupture or surface distortion may be mitigated by various methods including structural design or relocation within the project site, a determination of **Potentially Significant Impact – Mitigation Incorporated (PS-M)** will be used to complete this item in the Initial Study Checklist.
4. If the proposed project lies in a designated fault zone or at the ends of a designated earthquake fault zone, the project proponent shall obtain an engineering geologic report addressing the fault rupture hazard and potential surface deformation. If an engineering geologic report is required by the County Building Code, other appropriate law or ordinance, or in accordance with standard practices, such report must address the potential fault rupture hazard. If the engineering geologic report concludes that the proposed habitable structures at the project site are subject to potential hazards from surface fault rupture and surface deformation, a determination of **Potentially Significant Impact (PS)** will be used to complete this item in the Initial Study Checklist.
5. The project proponent shall submit the fault hazard report to the Public Works Agency Certified Engineering Geologist who will review for adequacy and use it for the completion of the appropriate sections of the Initial Studies Checklist.
6. For projects not within a designated fault hazard zone, the Public Works Agency will perform the initial project review and complete the appropriate sections of the Initial Studies Checklist.

7. The preliminary fault rupture hazard report must be prepared by a Certified Engineering Geologist following the outline of the appropriate California Geologic Survey (formerly California Division of Mines and Geology) Special Publication 42 or as agreed by the County Public Works Agency, Certified Engineering Geologist.

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11. Ground Shaking Hazard

A. Definition of Issue

Ground shaking (i.e. cyclic earth movements) is the physical movement of the land surface due to seismic waves caused by earthquakes. When a fault breaks, the accumulated strain energy is released as seismic waves that travel outward in all directions from the earthquake focus (the point of first release of tectonic stress located below the earth's surface). The motion of each earthquake is characterized by a unique set of body, longitudinal, and transverse waves. These waves can cause damage to structures, utilities and transportation corridors; cause landslides, rockfalls and embankment failures and induce liquefaction failure and related hazards.

The intensity of ground shaking during an earthquake depends in large part on various characteristics of local geologic conditions (i.e., the thickness and physical properties of the materials comprising the upper several hundred feet beneath the area). By combining observations from past earthquakes with computer-based predictions, geologist (seismologists) found that the two most important characteristics are the softness of the ground and the total thickness of sediments below a particular site. Seismic waves travel faster through hard rock than through soft rock and sediments. As the waves pass from harder to softer materials and slow down, they must increase in amplitude to carry the same amount of energy. Thus the shaking tends to be stronger at sites with softer surface materials. In general, the greatest amplitudes and longest durations of ground shaking usually occur on thick, unconsolidated alluvial sediments. Other variations in earthquake shaking depend on the specific details of the earthquake, such as orientation of the fault, irregularities of the rupturing fault surface, and the scattering of waves as they bounce off of subsurface changes. Other factors that may contribute significantly to the damage potential of structures include: magnitude of the earthquake, distance and direction from the epicenter and causative fault, duration of shaking, the structural integrity of buildings before the earthquake, and many others. Each earthquake provides additional data to review and help improve the understanding of seismic hazards.

Ventura County Specific

Ground shaking hazards are ubiquitous throughout Ventura County, are accommodated and mitigated by requirements of the Ventura County Building Code. The ground shaking effects are most significant wherever there are subsurface conditions that result in greater earthquake wave amplitude or a longer duration of ground shaking. Ground shaking hazard areas are areas that can be expected to experience intense ground shaking during a maximum probable earthquake.

Ground shaking intensity depends on the earthquake magnitude, distance and direction from the site, depth, type of earthquake, the soil and bedrock conditions beneath the site, and the topography of the site and vicinity. The potential for the highest amplification of ground shaking occurs in the Oxnard Plain and the Santa Clara River Valley in the south half of the County, and in the Lockwood, Cuyama, and Cuddy Valleys in the north half.

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goal 2.3.1

Policy 2.3.2

Coastal Area Plan:

Coastal Act – Hazards:

§ 30253

North Coast – Hazards:

Objective

Lake Sherwood/Hidden Valley Area Plan:

Goal 3.1.1

Policies 3.1.2-1 through 7

Oak Park Area Plan:

Goal 2.1.1

Policies 1 through 4
Central Coast – Hazards:
Objective
Policies 1, & 3 through 5

South Coast – Hazards:
Objective
Policies 1 through 4

Policies 2.1.2-1 through -4
Ojai Valley Area Plan:
Goal 2.1.1-1
Policies 2.1.2-1 & -2

Piru Area Plan:
Goal 2.1.1
Policies 2.1.2-1 through -4

C. Threshold of Significance Criteria

1. Is the proposed structure designed to be built in accordance with all applicable requirements of the Ventura County Building Code? If the answer is no, then the project has the potential to expose people or other structures to potential significant adverse effects, including the risk of loss, injury or death involving ground shaking hazards. If the answer is yes, then the project design will reduce the adverse effects of ground shaking to less than significant.
2. The hazards from ground shaking will affect each project individually; and no cumulative ground shaking hazard would occur as a result of other approved, proposed or probable projects.

D. Methodology

1. The project geotechnical engineer and/or engineering geologist must coordinate the evaluation of the project to determine the applicability of the Ventura County Building Code (aka Code) to the seismic design of the project and then to apply all applicable requirements of the latest edition of the Ventura County Building Code (aka Code) to the seismic design of the project. For projects that are not regulated by the Ventura County Building Code the project must incorporate customary industry practices and materials or the geotechnical and/or geologic report must address and provide design recommendations to reduce ground shaking hazards to less than significant.
2. Every proposed structure, and portion thereof, including nonstructural components that are permanently attached to structures and their supports and attachments must be reviewed and evaluated in light of the requirements of the Code and/or report regarding the effects of earthquake ground shaking. The proposed project evaluation must use minimum design criteria for structures appropriate to their primary function and use considering the need to protect the health, safety, and welfare of the general public by minimizing earthquake related risk to life and to improve the capability of essential (or critical) facilities to function during and after earthquakes.
3. The geotechnical engineer and engineering geologist consultant's report must be submitted to the County Public Works Agency for review and comment and for use in completing the Initial Study Checklist.
4. If it is determined by the County that the proposed project is designed to be built in accordance with the Ventura County Building Code and/or geotechnical reports regarding potential hazards that result from ground shaking, a determination of **Less Than Significant Impact (LS)** will be used to complete this item in the Initial Study Checklist.

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12. Liquefaction Hazards

A. Definition of Issue

General

Liquefaction is a process by which loose, water-saturated granular materials (silt, sand or gravel) behave for a short time as a fluid rather than as a solid mass, usually as a result of ground shaking. There are two types of liquefaction hazard. The first type is where surface or near-surface liquefaction of soils occurs. Structures with foundations located within such a liquefaction zone lose support under part or all of their foundations, which causes them to tilt or settle into the ground surface. If a building is not designed to take this amount of stress, the entire building may collapse. A partially liquefied layer can also flow out from under the weight of the foundation with similar settling effects. In addition, the liquefied layer may exceed the design capacity of retaining walls and result in failure of the wall. Near surface manifestations of liquefaction include sand boils, lateral spread failures, loss of bearing capacity and ground settlement, buoyant rise of buried structures, and failure of retaining walls. Differential settlement may affect almost any structure and the ground surface. The second type of liquefaction occurs when the liquefiable soil layer is below the surface. Structures with foundations above the liquefiable zone may be subject to increased ground oscillations. Liquefaction beneath a firm soil may result in a decoupling of the upper soil layers causing fissures to form and different impacts between the soil blocks (settlement and tilting, etc.), as well as, between the liquefied area and the adjacent non-liquefied area. The higher susceptible areas for damage occur at the boundary between these zones. All engineered structures including roadways, bridges, dams, single family housing and utility lines (water, gas, sewer) as well as, oil and gas pipeline and production, processing and storage facilities are subject to the potential damage resulting from liquefaction.

Ventura County Specific

Widespread liquefaction-susceptible areas are represented on geologic hazard maps in the Ventura County General Plan. The liquefaction hazard generally exists throughout the Oxnard Plain and Pleasant Valley. The hazard areas extend up the Ventura and Santa Clara Rivers, mainly in the areas underlain by extensive alluvial deposits. Some of the valleys in the Thousand Oaks area are also affected, as is the Arroyo Santa Rosa downstream of the City of Thousand Oaks-Hill Canyon Wastewater Treatment Plant. Simi Valley is affected at both the east and west ends. Both the upper and lower Ojai Valleys are in the hazard areas as well as San Antonio Creek from Ojai to the Ventura River. The low-lying areas north of Lake Casitas are also subject to liquefaction.

Following the 1994 Northridge earthquake, portions of southeastern Simi Valley experienced liquefaction evidenced by sand boils, sand craters, and/or fissures. These features were observed in areas with very shallow ground water (<10 feet in depth) and areas situated in fill material overlying the predevelopment course of the Arroyo Simi (CDMG Special Publication 116, 1995).

If the subsurface liquefaction occurs on a slope, the liquefied layer can act as a lubricated plane for the layer(s) above it to respond to gravity and move downhill as *flow failures* or *lateral spreading*. Structures built within and across the edges of the slide are torn apart in much the same manner as if they were located on a fault; a good example of this occurred in the 1971 San Fernando Earthquake, where an area of almost 163 acres moved down a 2.5% slope. Movement down a slope with such a low gradient had not previously been recorded, but such effects must be considered in future earthquakes.

B. Definition of Terms

Holocene - An epoch of the Quaternary period, from the end of the Pleistocene, approximately 11,000 years ago, to the present time.

Pleistocene - An epoch of the Quaternary period beginning two to three million years ago and lasting until the Holocene epoch (11,000 years ago).

Loss of Bearing - Liquefied soil has little internal shear resistance and ability to support load without deformation. Bearing failures can result in general settlements, tipping or toppling of buildings and the buoyant rise of empty buried tanks.

Flow Failure - Occurs where liquefied soil is present on an original slope usually greater than 3°. Liquefied soil and blocks of solid ground are often displaced many tens of feet at speeds up to several tens of miles per hour and can produce catastrophic effects. Almost all man-made structures are susceptible to damage by flow slides.

Lateral Spreading - Commonly develop adjacent to channels and river banks on slopes between 0.3 and 3°. Movements commonly are several feet, although displacements up to several tens of feet are possible. Solid blocks slide on liquefied sub-strata. Facilities with shallow foundations, and particularly pipelines, are susceptible to destruction by lateral spreading. More damage has been caused by lateral spreading than by any other form of liquefaction-induced ground failure.

Ground Oscillation - Ground oscillation can occur if the liquefied layer is present at depth and the slope is too gentle for flow failure or lateral spreading. Ground cracks may open and close, settlement can occur and sand boils may be present. Overlying structures and particularly sub-grade facilities are commonly damaged through this mode of ground failure.

Sand Boils - These features are geyser-like eruptions of sand and water that result from soil liquefaction and may last from a few seconds to a minute or more. The geysers can reach several feet in height and leave circular deposits of sand a few inches thick around a vent. They result from laterally confined liquefied soil at depth releasing excess pore water pressure.

C. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goal 2.4.1

Policy 2.4.2

Coastal Area Plan:

Coastal Act – Hazards:

§ 30253

North Coast – Hazards:

Objective

Policies 1 through 4

Central Coast – Hazards:

Objective

Policies 1, & 3 through 5

South Coast – Hazards:

Objective

Policies 1 through 4

Lake Sherwood/Hidden Valley Area Plan:

Goal 3.1.1

Policies 3.1.2-1 through 7

Oak Park Area Plan:

Goal 2.1.1

Policies 2.1.2-1 through -4

Ojai Valley Area Plan:

Goal 2.1.1-1

Policies 2.1.2-1 & -2

Piru Area Plan:

Goal 2.1.1

Policies 2.1.2-1 through -4

D. Threshold of Significance Criteria

The State of California, based on the Quaternary Geology of Ventura County, water well records for material type and density, and highest groundwater elevations, has produced the Seismic Hazards Zone Maps including potential for liquefaction. The State of California Seismic Hazard Zones Maps are utilized for all determinations for liquefaction potential. A proposed project will expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving liquefaction if it is located within a Seismic Hazards Zone.

The hazards from liquefaction will affect each project individually; and no cumulative liquefaction hazard would occur as a result of other approved, proposed or probable projects.

E. Methodology

Projects located in mapped zones of required investigation for liquefaction must be evaluated for liquefaction potential defined in Public Resources Code Section 2693(c). The liquefaction evaluation will be completed and summarized in a report subject to review and acceptance by the Public Works Agency prior to completion of the Initial Studies Checklist.

The liquefaction evaluation must be conducted in accordance with the requirements of the State of California Guidelines for Evaluating and Mitigating Seismic Hazards in California, Special Publication 117, dated 1997.

Liquefaction evaluations should also discuss the type(s) of liquefaction failure considered most likely to occur.

A determination of whether the project is in a zone of required investigation for liquefaction shall be performed by the lead agency, Public Works Agency or the Applicants consultants.

For projects that are not within a zone of required investigation for liquefaction, a determination of **No Impact (N)** will be used to complete this item in the Initial Study Checklist.

If the project is within a zone of required investigation for liquefaction, a geologic/geotechnical report has evaluated the liquefaction potential and the report concludes that liquefaction hazards do not exist or the effects of liquefaction do not require any mitigation, a determination of **Less than Significant (LS)** will be used to complete this item in the Initial Study Checklist.

If the project is within a zone of required investigation for liquefaction, a geologic/geotechnical report has evaluated the liquefaction potential, and the report concludes that liquefaction hazards are present and provides recommendations for mitigation of the liquefaction hazard acceptable to the Public Works Agency, a determination of **Potentially Significant Impact – Mitigation Incorporated (PS - M)** will be used to complete this item in the Initial Study Checklist.

If the project is within a zone of required investigation for liquefaction, a geologic/geotechnical report has evaluated the liquefaction potential, and the report concludes that liquefaction hazards are present, a determination of **Potentially Significant Impact (PS)** will be used to complete this item in the Initial Study Checklist.

If the report does not address liquefaction, or if a report is not submitted, the Public Works Agency may, based on review of the reports submitted for surrounding properties and various available maps determine the potential for liquefaction, and complete the Initial Studies Checklist. If the Public Works Agency cannot do this based upon available information, it may require the information be submitted to complete the Initial Studies Checklist.

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13. Seiche and Tsunami Hazards

A. Definition of Issue

General

A *seiche* is a long wave that oscillates in an enclosed or partially enclosed body of water as a result of seismic events, landslides or atmospheric disturbances. Seiches typically occur in lakes and bays, and are normally caused by unusual tides, winds or currents, but can also be produced by earthquake ground motion. The shaking oscillates the water back and forth, causing seiche waves. The primary hazards resulting from a *seiche* is to structures and boats in or very near a lake, harbor or bay. Boats and their moorings can be heavily damaged by seiches, and buildings and campgrounds can be inundated. Only in the case of a severe seiche or unusual circumstances would loss of life be likely from the seiche itself. The secondary effects of a seiche can often produce more damage than the seiche itself. Large seiches can overtop the dams of man-made lakes or reservoirs, causing flood in the areas downstream. This overtopping can also wash out unprotected earth-fill dams, causing their complete collapse. Most modern earth fill dams have a spillway or other outlet that will help to reduce the potential for overtopping.

Areas subject to seiche hazards are typically those located within about 10 to 20 feet of vertical elevation from a smaller enclosed body of water such as a bay, lake or reservoir. The height of hazard above the water level is dependent on the ground motion intensity, duration of shaking, and subsurface topography of the bay, lake or reservoir.

A *tsunami* is a traveling ocean wave generated by disturbances associated with earthquakes, volcanoes or major submarine landslides. Man-made tsunamis have been generated by the explosion of underwater nuclear bombs at Bikini atoll and elsewhere. Tsunamis are a hazard, not because they are extensive or frequent, but because the destruction they cause can be devastating. Tsunamis can cause loss of life from drowning, and they can cause extensive damage to structures on or near beaches and river mouths. In addition, water systems can be contaminated, power supplies disrupted, transportation systems blocked or dislocated, and oil and gas pipelines along the coast destroyed. There can also be an increased occurrence of fire from broken oil or gas tanks or lines, as well as flooding from blocked rivers, etc. The tsunami hazard is mainly confined to the immediate beach areas and river mouths (deltas).

Ventura County Specific

All of the coastal areas in Ventura County are susceptible to tsunamis. The tsunami hazard is mainly confined to the immediate beach areas and river mouths (deltas).

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Seiche:

Goal 2.5.1

Policies 2.5.2-1 & -2

Tsunami:

Goal 2.6.1

Policy 2.6.2

Coastal Area Plan:

Coastal Act – Hazards:

§ 30253

North Coast – Hazards:

Objective

Policies 1 through 4

Central Coast – Hazards:

Objective

Policies 1, & 3 through 5

South Coast – Hazards:

Objective

Policies 1 through 4

Lake Sherwood/Hidden Valley Area Plan:

Goal 3.1.1

Policies 3.1.2-1 through 7

Oak Park Area Plan:

Goal 2.1.1

Policies 2.1.2-1 through -4

Ojai Valley Area Plan:

Goal 2.1.1-1

Policies 2.1.2-1 & -2

Piru Area Plan:

Goal 2.1.1

Policies 2.1.2-1 through -4

C. Threshold of Significance Criteria

Threshold of significance criteria for seiche hazard is whether the proposed project is located within about 10 to 20 feet of vertical elevation from an enclosed body of water such as a lake or reservoir. The height of hazard above the water level is dependent on the ground motion intensity, duration of shaking, and subsurface topography of the lake or reservoir and surface topography of the shoreline.

Threshold of significance criteria for tsunami hazard is whether the proposed project is located in a mapped area of tsunami hazard as shown on the County General Plan maps. For most portions of the north and south coastal areas, the tsunami hazard does not extend to areas more than 30 feet above sea level and along the coastal plain, the tsunami hazard extends inland for approximately one mile.

The hazards from seiche and tsunami will affect each project individually; and no cumulative seiche and tsunami hazard would occur as a result of other approved, proposed or probable projects.

D. Methodology

The preliminary assessment should be completed by the lead agency.

If the project is not located within an area subject to these hazards, a determination of **No Impact (NI)** will be used to complete this item in the Initial Study Checklist.

If the project is in an area subject to either of the hazards the project engineering geologist or geotechnical engineer should provide a tsunami or seiche hazard evaluation. The evaluation should consider the inundation effects of seiche and tsunamis on the proposed project. The report should include the possible effects to the project that may result from a seiche or tsunami. The evaluation report shall be reviewed by the Public Works Agency for adequacy and in determining the significance of the hazard.

There is no way to alleviate the effects of possible seiche or tsunamis except by prohibiting construction within the hazard areas. Because of the small possibility of a major seiche or tsunami occurring in Ventura County it is not reasonable to prohibit all development near beaches or waterbodies, nor is it practical to recommend drastic measures to protect existing water shoreline developments. The project geologist and geotechnical engineer should evaluate potential seiche and/or tsunami effects during the preliminary design for structures located near known tsunamis or seiche hazard areas. Typically, where practical, the structure may be moved to a slightly higher elevation to reduce the damage potential and severity.

Due to the indefinite and infrequent nature of the seiche triggering mechanisms, it seems doubtful that enough information will ever be known for general prediction of the hazard or predicting accurate seiche uprush limits.

For tsunamis hazards, a warning system and evacuation plan is in place that is considered to provide adequate protection in the event of a major tsunami being generated beyond the Santa Barbara Channel. For projects subject to potential hazards from wave action or tsunamis, the owners are required to understand the potential hazards and to record a "Restrictive Covenant and Notice of Responsibilities" on the subject property.

If the project is located within an area subject to these hazards, the hazards are discussed and evaluated by the engineering geologist or geotechnical engineer, and for tsunamis hazard, a Restrictive Covenant and Notice of Responsibility will be recorded as part of the project. A determination of **Less Than Significant Impact (LS)** will be used to complete Item 13c and d: Seismic Hazards – Tsunamis and Seiche in the Initial Study Checklist.

Adopted by the Board of Supervisors on July 27, 2010

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14. Landslide/Mudflow Hazard

A. Definition of Issue

General

Landslide and mudflow are terms to designate certain forms of natural or man-induced slope failures. "Landslide" is a general term for the dislodging and fall of a mass of soil or rocks along a sloped surface, or the dislodged mass itself. A "mudslide" is a flow of very wet rock and soil. Included are a number of different processes that range from very slow (a few inches in a hundred years) to extremely rapid (70 or more miles per hour). Included within the definition of this hazard, for the purposes of conducting environmental assessments, are all gravity-induced downslope movements including the separate phenomena of rockfall, soil creep, soil failures, dry raveling, rotational and transitional slides, flows, slumps and complex combinations of the above phenomena. The hazard applies to both natural and constructed slopes. Contributing factors include erosion, earthquake ground shaking, brush fires, and groundwater.

Landslide/mudflow hazards generally exist in and at the base of hillside terrain where channel erosion, weathering and tectonic movement have caused unstable conditions. Earthquakes and/or heavy periods of rain may trigger actual movement. A particular threat of landslide/mudflow exists in all areas that have already experienced mass movement and in areas subject to changes in topography and moisture content. There are presently two landslide hazards that are distinguished and are required to be assessed for the preparation of the Initial Study Checklist. The first landslide hazard is from mapped or known landslides. The mapped landslide sources include the Dibblee Quadrangle Maps, Public Works Agency files, and the California Geologic Survey (California Division of Mines and Geology) Landslide Evaluation maps. The second landslide hazard is from potential earthquake induced landslide areas as shown on the State of California Seismic Hazard Maps.

Ventura County Specific

The most notable landslide within Ventura County is the La Conchita landslide that occurred in 1995. This landslide was a portion of an older landslide and was reactivated in March of 1995. The most notable recent mudflow within Ventura County is also the La Conchita landslide that occurred 10 years later in 2005 and this too involved a portion of the 1995 landslide mass. Landslide/mudflow hazards basically includes all hillside and immediate downslope areas in Ventura County

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goal 2.7.1

Policies 2.7.2-1 through -3

Coastal Area Plan:

Coastal Act – Hazards:

§ 30253

North Coast – Hazards:

Objective

Policies 1 through 4

Central Coast – Hazards:

Objective

Policies 1, & 3 through 5

South Coast – Hazards:

Objective

Policies 1 through 4

Lake Sherwood/Hidden Valley Area Plan:

Goal 3.1.1

Policies 3.1.2-1 through 7

Oak Park Area Plan:

Goal 2.1.1

Policies 2.1.2-1 through -4

Ojai Valley Area Plan:

Goal 2.1.1-1

Policies 2.1.2-1 & -2

Piru Area Plan:

Goal 2.1.1

Policies 2.1.2-1 through -4

C. Threshold of Significance Criteria

The threshold for landslide/mudflow hazard is determined by the Public Works Agency Certified Engineering Geologist based on the location of the site or project within, or outside of mapped landslides, potential earthquake induced landslide zones, and geomorphology of hillside terrain.

The hazards from landslides/mudslides will affect each project individually; and no cumulative landslide/mudslide hazard would occur as a result of other approved, proposed or probable projects.

D. Methodology

Evaluation and mitigation of landslide/mudflow hazard is subject to the provisions of the Ventura County Grading Ordinance, administered by the Public Works Agency. Site-specific, detailed geologic investigations are required as a part of all development projects in the hillside areas of Ventura County for the purpose of determining development feasibility with respect to all geologic hazards. If a site-specific geology report has analyzed this concern the report will be reviewed to determine the significance of the impact of any potential landslide/mudflow on the project. Additional means of evaluating this hazard include: site reconnaissance, review of aerial photographs and review of published geologic literature and unpublished consultant studies.

The Public Works Agency, based on review of the various available maps, publications and/or field information, shall determine the general potential for landslides/mudflow and complete the Initial Studies Checklist.

The project geologic / geotechnical report or the Public Works Agency shall determine if the project is within a hillside area and/or affected by landslide or mudflow. Projects that are not within a hillside area and not affected by potential landslide or mudflow, a determination of **No Impact (NI)** will be used to complete this item in the Initial Study Checklist.

If the project is within a hillside area and/or within a mapped landslide or earthquake induced landslide zone or immediate to these areas and a geology / geotechnical report has been prepared that evaluated landslide /mudflow potential and indicates sufficient project slope stability factors of safety have been obtained, a determination of **Less than Significant (LS)** will be used to complete this item in the Initial Study Checklist.

If the project is within a mapped landslide or earthquake induced landslide zone or immediate to these areas and a geology / geotechnical report has been prepared that evaluated the landslide /mudflow hazard potential to the project and recommendations are provided to mitigate the potential hazards, a determination of **Potentially Significant Impact – Mitigation Incorporated (PS - M)** will be used to complete this item in the Initial Study Checklist.

If the project lies in a mapped landslide or earthquake induced landslide zone or immediate to these areas and a geology / geotechnical report has not been prepared or if the consultant report concludes the project is subject to potential hazards from landslide /mudflow and provides no mitigation, a determination of **Potentially Significant Impact (PS)** will be used to complete this item in the Initial Study Checklist. Alternatively, the Public Works Agency may deem the project incomplete and request necessary additional information in order to make a determination of the landslide / mudflow hazard.

The consultant's landslide/mudflow hazard report will be reviewed for adequacy by the Public Works Agency Certified Engineering Geologist who will also complete the appropriate sections of the Initial Studies Checklist.

Adopted by the Board of Supervisors on July 27, 2010

15. Expansive Soils Hazards

A. Definition of Issue

General

Expansive soils are primarily clay-rich soils subject to changes in volume with changes in moisture content. The resultant shrinking and swelling of soils can influence all fixed structures, utilities and roadways. Included within the definition of expansive soils are certain bedrock formations with expansive rock strata and weathered horizons.

In addition, as expansive soil on sloping ground expands and contracts, it tends to move down slope in response to gravity.

Ventura County Specific

Historically, expansive soils have caused considerable damage in Ventura County. In the early 1960's, numerous homes were razed and many more were severely damaged in the Shadow Oaks Tract, adjacent to the City of Thousand Oaks. Since the initial damage in the 1960s, engineering studies have resulted in design techniques and procedures that provide for safe and economical construction on expansive soils. Local building ordinances have incorporated these techniques and procedures. This has allowed construction even in areas where the hazard is severe. Expansive soils are present throughout most areas of Ventura County, including both low-lying and hillside terrain. They are present in some areas in thick accumulations and in others as a thin cover. Beaches, sea cliffs, bare rock and active stream channels are usually free of expansive soil accumulations. Expansive soil hazards are assessed and mitigated within the existing regulatory framework of both the Public Works Agency and the Building and Safety Department. As such, an expansive soil hazard is considered to exist where soils with an expansion index greater than 20 are present.

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goal 2.8.1

Policies 2.8.2-1 through -3

Coastal Area Plan:

Coastal Act – Hazards:

§ 30253

North Coast - Hazards

Objective

Policies 1 through 4

Central Coast - Hazards

Objective

Policies 1, & 3 through 5

South Coast - Hazards

Objective

Policies 1 through 4

Lake Sherwood/Hidden Valley Area Plan:

Goal 3.1.1

Policies 3.1.2-1 through 7

Oak Park Area Plan:

Goal 2.1.1

Policies 2.1.2-1 through -4

Ojai Valley Area Plan

Goal 2.1.1-1

Policies 2.1.2-1 & -2

Piru Area Plan

Goal 2.1.1

Policies 2.1.2-1 through -4

C. Threshold of Significance Criteria

The determination of a significant soils expansion effect shall be based upon an inquiry of whether a proposed project will expose people or structures to potential adverse effects, including the risk of loss,

injury, or death involving soil expansion if it is located within a soils expansive hazard zone or where soils with an expansion index greater than 20 are present.

The hazards from expansive soils will affect each project individually; and no cumulative expansive soils hazard would occur as a result of other approved, proposed or probable projects.

D. Methodology

The Public Works Agency shall determine if the project is subject to expansive soil hazards based on review of geotechnical reports for the project or surrounding area, regional data, and soil evaluations prepared by the U.S. Department of Agriculture, Soil Conservation Service. For geotechnical reports that evaluate the soil expansion of the project area soils, the expansion index shall be determined by the latest edition of American Society for Testing and Materials (ASTM) D 4829 and in the event that soil expansion varies with depth, the weighted index shall be determined in accordance the method prescribed in the Ventura County Building Code

Projects that contain near surface soils with an expansion index less than 20, a determination of **No Impact (NI)** will be used to complete this item in the Initial Study Checklist.

If the project lies in an area of expansive soils that have an expansion index between 20 and 130, and a geotechnical report that provides mitigation recommendations for expansive soils, a determination of **Less than Significant (LS)** will be used to complete this item in the Initial Study Checklist.

If the project lies in an area of expansive soils that have an expansion index greater than 130 and a geotechnical report has been prepared that provides mitigation recommendations for the expansive soils, a determination of **Potentially Significant Impact – Mitigation Incorporated (PS - M)** will be used to complete this item in the Initial Study Checklist.

If the project lies in an area of expansive soils that have an expansion index greater than 90 and a geotechnical report has not been prepared to provide mitigation recommendations for the expansive soils, a determination of **Potentially Significant Impact (PS)** will be used to complete this item in the Initial Study Checklist. Alternatively, the project may be deemed incomplete with the requirement to submit a geotechnical report to address the expansive soil hazard.

Adopted by the Board of Supervisors on July 27, 2010

16. Subsidence Hazard

A. Definition of Issue

General

"Subsidence" is any settling or sinking of the ground surface over a regional area arising from surface or subsurface causes, such as earthquakes or groundwater and/or oil extraction. It can be caused by natural forces such as the consolidation of recently deposited sediments or by man-induced changes such as the withdrawal of oil field fluids or the dewatering of an aquifer. Subsidence occurs as a gradual change over a considerable distance (miles), or less commonly, it can occur in discrete zones. Subsidence is in contrast to *settlement*, a term used to describe site-specific consolidation of strata from an imposed load such as a landfill or from some other man-caused increase in the effective stress conditions of subsurface earth materials.

The damage caused by subsidence is generally not of an immediate or violent nature. Except when prompted by seismic shaking, the compaction of alluvium and settling of the land surface is a process that occurs over several tens to thousands of years and over a large area. Subsidence that results from groundwater withdrawal can be responsible for numerous structural effects. Most seriously affected are long, linear surface infrastructure facilities that are sensitive to slight changes in gradient or slope. Drainage courses, roads, rail lines, wells, oil/gas pipelines, and utility (water, gas, power, and sewer) lines are potentially the most vulnerable to damage. Basically, the process by which this most important type of subsidence occurs involves the extraction of a large quantity of water from an unconsolidated aquifer. As water is removed from the aquifer, the total weight of the overburden that the water used to help to support is placed on the alluvial structure; the overburden can then become compressed. If fine-grained silts and clays make up portions of the aquifer, the additional load can squeeze the water out of these layers and into the coarser grained portions of the aquifer. All of this compaction produces a net loss in volume and hence a depression in the land surface. In California, four types have been identified; they are named according to the action that causes the subsidence: groundwater withdrawal subsidence, oil or gas withdrawal subsidence, hydro-compaction subsidence and peat oxidation subsidence.

Ventura County Specific

A very significant area in Ventura County, the Oxnard Plain, is experiencing subsidence. The best known and documented example of subsidence in Ventura County is occurring in the Oxnard Plain, where water wells have caused ground subsidence on the order of 0.05 foot per year over a wide area. Only groundwater withdrawal and oil and gas withdrawal are known to be causing problems in Ventura County; Of all the types, groundwater withdrawal subsidence, which generally occurs in valley areas underlain by alluvium, is the most extensive and the impacts most costly. The subsidence problem exists mainly in the Oxnard Plain area of the County.

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goal 2.9.1

Policies 2.9.2-1 through -3

Coastal Area Plan:

Coastal Act – Hazards:

§ 30253

North Coast – Hazards:

Objective

Policies 1 through 4

Central Coast – Hazards:

Objective

Lake Sherwood/Hidden Valley Area Plan:

Goal 3.1.1

Policies 3.1.2-1 through 7

Oak Park Area Plan:

Goal 2.1.1

Policies 2.1.2-1 through -4

Ojai Valley Area Plan:

Goal 2.1.1-1

Policies 1, & 3 through 5
South Coast – Hazards:
Objective
Policies 1 through 4

Policies 2.1.2-1 & -2
Piru Area Plan:
Goal 2.1.1
Policies 2.1.2-1 through -4

C. Threshold of Significance Criteria

The determination of a significant subsidence effect shall be based upon an inquiry of whether a proposed project will expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving subsidence if it is located within a subsidence hazard zone.

The hazards from subsidence will affect each project individually; and no cumulative subsidence hazard would occur as a result of other approved, proposed or probable projects.

D. Methodology

1. Subsidence studies shall be required on all new water and oil extraction well projects in Ventura County and for projects in the Oxnard Plain that may be sensitive to slight changes in gradient or slope
2. The project proponent, in consultation with the lead agency, shall complete a preliminary subsidence assessment to determine whether a full subsidence evaluation is required.
3. The project proponent shall determine if the project is within subsidence hazard zone.

Projects that are not within a known subsidence hazard zone or do not relate to oil, gas or groundwater withdrawal, a determination of **No Impact (NI)** will be used to complete this item in the Initial Study Checklist.

Projects that are within the limits of the probable subsidence zone and involve extraction of groundwater, oil, or gas or are sensitive to slight changes in surface gradients will be required to have a geologic / geotechnical report evaluate the subsidence hazards to the project. If the evaluation concludes the project is not sensitive to slight changes in gradient or slope resulting from subsidence and the project does not extract oil, gas or water from the earth, a determination of **Less than Significant (LS)** will be used to complete this item in the Initial Study Checklist.

Projects that are within the limits of the probable subsidence zone that are sensitive to slight changes in gradient or slope and/or will extract oil, gas or water from the earth are required to have a geologic/geotechnical evaluation report of the potential adverse effects of subsidence prepared. If the report provides conclusions that indicate the amount of subsidence can be mitigated to acceptable levels and recommendations for mitigation are included, a determination of **Potentially Significant – Mitigation Incorporated (PS-M)** will be used to complete this item in the Initial Study Checklist.

Subsidence evaluation reports will be reviewed by the Public Works Agency, based on the latest available maps, publications and field data. The Public Works Agency review will form the basis for completing the Initial Studies Checklist.

Adopted by the Board of Supervisors on July 27, 2010

17a. Hydraulic Hazards – Non-FEMA

A. Definition of Issue

Hydraulic hazards, in the context of flood control and drainage, consist of the wearing away or deposition of land surface by wind or water. Erosion occurs naturally from weather or runoff but can be intensified by land clearing practices. Flooding is an overflow of water onto land that is normally dry.

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 2.10.1-1 through -3
Policies 2.10.2-1 through -4

Coastal Area Plan:

Coastal Act:

Hazards:

§ 30253 & § 30236

Beach Erosion:

§ 30253 & § 30235

North Coast:

Hazards:

Objective
Policies 2 & 3

Beach Erosion:

Objective
Policies 1 through 6

Central Coast:

Hazards:

Objective
Policies 2, 3, 4 & 7

Beach Erosion:

Objective
Policies 1 through 7

South Coast:

Hazards:

Objective
Policies 2, 3, 6 & 8

Beach Erosion:

Objective
Policies 1 through 7

El Rio/Del Norte Area Plan:

Goal 2.1.1-1
Policies 2.1.2-1 & -2

Lake Sherwood/Hidden Valley Area Plan:

Goals 3.2.1-1 & -2
Policies 3.2.2-1 through 6

North Ventura Avenue Area Plan:

8. Floodplain

Oak Park Area Plan:

Goals 2.2.1-1 & -2
Policies 2.2.2-1 through -3

Ojai Valley Area Plan:

Goals 2.2.1-1
Policies 2.2.2-1 & -2

Piru Area Plan:

Goals 2.2.1-1 & -2
Policies 2.2.2-1 through -3

Saticoy Area Plan:

Goals 2.1.1-1 & -2
Policies 2.1.2-1 & -2

Thousand Oaks Area Plan:

Goal 2.2.1
Policies 2.2.2-1 through 4

B. Threshold of Significance Criteria

Potential erosion/siltation hazards and flooding hazards are ubiquitous throughout Ventura County and are addressed by the Ventura County Public Works Agency-Watershed Protection District's Standards and Specifications Design Manual. I

Erosion/siltation hazards and the effects of flooding hazards are required to be considered within the existing framework of grading and building code ordinances, which apply to all sites and projects.

Threshold criteria therefore are determined on a case by case basis pursuant to the following documents (individually, collectively, or in combination with one another):

- 2007 Ventura County Building Code Ordinance No.4369 (Adopted November 20, 2007)
- Ventura County Land Development Manual
- Ventura County Subdivision Ordinance
- Ventura County Coastal Zoning Ordinance
- Ventura County Non-Coastal Zoning Ordinance
- Ventura County Standard Land Development Specifications
- Ventura County Road Standards
- Ventura County Watershed Protection District Hydrology Manual
- County of Ventura Stormwater Quality Ordinance, Ordinance No. 4142 (Adopted July 22, 1997)
- Ventura County Hillside Erosion Control Ordinance, Ordinance No. 3539 (Adopted April 7, 1981) and Ordinance No. 3683 (Adopted March 20, 1984)
- Ventura County Municipal Storm Water NPDES Permit
- State General Construction Permit
- State General Industrial Permit
- National Pollutant Discharge Elimination System (NPDES)

C. Methodology

Within the context of the existing regulatory framework, the following procedure will be used to complete Item 17.b. Hydraulic Hazards-Non-FEMA in the Initial Study Checklist.

The Public Works Agency (PWA) employee responsible for the review of this item will review the project plans and documents to determine if the project has the potential to increase flooding, erosion or siltation either onsite or offsite either temporarily or ongoing individually or cumulatively.

If there is no potential for the project to increase flooding, erosion or siltation (e.g., if the project does not propose grading or construction), a determination of No Impact (N) will be made.

If the project is found to have the potential to increase flooding, erosion or siltation (e.g., construction that may change the existing drainage patterns of the site) and the development is regulated under the above-referenced laws and ordinances, a determination of Less Than Significant Impact (LS) will be made.

If the project is found to have the potential to increase flooding, erosion or siltation and the development is not regulated under the above-referenced laws and ordinances, a determination of Potentially Significant Mitigatable Impact (PS-M) will be made when the impacts can be mitigated to a Less Than Significant level by project design or other measures.

If the project is found to have the potential to increase flooding, erosion or siltation and the development is not regulated under the above-referenced laws and ordinances, a determination of Potentially Significant Impact (PS) will be made when the impacts cannot be mitigated to a Less Than Significant level by project design or other measures.

As part of the review, the PWA employee must consider recently approved, current, and probable future projects that are located within the same *watershed* as the project site to assess the project's contribution to cumulative impacts on flooding, erosion or siltation.

After acquiring the information stated above, the PWA employee must compare the project plans, project description, and (if requested) drainage study to the existing environment, as well as the goals, objectives, policies, and/or development standards that apply to the project, in order to identify, and evaluate the significance of, the impacts (above). The PWA employee must analyze both project-specific impacts and the project's contribution to cumulative impacts relating to flooding, erosion or siltation.

The PWA shall review the consultant's design and complete the Initial Study Checklist.

Adopted by the Board of Supervisors on July 27, 2010

17b. Hydraulic Hazards – FEMA

A. Definition of Issue

Flooding is a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters; the unusual and rapid accumulation of runoff of surface waters from any source, and the condition resulting from flood-related erosion. Flood hazard is determined as being public and private lands and infrastructure that have a high risk of being damaged or destroyed as a result of major flooding conditions. These conditions have a one percent chance of being equaled or exceeded in any given year and are commonly referred to as the one-percent chance flood or the 100-year base flood. The calculated height of the 100-year base flood hazard that is anticipated to occur on any given property is called the base flood elevation. Properties that have been determined by the Federal Emergency Management Agency (FEMA) as being at risk are mapped through the National Flood Insurance Program (NFIP) on the Digital Flood Insurance Rate Maps (DFIRMs) and in Flood Insurance Studies (FISs), and are referred to as Special Flood Hazard Areas (SFHA).

Section 2.10 (Flood Hazards) of the General Plan specifies that the most common type of flood in Ventura County is a “rainstorm-river” flood, the second major type is a “coastal” flood resulting from an increase in sea level that may be caused by a storm, by a tsunami, or by subsidence. Coastal lands affected by flooding are identified on the DFIRM and FIS as Coastal High Hazard Areas. Other potential causes of floods in Ventura County include dam or levee failure, landslides/ mudslides, and seiches.

B. Definition of Terms

Base flood – a flood which has a one percent chance of being equaled or exceeded in any given year (also called the 100-year flood).

Base flood elevation (BFE) – the elevation shown on the Digital Flood Insurance Rate Maps (DFIRMs) for flood zones ‘AE’, ‘AH’, ‘A1-A30’, ‘VE’, and V1-V30’ that indicates the water surface elevation resulting from a flood that has a one percent chance of being equaled or exceeded in any given year.

Coastal high hazard area – a Special Flood Hazard Area extending from offshore to the inland limit of a primary frontal dune along an open coast, and any other area subject to high velocity wave action from storms or seismic events. It is an area subject to high velocity waters, including coastal and tidal inundation or tsunamis.

Development – any man-made change to improved or unimproved real estate within a Special Flood Hazard Area including, but not limited to, buildings, bridges, culverts, flood control structures and other non-building structures, modifications or improvements to existing buildings or structures, mining, dredging, filling, paving, land clearing, excavation or drilling operations, temporary or permanent water crossings, establishment/ planting of orchards, temporary or permanent storage of equipment or materials, and temporary placement of nursery trees and other plant material. Development also includes site grading, the placement or removal of fill material, and the temporary stockpiling of fill material during the non-rainy season (the season is defined in Appendix ‘J’ of the Ventura County Building Code).

Digital Flood Insurance Rate Map (DFIRM) – the official map on which the Federal Emergency Management Agency (FEMA) has delineated Special Flood Hazard Areas and the risk premium zones applicable to the community and shall include any FEMA-issued amendments and/or revisions thereto.

Flood Insurance Study (FIS) – the official report provided by the Federal Emergency Management Agency (FEMA) that includes flood profiles, the Digital Flood Insurance Rate Map (DFIRM), the Flood Boundary and Floodway Map, and the water surface elevation of the base flood, and shall include any FEMA-issued amendments and/or revisions thereto.

Floodplain Management – the operation of an overall program of coordinated, preventative, and corrective measures for reducing flood damage, and preserving and enhancing, where possible, natural resources in the Special Flood Hazard Area (floodplain), including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

Floodway (also referred to as the Regulatory Floodway) – the channel of a river or other watercourse and the adjacent land areas where floodwaters generally are the deepest, swiftest and most hazardous;

where floodwaters carry debris, potential projectiles and cause erosion; and where there is a high risk of loss of life and property damage.

Letter of Map Change (LOMC) – A correction or modification to a Special Flood Hazard Area boundary and/or base flood elevation on the Digital Flood Insurance Rate Map and in the Flood Insurance Study, as approved by FEMA. A Letter of Map Change (LOMC) may affect a specific location or structure on a property, the entire property, or a larger area. A LOMC verifies that the affected structure or parcel of land will not be inundated by the one-percent chance flood (i.e., 100-year flood), and is therefore, not located in a Special Flood Hazard Area. LOMCs include Letters of Map Amendment (LOMA), Conditional Letters of Map Revision (CLOMR), Letter of Map Revision (LOMR), Conditional Letters of Map Revision Based on Fill (CLOMR-F), and Letters of Map Revision Based on Fill (LOMR-F).

Special Flood Hazard Area (SFHA) – an area in the floodplain subject to a one percent or greater chance of flooding in any given year, and is shown on the Flood Insurance Rate Maps (FIRMs) as Zone ‘A’, ‘AO’, ‘A1-A30’, ‘AE’, ‘A99’, ‘AH’, ‘V1-V30’, or ‘V’.

Substantial Improvement – any reconstruction, rehabilitation, addition, or other improvement to a structure, the cost of which equals or exceeds 50% of the current market value of the structure before the start of construction of the improvement.

C. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 2.10.1-1 through -3
Policies 2.10.2-1 through -4

Coastal Area Plan:

Coastal Act:

Hazards:

§ 30253 & § 30236

Beach Erosion:

§ 30253 & § 30235

North Coast:

Hazards:

Objective

Policies 2 & 3

Beach Erosion:

Objective

Policies 1 through 6

Central Coast:

Hazards:

Objective

Policies 2, 3, 4 & 7

Beach Erosion:

Objective

Policies 1 through 7

El Rio/Del Norte Area Plan:

Goal 2.1.1-1

Policies 2.1.2-1 & -2

Lake Sherwood/Hidden Valley Area Plan:

Goals 3.2.1-1 & -2

Policies 3.2.2-1 through 6

North Ventura Avenue Area Plan:

8. Floodplain

Oak Park Area Plan:

Goals 2.2.1-1 & -2

Policies 2.2.2-1 through -3

Ojai Valley Area Plan:

Goals 2.2.1-1

Policies 2.2.2-1 & -2

Piru Area Plan

Goals 2.2.1-1 & -2

Policies 2.2.2-1 through -3

Saticoy Area Plan

Goals 2.1.1-1 & -2

Policies 2.1.2-1 & -2

South Coast:

Hazards:

Objective
Policies 2, 3, 6 & 8

Beach Erosion:

Objective
Policies 1 through 7

Thousand Oaks Area Plan:

Goal 2.2.1
Policies 2.2.2-1 through 4

D. Threshold of Significance Criteria

- Potential flooding hazards are ubiquitous throughout unincorporated Ventura County. The effects of flooding hazards are required to be considered through building design and construction standards set forth in the following regulations which apply to all public and privately-owned lands and projects (individually, collectively or in combination with one another): Title 44, Code of Federal Regulations, Sections 59, 60, 65, and 70.
- Federal Emergency Management Agency (FEMA) Digital Flood Insurance Rate Maps (DFIRMs); both 'Effective' and latest available DFIRMs as provided by FEMA.
- Ventura County Floodplain Management Ordinance.
- Ventura County General Plan, Chapter 2 (Hazards), Section 2.10 (Flood Hazards).
- County of Ventura Building Code adopted from the California Building Code, dated 2007, Chapter 16, Section 1612A (Flood Loads).
- Ventura County Flood Control District Design Manual, as amended.
- Watershed Protection District Hydrology Manual, as amended.

If the entire development is located outside of the boundaries of a Special Flood Hazard Area and is located entirely within a FEMA-determined 'X-Unshaded' flood zone (beyond the 0.2% annual chance floodplain: beyond the 500-year floodplain), a determination of **No project-specific or cumulative Impact (N)** will be made under Item 17.a.: Hydraulic Hazards - FEMA in the Initial Study Checklist.

If the entire development is located outside of the boundaries of a Special Flood Hazard Area and is located entirely within a FEMA-determined 'X-Shaded' flood zone (within the 0.2% annual chance floodplain: within the 500-year floodplain), a determination of **Less Than Significant project-specific and cumulative Impact (LS)** will be made under Item 17.a.: Hydraulic Hazards - FEMA in the Initial Study Checklist.

If the proposed development, in part or in whole, is located within the boundaries of a Special Flood Hazard Area, but is located outside of the boundaries of the Regulatory Floodway, a determination of **Less Than Significant project-specific and cumulative Impact (LS)** will be made under Item 17.a.: Hydraulic Hazards – FEMA in the Initial Study Checklist. A determination of (LS) will be made if it can be demonstrated that the proposed development can be designed and constructed, as part of the Floodplain Development Permit and Building Permit processes, to be in compliance with all applicable floodplain management standards and measures set out in the Threshold Criteria, above.

A determination of **Potentially Significant Project-Specific and Cumulative Impact – Mitigation Incorporated (PS-M)** will be made under Item 17.a.: Hydraulic Hazards – FEMA in the Initial Study Checklist when potentially significant impacts from the 1% annual chance flood can be mitigated to a Less Than Significant project-specific and cumulative Impact (LS) level through project design or measures set out in the Threshold Criteria, above, such as but not limited to, relocating the proposed development elsewhere on the property where the risk of flood damage is potentially lower, implementing FEMA-supported building construction and grading technologies that mitigate flood damage and thereby reducing the risk of the flood hazard. Mitigation measures will be developed on a case by case basis.

If the proposed development, in part or in whole, is located within the boundaries of the Regulatory Floodway, as determined using the 'Effective' and latest available DFIRMs provided by FEMA, a determination of **Potentially Significant project-specific and cumulative Impact (PS)** will be made

under Item **17.a.** : Hydraulic Hazards - FEMA in the Initial Study Checklist. The Threshold Criteria, above, specify that new habitable and non-habitable development will not be allowed within the Regulatory Floodway. Due to this restriction, development cannot be mitigated to **either a PS-M or a LS** level.

E. Methodology

Within the context of the existing regulatory framework, the following procedure will be used to complete Item 17a.: Hydraulic Hazards – FEMA in the Initial Study Checklist, specifically, to determine whether or not the proposed development will be significantly impacted as a result of a one percent or greater flooding conditions, more commonly referred to as the 100-year storm event:

1. Preliminary Assessment

The County Floodplain Manager will review plans and other technical documents submitted by the applicant and will use the Effective (i.e., currently FEMA-approved) Digital Flood Insurance Rate Maps (DFIRMs) and Flood Insurance Study (FIS), as well as the latest draft version (i.e., preliminary) of the DFIRMs and FIS issued by FEMA, and any FEMA-approved Letter of Map Change applicable to the subject property, to determine if the proposed development, in part or in whole, is located within a Special Flood Hazard Area.

2. Determination

The 'X-Unshaded' flood zone is identified on the 'Effective' and the latest available Digital Flood Insurance Rate Maps (DFIRMs) as provided by FEMA. If a determination cannot be readily made using the DFIRMs, the applicant will be required to submit a scaled site plan of the proposed development and all existing development on the subject property, including an accurate delineation of the boundaries of the Special Flood Hazard Area and the 'X-Unshaded' flood zone using both the 'Effective' and the latest available DFIRM provided by FEMA. The site plan shall be prepared, stamped, and signed by a California-licensed Civil Engineer, Architect, or Land Surveyor.

Note: A site inspection may be required by the Floodplain Manager in order to make the determination.

To ensure compliance with the Threshold Criteria, the Floodplain Manager will review and approve construction plans that incorporate all required flood protection standards and measures, will issue a Floodplain Development Permit with enforceable conditions of approval, and shall undertake project inspections throughout the construction phase. This will reduce potential impacts from the flooding hazard to a LS level.

3. Completion of Initial Study Checklist

The Ventura County Watershed Protection District, at the request of the Director of Public Works, shall review the consultants' report and complete the Initial Study Checklist.

Adopted by the Board of Supervisors on July 27, 2010

18. Fire Hazards

A. Definition of Issue

Fire hazard is defined as the potential loss of life and/or property due to fire. It is further defined as any thing or act which increases or may cause an increase of the hazard or menace of fire to a greater degree than that customarily recognized as normal by persons in the public service regularly engaged in fire prevention or suppression, or that interferes with the operation of the fire department, or the egress of occupants in the event of fire.

B. Definition of Technical Terms

VCBC – The Ventura County Building Code as adopted by the County of Ventura, Resource Management Agency, Division of Building and Safety.

Fire Code – The fire code adopted by the Ventura County Fire Protection District (VCFPD)

C. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 2.13.1-1 & -2

Policies 2.13.2-1 through -4

Coastal Area Plan:

Coastal Act – Hazards:

§ 30253

North Coast – Hazards:

Objective

Policies 2 & 3

Central Coast – Hazards:

Objective

Policies 3 & 4

South Coast – Hazards:

Objective

Policies 2, 3 & 8

Lake Sherwood/Hidden Valley Area Plan:

Goals 3.4.1-1 through -3

Policies 3.4.2-1 through 9

Oak Park Area Plan:

Goals 2.3.1-1 through -3

Policies 2.3.2-1 through 7

Ojai Valley Area Plan:

Goals 2.3.1-1 through -3

Policies 2.3.2-1 through -5

Piru Area Plan:

Goals 2.3.1-1 through -3

Policies 2.3.2-1 through -3

Saticoy Area Plan:

Goals 2.2.1-1 & -2

Policies 2.2.2-1 through -3

Thousand Oaks Area Plan:

Goal 2.1.1

Policy 2.1.2

D. Threshold of Significance Criteria

The fire hazard section focuses on the rural or wildland areas of the County. The fire hazard area extends into all areas where native brush can be found growing in pure natural stands, which is most common on undeveloped hillside areas. Section 2.13 of the County General Plan covers goals and policies for fire hazard areas.

Ventura County Building Code, Article III Section 702A identifies High Fire Hazard Areas/Fire Hazard Severity Zones as “geographical areas in unincorporated Ventura County designated by the Ventura County Fire Protection District pursuant to California Public Resources Codes Sections 4201 through 4204 and classified as Very High, High, or Moderate in State Responsibility Areas or as Local Agency Very High Fire Hazard Severity Zones designated pursuant to California Government Code, Sections 51175 through 51189. See California Fire Code Article 86. The California Code of Regulations, Title 14, Section 1280, entitles the maps of these geographical areas as "Maps of the Fire Hazard Severity Zones in the State Responsibility Area of California."

The Fire Code also defines Hazardous Watershed Fire Areas as a location within 500 feet of a forest or brush, grass, or grain covered land, exclusive of small individual lots or parcels of land located outside of a brush, forest, or grass covered area.

Projects located within High Fire Hazard Areas/Fire Hazard Severity Zones or Hazardous Watershed Fire Areas may have a significant fire hazard impact. The fire hazard impact can be mitigated by compliance with Building and Safety requirements for structures and the Fire Protection District Hazard Abatement program which calls for the clearing of brush, flammable vegetation, or combustible growth located within 100 feet of structures or buildings. Projects not located within High Fire Hazard Areas/Fire Hazard Severity Zones or Hazardous Watershed Fire Areas will not have a significant impact.

E. Methodology

Preliminary Assessment

The Fire Protection District staff person responsible for administering the project must review the project description materials (site plan, grading plans, etc.) and if necessary make a visit to the project site. To determine if there would be a significant impact, it is necessary to determine if structures are proposed and if they meet mitigation criteria.

Preparation of Checklist

The following information will be used to complete the Fire Hazard section in the Initial Study Checklist:

- **No Impact (N)** - A determination of no impact will be made when the proposed project is not located in a High Fire Hazard Area/Fire Hazard Severity Zone or Hazardous Watershed Fire Area
- **Less than Significant Impact (LS)** – A determination of LS will be made when a project located in a High Fire Hazard Area/Fire Hazard Severity Zone or Hazardous Watershed Fire Area and the project will comply with all applicable Federal, State regulations and the requirements of the VCBC and the Fire Code.
- **Potentially Significant Impact - Mitigation Incorporated (PS-M)** – A determination of PS-M will be made when a project located in a High Fire Hazard Area/Fire Hazard Severity Zone or Hazardous Watershed Fire Area is not able to comply with applicable Federal, State regulations, the VCBC or the Fire Code due to site specific constraints such as: endangered plants and species, terrain / topography, or located adjacent to lands not subject to local regulations (i.e.: Federal or State property). These projects shall be required to provide a Fire Protection Plan (FPP) from a qualified fire protection consultant as approved by the VCFPD. The FPP shall identify mitigation measures to reduce the Fire Hazard risk to a minimum LS level. Proposed mitigation measures shall be approved by the VCFPD.
- **Potentially Significant Impact (PS)** - A determination of PS will be made when project related significant or potentially significant impacts from fire hazards cannot be feasibly mitigated to a LS level using currently available information.

Adopted by the Board of Supervisors on July 27, 2010

19. Aviation Hazards

A. Definition of Issue

Aviation hazard is defined as the potential loss of life and/or property due to an aircraft accident. It is further defined as anything or act which increases, or may cause to increase, the hazard or risk of aircraft accidents to a greater degree than that which may occur characteristically as the result of mechanical failure, pilot error or inclement weather.

Incompatible land uses near airports include those associated with residential development, retail centers with high density uses, schools, churches, refineries and mobile home parks. The purpose of establishing land-use restrictions in safety zones around an airport is to minimize the number of people exposed to aircraft crash hazards and unwanted aircraft generated noise. To achieve those objectives, decision-makers must limit the number of persons in an area and limit the area covered by structures occupied by people. Each additional person in an area near an airport becomes subject to a certain crash hazard risk by virtue of being located in the airport sphere of influence.

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goal 2.14.1-1

Policy 2.14.2-2

C. Threshold of Significance Criteria

A review of a project's potential aviation hazards, as those hazards relate to proposed development of properties near county public airports, will focus on that project's compliance with the County's Airport Comprehensive Land Use Plan and pre-established federal criteria set forth in Federal Aviation Regulation Part 77 (Obstruction Standards), as well as those recommendations for good land-use planning made by state and county governments. This department will give special attention to all residential development within the sphere of influence of County airports (see Attachment 1), as well as churches, schools and high commercial purpose buildings within the same sphere of influence. Projects which do not meet these applicable criteria may have the potential to cause a significant aviation impact.

D. Methodology

Projects located within the sphere of influence of either the Camarillo or Oxnard airports should be referred to the Ventura County Director of Airports and the Ventura County Airport Land Use Commission, who will determine what project-specific and/or cumulative impacts, if any, the project will have on airport operations.

Projects located within the sphere of influence of the Santa Paula Airport should be referred to the Santa Paula Airport Manager and the Ventura County Airport Land Use Commission, who will determine what project-specific and/or cumulative impacts, if any, the project will have on airport operations.

Projects located within the sphere of influence of the Naval Base Ventura County Airport should be referred to the Naval Base Ventura County and the Ventura County Airport Land Use Commission, who will determine what project-specific and/or cumulative impacts, if any, the project will have on airport operations.

Potential impacts are evaluated by first determining whether or not the proposal is consistent with County's adopted Airport Comprehensive Land Use Plan. Reference will also be made to the State of California Airport Land Use Planning Handbook and pertinent Federal Aviation Regulations governing the height of structures which might be a hazard to air navigation. Following review of the project, written comments and observations will be forwarded to County Planning.

Adopted by the Board of Supervisors on July 27, 2010

Reference Material

A. **Airport Land Use Planning Handbook**

Prepared by the California Department of Transportation. Provides technical assistance and other guidance to Airport Land Use Commissions for improving plans and to cities and counties in achieving consistency between the ALUC plans and their own general plans.

B. **Title 14 Code of Federal Regulations (CFR) PART 77 - Objects Affecting Navigable Airspace.**

Establishes standards for determining obstructions in navigable airspace.

Sets forth the requirements for notice to the Director of certain proposed construction or alteration.

Provides for aeronautical studies of obstructions to air navigation, to determine their effect on the safe and efficient use of airspace.

Provides for public hearings on the hazardous effect of proposed construction or alteration on air navigation; and

Provides for establishing antenna farm areas.

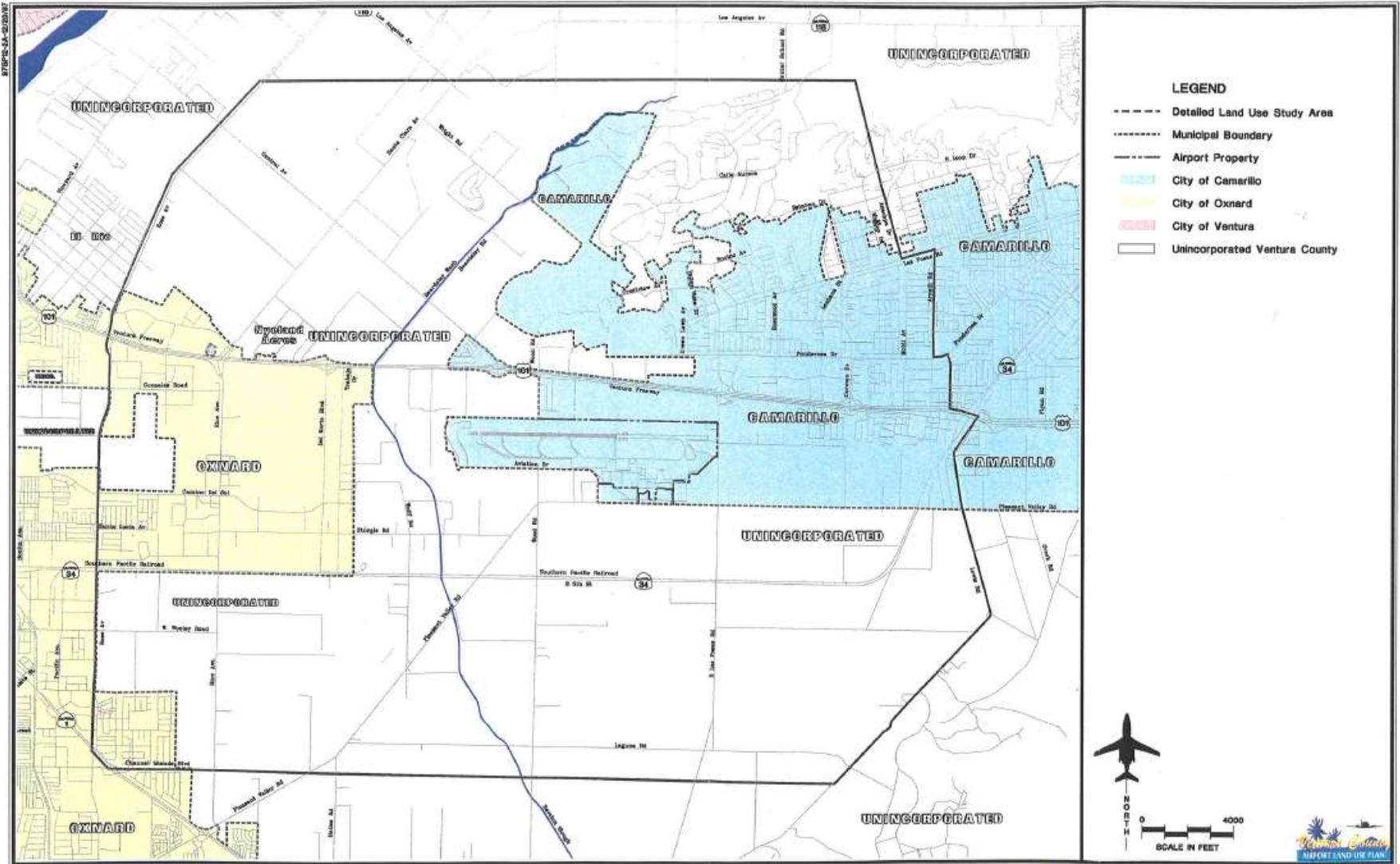
C. **Airport Comprehensive Land Use Plan**

The County Transportation Commission has adopted the Airport Comprehensive Land Use Plan.

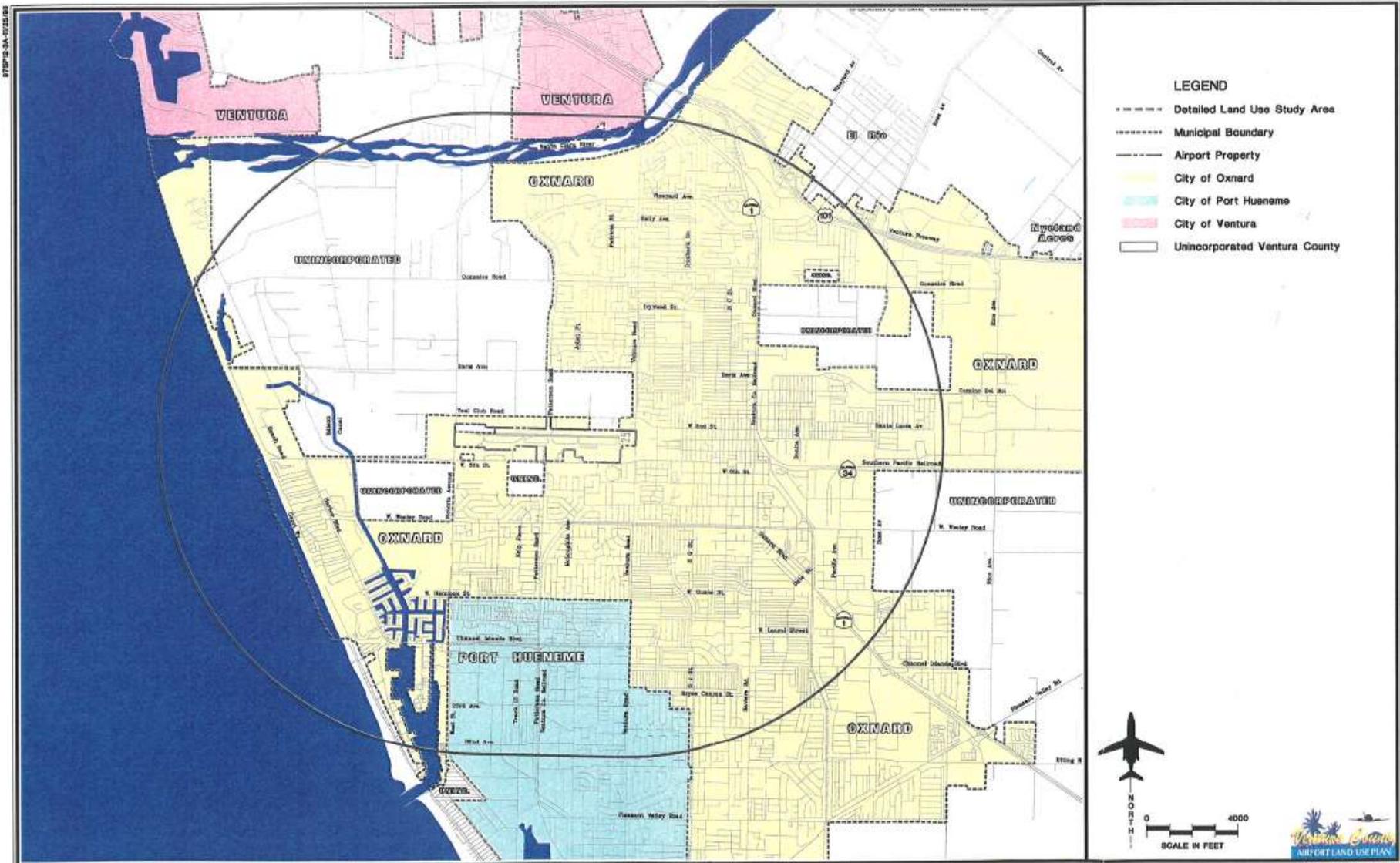
Attachments:

Attachment 1 - Airport Sphere of Influence

Attachment 1 Airport Sphere of Influence



Camarillo Airport



Oxnard Airport



Santa Paula Airport

Ventura County Initial Study Assessment Guidelines

20a. Hazardous Materials/Waste – Materials

A. Definition of Issue

“Hazardous material” means any material that, because of its quantity, concentration, physical or chemical characteristics poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. Hazardous materials include, but are not limited to, hazardous substances, hazardous waste, and any material that the administering agency (CUPA) determines to be potentially injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment.

B. Definitions of Terms

Certified Unified Program Agency (CUPA) - The agency designated under the California Health and Safety Code for enforcement of regulations pertaining to hazardous materials.

Underground Storage Tanks (UST) - Any one or combination of tanks, including pipes connected thereto, which is used for the storage of hazardous substances as defined in the California Health and Safety Code, Division 20, Chapter 6.7, and which is substantially or totally beneath the surface of the ground.

Pipe - Means any pipeline or system of pipelines which is used in connection with the storage of hazardous substances and which is not intended to transport hazardous substances in interstate or intrastate commerce or to transfer hazardous materials in bulk to or from a marine vessel.

Leaking Underground Fuel Tank (LUFT) - Means a site that has been identified on the Environmental Health Division’s list of leaking underground fuel tanks.

Business Plan (BP) - Means a plan that includes a chemical inventory, emergency response plans and procedures, and employees training. The Business Plan is required to be prepared by every business that handles hazardous materials in quantities equal to or greater than 500 pounds, 55 gallons, or 200 cubic feet at standard temperature and pressure for a compressed gas.

Regulated substance - Means a regulated substance as listed in California Code of Regulations, Title 19, Division 2, Chapter 4.5, Article 8.

Risk Management Plan (RMP) - Means a summary of a stationary source’s risk management program. A RMP is required of any stationary source, which handles more than a threshold quantity of a regulated substance as listed in the California Code of Regulations , Title 19, Division 2, Chapter 4.5, Article 8.

VCFPD – Ventura County Fire Protection District

C. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 2.15.1-1 & -2

Policies 2.15.2-1 through -5

D. Threshold of Significance Criteria

A project that is designed to meet all of the applicable requirements set forth in the following authorities shall not be considered to have a significant impact in this environmental area:

- **Underground Storage Tanks** - California Health and Safety Code, Division 20, Chapter 6.7 and the California Code of Regulations Title 23, Division 3, Chapter 16.
- **Business Plan (BP)** - California Health and Safety Code, Division 20, Chapter 6.95, Article 1.
- **Risk Management Plan (RMP)** - California Health and Safety Code, Division 20, Chapter 6.95, Article 2.

- **CUPA** - California Health and Safety Code, Division 20, Chapter 6.11.
- **Fire Code** – The Fire Code adopted by the VCFPD in regards to aboveground hazardous materials. Reference California Health and Safety Code, Division 12, part 2.7.

E. Methodology

Preliminary Assessment - Review the project application, project description questionnaire and requested materials; and consult with the Hazardous Materials section of the Environmental Health Division to obtain the following information:

1. Determine if the proposed project will utilize hazardous materials in a quantity that is subject to regulation by the Environmental Health Division and/or VCFPD.
2. Determine if the project will utilize and require the installation of underground hazardous materials storage tanks.
3. Determine if existing underground storage tanks are on-site, and if they are in compliance with the testing and monitoring requirements set forth in the California Health and Safety Code, Division 20, Chapter 6.7 and the California Code of Regulations Title 23, Division 3, Chapter 16. Consult with the Ventura County Environmental Health Division Hazardous Materials Program and determine if any enforcement or compliance actions are pending.

Note: A site assessment must be completed on active LUFT sites before the application is deemed complete.

4. Determine if existing tanks are to be permanently closed.

Preparation of Checklist - The following information will be used to complete the Hazardous Materials section in the Initial Study Checklist:

1. **No Impact (N)** - A determination of no project or cumulative impact will be made when the proposed project will not utilize hazardous materials.
2. **Less than Significant Impact (LS):**
 - a. A determination of LS will be made when the project will utilize hazardous materials that are subject to regulation by the Environmental Health Division and/or VCFPD. Compliance with applicable state regulations enforced by the Environmental Health Division and/or VCFPD will reduce potential project related and cumulatively impacts to a LS level.
 - b. A determination of LS will be made when the project will utilize hazardous materials and will be connected to an onsite sewage disposal system. For development in areas without public sewer service, intentional or unintentional discharges of hazardous materials into a building's plumbing system may result in groundwater contamination. This is especially critical in Commercial/Industrial development located near sensitive groundwater basins. State regulations have been enacted to ensure that public health, the environment and natural resources are protected from potential adverse impacts from the improper storage, handling and disposal of hazardous materials. Compliance with these regulations will reduce potential impacts to a LS level.
3. **Potentially Significant Impact - Mitigation Incorporated (PS-M):**
 - a. A determination of PS-M will be made when project related and cumulatively potentially significant impacts from hazardous material(s) can be successfully mitigated to a LS level by project design or measures using currently acceptable technology and/or through adoption of specific project condition.
 - b. A determination of PS-M will be made when the existing underground tanks are not in compliance and the property is under a compliance/enforcement action by the Underground Tank Section of the Environmental Health Division. Compliance with applicable regulations enforced by the Environmental Health Division and through adoption of a specific project condition will mitigate project related and cumulative impacts to an LS level.

Mitigation measures will be developed on a case by case basis when a determination of PS-M to public health has been identified.

4. **Potentially Significant Impact (PS)** - A determination of PS will be made when project related and cumulatively significant or potentially significant impacts from hazardous materials cannot be feasibly mitigated to a LS level using currently available information.

Adopted by the Board of Supervisors on July 27, 2010

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20b. Hazardous Materials/Waste – Waste

A. Definition of Issue

“Hazardous waste” includes the following:

- A waste, or combination of wastes, which because of quantity, concentration, physical or chemical characteristics, may cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or may pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported, or disposed of, or otherwise managed.
- A waste that meets any of the criteria for the identification of a hazardous waste adopted by the State Department of Toxic Substances Control pursuant to Division 20, Chapter 6.5 of the California Health and Safety code.

B. Definition of Terms

Hazardous Waste Producer - Any person who generates hazardous waste; requires a permit from the Environmental Health Division.

Extremely Hazardous Waste - As defined in California Health and Safety Code , Division 20, Chapter 6.5, Article 2, means any hazardous waste or mixture of hazardous wastes which, if human exposure should occur, may likely result in death, disabling personal injury or serious illness caused by the hazardous waste or mixture of hazardous wastes because of its quantity, concentration, or chemical characteristics.

Acutely Hazardous Waste - Acutely hazardous waste or acute hazardous waste means any hazardous waste classified as an acutely waste in the California Health and Safety Code Division 20, Chapter 6.5, Article 2.

Disposal Site - The location where any final deposition of hazardous waste occurs.

NOTE: For a more complete list of definitions, the reader is directed to California Health and Safety Code, Division 20, Chapter 6.5, Article 2.

C. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 2.15.1-1 & -2

Policies 2.15.2-1 through -5

D. Threshold of Significance Criteria

A project that is designed to meet all of the applicable requirements set forth in the following authorities shall not be considered to have a significant impact in this environmental area:

- California Code of Regulations (CCR), Title 22, Division 4.5.
- California Health and Safety Code, Division 20, Chapter 6.5.
- Ventura County Ordinance Code, Division 4, Chapter 5 (Hazardous Substances), Article 1, (Certified Unified Program Agency).

The above State Legislation and local ordinances have been enacted for the purpose of preventing contamination from improper storage, handling and disposal of hazardous wastes. It is also the intent of these regulations to establish procedures so that the generators of hazardous wastes will be encouraged to employ reduction technology and destruction of their hazardous wastes prior to disposal.

E. Methodology

Preliminary Assessment - Review the project application, project description questionnaire, and requested materials to obtain the following information:

1. Determine if the project will produce hazardous wastes by reviewing the application materials and consulting with the Hazardous Materials Section of the Environmental Health Division.
2. Determine if the project is located in an area with access to public sewer service.
3. Determine if the project will utilize an onsite sewage disposal system (septic system).
4. Determine if the project is located in a sensitive groundwater basin as determined by the Groundwater Resources Section of the Public Works Agency and the Environmental Health Division.

Preparation of Checklist - The following information will be used to complete Hazardous Waste section in the Initial Study Checklist:

1. **No Impact (N)** - A determination of no project or cumulative impact will be made if the project will not produce hazardous waste.
2. **Less than Significant Impact (LS):**
 - a. A determination of less than significant will be made if the project will produce hazardous waste that is subject to state regulations enforced by the Environmental Health Division. Compliance with applicable state regulations enforced by the Environmental Health Division will reduce potential project related and cumulative impacts to a LS level.
 - b. A determination of LS will be made if the project will produce hazardous waste and will be connected to an onsite sewage disposal system. For development in areas without public sewer service, intentional or unintentional discharges of hazardous wastes into a building's plumbing system may result in groundwater contamination. This is especially critical in Commercial/Industrial development located near sensitive groundwater basins. State regulations have been enacted to ensure that public health, the environment, and natural resources are protected from potential adverse impacts from the improper storage, handling and disposal of hazardous waste. Compliance with these regulations will reduce potential project related and cumulative impacts to a LS level.
3. **Potentially Significant Impact-Mitigation incorporated (PS-M)** - A determination of PS-M will be made if the project will produce hazardous waste, and the Environmental Health Division identifies that a potentially project related and cumulative significant impact is present which can be successfully mitigated to a LS level by project design or measures using currently acceptable technology and/or through adoption of specific project condition.
4. **Potentially Significant Impact (PS)** - A determination of PS will be made if the Environmental Health Division finds that the character and quantity of the hazardous waste produced by the project and cumulative projects may seriously degrade groundwater that cannot be feasibly mitigated to a LS level.

Adopted by the Board of Supervisors on July 27, 2010

21. Noise and Vibration

A. Definition of Issue

Noise is defined as any unwanted sound that is undesirable because it interferes with speech and hearing, or is intense enough to damage hearing, or is otherwise annoying. Noise impacts can occur during the construction and/or operational phases of a project.

With the exception of a few large-scale construction projects that last a period of years, most projects involve only short term construction noise impacts. The severity of construction noise impacts varies based on the location of sensitive receptors; type or phase of construction; combination of equipment used; site layout; and, construction methods that are employed.

Operational noise typically includes long-term impacts—that is, impacts that persist throughout the life of a project. Impacts from operational noise vary based on the: location of sensitive receptors; type of equipment or machinery that is used; site layout; and, duration and times during which noise-generating uses occur.

Vibration is defined as a motion that repeatedly reverses itself. The most common type of environmental impact involving vibration consists of ground vibration, which is the periodic displacement of earth, which creates vibration waves that move through soil and rock strata, foundations of nearby buildings, and then throughout the parts of the building structure. Ground-borne vibration can result in sensible movement of the building floors, rattling of windows, shaking of items on shelves or hanging on walls, and rumbling sounds. The rumbling sound caused by the vibration of room surfaces is called ground-borne noise.

The operation of construction equipment and construction techniques (e.g., pile driving, blasting, or excavation) can generate temporary ground vibration impacts. Moreover, heavy duty vehicles traveling along roadways with potholes and bumps, steel-wheeled/steel-rail vehicles (e.g., trains), and equipment used in industrial operations which are related to a proposed project can generate recurring ground vibration impacts throughout the life of a project. If the amplitudes are high enough, ground vibration can: cause damage to buildings, ranging from more severe (yet uncommon) structural damage to less severe cosmetic damage (e.g., cracked plaster); and, generate ground-borne noise that is discomforting or a nuisance to individuals who live or work close to vibration-generating activities.

B. Definition of Terms

The following is a partial glossary of acoustic and vibration terminology. For a more comprehensive glossary of noise-related terms, see the Ventura County General Plan Hazards Appendix (§2.16.2). For a more comprehensive glossary of vibration-related terms, see the Transit Noise and Vibration Impact Assessment.¹

Ambient Noise - The noise that results from the combination of all sources, near and far, which constitutes the existing environmental setting for the purposes of evaluating noise impacts. The ambient noise levels are expressed as L_{eqT} or CNEL as judged appropriate to the situation.

A-weighted Sound Level [$L_A - dB(A)$] - Sound pressure level measured using the A-weighting network, a filter which discriminates against low and very high frequencies in a manner similar to the human hearing mechanism at moderate sound levels (ANSI S1.4).

Community Noise Equivalent Level [CNEL - dB(A)] - The long-term time average sound level, weighted as follows:

- Frequency response is filtered using the A-weighting network.
- Sounds occurring between 7 p.m. and 10 p.m. are weighted by 5 dB (in effect, the number of noise events is multiplied by 3.15).

¹ Hanson, Carl E., David A. Towers, and Lance D. Meister. (May 2006). *Transit Noise and Vibration Impact Assessment*. Federal Transit Administration, Office of Planning and Environment. FTA-VA-90-1003-06. Available on-line at: http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf.

- Sounds occurring between 10 p.m. and 7 a.m. are weighted by 10 dB (in effect, the number of noise events is multiplied by 10).

Decibel (dB) - A unit of sound measurement equal to 10 times the base-10 logarithmic ratio squared of the magnitude of acoustic pressure divided by and relative to a specified reference level. The airborne acoustic pressure reference level is the threshold of hearing of an average human, which is equal to 20 micropascals (μPa or 2×10^{-5} Pa) and is equivalent to 0 dB, the quietest sound a human can hear. A 3 dB increase is barely detectable. A 10 dB increase represents a doubling of loudness.

Noise Contour - A line on a map that indicates locations of constant ambient sound level near or around known sources of noise. In practice, noise contours are often shown as calculated for the dominant source of noise only.

Noise Sensitive Uses - Dwellings, schools, hospitals, nursing homes, churches and libraries.

Time Average Sound Level (L_{eqT} - dB) - The level, in decibels, of the mean sound pressure averaged over time period T. This is often referred to as "equivalent sound level" and hence the "eq" subscript. The "equivalence" is to a sound of constant level that has the same total acoustic energy content.

Vibration Category 1 (High Sensitivity Use) - Buildings where vibration would interfere with operations within the building, including levels that may be well below those associated with human annoyance. Examples include: concert halls; vibration-sensitive research and manufacturing; hospitals with vibration-sensitive equipment; and, university research operations.

Vibration Category 2 (Residential) - All residential land uses and any buildings where people sleep, such as hotels and hospitals.

Vibration Category 3 (Institutional) - Schools, churches, other institutions, and quiet offices that do not have vibration-sensitive equipment, but still have the potential for activity interference.

C. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goal 2.16.1
Policies 2.16.2-1 through -3

Lake Sherwood/Hidden Valley Area Plan:

Goals 3.3.1-1 & -2
Policies 3.3.2-1 through 5

Oak Park Area Plan:

Goals 2.4.1-1 & -2
Policies 2.4.2-1 through -5

Ojai Valley Area Plan:

Goals 2.4.1-1 & -2
Policies 2.4.2-1 through -3

Piru Area Plan:

Goals 2.4.1-1 & -2
Policies 2.4.2-1 through -3

Thousand Oaks Area Plan:

Goals 2.3.1-1 & -2
Policy 2.3.2

D. Threshold of Significance Criteria

Noise Thresholds:

Any project that produces noise in excess of the standards for noise in the Ventura County General Plan Goals, Policies and Programs (Section 2.16) or the applicable Area Plan, has the potential to cause a significant noise impact. Noise-generating uses that either individually or when combined with other recently approved, pending, and probable future projects, exceeds the noise thresholds of General Plan Noise Policy 2.16.2-1(4) are considered to have a potentially significant impact.

Vibration Thresholds:

1. Construction Threshold - Any project that either individually or when combined with other recently approved, pending, and probable future projects, includes construction activities involving blasting, pile-driving, vibratory compaction, demolition, and drilling or excavation which exceed the threshold

criteria provided in the Transit Noise and Vibration Impact Assessment (Section 12.2),² is considered to have a potentially significant impact.

Table 1 - Screening Distances for Vibration Assessment

| Vibration-Generating Transit Use | Critical Distance for Land Use Categories* Distance from Right-of-Way or Property Line (feet) | | |
|---|--|------------|------------|
| | Category 1 | Category 2 | Category 3 |
| Steel-Wheeled/Steel-Rail Vehicle Transit Uses | | | |
| Conventional Commuter Railroad | 600 | 200 | 120 |
| Rail Rapid Transit | 600 | 200 | 120 |
| Light Rail Transit | 450 | 150 | 100 |
| Intermediate Capacity Transit | 200 | 100 | 50 |
| Rubber-Tire Heavy Vehicle Uses | | | |
| Rubber-Tire Heavy Vehicles (if not previously screened out)** | 100 | 50 | -- |

*See the "Definition of Technical Terms" (above) for the land uses that fall within each of the Categories, as well as the Transit Noise and Vibration Impact Assessment, Appendix A, for the definitions of vibration-generating transit uses listed in this table. For the purposes of screening procedures, concert halls and television studios should be evaluated as Category 1, and theaters and auditoriums should be evaluated as Category 2.

**See the discussion below.

Source: Transit Noise and Vibration Impact Assessment, Table 9.2.

2. Transit Use Thresholds - Table 1 lists the thresholds for vibration-generating transit uses, based on the type of transit use and the location of the transit use in relation to sensitive use categories. If a project would result in a transit use located within any of the critical distances of the vibration-sensitive uses listed in Table 1, the project has the potential to result in a significant impact and must be evaluated using the Transit Noise and Vibration Impact Assessment (Chapters 8 through 11).³
3. Commercial/Industrial Use Vibration Thresholds:
 - a. Any project that would generate new heavy vehicle (e.g., semi truck or bus) trips on uneven roadways located within proximity to sensitive uses has the potential to either individually or when combined with other recently approved, pending, and probable future projects, exceed the threshold criteria of the Transit Use Thresholds for rubber-tire heavy vehicle uses (Item No. 3 and Table 1, above), thereby resulting in a potentially significant impact.

² Ibid

³ Ibid.

- b. Any project that involves blasting, pile-driving, vibratory compaction, demolition, drilling, excavation, or other similar types of vibration-generating activities has the potential to either individually or when combined with other recently approved, pending, and probable future projects, exceed the threshold criteria⁴ provided in the *Transit Noise and Vibration Impact Assessment* (Section 12.2),⁵ thereby resulting in a potentially significant impact.

E. Methodology

Noise

Construction noise impacts shall be evaluated using the assessment methodology, criteria, and reporting procedures provided in the Construction Noise Threshold Criteria and Control Measures.⁶ All other types of noise impacts shall be evaluated pursuant to the following procedures.

Step 1 - Preliminary Noise Assessment

A preliminary noise assessment shall be conducted by the County Agency responsible for administering the proposed development project. The purpose of the preliminary noise assessment is to determine if a consultant prepared acoustical analysis is required. (See Step 2, below) The preliminary noise assessment shall consist of the following:

- a. **Determine if the Proposed Use is Noise Sensitive or a Noise Generator** - If the proposed use is *noise sensitive*, see Steps 1.b, 1.c and 1.d below. If the proposed use is a potential noise generator, see Step 1.e below.
- b. **Consult) GIS Noise Exposure/Contour Maps** - Using Planning GIS, view the project site with the noise layers turned on, in order to determine whether or not the noise-sensitive use site is within the 60 dB(A) CNEL contour of a highway or airport . If the project is located within this contour, the noise impact is potentially significant and a consultant prepared acoustical analysis must be completed.
- c. **Consult Land Use Maps** - Locate the project area on the General Land Use, Existing Community and Area Plan Maps (as appropriate) of the General Plan, which are available from the Resource Management Agency, GIS Development and Mapping Services Division. If the project is noise-sensitive and is within 500 feet of an industrially designated area, the noise impact is potentially significant and a consultant prepared acoustical analysis must be completed.
- d. **Consult GIS Aerial Imagery** – Using Planning GIS, view the project site with the most current aerial imagery layer turned on to determine if a railroad exists within the vicinity of the project site. If a railroad exists, use the measuring tool to determine the distance between the noise-sensitive use site and the railroad. If the noise-sensitive project site is located within 3,400⁷ feet of a railroad, the noise impact is potentially significant and a consultant prepared acoustical analysis must be completed.
- e. **Estimate Potential Noise Impact** - If the project is a noise-generator, it will be necessary to determine:
 - The noise-generating equipment's and activities' estimated noise levels and the times at which the noise levels would occur; and,

⁴ The severity of vibration-related impacts to buildings and humans are the same regardless of the source of the vibration, be it from construction or operational activities, provided that the equipment is equivalent in terms of their vibration-generating potential. Therefore, the construction-related threshold criteria are to be used for commercial/industrial operations.

⁵ Hanson, Carl E., David A. Towers, and Lance D. Meister. (May 2006).

⁶ Advanced Engineering Acoustics. (November 2005). *County of Ventura Construction Noise Threshold and Criteria Plan*. Available on-line at: http://www.ventura.org/rma/planning/pdf/ceqa/Construction_Noise_Thresholds.pdf.

⁷ This distance was determined based on: (1) the maximum indoor noise level for habitable rooms (45 CNEL) stated in the Ventura County General Plan *Goals, Policies and Programs*, Noise Policy 2.16.2-1(1)a; and, (2) the calculated distance in feet between main line railroad tracks and the 45 CNEL contours, for railroads within Ventura County (Ventura County General Plan *Hazards Appendix*, 2005, 94).

- The proximity of the noise-generating equipment to the noise-sensitive uses using the project plans, information gathered during a site visit, aerial imagery, and land use maps that are available from the Resource Management Agency, GIS Development and Mapping Services Division.

In general, noise decreases by 5 dB for each doubling of the distance from the noise source. If the noise from the proposed project is estimated to exceed any of the following standards at the nearest *noise sensitive use*, the noise impact is deemed to have a potentially significant noise impact and a consultant prepared acoustical analysis must be completed:

55 dB(A) between 6:00 a.m. and 7:00 p.m.,

50 dB(A) between 7:00 p.m. and 10:00 p.m., or

45 dB(A) between 10:00 p.m. and 6:00 a.m.

If the preliminary noise assessment reveals that the project does not have the potential to create a significant noise impact and an acoustical analysis is not required, the agency that is responsible for administering the project shall complete the Initial Study Checklist and discussion of responses to the checklist pursuant to the “Instructions for Preparing an Initial Study” provided in the Ventura County Initial Study Assessment Guidelines. However, if the preliminary noise assessment reveals that the project has the potential to create a significant noise impact, a consultant prepared acoustical analysis must be prepared pursuant to the criteria provided in Step 2 (below).

Step 2 - Consultant Prepared Acoustical Analysis

If it is determined that a quantitative assessment is required, a qualified noise consultant shall prepare the analysis (see attached Noise Consultant Qualifications). The agency that is responsible for administering the project will ensure that the consultant meets the minimum qualifications.

Acoustical Analysis Requirements

The purpose of the consultant prepared acoustical analysis is to: determine if the project would result in any potentially significant noise impacts; identify any feasible mitigation measures that might exist to reduce the severity of the noise impacts; and, determine if the noise impacts, after mitigation, are still potentially significant. As such, the acoustical analysis must include a(n):

- Discussion of the existing environmental setting (e.g., a description of the noise sources and *ambient noise* levels of the project site and surrounding area);
- Discussion of recently approved, pending, and probable future noise-generating projects⁸ that have the potential to contribute to cumulative impacts to the noise environment and, as such, are included in the acoustical analysis;
- Discussion of the methodology used in collecting noise data (e.g., noise equipment and metrics used). Noise measurements should be taken using standard industry practices, after taking into consideration site-specific characteristics (e.g., buildings, walls, topography, and the location of existing and potential future noise-sensitive receptors in relation to noise generators) which might have an influence on the noise measurements;
- Discussion of the methodology used in calculating project-specific and cumulative noise impacts (e.g., noise models used);
- Presentation of the data on the existing noise environment, as well as data on projected noise levels; and,
- Initial Study checklist and discussion pursuant to the requirements of the “Instructions for Preparing an Initial Study” in the Ventura County Initial Study Assessment Guidelines.

⁸ The list of recently approved, pending, and probable future projects is available on-line at: <http://www.ventura.org/rma/planning/Permits/projects.html>.

Step 3 - Environmental Document Determination

If the acoustical analysis shows that there would be no significant impact, the Initial Study Checklist should be checked LS. If the study shows that there would be potentially significant noise impacts, but feasible mitigation measures could be incorporated into the project which could reduce the impact to a less than significant level, then the Initial Study Checklist should be checked PS-M. If the study shows that there would be significant, immitigable noise impacts (except construction related noise), the project could not be approved because of the General Plan noise policies. .

Step 4 - Update Data Base

In a continuing effort to update County noise data, a copy of all consultants' acoustical analysis shall be sent to the Planning Director.

Vibration:

Construction-Related Vibration

The agency that is responsible for administering the project shall request from the applicant information regarding the: types of construction activities that will be required; duration of each construction phase; and, types and number of construction equipment that will be used during each phase of construction. Using the list of recently approved, pending, and probable future projects,⁹ the agency also shall identify other vibration-generating projects located within the vicinity of the project site that have the potential to contribute to cumulative impacts relating to vibration. Once this information is obtained, the agency that is responsible for administering the project shall evaluate potential construction-related vibration impacts using the assessment methodology provided in the Transit Noise and Vibration Impact Assessment (Section 12.2 et seq).¹⁰

As discussed in the Transit Noise and Vibration Impact Assessment, many projects will not have the potential to create prolonged annoyance or damage from construction vibrations and, therefore, will only require a qualitative assessment of potential construction-related vibration impacts. In these cases, the agency that is responsible for administering the project shall prepare the Initial Study checklist and discussion pursuant to the requirements of the "Instructions for Preparing an Initial Study" in the Ventura County Initial Study Assessment Guidelines.

Steel-Wheeled/Steel-Rail Vehicle Transit Uses

In order to determine if a project has the potential to generate a significant impact using the threshold criteria provided above (Threshold Criterion No. 3 and Table 1), the agency that is responsible for administering the project will need to determine if any vibration-sensitive uses are located within proximity to the project site. This information can be gathered by observation during a site visit and using the aerial imagery in Planning GIS. During the site visit, the agency that is responsible for administering the project shall identify any vibration-sensitive uses located within proximity to the project site. Using Planning GIS, the agency that is responsible for administering the project should view the project site with the most current aerial imagery data layer, identify the location of the vibration sensitive use that was identified during the site visit vis-à-vis the project site, and use the measuring tool to determine the distance between the vibration-sensitive use and the project site.

If the project site is located outside of the critical distance for the vibration-sensitive use specified in Table 1 (above), the project would have a less-than-significant impact, and the agency that is responsible for administering the project shall complete the Initial Study checklist and discussion pursuant to the requirements of the "Instructions for Preparing an Initial Study" in the Ventura County Initial Study Assessment Guidelines.

If the project site is located within the critical distance specified in Table 1 (above), the project shall be evaluated for potential vibration impacts using the assessment methodology, criteria, and reporting procedures provided in the Transit Noise and Vibration Impact Assessment (Chapters 9 through 11, and

⁹ See Footnote 13 (above).

¹⁰ Hanson, Carl E., David A. Towers, and Lance D. Meister. (May 2006).

13).¹¹ Both project-specific and the project's contribution to cumulative impacts shall be evaluated. Cumulative impacts shall be evaluated by incorporating into the assessment all recently approved, pending, and probable future projects located within the vicinity of the project site that have the potential to contribute to cumulative impacts relating to vibration.¹² A qualified engineer must prepare the analysis. The agency that is responsible for administering the project will be responsible for selecting the consultant, and shall develop its own contract procedures with which to hire consultants. The consultants must meet the qualifications discussed in the Construction-Related Vibration Section (above). The analysis must include an Initial Study checklist and discussion that meets the requirements of the "Instructions for Preparing an Initial Study" in the Ventura County Initial Study Assessment Guidelines.

Rubber-Tire Heavy Vehicle Transit Uses

Rubber-tire heavy vehicles traveling on roadways typically will not produce a significant vibration impact, except in situations where a large number of heavy vehicles (e.g., semi trucks or buses) are traveling along uneven roadways within proximity to sensitive uses. Therefore, if a project would build, place or expand vibration-sensitive uses in close proximity to roadways on which a large number of rubber-tire heavy vehicles travel, the following initial screening questions must be asked to determine if the project would result in a potentially significant vibration impact:

1. Will the project result in the location of vibration-sensitive uses in close proximity to roadways with expansion joints, speed bumps, or other design features that result in unevenness in the road? Such roadway irregularities can result in perceptible ground-borne vibration at distances up to 75 feet away.
2. Will the project result in buses, trucks or other heavy vehicles operating near a vibration-sensitive use? Research using electron microscopes and manufacturing of computer chips are examples of vibration-sensitive uses.
3. Will the project result in the operation of vehicles inside or directly underneath buildings that are vibration-sensitive? Special considerations are often required for shared-use facilities such as a bus station located inside an office building complex.

If the answer is "no" to all three of the initial screening questions, the project would have a less-than-significant impact, and the agency that is responsible for administering the project shall complete the Initial Study checklist and discussion that meets the requirements of the "Instructions for Preparing an Initial Study" in the Ventura County Initial Study Assessment Guidelines.

If the answer is "yes" to any one of the initial screening questions, the project must be evaluated using the screening criteria in Table 1 (above). If the project would result in the location of rubber-tire heavy vehicle uses within any of the critical distances of the sensitive use categories listed in Table 1, the project has the potential to generate a significant impact, and must be evaluated using the Transit Noise and Vibration Impact Assessment.¹³ Both project-specific and the project's contribution to cumulative noise impacts shall be evaluated. Cumulative impacts shall be evaluated by incorporating into the assessment all recently approved, pending, and probable future projects located within the vicinity of the project site that have the potential to contribute to cumulative impacts relating to vibration.¹⁴ A qualified engineer must prepare the analysis. The agency that is responsible for administering the project will be responsible for selecting the consultant, and shall develop its own contract procedures with which to hire consultants. The consultants must meet the qualifications discussed in the Construction-Related Vibration Section (above). The analysis must include an Initial Study checklist and discussion that meets the requirements of the "Instructions for Preparing an Initial Study" in the Ventura County Initial Study Assessment Guidelines.

¹¹ Hanson, Carl E., David A. Towers, and Lance D. Meister. (May 2006).

¹² See Footnote 13 (above).

¹³ Hanson, Carl E., David A. Towers, and Lance D. Meister. (May 2006).

¹⁴ See Footnote 13 (above).

Commercial- or Industrial-Generated Vibration

Any project that would generate new heavy vehicle (e.g., semi truck or bus) trips on uneven roadways located within proximity to sensitive uses shall be evaluated using the methodology prescribed for rubber-tire heavy vehicle transit uses (above).

Any project that involves blasting, pile-driving, vibratory compaction, demolition, drilling, excavation, or other similar types of vibration-generating activities shall be evaluated using the methodology prescribed for construction-related vibration (above).

Adopted by the Board of Supervisors on July 27, 2010

Attachment Noise Consultant Qualifications

The Environmental Quality Advisory Committee has established the following minimum qualifications for noise consultants for the purpose of conducting acoustical analysis. Noise consultants must demonstrate that they meet the minimum qualifications as defined below:

Education - Consultants should hold an advanced degree from an accredited institution (e.g., M.A., M.S., or Ph.D.) in Physics, Mathematics, Engineering or related discipline. Consultants without an advanced degree in these fields must provide documentation of at least five years of relevant research or field work in acoustical engineering.

Experience - All consultants must possess a working knowledge of physics, acoustical principles, utilization of sound level meters, and applicable state codes. Experience with CEQA is highly desirable. Consultants also must have experience in the following:

- Acquiring and evaluating data;
- Creating mitigation monitoring and reporting programs; and,
- Evaluating designs for compliance with standards relative to land use.

Local and State Expertise - Consultants must provide evidence of expertise in community/industrial noise (e.g., the preparation of Noise Elements of General Plans, technical reports, studies, mitigation measures, or noise ordinances).

Professional Certification - Evidence of professional certification is highly desirable though not required.

Vibration Consultant Qualifications

Environmental Quality Advisory Committee has established the following minimum qualifications for vibration consultants for the purpose of conducting vibration analyses. Vibration consultants must demonstrate that they meet the minimum qualifications for vibration consultants as defined below:

Education - Consultants should hold an advanced degree from an accredited institution (e.g., M.A., M.S., or Ph.D.) in Physics, Mathematics, Engineering or related discipline. Consultants without an advanced degree in these fields must provide documentation of at least five years of relevant research or field work in engineering activities involving vibration impact assessment.

Experience: All consultants must possess a working knowledge of physics, vibration principles, and applicable state codes. Experience with CEQA is highly desirable. Consultants also must have at least five years experience in the following:

- Acquiring and evaluating data;
- Creating mitigation monitoring and reporting programs; and,
- Evaluating designs for compliance with standards relative to land use.

Local and State Expertise - Consultants must provide evidence of expertise in transportation, construction, and/or industrial vibration (e.g., the preparation of environmental assessments, technical reports, studies, or mitigation measures).

Professional Certification - Evidence of professional certification is highly desirable though not required.

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22. Daytime Glare

A. Definition of Issue

Glare is intense light that is blinding or discomforting to humans. Glare has a potentially significant effect on motorists.

Conditions that create Daytime Glare are typically caused by the reflection of sunlight from highly reflective surfaces at or above eye level. Daytime Glare is caused by the reflective surfaces of buildings with materials such as metal or glass that lead to *disability glare* or *discomfort glare* for motorists travelling on County's roads where the traffic volumes/speeds are generally high (e.g. *Regional Road Network*).

B. Definition of Technical Terms

Ambient Light (AL) – The light surrounding an environment or subject.

Disability Glare (DIG) – A type of Glare that ranges from causing temporary incapacity to causing damage to the eye.

Discomfort Glare (DCG) – A type of Glare that viewers find distracting and objectionable, but does not cause damage to the eye.

Luminance Histogram (LH) – A method developed by Ball State University Professors; Schiler, Japee and Culp. This determination consists of inputting a set of digital photographs from a subject glare source into a computer simulation program (such as Adobe Photoshop), and generating a graph that identifies brightness levels of different sections of the scene, from darkest to brightest.

Regional Road Network (RRN) - The road system in Ventura County consisting of Federal highways, State highways, County thoroughfares and City thoroughfares, and depicted on Figure 4 of the General Plan Goals, Policies and Programs.

C. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Policy 3.4.2-4

D. Threshold of Significance Criteria

A proposed project will be considered to have a significant project-specific or cumulative glare impact if the project will create a new source of *disability glare* or *discomfort glare* for motorists travelling along any road of the County *Regional Road Network*. A project would be considered significant when the glare source to the median of the background ration exceeds 3:1 in a *luminance histogram*.

E. Methodology

Review of Project

The staff person responsible for administering the project must review the project description materials and note any potential sources of glare (reflective surfaces of buildings with materials such as metal or glass). If such materials are not being proposed, the project would have no glare impacts and should be so noted in the Initial Study responses. If such materials are being proposed, then the project may have an impact and additional evaluation is required.

Site Visit

If the project is proposing to use reflective materials, the staff person responsible for administering the project must visit the project site and the roads of the *Regional Road Network (RRN)* in proximity of the project site and note any existing sources of potential glare. If necessary, photographs should be made.

If the project would not be visible from a road of the *RRN*, the project would have a less-than-significant glare impact and should be so noted in the Initial Study responses. If the project would be visible from a road of the *RRN*, then the reflective surfaces should either be changed to non-reflective materials or a consultant study would be required to determine the potential for significant glare given ambient illumination, the angle of the reflective surface(s), and viewing angle of the project from road(s) of the *RRN*.

Consultant Study

Computer simulations and *luminance histograms* can determine the significance of a project's impact of causing glare to impact motorists.

The effect of potential glare upon nearby regional roads should be analyzed by utilizing software simulations that determine the intensity of glare that will occur at a given project site, based upon the geography of the site, in relation to how the Sun may cause a strong reflection at different times of the day. Also, the type of building materials would be incorporated into the simulation.

The level of increase of *ambient light* from a new project to the surrounding area can be determined by a natural lighting consultant's analysis of a *luminance histogram*. The source of glare can be classified into two categories; *disability glare* and *discomfort glare*. In a *luminance histogram*, the source of most extreme brightness to one's vision is the Sun, which is beyond the capacity of the eye to adapt. This is considered to be an "absolute value" of glare. Some sources of glare can be below this threshold and would still be considered to be a significant source of glare due to one's vision adapting to the lower background level of the subject environment. Thus, glare analysis of a project, would be considered significant when the glare source to the median of the background ration exceeds 3:1 in a *luminance histogram*.

Avoidance/Mitigation of Impact

Daytime Glare impacts can be reduced by ensuring that building materials for new or existing projects consist of materials such as high-performance tinted non-mirrored glass, painted (non-gloss) panels, and pre-cast concrete or fabricated textured wall surfaces.

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23. Public Health

A. Definition of Issue

This issue entails human health related issues such as, but not limited to, vectors, bioaerosols and other pathogens or environmental factors that may pose a substantial present or potential hazard to public health.

Hazardous chemical residues can result from testing of rocket engines. Two such constituents associated with rocket engine testing, perchlorate and trichloroethylene (TCE) have been detected in southeast Ventura County at the Santa Susana Field Laboratory site. In August 2004, the Ventura County Board of Supervisors determined that in order to ensure consistent and complete assessment of specified development projects within two miles of former or current rocket engine testing facilities, applicants will be required to test for the constituents perchlorate and TCE.

The Ventura County Board of Supervisors further determined that groundwater is a more likely conduit for the spread of the identified toxic contaminants. As such, applicants for all projects proposing to utilize groundwater in any capacity will be required to test the groundwater for perchlorate and TCE.

The degree of potential threat of off-site contamination of soil has not been established, therefore, applicants for discretionary development consisting of residential general plan amendments, zone changes and subdivisions that increase density will be required to test the soil for perchlorate and TCE.

B. Threshold of Significance Criteria

Significance must be determined on a case by case basis and is related to project type, location and other environmental factors. If it is determined that project-related impacts are significant and can be mitigated through minor project redesign or adoption of standard conditions, then project specific mitigation shall be identified.

For projects requiring testing for perchlorate and TCE, the standards used for the threshold will be based on current information from the U.S. Environmental Protection Agency Preliminary Remedial Goal and the California Department of Health Services Public Health Goal or Maximum Contaminant Level (MCL) for perchlorate and TCE in water and soil.

C. Methodology

Preliminary Assessment - Review the project application, project description questionnaire and requested materials to determine if the project will cause adverse impacts to public health. Review will be performed in a two step process. The first step will determine if the project is in compliance with applicable State regulations, County ordinance or other guidelines and policies. The second step is based on identifying impacts that are not covered by existing regulations, but have been included in recent data or industry recognized studies. The degree of impact is determined on case-by-case basis using current available information.

For all projects within the two-mile radius map (maintained by RMA-GIS section) of former and/or current rocket engine testing facilities, review the project description and the project questionnaire to determine if the proposed project is subject to soils testing as outlined in the Definition of Issue above. If the project is subject to testing, screening testing for perchlorate and TCE may be required. If appropriate soil sampling has occurred onsite within the last year, this requirement may be waived. If not waived or if no sampling has occurred within the last year, soil samples will be required from five random locations as determined by the Environmental Health Division. The soil samples shall be tested by an accredited laboratory service for the presence of both perchlorate and TCE.

Preparation of Initial Study Checklist - the following information will be used to complete the public health section in the initial study checklist:

1. **No Impact (N)** - A determination of no project or cumulative impact will be made when the proposed project will not adversely impact public health. For projects located within a two-mile radius of former or current rocket engine testing facilities, a determination of no impact will be

made for all projects not subject to mandatory testing for perchlorate and TCE in soil or when such testing is required, for projects where perchlorate and TCE were not detected in any of the soil samples.

2. **Less than Significant Impact (LS)** - A determination of less than significant will be made when project related and cumulatively potential public health impacts can be reduced to less than significant by compliance with applicable state regulations enforced by the Environmental Health Division or through standard project condition. For projects located within a two-mile radius of former or current rocket engine testing facilities, a determination of less than significant will be made if either perchlorate or TCE is detected in any of the soil samples at a level below the minimum threshold as set forth in the Threshold Criteria of Section B.
3. **Potentially Significant Impact-Mitigation incorporated (PS-M)** - A determination of PS-M will be made when project related and cumulatively potentially significant impacts to public health can be successfully mitigated to a LS level by project design or measures using currently acceptable technology and/or through adoption of specific project condition. Mitigation measures will be developed on a case by case basis when a determination of PS-M to public health has been identified. For projects located within a two-mile radius of former or current rocket engine testing facilities, a determination of potentially significant with mitigation incorporated will be made when either perchlorate or TCE is detected in any of the soil samples equal to or exceeding the threshold level in the Threshold Criteria above, but it is demonstrated through project design or other measures that exposure can be reduced to a less than significant level with adoption of specific project conditions.
4. **Potentially Significant Impact (PS)** - A determination of PS will be made when project related and cumulatively significant or potentially significant impacts to public health cannot be feasibly mitigated to a LS level using currently available information. . For projects located within a two-mile radius of former or current rocket engine testing facilities, a determination of potentially significant will be made when either perchlorate or TCE is detected in any of the soil samples equal to or exceeding threshold level in the Threshold Criteria above and it is determined that exposure cannot be feasibly mitigated to a less than significant level using currently available information.

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24. Greenhouse Gases

A. Definition of Issue

According to the United Nations' Intergovernmental Panel on Climate Change (IPCC) "Fourth Assessment Report, Climate Change 2007," most of the observed increase in global average temperatures since the mid-20th century is *very likely* due to the observed increase in anthropogenic concentrations of these three gases, collectively known as *Greenhouse Gases (GHG)*. The report states, "*Global atmospheric concentrations activities since 1750 and now far exceed pre-industrial values determined from ice cores spanning many thousands of years. The global increases in carbon dioxide concentration are primarily due to fossil fuel use and land use change, while those of methane and nitrous oxide are primarily due to agriculture.*" (Source: IPCC, 2007: Summary for Policymakers.)

International Initiatives

Over the past 15 years, various international, national, regional, state, and local initiatives have been adopted to address climate change. The foremost international climate change initiative is the United Nations Framework Convention on Climate Change (UNFCCC), commonly known as the Kyoto Protocol. Signed on March 21, 1994, the Kyoto Protocol calls for governments to gather and share information on greenhouse gas emissions, national policies, and best practices; launch national strategies for addressing greenhouse gas emissions and adapting to expected impacts, including the provision of financial and technological support to developing countries; and cooperate in preparing for adaptation to the impacts of climate change. There have been several international summits since Kyoto, most recently Copenhagen (Dec. 2009), seeking to advance and cement climate change goals and programs, but no significant advances in this area have been accomplished since Kyoto.

United States Initiatives

Although the U.S. has not ratified the Kyoto Protocol, it established a comprehensive policy to address climate change in 2002. The policy has three basic components: slowing the growth of emissions, strengthening science, technology, and institutions, and enhancing international cooperation. The federal government is implementing this policy through voluntary and incentive-based programs and has established major programs to advance climate technologies and improve climate science.

The U.S. government administers a wide array of public-private partnerships to reduce U.S. greenhouse gas intensity. These programs focus on energy efficiency, renewable energy, methane, and other non-carbon dioxide (non-CO₂) gases, agricultural practices and implementation of technologies to achieve greenhouse gas reductions. Based upon a recent U.S. Supreme Court decision (*Massachusetts v. EPA* (2007) 549 U.S. 497, the Environmental Protection Agency (EPA) has been given the authority to regulate CO₂ or GHG emissions as an air pollutant under the federal Clean Air Act (42 U.S.C. § 7602(g)). EPA also implements several voluntary programs that substantially contribute to the reduction of greenhouse gas emissions.

California Initiatives

AB 32 - The California Global Warming Solutions Act of 2006

The enactment of AB 32, "The California Global Warming Solutions Act of 2006" (Health & Safety Code §38500 et seq), established a comprehensive program of regulatory and market mechanisms to achieve quantifiable reductions of GHG. The California Air Resources Board (CARB) is the primary state agency responsible for developing and maintaining a statewide inventory of GHG emissions and for formulating plans and action steps to reduce current GHG emissions statewide to 1990 GHG emission levels by the year 2020. AB 32 defines GHGs as carbon dioxide, methane, N₂O, hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride.

From 2007 to 2009, CARB has promulgated several discrete early action measures to reduce GHG emissions prior to the full and final adoption of a plan to reduce aggregate California GHG emissions to 1990 levels by 2020. Specifically, these discrete early action measures include: Green Ports/Electrification, SmartWays truck efficiency, perfluorocarbons in semiconductor manufacturing, landfill gas capture, tire inflation program and vehicle owner refrigerant (HFC-134e) servicing.

On June 30, 2009, California was granted a Clean Air Act waiver (42 U.S.C. §7543(a)) from EPA to regulate automotive tailpipe CO₂ emissions. CARB originally approved regulations to reduce GHG emissions from passenger vehicles in September 2004 based upon 2002 legislation, AB 1493 (Pavley). These regulations are expected to reduce passenger vehicle GHG emissions by approximately 22 percent in 2012 and 30 percent in 2016, while improving fuel efficiency and reducing motorists' costs.

In December 2009, CARB promulgated a low carbon fuel standards (LCFS) in order to reduce the carbon intensity of transportation fuels used in California (i.e., gasoline, compressed natural gas (CNG), ethanol, liquefied natural gas (LNG), hydrogen, diesel, biodiesel, and electricity). It is expected that the LCFS will reduce carbon intensity from the use of such fuels by an average of 10 percent per year. Carbon intensity is a measure of the GHG emissions associated with the combination of all the steps in the "lifecycle" of a transportation fuel.

SB 97 – CEQA Guidelines for Greenhouse Gas Emissions

The Legislature also adopted Senate Bill 97 (SB 97) in 2007. Under SB 97, the State Office of Planning and Research (OPR) is required to develop CEQA guidelines *"for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions as required by this division."* (Pub. Res. Code § 21083.05(a))

OPR Technical Advisory - CEQA Review of Greenhouse Gases

On June 19, 2008, OPR issued a Technical Advisory, "CEQA AND CLIMATE CHANGE: Addressing Climate Change Through California Environmental Quality Act" (CEQA) Review), to guide agencies before the final regulations are issued. This Technical Advisory noted:

Lead agencies should determine whether greenhouse gases may be generated by a proposed project, and if so, quantify or estimate the GHG emissions by type and source. Second, the lead agency must assess whether those emissions are individually or cumulatively significant. When assessing whether a project's effects on climate change are "cumulatively considerable" even though its GHG contribution may be individually limited, the lead agency must consider the impact of the project when viewed in connection with the effects of past, current, and probable future projects. Finally, if the lead agency determines that the GHG emissions from the project as proposed are potentially significant, it must investigate and implement ways to avoid, reduce, or otherwise mitigate the impacts of those emissions.

The Technical Advisory also noted the scientific knowledge and understanding of how best to perform this analysis was still evolving. The Governor's Office of Planning and Research (OPR) Technical Advisory also explained that:

We realize that perhaps the most difficult part of the climate change analysis will be the determination of significance. Although lead agencies typically rely on local or regional definitions of significance for most environmental issues, the global nature of climate change warrants investigation of a statewide threshold of significance for GHG emissions. To this end, OPR has asked ARB technical staff to recommend a method for setting thresholds which will encourage consistency and uniformity in the CEQA analysis of GHG emissions throughout the state. Until such time as state guidance is available on thresholds of significance for GHG emissions, we recommend the following approach to your CEQA analysis.

Source: www.opr.ca.gov/download.php?dl=ceqa/pdfs/june08-ceqa.pdf

California Natural Resources Agency ("Resources Agency") Final Statement of Reasons for Regulatory Action; Amendments to State CEQA Guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB 97 (December 2009)

Following extensive public review and comment on the proposed amendments to the CEQA Guidelines to address environmental impact analysis and mitigation of GHG emissions, the Resources Agency adopted amendments to the CEQA Guidelines (tit. 14, Cal. Code of Regs., § 15000 et seq.) to comply with the mandate set forth in Public Resources Code section 21083.05.

1. Threshold of Significance Criteria for GHG Emissions

Due to the global nature of the effects of GHG emissions, the primary CEQA concern with GHG emissions is the cumulative impact of a project's incremental GHG emissions when viewed in connection to past, current and probable future project GHG emission.

According to GHG amendments to the CEQA Guidelines, each public agency that is a CEQA lead agency needs to develop its own approach to performing a climate change analysis for projects that generate GHG emissions. A consistent approach should be applied for the analysis of all such projects, and the analysis must be based on best available information. For these projects, compliance with CEQA entails three basic steps:

- identify and quantify the GHG emissions;
- assess the significance of the impact on climate change; and
- if the impact is found to be significant, identify alternatives and/or mitigation measures that will reduce the impact below significance.

To date, in California, there are no formally adopted or published CEQA thresholds of significance for project specific or cumulative anthropogenic GHG emissions. Formulating such significance thresholds for CEQA purposes is especially problematic for GHG emissions because, unlike other air pollutant emissions that create impacts in local and regional air basins (i.e., air pollution nonattainment areas or toxic air contaminant hotspots), anthropogenic GHG emissions are implicated as a cause for *global climate change* regardless of their emission source or location. Moreover, simply estimating GHG emissions from a specific project is not an adequate way to gauge the degree to which those emissions would contribute to global warming or climate change. Substantial additional scientific research and regulatory guidance are needed to determine whether a project's incremental GHG emissions impacts on climate change would be significant, and whether and how cumulative GHG emissions will affect global climate change.

The CEQA Guideline amendments provide guidance to public agencies regarding the analysis and mitigation of the effects of GHG emissions in draft CEQA documents. They do not, however, establish a specific threshold of significance. The amendments do identify a general methodology for assessing the significance of impacts from project GHG emissions. Specifically, CEQA Guideline Section 15064.4 states:

“(a) The determination of the significance of greenhouse gas emissions calls for a careful judgment by the lead agency consistent with the provisions in section 15064. A lead agency should make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project. A lead agency shall have discretion to determine, in the context of a particular project, whether to:

- (1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use. The lead agency has discretion to select the model it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use; and/or
- (2) Rely on a qualitative analysis or performance based standards.

(b) A lead agency should consider the following factors, among others, when assessing the significance of impacts from greenhouse gas emissions on the environment:

- (1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;
- (2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.
- (3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project's

incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project.”

These CEQA Guidelines amendments were adopted and became effective on March 18, 2010.

2. Methodology for Calculating Project GHG Emissions

Since the proposed CEQA Guidelines amendments were never intended to establish a uniform, widely accepted and adopted standard for determining the CEQA significance of project specific GHG emissions, the California Air Resources Board (CARB) and some local air pollution control districts, such as the South Coast Air Quality Management District (SCAQMD), have been working to develop interim thresholds for evaluating GHG emissions. Both CARB and SCAQMD prepared draft interim thresholds that would employ a tiered approach to determining significance.

CARB has proposed an interim industrial project screening threshold of 7,000 MTCO₂e/yr¹ for non-transportation emissions, as well as a threshold that would evaluate compliance with “performance standards” for transportation and construction activities which have yet to be developed. In October 2008, SCAQMD published the “Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold” (SCAQMD Guidance) which includes a 5-tiered approach to evaluating the CEQA significance of project-specific GHG emissions. Unlike the CARB threshold, the SCAQMD threshold comparison encompasses all sources of GHG emissions, including transportation sources. Both the Bay Area Air Quality Management District (BAAQMD) and the San Joaquin Valley Air Pollution Control District (SJVAPCD), the next two largest air pollution control districts in California following the SCAQMD, have also developed recommended thresholds of significance for specific land use projects. One of the BAAQMD options for a land use project threshold of significance uses an efficiency standard based upon per capita MTCO₂e/yr to determine the significance of GHG emissions from certain types of land use projects. SJVAPCD has chosen a slightly different approach to the CEQA significance threshold for GHG emissions by establishing “best performance standards” for various sectors of GHG emissions from stationary sources to land use development projects. The SJVAPCD intends to achieve feasible GHG emission reductions from these projects.

The Ventura County Air Pollution Control District (APCD) has not yet adopted any one of these approaches to setting a threshold of significance for land use development projects nor has the Ventura County APCD developed its own method of determining significance in the area of project GHG emissions. “When adopting thresholds of significance, a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence.” CEQA Guidelines § 15064.7(c).

Greenhouse Gases (GHG) – “includes but is not limited to: carbon dioxide, methane, nitrous oxide, hydroflourocarbons, perflourocarbons and sulfur hexaflouride.” CEQA Guidelines § 15364.5.

B. Threshold of Significance Criteria

Threshold of significance criteria for determining whether a project’s GHG emissions is significant, either project specifically or cumulatively, is set forth in CEQA Guidelines §§ 15064(h)(3), 15064.4, 15130(b)(1)(B) and (d), and 15183.5, all of which may be used individually, collectively or in combination with one another in making such a determination.

C. Methodology

Since the proposed CEQA Guidelines amendments were never intended to establish a uniform, widely accepted and adopted standard for determining the CEQA significance of project specific GHG emissions, the California Air Resources Board (CARB) and some local air pollution control districts, such as the South Coast Air Quality Management District (SCAQMD) and the Bay Area Air Quality Management District (BAAQMD), have been working to develop interim thresholds for evaluating GHG

¹ Metric tons of carbon dioxide equivalent per year

emissions. All three agencies have proposed draft interim thresholds that would employ a tiered approach to determining significance.

On October 24, 2008, CARB staff proposed preliminary interim statewide GHG thresholds for industrial, commercial and residential projects. The objective of these thresholds is to subject GHG emissions from new projects to CEQA mitigation requirements. CARB staff is also working on GHG thresholds for transportation projects and large dairies. To date, the CARB governing board has not acted any on the CARB staff's GHG threshold proposals.

On December 5, 2008, the SCAQMD governing board adopted interim GHG significance thresholds for stationary sources, rules, and plans where the SCAQMD is lead agency. SCAQMD staff is continuing to develop GHG thresholds for other project categories, including commercial and residential projects. Once CARB adopts the statewide significance thresholds, SCAQMD staff will report back to the Board regarding any recommended changes or additions to the SCAQMD's interim threshold.

On December 17, 2009 the San Joaquin Valley Air Pollution Control District adopted Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA and District Policy – Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency to assess significance of project specific greenhouse gas emissions on global climate change during the environmental review process for projects within its jurisdiction.

On June 2, 2010 the BAAQMD adopted CEQA Guidelines and CEQA thresholds of significance to provide air quality significance thresholds, analytical methodologies and mitigation measures for local agencies to use when preparing air quality impact analyses under CEQA for projects within its jurisdiction.

The Ventura County Air Pollution Control District (APCD) has not yet adopted any one of these approaches to setting a threshold of significance for land use development projects nor has the Ventura County APCD developed its own method of determining significance in the area of project GHG emissions.

Adopted by the Board of Supervisors on July 27, 2010.

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25. Community Character

A. Definition of Issue

A *community* is a particular area within which people with common interests reside. *Community character* consists of the image of a *community*, as defined by such factors as its built environment, natural features, architectural form and style, existing uses (e.g., agricultural, residential, commercial, industrial, or institutional), and density and intensity of development. Central to the concept of *community character* is a *sense of place*, or the characteristics of a location that make it readily recognizable as being unique and different from its surroundings and that provides a feeling of belonging to, or being identified with, that particular place.

Ventura County includes a number of distinct communities, some of which are defined in the Ventura County General Plan by the following land use designations:

- A number of communities (e.g., Piru and Thousand Oaks) have been designated as “Urban,” and consist of existing and planned urban centers that have commercial and industrial uses as well as residential uses where the building intensity is greater than one principal dwelling unit per two acres. The Urban land use designation has been applied to all incorporated lands within a city’s *Sphere of Influence* as established by the Local Agency Formation Commission (“LAFCO”), and *unincorporated urban centers* within their own *Areas of Interest* which may be candidates for future incorporation. Urban areas are subject to Area Plans, which include goals, objectives, policies, development standards, and programs that are designed to preserve and enhance the *sense of place* that defines each Urban area.
- A number of communities (e.g., Ventura Avenue and Tapo Canyon) have been designated as “Existing Communities,” and consist of existing urban residential, commercial, or industrial enclaves located outside of Urban areas. An Existing Community may include uses, densities, building intensities, and zoning designations which are normally limited to Urban designated areas but do not qualify as urban centers. The Existing Community designation is designed to: recognize existing land uses in unincorporated areas which have been developed with urban building intensities and urban land uses; contain these enclaves within specific areas so as to prevent further expansion; and, limit the building intensity and land use to previously established levels.

Although areas that have been designated as “Urban” or “Existing Community” might include the most easily identifiable communities within Ventura County, they do not constitute all of the areas that might qualify as distinct *communities*. Indeed, most of Ventura County consists of rural, agriculturally developed areas of lower density development (e.g., areas with a “Rural” or “Agricultural” land use designation) that could qualify as distinct *communities* with their own *sense of place* (e.g., the Oxnard Plains or Somis). Finally, many areas consist of very low density, rural residential development in what are primarily undeveloped open space areas that could qualify as distinct *communities* with their own *sense of place* (e.g., the Santa Monica Mountains).

B. Definition of Terms

Area of Interest – A plan adopted by LAFCO which divides the County into major geographic areas reflective of community and planning identity. Within each Area of Interest, there is no more than one city (but there will not necessarily be a city in each Area). Areas of Interest also serve as planning referral boundaries of the County Planning Division.

Community – A particular area within which people with common interests reside.

Community Character – The distinctive physical quality, attributes, or features of a *community* that set it apart from other communities or areas.

Sense of Place – The man-made physical and natural characteristics of a location that make it readily recognizable as being unique and different from its surroundings.

Sphere of Influence – A plan adopted by LAFCO which designates the probable boundaries of each city and special district. The adoption of *Spheres of Influence* is required by the Government Code.¹

Unincorporated Urban Center – An existing or planned urban community which is located in an Area of Interest where no city exists. The Unincorporated Urban Center represents the focal center for community and planning activities within the Area of Interest, and may be a candidate for future incorporation.

Community Form – The physical features, layout, and design of an area. “Design” takes into consideration the following features that can define a community: existing land uses, architectural form and style, site design/layout, or density/parcel sizes.

C. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

General Land Use:

Goals 3.1.1-2 through -5
Policies 3.1.2-2, -3, -5, -6, -7, -8, -10, & -11

Land Use Designations:

Goals 3.2.1-1 through -7
Policies 3.2.2-1, -2, -3, -5, -6, & -7

Population and Housing:

Goals 3.3.1-6 through -8
Policy 3.3.2-6(2)

Employment and Commerce/Industry:

Goals 3.4.1-1, -2, -3, -4, & -6
Policies 3.4.2-1, & -3 through -7

Coastal Area Plan:

North Coast Locating and Planning New Development Policy 1
Central Coast Locating and Planning New Development Policy 1
South Coast Locating and Planning New Development Policies 1 & 2

El Rio/Del Norte Area Plan:

General Land Use:

Goals 3.1.1-1 through -5
Policy 3.1.2-2

Institutional:

Goal 3.4.1-1
Policies 3.4.2-1 & -2

Rural Residential:

Goal 3.5.1-1
Policy 3.5.2-1

Urban Residential:

Goals 3.6.1-1 through -4
Policy 3.6.2-1

Commercial:

Goals 3.7.1-1 through -5
Policies 3.7.2-1 through -3

Industrial:

Goals 3.8.1-1 through -3
Policies 3.8.2-1 through -3

Lake Sherwood/Hidden Valley Area Plan:

Area Land Use:

Goals 1.1.1-1 through -8
Policies 1.1.2-1, -2, -4, -5, & -7

Other Agency Plans:

Goal 1.3.1
Policy 1.3.2

Scenic Resources:

Goal 2.5.1-3
Policy 2.5.2-10

¹ Government Code, §56425

North Ventura Avenue Area Plan:

Intent and Rationale for Land Use Designation:

1. General Character
2. Residential, Single-Family
3. Residential, Multiple Family
4. General Commercial

5. Industrial
6. Oilfield Industrial (Oil Extraction)
7. Agriculture

Other Land Use Policies:

3. Development Standards

Oak Park Area Plan:

Urban Form:

- Goals 3.1.1-1 through -4, -9, & -10
Policies 3.1.2-3, -4

Residential:

- Goals 3.3.1-2 through -6
Policies 3.3.2-1 through -3

Commercial:

- Goal 3.4.1-2
Policies 3.4.2-1, -2, -4, & -5

Ojai Valley Area Plan:

General Land Use:

- Goals 3.1.1-1 through -3
Policies 3.1.2-1 through -3

Open Space:

- Goals 3.2.1-1 & -2
Policies 3.2.2-1 through -3

Rural Institutional:

- Goal 3.3.1-1
Policies 3.3.2-1 through -3

Rural Residential:

- Goals 3.4.1-1 & -2
Policies 3.4.2-1 & -2

Urban Residential:

- Goals 3.5.1-1, -2, -4, & -5
Policies 3.5.2-1 & -2

Commercial:

- Goals 3.6.1-1, -2, -3
Policies 3.6.2-1 & -2

Industrial:

- Goals 3.7.1-1 through -3
Policies 3.7.2-1 through -3

Piru Area Plan:

General Land Use:

- Goals 3.1.1-1, -3, -4, -5, & -7
Policies 3.1.2-1, -4, -5, -6, & -7

Commercial:

- Goals 3.2.1-1 through -3
Policies 3.2.2-1 through -8

Industrial:

- Goals 3.4.1-1 & -2
Policies 3.4.2-1 through -5

Residential:

- Goal 3.5.1-1
Policies 3.5.2-1 through -4

Hotel;

Goals 3.3.1-1 & -2
Policy 3.3.2

Agriculture and Open Space:

Goals 3.7.1-1 through -3
Policies 3.7.2-1 & -2

Saticoy Area Plan:**Visual Resources:**

Goals 1.4.1-1, -2, & -4
Policies 1.4.2-1, -3, -4, & -5

General Land Use:

Goals 3.1.1-1 through -3
Policies 3.1.2-1 & -2

Residential:

Goal 3.2.1-1
Policies 3.2.2-1 through -3

Commercial:

Goals 3.3.1-1 through -5
Policies 3.3.2-1 through -4

Industrial:

Goals 3.4.1-1 & -3
Policies 3.4.2-1, -2, -4, & -5

Thousand Oaks Area Plan:**General Land Use Goals and Policies:**

Goals 3.1.1-1 through -4, & -6
Policies 3.1.2-1 & -2

Open Space and Public Open Space:

Goals 3.2.1-1 & -2
Policy 3.2.2

Urban and Rural Residential:

Goals 3.3.1-2 & -4
Policy 3.3.2-1

Industrial:

Goals 3.4.1-1 & -2
Policies 3.4.2-1, -2, -3, & -5

Other Public Agency Plans:

Goal 3.5.1
Policy 3.5.2

Standard Conditions for Projects Incorporating Permanent Open Space/Recreation Areas:

Objective 5.1.1
Open Space/Recreation Area Standard 5.1.2
Standard Conditions 5.1.4-1(3) & -1(5)

B. Threshold of Significance Criteria

1. A project that is inconsistent with any of the policies or development standards relating to *community character* of the Ventura County General Plan Goals, Policies and Programs or applicable Area Plan (above), is regarded as having a potentially significant environmental impact; and/or
2. A project has the potential to have a significant impact on *community character*, if it either individually or cumulatively when combined with recently approved, current, and reasonably foreseeable probable future projects would introduce physical development that is incompatible with existing land uses, architectural form or style, site design/layout, or density/parcel sizes within the *community* in which the project site is located.

C. Methodology

The degree to which a particular project's existing land uses, architectural form or style, site design/layout, or density/parcel sizes is compatible with the character of a *community* must be evaluated using the threshold criteria (above), and must be based on substantial evidence that is included as part of the public record for the project. This requires the County staff person who is responsible for analyzing the impacts to *community* character to conduct a site visit to ascertain the defining existing land uses, architectural form or style, site design/layout, or density/parcel sizes within the *community* in which the

project site is located. The County staff person who is responsible for analyzing the impacts to *community* character might also photo document the existing community and include the photo documentation as part of the public record for the project.

The County staff person also must consult the GIS zoning and land use maps to:

- Obtain the project site's and surrounding area's land use and zoning designations; and,
- Determine which goals, policies, or development standards relating to *community character* of the Ventura County General Plan *Goals, Policies or Programs* or applicable Area Plan (above) apply to the project.

In certain situations (e.g., projects located within communities with distinct architectural form/styles), the County staff person might need to request visual simulations from the project applicant in order to assist the County staff person when evaluating the degree to which the project is compatible with the existing *community character*.

Finally, the County staff person must obtain a list of the recently approved, current, and probable future projects that are located within the same *community* as the project site, in order to assess the project's contribution to cumulative impacts on *community character*.

After acquiring the information stated above, the County staff person must compare the project plans, project description, and (if requested) visual simulations to the existing environment, as well as the goals, objectives, policies, and/or development standards that apply to the project in order to identify, and evaluate the significance of, the impacts using the threshold criteria (above). The County staff person must analyze both project-specific impacts and the project's contribution to cumulative impacts relating to *community character*. Determinations as to the significance of the impact will be made by the Planning Director.

Adopted by the Board of Supervisors on July 27, 2010

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26. Housing

A. Definition of Issue

Housing is defined as one or more rooms providing complete independent living facilities for one family, including permanent provisions for living, sleeping, eating, cooking, and sanitation; but containing only one set of kitchen related fixtures capable of serving the exclusive use of one household. Mobile homes are included in this definition. This issue encompasses project-related and cumulative impacts to housing, including both direct physical impact to existing housing stock, as well as demand for housing. It also involves evaluation of consistency with County General Plan housing goals and policies.

B. Definition of Technical Terms:

County Median Income – The Countywide median income for a family of four as established annually by the Department of Housing and Community Development (HCD).

Dwelling Unit – One or more rooms with internal access between all rooms, which provide complete independent living facilities for one household, including permanent provisions for living, sleeping, eating, cooking, bathing, and sanitary facilities but containing only one set of kitchen related fixtures capable of serving only one kitchen for the exclusive use of one household.

Household – All the persons who occupy a housing unit; the occupants may be a single family, one person living alone, two or more families living together, or any other group of related or unrelated persons who share living arrangements. *Moderate-income* – Moderate-income is defined by the U.S. Department of Housing and Urban Development (HUD) as an income equal to or less than 120 percent of County median income but greater than 80 percent of County median income

Lower-income – Lower-income is an income category comprised of low-, very low-, and extremely low-income.

Low-income – Low-income is defined by HUD as an income equal to or less than 80 percent of the County median income, but greater than 50 percent of the County median income.

Very low-income – Very low-income is defined by HUD as an income equal to or less than 50 percent of the County median income, but greater than 30 percent of the County median income.

Extremely low-income – Extremely low-income is defined by HUD as an income less than 30 percent of the County median income.

Monthly Rental Rate - Monthly Rental Rates are determined by dividing HCD's Annual Income Limits (adjusted for household size) by 12 (monthly conversion factor), then multiplying the result by 0.3 and adding an allowance for utilities. Current utility allowances can be obtained from the Ventura County Area Housing Authority. Household size adjustments are made according to the California Health and Safety Code Section 50053, which defines appropriate occupancy as one person per bedroom plus one.

C. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Population and Housing:

Goal 3.3.1-3
Policy 3.3.2-2

Employment and Commerce/Industry:

Goal 3.4.1-6
Policies 3.4.2-8 & -9

D. Threshold of Significance Criteria

1. Existing Housing Stock

Any project that would eliminate existing dwelling units would have an impact. The significance of the impact depends on the number of dwelling units eliminated and the affordability of those units.

Elimination of two or fewer dwelling units is not considered a significant project-specific or cumulative impact.

Elimination of three or more dwelling units that are affordable to households with the following income levels is considered a significant project-specific and cumulative impact on existing housing:

- Moderate-income – Coastal zone.
- Lower-income – Entire County.

2. Demand for New Housing

Construction Workers - Any project that involves construction has an impact on the demand for additional housing due to potential housing demand created by construction workers. However, construction worker demand is a less than significant project-specific and cumulative impact because construction work is short-term and there is a sufficient pool of construction workers within Ventura County and the Los Angeles metropolitan regions.

Full-time Equivalent Employees – Pursuant to General Plan Policy 3.4.2-9, projects that would result in new jobs in the County have an impact on the demand for housing. However, only projects that result in 30 or more new full-time-equivalent (“FTE”) *lower-income* employees would have a significant project-specific and cumulative impact on the demand for housing because the General Plan shows that there is potentially insufficient inventory of land to develop *lower-income* housing (see General Plan Land Use Appendix Chapter 3.3.7). Conversely, projects that would result in fewer than 30 new, FTE employees or projects that would result in 30 or more moderate or upper income FTE employees do not have a significant project-specific or cumulative impact on the demand for housing.

E. Methodology

The following methodology should be used:

1. Existing Housing Stock

The County staff person responsible for administering the project must first ascertain the number of existing dwelling units, if any that would be eliminated by the development project. If less than three units would be eliminated, then the project-specific and cumulative impact is considered less than significant and the IS Checklist should be checked “LS.”

If three or more renter-occupied dwelling units would be eliminated by the project, then the average monthly rent paid for the units for the last two years should be determined. The average monthly rent should be compared to the monthly rental rate for *moderate-income* (Coastal zone only) or *lower-income* households (outside of Coastal zone). If the average monthly rental rate of the three or more rental units to be eliminated is equal to or less than the rental rate for the applicable category (coastal or non-coastal), the project has a significant project-specific and cumulative impact on existing housing.

If three or more owner-occupied dwelling units would be eliminated by the project, then the actual value of each dwelling unit should be determined. The actual value of the dwelling unit can be determined through County Assessor information, sales of comparable units in the area, or other method. If the project eliminates three or more units that would be affordable for *moderate-income* (Coastal Zone only) or *lower-income* households, the project has a significant project-specific and cumulative impact on existing housing.

2. Demand for Housing

General Plan Policy 3.4.2-9 reads as follows:

Employment generating discretionary development resulting in 30 or more new full-time and full-time-equivalent employees shall be evaluated to assess the project’s impact on lower-income housing demand within the community in which the project is located or within a 15-

minute commute distance of the project, whichever is more appropriate. At such time as program 3.4.3-3 is completed, this policy shall no longer apply.

The Planning Division was directed by the County Board of Supervisors in July of 2008 to develop a housing impact mitigation fee program (program 3.4.3-3). Until this program is completed, the following methodology should be used to determine whether a project's housing demand impact exceeds the threshold:

1. Determine the number of FTE jobs/employees to be employed at the project site. If the total is less than 30, then the project has a less-than-significant project-specific and cumulative impact on the demand for housing. If the total number of FTE employees to be employed at the project site will be more than 30, proceed to step 2.
2. Determine how many of the FTE employees are "new". An FTE employee is deemed "new" in the following circumstances:
 - (a) When the project generates the need for the FTE employee, such as a new operation or the expansion of an existing operation which generates additional FTE employees. The additional FTE employees are deemed new; or
 - (b) The project is a relocation of an existing operation which is more than a 15 minute commute from the existing location. In such a case, *all* FTE employees are deemed new. If the relocation is less than a 15 minute commute from the existing location, then only the additional FTE employees generated by the project are deemed new. A 15 minute commute distance is measured from the old business location to the new business location while driving the posted speed limits during normal business hours.

If the project's total number of new FTE employees is less than 30, then the project has a less-than-significant project-specific and cumulative impact on the demand for housing. If the project's total number of new FTE employees is 30 or more, then proceed to step 3.

3. Determine how many of the new FTE employees would be *lower-income*. First, determine or estimate the income of each of the new FTE employees. This information may be ascertained by obtaining prospective wages/salaries from the application questionnaire; by follow-up written communication with the applicant; or from outside sources. Next, compare the income of each new FTE employee to the *lower-income* categories defined above to determine if the FTE employee qualifies as *lower-income*. If less than 30 of the new FTE employees are *lower-income*, the project has a less-than-significant project-specific and cumulative impact on the demand for housing. If 30 or more of the new FTE employees are *lower-income*, the project has a significant project-specific and cumulative impact.

In order to develop appropriate mitigation, a housing and affordability gap analysis should be prepared by a qualified consultant specializing in housing development/finance issues as determined by the Planning Director. The scope of the analysis should follow the industry standard. An example is available by request from the Planning Division. Possible mitigation measures include a per unit fee to provide housing affordable to the *lower-income* households associated with the new employment or, if allowed by the zone, construction of on-site or off-site lower-income dwelling units.

Adopted by the Board of Supervisors on July 27, 2010.

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27a(1). Transportation & Circulation - Roads and Highways - Level of Service (LOS)

A. Definition of Issue

Roadway Level of Service (LOS) is the perception by the users of a traffic facility of the quality of service provided by that roadway. LOS is a stratified system, represented by the letters “A” through “F” with “A” representing the most favorable driving conditions and “F” representing the least favorable.

B. Definition of Technical Terms

Average Daily Trip (ADT) - The total bi-directional volume of traffic passing through a given point during a given time period, divided by the number of days in that time period.

Peak-Hour Trip (PHT) - A single or one-direction vehicle movement with either the origin or destination (exiting or entering) being a project site or study area during the peak hour or peak period associated with that project or study area.

Peak-Hour Turning Movements (PHTM) - The highest hourly number of vehicles turning left, going straight or turning right on each approach of an intersection during an average weekday.

Service Flow Rate – The service flow rate is the maximum hourly rate at which persons or vehicles reasonably can be expected to traverse a point or uniform segment of a lane or roadway during a given period under prevailing roadway, traffic, and control conditions while maintaining a designated LOS. Service flow rates are discrete values, whereas LOS represents a range of conditions. Because service flow rates are the maximums for each LOS, they effectively define the flow boundaries between LOS.

Thoroughfare (TF) - Any road that is part of the regional road network.

Trip Generation Rate (TGR) - The number of vehicle trips per unit of land use using a site’s driveways. Rates may be for the entire day, peak hour of the generator or of the adjacent street.

Traffic Impact Study (TIS) – An engineering study which describes how a new development or redevelopment would affect the area’s local and regional transportation system and identifies measures to mitigate impacts from the project.

Traffic Impact Mitigation Fee (TIMF) - Fees assessed on all applicants for development approval for the construction of off-site transportation infrastructure improvements necessitated by new development and development expansion or intensification. TIMF’s are generally intended to mitigate cumulative traffic impacts.

Volume/Capacity Ratio (V/C) - The ratio between the existing or projected volume of traffic using a transportation facility and the capacity of that facility. The capacity is defined as the maximum hourly rate at which persons or vehicles can reasonably be expected to traverse a point or uniform section of a lane or roadway during a given time period under prevailing roadway, traffic and control conditions.

C. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 4.2.1-1, -2, & -4 through -6

Policies 4.2.2-2 through 6

Ojai Valley Area Plan:

Goal 4.1.1-1

Policies 4.1.2-2 through -5

Thousand Oaks Area Plan:

Goal 4.1.1-3

Policy 4.1.2-2

D. Threshold of Significance Criteria

The determination of the significance of traffic impacts to a road segment or intersection LOS is based on policies 4.2.2-4 and 4.2.2-5 of the Ventura County General Plan *Goals, Policies and Programs* and policy 4.1.2-4 of the *Ojai Area Plan*. Policies 4.2.2-4 and 4.2.2-5 state: 4.2.2-4. Except as otherwise provided in the Ojai Area Plan, County General Plan land use designation changes and zone changes shall be evaluated for their individual and cumulative impacts, and discretionary development shall be evaluated for its individual impact, on existing and future roads, with special emphasis on the following:

- (a) Whether the project would cause existing roads within the Regional Road Network or Local Road Network that are currently functioning at an acceptable LOS to function below an acceptable LOS;
- (b) Whether the project would add traffic to existing roads within the Regional Road Network or the Local Road Network that are currently functioning below an acceptable LOS; and
- (c) Whether the project could cause future roads planned for addition to the Regional Road Network or the Local Road Network to function below an acceptable LOS.

4.2.2-5. Except as otherwise provided in the Ojai Area Plan and below, County General Plan land use designation changes and zone changes that would cumulatively cause any of the impacts identified in subparagraphs (a) through (c) of Policy 4.2.2-4 shall be prohibited unless the Board of Supervisors adopts a Statement of Overriding Considerations. County General Plan land use designation changes, zone changes and discretionary development that would individually cause any of the impacts identified in subparagraphs (a) through (c) of Policy 4.2.2-4 shall be prohibited unless feasible mitigation measures are adopted that would ensure that the impact does not occur or unless a project completion schedule and full funding commitment for road improvements are adopted which ensure that the impact will be eliminated within a reasonable period of time. This policy does not apply to city thoroughfares, city-maintained local roads, or Federal or State highways located within a city unless the applicable city has formally adopted General Plan policies, ordinances, or a reciprocal agreement with the County (similar to Policies 4.2.2-3 through 4.2.2-6) respecting development in the city that would affect the LOS of County thoroughfares, County-maintained local roads, and Federal and State highways located within the unincorporated area of the County. If a Specific Plan for a project has been determined to be consistent with this policy, any subsequent development that is consistent with the Specific Plan will also be determined to be consistent with this policy. (Underscoring added for emphasis)

Exceptions to the prohibitions of this policy include the following:

- (a) Farm worker Housing Complexes, Affordable Housing development per Article 16 of the Non-Coastal Zoning Ordinance, and other housing exclusively for lower-income households, where such developments are served by roads that are currently operating at LOS "E" or better.
- (b) Additional dwellings and lots on Cultural Heritage Sites as permitted in the Non-Coastal Zoning Ordinance.
- (c) Agriculture and Agricultural Operations as permitted in the Coastal and Non-Coastal Zoning Ordinances, where such developments are served by roads that are currently operating at LOS "E" or better.

In other words, if a project would generate new traffic to a road segment or intersection that is currently operating at an unacceptable LOS (and the project does not qualify for one of the three exemptions listed above), the project shall be denied unless:

- a. The project's traffic impact is fully mitigated;

- b. A full funding commitment for road improvements is reasonably available to ensure that the impacts will be eliminated within a reasonable period of time.

In addition, Ojai Area Plan policy 4.1.2-4 states:

Area Plan land use designation changes, zone changes and discretionary development which would individually or cumulatively cause any of the impacts identified in subparagraphs (a) through (c) of Policy 4.1.2-3 ...[identical to subparagraphs (a) through (c) of policy 4.2.2-4 of the *Goals, Policies and Programs*] ...shall be prohibited unless feasible mitigation measures are adopted which would ensure that the impact does not occur or unless a project completion schedule and full funding commitment for road improvements are adopted which ensure that the impact will be eliminated within a reasonable period of time. This policy does not apply to city thoroughfares, city-maintained local roads or State highways located within the city unless the City of Ojai has formally adopted General Plan policies, ordinances or a reciprocal agreement with the County ... respecting development in the city that would affect the LOS of the County thoroughfares, County maintained local roads, and State highways located within the unincorporated area of the County.

Roadway Segments:

Minimum Acceptable Level of Service – The minimum LOS for road segments within the Regional Road Network (Ventura County General Plan *Public Facilities and Services Appendix*, Last Amended November 15, 2005, Figure 4.2.3) and the Local Road Network (all other County maintained roads) is shown in Table 1:

Table 1 - Minimum Acceptable Level of Service (LOS) for Roadway Segments and Intersections

| Minimum LOS | County of Ventura - Description |
|---|---|
| C | All County maintained local roads. |
| D | All County thoroughfares and state highways within the unincorporated area of the County, except as provided below. |
| E | <ol style="list-style-type: none"> 1. State Route 33 between the end of the Ojai freeway and the City of Ojai. 2. State Route 118 between Santa Clara Avenue and the City of Moorpark. 3. State Route 34 (Somis Road) north of the City of Camarillo. 4. Santa Rosa Road between Camarillo city limit line and Thousand Oaks city limit line. 5. Moorpark Road north of Santa Rosa Road to Moorpark city limits line. |
| Varies | The LOS prescribed by the applicable city for all State highways, city thoroughfares, and city maintained local roads located within that city, if the city has formally adopted General Plan policies, ordinances, or a reciprocal agreement with the County, pertaining to development in the city that would individually or cumulatively affect the LOS of State highways, County thoroughfares and County-maintained local roads in the unincorporated area of the County. |
| | County LOS standards are applicable for any city that has not adopted its own standards or has not executed a reciprocal agreement with the County pertaining to impacts to County roads. |
| At any intersection between two roads, each of which has a prescribed minimum acceptable LOS, the less stringent LOS of the two shall be the minimum acceptable LOS of that intersection. | |

Note: Roadway capacities can be found in Figure 4.14-2 of the Subsequent Environmental Impact Report for Focused General Plan Update

Project-Specific Impacts - A potentially significant adverse project-specific traffic impact is assumed to occur on any road segment if any one of the following results from the project:

- a. If the project would cause the existing LOS on a roadway segment to fall to an unacceptable level as defined in Table 1.
- b. If the project will add one or more PHT to a roadway segment that is currently operating at an unacceptable LOS as defined in Table 1.

(Projects funded in the County’s Capital Improvement Program may be used as mitigation measures. The improvements identified in these projects may be incorporated into the capacity analysis to mitigate project specific impacts).

Cumulative Impacts - A potentially significant adverse cumulative traffic impact is assumed to occur on any road segment if any one of the following results from the project:

- a. If the project will add one or more PHT to a roadway segment that is part of the regional road network and the roadway segment is currently operating at an unacceptable LOS as defined in Table 1.
- b. If the project will add 10 or more PHT to a roadway segment which is part of the regional road network and is projected to reach an unacceptable LOS as defined in Table 1 by the year 2020.

All projects that generate traffic contribute to cumulative traffic impacts. The analysis of cumulative traffic impacts, as contained in the Final Subsequent EIR prepared for the County General Plan Update (2005) and subsequent addendum (2007), would normally be considered sufficient cumulative analysis of traffic impacts. In such cases, payment of County’s TIMF is intended to mitigate the project’s contribution to the cumulative traffic impacts for road segments outside of the Ojai Valley.

If the project involves County General Plan land use designation changes, zone changes, or intensification of use, such that the project’s impacts could not have been anticipated and were not included in either the analysis for the current General Plan or TIMF Program, or the project is located within the boundaries of the Ojai Area Plan, additional cumulative impact analysis and mitigation measures may be required at the discretion of the Director, County Public Works Agency (PWA) - Transportation Department.

Intersections:

Minimum Acceptable LOS - Minimum LOS for intersections on the Regional Road Network (Ventura County General Plan *Public Facilities and Services Appendix*, Last Amended November 15, 2005, Figure 4.2.3) is shown in Table 1.

Project-Specific Impacts - A potentially significant adverse project-specific traffic impact is assumed to occur at any intersection on the Regional Road Network if the project will exceed the thresholds established in Table 2. (For this analysis scenario, projects funded in the County’s Capital Improvement Program may be used as mitigation measures. The improvements identified in these projects may be incorporated into the capacity analysis to mitigate project specific impacts.)

Table 2: Thresholds of Significance for Changes in LOS at Intersections

| Intersection LOS (Existing) | Increase in V/C or Trips greater than |
|---|---------------------------------------|
| A | 0.20 |
| B | 0.15 |
| C | 0.10 |
| D | 10 PHTs* |
| E | 5 PHTs* |
| F | 1 PHT* |
| *To critical movements. These are the highest combination of left and opposing through/right-turn PHTM. | |

Cumulative Impacts - A potentially significant adverse cumulative traffic impact is assumed to occur at any intersection if any one of the following results from the project:

- a. If the project will add one or more PHT to the critical movements at an intersection that is part of the regional road network and which is currently operating at an unacceptable LOS as defined in Table 1 by the year 2020.
- b. If the project will add 10 or more PHT to an intersection that is part of the regional road network, which is projected to operate at an unacceptable LOS defined in Table 1 by the year 2020.

Note: All projects that generate traffic contribute to cumulative traffic impact. The analysis of cumulative traffic impacts, as contained in the Final Subsequent EIR prepared for the County General Plan Update (November 2005) and subsequent addendum (April 2007), would normally be considered sufficient cumulative analysis of traffic impacts. In such cases, payment of TIMFs is intended to mitigate the project's contribution to cumulative traffic impacts for intersections outside of the Ojai Valley.

If the project involves County General Plan land use designation changes, zone change, or intensification of use, such that the project's impacts could not have been anticipated and were not included in either the analysis for the current General Plan or TIMF Program, or the project is located within the boundaries of the Ojai Area Plan, additional cumulative impact analysis and mitigation measures may be required at the discretion of the Director, County PWA - Transportation Department.

E. Methodology

Introduction

The evaluation of traffic impacts and development of mitigation measures is a complex task. When the potential for significant adverse traffic impacts is evident (as determined by the Ventura County PWA - Transportation Department), the traffic impact analysis, including letter style studies, should be performed under the responsible charge of a registered civil engineer (or registered traffic engineer) that is qualified to perform traffic engineering studies and is familiar with Ventura County. The final report shall be stamped and signed by the responsible engineer in charge.

Many of the roads in the unincorporated area were originally built as farm-to-market roads and were not designed to current engineered standards. Some roads are in rugged mountainous or canyon areas of the County. The cost to upgrade these types of roads to current standard is generally prohibitive. Additionally, rural roads often carry slow moving agricultural traffic, and have adjacent irrigation ditches or farm crossings. Accordingly, a small amount of additional traffic on these types of roads may cause a significant impact due to the character and limited capacity of such roads. The same amount of traffic might not be considered significant in a more modern urban setting.

In some of the communities in the unincorporated area, a policy has been enacted by the Ventura County Board of Supervisors to recognize the uniqueness of the community through adoption of an Area Plan. For example, an Area Plan exists for the Ojai Valley which contains policies that are different from those in the Countywide General Plan relating to transportation. Prior to completing the traffic impact analysis, the registered civil engineer must consult the Area Plan transportation policies that apply to the project.

A Traffic Impact Study (TIS) is required for:

1. Any project that has the potential to generate traffic exceeding the above threshold criteria (project or cumulative); or,
2. Any project that is estimated to generate 10 or more peak-hour trips. Examples of projects that would generate 10 or more peak-hour trips are provided in Table 3.

Table 3: Developments Potentially Requiring Traffic Impact Studies

| | Description |
|----|--|
| a. | Residential development of 10 units or more |
| b. | Commercial office projects of 4,400 SF or more |
| c. | Other commercial projects or medical office projects of 2,400 SF or more |
| d. | Any fast food restaurant project |
| e. | Manufacturing or industrial projects of 6,000 SF or more |

A TIS may also be required if it is known that a project will cause any peak hour impacts to any County road or intersection operating at or below LOS D.

3. When required by County of Ventura Traffic Impact Fee Ordinance (Sections 8601-0 through 8601-7 of the Ventura County Ordinance Code), to determine the amount of the TIMF.
4. When required by the Director of the PWA - Transportation Department because of safety or operational considerations on County roads that may be impacted by the proposed project.

Preparation of Traffic Impact Studies (TIS):

1. **Scope of Work** - In order to avoid disagreement as to scope and content of a TIS, the scope of work for a TIS for any project shall be submitted to and approved by the County PWA - Transportation Department **prior** to commencing the work. Any TIS submitted without such prior approval is subject to rejection.

A pre-approved scope of work will not normally be required for a letter style TIS. A letter style TIS or equivalent may be required, for example, to document that the trip generation from a proposed land use is less than the existing use or to analyze the impacts of a single peak-hour trip generated by the addition of a single family home on a lot created by a lot split. The letter style study should be no more than four pages and provide trip generation and distribution information. It should analyze impacts only to the critical road segments or intersections within the study area.

2. **Typical Content of Traffic Impact Studies (TIS):**

- a. Executive Summary - This should be no more than two pages summarizing the project's traffic impacts (project and cumulative) based on the County's threshold criteria, calculation of TIMF and, if necessary, a listing of needed road improvements and/or proposed changes in the project to mitigate the traffic impacts.
- b. Maps showing the following:
 - Location of proposed project and site plan, if available.
 - Collectors, arterial and State highways that are likely to be used by occupants and visitors.
 - Location of other pending projects requiring General Plan Amendments (GPA) or Zone Changes (ZC) that cumulatively impact those roads included in the study area, the status of those projects (Permits Plus System of the Planning Division of the Resource Management Agency [RMA] unless otherwise approved by the Director of PWA – Transportation Department.) The list of pending projects would be as of the date of issuance of the Notice of Preparation of the environmental document or approval of the TIS scope of work.
 - Distribution of traffic from the proposed project and other projects involving a GPA or ZC will be accomplished by breaking down trips from the site into percentages based on quantifiable data. Trip distribution shall be provided for all transportation corridors anticipated carrying five percent or more of site generated traffic but in no case, less

than one trip. Information for the other project sites will use the previously approved traffic impact studies for those projects when available.

- The traffic carrying capacity of most of the roads in the regional road network is extremely limited. Moreover, the policies contained in General Plan Policy 4.2.2-4 regarding discretionary projects in the unincorporated area are very restrictive. Several roads or intersections within the Ventura County Regional Road Network are already at or below the LOS prescribed by the General Plan. It is acknowledged that statistical splitting and distribution of traffic trips is a common practice when performing traffic impact studies. This practice is generally applicable for projects which generate relatively large numbers of trips (at least 100 ADTs or greater). Applying statistical trip splitting percentages to traffic generation volumes of extremely low volume trip generation rates, results in a less than credible analysis. For this reason, fractionalization of one single peak hour trip will not be permitted for TISs. For example, if a single trip can be assigned to the street network in multiple directions based on existing land use, population or traffic volume data, this trip shall be assigned as a whole trip to the street that has the highest probability of being used as the primary travel route during peak hours.
- Trip assignment to roads included in the study area, existing traffic, existing, plus project traffic, existing plus project plus cumulative traffic (ADT and PHT) based on quantifiable data. Cumulative traffic, except for GPAs and ZCs, can be assumed to be the projected traffic analysis contained in the Final Subsequent EIR for the 2005 General Plan Update, which can be found on the Planning Division's website.
- To determine traffic impacts from an existing illegal use that is applying for a permit to legalize its use, the traffic from generated by the illegal use will be considered new traffic unless the applicant can document that the illegal use was in continuous existence prior 1985, This is the year the baseline data for the Countywide traffic model was collected for the purpose of developing traffic projections upon which the County's traffic mitigation fee program was initially based*
- *Based on the Planning Director's Policy Interpretations Regarding Traffic Impact Assessments and the Traffic Mitigation Fee Ordinance memo, dated November 1, 1994.

c. Tables, charts, or other written calculations showing the following:

- 1) Proposed project and other projects, their size and nature, trip generation (ADT and PHT), and status shall be provided.
- 2) For road segments, signalized and potential signalized intersections, LOS calculations shall be provided for traffic associated with the following:
 - Existing development
 - Existing development, plus project
 - Cumulative traffic without project
 - Cumulative traffic, plus project

The LOS for signalized intersections shall be based on the Intersection Capacity Utilization (ICU) method and the service flow rates adopted by the Ventura County Transportation Commission for the Congestion Management Plan. The cumulative analysis should include all approved un-built projects and all other pending approval projects or build out of the land uses in the County's General Plan in the study area. The latter method will be required for projects involving a General Plan Amendment. The list of pending projects would be as of the date of issuance of the Notice of Preparation of the environmental document or approval of the TIS scope of work.

- 3) The location of operational as well as safety problems, project specific, and cumulative impacts after implementation of funded mitigation measures shall be identified. A traffic

signal warrants analysis (or analysis of other traffic control measures) shall be attached where appropriate.

- 4) A list and description of improvements (or mitigation measures) needed to correct the identified deficiencies, segregated by project impacts and cumulative impacts shall be provided. LOS calculations shall include the effect of any mitigation measures, the approximate cost and tentative scheduled timing of each proposed improvement and the identification of specific mitigation measures to be constructed or implemented by the applicant. This information shall include payments to be made to the TIMF program, frontage improvements (e.g., sidewalks, curbs and gutters), or other mitigation measures that are required to reduce significant adverse impacts to a less-than-significant level.

d. Narrative, Footnotes, and Appendices containing the following:

- 1) Sources of data, including persons contacted and dates of contact
- 2) Raw traffic count data (traffic counts should be less than two years old)
- 3) Assumptions made, methods used and special circumstances
- 4) LOS calculations:
 - Peak hour turning movements and LOS (show Volume/Capacity ratios for the scenarios described in Section c2)
 - Lane configuration and traffic control
 - Effect of proposed mitigation measures on LOS

Additional traffic impact analysis may be required in special circumstances such as:

- Summer weekend activity in recreational areas
- University/school graduation ceremonies or events
- Holidays or special events
- Swing shifts
- Developments with special visitor, employee, or shopping hours or days (e.g., weekends)
- Unsignalized intersections
- Other special circumstances determined by the Director of the County PWA - Transportation Department or his/her designee

Adopted by the Board of Supervisors on July 27, 2010.

27a(2). Transportation & Circulation - Roads and Highways - Safety and Design of Public Roads

A. Definition of Issue

Most development projects affect the Public Road system through access encroachments, improving or widening existing roads, and/or constructing new road sections.

County maintained roads (Public Roads) are designed to provide for the needs of roadway users while maintaining the integrity of the environment. County maintained roads are defined as those roads accepted into the county road system by action of the Board of Supervisors in accordance with § 941 of the California Streets and Highways Code. The "Ventura County Road Standards" (Road Standards), as maintained by the Public Works Agency and adopted by the Board of Supervisors, establish uniform policies and procedures for the design and construction of County roads and appurtenances.

Many existing roads in the County do not comply with current Road Standards, because many existing County roads were built prior to the existence of modern road standards and were often simply "farm to market" roads or rural access roads (often in remote, mountainous or otherwise rugged areas), intended for limited traffic. The fact that existing roads do not comply with current standards does not imply that existing roads are unsafe, nor does it mandate the initiation of improvement projects. However, additional or new development can place an additional burden on such roads and create expectations of increased or municipal levels of services. The impacts from development on existing County maintained public roads should be evaluated in the context of the most current engineering guidance available (references cited further herein) and engineering knowledge, experience and judgment.

References:

- a) County Road Standards, current version, as maintained by the Public Works Agency and adopted by the Board of Supervisors.
- b) A Policy on Geometric Design of Highways and Streets, current version, as published and adopted by The American Association of State Highway and Transportation Officials (AASHTO), 444 North Capital Street, N.W. Suite 249, Washington, D.C. 20001
- c) Highway Design Manual, (HDH), current version, prepared by Division of Design, California State Department of Transportation (Caltrans).
- d) The California Manual of Uniform Traffic Control Devices (CAMUTCD), published by The California Department of Transportation and adopted by the California Traffic Control Devices Committee as the State Traffic manual.

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 4.2.1-1 through 5
Policies 4.2.2-1, -2 & -6

Lake Sherwood/Hidden Valley Area Plan:

Goals 4.1.1-1, -2, -4, & -5
Policies 4.1.2-1 through -6

North Ventura Avenue Area Plan:

8. Collector Streets

Oak Park Area Plan:

Ojai Valley Area Plan:

Goal 4.1.1-1
Policies 4.1.2-1, -5 & -6

Piru Area Plan:

Goals 4.1.1-1, -2, & -4
Policies 4.1.2-1 through -4, & -6

Saticoy Area Plan:

Goals 4.1.1-1 & -2

Policies 4.1.2-1 through -6

Goals 4.1.1-1 & -2
Policies 4.1.2-1 through -3, & -5

Thousand Oaks Area Plan:

Goals 4.1.1-1, -2 & -6
Policies 4.1.2-1, -2, -3, -5, -7, -9

C. Threshold of Significance Criteria

Project-Specific Impacts

1. A projects that impacts Public Roads¹ or intersections will have a less-than-significant impact on the design of the Public Road system or intersections only if the existing Public Road or intersection complies with current County Road Standards and the proposed Public Road or intersection improvement or encroachment associated with by the project or required by the CEQA lead agency also complies with County Road Standards..
2. A project that either individually impacts an Public Road intersection so that the intersection exceeds any one of the traffic signal warrants established by the Manual for Uniform Traffic Control Devices, as supplemented and adopted by the State of California (MUTCD/CA), has the potential to cause a significant impact.
3. A project that impacts Public Roads or intersections will have a less-than-significant impact on the safety and design of the Public Road System only if the existing Public Road or intersection complies with current County Road Standards, and if the affected Public Road or intersection has a collision or incident rates at or below state wide averages for similar facilities.²

Roadway Segments

4. A project has a potentially significant adverse project-specific traffic impact on any road segment if the roadway segment has been identified by SWITRS as experiencing a high incident rate ..
5. A project has a potentially significant adverse project-specific traffic impact on the affected road segment if that road segment in identified as being a part of an existing road system that is non-compliant with current County road standards.
6. A proposed project located in the unincorporated area where the existing road systems were developed prior to any road safety engineering standards will have a significant adverse impact on road safety.
7. A project will have a potentially significant adverse project-specific traffic impact at any un-signalized intersection on the Public Road system if the project-specific impacts result in any of the warrants established by the MUTCD-CA being met.
8. A project with project-specific impacts to any intersection that has been identified in the Substandard Impact Areas Vicinity, Upper Ojai Substandard Impact Area, Santa Susana Area Substandard Impact Area, Ventu Park Area Substandard Impact Area, Yerba Buena Area Substandard Impact Area, or the Santa Susana Knolls Area Substandard Impact Area Maps shall be considered significant unless mitigated.

Cumulative Impacts

1. A project will have a potentially significant adverse cumulative traffic impact on any road segment if the affected road segment has been identified as experiencing a high incident rate.

¹ Public Roads include both road segments or linear sections of a road or street and any intersections of within the length of the Public Road being analyzed. For purpose of this section only, a road segment is a portion of a Public Road being analyzed in relation to a proposed action subject to CEQA.

² State wide collision rates are determined by the State Department of Transportation (Caltrans), and rates are generally published by Caltrans annually. Formulae for determining the rates for individual road segments or intersections are contained within the Caltrans report. The data for calculating individual collision or incident rates shall be obtained from the State Wide Incident Reporting System (commonly called SWITRS), available from the California Highway Patrol Headquarters Office in Sacramento, California.

2. A project that individually impacts an Public Road intersection so that the intersection exceeds any one of the traffic signal warrants established by the Manual for Uniform Traffic Control Devices, as supplemented and adopted by the State of California (MUTCD/CA) has the potential to cause a significant cumulative impact.
3. A proposed project, along with past, present or probable future projects, that uses existing substandard public roads in the areas shown on the Substandard Impact Areas Vicinity, Upper Ojai Substandard Impact Area, Santa Susana Area Substandard Impact Area, Ventu Park Area Substandard Impact Area, Yerba Buena Area Substandard Impact Area, or the Santa Susana Knolls Area Substandard Impact Area Maps (see attachments) is considered to have cumulative impacts on the operational safety of the public road system in these areas.
4. A project will have a potentially significant adverse cumulative traffic impact to any un-signalized intersection on the Public Road System if the project-specific impacts, along with other past, present or probably future projects result in any of the warrants established by the MUTCD-CA being met.
5. Any proposed project, along with other past, present or probably future projects, that causes impacts at any intersection that has been identified in the Substandard Impact Areas Vicinity, Upper Ojai Substandard Impact Area, Santa Susana Area Substandard Impact Area, Ventu Park Area Substandard Impact Area, Yerba Buena Area Substandard Impact Area, or the Santa Susana Knolls Area Substandard Impact Area Maps will also be considered cumulatively significant.

D. Methodology

Analysis

1. Determine the project's location and its impact on existing Public Roads or intersections identified in the Substandard Impact Areas Vicinity, Upper Ojai Substandard Impact Area, Santa Susana Area Substandard Impact Area, Ventu Park Area Substandard Impact Area Map, Yerba Buena Area Substandard Impact Area Map, and the Santa Susana Knolls Area Substandard Impact Area Maps. See attachments.
2. Determine the project's consistency with current County Road Standards.
3. Projects impacting Public Roads and intersections with high incident rates must also be analyzed to identify feasible mitigation measures to reduce the frequency of collisions. Project applicants for such projects shall prepare an Access Safety Report that includes the following information about the affected Public Road and/or intersection:
 - (a) collision data for the three years prior to submittal of the project application; and
 - (b) an analysis identifying the most prevalent collision patterns and how the project affects these existing collision patterns.
4. For projects using substandard Public Roads for access, the project applicant shall provide an analysis identifying the existing roadway deficiencies as compared to the County Road Standards and how those existing deficiencies will affect the access to the project.

Adopted by the Board of Supervisors on July 27, 2010.

Attachments:

Attachment 1: Substandard Impact Areas Vicinity Map

Attachment 2: Upper Ojai Substandard Impact Area Map

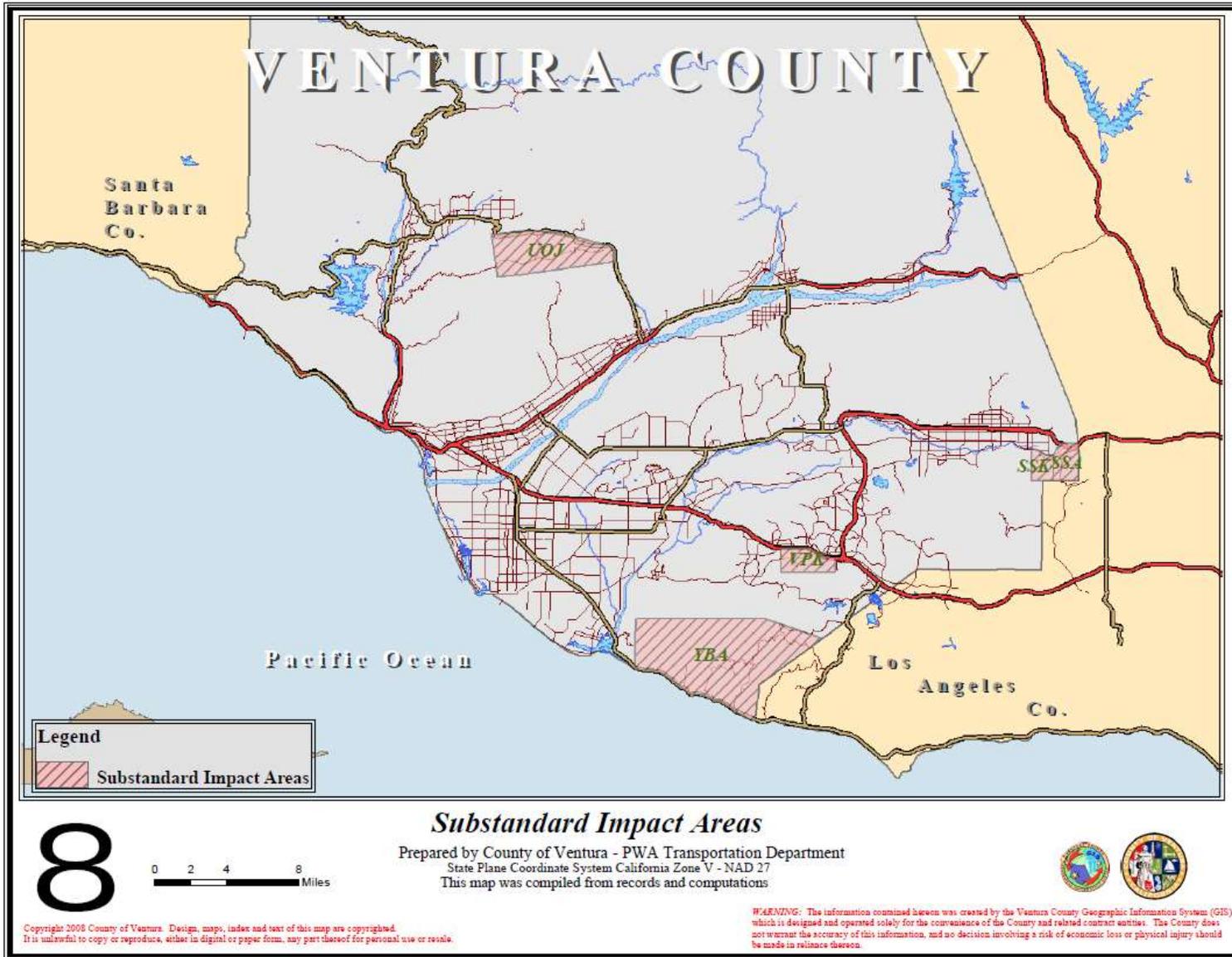
Attachment 3: Santa Susana Area Substandard Impact Area Map

Attachment 4: Ventu Park Area Substandard Impact Area Map

Attachment 5: Yerba Buena Area Substandard Impact Area Map

Attachment 6: Santa Susana Knolls Area Substandard Impact Area Map

Attachment 1
Substandard Impact Areas Vicinity Map

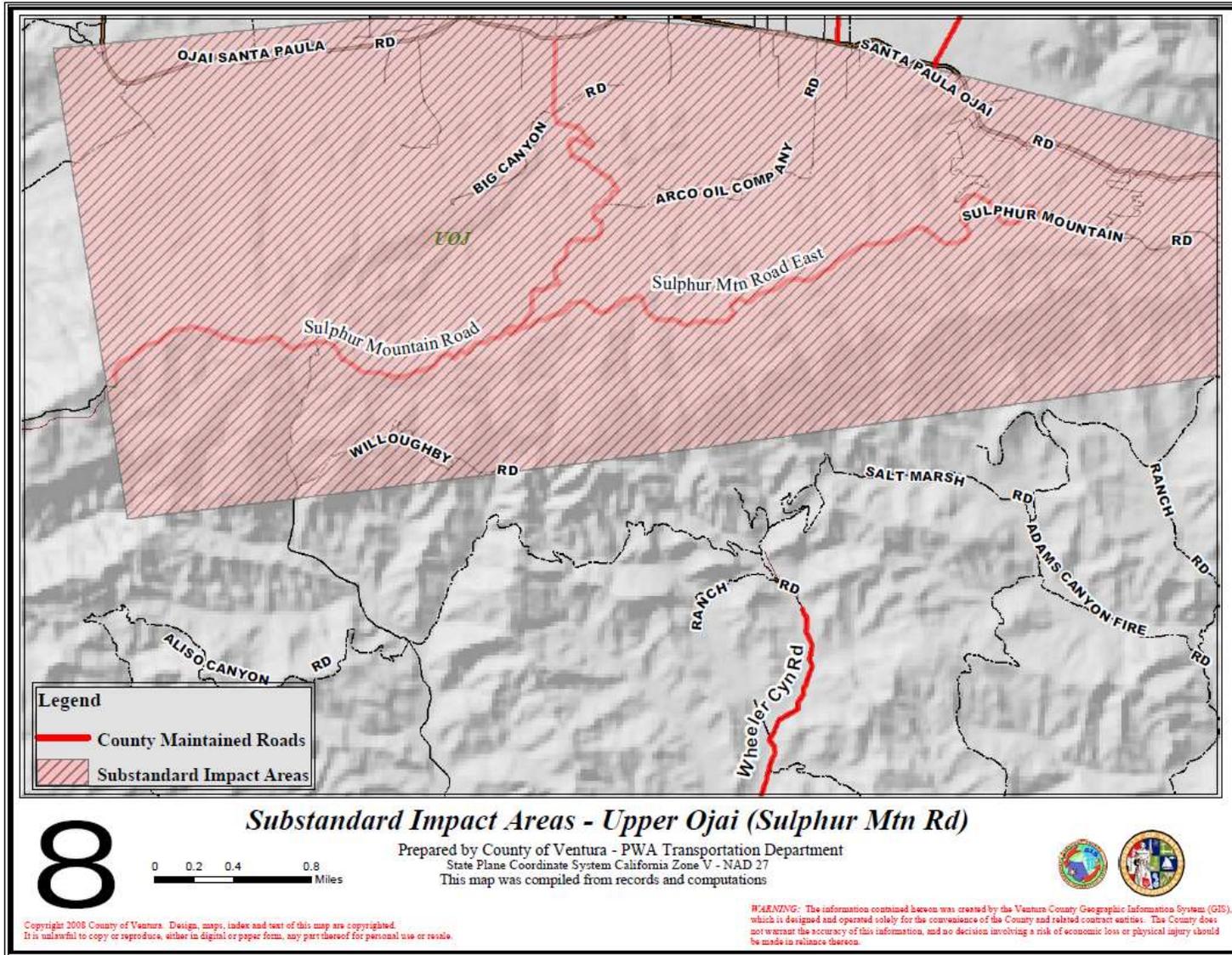


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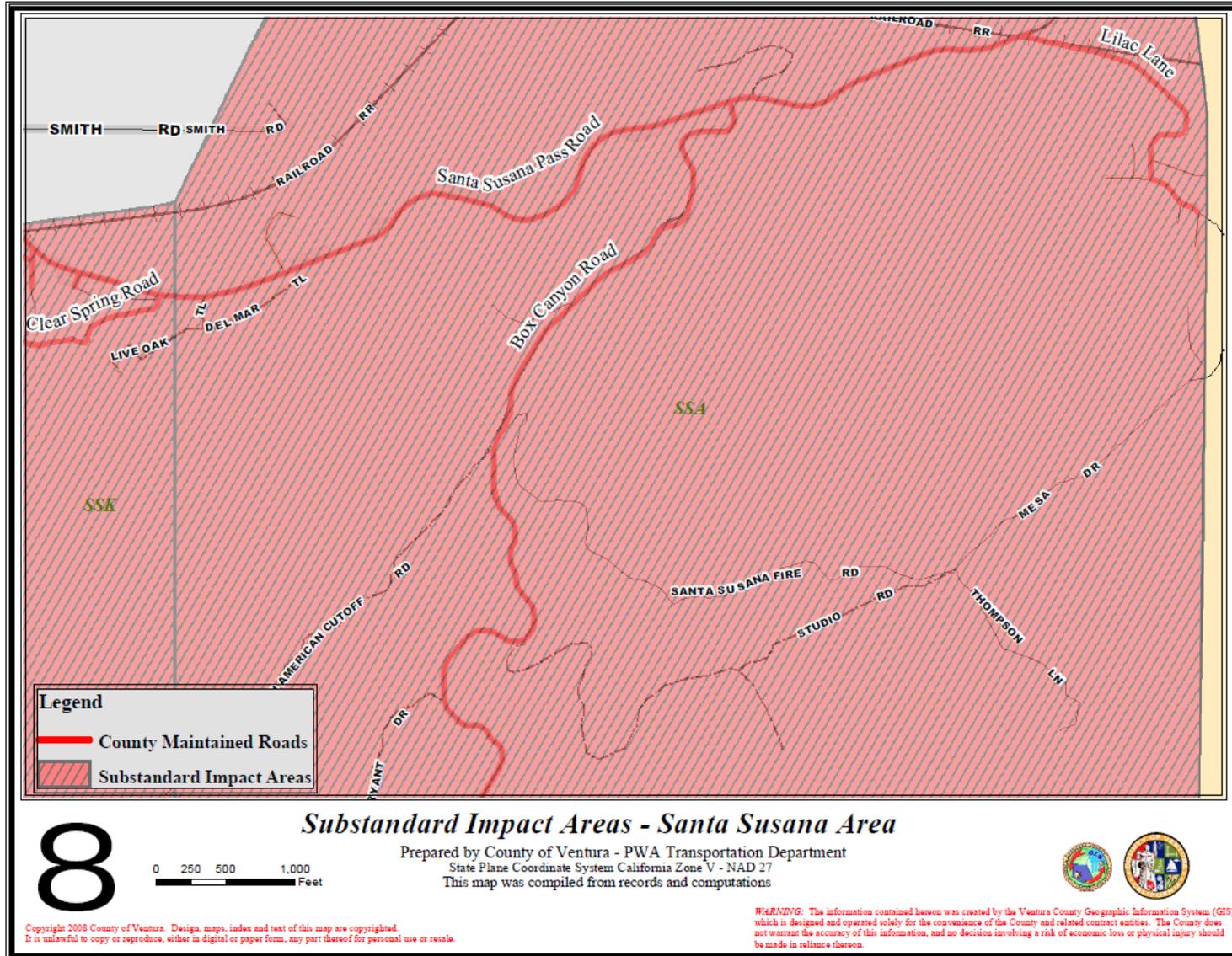
Attachment 2

Upper Ojai Substandard Impact Area Map



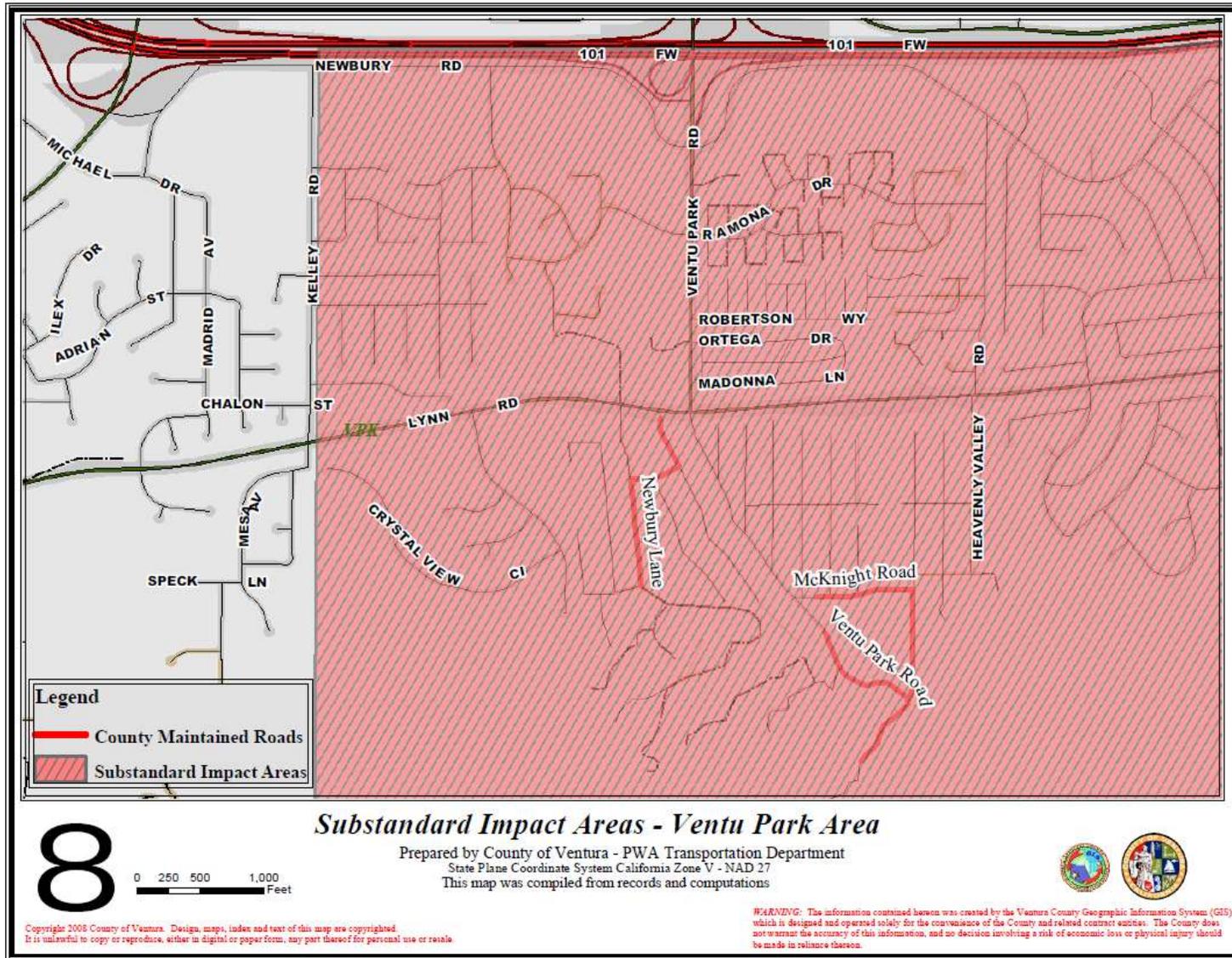
Attachment 3

Santa Susana Area Substandard Impact Area Map

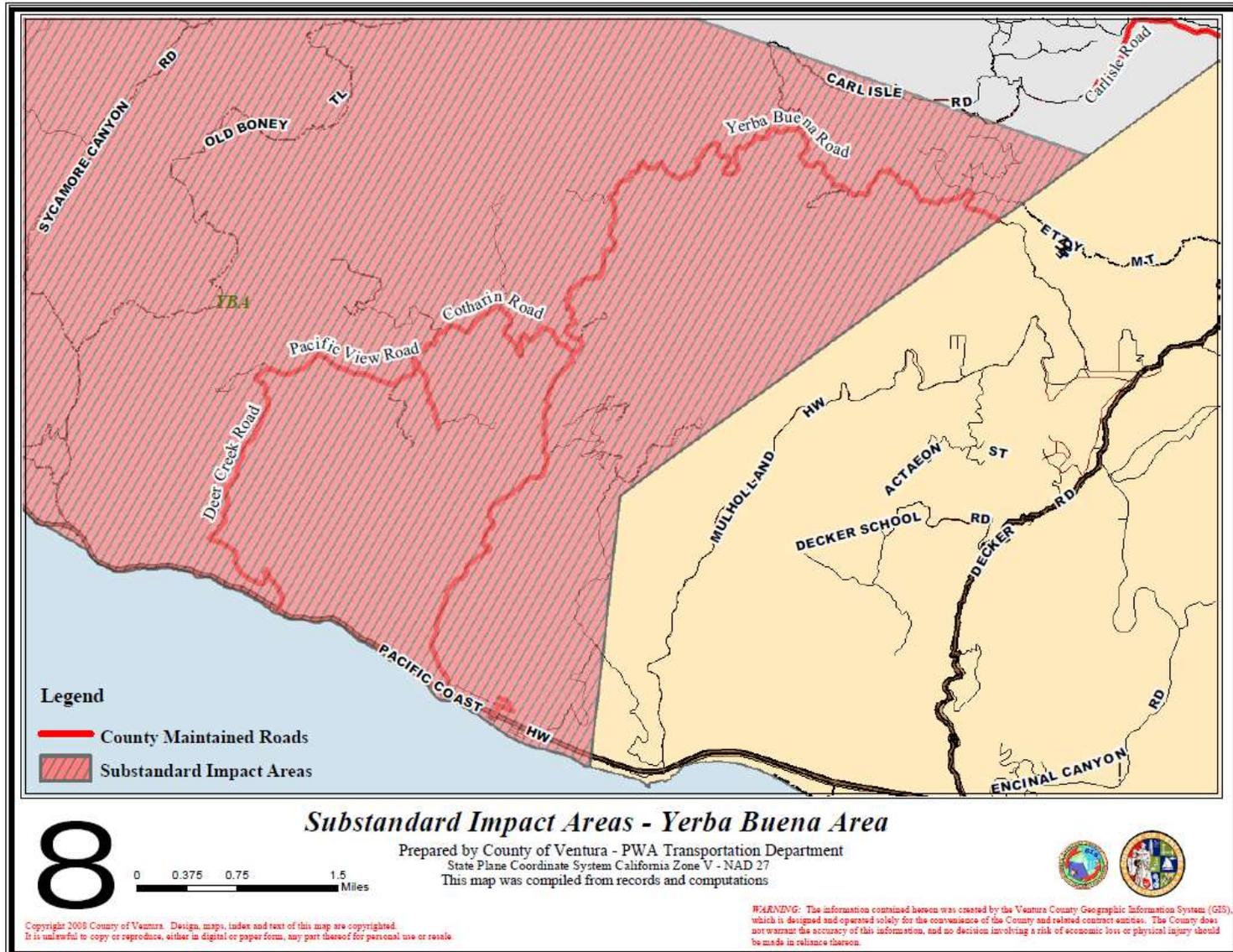


Attachment 4

Ventu Park Area Substandard Impact Area Map

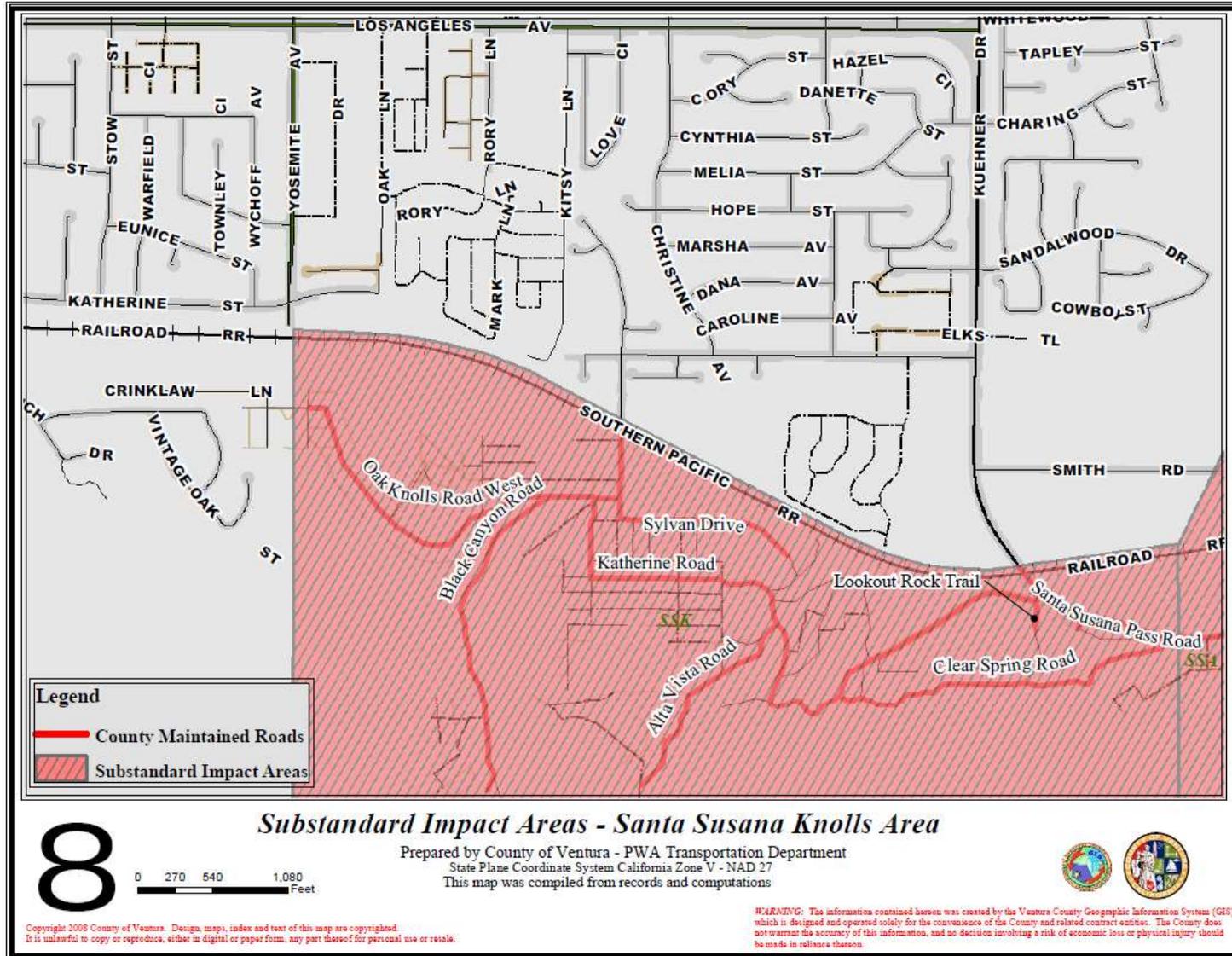


Attachment 5 Yerba Buena Area Substandard Impact Area Map



Attachment 6

Santa Susana Knolls Area Substandard Impact Area Map



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27a(3). Transportation & Circulation - Roads & Highways – Safety & Design of Private Access

A. Definition of Issue

The physical configuration of existing and future roads or highways (e.g., width, curve radius, gradient, and ability to support the weight of fire apparatus).

B. Definition of Technical Terms

Fire Code – The Fire Code adopted by the Ventura County Fire Protection District (VCFPD).

C. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 2.13.1-2; 4.2.1-1 & -3; and 4.8.1

Policies 2.13.2-1 & -3; 4.2.2-2 & -4; and 4.8.2-1

Lake Sherwood/Hidden Valley Area Plan:

Goal 4.1.1-1

Policies 4.1.2-3 through -6

Oak Park Area Plan:

Goal 4.1.1-1

Policies 4.1.2-3 through -5

Ojai Valley Area Plan:

Goal 4.1.1-1

Policies 4.1.2-5 & -6

Piru Area Plan:

Goals 4.1.1-1 & -2

Policies 4.1.2-3, -4 & -6

Saticoy Area Plan:

Goals 4.1.1-1 & -2

Policies 4.1.2-2 through 6

Thousand Oaks Area Plan:

Goals 4.1.1-1, -2 & -6

Policies 4.1.2-4, -5 & -9

D. Threshold of Significance Criteria

VCFPD Private Road Guidelines are typically applicable to subdivisions of land for residential use (single family dwellings) by Parcel Map, which also includes large lot subdivisions. They are not intended to be used for subdivision by Tract Map within cities or urban development within unincorporated areas of the County. Public Road Standards are normally applicable to Tract Maps and development. County Policy states that private roads should only be permitted when the occupants of a development will be better served and the public interest will not be impaired by the existence of private roads.

If a private road or private access is proposed for a project, design of the private road has a significant impact when the VCFPD's adopted Private Road Guidelines and access standards cannot be met. These Private Road Guidelines are in concert with state guidelines; the standards for apparatus access roads are set forth in the Fire Code.

Design of a private road is reviewed on a case-by-case basis and is governed by the following criteria:

1. Review required for every building when any portion of an exterior wall of the first story is located more than 150 feet from a public drive, whether access to the building is to be by private driveway or road.
2. Width - not less than 20 feet when serving more than two (2) single family dwellings. The width may increase based upon the number of parcels and the type of development served.
3. Vertical clearance - 13' 6".

4. Surface - all weather (concrete, asphalt or alternate surfacing). Use of alternate surfacing is limited by type of development served, use and grade.
5. Turning radius – Minimum 40 feet at all sharp turns.
6. Turn around - required at all dead end access roads in excess of 150 feet.
7. Bridges - designed and certified in accordance with Building and Safety requirements (minimum 20 ton loading).
8. Grade - 0-15% without distance limitation. 15.1% - 20% on-site driveway maximum distance of 1000 feet and/or a maximum distance of 200 feet or off-site access. Length limitations are cumulative. More restrictive limitations may be required based upon type of development proposed.
9. Obstruction - no obstructions including parking.
10. Signs - Posting of Fire Lane signs when required.

E. Methodology

Preliminary Assessment

The VCFPD staff person responsible for administering the project must review the project description materials (site plan, grading plan, etc.) and if necessary make a visit to the project site. To determine if there would be a significant impact, it is necessary to determine if any proposed private road or access meets the VCFPD's Private Road Guidelines and is in compliance with Fire Code access standards.

Preparation of Checklist –

The following information will be used to complete the Transportation & Circulation – Roads & Highways – Safety and Design of Private Access section in the Initial Study Checklist:

No Impact (N) - A determination of no impact will be made if there are no private roads proposed or if private roads comply with both the County Road Standards and the VCFPD Private Road Guidelines.

Less than Significant Impact (LS) – A determination of LS will be made if proposed private roads do not substantially meet the full requirements of the Private Road Guidelines or use of alternate access standard is proposed. Reasonable safety measures as approved by the VCFPD shall be incorporated in the project design to off-set the areas where full access requirements cannot be provided due to site specific conditions.

Potentially Significant Impact - Mitigation Incorporated (PS-M) – A determination of PM-S will be made if proposed private roads do not meet the full requirements of the Private Road Guidelines. These projects shall be required to provide a Fire Protection Plan (FPP) from a qualified fire protection consultant as approved by the VCFPD. The FPP shall identify mitigation measures to reduce the impact to at minimum LS level. Proposed mitigation measures shall be approved by the VCFPD.

Potentially Significant Impact (PS) - A determination of PS will be made when project-related significant or potentially significant impacts from private road design cannot be feasibly mitigated to LS level using currently available information and acceptable mitigation measures.

Adopted by the Board of Supervisors on July 27, 2010.

27a(4). Transportation & Circulation - Roads & Highways - Tactical Access

A. Definition of Issue

Tactical access is an organized system of roads/access to and from a project utilized in the event of any emergency or disaster. More than one access road may be impaired by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

B. Definition of Technical Terms

Fire Code – The Fire Code adopted by the Ventura County Fire Protection District (VCFPD).

C. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 2.13.1-2; 4.2.1-1 & -3; and 4.8.1
Policies 2.13.2-1 & -3; 4.2.2-2 & -4; and 4.8.2-1

Lake Sherwood/Hidden Valley Area Plan:

Goals 4.1.1-1, -2, -4, & -5
Policies 4.1.2-1 through -6

North Ventura Avenue Area Plan:

8. Collector Streets

Oak Park Area Plan:

Goals 4.1.1-1 & -2
Policies 4.1.2-1 through -5

Ojai Valley Area Plan:

Goal 4.1.1-1
Policies 4.1.2-1, -5 & -6

Piru Area Plan:

Goals 4.1.1-1, -2, & -4
Policies 4.1.2-1 through -4, & -6

Saticoy Area Plan:

Goals 4.1.1-1 & -2
Policies 4.1.2-1 through -6

Thousand Oaks Area Plan:

Goals 4.1.1-1, -2 & -6
Policies 4.1.2-1 through -5, -7, & -9

D. Threshold of Significance Criteria

If a road or access, public or private, is proposed for a project, tactical access does have a significant impact if there is a single access and the access road exceeds 800 feet in length. The VCFPD has adopted Private Road Guidelines that are in concert with state guidelines. By providing a second access the classification can be changed to less than significant. Other mitigation factors considered are:

1. Road design (width, gradient, etc.).
2. Fire hazard area.
3. Structures provided with fire sprinklers.

E. Methodology

Preliminary Assessment

The VCFPD staff person responsible for administering the project must review the project description materials (site plan, grading plan, etc.), and if necessary make a visit to the project site. To determine if there would be a significant impact, it is necessary to determine if any proposed road/access with single access exceeds 800 feet.

No Impact (N) - A determination of no impact will be made if there are public and/or private roads serving the project, no single access road exceeds 800 feet, and all roads are in full compliance with the County Public Road Standards and/or VCFPD Private Road Guidelines.

Less than Significant Impact (LS) – A determination of LS will be made if existing and/or proposed public and private roads:

- a. Do not substantially meet the full requirements of the County Public Road Standards and/or the VCFPD Private Road Guidelines and do not exceed 800 feet for any single access; or
- b. Are using the exceptions for secondary access under the provisions of the VCFPD Private Road Guidelines; or
- c. Are using the alternate access design of the VCFPD Private Road Guidelines.

Reasonable safety measures as approved by the VCFPD shall be incorporated in the project design to off-set the areas where full access requirements cannot be provided due to site specific conditions.

Potentially Significant Impact - Mitigation Incorporated (PS-M) – A determination of PM-S will be made if existing and/or proposed public or private roads do not meet the full requirements of the County Public Road Standards and/or VCFPD Private Road Guidelines and/or exceed 800 feet in length. These projects shall be required to provide a Fire Protection Plan (FPP) from a qualified fire protection consultant as approved by the VCFPD. The FPP shall identify mitigation measures to reduce the impact to at minimum LS level. Proposed mitigation measures shall be approved by the VCFPD and County of Ventura Public Works Agency.

Potentially Significant Impact (PS) - A determination of PS will be made when project-related significant or potentially significant impacts from public and/or private road design and/or single access roads exceeding 800 feet cannot be feasibly mitigated to LS level using currently available information and acceptable mitigation measures.

Adopted by the Board of Supervisors on July 27, 2010

27b. Transportation & Circulation - Pedestrian/Bicycle Facilities

A. Definition of Issue

This issue involves the impact on existing pedestrian and bicycle facilities as well as the demand for new or expanded pedestrian and bicycle facilities. Facilities that serve pedestrians and bicyclists include sidewalks, bike lanes, bike paths and protected highway crossings.

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 4.2.1-1, -6, & -8 through -10

Policies 4.2.2-2, -8 & -9

Coastal Area Plan:

Coastal Act – Shoreline Access:

§ 30210, § 30211 & § 30212

North Coast - B. Access:

Objective

Policies 1 through 10

Central Coast - B. Access:

Objective

Policies 1 through 9

South Coast: - B. Access:

Objective

Policies 1 through 13

El Rio/Del Norte Area Plan:

Goal 4.1.1-2

There are no supplemental policies related to transportation/circulation.

Lake Sherwood/Hidden Valley Area Plan:

Goal 4.1.1-3

Policies 4.1.2-2 & -4

North Ventura Avenue Area Plan:

9. Bikeways

Oak Park Area Plan:

Goals 4.1.1-1 & -3

Policies 4.1.2-2, -6 & -8

Piru Area Plan:

Goals 4.1.1-1 & -3

Policies 4.1.2-3 through -5

Thousand Oaks Area Plan:

Goals 4.1.1-1, -4, & -6

Policies 4.1.2-5(5) & -7

C. Threshold of Significance Criteria

Impact on Existing and Planned Facilities - A project that will cause actual or potential barriers to existing or planned pedestrian/bicycle facilities may have a significant impact. Determinations of impact significance, both project and cumulative, must be made on a case-by-case basis.

Demand for new or expanded facilities - Projects that generate or attract pedestrian/bicycle traffic volumes meeting requirements for protected highway crossings or pedestrian and bicycle facilities may have a significant impact. Pedestrian overcrossings, traffic signals and bikeways are examples of these types of facilities. Determinations of impact significance, both project and cumulative, must be made on a case-by-case basis.

D. Methodology

Public Works Agency-Transportation Division staff is responsible for evaluating the impact on and demand for pedestrian and bicycle facilities that are or would be located within public rights-of-way (e.g., public streets). Typically, this involves pedestrian and bike routes to and from schools, commercial centers and transit stops. As part of any required traffic report prepared for the project, the impact on and demand for expanded pedestrian and bicycle facilities shall be evaluated, which should include both

existing facilities (e.g., Ojai Valley multi-purpose trail, Coastal Access Easements) and planned facilities (e.g., Ventura County Bicycle Master Plan). The Ventura County Bicycle Master Plan can be viewed online at: <http://www.goventura.org/?q=get-there-by-bike/bike-map>

Adopted by the Board of Supervisors on July 27, 2010.

27c. Transportation & Circulation - Bus Transit

A. Definition of Issue

Bus transit means a system of, or the need for, public bus transportation.

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 4.2.1-1 & -6 through -9

Policy 4.2.2-8

El Rio/Del Norte Area Plan:

Goals 4.1.1-1 & -3

There are no supplemental policies.

Oak Park Area Plan:

Goals 4.1.1-1 & -4

Policies 4.1.2-7 & -8

Ojai Valley Area Plan:

Goals 4.1.1-2

There are no supplemental policies.

Piru Area Plan:

Goals 4.1.1-1 & -5

Policy 4.1.2-5

Thousand Oaks Area Plan:

Goals 4.1.1-1 & -5

Policies 4.1.2-6 & -8

C. Threshold of Significance Criteria

Bus transit is an important component of the regional transportation system. A project will normally have a significant impact on bus transit if it would substantially interfere with existing bus transit facilities or routes, or if it would create a substantial increased demand for additional or new bus transit facilities/services.

D. Methodology

In order to determine if a project would impact transit (bus) facilities or services, it will be necessary to contact the appropriate transit authority (see Figure 4.2.4 of the General Plan Public Facilities and Services Appendix).

Specific Impacts:

Existing planning and transportation analysis tools currently available to the Public Works Agency, Transportation Department are not sophisticated enough to quantify with accuracy specific project impacts on bus transit from most development projects, although individual service providers such as Gold Coast Transit (GCT) do have experienced transit planning staff capable of reviewing future developments, and determining if new or additional transit services are required.

However, to avoid unnecessary requirements for smaller projects that can be expected to result in de minimis impacts, projects that can be expected to generate more than 100 daily vehicle trips (10 single family housing units or equivalent traffic generation) will be required an evaluation of the specific project impacts through either consultation with the appropriate transit service provider or separate analysis performed by the applicant and approved by the Transportation Department.

Note: The rationale for this threshold is as follows. Historically transit ridership has been less than 10 percent of all traffic generated within the County of Ventura. This equates to a maximum anticipated ridership from the individual development of 10 daily riders or approximately 1 bus rider per peak hour period.

Cumulative Impacts:

Currently there are no planning or analysis tools available to the Public Works Agency, Transportation Department to evaluate future cumulative impacts on Bus Transit Facilities, but the Transportation

Department is researching the feasibility of adding this element in the future as time and resources permit.

Adopted by the Board of Supervisors on July 27, 2010

27d. Transportation & Circulation - Railroads

A. Definition of Issue

Railroad means a form of transportation on a permanent road base having a line of rails fixed to ties.

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 4.2.1-1, -11, & -12

Policy 4.2.2-9

Piru Area Plan:

Goals 4.1.1-1 & -5

There are no supplemental policies.

C. Threshold of Significance Criteria

Railroads are an important component of the regional transportation system. A project will normally have a significant impact on a railroad if it would individually or cumulatively substantially interfere with an existing railroad's facilities or operations.

D. Methodology

After reviewing the project description and consulting Figure 4.2.4 of the General Plan Public Facilities and Services Appendix, the County staff person responsible for administering the project must determine if the project would, in any way, affect an existing rail line or crossing.

If the project could impact an existing rail line or crossing, in order to determine if a project would significantly impact rail facilities and services, it will be necessary to contact the Union Pacific Transportation Company, the Southern California Regional Rail Authority, and the Ventura County Transportation Commission.

Adopted by the Board of Supervisors on July 27, 2010.

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27e. Transportation & Circulation - Airports

A. Definition of Issue

"Airport" means an area on land or water that is used, or intended to be used, for the landing and takeoff of aircraft and includes its buildings and facilities, if any. Aviation is one of the most widely used modes of transportation, and airports form the terminal ends of the air transportation system. Airports are important to everyone for they are recognized as being the gateway to the modern transportation system. The issue is better defined as the ability of the airport operator to provide public air transportation services from a facility protected from incompatible land uses by good planning decisions.

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 4.2.1-1, -13, & -14

Policies 4.2.210 & -11

C. Threshold of Significance Criteria

Decision-makers must protect airports from land uses that are clearly incompatible and those that tend to impede County's ability to provide safe and adequate public service. Incompatible uses include, but are not limited to: high buildings, residential units, refineries, churches and schools within the airport sphere of interest. Generally, projects with the potential to generate complaints and concerns, or which are within the sphere of influence of either County operated airport, would interfere with the County's mission and be deemed as having a significant project-specific and/or cumulative impact. Projects located outside the sphere of influence of any airport are considered to have a less-than-significant impact.

D. Methodology

Projects located within the sphere of influence of either the Camarillo or Oxnard airports should be referred to the Ventura County Director of Airports and the Ventura County Airport Land Use Commission, who will determine what project-specific and/or cumulative impacts, if any, the project will have on airport operations.

Projects located within the sphere of influence of the Santa Paula Airport should be referred to the Santa Paula Airport Manager and the Ventura County Airport Land Use Commission, who will determine what project-specific and/or cumulative impacts, if any, the project will have on airport operations.

Projects located within the sphere of influence of the Naval Base Ventura County Airport should be referred to the Naval Base Ventura County and the Ventura County Airport Land Use Commission, who will determine what project-specific and/or cumulative impacts, if any, the project will have on airport operations.

Adopted by the Board of Supervisors on July 27, 2010

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27f. Transportation & Circulation - Harbor Facilities

A. Definition of Issue

A harbor, under the context of transportation/circulation, is any portion of a body of water along the shore deep enough for anchoring a boat or ship, providing protection from winds, waves and currents and having docks or port facilities. In Ventura County, the Ventura Harbor, Channel Islands Harbor and Port of Hueneme meet this definition. This issue entails direct or indirect impacts to boat traffic and boat facilities within the harbors.

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goal 4.2.1-1

Coastal Area Plan:

Coastal Act - Commercial Fishing and Recreational Boating:

§ 30224, § 30234, § 30234.5 & § 30255

C. Threshold of Significance Criteria

A project will have an impact on a harbor if the construction or operation of the project will increase the demand for commercial boat traffic and/or adjacent commercial boat facilities. If such an increase will occur, the significance of the impact (project and cumulative) and any mitigation measures must be determined by the following public entities:

| | |
|-------------------------|--------------------------------------|
| Ventura Harbor: | Ventura Port District |
| Channel Islands Harbor: | Harbor Department, County of Ventura |
| Port of Hueneme : | Oxnard Harbor District |

The Army Corps of Engineers and the State Department of Boating Waterways are also involved in harbor improvements and operations.

D. Methodology

The staff person responsible for administering the project must first ascertain if the project would be adjacent to any harbor, affect the operations of a harbor in any way, or increase the demands on harbor facilities. If not, the "N" columns on the checklist should be marked, and explanation of such provided in Section C of the Initial Study. If any affect could possibly occur, the project description materials shall be sent to the appropriate public entity responsible for the affected harbor for review and comment. The public entity must determine significance for both project and cumulative impacts and, if necessary, suggest mitigation measures.

The Channel Islands Harbor is a public harbor owned and operated by the County of Ventura Harbor Department. Development within the Harbor is undertaken pursuant to the Coastal Commission-certified and County-adopted Channel Islands Harbor Public Works Plan (PWP), as amended. If the impact from the project under consideration is to the Channel Islands Harbor, and if the project will create a demand for facilities within the Harbor beyond that anticipated by the PWP, the impact would be considered significant. A cumulative impact would be presumed to exist if development anticipated within the area combined would create a demand for facilities beyond that anticipated in the PWP. This determination should be made by the County Harbor Department.

Adopted by the Board of Supervisors on July 27, 2010.

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27g. Transportation & Circulation - Pipelines

A. Definition of Issue

Pipelines mean conduits of pipe for the transportation of petroleum, petroleum products, natural gas, etc. Any new development could have an impact on an existing pipeline.

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goal 2.14.1-2

Policy 2.14.2-4

C. Threshold of Significance Criteria

A project would have a significant impact if it would substantially interfere with, or compromise the integrity or affect the operation of, an existing pipeline.

There may be a cumulative impact on pipelines if, when considered with other pending and recently approved projects, the total effect of the projects causes interference with, or affects the operation of, an existing pipeline. Pending and recently approved projects can be located on the Planning Division website at: <http://www.ventura.org/rma/planning/Permits/projects.html>.

D. Methodology

The County staff person responsible for administering the project shall consult the GIS Oil and Gas Pipeline data layer to determine if the project would be located over a pipeline facility or route. Consistent with the directions of the Federal Office of Homeland Security, the GIS Oil and Gas Pipeline data layer may not be released to the public.

If the project is located over such a facility, it will be necessary to contact the appropriate facility owner to discuss the project and determine the potential project impact on the pipeline. If there is any disagreement between the County staff person and pipeline owner/operator, the staff member responsible for administering the project will bring the issue before the Planning Director or the staff member's supervisor, as appropriate, for a determination.

Adopted by the Board of Supervisors on July 27, 2010

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28a. Water Supply - Quality

A. Definition of Issue

A domestic supply of potable water used for human consumption or connected to domestic plumbing fixtures in which the supply is obtained from an approved individual water supply system or a public water system operating with an unrevoked permit from the Ventura County Environmental Health Division or the California Department of Public Health .

B. Definition of Technical Terms

Water Quality - Refers to the chemical, biological, and physical quality of water used for human consumption.

Drinking Water Standards:

1. Primary drinking water standards that specify maximum contaminant levels (MCL) as described in Title 22, California Code of Regulations.
2. Secondary drinking water standards specify the maximum contaminant levels as described in Title 22, California Code of Regulations, which may adversely affect the odor or appearance of water, and may cause a substantial number of persons served by the public water system to discontinue its use.

Maximum Contaminant level (MCL) - The maximum allowable level of a contaminant in water.

Individual Water Supply System - A system which obtains water from an onsite water well or wells used to supply domestic water to no more than four (4) service connections.

Public Water System - A system, regardless of type of ownership for the provision of piped water to the public for domestic use, if such system has more than four (4) service connections or regularly serves an average of at least 25 individuals daily at least 60 days of the year, and require a permit from the Ventura County Environmental Health Division or the California Department of Public Health .

Note: For a more complete list of definitions, the reader is directed to California Code of Regulations, Title 22.

C. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Policy 4.3.2-1

Piru Area Plan:

Goal 4.5.1

Policy 4.5.2

D. Threshold of Significance Criteria

A project that is designed to meet all of the applicable requirements set forth in the following authorities shall not be considered to have a significant impact in this environmental area:

- California Health and Safety Code, Division 104, Part 13, Chapter 4
- California Code of Regulations, Title 22, Division 4.
- Ventura County Building Code, Article 1, Article 6
- Ventura County Ordinance Code, Division 4, Chapter 8

Note: Domestic water quality regulations for water systems with 15 or more service connections are enforced by the California Department of Public Health.

E. Methodology

Preliminary Assessment - Review the project application, project description questionnaire, and required materials to obtain the following regulations:

- a. Determine if the project requires a supply of domestic water.
- b. Determine if domestic water will be provided by a water purveyor or from an individual source (water well).
- c. If water is provided by a public water purveyor, a water availability letter must be submitted with the project application. The California Department of Public Health regulates and issues permits for public water systems with 15 or more connections. Public water purveyors with fewer than 15 connections are regulated and permitted by the County Environmental Health Division.
- d. If domestic water is obtained from an individual source (a water well or wells), applicable water quality analysis must be submitted with the project application. Compliance with state drinking water standards must be demonstrated before the application for the proposed project is deemed complete.

Note: Compliance with applicable drinking water standards must be demonstrated before the application is deemed complete.

Preparation of Initial Study Checklist - The following information will be used to complete the Water Quality section in the Initial Study Checklist:

1. **No Impact (N):**
 - a. A determination of no project or cumulative impact will be made when the proposed project does not require a supply of domestic water.
 - b. A determination of N will be made when project and cumulatively domestic water is obtained from a public water purveyor operating with a valid permit from either the California Department of Public Health or the Environmental Health Division.
 - c. A determination of N will be made when project and cumulatively domestic water is obtained from an individual source and the water quality analysis demonstrates compliance with applicable drinking water standards.
2. **Less than Significant Impact (LS)** - A determination of LS will be made when domestic water is obtained from an individual water source and the proposed project will utilize an on-site sewage disposal system. The use of an on-site sewage disposal system has the potential for contaminating groundwater supplies. However, compliance with the County Building Code Ordinance relative to on-site sewage disposal systems, enforced by the Environmental Health Division, will reduce any potential project and cumulative impacts to a level considered less than significant.
3. **Potentially Significant Impact-Mitigation incorporated (PS-M)** - A determination of PS-M will be made when project related and cumulatively potentially significant impacts to water quality can be successfully mitigated to a LS level by project design or measures using currently acceptable technology and/or through adoption of specific project condition. Mitigation measures will be developed on a case by case basis when a determination of PS-M to public health has been identified.
4. **Potentially Significant Impact (PS)** - A determination of PS will be made when project related and cumulatively significant or potentially significant impacts to water quality cannot be feasibly mitigated to a LS level using currently available information.

Adopted by the Board of Supervisors on July 27, 2010.

28b. Water Supply - Quantity

A. Definition of Issue

The purpose of this guideline is to ensure consistent and complete assessment of direct and indirect impacts resulting from the General Plan requirement that each legal parcel requiring a domestic water source have a permanent supply of water for the proposed project.

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 4.3.1-1 through -3

Policies 4.3.2-1 through -3

Lake Sherwood/Hidden Valley Area Plan:

Goals 4.2.1-1,-2, & -4

Policies 4.2.2-1 & -4

Piru Area Plan:

Goal 4.5.1

Policy 4.5.2

Oak Park Area Plan:

Goals 4.2.1-2

Policies 4.2.2-1 & -3

Saticoy Area Plan:

Goals 4.2.1-1 & -3

Policies 4.2.2-2 & -4

Ojai Valley Area Plan:

Goals 4.2.1-1 & -2

Policies 4.2.2-2

Thousand Oaks Area Plan:

Goals 4.2.1-1

Policies 4.2.2-1 & -2

BC. Threshold of Significance Criteria

This Item is either considered significant or not significant based on whether the General Plan requirement is met.

1. A source of water supplied by the following shall be determined to constitute a permanent supply of water. For items a) and b) the source shall constitute a permanent supply if, and only if, the supplier indicates in writing it has a permanent supply for the project.
 - a. Casitas Municipal Water District
 - b. Cities, water companies, districts, mutuals, public sources – unless there is a special known adverse situation.

Note: The Calleguas Municipal Water District (CMWD) and the United Water Conservation District (UWCD) are considered to be wholesale water suppliers. Therefore, a water availability letter should be procured from the water retail service provider of CMWD or UWCD in the project area. A water availability letter from CMWD or UWCD will only be accepted under special circumstances.
 - c.. Groundwater from a well that meets one of the following criteria as described in the Ventura County Waterworks Manual Section 2.12 Criteria For Demonstrating A Long Term Domestic Groundwater Supply:
 - 1) A category 1 well for which a well pump and recovery test has been completed and the results successfully meet all requirements as described for a Category 1 Well Test (Section 2.12.3), or;

- 2) A category 2 well for which a study and report have been completed that meet all the requirements for a Category 2 Groundwater Supply Study and Report (Section 2.12.4), or;
 - 3) A well that qualifies as a category 3 well (Section 2.12.5). Wells are those wells located in areas of the County where the presence of a groundwater supply sufficient to meet the long term requirements of all projected consumers is documented by substantial data and overdraft of the basin is not known to exist.
2. General Plan Goals and Policies - Any project that is inconsistent with any of the policies or development standards relating to *water supply - quantity* of the Ventura County General Plan Goals, Policies and Programs or applicable Area Plan (above), may result in a significant environmental impact. This threshold is not applicable if the project includes a General Plan Amendment (GPA) that would eliminate the inconsistency, and the GPA itself would not have a significant impact on *water supply-quantity* or be inconsistent with any *water supply - quantity* policy or development standard of the General Plan or applicable Area Plan (above).
 3. A project has the potential to have a significant impact on *water supply - quantity*, if it either individually or cumulatively when combined with recently approved, current, and reasonably foreseeable probable future projects would introduce physical development that would adversely affect the *water supply - quantity* of the hydrologic unit in which the project site is located.

D. Methodology

Projects obtaining water from any of the above three sources (1.a.,1.b., and 1.c.) of supply using Threshold Criteria No. 1 from above shall be considered to have a permanent source of water and shall be considered to not have a significant effect on water supply - quantity.

Projects not conforming to the above permanent sources of supply shall be considered potentially significant.

When necessary for determining cumulative impacts (larger or more complex projects), the Watershed Protection District (Staff) will obtain a list from the County Planning Division of the recently approved, current, and probable future projects that are located within the same hydrologic unit as the project site, in order to assess the project's contribution to cumulative impacts on *water supply - quantity*.

After acquiring the information stated above, Staff must compare the project's potential water supply quantity impacts, as well as the goals, objectives, policies, and/or development standards that apply to the project in order to identify, and evaluate the significance of, the impacts using the threshold criteria (above).

Note: A spring does not meet the requirement for a permanent source of water supply .

Adopted by the Public Works Agency Director on July 27, 2010.

28c. Water Supply - Fire Flow Requirements

A. Definition of Issue

Fire flow is defined as the number of gallons per minute (GPM) of water at a minimum residual pressure of 20 pound per square inch (PSI), for a designated duration available from a fire hydrant in the event of an emergency situation. This issue will also cover requirements for a private water system when the project is not provided with water from a purveyor. Specific concerns for private water systems include, but are not limited to, flow, pressure, duration, and reliability.

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs: Lake Sherwood/Hidden Valley Area Plan:

Goal 4.3.1-1

Goals 4.2.1-1 & -3

Policies 4.3.2-1 & -2

Policies 4.2.2-2 through -5

C. Threshold of Significance Criteria

A project will be considered having a significant impact if:

1. It cannot meet the required fire flow as determined by:
 - a. The Insurance Services Office, Inc. (ISO) Guide for Determination of Required Fire Flow.
 - b. The Ventura County Waterworks Manual (VCWWM).
 - c. VCFPD Fire Code.
 - d. Fire Prevention Standards 14.5.1, 14.5.2, and 14.5.3 .
2. If it cannot provide an acceptable mitigation factor, i.e., fire sprinklers to allow for a reduction in the required fire flow.
3. A private water system cannot meet flow, duration, or reliability requirements as defined in the Ventura County Waterworks Manual and VCFPD Fire Code.

D. Methodology

Preliminary Assessment

The Fire Protection District staff responsible for the project will review the information submitted by the applicant relative to water availability. If there is not an acceptable water purveyor, plans for a private water system will be required. The fire flow for the project will be determined predicated on the size of structures, construction type, use, and proximity to other structures.

Preparation of Checklist

The following information will be used to complete the Water Supply – Fire Flow Requirements section in the Initial Study Checklist:

No Impact (N) - A determination of no impact will be made if there are:

1. No requirements for fire flow or
2. If the project is served by a water purveyor that can provide the required fire flow in accordance with the VCWWM and VCFPD Fire Code.

Less than Significant Impact (LS) – A determination of LS will be made if

1. Fire sprinklers are used to reduce fire flow in accordance with VCWWM or VCFPD Fire Code or
2. Fire flow is not available from a water purveyor and the water purveyor allows the use of a private water system in accordance with VCFPD Fire Code and VCFPD Standards.

Potentially Significant Impact - Mitigation Incorporated (PS-M) and **Potentially Significant Impact (PS)** – PS-M and PS determinations are not normally allowed as any project proposing structures is required to provide fire flow from a water purveyor or in accordance with VCFPD Fire Code. Projects not able to provide fire flow are prohibited.

Adopted by the Board of Supervisors on July 27, 2010.

29a. Waste Treatment & Disposal Facilities - Individual Sewage Disposal Systems

A. Definition of Issue

A system which disposes of domestic waste (sewage) generated by individual residences and businesses located in areas without access to public sewer service. These are also referred to as septic systems and Onsite Wastewater Treatment Systems (OWTS).

B. Definition of Technical Terms

Conventional Sewage Disposal System - A system consisting of a septic tank and an effluent disposal component of either leach lines or seepage pits.

Alternative Sewage Disposal Systems - Specially designed systems that are used in areas where conventional sewage disposal systems cannot be approved:

Mound filtration system - An alternate system, consisting of a septic tank; wet well and pump, and an above ground mound effluent disposal field, is used in areas where high groundwater is present.

Subsurface sand filtration system - An alternate system which utilizes a sand filtration system (bed) in areas where shallow bedrock formations preclude adequate treatment of sewage effluent.

C. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 4.4.1-1

Policies 4.4.2-1 & -2

Lake Sherwood/Hidden Valley Area Plan:

There are no supplemental goals.

Policies 4.3.2-1 & -3

El Rio/Del Norte Area Plan:

Goal 4.2.1-3

Policies 4.2.2-1 & -2

Thousand Oaks Area Plan:

There are no supplemental goals.

Policy 4.3.2-4

D. Threshold of Significance Criteria

A project that is designed to meet all of the applicable requirements set forth in the following authorities shall not be considered to have a significant impact in this environmental area:

- Ventura County Building Code, Articles 1 and 6
- Ventura County Sewer Policy
- Ventura County Ordinance Code, Division 4
- Uniform Plumbing Code
- Environmental Health Division Onsite Wastewater Treatment System Technical Information Manual
- California Regional Water Quality Control Board Basin Plans.

E. Methodology

Preliminary Assessment - Review the project application, project description questionnaire, requested materials, and (County) groundwater quality information (if available) to obtain the following information:

1. Determine if the project will require the installation of an OWTS.

2. If the project will require the installation of an OWTS, determine if septic system feasibility has been adequately demonstrated. This is accomplished by reviewing and evaluating soil engineering/percolation testing reports and other required information submitted with the project application.
3. If an existing OWTS will be utilized, a septic tank inspection report, system design information and other related materials are reviewed to determine if the system is creating any health hazards.

Note: Onsite sewage disposal feasibility must be demonstrated before the application is deemed complete.

Preparation Of Checklist - The following information will be used to complete under the Individual Sewage Disposal System section in the Initial Study Checklist:

1. **No Impact (N)** - A determination of no project or cumulative impact will be made when the proposed project will not utilize an OWTS.
2. **Less than Significant Impact (LS)** - A determination of LS will be made when an OWTS will be utilized and the Environmental Health Division determines that sewage disposal feasibility has been demonstrated:
 - a. A determination of LS will be made when the existing system is operating properly and does not appear to be creating a potential health hazard.
 - b. A determination of LS will be made when the project conforms with the requirements of the California Regional Water Quality Control Board's Basin Plan concerning development utilizing septic systems.
 - c. A determination of LS will be made when the project will utilize an OWTS but is exempt from the California Water Quality Control Board's Basin Plan.

Compliance with applicable regulations pertaining to OWTS enforced by the Environmental Health Division will reduce any potential impacts from onsite sewage disposal systems and cumulative impacts to a LS level.

3. **Potentially Significant Impact-Mitigation incorporated (PS-M)** - A determination of PS-M will be made when the existing OWTS for the proposed and cumulative projects is/are substandard and is creating or has the potential for creating a public health hazard. Compliance with applicable regulations pertaining to OWTS and through adoption of specific project condition will reduce the potential impact to a level considered LS. Mitigation measures will be developed on a case by case basis when a determination of PS-M to public health has been identified.
4. **Potentially Significant Impact (PS)** - A determination of PS will be made when project related and cumulatively significant or potentially significant impacts from an OWTS cannot be feasibly mitigated to a LS level using currently available information.

Adopted by the Board of Supervisors on July 27, 2010.

29b. Waste Treatment & Disposal Facilities - Sewage Collection/Treatment Facilities

A. Definition of Issue

Sewage collection/treatment facilities are those which collect wastewater from domestic, commercial, industrial and institutional uses, treat it to remove organic and inorganic hazardous or noxious waste materials, and discharge the treated effluent .

B. Definition of Technical Terms

Community sewage treatment facilities – Facilities that treat liquid waste that is received from off of the facility site.

On-site wastewater treatment facilities – Facilities that treat liquid waste that is generated on the same site where the facility is located.

C. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 4.4.1-1
Policies 4.4.2-1, -3, -4 & -5

El Rio/Del Norte Area Plan:

Goals 4.2.1-1 through -3
Policies superseded by RWQCB

Lake Sherwood/Hidden Valley Area Plan:

Goal 4.3.1-1
Policies 4.3.2-2 through -5

Oak Park Area Plan:

Goal 4.3.1-1
Policies 4.3.2-1 & -2

Ojai Valley Area Plan:

Goal 4.3.1-1
Policy 4.3.2

Piru Area Plan:

Goal 4.6.1-1
Policies 4.6.2-1 through -3

Saticoy Area Plan:

Goals 4.3.1-1 through -5
Policies 4.3.2-1 & -3

Thousand Oaks Area Plan:

Goal 4.3.1-2
Policies 4.3.2-2 & -3

D. Threshold of Significance Criteria

Permitting and operation of *community sewage treatment facilities* is regulated by Federal, State and County agencies. The discharge of effluent must be in compliance with the California Regional Water Quality Control Board's requirements.

A project that is designed to meet all of the applicable requirements set forth in the following authorities shall not be considered to have a significant impact in this environmental area:

- Porter-Cologne Water Quality Control Act (California Water Code)
- California Code of Regulations, Title 22
- California Regional Water Quality Control Board Basin Plans
- Uniform Plumbing Code

- Ventura County Building Code

E. Methodology

Preliminary Assessment - Review the project application, project description questionnaire, and required materials and consult with the Regional Water Quality Control Board to obtain the following information:

- Determine if the project requires connection to a public sewer.
- If sewage disposal will be provided by a public sewer agency identified in the County General Plan Public Facilities Map, a sewer availability letter must be provided with the application. The letter must include information to demonstrate that the sewer agency has sufficient sewer/treatment capacity to serve the project and other cumulative development. Sewer availability for the project must be demonstrated before the application for the proposed project is deemed complete.
- If sewage disposal will be provided by a facility not listed in the County General Plan Public Facilities Map, or a new facility is proposed, soils engineering/percolation testing reports and other required information must be submitted with the project application for review and evaluation.

Preparation Of Checklist - The following information will be used to complete the Sewage Collection/Treatment Facilities section in the Initial Study Checklist:

- No Impact (N)** - A determination of N will be made for project and cumulative impacts when it is determined that:
 - The proposed project will not generate sewage and connection to public sewer is not required.
 - The sewer entity has indicated that the facility has existing capacity to serve the project and cumulative development and no improvements to existing facilities are required.
 - The sewage treatment facility is operating in conformance with California Regional Water Quality Control Board requirements.
- Less than Significant Impact (LS)** - A determination of LS will be made when a connection to a sewage treatment facility is required and it has been determined that for project and cumulative projects:
 - The sewer entity has indicated that the facility has sufficient capacity when the project includes improvements to existing, or construction of new, sewer mains and/or facilities.
 - The California Regional Water Quality Control Board requirements include improvements to existing facilities.
- Potentially Significant Impact-Mitigation Incorporated (PS-M)** - A determination of PS-M will be made when the sewer entity or California Regional Water Quality Control Board has indicated that the facility does not have sufficient capacity to serve the proposed project and cumulative development. Incorporation of project conditions and mitigation measures for improvements required by the sewer entity or Regional Water Board will reduce the potential impact to a level considered LS.
- Potentially Significant Impact (PS)** - A determination of PS will be made when the project may individually or cumulatively generate sewage effluent which will be discharged to and exceed the capacity of an existing facility or ancillary facilities when it cannot be feasibly mitigated to a LS level with improvements or currently available information.

Adopted by the Board of Supervisors on July 27, 2010.

29c. Waste Treatment & Disposal Facilities - Solid Waste Management

A. Definition of Issue

Sufficient permitted solid waste disposal capacity must be available to accommodate the solid waste disposal needs of all new projects. Any project generating municipal solid waste will impact solid waste disposal capacity in Ventura County.

California law requires county governments to prepare and adopt a Countywide Siting Element (CSE) as part of their Countywide Integrated Waste Management Plan (CIWMP). The CSE "shall demonstrate that there is a countywide or region-wide minimum of 15 years of combined permitted disposal capacity, through existing or planned solid waste disposal and transformation facilities or through additional strategies." (CIWMB-Natural Resources, Title 14, Division 7, Chapter 9, Article 6.5, Section 18755)

Many landfills are privately owned and operated, as are many refuse disposal companies that deliver waste to landfills. While some exceptions exist locally, in general, landfills may accept refuse from geographical areas beyond the county in which the facility is located and refuse haulers may deliver waste to any disposal facility. Market forces, therefore, can have a large impact upon the waste disposal capacity in a county.

Although the County of Ventura (County) maintains responsibility for ensuring adequate permitted disposal capacity in Ventura County, it currently lacks the statutory authority to direct, or restrict, the flow of waste to local disposal facilities in an effort to extend county disposal capacity. The County must, therefore, base disposal capacity plans upon remaining capacity and permitted lifespans of local landfills and both existing as well as anticipated market conditions, including facility development and expansion plans. If this analysis shows there may be less than 15 years of disposal capacity within the county, Title 14 requires the County to develop strategies addressing this shortfall.

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 4.4.1-1 & -2
Policies 4.4.2-1, -2, -4, -6

Piru Area Plan:

Goal 4.6.1-2
There are no supplemental policies.

Ojai Valley Area Plan:

Goals 4.3.1-1 & -2
Policy 4.3.2-3

Thousand Oaks Area Plan:

Goal 4.3.1-1
Policy 4.3.2-1

C. Threshold of Significance Criteria

Does the proposed project have a direct or indirect adverse effect on a landfill such that impairs the landfill's disposal capacity in terms of reducing its useful life to less than 15 years? If it does, then the project has a potentially significant impact on the demand for solid waste disposal capacity.

D. Methodology

Because available disposal capacity is ever-changing, any project generating solid waste should be referred to the Integrated Waste Management Division for project specific review based upon the criteria set forth above.

Adopted by the Board of Supervisors on July 27, 2010

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29d. Waste Treatment & Disposal Facilities - Solid Waste Facilities

A. Definition of Issue

Solid waste operations and facilities are those projects that involve solid waste handling, storage, processing and disposal activities that are subject to solid waste regulations enforced by the Local Enforcement Agency/Environmental Health Division.

B. Definition of Technical Terms

Local Enforcement Agency (LEA) - Refers to the Environmental Health Division (EHD) of the Resource Management Agency of the County of Ventura. The Environmental Health Division has been designated as the LEA by the County and the incorporated cities within Ventura County, and certified as the LEA by provisions set forth in state minimum standards. The LEA is responsible for the enforcement of State statutes and regulations relative to the storage, transfer, processing, handling and disposal of solid waste.

Solid Waste Facility Permit (SWFP) - A permit authorized under the California Integrated Waste Management Act of 1989, that allows the owner or operator of a solid waste operation or facility to store, process, transfer, and dispose of solid waste. For the purpose of these guidelines the SWFP also refers to the regulatory tier permits as set forth in state minimum standards and includes without limitation any notification, registration, and standardized permits. A SWFP is only issued by the Local Enforcement Agency (LEA) after the state regulatory agency concurs with the findings made by the Local Enforcement Agency that the solid waste facility will be operated in compliance with state minimum standards. The level of regulatory oversight, and the type of permit issued by the LEA is commensurate with the potential impacts associated with each operation/facility as determined by the state regulatory agency.

State Minimum Standards (SMS) - State Minimum Standards means the “standards” or “regulations”, as amended, and adopted by the state regulatory agency under the California Integrated Waste Management Act of 1989, that govern how, when, where and under what conditions any person may operate or conduct any solid waste operation or facility, solid waste processing, solid waste composting, solid waste handling, or any other solid waste activity, including without limitation the design of any facility or site where such activities may occur.

Excluded activity - Excluded activity refers to the storage, transfer, and processing of solid waste that the state regulatory agency has determined is not subject to state minimum solid waste standards due to the characteristics and amount of solid waste handled.

Closed, illegal and abandoned sites - Closed refers to solid waste disposal sites that have ceased accepting waste and were closed in accordance with applicable statutes, regulations, and local ordinances in effect at the time of closure. Illegal refers to sites that are not permitted and not exempt from obtaining a permit and are not closed or excluded from the requirement to obtain a SWFP. An abandoned site is where there is no responsible party.

C. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 4.4.1-1 & -2

Policies 4.4.2-1, -4, & -6

El Rio/Del Norte Area Plan:

Goal 4.2.1-4

Policy 4.2.2-4

Thousand Oaks Area Plan:

Goal 4.3.1-1

Policy 4.3.2-1

Ojai Valley Area Plan:

Goals 4.3.1-2

Policy 4.3.2-3

D. Threshold of Significance Criteria

A project that is designed to meet all of the applicable requirements set forth in the following authorities shall not be considered to have a significant impact in this environmental area:

- California Health and Safety Code, Division 104, Part 13, Chapter 4, Article 7
- California Health and Safety Code, Division 104, Part 14
- California Code of Regulations, Title 14, Division 7
- California Code of Regulations, Title 27, Division 2
- California Public Resources Code, Division 30
- Ventura County Ordinance Code, Division 4, Chapter 7

E. Methodology

Preliminary Assessment - Review the project application, description and requested materials, and consult with the LEA to determine if the project will involve a solid waste operation subject to solid waste regulation. **Preparation Of Checklist** - The following information will be used to complete the Solid Waste Facilities section of the Initial Study Checklist:

1. **No Impact (N)** - A determination of no project or cumulative impact will be made when the proposed project does not involve a solid waste operation or facility.
2. **Less than Significant Impact (LS)** - A determination of less than significant will be made when the proposed project is a solid waste operation or facility that is subject to state regulations enforced by EHD/LEA. Compliance with applicable state regulations enforced by the EHD/LEA will reduce potential project and cumulative impacts to a LS level.
3. **Potentially Significant Impact-Mitigation Incorporated (PS-M)** - A determination of PS-M will be made when the project is not in compliance with solid waste regulations and/or potentially significant project and cumulative impacts from a solid waste operation or facility can be successfully mitigated to a LS level by project design or measures using currently acceptable technology and/or through adoption of specific project conditions. Mitigation measures will be developed on a case by case basis when a determination of PS-M from a solid waste operation or facility has been identified.
4. **Potentially Significant Impact (PS)** - A determination of PS will be made when the project is not in compliance with solid waste regulations and/or significant or potentially significant project and cumulative impacts from a solid waste operation or facility cannot be feasibly mitigated to a LS level using currently available information.

Adopted by the Board of Supervisors on July 27, 2010.

30. Utilities

A. Definition of Issue

Utilities include electrical, gas and communication facilities, which are further defined as follows:

Electric - Electrical facilities include generation plants, transmission substations, and transmission

Gas - The fixed transmission and distribution system for natural gas which supplies Ventura County. This also includes underground and above-ground natural gas storage facilities.

Communication - Such uses and structures as radio and television transmitting and receiving antennas, radar stations, microwave towers and cellular and hard line telephone facilities.

This issue entails the impact to, and demand for, utilities.

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goal 4.5.1

Policies 4.5.2-1 through 3

El Rio/Del Norte Area Plan:

There are no supplemental goals.

Policy 4.3.2-1

Oak Park Area Plan:

Goal 4.4.1

Policy 4.4.2

Lake Sherwood/Hidden Valley Area Plan:

Goal 4.7.1

Policy 4.7.2

Thousand Oaks Area Plan:

Goal 4.4.1

Policy 4.4.2

C. Threshold Criteria

Any project that would individually or cumulatively 1) cause a disruption or re-routing of an existing utility facility or 2) increase demand on a utility that results in expansion of an existing utility facility which has the potential for secondary environmental impacts has the potential for significant impacts. Significance must be determined on a case-by-case basis.

D. Methodology

The Discretionary Entitlement, Zone Change, and Subdivision Application Questionnaire must identify the utilities that are in proximity to and would serve the proposed project.

Electric

If the project is already served by existing electrical facilities, check the "N" (No Impact) column, and so indicate in the discussion of responses. If the project is not currently served with electricity, but is located in an area which is currently served by existing electrical facilities, check "LS" (Less Than Significant) and so state in the discussion of responses. If new, aboveground transmission lines of 66 kV or greater are required, the project description should be expanded to include these facilities, and the facilities evaluated under the Initial Study for physical impacts (e.g., scenic resources).

Gas

If the project would not use natural gas, check the "N" (No Impact) column and so state in the discussion of responses. If the project would use natural gas and there are natural gas transmission facilities in the

immediate area, check "LS" (Less Than Significant) column and state: "Natural gas transmission facilities already exist within the area."

If the project would use natural gas and there are no natural gas facilities in the immediate area, it will be necessary to ascertain how the service facilities will be extended to the project. The extension of gas service facilities must be made part of the project description (if not already included) and its physical impacts evaluated accordingly.

Communication Facilities (cellular, telephone, cable)

As a standard procedure, the staff person administering a cellular communications facility permit should refer these applications to the County's Information Technology Services, Radio and Wireless Services Division). The Wireless Services Division will identify projects where further study or design work is required. Applications for cellular communication facilities that require special studies or design changes to prevent interference with other existing communication facilities shall be deemed to be significant and mitigation shall be required.

For other projects, the case planner must determine from the Application Questionnaire if new or altered telephone or cable service facilities, and if these new or altered facilities will have other environmental impacts.

Adopted by the Board of Supervisors on July 27, 2010.

31a. Flood Control Facilities/Watercourses - Watershed Protection District

A. Definition of Issue

A *flood control facility* is a facility owned (either in easement or in fee), operated, controlled, improved, and/or maintained by the Watershed Protection District (WPD) to include, but not be limited to: levees with set-back areas, debris basins, detention basins, storm drain channels, storm drain conveyances, access roads, and associated appurtenances.

A *watercourse* is any natural or artificial flood control conveyance that includes the bed and banks and overflow areas of any stream, river, creek, ditch, channel, canal, conduit, drain, waterway, gully, ravine, arroyo, or wash within the incorporated or unincorporated areas of the County over which the WPD exercises jurisdictional and regulatory authority. The WPD Comprehensive Plan delineates the number and longitudinal limits of watercourses within the incorporated and unincorporated areas of the County.

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 2.10.1-1 & -2 & 4.6.1

Policies 2.10.2-2 & -4 and 4.6.2-1 & -2

Coastal Area Plan:

Coastal Act:

§ 30236

North & Central Coast - Beach Erosion:

Objective

Policy 4

South Coast - Beach Erosion:

Objective

Policy 5

El Rio/Del Norte Area Plan:

Goal 4.4.1-1

Policy 4.4.2-1

Ojai Valley Area Plan:

Goal 4.4.1-1

There are no supplemental policies.

C. Threshold Criteria

Any project that will, either directly or indirectly, impact flood control facilities and watercourses by obstructing, impairing, diverting, impeding, or altering the characteristics of the flow of water, resulting in exposing adjacent property and the community to increased risk for flood hazards shall be considered to have a potentially significant impact. Specific examples of potentially significant impacts include:

1. Reducing the capacity of flood control facilities and watercourses. This includes the planting of any vegetation within the watercourse or on the banks thereof.
2. Eroding watercourse bed and banks due to high velocities, changes in adjacent land use, encroachments into the channel such as bridges, and loading the top of the channel embankment with structures.
3. Deposition of any material of any kind in a watercourse.
4. Placement of a structure that encroaches on a flood control facility or that does not have sufficient setback from a watercourse.

The following standards shall be used in evaluating the impacts to flood control and drainage facilities:

- 1) Ventura County Flood Control District Ordinance No. FC 18 as amended.
- 2) Ventura County Flood Control District Design Manual, 1968 ed. as amended
- 3) Watershed Protection District Hydrology Manual, 2006 ed. as amended

Any project that does not comply with the above standards is regarded as having a potentially significant project and cumulative impact.

D. Methodology

WPD staff will review the proposed project to determine whether or not it will result in any of the impacts identified in Section C, Threshold Criteria. If WPD staff is able to determine, based on the information submitted, that none of the impacts will occur, then the environmental assessment shall be No Impact (N) under Item 30.a.

If WPD is unable to determine based on the information submitted, whether or not any of the impacts listed above will occur, or if WPD staff determines that the proposed project will potentially increase runoff and have direct impacts to *flood control facilities/watercourses*, the project applicant must submit a detailed site plan and drainage report that is prepared, signed, and stamped by a Registered Civil Engineer licensed to practice in the State of California. The plan must be to scale, include topographic information, and include the adjacent WPD facility/watercourse, any WPD property rights, and all existing and proposed improvements. The drainage report must include engineering calculations, including hydrology and hydraulics, to ascertain the degree to which the project would impact *flood control facilities/watercourses* and the physical improvements necessary to meet the ordinance and manual standards referenced under the Threshold Criteria above. Water Quality requirements and other agency mitigation areas must be addressed separately from flood control components. In addition, the drainage report must also include sufficient information to meet the requirements of Initial Study Assessment Guideline 30.a.

If the WPD is satisfied that the drainage report (if required) is complete and accurate, and the project will have no direct or indirect project-specific and cumulative impacts to *flood control facilities and watercourses*, the environmental assessment shall be No Impact **(N) under Item 30.a.**

If the WPD is satisfied that the drainage report is complete and accurate, and no physical modifications are proposed that are not already included in the project design, and the project design mitigates the direct and indirect project-specific and cumulative impacts to *flood control facilities and watercourses*, the impact will be considered Less than Significant **(LS) under Item 30.a.**

If the WPD is satisfied that the drainage report is complete and accurate, and the physical modifications that are proposed are feasible, but are not included in the project design, and the proposed physical modifications to the project design considers the project-specific and cumulative impacts to *flood control facilities and watercourses*, the impact will be considered Potentially Significant - Mitigation is feasible **(PS-M)**. Mitigation measures will be considered on a case by case basis.

If the WPD is satisfied that the drainage report is complete, but the physical modifications proposed by a California Registered Civil Engineer are neither included in the project design nor are feasible to implement or sufficient to reduce the impact to *flood control facilities and watercourses* to a less than significant level, the impact will be considered Potentially Significant, **(PS)** from both a project-specific and cumulative perspective under Item 30.a.

Adopted by the Board of Supervisors on July 27, 2010.

31b. Flood Control Facilities/Watercourses - Other Facilities

A. Definition of Issue

In some areas, flood control and drainage facilities that are owned and maintained by agencies/persons other than the Ventura County Watershed Protection District (WPD) provide for removal of accumulated storm waters from land through both man-made drainage facilities and natural channels. Flow of waters in channels can lead to erosion of channel beds and banks by high velocities of flow or deposition of materials where velocities are low. Existing channels may be of sufficient size to contain regulatory flow rates or they may be inadequate to contain all storm flows and expose adjacent lands to flood hazards.

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 2.10.1-2 & 4.6.1

Policies 2.10.2-4 and 4.6.2-1 & -2

Coastal Area Plan:

Coastal Act:

§ 30236

North & Central Coast - Beach Erosion:

Objective

Policy 4

South Coast - Beach Erosion:

Objective

Policy 5

El Rio/Del Norte Area Plan:

Goal 4.4.1-1

Policy 4.4.2-1

Ojai Valley Area Plan:

Goal 4.4.1-1

There are no supplemental policies.

C. Threshold Criteria

The WPD's Comprehensive Plan defines those channels subject to the WPD's regulatory authority. The natural and man-made channels and facilities not under the WPD's authority, and the impacts thereon, are the focus of review under this guideline.

In reviewing a project for impacts, the following are to be given consideration:

- The possibility of deposition of sediment and debris materials within existing channels and allied obstruction of flow.
- The capacity of the channel and the potential for overflow during design storm conditions.
- The potential for increased runoff and the effects on Areas of Special Flood Hazard and regulatory channels both on and off site.

Flow to and from natural and man-made drainage channels and facilities are regulated through building design and construction standards set forth in the following regulations, manuals and standards:

- 2007 Ventura County Building Code Ordinance No.4369 (Adopted November 20, 2007)
- Ventura County Land Development Manual
- Ventura County Subdivision Ordinance

- Ventura County Coastal Zoning Ordinance
- Ventura County Standard Land Development Specifications
- Ventura County Road Standards
- Ventura County Watershed Protection District Hydrology Manual
- County of Ventura Stormwater Quality Ordinance, Ordinance No. 4142 (Adopted July 22, 1997)
- Ventura County Hillside Erosion Control Ordinance, Ordinance No. 3539 (Adopted April 7, 1981) and Ordinance No. 3683 (Adopted March 20, 1984)
- Ventura County Municipal Storm Water NPDES Permit
- State General Construction Permit
- State General Industrial Permit
- National Pollutant Discharge Elimination System (NPDES)

Any increase in flow to and from natural and man-made drainage channels and facilities is required to be considered within the existing framework of grading and building code ordinances, which apply to all sites and projects. Any project that does not comply with the requirements of the above regulations, manuals and standards is considered as having a potentially significant project and cumulative impact.

D. Methodology

Within the context of the existing regulatory framework, the following procedure will be used to complete Item 30.b. Flood Control/Drainage Facilities – Other Facilities in the Initial Study Checklist.

The Public Works Agency (PWA) employee responsible for the review of this item will review the project plans and documents to determine if the project has the potential to increase drainage runoff either onsite or offsite either temporarily or ongoing individually or cumulatively.

If there is no potential for the project to increase drainage runoff (e.g., if the project does not propose grading or construction), a determination of No Impact (**N**) will be made.

If the project is found to have the potential to increase drainage runoff (e.g., construction that may change the existing drainage patterns of the site) and the development is regulated under the above-referenced laws and ordinances, a determination of Less Than Significant Impact (**LS**) will be made.

If the project is found to have the potential to increase drainage runoff and the development is not regulated under the above-referenced laws and ordinances, a determination of Potentially Significant Mitigable Impact (**PS-M**) will be made when the impacts can be mitigated to a Less Than Significant level by project redesign or other measures specified by the PWA employee responsible for project review and conditioning.

If the project is found to have the potential to increase drainage runoff and the development is not regulated under the above-referenced laws and ordinances, a determination of Potentially Significant Impact (**PS**) will be made when the impacts cannot be mitigated to a Less Than Significant level by project design or other measures.

As part of the review, the PWA employee must consider recently approved, current, and probable future projects that are located within the same *watershed* as the project site, to assess the project's contribution to cumulative impacts on flood control facilities.

After acquiring the information stated above, the PWA employee must compare the project plans, project description, and (if requested) drainage study to the existing environment, as well as the goals, objectives, policies, and/or development standards that apply to the project, to identify, and evaluate the significance of, the impacts (above). The PWA employee must analyze both project-specific impacts and the project's contribution to cumulative impacts relating to flood control facilities.

Adopted by the Board of Supervisors on July 27, 2010.

32. Law Enforcement/Emergency Services

A. Definition of Issue

Public safety depends on the timely availability of law enforcement and emergency service personnel. Projects that increase demand for law enforcement or emergency services may have an significant adverse impact on public safety unless mitigated.

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 4.7.1-1 through -7

Policies 4.7.2-1 through -5

El Rio/Del Norte Area Plan:

Goal 4.4.1-1

Policy 4.4.2-1

Lake Sherwood/Hidden Valley Area Plan:

Goals 4.4.1-1 through -4

Policies 4.4.2-1 through -6

Oak Park Area Plan:

Goals 4.5.1-1 through -3

Policies 4.5.2-1 through -3

Ojai Valley Area Plan:

Goals 4.5.1-1 & -2

Policies 4.5.2-1 & -2

Piru Area Plan:

Goal 4.3.1

Policies 4.3.2-1 through -3

Thousand Oaks Area Plan:

Goals 4.5.1-1 through 3

Policies 4.5.2-1 & -2

C. Threshold Criteria

Certain categories of projects have the potential to increase demand for law enforcement or emergency services. These include:

- Agricultural uses
- Amusement, recreation, and sport facilities
- Automobile impound yards
- Banks and financial institutions
- Bars, taverns and nightclubs
- Boarding houses and bed-and-breakfast inns
- Bus and train terminals
- Care facilities
- Cemeteries
- Clubhouses
- Conference centers/convention centers
- Dwellings
- Educational Institutions
- Temporary events
- Government buildings
- Health services, including clinics
- Hotels, motels
- Hospitals
- Laboratories, research and scientific
- Libraries
- Manufacturing
- Ministorage

- Parking facilities
- Projects with walls or fences susceptible to graffiti
- Rental and leasing of durable goods
- Retail trade
- Salvage yards

Other categories of projects would not have project-specific or cumulative impacts on law enforcement or emergency services.

The above listed projects should include security measures to address potential increases in theft, vandalism, disturbances, and/or substance abuse that could affect public safety in the surrounding area. Such security measures include:

- nighttime security lighting,
- cameras,
- alarms,
- fencing,
- window and door locks;
- private security patrols or
- special event security assistance;
- treatment of vulnerable surfaces with anti-graffiti coating or landscaping;
- removal of graffiti within a specified time period; and/or
- other design measures to create defensible space.

Projects that include adequate security measures would have a less than significant project-specific and cumulative impact on law enforcement and emergency services.

Projects that do not include adequate measures to address increased demand for law enforcement or emergency services would have a potentially significant project-specific and cumulative impact.

D. Methodology

Proposed projects should be reviewed to determine if they fall into one of the categories listed above that could generate a potentially significant increase in demand for law enforcement or emergency services. Projects that do fall into one of the above categories should identify specific measures, if any, that will be included as part of the proposed project to address theft, vandalism, disturbances and/or substance abuse.

Adopted by the Board of Supervisors on July 27, 2010.

33a. Fire Protection Services - Distance and Response

A. Definition of Issue

Distance/response time: The relationship between the distance that fire protection service facilities and equipment are located from the scene of the emergency, and the time in which they are able to respond to the emergency.

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs: Ojai Valley Area Plan:

Goal 4.8.1

Policies 4.8.2-1 & -2

Goals 4.5.1-1 & -2

Policies 4.5.2-1 & -2

Lake Sherwood/Hidden Valley Area Plan: Piru Area Plan:

Goals 4.4.1-1 through -4

Policies 4.4.2-1 through -6

Goals 4.4.1-1 & -2

Policy 4.4.2

Oak Park Area Plan:

Goals 4.5.1-1 through -3

Policies 4.5.2-1 through -3

Thousand Oaks Area Plan:

Goals 4.5.1-1 through -3

Policies 4.5.2-1 & -2

C. Threshold Criteria

Project distance from a full time paid fire department is considered a significant impact if the project is in excess of five (5) miles, measured from the apron of the fire station to the structure or pad of the proposed structure.

The response time required to service a proposed project is more difficult to forecast due to many variables (such as stop signs, grade, curves, road conditions, weather, traffic congestion, road design, etc.). This information is not always available during the initial study period. However, if it appears that a response time would be in excess of 12 minutes, it would signify a significant impact. Additionally, many areas of the County are outside the urbanized areas and future development will not support the need for additional fire stations and personnel. These areas are expected to have response times exceeding 12 minutes and may have response times of 30 minutes or more.

D. Methodology

Preliminary Assessment

The Fire Protection District staff responsible for the project will review the project description materials (site plans, grading plans, etc.) to determine the distance to the nearest full time fire station. A site visit will be conducted, if necessary, for an accurate measurement.

Preparation of Checklist

The following information will be used to complete the Fire Protection Services – Distance and Response section in the Initial Study Checklist:

No Impact (N) - A determination of no impact will be made if the project is:

1. Located within 5 miles of the nearest full time fire station and
2. Has a response time not exceeding 7 minutes in urban areas from the nearest full time fire station.

Less than Significant Impact (LS) – A determination of LS will be made if the project is:

1. Located more than 5 miles from the nearest full time fire station or

2. Has a response time exceeding 7 minutes in urban area and exceeding 12 minutes for rural areas, from the nearest full time fire station.

Potentially Significant Impact - Mitigation Incorporated (PS-M) and Potentially Significant Impact (PS) – Normally determinations of PS-M and PS are not applied to projects located as noted in LS above. The exception is large developments that would cause a substantial need for emergency response. These projects shall be required to provide a Fire Protection Plan (FPP) from a qualified fire protection consultant as approved by the VCFPD. The FPP shall identify mitigation measures to reduce the impact to a minimum LS level. Proposed mitigation measures shall be approved by the VCFPD. Mitigation measure may include provisions for new facilities, personnel and funding.

Adopted by the Board of Supervisors on July 27, 2010.

33b. Fire Protection Services – Personnel, Equipment, and Facilities

A. Definition of Issue

Personnel/equipment/facilities: The number of persons and amount and types of equipment and facilities employed in and available for purposes of response in the event of an emergency.

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs: Ojai Valley Area Plan:

Goal 4.8.1

Policies 4.8.2-1 & -2

Goals 4.5.1-1 & -2

Policies 4.5.2-1 & -2

Lake Sherwood/Hidden Valley Area Plan:

Goals 4.4.1-1 through -4

Policies 4.4.2-1 through -6

Piru Area Plan:

Goals 4.4.1-1 & -2

Policy 4.4.2

Oak Park Area Plan:

Goals 4.5.1-1 through -3

Policies 4.5.2-1 through -3

Thousand Oaks Area Plan:

Goals 4.5.1-1 through -3

Policies 4.5.2-1 & -2

C. Threshold Criteria

Personnel: It has been determined that one (1) firefighter is required per every 3000-4000 persons, depending on density. In order to provide that one firefighter 24 hours per day, 365 days a year, it is necessary to have four firefighter employees. The salaries for these firefighters are not compensated for by a lump sum, but are to be accommodated with increased revenue from assessed value. Therefore, most projects will have an impact on personnel due to increased needs for service, but it would not be significant due to increases in assessed value to compensate for increases in staffing.

Equipment and facility concerns become significant when the magnitude of the project or the distance from existing facilities indicates that a new facility or additional equipment would be required within the proposed project. Mitigation measures such as dedication of land for a building site and availability of facility funds could change the significant impact to less than significant. Special consideration needs to be given to projects that would develop large concentrations of people, such as amusement parks, conference centers, and retirement communities, that might place a higher demand on emergency services than is normally anticipated.

D. Methodology

The Fire Protection District staff person responsible for administering the project, must review the project description materials (site plan, grading plan, etc.), and submit to Operation's Assistant Chief for review and input into concerns and mitigation requirements.

Adopted by the Board of Supervisors on July 27, 2010.

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34a. Education - Schools

A. Definition of Issue

The term “schools” includes public elementary, secondary and college level educational facilities. This issue entails the direct impact to, and demand for, school facilities.

Although residential projects have the potential to generate additional school aged children that could exceed the classroom capacity of the school district to adequately serve those children, Senate Bill 50 (SB 50) and Proposition 1A (both of which passed in 1998) provided a comprehensive school facilities financing and reform program. The provisions of SB 50 prohibit local agencies from denying either legislative or adjudicative land use approvals on the basis that school facilities are inadequate and reinstate the school facility fee cap for legislative actions (e.g., zone text amendments) as was allowed under the Mira, Hart, and Murrieta court cases. According to the California Government Code (2006, §65996), the development fees authorized by SB 50 are deemed to be “full and complete school facilities mitigation.” These provisions will remain in place as long as subsequent state bonds are approved and available. The requisite school fees would be collected prior to issuance of Building Permits would ensure that potential impacts remain less than significant.

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs: Ojai Valley Area Plan:

Goal 4.9.1-1

Policies 4.9.2-1 & -2

Goals 4.6.1-1 & -2

Policies 4.6.2-1 & -2

El Rio/Del Norte Area Plan:

Goal 4.6.1-1

Policies 4.6.2-1 through -3

Piru Area Plan:

Goals 4.2.1-1 through -3

Policies 4.2.2-1 through -3

Lake Sherwood/Hidden Valley Area Plan:

Goals 4.5.1-1 & -2

Policy 4.5.2

Saticoy Area Plan:

Goals 4.4.1-1 & -2

Policy 4.4.2-1

Oak Park Area Plan:

Goals 4.6.1-1 through -3

Policy 4.6.2

Thousand Oaks Area Plan:

Goal 4.6.1

Policy 4.6.2

C. Threshold Criteria

A project will normally have a significant impact on school facilities if it would substantially interfere with the operations of an existing school facility.

D. Methodology

Projects located adjacent to school facilities will be referred to the appropriate public school district for review and comment regarding the project's impact on the school facilities/operations before completing the Initial Study. Any potential impact on school facilities (public or private) that is not related to demand will be discussed and analyzed under the appropriate subject area of the initial study checklist. For example, if a potential noise or traffic safety issue related to a nearby school facility is identified, that discussion will be included in the respective noise or traffic safety section of the checklist.

Non-residential projects would not have an impact on the demand for schools. All residential projects (except senior citizen housing) would have an impact on the schools and should be sent to the appropriate public school district for review and comment (see web GIS or contact RMA GIS staff to

determine applicable school district). Unless the school district responds otherwise, it should be assumed that the district is collecting fees as authorized by SB 50 (1998) and are deemed to be “full and complete school facilities mitigation.”

Adopted by the Board of Supervisors on July 27, 2010.

34b. Education - Public Libraries

A. Definition of Issue

The term “public libraries” includes public library facilities and services. This issue entails the direct impact to, and demand for, public library facilities and services.

B. Applicable General Plan Goals and Policies

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs: El Rio/Del Norte Area Plan:

Goals 4.9.1-1 & -5

Policy 4.9.2-3

Goal 4.6.1-1

Policies 4.6.2-1 through -3

C. Threshold Criteria

A project has a significant project-specific impact on public library facilities and services if it would substantially interfere with the operations of an existing public library facility, put additional demands on a public library facility which is currently deemed overcrowded, or limit the ability of individuals to access public library facilities by private vehicle or alternative transportation modes. A project has a cumulative impact on public library facilities and services if the project, in combination with other approved projects in its vicinity, would cause a public library facility to become overcrowded.

D. Methodology

Non-residential projects would not, in general, have an impact on the demand for public libraries. However, non-residential projects located adjacent to public library facilities should be referred to the Director of Library Services Agency, County of Ventura for review and comment before completing the Initial Study.

All residential projects, including senior citizen housing, would have an impact on the public libraries and should be sent to the Director of Library Services Agency, County of Ventura for review and comment. The location of all public libraries under the control of the County of Ventura can be found in the Ventura County General Plan, Public Facilities and Services Appendix, Figure 4.9.1 with further details listed on each library on Table 4.9.2.

Adopted by the Board of Supervisors on July 27, 2010.

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35. Recreation Facilities

A. Definition of Issue

The term Recreation Facilities includes facilities and services related to providing recreation on a countywide basis for the citizens of Ventura County. Recreation facilities include Local Parks/Facilities, Regional Parks/Facilities, and Regional Trails/Corridors.

B. Definition of Technical Terms

1. **Local Parks/Facilities:**

A local park/facility serves the daily needs of a defined neighborhood or group of neighborhoods within an unincorporated urbanized area of the county. Local parks are divided into three major classes -- *neighborhood park*, *community park facilities and playfields*, and *local trails/corridors*. Local park acreage should provide for three primary types of recreation: open areas for passive recreation and relaxation; active sports areas for sports fields and court games; and neighborhood or community centers which accommodate a wide variety of community serving activities catering to all age groups.

Neighborhood Park - Primary emphasis is directed to children and typical facilities include open lawn, play apparatus, shade, activity building, and game courts. Joint use with school facilities is common and desirable and facilities should be provided for the specific needs of the neighborhood with a service radius of 1 mile.

Community Park Facilities And Playfields - attract community level patronage and serve recreation interests of a greater service area within a 1.5 to 2 mile radius. Facilities may include community centers to serve social and cultural needs, crafts, meetings, special events and senior programs; passive areas for family and group picnics; children play facilities; indoor gym; health and fitness center; pool; and, other similar recreation features. Playfields are normally part of the community recreation service and consist of specialized facilities that serve organized teams or specific sports enthusiasts including courts, ballfields, and other facilities as may be warranted.

Local Trails/Corridors - include paths that are designed to accommodate non-motorized recreational travel through areas removed from vehicular traffic. Local trails also serve as access to the regional trail network.

2. **Regional Park/Facilities:**

A regional park/facility is an extent of land that, by its unique, natural character or unusual or extensive development, offers recreation opportunities that attract patronage from beyond the local vicinity without regard to physical, political, or municipal boundaries. There is no defined service radius. Regional park/facilities are divided into four major classes: *regional park*, *preserve*, *regional open space* and *specialized facility*.

Regional Park - provides recreation facilities that serve both general and specialized interests. It affords the opportunity for recreation experiences of a scope and quality that will attract attendance from the widest possible range of age and interest of the County's population.

Preserve - is an extent of land preserved from development in order to protect unique scenic resources, unusual native plants and animals, geologic phenomena, or historical sites and buildings. It may be included as part of another Regional Park/Facility class or preserved as a single unit.

Regional Open Space - includes the preservation of land which in its natural condition would maintain or enhance the esthetic quality of a Regional Park/Facility, a major portion of the County's environment, or contribute to the management of urban development.

Specialized Facility - is a singular facility or area that provides specialized recreation opportunities that are of regional or County-wide significance. It may be an individual element, or it may be a unit of a larger or more inclusive Regional Park/Facility.

3. **Regional Trails/Corridors**

Areas and facilities that are intended to accommodate non-motorized recreational travel through areas removed from vehicular traffic. Regional Trails/Corridors should link major park and recreation facilities. They may be designated as single purpose and/or multi-purpose by design and major access points should be served by a trailhead.

C. **Applicable General Plan Goals and Policies**

The following goals and policies of the Ventura County General Plan are applicable to this issue:

Countywide Goals, Policies and Programs:

Goals 4.10.1-1 through -7

Policies 4.10.2-1 through -6

Coastal Area Plan:

Coastal Act – Recreation:

§ 30220, § 30221, § 30222,

§ 30223 & § 30250(c)

North Coast – A. Recreation:

Objective

Policies 1 through 10

Central Coast – A. Recreation:

Objective

Policies 1 through 8

South Coast – A. Recreation:

Objective

Policies 1 through 12

El Rio/Del Norte Area Plan:

Goals 4.7.1-1 through -4

Policies 4.7.2-1

Lake Sherwood/Hidden Valley Area Plan:

Goals 4.6.1-1 through -4

Policies 4.6.2-1 through -4

Oak Park Area Plan:

Goals 4.7.1-1 through -5

Policies 4.7.2-1 through -3

Ojai Valley Area Plan:

Goals 4.7.1-1 through -4

Policies 4.7.2-1 through -3

Piru Area Plan:

Goals 4.7.1-1 through -3

Policies 4.7.2-1 through -3

Saticoy Area Plan:

Goals 4.5.1-1 & -2

Policy 4.5.2-1

Thousand Oaks Area Plan:

Goals 4.7.1-1 through -5

Policies 4.7.2-1 through -3

D. **Threshold Criteria**

A project will have a significant impact on recreation if it would cause an increase in the demand for recreation, parks, and/or trails and corridors or would cause a decrease in recreation, parks, and/or trails or corridors when measured against the following standards. Such standards are multi-jurisdictional in terms of supply and are to be used as a method of measuring whether an impact will be significant to the point of requiring an Environmental Impact Report.

1. **Local Parks/Facilities** - 5 acres of developable land (less than 15% slope) per 1000 population.
2. **Regional Parks/Facilities** - 5 acres of developable land per 1000 population.
3. **Regional Trails/Corridors** - 2.5 miles per 1000 population.

A project will also have a significant impact on recreation if it would impede future development of Recreation Parks/Facilities and/or Regional Trails/Corridors.

E. **Methodology**

Parks and Recreation are discussed in Chapter 4.10 of the General Plan Goals, Policies and Programs, and the County's Local Coastal Program (Area Plan and Ordinance). A project's impact on these resources could be direct (increase in population) or indirect (loss of recreation/parks/facilities or regional trails/corridors to development). A project has a project-specific impact if the project directly or indirectly

impacts recreational facilities. A project has a cumulative impact if the project, in combination with other approved projects in the vicinity, directly or indirectly impacts recreational facilities.

1. Local Parks/Facilities

The Parks Department will review the project to determine the Parkland Dedication (Quimby) fee, which will be calculated in accordance with County Ordinance No.4334 or successor ordinances .

2. Regional Parks/Facilities

The Parks Department will review the proposed project to verify the additional demand that would be created as a result of implementing the project. If the proposed project will result in an increase in population, the impact may be determined as significant.

Is this project within an existing Park and Recreation District?

no

yes Name of District:_____

Are there any Parks/Facilities within a:

1 Mile radius of the center of the project site?

no

yes Name of Facility:_____

2 Mile radius of the center of the project site?

no

yes Name of Facility:_____

What is the name of the nearest Park/Facility if more than 2 miles from project site?

3. Regional Trails/Corridors

The Parks Department will review the proposed project to determine the proximity to existing and planned trail/corridor systems. The review will include identification of impacts of the proposed project on the trails/corridors system.

Is this project within an existing Park and Recreation or Special District having jurisdiction over the project?

no

yes Name of District or jurisdiction:_____

Are there any trails/corridors within the proposed project?

no

yes

Are there any trails/corridors on lands adjacent to the project?

no

yes

Are these part of a regional trail/corridor system?

no

yes Name of Trail or Corridor:_____

What is the name of the nearest trail/corridor to the proposed project?_____Distance?_____

Adopted by the Board of Supervisors on July 27, 2010.

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Appendix - Cumulative Impacts

A. Definition

“Cumulative Impacts” is defined by CEQA Guideline section 15355 as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

- (a) The individual effects may be changes resulting from a single project or a number of separate projects.
- (b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.”

Section 15064(h) of the CEQA Guidelines states:

- “(1) When assessing whether a cumulative effect requires an EIR, the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable. An EIR must be prepared if the cumulative impact may be significant and the project’s incremental effect, though individually limited, is cumulatively considerable. “Cumulatively considerable” means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.
- (2) A lead agency may determine in an initial study that a project’s contribution to a significant cumulative impact will be rendered less than cumulatively considerable and thus is not significant. When a project might contribute to a significant cumulative impact, but the contribution will be rendered less than cumulatively considerable through mitigation measures set forth in a mitigated negative declaration, the initial study shall briefly indicate and explain how the contribution has been rendered less than cumulatively considerable.
- (3) A lead agency may determine that a project’s incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program which provides specific requirements that will avoid or substantially lessen the cumulative problem (e.g., water quality control plan, air quality plan, integrated waste management plan) within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding that the project complies with the specified plan or mitigation program addressing the cumulative problem, an EIR must be prepared for the project.
- (4) The mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project’s incremental effects are cumulatively considerable.”

B. Threshold of Significance Criteria

Whether or not a cumulative impact is significant and a project’s incremental contribution is cumulatively considerable (i.e. “the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects and the effects of probable future projects.” CEQA Guidelines §15064, para. (h)(1)), varies by environmental issue (see Initial Study Assessment Guidelines) and the facts and circumstances of each case.

C. Methodology

Scope of Analysis

Each agency/department is responsible for determining the geographical area subject to cumulative impact assessment for each environmental issue the agency/department is responsible for evaluating. For those issues that are unassigned to a specific agency, the agency/department responsible for administering the project shall determine the geographical area, consistent with that issue's Initial Study Assessment Guideline.

Use of Previous EIRs

Each agency/department is also responsible for determining if the Final SEIR for the General Plan Update http://www.ventura.org/rma/planning/General_Plan/general_plan.html or another certified EIR is sufficient to address the cumulative impact assessment for each environmental issue the agency/department is responsible for evaluating. At a minimum, the EIR must have been of sufficient detail to adequately address the impacts of individual projects (such as the one being reviewed), and that all feasible mitigation measures are being imposed on the project.

If the previous EIR is sufficient to cover a subsequent project, the Initial Study must reference the EIR, describe where a copy can be viewed, and provide a brief summary.

County agencies/departments may also determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program which provides specific requirements that will avoid or substantially lessen the cumulative problem (e.g., water quality control plan, air quality control plan, integrated waste management plan or payment of a traffic impact mitigation fee) within the geographic area in which the project is located. Such plans or programs must be specific in law or adopted by the county/special district with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the county/special district. The applicable agency/department shall place a check under the "LS" (less than significant impact) column when the project's cumulative impacts have been considered in a previously adopted plan or mitigation program as identified above.

Adopted Forecasts/Land Use Plans

The County's General Plan population, dwelling unit and employment forecasts, in conjunction with the land use maps, should be used as the foundational basis for determining cumulative development within the specified geographical area for those environmental issues that were sufficiently addressed in the General Plan Update SEIR or are directly or indirectly related to population, dwelling units or employment growth (e.g., Public Facilities and Services). These forecasts and land use maps are contained within the Land Use chapter of the Goals, Policies and Programs and Land Use Appendix posted on the County Planning Division website:

http://www.ventura.org/rma/planning/General_Plan/general_plan.html

In addition, all known General Plan Amendments (GPAs) that have been filed or are likely to be filed in the same geographical area should be added to the forecasts. Information regarding County GPAs can be obtained from the County Planning Division website at:

<http://www.ventura.org/rma/planning/Permits/projects.html>

Information regarding city GPAs can be obtained from the planning departments of the respective cities.

List of Approved, Proposed and Reasonably Foreseeable Future Projects

For environmental issues that were not sufficiently assessed in a previous EIR and where forecasts and land use designations are not sufficient to address cumulative impacts, a list of approved and proposed projects can be used. Information regarding County Planning Division permits/entitlements can be obtained from the County Planning Division website at:

<http://www.ventura.org/rma/planning/Permits/projects.html>

Information regarding city permits/entitlements can be obtained from the planning departments of the respective cities.

In addition to approved and proposed projects, the cumulative analysis must also consider reasonably foreseeable probable future projects. If there has been a public announcement of a pending project, then that project should be included. In cases where the subject project includes a legislative amendment (General Plan amendment or Zone Change), it is also important to consider the potential of similar amendments for similar properties within the specific geographical area identified for the cumulative analysis.

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