

- **Board of Directors**
Executive Committee

June 12, 2001 Board Meeting

8-11

Subject

Adopt final resolutions for annexation and to impose water standby charges for Annexation Nos. 69 and 70 to Calleguas Municipal Water District and Metropolitan

Description

Item 1. The Calleguas Municipal Water District (Calleguas) requested formal terms and conditions for Annexation No. 69 concurrently to Calleguas and The Metropolitan Water District of Southern California (Metropolitan). Metropolitan's Board granted informal (conditional) approval on March 13, 2001. The development plan for the vacant 47.42-acre city of Oxnard territory is for 197 single-family homes. Prior to completion of the annexation, Calleguas will pay in full a fee of \$159,973.40, if completed by December 31, 2001. The projected annual water demand on Metropolitan is approximately 36.75 acre-feet per year (AFY). Calleguas also requests that Metropolitan impose water standby charges within the proposed annexing territory. ([Attachment 1-1](#))

Item 2. Calleguas has also requested formal terms and conditions for Annexation No. 70 concurrently to Calleguas and Metropolitan. Metropolitan's Board granted informal (conditional) approval on March 13, 2001. The development plan for the vacant three-acre city of Oxnard territory is a multi-tenant industrial building. Prior to completion of the annexation, Calleguas will pay in full a fee of \$15,310.80, if completed by December 31, 2001. The projected annual water demand on Metropolitan is approximately 1.64 AFY. Calleguas also requests that Metropolitan impose water standby charges within the proposed annexing territory. ([Attachment 2-1](#))

Policy

Territory may be annexed to Metropolitan upon terms and conditions fixed by the Board and in accordance with Chapter 1, Article 1, Sections 350 through 356 of Metropolitan's Act and Division III of its Administrative Code.

CEQA

Pursuant to the provisions of the California Environmental Quality Act (CEQA), the City of Oxnard, acting as lead agency, issued a Mitigated Negative Declaration (MND) and a Notice of Determination (NOD) for the development of each of the proposed annexation parcels. For Annexation 69, the MND was approved by the lead agency in February 2001, and was tiered from the previously certified 1993 Northeast Community Specific Plan Final Environmental Impact Report (FEIR). For Annexation 70, the MND was approved in April 2000, and was tiered from the previously certified 1984 Northeast Industrial Area FEIR. Metropolitan, as a responsible agency under CEQA, is required to certify that it has reviewed and considered the information in these Mitigated Negative Declarations and adopt the lead agency's findings prior to approval of the formal terms and conditions for both Annexation Nos. 69 and 70. The MNDs and NODs for Annexations Nos. 69 and 70 are found in [Attachment 1-2](#) and [Attachment 2-2](#), respectively.

Option #1: CEQA determination

Review and consider information provided in each of the Mitigated Negative Declarations and adopt the lead agency's findings related to Annexation No. 69 ([Attachment 1-2](#)) and Annexation No. 70 ([Attachment 2-2](#)).

Board Options/Fiscal Impacts

Option #1: Adopt the CEQA determination and

- a) Adopt resolution granting Calleguas’ request for approval of Annexation No. 69, concurrently to Metropolitan and Calleguas, by establishing Metropolitan’s terms and conditions for this annexation, conditioned upon approval of Ventura Local Agency Formation Commission (LAFCO) (**Attachment 1-3**);
- b) Adopt the resolution to impose water standby charges at a rate of \$9.58 per acre or per parcel of less than one acre within the proposed Annexation No. 69 (**Attachment 1-4**);
- c) Adopt resolution granting Calleguas’ request for approval of Annexation No. 70, concurrently to Metropolitan and Calleguas, by establishing Metropolitan’s terms and conditions for this annexation, conditioned upon LAFCO approval (**Attachment 2-3**); and
- d) Adopt the resolution to impose water standby charges at a rate of \$9.58 per acre or per parcel of less than one acre within the proposed Annexation No. 70 (**Attachment 2-4**).

Fiscal Impact: Receipt of annexation fee (\$175,284.20) and water sales revenue from annexed territories.

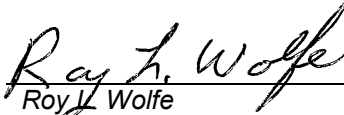

Option #2

Decline Calleguas Annexation Nos. 69 and 70.

Fiscal Impact: Unrealized fees and water sales revenue from non-annexed territories.

Staff Recommendation

Option #1

 Roy L. Wolfe Manager, Corporate Resources	5/3/2001 Date
 Ronald R. Jester President & Chief Executive Officer	5/7/2001 Date

Annexation 69:

Attachment 1-1 – Detailed Report

Attachment 1-2 – Mitigated Negative Declaration and Notice of Determination

Attachment 1-3 – Resolution Fixing Terms and Conditions

Attachment 1-4 – Resolution Fixing and Adopting Water Standby Charge

Annexation 70:

Attachment 2-1 – Detailed Report

Attachment 2-2 – Mitigated Negative Declaration and Notice of Determination

Attachment 2-3 – Resolution Fixing Terms and Conditions

Attachment 2-4 – Resolution Fixing and Adopting Water Standby Charge

Detailed Report – Calleguas Annexation No. 69

The Calleguas Municipal Water District (Calleguas) Board of Directors has requested formal terms and conditions for Annexation No. 69, concurrently to Calleguas and The Metropolitan Water District of Southern California (Metropolitan) by Resolution No. 1285, dated March 28, 2001. On March 13, 2001, Metropolitan's Board granted conditional (informal) approval and adopted a resolution of intent to impose water standby charges upon the annexing territory. Metropolitan's Board is being asked to grant formal approval by approving the Resolution Fixing Terms and Conditions, attached as Attachment 1-3.

Metropolitan's Administrative Code Section 3100(c)(3) currently requires that, prior to Metropolitan's granting formal approval for an annexation, a certified copy of a resolution approving the annexation be received from the Local Agency Formation Commission (LAFCO). Until recently, State law required that LAFCO designate a Conducting Authority to carry out boundary change modifications. However, on January 1, 2001, State legislation changed the procedure to require that LAFCO serve as the Conducting Authority in carrying out such activities. In this capacity, LAFCO now requires a certified copy of Metropolitan's resolution fixing annexation terms and conditions prior to issuance of its resolution of approval. Although the Board is being asked to grant formal approval for the subject annexation prior to receipt of Ventura LAFCO's resolution of approval, a certified copy of Ventura LAFCO's resolution approving the annexation will be on file with Metropolitan prior to the actual LAFCO recording and completion of this annexation.

The Board adopted a resolution of intention to impose water standby charges within the proposed Annexation No. 69 territory at its meeting on March 13, 2001. Pursuant to Resolution No. 8731, the Board held a public protest hearing. The hearing was held May 15, 2001, prior to consideration of formal approval of the proposed annexation. Interested parties presented their views regarding the proposed charges and the Engineer's Report. Also pursuant to Resolution No. 8731 and in accordance with the requirements of Article XIII D, Section 4, of the California Constitution, the Executive Secretary provided written notice, by mail, of such hearing to the owner of record of the parcel identified in the Engineer's Report. Enclosed in the mailed notice was an assessment ballot whereby the owner could indicate either support or opposition to the proposed water standby charge. No majority protest (as defined in Article XIII D, Section 4 of the California Constitution) was found upon conclusion of the hearing. It will be requested that Metropolitan's Board consider and act upon the recommendation to adopt a second resolution (see Attachment 1-4 -- Resolution Fixing and Adopting Water Standby Charge), which imposes a Metropolitan water standby charge in the amount of \$9.58 per acre, or per parcel less than one acre, within the territory of Annexation No. 69 for Fiscal Year 2000/2001.

The annexation charge has been calculated pursuant to Section 3300 of Metropolitan's Administrative Code. Utilizing the current rate of \$3,460 per acre and the sum of \$5,000 for processing costs, the annexation charge is \$159,973.40, if completed by December 31, 2001. The \$5,000 processing charge has been paid. The annexation fee will be paid in cash. Completion of the annexation will be subject to such terms and conditions as may be fixed by the Board in granting formal consent to such annexation.

Approval of Metropolitan's water standby charge in the amount noted above, which is equal to the amount of Metropolitan's water standby charges imposed elsewhere within Calleguas' territory, is a condition to complete this annexation. Pursuant to the terms of the attached Resolution, if said annexation is not completed by July 1, 2001, Metropolitan may levy standby charges at the rate stated in this Resolution beginning in a subsequent fiscal year.

APR 25 '01 10:23:08PM
FILED

FEB 09 2001

NOTICE OF DETERMINATION

To: Office of the County Clerk
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009-1320

Lead Agency: City of Oxnard
Planning and Environmental Services Division
305 West Third Street, 2nd Floor
Oxnard, CA 93030

Office of Planning & Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

RICHARD D. DEAN
Deputy County Clerk
Services Division

POSTED
02/09/01 - 03/15/01
RICHARD D. DEAN, County Clerk
By: *Richard D. Dean*
Deputy

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Project Title:
William Lyon Homes Residential (Tract 5228 - Rose Avenue and Gonzales Road)

Project Planner: Gary Y. Sugano **Phone Number:** (805) 385-7412 **State Clearinghouse Number:** n/a

Project Location:
Southwest corner of Rose Avenue and Gonzales Road

Project Description:
Request for an Annexation, Pre-Zoning to establish city zoning to R-2-PD, Tentative Subdivision Map and Planned Development Permit to allow 110 single family residential units and 87 detached units.

This is to advise that the City of Oxnard has approved the above-described project on February 6, 2001 and has made the following determinations regarding the above-described project:

1. The project (will will not) have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures (were were not) made a condition of the approval for the project.
4. A Statement of Overriding Considerations (was was not) adopted for this project.

DE MINIMIS IMPACT FINDING:

Findings of exemption:

The project will have no impact, will not reduce the habitat of a fish or wildlife species, will not cause a fish or wildlife population to drop below self-sustaining levels, will not threaten to eliminate a plant or animal community and will not reduce the number of or restrict the range of a rare or endangered plant or animal.

CERTIFICATION:

I hereby certify that the lead agency has made the above finding and that based upon the initial study and hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

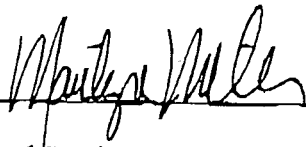
The Environmental Impact Report or Negative Declaration with comments and responses and record of project approval may be examined at the City of Oxnard, Planning and Environmental Services Division, 305 West Third Street, Oxnard, California 93030. Please call (805) 385-7858 to arrange a file review time. Rect 102913

\$25.00 NO 00-109

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OXNARD CITY-PLANNING

P.3/3 03
APR 25 '01 03:08PM



Marilyn Miller, AICP
Planning and Environmental Services Manager

2/6/01
Date

NOTE: Authority recited: Section 21083, Public Resources Code: Reference: Sections 21109, 21152, and 21167, Public Resources Code



OXNARD PLANNING & ENVIRONMENTAL
SERVICES PROGRAM
305 WEST THIRD STREET
OXNARD, CALIFORNIA 93030

MITIGATED NEGATIVE DECLARATION NO. 00-38

On the basis of an initial study, and in accordance with Section 15070 of the Code of Regulations, it is proposed that the following project will not have a significant effect on the environment.

Application: Planning and Zoning Permit Nos. 00-5-33, -34, -35, and -37, request for an Annexation of approximately 48.25 acres of land, Pre-Zoning to establish city zoning to R-2-PD, Tentative Subdivision Map and Planned Development Permit to allow 110 single family residential units and 87 detached condominiums. Filed by William Lyon Homes, Inc., 18425 Burbank Bl. #414, Tarzana, CA 91356.

Attached is a copy of the initial study documenting the reasons to support the finding of no significant effect on the environment.

Identified potential environmental effects:

1. The previously certified Northeast Community Specific Plan EIR 92-2 identified that the loss of prime farmland is an unavoidable adverse impact that is regionally significant and is an unavoidable adverse impact. A Statement of Overriding Considerations was adopted which concluded that this impact was acceptable in light of the benefits of the project.
2. The project is expected to have short and long-term effects on air quality. The short-term effects are expected to result from the creation of dust from the use of heavy equipment and general construction activity during project implementation. The long-term effects are expected due to the project exceeding the thresholds allowed for ROC and NO_x emissions. Therefore, the project does present the potential for a significant adverse effect on air quality.
4. The project could have a significant impact on cultural resources should a discovery of Native American related items are found.
5. The project could have a significant impact on geology and soils should city procedures related to grading and construction not take place.
6. The project could have a significant impact on hydrology and water quality if appropriate measures are not taken urban pollutants and drainage facilities.

William Lyon Homes (Tract 5228)

7. The project could have a significant impact on noise related to construction activities and potential traffic noise impacts to residential units adjacent to Rose Avenue and Gonzales Road.
8. The project could have a significant impact on public services (i.e., police, fire and parks) if appropriate measures are not taken.
9. The project could have a significant impact on recreation based on the additional residents utilizing the City's parks facilities.
10. The expected traffic will have an impact on adjacent roadways including Rose Avenue and Gonzales Road and a cumulative effect on county roads.
11. The project could have a significant impact on utilities and service systems (i.e., sewer) unless proper plans and calculations are submitted for city review prior to building permit issuance.

Planning & Environmental Services Division
305 W. Third St.
Oxnard, CA 93030
805/385-7858
FAX 805/385-7417

INITIAL STUDY ¹

William Lyon Homes - Tentative Tract Map No. 5228
Planning and Zoning Permit Nos. PZ 00-5-32, -33, -34, -35, -37
SPA, TSM, PD, ZC and ANNEX

City of Oxnard
November 2000

Introduction

This *Initial Study* has been prepared in accordance with relevant provisions of the *California Environmental Quality Act (CEQA) of 1970*, as amended, and the *CEQA Guidelines* as revised through October 26, 1998.

Section 15063(c) of the *CEQA Guidelines* indicates that the purposes of an Initial Study are to:

1. Provide the Lead Agency (i.e., the City of Oxnard) with information to use as the basis for deciding whether to prepare an Environmental Impact Report (EIR) or Negative Declaration;
2. Enable an applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a Negative Declaration;
3. Assist the preparation of an EIR, if one is required, by:
 - a. Focusing the EIR on the effects determined to be significant;
 - b. Identifying the effects determined not to be significant;
 - c. Explaining the reasons why potentially significant effects would not be significant; and
 - d. Identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the project's environmental effects.
4. Facilitate environmental assessment early in the design of a project;
5. Provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment;
6. Eliminate unnecessary EIRs; and
7. Determine whether a previously prepared EIR could be used with the project.

¹ Source: OPR (Final Text, October 26, 1998).

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

The City of Oxnard *Threshold Guidelines - Initial Study Assessment* (February 1995) was used along with other pertinent information for preparing the *Initial Study* for this project.

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

Determining the significance of environmental impacts is a critical and often controversial aspect of the environmental review process. It is critical because a determination of significance may require that the project be substantially altered, or that mitigation measures be readily employed to avoid the impact or reduce it below the level of significance. If the impact cannot be reduced or avoided, an Environmental Impact Report (EIR) must be prepared. An EIR is a detailed statement that describes and analyzes the significant environmental impacts of a proposed project, discusses ways to reduce or avoid them, and suggests alternatives to the project, as proposed. The preparation of an EIR can be a costly and time-consuming process.

Determining the significance of impacts is often controversial because the decision requires staff to use their judgment regarding a subject that is not clearly defined by the law. The State CEQA *Guidelines* define the term "significant impact on the environment" as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project. However, there is no iron-clad definition of what constitutes a substantial change because the significance of an activity may vary according to location.

To help clarify and standardize decision-making in the environmental review process, Oxnard has developed thresholds of environmental significance. Thresholds are measures of environmental change that are quantitative for subjects like noise, air quality, and traffic; and qualitative for subjects like aesthetics, land use compatibility, and biology. These thresholds are used in the absence of other empirical data to define the significance of impacts. For some projects, however, special studies and/or the professional judgment of City staff may enter into the decision-making process. Therefore, Oxnard's thresholds are intended to serve as guidelines, and to augment existing CEQA provisions governing the definition of significance.

The City's environmental thresholds will be periodically updated as new information becomes available, or as standards regarding acceptable levels of environmental change are reevaluated. For example, the air quality thresholds adopted by Oxnard were established through State and Federal legislation. These standards, and the methodology used to compute them, may change over time. When this occurs, the City will evaluate the data and, if necessary, modify the thresholds to reflect improved awareness.

When other agencies have jurisdiction over a given site, the project proponent will have to meet the design, mitigation, and monitoring requirements imposed by those agencies, as well as any additional requirements established by the City of Oxnard.

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

CITY OF OXNARD

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

1. Project Title:

William Lyon Homes
Tentative Tract Map No. 5228
PZ 00-5-32 (SPA), -33 (TSM), -34 (PD), -35 (ZC), and -37 (ANNX)

2. Lead Agency Name and Address:

Planning and Environmental Services Division
City of Oxnard
305 West Third Street
Oxnard, CA 93030

3. Contact Person and Phone Number:

Gary Sugano, Senior Associate Planner
Planning and Environmental Services, City of Oxnard
(805) 385-7412

4. Project Location:

The proposed project site is located in the City of Oxnard in Ventura County, California. The regional location of the proposed project is provided in Figure 1. Ventura County is located between Los Angeles and Santa Barbara Counties.

The City of Oxnard (City) is situated on the Oxnard Plain in Ventura County. The City is located midway between the Cities of Los Angeles and Santa Barbara. Access to the City is provided by United States Route 101 (U.S. 101), California State Route 1 (Pacific Coast Highway and Oxnard Boulevard), State Route 254 (Vineyard Avenue), and State Route 34 (Fifth Street). Southern Pacific Railroad, Amtrak, and the Ventura County Railway provide rail service. Commuter and charter air service is available at the Oxnard Airport. Figure 2 provides a project site local vicinity map as related to the City. The proposed project site is bounded to the north by Socorro Avenue, to the south by Cesar Chavez Drive, to the west by Rose Avenue, and to the east by future Williams Drive.

5. Project Applicant Name and Address:

William Lyon Homes, Inc.
18425 Burbank Boulevard, Suite 414
Tarzana, California 91356

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

**FIGURE 1
REGIONAL LOCATION MAP**

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000.*

**FIGURE 2
LOCAL VICINITY MAP**

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

6. General Plan Designation:

The project site area is located in the West Village Neighborhood and the Northeast Community Specific Plan Area (NECSP). The project site is designated for Low Medium Residential use, which allows the development of 7 to 12 Dwelling Units (DU) per acre of land.

7. Zoning:

The proposed zoning on the subject site is Multiple-Family Residential Planned Development (R-2-PD), which allows low density multiple-family dwelling units of residential character suitable for location abutting single-family dwellings. The zoning also permits single-family detached homes and detached condominiums.

8. Other applicable planning programs:

The project site is located in the Northeast Community Specific Plan (NECSP). **Figure 3** displays the NECSP Area, which includes 737 acres. The NECSP provides a framework for the build out of the NECSP Area with residential, commercial, and recreational/open space land uses. The project site is located in the north central portion of the NECSP Area.

The NECSP establishes development policies related to the proposed project site. The NECSP states:

A primary goal of the Northeast Community is to provide a range of housing types which take advantage of the unique opportunity to provide housing in proximity to the job-generating uses of the Northeast Industrial Area (also known as NIAD). The plan allows a variety of dwelling unit types to be developed to allow maximum flexibility to respond to market preferences and to prevent economic stratification. [The Low/Medium Residential] use category would allow dwelling unit types ranging from detached and duplex units on 4,500 square foot minimum lots to attached dwelling of up to 12 units per acre. Projects in this category may also include private recreation facilities and may include private streets, but are to be organized in a formal manner consistent with the thematic concept of the Specific Plan.

(pages 4-1 – 4-2)

9. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

The developer is requesting that the City allow the development of 199 residential units on the 37.39 gross acres site. Specific actions requested include approval of the proposed Tentative Tract Map No. 5228, Planned Development Permit, Specific Plan Amendment, Annexation and a Zone Change.

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

RESIDENTIAL DEVELOPMENT

The proposed residential project would occupy a total of 23.89 net acres. The proposed project will be developed as single-family detached and single-family condominium units as indicated on Figure 4, the Tentative Tract Map. Typical individual single-family detached residential lots will be 50 feet by 90 feet (4,500 square feet in size). Typical individual single-family condominium residential lots will be 40 feet by 90 feet (3,600 square feet in size). Project statistics are provided in Table A.

Table A
Project Statistics

Area	Residential
Gross Site Area (Acres)	37.39
Gross Site Density/Intensity (DU/AC)	5.32
Net Site Area (Acres) ¹	23.89
Net Site Density/Intensity (DU/AC)	8.33
Streets	13.14
Landscape Area	4.47

Source: William Lyon Homes, Inc., and Jensen Design & Survey, LLC.

DU/AC = dwelling units per acre.

33. Net Site Area = gross site area minus streets.

The single-family detached homes will range from 2,606 square feet to 2,944 square feet. The single-family condominium homes will range from 1,932 square feet to 2,423 square feet. The Tentative Tract Map No. 5228 indicates the location of the proposed residential lots.

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

**Figure 3
Northeast Community Specific Plan Area**

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

**Figure 4
TENTATIVE TRACT MAP**

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

OPEN SPACE AND LANDSCAPE

The proposed project will provide 4.47 acres of open space areas. Landscaped areas will be provided within the proposed project site and landscape area/detention basins will be located along Rose Avenue and Cesar Chavez Drive. The project proposes to meet City park and recreation requirements through the payment of the fees established by the City. Project statistics related to landscaped open space are provided in Table A. A focal point will be provided at the intersection of Cesar Chavez Drive and Rose Avenue.

PROJECT PHASING

The proposed project development would be built in two primary phases, site preparation and construction. Site preparation will involve the grading and preparation of the site for construction. The site has been previously disturbed during agricultural production. Finish grading for the proposed project will occur as construction occurs. No specific source for the fill material has been identified.

Construction of the proposed project will occur concurrently with final site preparation and finish grading. The developer has indicated that model homes for the proposed project are anticipated in the year 2001. Initial occupancy of the homes will occur shortly after the completion of the model complex. All homes are anticipated by the developer to be occupied by 2003.

10. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)

St. John's Regional Medical Center is located to the east of the site. Agricultural fields presently exist to the south, and southeast. Commercial development is located to the north, and industrial development is located across the northeast corner of the project site. To the west are a school, a park, and new residential developments, as indicated in Table B.

*Northeast Community Specific Plan
 William Lyon Homes Tentative Tract Map No. 5228
 Mitigated Negative Declaration, MND # 00-38
 November 2000*

**Table B
 Surrounding Land Uses**

Direction	Existing Land Use
North	Across Gonzales Avenue is a commercial development complex.
South	Across the future extension of Cesar Chavez Drive are single family residential units.
East	Across Rose Avenue are St. Johns Regional Medical Center and agricultural fields.
West	Adjacent to the site are residential developments, a park, and a school.

11. Other agencies whose approval is required: (e.g., permits, financing approval, or participating agreement):

No other approval is needed.

Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- I find that although the project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.
- 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.
- 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

Gary Y. Sugano

Printed Name

Date

Senior Associate Planner

Title

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers. Answers are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the project simply does not apply to projects like the one involved (e.g., the project falls outside a jurisdiction). A "No Impact" answer should be explained where it is based on project-specific factors as well as general information. For example, the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis.
2. All answers 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.
3. Once the lead agency has determined that a particular physical impact may occur, all answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," cited in support of conclusions reached in other sections may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used—Identify and state where they are available for review.
 - b. Impacts Adequately Addressed—Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures—For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. The explanation of each issue should identify: a) The significance criteria or threshold, if any, used to evaluate each question; and b) The mitigation measure identified, if any, to reduce the impact to less than significance.

Northeast Community Specific Plan
 William Lyon Homes Tentative Tract Map No. 5228
 Mitigated Negative Declaration, MND # 00-38
 November 2000

A. AESTHETICS

	Less Than Significant With Mitigation			
1. Have a substantial adverse effect on a scenic vista? (2020 General Plan, VII - Open Space/ Conservation Element, XI - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (2020 General Plan, VII - Open Space/ Conservation Element; XI - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Substantially degrade the existing visual character or quality of the site and its surroundings? (2020 General Plan, VII - Open Space/Conservation Element, XI - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Create a source of substantial light or glare which would adversely affect day or nighttime views in the area? (2020 General Plan, VII - Open Space/Conservation Element, XI - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- 1) A significant aesthetic impact would occur if implementation of the proposed project would result in an obstruction of any scenic vista or view open to the public or result in the creation of an aesthetically offensive site open to public view. The project site is located adjacent to Rose Avenue and Gonzales Road, which are considered to be view corridors to the foothills and mountains². The proposed project is similar to other residential land uses currently located along these roadways, and the proposed buildings are similar in height to other buildings near the project site. The portions of the proposed project along Rose Avenue are landscaped. Given that the proposed buildings would not obstruct views of the mountains and foothills from Rose Avenue and Gonzales Road, no significant impact will result from the proposed project.
- 2) The Northeast Community Specific Plan Environmental Impact Report (NECSP EIR) identified the loss of cypress windrows and the conversion of agricultural uses to urban uses as significant and unavoidable adverse aesthetic impacts. The proposed project will involve the conversion of agricultural land to urban uses, but a Statement of Overriding Considerations for the NECSP was adopted which concluded that the impact of the conversion of agricultural land to urban uses was acceptable in light of the benefits of the project. The NECSP EIR identified mitigation measures for the removal of windrow trees. However, there are no cypress windrows on the project site, and no impact will result. There are no other scenic resources, such as significant trees, rock outcroppings,

² Figure XI-1, City of Oxnard 2020 General Plan, 1990.

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

or historic buildings, on the site, which is presently under agricultural production and without significant mature vegetation. No significant impact, therefore, will result.

- 3) The NECSP EIR identified the alteration of the aesthetic character of the site, due to the conversion of agricultural uses to urban uses, as significant and unavoidable adverse aesthetic impacts. However, the project incorporates landscaping and other elements that conform to the City's Design Guidelines. Therefore, the proposed project will not substantially degrade the existing visual character or quality of the site and its surroundings. No significant impact will result.
- 4) The proposed project will create a new source of substantial light and glare that may be considered to adversely affect nighttime views in the area. A significant light and glare impact would occur, if implementation of the proposed project would result in a substantial increase in light and glare in the undeveloped areas that was not planned or anticipated by the *Oxnard 2020 General Plan* or the NECSP. No impact is anticipated, as the proposed project will not result in a substantial increase in light and glare in the undeveloped areas that was not planned or anticipated by the *Oxnard 2020 General Plan* or the NECSP. This impact will be less than significant.

Mitigation: None required.

Monitoring: None required.

Result after mitigation: Not applicable.

Northeast Community Specific Plan
 William Lyon Homes Tentative Tract Map No. 5228
 Mitigated Negative Declaration, MND # 00-38
 November 2000

B. AGRICULTURAL RESOURCES*

			Less Than Significant With Mitigation	
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.7 - Agricultural Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.7 - Agricultural Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.7 - Agricultural Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

* In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agricultural and farmland.

Discussion:

- 1) The NECSP EIR identified the loss of agricultural uses to urban uses as a significant and unavoidable adverse impact. The project site is designated as a Prime Farmland on the Important Farmlands Inventory Map. According to the *Oxnard 2020 General Plan* and the NECSP, the project site is designated for the development of urban uses. A Statement of Overriding Considerations, adopted for the NECSP, concluded that the impact of the conversion of agricultural land to urban uses was acceptable in light of the benefits of the project. No new impact or increase in the severity of an impact previously found in the NECSP EIR will occur.
- 2) The project site is neither under a Williamson Act contract nor located in a greenbelt area³. The site is zoned R-2, which allows for the development of single-family and multi-family homes. No impact will result.
- 3) The NECSP EIR identified the loss of agricultural uses to urban uses as a significant and unavoidable adverse impact. The project site is surrounded on one side by land, which are part of the NECSP, under agricultural production. According to the *Oxnard 2020 General Plan* and the NECSP, all the areas adjacent to the site are developed or are designated for the development of urban uses. No new impact or an increase in the severity of an impact previously found in the NECSP EIR will, therefore, occur.

³ Figure VII-6, *City of Oxnard 2020 General Plan*, 1990.

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

Mitigation: None required.

Monitoring: None required.

Result after mitigation: Not applicable

Northeast Community Specific Plan
 William Lyon Homes Tentative Tract Map No. 5228
 Mitigated Negative Declaration, MND # 00-38
 November 2000

C. AIR QUALITY*

		Less Than Significant With Mitigation		
1. Conflict with or obstruct implementation of the applicable air quality plan? (FEIR 88-3, 4.5 - Air Quality; Ventura County APCD Guidelines for the Preparation of Air Quality Impact Analysis, Urbemis Computer Model, August 1998)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (FEIR 88-3, 4.5 - Air Quality; Ventura County APCD Guidelines for the Preparation of Air Quality Impact Analysis, Urbemis Computer Model, August 1998)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (FEIR 88-3, 4.5 - Air Quality; Ventura County APCD Guidelines for the Preparation of Air Quality Impact Analysis, Urbemis Computer Model, August 1998)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Expose sensitive receptors to substantial pollutant concentrations? (FEIR 88-3, 4.5 - Air Quality; Ventura County APCD Guidelines for the Preparation of Air Quality Impact Analysis, Urbemis Computer Model, August 1998)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Create objectionable odors affecting a substantial number of people? (FEIR 88-3, 4.5 - Air Quality; Ventura County APCD Guidelines for the Preparation of Air Quality Impact Analysis, Urbemis Computer Model, August 1998)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Discussion:

The analysis in the NECSP EIR determined that future development in the overall NECSP Area may contribute to violations of air quality standards and that this was a significant impact of the proposed development. Development of the proposed project would result in the generation of both short-term construction related emissions and long-term emissions associated primarily with vehicle trips generated by the operation of this residential development.

Long-Term: The air quality analysis of the NECSP EIR was performed for year 2000 utilizing the URBEMIS air quality program. This analysis was used to determine the Total Organic Gases (converted

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

to ROC) and the NO_x for the NECSP. The analysis revealed the pounds per day of ROC generated by the project is higher than the pounds per day of NO_x generated by the project. According to the APCD guidelines, the larger of the annual cost of emissions of ROC and NO_x is considered the annual cost of emissions "buy-down" through contribution to an off-site Transportation Demand Management Program.

The City's adopted threshold for Reactive Organic Compounds and Nitrogen Oxide emissions is 25 pounds per day (Thresholds Guidelines page 74). According to the Air Pollution Control District's adopted guidelines for air quality analysis and City Thresholds of Significance, this amount is subtracted from the above emissions to achieve the total pounds of ROC and NO_x over the threshold. As indicated, this project does not exceed the density of development anticipated in the cumulative analysis of the NECSP. Therefore, the analysis of the NESCSP is applied to this project.

Long-term emissions are mitigated by the "buying-down" of emissions through contribution to the City's off-site TDM fund as indicated in the NECSP EIR is \$1,850 per unit. The total buy-down for the project is \$368,150 (based on 199 residential units) payable at the time of building permit issuance. Building permits will not be issued unless this measure is satisfied, subject to the approval of the City Traffic Engineer.

- 1) With the long term emissions mitigation as described in the EIR, no new significant impacts are anticipated and the effects on air quality are expected to be reduced to less than significant. The developer is required to implement the measures from the NECSP EIR, described below, to ensure that there is not a substantial increase in the severity of previously identified significant effects.

Construction Impacts (Short-term Emissions)

Short-term air quality impacts would result primarily from vehicle emissions, equipment emissions, and fugitive dust generation during the construction phases of the proposed development. The NECSP EIR stated that short-term construction impacts represent a significant portion of regional particulate emissions and are considered cumulatively significant. On the other hand, due to the short-term, temporary nature of construction activities, the Ventura County Air Pollution Control District (VCAPCD) does not consider construction related air quality impacts to be significant. The VCAPCD does, however, recommend that measures be implemented during project construction in order to minimize air quality impacts. The NECSP EIR described mitigation measures that follow the recommendations of the VCAPCD, to reduce construction-related emissions to a less than significant level. These include measures to limit emissions of both ozone precursors (NO_x and ROC) and fugitive dust.

Mitigation Measure

The developer will be required to prepare and submit for approval a fugitive dust control plan prior to the issuance of building permits. The dust control plan shall include, but not be limited to, the following measures, which should be implemented by the contractor during the construction phases:

1. Apply sufficient water to all major soil disturbance areas to maintain a soil moisture of 4% in the upper 6 inches of the soil stratum.
2. Perform daily street sweeping at the end of each workday up to a distance of 250 feet in either direction of any construction site access entrances until all on-site paving is completed.

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

3. Wash off any trucks leaving the site and wet down or tarp any trucks hauling dirt away from the site.
4. Double sandbag all site perimeters adjoining traveled roads from November to April to prevent dirt from washing off the site.
5. Establish landscaping within 90 days of the completion of grading or hydroseeding with a native plant mix as an interim ground cover to minimize wind erosion.
6. Terminate all grading, excavation, and travel on unpaved surfaces when hourly average wind speed exceeds 30 mph.
7. Apply non-hazardous chemical stabilizers to all inactive portions of the construction site.

Operational Impacts (Long-term Emissions)

Mitigation Measure

8. Contribution to the City's Transportation Demand Management (TDM) fund as indicated in the NECSP EIR is \$1,850 per unit to mitigate long-term air quality impacts. The Developer will be required to contribute \$368,150 (based on 199 residential units) to the City's TDM fund payable at the time of building permit issuance.

According to the NECSP EIR, cumulative air quality impact will remain significant after the implementation of the above mitigation measures. Because the proposed project is consistent with the NECSP, no significant impacts will result.

- 2) The NECSP EIR concluded that implementation of the NECSP will not exceed federal or state standards for carbon monoxide, except under year 2000 conditions. The carbon monoxide (CO) emissions of the NECSP will exceed 8-hour CO levels even without project implementation and will add incrementally to the cumulative impact to the local area. The NECSP EIR listed the following mitigation measure for CO emissions during the construction phases:

Mitigation Measure

The developer will require the contractors to prepare and submit for approval carbon monoxide (CO) emission control plan prior to the issuance of building permits. The CO emission control plan shall include, but not be limited to, the following measures, which should be implemented by the contractor during the construction phases:

9. Provide rideshare incentives for all workers on site.
10. Provide construction personnel parking off arterial roadways to minimize traffic interference.
11. Schedule receipt of concrete, asphalt, steel, and other materials from 9 a.m. to 3 p.m. as much as practically possible.
12. Restrict any lane closures of public roadways to the hours of 9 a.m. to 3 p.m.
13. Complete all street sweeping/washing of adjacent roadways by 4 p.m.

The proposed project is consistent with the NECSP, which is consistent with the Air Quality Management Plan (AQMP). The NECSP is within the population parameters utilized in the AQMP emission forecasts. As such, impacts will be less than significant.

- 3) See discussion under Topics 1 and 2 of this section.

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

- 4) The exposure of sensitive receptors to substantial pollutant concentrations was not identified as an impact in the NECSP EIR. The NECSP EIR evaluated the potential for sensitive receptors such as residences and schools to be exposed to carbon monoxide (CO) concentrations that exceed state and/or federal standards.

Localized CO concentrations, which are primarily generated by motor vehicles and are usually indicative of local air quality along a roadway network, represent the primary pollutant of concern within the immediate site vicinity. They also represent the primary localized impacts of a project where the majority of emissions are generated by motor vehicles. Of the 31 intersections examined in the NECSP, all are less than the 1-hour standard if mitigation measures mentioned in this section are implemented. The NECSP EIR also identified less than significant cumulative impact, since the maximum change of 15 percent in local CO exposure due to NECSP traffic would be considered negligible as compared to the VCAPCD hourly standard of 20 ppm.

The AQMD recommends the use of CALINE4, a dispersion model for predicting CO concentrations, as the preferred method of estimating pollutant concentrations at intersections. For each intersection analyzed, CALINE4 adds roadway-specific CO emissions calculated from peak hour turning volumes to ambient CO air concentrations. For this analysis, CO concentrations were calculated based on a simplified CALINE4 screening model developed by the Bay Area Air Quality Management District. The simplified model is intended as a screening analysis which identifies a potential CO hotspot. If a hotspot is identified, the complete CALINE4 model is utilized to determine precisely the CO concentrations predicted at the intersections in question. This methodology assumes worst-case conditions (i.e., wind direction is parallel to the primary roadway, 90° to the secondary road; wind speed of less than one meter per second; and extreme atmospheric stability) and provides a screening of maximum, worst-case, CO concentrations.

Maximum future (year 2003 with project and cumulative development) CO concentrations were calculated for peak hour traffic volumes at 7 of the project area intersections. The results of these calculations are presented in Table C for representative receptors located 50, 100, and 300 feet from each roadway. As shown, the CALINE4 screening model predicts that, under worst case conditions, future CO concentrations would not exceed the State and Federal 1- and 8-hour CO standards near these intersections. Consequently, the project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation on a localized basis.

Northeast Community Specific Plan
 William Lyon Homes Tentative Tract Map No. 5228
 Mitigated Negative Declaration, MND # 00-38
 November 2000

Table C
 Predicted Future Carbon Monoxide Concentrations

Intersection	50 Feet		100 Feet		300 Feet	
	1-Hour ¹	8-Hour ²	1-Hour ¹	8-Hour ²	1-Hour ¹	8-Hour ²
Cesar Chavez Drive and Rose Avenue	6.2	3.8	5.5	3.3	4.5	2.6
5 th Street and Rose Avenue	6.6	4.0	5.8	3.5	4.8	2.8
Gonzales Road and Rose Avenue	7.0	4.4	6.1	3.7	4.9	2.9
Oxnard Boulevard and Gonzales Road	9.1	5.8	7.6	4.7	5.5	3.3
Rice Avenue and Gonzales Road	8.8	5.6	7.3	4.5	5.3	3.2
Rose Avenue and 101 Southbound Ramps	5.5	3.3	5.0	2.9	4.3	2.4
Rose Avenue and 101 Northbound Ramps	4.9	2.9	4.6	2.6	4.1	2.3

Source: Impact Sciences, Inc. Emissions calculations are provided in Appendix B.

¹ State standard is 20.0 parts per million. Federal standard is 35 parts per million.

² State and Federal standard is 9.0 parts per million.

The NECSP EIR identified the San Joaquin Valley Fever as a potential risk generated by construction activities. The following mitigation measures would reduce the impact to a less than significant level.

Mitigation Measure

The developer will require the contractors to implement the following measures during the construction phases to reduce the risk of the San Joaquin Valley Fever:

14. Require the use of facemasks for workers during the grading construction Phase.
15. Use air-conditioned cabs in heavy construction and grading equipment where possible.
16. Use chemical dust palliatives that stabilize soil and reduce fugitive dust.

5) The NECSP EIR did not identify any impacts related to objectionable odors. The proposed project is residential and is not expected to create objectionable odors. No impact will result.

Mitigation: Mitigation Measures 1 through 16.

Monitoring:

Local Contractors:

- Mitigation Measure 6: Contact with local VCAPCD meteorologist during grading and construction.
- Mitigation Measure 11: Field Inspection during grading and construction.

Oxnard Development Services:

- Mitigation Measure 1: Field Inspection during grading and construction.

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

- Mitigation Measure 2: Field Inspection during grading and construction.
- Mitigation Measure 3: Field Inspection during grading and construction.
- Mitigation Measure 6: Contact with local VCAPCD meteorologist during grading and construction.
- Mitigation Measure 7: Field Inspection during grading and construction.
- Mitigation Measure 10: Field Inspection during grading and construction.
- Mitigation Measure 11: Field Inspection during grading and construction.
- Mitigation Measure 13: Field Inspection during grading and construction.
- Mitigation Measure 14: Field Inspection during grading and construction.
- Mitigation Measure 15: Field Inspection during grading and construction.
- Mitigation Measure 16: Field Inspection during grading and construction.

Oxnard Parks Division:

- Mitigation Measure 5: Field Inspection during grading and construction.

Oxnard Public Works Department:

- Mitigation Measure 4: Field Inspection during grading and construction.

Oxnard Traffic and Transportation Manager and Development Services:

- Mitigation Measure 8: Obtain fee prior to the issuance of certificate of occupancy.
- Mitigation Measure 9: Review rideshare programs proposed by the local contractors prior to approval of grading permits.
- Mitigation Measure 12: Field Inspection during grading and construction.

Result after mitigation: Less than significant.

Northeast Community Specific Plan
 William Lyon Homes Tentative Tract Map No. 5228
 Mitigated Negative Declaration, MND # 00-38
 November 2000

D. BIOLOGICAL RESOURCES

Less Than
 Significant
 With
 Mitigation

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <p>1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>3. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (2020 General Plan, VII - Open Space/ Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

Discussion:

- 1) The NECSP EIR did not identify any significant impacts on biological resources. The proposed project will not have a significant effect on biological resources because it is a disturbed agricultural site. The site has been previously utilized for agricultural production and does not contain native vegetation. The proposed project site will not have an impact on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. No biological resource impacts will result.
- 2) The NECSP EIR did not identify any significant impacts on biological resources. The proposed project will not have a significant effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service, because it is a disturbed agricultural site. The site has been previously utilized for agricultural production and does not contain native vegetation. No biological resource impacts will result.
- 3) The NECSP EIR did not identify any significant impacts on wetlands. The proposed project will not have a significant effect on wetlands. The proposed project site does not contain and wetlands as wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.), because it is a disturbed agricultural site. No biological resource impacts will result.
- 4) The NECSP EIR did not identify any significant impacts on biological resources. The proposed project will not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites, because it is a disturbed agricultural site. The site has been previously utilized for agricultural production and does not contain native vegetation. No impacts will occur.
- 5) The NECSP EIR did not identify any significant impacts on biological resources. The proposed project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, because it is a disturbed agricultural site. The project site does not contain locally designated species. No biological resource preservation policies have been adopted that are applicable to the proposed project. No impact will result.
- 6) The NECSP EIR did not identify any significant impacts on biological resources. The proposed project will not have a significant effect on biological resources, because it is a disturbed agricultural site. The site has been previously utilized for agricultural production and does not contain native vegetation. The proposed project site will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. No adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan have been adopted that are applicable to the proposed project. No impact will result.

Mitigation: None required.

Monitoring: None required.

Result after mitigation: Not applicable.

*Northeast Community Specific Plan,
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

E. CULTURAL RESOURCES

		Less Than Significant With Mitigation		
1. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.11 - Cultural Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.11 - Cultural Resources)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.12 - Aesthetic Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Disturb any human remains, including those interred outside of formal cemeteries? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.11 - Cultural Resources)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

- 1) The NECSP EIR did not identify any significant impacts on historical resources as defined in section 15064.5. According to the NECSP, no pre-historic or historic sites have been recorded on or within a one-mile radius of the Plan Area. The project site has been previously disturbed by agricultural operations and no historical resources exist on-site. No impact, therefore, will result.
- 2) The NECSP EIR concluded that development within the NECSP area has the potential to impact archaeological resources that may be on the project site. The following mitigation measures address potential archaeological resource impacts:

Mitigation Measure

17. In the event that archaeological resources are uncovered during construction, work in the vicinity of the find will be temporarily suspended until a qualified archaeologist can evaluate the find. Once the find has been examined and evaluated and an appropriate mitigation plan for significant resources has been developed, construction or excavation work in the area may be continued.
18. A registered Native American monitor shall be present during any subsurface grading or construction activities. This monitor shall be paid for by the developer and approved by the City. The monitor shall provide a monthly report to the City on their activities.

Implementation of these measures will mitigate any potential impacts to a level that is less than significant.

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

- 3) The NECSP EIR did not identify any significant impacts on paleontological resources. Because the project site was previously disturbed, the proposed project will not directly or indirectly destroy a unique paleontological resource or site or unique geological feature. No impact will result.
- 4) The NECSP EIR did not identify any significant impacts on cultural resources. The project site was previously disturbed by agricultural activities. There is no evidence of any human remains being located on site, and no known cemeteries and/or religious or sacred burials are located on or adjacent to the project site. Implementation of Mitigation Measures 18 and 19 will ensure that any potential impacts are mitigated to a level that is less than significant.

Mitigation: Mitigation Measures 17 and 18.

Monitoring:

Archaeologist:

- Mitigation Measure 17: Field inspection and report when archaeological resources are uncovered.

Native American Monitor:

- Mitigation Measure 18: Field inspection present during any subsurface grading or construction activities and report when Native American archaeological resources are uncovered.

Oxnard Development Services Department:

- Mitigation Measure 17: Field inspection and report when archaeological resources are uncovered.
- Mitigation Measure 18: Field inspection and report when Native American archaeological resources are uncovered.

Result after mitigation: Less than significant.

Northeast Community Specific Plan
 William Lyon Homes Tentative Tract Map No. 5228
 Mitigated Negative Declaration, MND # 00-38
 November 2000

F. GEOLOGY AND SOILS

Less Than
 Significant
 With
 Mitigation

- | | | | | |
|--|---|--|--|---|
| <p>1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <p>a) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of known fault? Refer to Division of Mines and Geology Special Pub. 42. (2020 General Plan, VIII- Safety Element; FEIR 88-3, 4.8 - Earth Resources)</p> <p>b) Strong seismic ground shaking? (2020 General Plan, VIII - Safety Element; FEIR 88-3, 4.8 - Earth Resources)</p> <p>c) Seismic-related ground failure, including liquefaction? (2020 General Plan, VIII - Safety Element; FEIR 88-3, 4.8 - Earth Resources)</p> <p>d) Landslides? (2020 General Plan, VIII - Safety Element; FEIR 88-3, 4.8 - Earth Resources)</p> | <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> | <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> |
| <p>2. Result in substantial soil erosion, or the loss of topsoil? (2020 General Plan, VIII - Safety Element; FEIR 88-3, 4.8 - Earth Resources)</p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> | <p><input checked="" type="checkbox"/></p> | <p><input type="checkbox"/></p> |
| <p>3. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (2020 General Plan, VIII - Safety Element; FEIR 88-3, 4.8 - Earth Resources)</p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> | <p><input checked="" type="checkbox"/></p> |
| <p>4. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (2020 General Plan, VIII - Safety Element; FEIR 88-3, 4.8 - Earth Resources)</p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> | <p><input checked="" type="checkbox"/></p> |

Discussion:

- 1a) The NECSP EIR stated that the potential for surface rupture is remote. The project site contains no known active or potentially active faults, nor is it within an Alquist-Priolo Fault Rupture Hazard Zone. The development of the proposed project is not expected to expose people or structures to a fault rupture. No impact is anticipated.

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

- 1b) The development of the proposed project has the potential to expose people or structures to seismic ground shaking. However, the proposed project will not establish seismic ground shaking conditions that were not evaluated in the NECSP EIR. With the implementation of the following mitigation measure from the NECSP EIR, impact will be less than significant:

Mitigation Measure

19. All construction associated with the Northeast Community Specific Plan will conform to the seismic requirements of the Uniform Building Code.
- 1c) The proposed project will expose people and structures to potential significant effects related to seismic-related ground failure, including liquefaction. However, the proposed project will not establish seismic ground shaking conditions that were not evaluated in the NECSP EIR. The NECSP EIR required a geotechnical study be done for all for construction associated with the NECSP in order to determine appropriate site preparation and construction design recommendations. A geotechnical study has already been done for the project. As such, impact will be less than significant⁴.
- 1d) The NECSP did not identify potential impacts related to landslides. The project site is fairly level and will not result in the exposure of people or structures to potential landslides. No impact is anticipated.
- 2) The proposed project will be located on soil that maybe unstable. Pursuant to the mitigation measure listed in the NECSP EIR, a geotechnical investigation was performed for this site, and it recommended excavation and engineered fills for the project site. The topsoil is recommended for use as structural fill. With the implementation of these recommendations and the implementation of Mitigation Measure 20, no significant impact will result.
- 3) The NECSP EIR stated that the geological formations present on the project site are considered to be simple and stable (thick sequences of relatively level sandstone) and that no impact is anticipated.
- 4) The proposed project will be located on silty sand that may be expansive. However, the geotechnical investigation performed for this site recommends excavation and engineered fills for the project site. The topsoil is recommended for use as structural fill. With the implementation of Mitigation Measure 20, no significant impact will result.

Mitigation: Mitigation Measure 19.

Monitoring:

Oxnard Development Services:

- Mitigation Measure 19: Plan check prior to issuance of building plan approval.

Result after mitigation: Less than significant.

⁴ Geolabs-Westlake Village Foundation and Soils Engineering, Geology, July 16, 1999.

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

G. HAZARDS AND HAZARDOUS MATERIALS

		Less Than Significant With Mitigation		
1. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials? (2020 General Plan, VIII - Safety Element)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (2020 General Plan, VIII - Safety Element)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (2020 General Plan, VIII - Safety Element)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (2020 General Plan, VIII - Safety Element)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (2020 General Plan, VIII - Safety Element)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (2020 General Plan, VIII - Safety Element; City of Oxnard Emergency Preparedness Plan and Response Manual)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- 1) No impacts were identified related to hazardous materials in the NECSP EIR. The proposed project consists of the development of 199 residential units and does not involve the transport, use, or disposal of hazardous materials. Therefore, the proposed project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. No impact is anticipated.
- 2) No impacts were identified related to hazardous materials on the site in the NECSP EIR. The proposed project consists of the development of 199 residential units on 37.39 gross acres. The proposed project will not create a significant impact involving the release of hazardous materials into the environment, and, therefore, no impacts are anticipated.

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

- 3) No impacts were identified related to hazardous materials on the site in the NECSP EIR. The proposed project consists of the development of 199 residential units near school sites. It is not anticipated that the residential units will emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or wastes. No impact is anticipated.
- 4) No impacts were identified related to hazardous materials on the site in the NECSP EIR. According to Environmental Data Resources, Inc., the proposed project site is not listed on its various federal, state, or local databases of locations of hazardous material sites that, pursuant to Government Code Section 65962.5, would create significant hazards to the public or the environment⁵. No impact is anticipated.
- 5) The proposed project will not result in a safety hazard for people residing or working in the project area. The proposed project site is not within two miles of a public airport or public use airport. No impact is anticipated.
- 6) The proposed project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No impact is anticipated.

Mitigation: None required.

Monitoring: None required.

Result after mitigation: Not applicable.

⁵ West Coast Environmental and Engineering. *Phase I Environmental Site Assessment, Proposed Tracts 5228 & 5214 Oxnard CA 93030*. April 3, 2000.

*Northeast Community Specific Plan
 William Lyon Homes Tentative Tract Map No. 5228
 Mitigated Negative Declaration, MND # 00-38
 November 2000*

H. HYDROLOGY AND WATER QUALITY

Less Than
 Significant
 With
 Mitigation

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| <p>1. Violate any water quality standards or waste discharge requirements? (2020 General Plan, VIB - Public Facilities Element, VII - Open Space/Conservation Element; FEIR 88-3, 4.9 - Water Resources)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (2020 General Plan, VIB - Public Facilities Element, VII - Open Space/Conservation Element; FEIR 88-3, 4.9 - Water Resources)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (2020 General Plan, VIB - Public Facilities Element, VII - Open Space/Conservation Element, VIII - Safety Element; FEIR 88-3, 4.9 - Water Resources)</p> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>4. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in substantial erosion or siltation on- or off-site? (2020 General Plan, VIB - Public Facilities Element, VII - Open Space/Conservation Element, VIII - Safety Element; FEIR 88-3, 4.9 - Water Resources)</p> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>5. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? (2020 General Plan, VIB - Public Facilities Element, VII - Open Space/Conservation Element, VIII - Safety Element; FEIR 88-3, 4.9 - Water Resources)</p> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>6. Otherwise substantially degrade water quality? (2020 General Plan, VIB - Public Facilities Element, VII - Open Space/Conservation Element, VIII - Safety Element; FEIR 88-3, 4.9 - Water Resources)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Northeast Community Specific Plan
 William Lyon Homes Tentative Tract Map No. 5228
 Mitigated Negative Declaration, MND # 00-38
 November 2000

H. HYDROLOGY AND WATER QUALITY

		Less Than Significant With Mitigation		
7. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (2020 General Plan, VIB - Public Facilities Element, VII - Open Space/Conservation Element, VIII - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (2020 General Plan, VIB - Public Facilities Element, VII - Open Space/Conservation Element, VIII - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (2020 General Plan, VIB - Public Facilities Element, VII - Open Space/Conservation Element, VIII - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Inundation by seiche, tsunami, or mudflow? (2020 General Plan, VIB - Public Facilities Element, VII - Open Space/Conservation Element, VIII - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- 1) The proposed project will not violate any water quality standards or waste discharge requirements. The NECSP EIR stated that drainage facilities provided as part of the NECSP will be designed to prevent urban pollutants from degrading the aquifer system. The NECSP EIR required these drainage facilities be designed in accordance with Oxnard Master Plan of Drainage. The NECSP EIR also identified mitigation measures that would reduce the impact to a less than significant level.

Mitigation Measure

20. The developer is required to comply with the requirements of the National Pollutant Discharge Elimination System (NPDES) Program by filing a Notice of Intent with the State Water Resources Control Board to construct a project that complies with the Ventura County Municipal Storm Water NPDES Permit No. CAS004002. Preparation of a Storm Water Pollution Prevention Plan (SWPPP) is required by the conditions of this general permit to minimize the impacts of the project. The SWPPP shall be submitted for review and approval by the City of Oxnard Development Services Department prior to the issuance of building permits.
21. Drainage facilities to accommodate future development within the Northeast Community Specific Plan will be designed in accordance with the Oxnard Master Plan of Drainage.

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

By complying with these requirements, the project will be consistent with applicable water quality standards. Additionally, the City has approved the design of the storm water runoff system that handles the runoff from the site. Therefore, all runoff from the site will meet adopted City requirements. No impact will result.

- 2) The proposed project will not introduce urban uses into the area that would impact groundwater. The NECSP EIR stated that drainage facilities provided as part of the NECSP will be designed to prevent urban pollutants from degrading the aquifer system. The proposed project will not deplete groundwater supplies or interfere with groundwater recharge, and no wells have been found on the project site. No impact related to groundwater used for public water supplies is anticipated. No impact will occur.
- 3) The proposed project will not alter a stream or river, as these features are not located on or immediately adjacent to the proposed project site. The proposed project will increase the rate or amount of surface runoff in a manner that could potentially result in substantial erosion or siltation on- or off-site. Mitigation Measure 20 and 21 has been provided to reduce this potential impact to a less than significant level.
- 4) The NECSP EIR did not identify impacts related to the alteration of the rate or amount of runoff to a stream or river. The proposed project will increase the rate or amount of surface runoff in a manner, which could potentially result in substantial erosion or siltation on- or off-site. Mitigation Measure 20 and 22 has been provided to reduce this potential impact to a less than significant level.
- 5) The NECSP EIR did not identify impacts on the alteration of existing drainage pattern because the NECSP includes the construction of drainage facilities. The proposed project will alter the existing drainage pattern of the site. Grading of the site will direct the surface runoff. Additionally, it will create or contribute runoff water by the establishment of impervious surfaces. Water will be introduced to the site through landscaping or other similar urban activities. The potential impacts related to storm water have been reduce to a less than significant level by mitigation measure provided below:

Mitigation Measure

22. Prior to the issuance of any grading and/or building permit as applicable for the proposed project the developer shall provide evidence that a drainage and hydrology study of the proposed project has been prepared and provide evidence that the recommendations of the drainage and hydrology study related to the landscape/detention basin have been incorporated into the final project design. City of Oxnard Department of Public Works will verify compliance with this measure prior to the issuance of building permits.

Existing or planned storm water runoff from the proposed project site could exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. By implementing Mitigation Measures 20, 21, and 22 in this section, this impact will be less than significant.

- 6) See discussion under Topic 1 of this section.
- 7) The proposed project is not within a 100-year flood hazard area. The NECSP EIR identified no impact related to the 100-year flood hazard areas. The proposed project will not increase surface runoff beyond levels projected for the NECSP.

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

- 8) The proposed project is not within a 100-year flood hazard area. The NECSP EIR identified no impact related to the 100-year flood hazard areas. The proposed project will not increase surface runoff beyond levels projected for the NECSP.
- 9) Flooding as a result of the failure of a levee or dam was not identified as an impact by the NESCPEIR. No impact is expected.
- 10) The proposed project is not in an area subject to impact from a seiche, tsunami, or mudflow. No impact will occur.

Mitigation: Mitigation Measures 20-22.

Monitoring:

California Water Quality Control Board:

- Mitigation Measure 20: Permit Review prior to grading permit approval.

Oxnard Development Services:

- Mitigation Measure 20: Permit Review prior to grading permit approval.
- Mitigation Measure 21: Plan Check prior to site specific project approval.

Oxnard Public Works Department:

- Mitigation Measure 22: Review erosion and siltation control plan prior to the issuance of building permits.

Result after mitigation: Less than significant.

Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000

I. LAND USE AND PLANNING

	Less Than Significant With Mitigation			
1. Physically divide an established community? (2020 General Plan, V - Land Use Element; FEIR 88-3, 4.1 - Land Use)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (2020 General Plan; City adopted Specific Plans; Local Coastal Program; and Zoning Ordinance; FEIR 88-3, 4.1 - Land Use)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Conflict with any applicable habitat conservation plan or natural community conservation plan? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.1 - Land Use)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- 1) The proposed project will not disrupt or divide the physical arrangement of an established residential community. The proposed project site is presently under agricultural production. St. John's Regional Medical Center is located to the east of the site. Agricultural fields presently exist to the south, and southeast. Commercial development is located to the north, and industrial development is located across the northeast corner of the project site. To the west are a school, a park, and new residential developments. The implementation of the project, which is consistent with the NECSP, would create a community on the site that would complement the adjacent urban developments. No significant impact will, therefore, result.
- 2) The proposed project will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project. The project is consistent with the Oxnard 2020 general Plan, the NECSP, and the City's zoning code.

The proposed project does not conflict with the *Oxnard 2020 General Plan*. The *Oxnard 2020 General Plan* designates the proposed project site for residential development. The proposed project site is designated Low Medium Residential. The permitted densities under this designation are 8 to 12 dwelling units per acre. The proposed project gross density is 5.32 dwelling units per acre. The proposed project net density is 8.33 dwelling units per acre. The density of the proposed project is consistent with the *Oxnard 2020 General Plan*. No impact is anticipated.

The proposed project is consistent with the land use designation of the NECSP. The NECSP designates the proposed project site for residential development. The proposed project site is designated Low Medium Residential. The proposed project is consistent with the NECSP land use designation, and no impact will result.

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

The NECSP establishes design guidelines for the project site area. NECSP design guidelines related to Section 4.5.1 Detached Dwellings are evaluated in Table D-1. NECSP design guidelines related to Section 4.5.2 Attached Dwellings, Section 4.5.3 Village Center, and Section 4.5.4 Commercial Development do not apply to the proposed project site. NECSP design guidelines related to Section 4.5.5 Neighborhood Design Standards are evaluated in Table D-2. NECSP design guidelines related to Section 4.5.6 Private Development Landscape Standards do not apply to the proposed project site. NECSP design guidelines related to Section 4.5.7 Existing Landscape Features and Section 4.5.8 Project Signage are evaluated in Table D-3. Based on the information provided in Table D-1, D-2, and D-3, no impacts related to NECSP design guidelines are anticipated.

**Table D-1
Northeast Community Specific Plan
Design Guidelines Comparison
Section 4.5.1 Detached Dwellings**

Requirement	Analysis
Maximum curb cut: 18 feet	The proposed project maximum curb cut is 18-feet.
Alleys may be permitted subject to design review.	No alleys are proposed.
At least 30 percent of all dwellings in a project must include a front porch of minimum dimension of five feet.	The proposed project provides over 30 percent of the dwelling units with front porches.
Entry walks shall be required to connect from the dwelling unit to the public sidewalk.	Entry walks connect each unit to a public sidewalk.
Dwelling entries shall be given special emphasis through the use of covered porches, railing, and other details which designate the entry as the main feature of the front elevation and shall be completely visible to the street.	Proposed project entries provide special emphasis through the use of covered porches, railing and other details. The details of the project entries designate the entry as the main feature of the front elevation. The details of the project entry are completely visible to the street.
Ribbon and "grasscrete" driveways may be permitted.	No ribbon or "grasscrete" driveways are proposed.
One to three front yard trees shall be required (depending upon the yard size, configuration, and species of trees)	Landscape concept plan indicates that the requirements are met.
Front yards trees should be of a wide variety of species to provide vertical and horizontal forms.	Landscape concept plan indicates that the requirements are met.

*Northeast Community Specific Plan
 William Lyon Homes Tentative Tract Map No. 5228
 Mitigated Negative Declaration, MND # 00-38
 November 2000*

**Table D-2
 Northeast Community Specific Plan
 Design Guidelines Comparison
 Section 4.5.5 Neighborhood Design Standards**

Requirement	Analysis
All public sidewalks shall be five feet wide.	Public sidewalks are a minimum of five feet.
Street trees shall be normally aligned along all streets. Double treerows are required along arterial streets on either side of walk.	Street trees are aligned along all streets. Double treerows have been provided as feasible.
All sidewalks shall be parallel to the adjacent street.	All sidewalks are parallel to the adjacent street.
Street trees shall be placed on 30-foot centers and minimum 36-inch box size.	All street trees are 30-foot centers and minimum 36-inch box size.
Effort shall be made to aggregate parkway utility fixtures into limited groups to facilitate street tree placement.	All parkway utility fixtures have been limited to groups to facilitate street tree placement.
Public cul-de-sac streets are allowed but should be minimized by using parkway streets parallel to the arterial with a 30-foot driveway.	No cul-de-sacs are proposed.
Street lights shall be Southern California Edison green color "nostalgic" poles and fixtures.	All street lights are proposed to be Southern California Edison green color "nostalgic" poles and fixtures.
Street trees shall be of varieties which provide broad canopies to shield public streets and sidewalks.	All street trees are proposed to be varieties that provide broad canopies to shield public streets and sidewalks.
Local street corner radii shall be 25 feet.	All local street corner radii are proposed to be minimum 25-feet.
Neighborhood Square/Parks	No neighborhood square or park is proposed.
Schools	No schools are proposed.

*Northeast Community Specific Plan
 William Lyon Homes Tentative Tract Map No. 5228
 Mitigated Negative Declaration, MND # 00-38
 November 2000*

**Table D-3
 Northeast Community Specific Plan
 Design Guidelines Comparison
 Section 4.5.7 Existing Landscape Features and Section 4.5.8 Project Signage**

Requirement	Analysis
“...The windrows include Cypress and Eucalyptus varieties. Wherever possible the healthy specimens within these features are to remain and be integrated into the private development...”	No windrows exist on the proposed project site.
Residential: For each development, permanent entry monument signs of a maximum total of 50 square feet may be permitted.	The developer proposes permanent entry monument signs of a maximum total of 50 square feet.
A principal project entries sign height shall not exceed 42 inches for freestanding signs, six feet for wall signs.	The developer has indicated that the principal project entries sign height will not exceed 42 inches for freestanding signs, six feet for wall signs.
Two wall-mounted project entry signs of no more than 25 square feet may be permitted in lieu of a monument sign.	The developer has indicated that they agree that two wall-mounted project entry sign of no more than 25 square feet will be permitted in lieu of a monument sign.
Neighborhood Center	Proposed project is not a neighborhood center.
Commercial	Proposed project is not commercial.
Neighborhood Commercial	Proposed project is not neighborhood commercial.

The proposed project is consistent with the proposed site zoning, which is Low Density Multiple-Family Planned Development (R-2-PD). The *Oxnard Zoning Code* provides that uses and standards in the NECSP Area are established by the NECSP. **Table E-1** shows project compliance with the specific plan. No land use impacts have been identified related to the existing zoning.

Northeast Community Specific Plan
 William Lyon Homes Tentative Tract Map No. 5228
 Mitigated Negative Declaration, MND # 00-38
 November 2000

**Table E-1
 Zoning Compliance**

PROPOSED PROJECT	REQUIRED ¹	PROPOSED
BUILDING HEIGHT		
Height	28-feet, measured from the top of curb.	Maximum 28-feet measured from the top of curb.
PARKING		
Off-Street	2 spaces per unit.	2 spaces per unit.
On-Street	None.	Not applicable.
LOT SIZE		
Minimum interior yard space	750-square feet must have a minimum 10-foot dimension.	750-square feet, with a minimum 10-foot dimension.

Source: Northeast Community Specific Plan

Note: 1 = Northeast Community Specific Plan

2 = Proposed project requests Northeast Community Specific Plan Amendment related to this standard.

N/A = Not/Applicable. No patio covers or pergolas are proposed at this time.

The proposed project will not conflict with the applicable plans or policies adopted by agencies with jurisdiction over the proposed project. No other agencies have land use jurisdiction over the proposed project. No impact will result.

- 3) The proposed project is not within the boundary of a habitat conservation plan or natural community conservation plan. The proposed project will not conflict with any applicable habitat conservation plan or natural community conservation plan. No impact will result.

Mitigation: None required.

Monitoring: None required.

Result after mitigation: Not applicable.

*Northeast Community Specific Plan
 William Lyon Homes Tentative Tract Map No. 5228
 Mitigated Negative Declaration, MND # 00-38
 November 2000*

J. MINERAL RESOURCES

	Less Than Significant With Mitigation			
1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (2020 General Plan, V - Land Use Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (2020 General Plan, V - Land Use Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- 1) The NECSP EIR did not identify impacts on known mineral resource. The proposed project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. The proposed project site was previously utilized for agricultural production. No mineral resources have been identified on the proposed project site by the *Oxnard 2020 General Plan*. No impact is anticipated.

The project site is located inside the Oxnard Oil Field. The Oxnard 2020 General Plan EIR discussed mitigation measures that would reduce the direct and cumulative impact on oil fields and mineral resources to a less than significant level. Mitigation measures for impact on oil fields include specialized production techniques that would limit the land area used for oil recovery and allow extraction of oil from adjacent sites. Another mitigation measure for oil is capping and sealing all future and existing abandoned wells. Since there are no active oil wells adjacent to or on the project site, these measures are not necessary and the impact is less than significant.

- 2) The NECSP EIR did not identify impacts on locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. No mineral resources have been identified on the proposed project site by the *Oxnard 2020 General Plan* or the NECSP. No impact will occur.

Mitigation: None required.

Monitoring: None required.

Result after mitigation: Not applicable.

Northeast Community Specific Plan
 William Lyon Homes Tentative Tract Map No. 5228
 Mitigated Negative Declaration, MND # 00-38
 November 2000

K. NOISE

Less Than
 Significant
 With
 Mitigation

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| <p>1. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (2020 General Plan, IX - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)</p> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>2. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (2020 General Plan, IX - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>3. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (2020 General Plan, IX - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>4. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project? (2020 General Plan, IX - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)</p> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (2020 General Plan, IX - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

- 1) According to the California Noise/Land Use Compatibility Matrix, residential land uses experiencing noise levels greater than 65 Community Noise Equivalent Level (CNEL) are considered "conditionally acceptable" for new construction after detailed analysis of the noise reduction requirements are made and needed noise insulation features in the design are determined. A noise assessment study stated that conventional construction, with closed windows and fresh air supply systems or air conditioning will normally suffice⁶. The NECSP EIR included the following mitigation measure:

Mitigation Measure

23. Noise walls and/or setbacks of 100 feet from Gonzales Road and Rose Avenue will be required for the planned adjacent residences.

Mestre Greve Associates, *Noise Assessment for Northeast Community, Parcel 1 and Parcel 2*, July 19, 2000.

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

The noise assessment study stated that 5.5 feet tall noise barriers and/or setbacks from Gonzales Road should be required for residences adjacent to Gonzales Road. 5 feet tall noise barriers and/or setbacks of from Rose Avenue should be required for the houses adjacent to Rose Avenue. The noise walls can consist of a berm, wall, or a combination of berm and wall. The study also stated that the wall should not contain holes or gaps and should be constructed of slumpstone or other masonry materials.

The study suggested another mitigation measure. Buildings, particularly the nearest homes along Gonzales Road and Rose Avenue, exposed to noise levels greater than 57 CNEL will meet the 45 CNEL interior noise standard only with windows closed. The following mitigation measure would reduce this impact to a less than significant level:

Mitigation Measure

24. All residential lots and dwellings shall be sound attenuated against present and projected noise, which shall be the sum of all noise impacting the project, so as not to exceed an exterior noise standard of 65 dB CNEL in outdoor living areas and an interior standard of 45 dB CNEL in all habitable rooms. Evidence demonstrating that these standards will be satisfied in a manner consistent with applicable zoning regulation shall be submitted as follows:

- Prior to the recordation of a final tract map, an Acoustical Analysis Report shall be submitted to the Manager of Oxnard Planning and Environmental Services Division for approval. The report shall describe in detail the exterior noise environment and preliminary mitigation measures. Acoustical design features to achieve interior noise standards may be included in the report;
- Prior to the issuance of any building permits, all freestanding acoustical barriers must be shown on the project plot plan illustrating height, location, and construction in a manner meeting the approval of the Manager of Oxnard Planning and Environmental Services Division; and
- Prior to the issuance of any Certificates of Use and Occupancy, field testing in accordance with Title 25 regulations may be required by the Manager of Building Inspection Division, to verify compliance with STC and IIC design standards.

In particular, the noise assessment study recommended mechanical ventilation for all homes that experience 57 CNEL due to Rose Avenue and Gonzales Road. With the implementation of the mitigation measure above, no significant impact will occur.

- 2) Significant groundborne vibrations and noises are normally caused by pile driving as a part of the construction activities. The proposed project involves residential development that would normally not require pile driving. As such, no significant impacts are expected.
- 3) The NECSP EIR stated that permanent increases in ambient noise levels in the project vicinity above existing levels would be significant with or without the NECSP. The noise assessment study concluded that the proposed project itself will contribute slightly, but insignificantly, to the ultimate future noise levels. No adverse impacts are anticipated due to the proposed project. The noise assessment study attributed the noise increase primarily to regional noise increase due to future development in the area, and the noise will increase slowly over the years. No new impact or a substantial increase in the severity of impacts identified in the NECSP EIR will occur.

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

- 4) The NECSP EIR found potential impacts related to construction noise and mitigation measures that would reduce the impact to a less than significant level. A short-term increase in noise levels would be generated by construction activities. However, this increase would be temporary in nature. With the implementation of the mitigation measure found in the NECSP EIR and with additional provision suggested in the noise assessment study, below, no significant impact will result.

Mitigation Measure

25. The developer will be required to limit construction activities to weekdays and Saturdays from 7:00 A.M. and 7:00 P.M. No construction should be allowed on Sunday or federal holidays.
- 5) The project site is not located within the noise contours of the nearest airport, which is the Oxnard Airport. No impacts will occur.

Mitigation: Mitigation Measures 23-25.

Monitoring:

Oxnard Code Enforcement:

- Mitigation Measure 25: Field Inspection during construction.

Oxnard Development Services Department:

- Mitigation Measure 23: Review and approve site specific acoustical studies prior to building permit approval.
- Mitigation Measure 24: Review and approve site specific acoustical studies prior to building permit approval.

Result after mitigation: Less than significant.

Northeast Community Specific Plan
 William Lyon Homes Tentative Tract Map No. 5228
 Mitigated Negative Declaration, MND # 00-38
 November 2000

L. POPULATION AND HOUSING

Less Than
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| <p>1. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through an extension of roads or other infra-structure)? (2020 General Plan, IV - Growth Management Element, V - Land Use Element, XIII - Housing Element, FEIR 88-3, 4.2 - Population, Housing and Employment, 5.0 - Growth-Inducing Impacts)</p> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (2020 General Plan, IV - Growth Management Element, V - Land Use Element, XIII - Housing Element, FEIR 88-3, 4.2 - Population, Housing and Employment, 5.0 - Growth-Inducing Impacts)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (2020 General Plan, IV - Growth Management Element, V - Land Use Element, XIII - Housing Element, FEIR 88-3, 4.2 - Population, Housing and Employment, 5.0 - Growth-Inducing Impacts)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

- 1) The NECSP EIR stated that the proposed project will induce substantial population and job growth in the NECSP area. However, the proposed project will not cumulatively exceed official regional or local population projections. The proposed project is consistent with the *Oxnard 2020 General Plan* and the NECSP population projections. The proposed project will not have a significant impact on population projection.

The proposed project consists of the development of 199 residential units on 37.39 gross acres. As required by the NECSP EIR, the proposed project is consistent with the *Oxnard 2020 General Plan* and the NECSP housing estimates. The proposed project will not have an impact on housing projections.

The proposed project will generate an insignificant number of new employment opportunities. A relatively small number of construction jobs will be generated during the proposed project. These jobs will terminate after the proposed project has been completed. No significant change is anticipated in the City's employment base. No impact is anticipated. The proposed project will not have a significant impact on population growth.

- 2) Displacement of housing was not identified as an impact in the NECSP EIR. The proposed project will not displace homes. The proposed project site is vacant land. No impacts related to the displacement of housing will occur.

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

- 3) Displacement of people was not identified as an impact in the NECSP EIR. The proposed project will not displace people. The proposed project site is vacant land. No impacts related to the displacement of population will result.

Mitigation: None required.

Monitoring: None required.

Result after mitigation: Not applicable.

Northeast Community Specific Plan
 William Lyon Homes Tentative Tract Map No. 5228
 Mitigated Negative Declaration, MND # 00-38
 November 2000

M. PUBLIC SERVICES*

		Less Than Significant With Mitigation		
1. Fire protection? (2020 General Plan, VIB - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Police protection? (2020 General Plan, VIB - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Schools? (2020 General Plan, VIB - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Parks? (2020 General Plan, VIB - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Other public facilities? (2020 General Plan, VIB - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

* Include potential effects associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services.

Discussion:

- 1) The proposed project may have an impact on the provision of fire protection services. Fire protection services, including medical calls, are provided to the project by the City of Oxnard Fire Department. The project site is currently vacant. The development of the proposed project will introduce structures and people to the project site that would require fire protection or emergency services. NECSP EIR stated that increased development in the NECSP Area will impact fire protection services.

Other mitigation measures included in the NECSP EIR are as follows:

Mitigation Measure

26. All new construction shall be equipped with fire sprinklers.

27. All development plans shall be subject to City of Oxnard Fire Department review for emergency access, adequate fire flow, provision of hydrants and fire detection and alarm equipment.

Based on the mitigation measures provided in the NECSP EIR, the proposed project impacts related to fire protection will be mitigated to a less than significant level.

- 2) The proposed project will have less than significant impact on the provision of police protection services. Police services are provided to the project by the City of Oxnard Police Department. The project site is currently vacant. The development of the proposed project will introduce structures and people to the project site that will require police protection or other services provided by the City

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

Police Department. NECSP EIR stated that increased development in the NECSP Area will impact police services.

The NECSP EIR included mitigation measures that are as follows:

Mitigation Measure

28. Future construction shall comply with all recommendations of the City of Oxnard Police Department relative to building security design (doors, locks, access, visibility) prior to approval of final plans.
29. The Oxnard Police Department should be included in the plan check process to enable the Department to recommend specific improvements that will enhance crime prevention for the project and allow for the police to better plan for calls that may be generated by the development.

Based on the mitigation measures above provided in NECSP EIR, the proposed project impacts related to police protection will be mitigated to a less than significant level.

- 3) According to the NECSP EIR, the proposed project will have an impact on the public school system that can be mitigated to a less than significant level. The development of the proposed project will introduce people to the project site that require school facilities and services. A "School Facility Agreement" has been executed between landowners with the NECSP Area, the City of Oxnard, the Oxnard Union High School District, the Rio School District, and the Oxnard School District. This Agreement outlines different financial arrangements in the form of fee and fee liens for each school district. The NECSP Mitigation Monitoring Program listed the following mitigation measure:

Mitigation Measure

30. The City of Oxnard will require all signatories to the School Facility Agreement to act in conformance with the Agreement prior to the issuance of building permits. The City will prepare all reports and phasing plans required by the *Oxnard 2020 General Plan* and will use the annual reports from the Oxnard Union High School District, the Rio School District, and the Oxnard School District that are required under the agreement. This will allow the City to continuously monitor the development of the Northeast Community Specific Plan and the provisions of school facilities for the students generated with the Plan Area. The City can then determine the phasing of development consistent with the requirements of the Growth Management Element of the *Oxnard 2020 General Plan*.

Based on the mitigation measures provided in the NECSP EIR, the proposed project impacts related to school facilities and services will be mitigated to a less than significant level.

- 4) There are two neighborhood parks designated in the NECSP Area., one each in the West Village and the East Village. Each neighborhood park is integrated into the adjacent elementary school and is utilized as a recreation facility and to formalize the neighborhood design. The West Village park site is located to the west and to the south of the proposed project. No park site will be located on the

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

proposed project site. With the implementation of the mitigation below, less than significant impact will result.

Mitigation Measure

- 31. The developer will be required to pay Quimby Fees on a per unit basis consistent with the City Code.
- 5) The proposed project will not impact public facilities. Impacts related to roads and the circulation system are discussed in Section O., Transportation/Traffic of this Initial Study.

Mitigation: Mitigation Measures 26-31.

Monitoring:

Oxnard Development Services Department:

- Mitigation Measure 29: Building Plan Check prior to site specific project approval.
- Mitigation Measure 30: Obtain annual reports from the school districts prior to building permit approval.

Oxnard Fire Department:

- Mitigation Measure 26: Building Plan Check prior to building permit approval.
- Mitigation Measure 27: Building Plan Check prior to site specific project approval.

Oxnard Police Department:

- Mitigation Measure 28: Building Plan Check prior to site specific project approval.
- Mitigation Measure 29: Building Plan Check prior to site specific project approval.

Oxnard Parks Division:

- Mitigation Measure 31: Obtain fee prior to the issuance of building permits.

School Districts (El Rio, Oxnard, and Oxnard Unified):

- Mitigation Measure 30: Submit annual reports to Oxnard Development Services Department prior to building permit approval.

Result after mitigation: Less than significant.

*Northeast Community Specific Plan
 William Lyon Homes Tentative Tract Map No. 5228
 Mitigated Negative Declaration, MND # 00-38
 November 2000*

N. RECREATION

	Less Than Significant With Mitigation			
1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (2020 General Plan, XII - Parks and Recreation Element; FEIR 88-3, 4.12 - Aesthetic Resources, 4.13 - Parks and Recreation Services)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (2020 General Plan, XII - Parks and Recreation Element; FEIR 88-3, 4.12 - Aesthetic Resources, 4.13 - Parks and Recreation Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- 1) The NECSP EIR did not identify impacts related to the use of parks. The proposed project will increase the use of existing neighborhood and regional parks or other recreational facilities. The increase will not be such that substantial physical deterioration of the facility would occur or be accelerated. The proposed project will be required to pay fees in accordance with City standards. With the implementation of Mitigation Measure 31 in Section M. Public Services, less than significant impact will occur.
- 2) The proposed project will not include recreational facilities. The new facilities proposed do not or require the construction or expansion of public recreational facilities. Recreation facilities have been planned for the NECSP Area. These facilities include a northwest park site located to the west of the proposed project site. No facilities are depicted on the NECSP on the proposed project site. No impact will result.

Mitigation: None required.

Monitoring: None required.

Result after mitigation: Not applicable.

Northeast Community Specific Plan
 William Lyon Homes Tentative Tract Map No. 5228
 Mitigated Negative Declaration, MND # 00-38
 November 2000

O. TRANSPORTATION/TRAFFIC

		Less Than Significant With Mitigation		
1. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (2020 General Plan, VIA - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highways? (2020 General Plan, VIA - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Result in a change in traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (2020 General Plan, VIA - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous inter-sections) or incompatible uses (e.g., farm equip-ment)? (2020 General Plan, VIA - Circulation Element; FEIR 88-3, 4.3 - Transportation/ Circulation)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Result in inadequate emergency access? (2020 General Plan, VIA - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Result in inadequate parking capacity? (Zone Ordinance - Parking Regulations and Parking Lot Design Standards)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Bicycle Facilities Master Plan)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- 1) The NECSP EIR concluded that that projected cumulative traffic volumes will cause traffic impacts on three intersections during the AM peak hour and fourteen intersections during the PM peak hour. Build out of the NECSP will have an impact on 10 intersections which are projected to operate at an acceptable level of service prior to the addition of the NECSP traffic volume and 10 intersections which are projected to operate at an unacceptable level of service prior to the addition of NECSP traffic volume.

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

The NECSP EIR required the preparation of individual traffic impact analysis (TIA) reports to identify any project impacts outside the original analysis contained in the NECSP EIR. A traffic study, included in this Initial Study as Appendix B, was prepared by Austin-Foust Associates to assess the proposed project's traffic impacts. The proposed project, identified as Parcel 2 in the traffic study, is estimated to generate 1,900 trips, of which 143 will be generated during the AM peak hour and 193 will be generated during the PM peak hour. The project is expected to have an impact on the intersection of Rose Avenue and Gonzales Road at the build out of the project. The traffic study recommended adding a third southbound through lane that would result in an acceptable LOS B for the intersection.

With the implementation of the following mitigation measure included in the NECSP EIR, impacts will be reduced to a less than significant level.

Mitigation Measure

32. The developer will add a third southbound through lane to the intersection of Rose Avenue and Gonzales Road.
33. The project's fair share contribution toward alleviating future deficiencies of the intersections in the project area through payment of the City's traffic impact fees and participation in assessment districts to construct the Oxnard/Gonzales Road flyovers and to reconstruct the Rose Avenue and Rice Avenue interchanges would satisfy the City's mitigation measures.

The project will have impacts on the regional circulation system that can be mitigated to a less than significant level. Based on the *Ventura County General Plan*, a project's impacts must be assessed if at least 10 percent of the project traffic and on peak hour trip are generated onto specified County roadways. The project will have an impact on U.S. 101 west of the City of Oxnard and east of Rice Avenue. The traffic study recommended the following mitigation:

Mitigation Measure

34. The project will participate in the County Traffic Fee Program to mitigate potential significant impacts to the County Traffic Fee Program to mitigate potential significant impacts to the County roadways. The traffic impact fee paid by the proposed projects should take into consideration project participation in improvements to regionally significant roadways within the City of Oxnard.

In addition, cumulative impacts to U.S. 101 will be mitigated by improvements funded through the collection of gas taxes and motor vehicle registration fees, to which new residents of proposed project will contribute. Given the above, no impacts are expected.

- 2) See discussion under Topic 1 of this section.
- 3) The NECSP EIR did not identify any impacts that would result in substantial safety risks. The project will not result in significant impacts due to a change in traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. Topic 1 of this section addresses traffic volume and associated mitigation measures. The project includes the construction of street improvements along Rose Avenue and Gonzales Road and new streets on the project site. The

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

construction of streets on the project site is not expected to be pose significant risk because these streets would not be utilized until after their completion. Given these, no significant impacts will result.

- 4) The NECSP EIR did not identify any hazards due to a design feature or incompatible uses. The proposed project is consistent with the land use pattern outlined in the NECSP. No impact will occur.
- 5) The proposed project will not result in inadequate emergency access. Rose Avenue is a primary arterial that leads directly to the U.S. 101. Gonzales Road is a designated evacuation route⁷. No impact is anticipated.
- 6) The proposed project will provide off-street on-site parking to serve the individual residential units. Therefore, the proposed project will not result in an inadequate parking, and no impact will result.
- 7) The proposed project will not result in conflicts with adopted policies, plans, or programs supporting alternative transportation. No impact is anticipated. The project site is served by South Coast Area Transit (SCAT) on Gonzales Road, Rose Avenue, and Camino del Sol Road⁸. The project site is also adjacent to bike lanes on Rose Avenue and Gonzales Road⁹.

Mitigation: Mitigation Measure 32-34

Monitoring:

Developer:

- Mitigation Measure 32: Construct a third southbound through lane to the intersection of Rose Avenue and Gonzales Road.

Oxnard Traffic and Transportation Manager:

- Mitigation Measure 32: Verify the construction of a third southbound through lane to the intersection of Rose Avenue and Gonzales prior to building permit approval.
- Mitigation Measure 33: Obtain traffic impact fees prior to building permit approval.

Ventura County Traffic and Transportation Manager:

- Mitigation Measure 34: Obtain traffic impact fees prior to building permit approval.

Result after mitigation: Less than significant.

⁷ Figure VIII-1, *City of Oxnard 2020 General Plan*, 1990.

⁸ South Coast Area Transit Bus Map (<http://www.scat.org/maps/maps.htm>), September 2000.

⁹ Figure VIA-4, *City of Oxnard 2020 General Plan*, 1990.

*Northeast Community Specific Plan
 William Lyon Homes Tentative Tract Map No. 5228
 Mitigated Negative Declaration, MND # 00-38
 November 2000*

P. UTILITIES AND SERVICE SYSTEMS

Less Than
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| 1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (2020 General Plan, VIB - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (2020 General Plan, VIB - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (2020 General Plan, VIB - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (2020 General Plan, VIB - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (2020 General Plan, VIB - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (2020 General Plan, VIB - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Comply with federal, state, and local statutes and regulations related to solid waste? (2020 General Plan, VIB - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

- 1) The NECSP EIR did not identify impacts related to the violation of wastewater requirements of the applicable Regional Water Quality Control Board. The proposed project is in an existing urban

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

environment. Wastewater facilities and services are available for the proposed project. Furthermore, the NECSP EIR required detailed sewer system calculations and plans for each project within the Specific Plan. These plans have been prepared and have been submitted for review and consideration by the City with the application or the approval of the Tentative Tract Map No. 5228. No impact is anticipated.

- 2) The proposed project will not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. The NECSP EIR stated that the build out of the NECSP will use less water than the current agricultural use on the project site. The NECSP EIR also stated that the sewer needs generated by the NECSP will be 858,514 gallons of wastewater per day or less than 3 percent of the treatment plant capacity. It is expected that water and wastewater facilities and services are available for the proposed project. Given that the proposed project is consistent with the NECSP, no impact is anticipated.
- 3) The NECSP EIR did not find a significant impact on storm water drainage facilities. The proposed project will have an impact on existing storm water drainage that will be mitigated to a less than significant level. The NECSP EIR required detailed storm drain system calculations and plans for each project within the NECSP. These plans have been prepared and have been submitted for review and consideration by the City with the application or the approval of the Tentative Tract Map No. 5228. No impact will result.

Furthermore, the NECSP EIR required the proposed project to comply with the storm water runoff rates as specified by the City of Oxnard Public Works Department. The NECSP EIR stated that detention basins may be required. The proposed project includes a detention basin and storm drain plans that will be reviewed by the City for conformance with Public Works standards and policies. The NECSP EIR further identified the following mitigation measure:

Mitigation Measure

35. Any developer required to construct a detention basin shall execute a detention basin agreement with standard covenants for perpetual maintenance by the property owner.

The agreement may take the form of a Landscape Maintenance District. Given these, no impact is anticipated.

- 4) The NECSP EIR stated that the NECSP would have no significant impact on the ability of utility companies to provide service. The proposed project will have a less than significant impact on water supplies available to serve the project from existing entitlements and resources. The NECSP EIR stated that water usage of the NECSP will be less than the current agricultural uses.

Furthermore, the NECSP Final EIR indicates that the completed distribution system should be capable of providing domestic and fire hydrant flows at operating pressures specific by the Fire and Public Works Departments. Development on a parcel by parcel basis will require special attention during design. Large demands or increased pressure needs may require looped systems or oversized lines.

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

During the preparation of the Tentative Tract Maps No. 5228 the developer met with the Fire and Public Works Departments. The maps have been prepared in accordance with the requirements of these City departments. No impacts will occur.

- 5) The NECSP EIR stated that the NECSP would have no significant impact on the ability of utility companies to provide service. The proposed project will have a less than significant impact on the wastewater treatment. In accordance with NECSP EIR, the developer will provided detailed sewer system calculations and plan to the Public Works Department during the preparation of the Tentative Tract Map No. 5228. No impact will result.
- 6) The NECSP EIR stated that the NECSP would have no significant impact on the ability of utility companies to provide service. The proposed project will have a less than significant impact on solid waste disposal. The proposed project will create a demand for solid waste disposal. The NECSP EIR identified the following mitigation measure:

Mitigation Measure

36. Implementation of appropriate source reduction and recycling activities, in conjunction with City of Oxnard programs, will mitigate the increase generation of disposal wastes from the development of the NECSP.

The proposed project is in an existing urban environment and will incorporate appropriate source reduction and recycling activities. No impact will result when the project implements the mitigation measure above.

- 7) The proposed project will not have an impact on federal, state, and local statutes and regulation related to solid waste. The proposed project is in an existing urban environment and will incorporate appropriate source reduction and recycling activities. No impact will result when the project implements the mitigation measure above in Topic 6.

Mitigation: Mitigation Measures 35 and 36.

Monitoring:

Oxnard Development Services:

- Mitigation Measure 35: Signed Agreement prior to site specific approval.

Oxnard Recycling Officer:

- Mitigation Measure 36: Plan Check and Field Inspection on an on-going basis.

Result after mitigation: Less than significant.

*Northeast Community Specific Plan
 William Lyon Homes Tentative Tract Map No. 5228
 Mitigated Negative Declaration, MND # 00-38
 November 2000*

Q. MANDATORY FINDINGS OF SIGNIFICANCE

Less Than Significant With Mitigation

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| <p>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 rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>2. 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 effects of other current projects, and the effects of probable future projects)?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>3. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

- 1) The NECSP EIR found no significant impact related to biological or cultural resources. The project site has been previously used for row crop agriculture and is devoid of mature vegetation and wildlife. Implementation of the project will not impact biological resources. Likewise, no impact on cultural resources is anticipated. See Section D, Biological Resources, and Section E, Cultural Resources.
- 2) The project, when viewed in connection with other past projects, effects of other current projects, and the effects of probable future projects, is not expected to result in long-term impacts considered to be cumulatively considerable. Cumulative impacts have been considered under the NECSP EIR and the Oxnard 2020 General Plan EIR and have been found to be less than significant or less than significant with incorporated mitigation measures. See Section C, Air Quality; Section E, Cultural Resources; Section F, Geology and Soil; Section H, Hydrology and Water Quality; Section K, Noise; Section L, Population and Housing; Section M, Public Services; Section O, Transportation/Circulation; and Section P, Utilities and Service Systems, for explanation on mitigation measures. Where analysis at the time each individual projects are proposed is required, cumulative impacts have also been examined in previous sections and found to be less than significant.
- 3) The project will have a less than significant impact on human health. No adverse environmental effects on humans may occur indirectly or directly as a result of the proposed project. The project site is located in an area that already does not meet federal air quality standards. Construction emissions are considered less than significant because they are temporary in nature. As discussed in Section C, Air Quality of this Initial Study and the NECSP EIR, cumulative air quality impacts, with the implementation of the mitigation measures, are not considered significant for the proposed project.

*Northeast Community Specific Plan
William Lyon Homes Tentative Tract Map No. 5228
Mitigated Negative Declaration, MND # 00-38
November 2000*

This is because the project is consistent with the NECSP and the *Oxnard 2020 General Plan*, the EIRs of which have found the cumulative air quality impacts to be less than significant.

SUMMARY OF POTENTIALLY SIGNIFICANT EFFECTS

The proposed project involves residential development of the site and is proposed in furtherance of the Northeast Community Specific Plan. The information and analysis in this Initial Study demonstrates that the proposed project will not result in any new significant impacts not identified in the NECSP EIR. Applicable mitigation measures from the NECSP EIR have been incorporated into this initial study. With the implementation of the 36 mitigation measures in this Initial Study, no significant impacts will result. This Initial Study will serve as a Mitigated Negative Declaration.

ADDITIONAL REFERENCES

1. California, State of, Governor's Office, Office of Planning and Research, Office of Permit Assistance, *Hazardous Waste and Substances Sites - List Pursuant to AB 3750*. Current Edition
2. California, State of, Office of Planning and Research, CEQA: *California Environmental Quality Act; Statutes and Guidelines*, Sacramento, California: 2000.
3. California, State of, Office of Planning and Research, *State Planning and Zoning Laws and Subdivision Map Act*, 1990
4. City of Oxnard, The Municipal Code of the City of Oxnard, *Zoning Ordinance*, current edition
5. City of Oxnard, Community Development Department, Planning Division, *Zone Maps*, current edition
6. City of Oxnard, Fire Department, *Fire Protection Planning Guide*, January 1990
7. Ventura County Air Pollution Control District, *Final Air Quality Management Plan*, February 1991
8. Ventura County Air Pollution Control District, *Guidelines for the Preparation of Air Quality Impact Analysis*, 1988
9. City of Oxnard, Public Works Department, *Master Sewer Plan*, current edition
10. City of Oxnard, Public Works Department, *Master Drainage Plan*, current edition
11. City of Oxnard, Public Works Department, *Master Water Plan*, current edition
12. UCLA Archaeological Information Center, *California Archaeological Inventory - Regional Information Center*, Fowler Museum of Cultural History, Los Angeles, California, 1990
13. Ventura County Airport Land Use Commission, *Oxnard Airport Master Land Use Plan*, 1990
14. Ventura County Cultural Heritage Board, *Ventura County Historical Landmarks & Points of Interest—August 1991*, Ventura County Recreation Services.

RESOLUTION

RESOLUTION OF THE BOARD OF DIRECTORS OF
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA
CONSENTING TO CALLEGUAS' ANNEXATION NO. 69
AND FIXING THE TERMS AND CONDITIONS OF SAID ANNEXATION TO
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

A. WHEREAS, the Board of Directors of the Calleguas Municipal Water District (Calleguas), a municipal water district, situated in the County of Ventura, State of California, pursuant to Resolution No. 1256, adopted September 6, 2000, in accordance with the provisions of the Metropolitan Water District Act, has applied to the Board of Directors of The Metropolitan Water District of Southern California (Metropolitan) for consent to annex thereto certain uninhabited territory situated in the County of Ventura, particularly described in an attachment to the Ventura Local Agency Formation Commission Resolution, concurrently with the annexation thereof to Calleguas, such annexation to Metropolitan to be upon such terms and conditions as may be fixed by the Board of Directors of Metropolitan; and

B. WHEREAS, completion of said annexation shall be conditioned upon approval by the Ventura Local Agency Formation Commission; and

C. WHEREAS, the Board of Directors of Metropolitan has reviewed and considered the information contained in the Mitigated Negative Declaration, which was tiered off from the previously certified 1993 Northeast Community Specific Plan Final Environmental Impact Report, and Notice of Determination, prepared and adopted by the city of Oxnard for the proposed Annexation No. 69; and

D. WHEREAS, it appears to this Board of Directors that such application should be granted, subject to the terms and conditions hereinafter set forth.

E. NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of Metropolitan, acting as a Responsible Agency, has reviewed and considered the information contained in the Mitigated Negative Declaration and Notice of Determination and adopted the Lead Agency's findings; and subject to the following terms and conditions, does hereby grant the application of the governing body of Calleguas for consent to annex Annexation No. 69 to Metropolitan and does hereby fix the terms and conditions of such annexation:

Section 1.

The annexation of said area to Calleguas shall be made concurrently with the annexation thereof to Metropolitan, and all necessary certificates, statements, maps, and other documents required to be filed by or on behalf of Calleguas to effectuate the annexation shall be filed on or before December 31, 2002.

Section 2.

Prior to filing a request for a Certificate of Completion of the annexation proceedings with the Ventura Local Agency Formation Commission, Calleguas shall pay to Metropolitan, in cash the sum of \$159,973.40, if the annexation is completed by December 31, 2001. If the annexation is completed during the 2002 calendar year, the annexation charge will be calculated based on the then current rate.

Section 3.

All necessary steps (including without limitation, pursuant to Article XIII D of the California Constitution) for imposition of Metropolitan water standby charges in the amount of \$9.58 per acre or per parcel of less than one acre for fiscal year 2000/01 shall be completed.

Section 4.

a. Metropolitan shall be under no obligation to provide, construct, operate, or maintain feeder pipelines, structures, connections, and other facilities required for the delivery of water to said area from works owned or operated by Metropolitan.

b. Calleguas shall not be entitled to demand that Metropolitan deliver water to Calleguas for use, directly or indirectly, within said area, except for domestic or municipal use therein.

c. The delivery of all water by Metropolitan, regardless of the nature and time of use of such water shall be subject to regulations promulgated from time to time by Metropolitan.

d. Except upon the terms and conditions specifically approved by the Board of Directors of Metropolitan, water sold and delivered by Metropolitan shall not be used in any manner which intentionally or avoidably results in the direct or indirect benefit of areas outside Metropolitan, including use of such water outside Metropolitan or use thereof within Metropolitan in substitution for other water outside Metropolitan.

F. BE IT FURTHER RESOLVED that the Executive Secretary be, and she hereby is, directed to transmit forthwith to the governing body of Calleguas a certified copy of this resolution.

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of a resolution adopted by the Board of Directors of The Metropolitan Water District of Southern California at its meeting held June 12, 2001.

Executive Secretary
The Metropolitan Water District
of Southern California

RESOLUTION

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE METROPOLITAN WATER DISTRICT OF
SOUTHERN CALIFORNIA
FIXING AND ADOPTING WATER STANDBY CHARGE
CONTINGENT UPON CALLEGUAS
ANNEXATION NO. 69

WHEREAS, pursuant to Resolution 8731, adopted by the Board of Directors (the "Board") of The Metropolitan Water District of Southern California ("Metropolitan") at its regular meeting held March 13, 2001, the Board gave notice to the public and to each member public agency of Metropolitan of the intention of the Board to consider and take action on the Chief Executive Officer's recommendation to impose a water standby charge for fiscal year 2000-2001 on the property described in the Engineer's Report, dated January 2001 (the "Engineer's Report"), which was prepared by a registered professional engineer certified by the State of California and was attached as Attachment A to Resolution 8731;

WHEREAS, the owner of the parcel identified in the Engineer's Report has applied for annexation into the Calleguas Municipal Water District ("Calleguas") and Metropolitan;

WHEREAS, upon annexation, Metropolitan water will be available to such property and such parcel will receive the benefit of the projects provided in part with proceeds of Metropolitan water standby charges, as described in the Engineer's Report;

WHEREAS, Calleguas has requested that Metropolitan impose water standby charges on such property at the rate specified in the Engineer's Report and provided herein, following annexation of such property into Metropolitan;

WHEREAS, Resolution 8731 provides that the Board would meet in regular session to hold a public protest hearing at which interested parties could present their views regarding the proposed water standby charges and the Engineer's Report;

WHEREAS, pursuant to the terms of Resolution 8731 the Executive Secretary provided written notice in accordance with the requirements of Article XIII D, Section 4 of the California Constitution of the proposed water standby charge by mail to the record owner of the property identified in the Engineer's Report of such public hearing, and the notice included an assessment ballot whereby the owner could indicate his or her name, reasonable identification of his or her parcel, and his or her support for or opposition to the proposed water standby charge;

WHEREAS, the Board conducted in conformance with Resolution No. 8731 a public hearing. The hearing was held May 15, 2001, at which interested parties were given the opportunity to present their views regarding the proposed water standby charge and the

Engineer's Report and to protest the charges, if they so desired, and the Board duly consider all such protests and other views presented to it at the public hearing; and

WHEREAS, prior to the conclusion of the public hearing the Executive Secretary reviewed the assessment ballot submitted at or before the hearing, and found that no majority protest (as defined in Article XIII D, Section 4 of the California Constitution) exists;

NOW THEREFORE, the Board of Directors of The Metropolitan Water District of Southern California does hereby resolve, determine and order as follows:

Section 1. That the Board of Metropolitan, pursuant to the Engineer's Report, finds that the land described in said Engineer's Report upon annexation to Metropolitan will be benefited as described in such report and on that basis, hereby fixes and adopts a water standby charge for fiscal year 2000-2001 on such lands to which Metropolitan water is made available for any purpose, whether water is actually used or not.

Section 2. That the water standby charge per acre of land, or per parcel of land less than an acre, as shown in the Engineer's Report, shall be \$9.58, which is equal to the amount of Metropolitan's existing water standby charge on other properties located within the territory of Calleguas.

Section 3. That no water standby charge on any parcel exceeds the reasonable cost of the proportional special benefit conferred on that parcel, as shown in the Engineer's Report. The Engineer's Report separates the special benefits from the general benefits and identifies each of the parcel on which a special benefit is conferred.

Section 4. That the water standby charge shall be collected on the tax rolls, together with the ad valorem property taxes which are levied by Metropolitan for the payment of pre-1978 voter-approved indebtedness. Any amounts so collected shall be applied as a credit against Calleguas' obligation to pay its readiness-to-serve charge for fiscal year 2000-01. After such member agency's readiness-to-serve charge allocation is fully satisfied, any additional collections shall be credited to other outstanding obligations of such member agency to Metropolitan or future readiness-to-serve obligations of such agency.

Section 5. That the water standby charge is fixed and adopted contingent upon completion of annexation of the land described in the Engineer's Report. If such annexation is not completed in time to permit imposition of standby charges for fiscal year 2000-2001, Metropolitan may levy standby charges at the rate stated in this Resolution beginning in a subsequent fiscal year.

Section 6. That in the event that the water standby charge, or any portion thereof, is determined to be an unauthorized or invalid fee, charge or assessment by a final judgment in any proceeding at law or in equity, which judgment is not subject to appeal, or if the collection of the water standby charge shall be permanently enjoined and appeals of such

injunction have been declined or exhausted, or if Metropolitan shall determine to rescind or revoke the water standby charge, then no further water standby charge shall be collected within the territory described in the Engineer's Report and Calleguas shall pay its readiness-to-serve charge obligation to Metropolitan in full, as if imposition of such water standby charges had never been sought.

Section 7. That this Board finds that the water standby charge provided in this Resolution is not subject to the provisions of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b)(4) as such action is not a project, and such charges merely constitute the creation of government funding mechanisms which do not involve commitment to any specific project which may result in a potentially significant physical impact on the environment.

Section 8. That the CEO is hereby authorized and directed to take all necessary action to secure the collection of the water standby charges by the appropriate county officials, including payment of the reasonable cost of collection.

Section 9. That the General Manager and General Counsel are hereby authorized to do all things necessary and desirable to accomplish the purposes of this Resolution, including, without limitation, the commencement or defense of litigation.

Section 10. That if any provision of this Resolution or the application to any member agency, property or person whatsoever is held invalid, that invalidity shall not affect the other provisions or applications of this Resolution which can be given effect without the invalid portion or application, and to that end the provisions of this Resolution are severable.

I HEREBY CERTIFY that the foregoing is a full, true and correct copy of a Resolution adopted by the Board of Directors of The Metropolitan Water District of Southern California, at its meeting held on June 12, 2001.

Executive Secretary
The Metropolitan Water District
of Southern California

Detailed Report – Calleguas Annexation No. 70

The Calleguas Municipal Water District (Calleguas) Board of Directors has requested formal terms and conditions for Annexation No. 70, concurrently to Calleguas and The Metropolitan Water District of Southern California (Metropolitan) by Resolution No. 1286, dated March 28, 2001 (Attachment 2-5). On March 13, 2001, Metropolitan's Board granted conditional (informal) approval and adopted a resolution of intent to impose water standby charges upon the annexing territory). Metropolitan's Board is being asked to grant formal approval by approving the Resolution Fixing Terms and Conditions, attached as Attachment 2-3.

Metropolitan's Administrative Code Section 3100(c)(3) currently requires that, prior to Metropolitan's granting formal approval for an annexation, a certified copy of a resolution approving the annexation be received from the Local Agency Formation Commission (LAFCO). Until recently, State law required that LAFCO designate a Conducting Authority to carry out boundary change modifications. However, on January 1, 2001, State legislation changed the procedure to require that LAFCO serve as the Conducting Authority in carrying out such activities. In this capacity, LAFCO now requires a certified copy of Metropolitan's resolution fixing annexation terms and conditions prior to issuance of its resolution of approval. Although your Board is being asked to grant formal approval for the subject annexation prior to receipt of Ventura LAFCO's resolution of approval, a certified copy of Ventura LAFCO's resolution approving the annexation will be on file with Metropolitan prior to the actual LAFCO recording and completion of this annexation.

The Board adopted a resolution of intention to impose water standby charges within the proposed Annexation No. 70 territory at its meeting on March 13, 2001. Pursuant to Resolution No. 8732, the Board held a public protest hearing. The hearing was held May 15, 2001, prior to consideration of formal approval of the proposed annexation. Interested parties presented their views regarding the proposed charges and the Engineer's Report. Also pursuant to Resolution No. 8732 and in accordance with the requirements of Article XIII D, Section 4, of the California Constitution, the Executive Secretary provided written notice, by mail, of such hearing to the owner of record of the parcel identified in the Engineer's Report. Enclosed in the mailed notice was an assessment ballot whereby the owner could indicate either support or opposition to the proposed water standby charge. No majority protest (as defined in Article XIII D, Section 4 of the California Constitution) was found to exist upon conclusion of the hearing. It will be requested that Metropolitan's Board consider and act upon the recommendation to adopt a second resolution (see Attachment 2-4 -- Resolution Fixing and Adopting Water Standby Charge), which imposes a Metropolitan water standby charge in the amount of \$9.58 per acre, or per parcel less than one acre, within the territory of Annexation No. 70 for Fiscal Year 2000/2001.

The annexation charge has been calculated pursuant to Section 3300 of Metropolitan's Administrative Code. Utilizing the current rate of \$3,460 per acre and the sum of \$5,000 for processing costs, the annexation charge is \$15,310.80, if completed by December 31, 2001. The \$5,000 processing charge has been paid. The annexation fee will be paid in cash. Completion of the annexation will be subject to such terms and conditions as may be fixed by the Board in granting formal consent to such annexation.

Approval of Metropolitan's water standby charge in the amount noted above, which is equal to the amount of Metropolitan's water standby charges imposed elsewhere within Calleguas' territory, is a condition to complete this annexation. Pursuant to the terms of the attached Resolution, if said annexation is not completed by July 1, 2001, Metropolitan may levy standby charges at the rate stated in this Resolution beginning in a subsequent fiscal year.

NOTICE OF DETERMINATION
Transmittal Memorandum
Environmental Filing Fee Receipt

Please complete the information below and submit one memorandum with each notice of determination to be filed.

Date: July 17, 2000

Lead Agency: City of Oxnard

County of Filing: Ventura

Project Title: Price & Metzger Industrial Building

Project Applicant Name: Price & Metzger

Project Applicant Address: PO Box 3083, Thousand Oaks, CA 91359

Project Applicant Phone Number: (805) 991-8215

Project Applicant is (check appropriate box):

- | | |
|--|--|
| <input type="checkbox"/> Local Public Agency | <input checked="" type="checkbox"/> Private Entity |
| <input type="checkbox"/> School District | <input type="checkbox"/> Other Special District |

Check Applicable Fees:

- Environmental Impact Report (\$850.00)
- Negative Declaration (\$1,250.00)
- County Administrative Fee (\$25.00)
- Project is Exempt from Fees
 - Categorically Exempt
 - Statutorily Exempt
- Filed by responsible agency, fees paid by the lead agency

Prepared by: Linda Windsor, Contract Planner
Please Print Name and Title

DO NOT WRITE BELOW THIS LINE

This portion to be completed by the County of Ventura, Office of the Clerk of the Board

STATE RECEIPT #: 94502

ND #: ND 2000-023

Total amount received: \$25

Signature of person receiving payment: Karel Placencia
Deputy County Clerk

FILED

AUG 09 2000

NOTICE OF DETERMINATION

RICHARD D. DEAN, County Clerk

To: Office of the County Clerk
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009-1320

Lead Agency: City of Oxnard
Planning and Environmental Services Division
305 West Third Street, 2nd Floor
Oxnard, CA 93030

By: *[Signature]*
Deputy County Clerk

Office of Planning & Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Project Title:
Price & Metzger Industrial Building (PZ 99-5-6)

Project Planner: Linda Windsor, Contract Planner
Phone Number: (805) 385-7858
State Clearinghouse Number: NA

Project Location:
1901 Eastman Avenue (east of Rose Avenue, north of East Fifth Street).

Project Description:
48,100 square foot multi-tenant industrial building with parking and landscaping.

This is to advise that the City of Oxnard has approved the above-described project on April 17, 2000 and has made the following determinations regarding the above-described project:

- 1. The project (will will not t) have a significant effect on the environment.
- 2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. :
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
- 3. Mitigation measures (were were not) made a condition of the approval for the project.
- 4. A Statement of Overriding Considerations (was was not) adopted for this project.

DE MINIMIS IMPACT FINDING:

Findings of exemption:

The project will have no impact, will not reduce the habitat of a fish or wildlife species, will not cause a fish or wildlife population to drop below self-sustaining levels, will not threaten to eliminate a plant or animal community and will not reduce the number of or restrict the range of a rare or endangered plant or animal.

CERTIFICATION:

I hereby certify that the lead agency has made the above finding and that based upon the initial study and hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

The Environmental Impact Report or Negative Declaration with comments and responses and record of project approval may be examined at the City of Oxnard, Planning and Environmental Services Division, 305 West Third Street, Oxnard, California 93030. Please call (805) 385-7858 to arrange a file review time.

[Signature]
Marilyn Miller, AICP
Planning and Environmental Services Manager

Date: 7/14/00 P 0900
RICHARD D. DEAN, County Clerk
By: *[Signature]*

NOTE: Authority recited: Section 21083, Public Resources Code; Reference: Sections 21109, 21152, and 21167, Public Resources Code

94502 2000-023
B 25 -



OXNARD PLANNING & ENVIRONMENTAL
SERVICES PROGRAM
305 WEST THIRD STREET
OXNARD, CALIFORNIA 93030

MITIGATED NEGATIVE DECLARATION NO. 00-06

On the basis of an initial study, and in accordance with Section 15070 of the Code of Regulations, it is proposed that the following project will not have a significant effect on the environment.

Planning and Zoning Permit No. 99-5-06, a request to construct a single story multi-tenant 48,100 square foot concrete tilt-up building on a 3 acre parcel zoned M-L (Limited Industrial) located on Eastman Avenue, west of Rose Avenue within the Northfield Seagate Specific Plan Area. Filed by Price & Metzger, P.O. Box 3083 Thousand Oaks, California 91359.

Attached is a copy of the initial study documenting the reasons to support the finding of no significant effect on the environment. Potentially and Less Than significant environmental effects are identified in the following areas: geology, air quality, transportation, and cultural resources.

Mitigation measures included in the project to avoid potentially significant effects are as follows:

1. All development on the project site is required to conform to the Uniform Building Code for seismic safety and is subject to City policies regarding seismic safety, including the requirement for a geotechnical investigation for new development containing two or more stories. All development is also subject to City policies which require implementation of certain measures for liquefaction impacts relative to foundation design and construction techniques. The geotechnical report will include recommendations for grading and foundation design to ensure stable footings beneath future buildings built on the site. All development is also subject to City policies which require implementation of certain measure for liquefaction impacts relative to foundation design and construction techniques.
2. Due to minimal land form relief, on-site grading requirements are expected to be minimal; however, most of the site is expected to be compacted and covered with new structure and driveways. Prior to grading, the developer and/or contractor will be required to submit a grading plan to the City of Oxnard for review and issuance of a grading permit. If required by the City, the applicant will provide a revised and up to date soils report.
3. Prior to building, the Developer and/or Contractor shall submit grading and drainage plans for approval by the Development Services program to ensure proper on- and off-site drainage controls that would adequately minimize on/off-site erosion potential. During construction, the developer and/or contractor will be required to minimize the dust created by construction equipment.

MND 00-06
PZ 99-5-06

4. The City shall require all construction equipment to be maintained and tuned to meet appropriate EPA and CARB emissions requirements. At such time as new emission control devices or operational modifications are found to be effective, such devices or operational modifications shall be required on all construction equipment operating pursuant to City permits.
5. During smog season (May through October), the construction period should be lengthened so as to minimize the number of vehicles and equipment operating at the same time.
6. Site dust suppression:
 - a. Watering all excavated material to prevent wind erosion while it is on-site or being moved;
 - b. Periodic watering of construction sites or use of APCD approved dust suppression compounds that bind with the surface layers of soil and prevent soil particles from being eroded;
 - c. Controlling the number and activity of vehicles on site at any given time;
 - d. Seeding areas to be left inactive for a long enough period to secure the soil, limiting the area excavated at any given time;
 - e. Limiting on-site vehicle traffic to 15 miles per hour; and
 - f. Sweeping streets adjacent to the construction site to remove dust caused by the construction activities.
7. All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds (i.e., greater than 15 miles per hour averaged over one hour) to prevent excessive amounts of fugitive dust.
8. All trucks that will haul excavated or graded material off-site shall comply with State Vehicle Code Section 23114, with special attention to Sections 23114(b)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
9. The applicant has voluntarily entered into an agreement wherein the applicant will mitigate the identified cumulative effect on traffic by binding himself and his successors in interest to supporting and voting in favor of an assessment district when proposed by the City of Oxnard for the purpose of constructing interchange improvements at U.S. 101 and Rice Avenue.
10. A registered Native American monitor shall be retained by the applicant/developer to be present during all subsurface grading, trenching or construction activities. This monitor shall be hired by the applicant/developer, subject to the approval by the Planning and

MND 00-06

PZ 99-5-06

Environmental Services Manager prior to issuance of any grading or building permits. Monthly reports shall be provided to the project planner on the activities carried out by the Native American monitor.

11. In the event any cultural resources are uncovered, work in the vicinity shall be temporarily suspended and a professional archaeologist retained to evaluate the discovery and determine the appropriate and necessary steps for successful compliance with all applicable regulations. The archeologist shall be hired by the applicant subject to approval by the Planning and Environmental Services Manager. All reports prepared by the archaeologist shall be provided to the project planner.

cc: Applicant
County Clerk

Attachment - Initial Study and Map



Planning & Environmental Services Division
305 W. Third St.
Oxnard CA 93030
805/385-7858
FAX 805/385-7417

INITIAL STUDY

Planning and Zoning Permit No. 99-5-6
Price and Metzger
MND 00-06
Eastman Avenue
January 31, 2000

Introduction

This *Initial Study* has been prepared in accordance with relevant provisions of the *California Environmental Quality Act (CEQA) of 1970*, as amended, and the *CEQA Guidelines* as revised through October 26, 1998.

Section 15063(c) of the *CEQA Guidelines* indicates that the purposes of an Initial Study are to:

1. Provide the Lead Agency (i.e., the City of Oxnard) with information to use as the basis for deciding whether to prepare an Environmental Impact Report (EIR) or Negative Declaration;
2. Enable an applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a Negative Declaration;
3. Assist the preparation of an EIR, if one is required, by:
 - a. Focusing the EIR on the effects determined to be significant;
 - b. Identifying the effects determined not to be significant;
 - c. Explaining the reasons why potentially significant effects would not be significant; and
 - d. Identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the project's environmental effects.
4. Facilitate environmental assessment early in the design of a project;
5. Provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment;
6. Eliminate unnecessary EIRs; and
7. Determine whether a previously prepared EIR could be used with the project.

The City of Oxnard *Threshold Guidelines - Initial Study Assessment* (February 1995) was used along with other pertinent information for preparing the *Initial Study* for this project.

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

Determining the significance of environmental impacts is a critical and often controversial aspect of the environmental review process. It is critical because a determination of significance may require that the project be substantially altered, or that mitigation measures be readily employed to avoid the impact or reduce it below the level of significance. If the impact cannot be reduced or avoided, an Environmental Impact Report (EIR) must be prepared. An EIR is a detailed statement that describes and analyzes the significant environmental impacts of a proposed project, discusses ways to reduce or avoid them, and suggests alternatives to the project, as proposed. The preparation of an EIR can be a costly and time-consuming process.

Determining the significance of impacts is often controversial because the decision requires staff to use their judgment regarding a subject that is not clearly defined by the law. The State CEQA *Guidelines* define the term "significant impact on the environment" as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project. However, there is no iron-clad definition of what constitutes a substantial change because the significance of an activity may vary according to location.

To help clarify and standardize decision-making in the environmental review process, Oxnard has developed thresholds of environmental significance. Thresholds are measures of environmental change that are quantitative for subjects like noise, air quality, and traffic; and qualitative for subjects like aesthetics, land use compatibility, and biology. These thresholds are used in the absence of other empirical data to define the significance of impacts. For some projects, however, special studies and/or the professional judgment of City staff may enter into the decision-making process. Therefore, Oxnard's thresholds are intended to serve as guidelines, and to augment existing CEQA provisions governing the definition of significance.

The City's environmental thresholds will be periodically updated as new information becomes available, or as standards regarding acceptable levels of environmental change are reevaluated. For example, the air quality thresholds adopted by Oxnard were established through State and Federal legislation. These standards, and the methodology used to compute them, may change over time. When this occurs, the City will evaluate the data and, if necessary, modify the thresholds to reflect improved awareness.

When other agencies have jurisdiction over a given site, the project proponent will have to meet the design, mitigation, and monitoring requirements imposed by those agencies, as well as any additional requirements established by the City of Oxnard.

CITY OF OXNARD

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

1. Project Title:
Price & Metzger
2. Lead Agency Name and Address:
City of Oxnard, Planning & Environmental Services Program, 305 West Third Street,
Oxnard, CA 93030
3. Contact Person and Phone Number:
Alejandro R. Herrera, AICP, Associate Planner (805) 385-7858
4. Project Location:
Eastman Avenue, east of Rose Avenue
5. Project Applicant Name and Address:
Mario Metzger
Price & Metzger
P.O. Box 3083
Thousand Oaks, California 91359
6. General Plan Designation:
Limited Industrial
7. Zoning:
M-L (Limited Manufacturing) is consistent with the Limited Industrial land use designation.
8. Description of Project:
A request to develop a single story multi-tenant 48,100 square foot concrete tilt-up building within the Northfield Seagate Specific Plan area.
9. Surrounding Land Uses and Setting:
The project is located in an area zoned M-L (Limited Manufacturing). The property to the north is zoned R-1, all other parcels surrounding the site are zoned M-L. Single family homes are located to the north of the subject site and a church is located to the east. Properties to the south and west of the subject site are undeveloped.
10. Other agencies whose approval is required (e.g. permits, financing approval, or participating agreement.): None.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

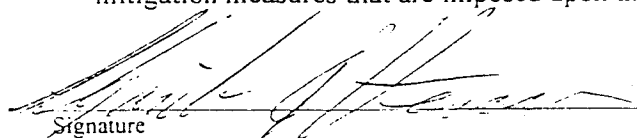
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- I find that although the project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.
- 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.
- 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

Alejandro R. Herrera, AICP
Printed Name

1-31-00
Date

Planning and Environmental Services
For

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers 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.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” cited in support of conclusions reached in other sections may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used—Identify and state where they are available for review.
 - b. Impacts Adequately Addressed—Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures—For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. The explanation of each issue should identify: a) The significance criteria or threshold, if any, used to evaluate each question; and b) The mitigation measure identified, if any, to reduce the impact to less than significance.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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I. AESTHETICS—Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista? (2020 General Plan, VII - Open Space/Conservation Element, XI - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (2020 General Plan, VII - Open Space/Conservation Element; XI - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? (2020 General Plan, VII - Open Space/Conservation Element, XI - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Create a source of substantial light or glare which would adversely affect day or nighttime views in the area? (2020 General Plan, VII - Open Space/Conservation Element, XI - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

The proposed building is contemporary in design and is similar to other buildings recently completed within the Northfield Seagate Specific Plan Area. Additionally, the project site has been anticipated for development and the project is in compliance with all applicable height, bulk, location requirements.

The project will create new light and glare due to the site being vacant. However, the site has been anticipated for development which, in and of itself, causes light and glare. In addition, there are no residential properties adjacent to the subject site. The light sources are required to comply with the City's requirements regarding land use compatibility, reduction of light spillover and avoiding the creation of hazards for motorists.

Mitigation:

Based on the above, the project does not present the potential for a significant adverse effect on the environment related to aesthetics. **No mitigation is necessary or required.**

II. AGRICULTURAL RESOURCES--Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.7 - Agricultural Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.7 - Agricultural Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.7 - Agricultural Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agricultural and farmland.

Discussion:

The proposed project is located in within the Northfield Seagate Specific Plan Area and is zoned M-L (Limited Manufacturing). It does not require or propose any modification in land use designation or zoning classification. The proposed use is consistent with the identified land use of 2020 General Plan, and the uses permitted within the Northfield Seagate Specific Plan Area and the M-L zone. Under the 2020 General Plan is site has been designated for development, the General Plan has also designated property with the City's Sphere of Influence as Open Space.

Mitigation:

Based on the above, the project does not represent the potential for a significant adverse effect on the environment related to agricultural resources.

No mitigation is necessary or required.

III. AIR QUALITY—Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (<i>FEIR 88-3, 4.5 - Air Quality; Ventura County APCD Guidelines for the Preparation of Air Quality Impact Analysis, Urbemis Computer Model, August 1998</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (<i>FEIR 88-3, 4.5 - Air Quality; Ventura County APCD Guidelines for the Preparation of Air Quality Impact Analysis, Urbemis Computer Model, August 1998</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (<i>FEIR 88-3, 4.5 - Air Quality; Ventura County APCD Guidelines for the Preparation of Air Quality Impact Analysis, Urbemis Computer Model, August 1998</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations? (<i>FEIR 88-3, 4.5 - Air Quality; Ventura County APCD Guidelines for the Preparation of Air Quality Impact Analysis, Urbemis Computer Model, August 1998</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people? (<i>FEIR 88-3, 4.5 - Air Quality; Ventura County APCD Guidelines for the Preparation of Air Quality Impact Analysis, Urbemis Computer Model, August 1998</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Where available, the significant criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Discussion:

The project will result in the generation of emissions of Reactive Organic Compounds (ROC) and Oxides of Nitrogen (NOX) because of vehicle trips to and from the site. After evaluating the project per the County of Ventura Air Pollution Control District's (APCD) adopted Guidelines (1989) and per the State of California Air Resources Board's *URBEMIS 7G* assessment program, the following was identified for long-term effects and is listed below:

Target Year - 2000

Criteria	ROC	NO _x
Project's Emissions (in lbs. per day)	3.58	5.66
Threshold (in lbs. per day)	<u>-25.000</u>	<u>-25.000</u>
Total Pounds per Day	21.42	19.34
Cost per pound =	n/a	n/a
Cost per Day		
Avg. Operation Days		
Cost per Year		

According to the APCD Guidelines, the larger of the annual cost of emissions is considered the “buy-down” through contribution to the City’s off-site Transportation Demand Management (TDM) program. Based on the above analysis performed by the Planning & Environmental Services staff, the project does not exceed the established thresholds for NO_x and ROC emissions as stated in the City’s Threshold Guidelines and therefore, does not present the potential for a significant adverse effect on long-term air quality. As shown in the table above, the project does not exceed the 25 pound threshold for both ROC and NO_x.

Short-Term:

The project is expected to have short-term effects on air quality. These effects are expected to result from the creation of dust from the use of heavy equipment and general construction activity during project implementation. The City of Oxnard's *Initial Study Assessment Threshold Guidelines* (February 1995) identify specific mitigation measures designed to address such short-term effects. These measures are listed in the proposed mitigation below.

Mitigation:

To minimize dust and air emissions impacts from construction impacts, the City shall consider requiring the following as a condition of obtaining permits:

Short-Term

1. The City shall require all construction equipment to be maintained and tuned to meet appropriate EPA and CARB emissions requirements. At such time as new emission control devices or operational modifications are found to be effective, such devices or operational modifications shall be required on all construction equipment operating pursuant to City permits.
2. During smog season (May through October), the construction period should be lengthened so as to minimize the number of vehicles and equipment operating at the same time.
3. Site dust suppression:
 - a. Watering all excavated material to prevent wind erosion while it is on-site or being moved;
 - b. Periodic watering of construction sites or use of APCD approved dust suppression compounds that bind with the surface layers of soil and prevent soil particles from being eroded;
 - c. Controlling the number and activity of vehicles on site at any given time;
 - d. Seeding areas to be left inactive for a long enough period to secure the soil, limiting the area excavated at any given time;
 - e. Limiting on-site vehicle traffic to 15 miles per hour; and

- f. Sweeping streets adjacent to the construction site to remove dust caused by the construction activities. All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds (i.e., greater than 15 miles per hour averaged over one hour) to prevent excessive amounts of fugitive dust.
4. All trucks that will haul excavated or graded material off-site shall comply with State Vehicle Code Section 23114, with special attention to Sections 23114(b)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
5. All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds (i.e., greater than 15 miles per hour averaged over one hour) to prevent excessive amounts of fugitive dust.

Monitoring:

The Building Official, or designee, shall monitor all applicable measures in the field until construction is completed.

Result after mitigation:

There will be no residual potential for a significant adverse effect on the environment related to air quality. **No further mitigation is necessary or required.**

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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IV. BIOLOGICAL RESOURCES—Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. *(2020 General Plan, VII - Open Space/ Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion:

According to the General Plan, the site is not identified as containing any or having the potential for containing any significant biological resources. Therefore, no significant adverse effects on biological resources are expected to result from the project.

Mitigation:

Based on the above, no mitigation is necessary or required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

V. CULTURAL RESOURCES—Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.11 - Cultural Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.11 - Cultural Resources) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.12 - Aesthetic Resources) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? (2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.11 - Cultural Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

The project was evaluated under Northeast Industrial Area EIR (EIR 83-2). The EIR identified that the study of the Northeast Industrial Area included at least four site surveys. Two road related surveys revealed nothing, however, in 1977, a bulldozer clearing a lemon orchard uncovered a buried cemetery (CA-Ven-506). The cemetery included skulls and fragmentary remains with a stone bowl, pestles, abalone shells, and cooking stones. The cemetery site is approx 80 x 100 meters in size and includes artifacts indicated as mostly "late Chumash" in age and cultural affiliation. A survey conducted for Union Oil Company in 1980 (CA-Ven-666) revealed low density scatter and shell midden and artifacts. In addition, the site included metate and mano fragments, an unworked serpentine piece and a few chert flakes. This site was slated to have sufficient potential for information of significance. The resulting mitigation measures of EIR 83-2 (pgs. 3-19 to 3-21) recommend that a phased archaeological mitigation program and study be implemented.

In April, 1988, an "Archaeological Reconnaissance Report for Approximately 235 Acres of Land Located on the Oxnard Plain, Proposed McInnes Ranch Business Park, City of Oxnard, Ventura County, California" was preformed by Robert J. Wlodarski. For this report, a site survey was conducted and it revealed no cultural resources within the boundaries of McInnes Ranch. However, given the nature of previously recorded and discovered archaeological and ethnographic resources in the general vicinity, (burials are within one mile to the southwest of McInnes Ranch - CA-Ven-506) and the expressed concerns of the Native American community for the entire Northeast Industrial Assessment District, it was advised that a Native American monitor(s) be present during any subsurface grading or construction activities.

Mitigation:

- 1) A registered Native American monitor shall be retained by the applicant/developer to be present during all subsurface grading, trenching or construction activities. This monitor shall be hired by the applicant/developer, subject to the approval by the Planning and Environmental Services Manager prior to issuance of any grading or building permits. Monthly reports shall be provided to the project planner on the activities carried out by the Native American monitor.
- 2) In the event any cultural resources are uncovered, work in the vicinity shall be temporarily suspended and a professional archaeologist retained to evaluate the discovery and determine the appropriate and necessary steps for successful compliance with all applicable regulations. The archeologist shall be hired by the applicant subject to approval by the Planning and Environmental Services Manager. All reports prepared by the archaeologist shall be provided to the project planner.

Monitoring:

If required, the case planner shall facilitate the mitigation measure during construction.

Result after mitigation:

Upon implementation of the above mitigation, there will be no residual significant adverse effects on cultural resources resulting from the project. **No further mitigation is necessary or required.**

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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VI. GEOLOGY AND SOILS—Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of known fault? Refer to Division of Mines and Geology Special Pub. 42. (2020 General Plan, VIII-Safety Element; FEIR 88-3, 4.8 - Earth Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking? (2020 General Plan, VIII - Safety Element; FEIR 88-3, 4.8 - Earth Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? (2020 General Plan, VIII - Safety Element; FEIR 88-3, 4.8 - Earth Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) Landslides? (2020 General Plan, VIII - Safety Element; FEIR 88-3, 4.8 - Earth Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion, or the loss of topsoil? (2020 General Plan, VIII - Safety Element; FEIR 88-3, 4.8 - Earth Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (2020 General Plan, VIII - Safety Element; FEIR 88-3, 4.8 - Earth Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (2020 General Plan, VIII - Safety Element; FEIR 88-3, 4.8 - Earth Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

There are no known active faults within the City. There are a number of potentially active/active faults in the region including the Oak Ridge, Pitas Point-Ventura, Anacapa and Malibu Coast faults however, they

are located 1.5 to 10 miles from the City. Through the plan check process, the City's Development Services Program requires the submittal and approval of a soils, geologic and structural evaluation report prepared by a registered soils engineer and/or structural engineer for all new development.

According to the 2020 General Plan, the City of Oxnard is in an area with a high seismic ground shaking risk. The project, however, is not directly affected by a fault zone (General Plan Figure VIII-5).

All development is required to comply with the Uniform Building Code for geologic issues including the requirement to submit an up to date soils report. The City standard construction/grading requirements and recommendations of the soils report, if any, shall be incorporated into the project. The recommendations of the soils report will be reviewed and approved by City Development Services Plan Check and Construction Staff and Planning Staff as plan check and construction items prior to issuance of a building permit. The standard conditions include:

- i) All development on the project site is required to conform to the Uniform Building Code for seismic safety and is subject to City policies regarding seismic safety, including the requirement for a geotechnical investigation for new development containing two or more stories. All development is also subject to City policies which require implementation of certain measures for liquefaction impacts relative to foundation design and construction techniques. The geotechnical report will include recommendations for grading and foundation design to ensure stable footings beneath future buildings built on the site. All development is also subject to City policies which require implementation of certain measure for liquefaction impacts relative to foundation design and construction techniques.
- ii) Due to minimal landform relief, on-site grading requirements are expected to be minimal; however, most of the site is expected to be compacted and covered with new structure and driveways. Prior to grading, the developer and/or contractor will be required to submit a grading plan to the City of Oxnard for review and issuance of a grading permit. If required by the City, the applicant will provide a revised and up to date soils report.
- iii) Prior to building, the Developer and/or Contractor shall submit grading and drainage plans for approval by the Development Services program to ensure proper on- and off-site drainage controls that would adequately minimize on/off-site erosion potential. During construction, the developer and/or contractor will be required to minimize the dust created by construction equipment.

Mitigation:

With the incorporation of the standard conditions of approval, no mitigation is necessary or required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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VII. HAZARDS AND HAZARDOUS MATERIALS—Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials? (2020 General Plan, VIII - Safety Element) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (2020 General Plan, VIII - Safety Element) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (2020 General Plan, VIII - Safety Element) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (2020 General Plan, VIII - Safety Element) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (2020 General Plan, VIII - Safety Element) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (2020 General Plan, VIII - Safety Element; City of Oxnard Emergency Preparedness Plan and Response Manual) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

The project is required to meet City Standards and Uniform Building and Fire Codes in construction. According to the Fire Program, the project is an anticipated development type in this area and does not pose the potential for conflicts with emergency response needs. As a standard procedure, any business having or using hazardous waste is required to apply for, and comply with the requirements of, a City Hazardous Materials/Industrial Waste Permit. The requirements of this permit set standards for location, quantity,

handling, etc. This permit is subject to the review and approval of the City Fire Department. No hazardous materials are proposed with this project at this time. Each prospective tenants must apply and receive a City Business License and all applicable Hazardous Materials Permits through the standard zone clearance process. Therefore, the project does not present the potential for a significant adverse effect on the environment.

Mitigation:

Based on the above, no mitigation is necessary or required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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VIII. HYDROLOGY AND WATER QUALITY—Would the project:

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|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements? (2020 General Plan, VIB - Public Facilities Element, VII - Open Space/Conservation Element; FEIR 88-3, 4.9 - Water Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (2020 General Plan, VIB - Public Facilities Element, VII - Open Space/Conservation Element; FEIR 88-3, 4.9 - Water Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (2020 General Plan, VIB - Public Facilities Element, VII - Open Space/Conservation Element, VIII - Safety Element; FEIR 88-3, 4.9 - Water Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in substantial erosion or siltation on- or off-site? (2020 General Plan, VIB - Public Facilities Element, VII - Open Space/Conservation Element, VIII - Safety Element; FEIR 88-3, 4.9 - Water Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? (2020 General Plan, VIB - Public Facilities Element, VII - Open Space/Conservation Element, VIII - Safety Element; FEIR 88-3, 4.9 - Water Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
f) Otherwise substantially degrade water quality? (2020 General Plan, VIB - Public Facilities Element, VII - Open Space/Conservation Element, VIII - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (2020 General Plan, VIB - Public Facilities Element, VII - Open Space/Conservation Element, VIII - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (2020 General Plan, VIB - Public Facilities Element, VII - Open Space/Conservation Element, VIII - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (2020 General Plan, VIB - Public Facilities Element, VII - Open Space/Conservation Element, VIII - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? (2020 General Plan, VIB - Public Facilities Element, VII - Open Space/Conservation Element, VIII - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The project will result in modification of the existing 100% pervious site surface to approximately 85% impervious site surface (37% building and 27% paved areas for parking and driveways). This will result in the project increasing the surface runoff in the area and into adjacent storm drains. This has been anticipated by the General Plan and the necessary public improvements are in place to handle the increased surface runoff. Additionally, the project will be required to comply with the NPDES requirements for discharge of surface runoff.

The project will also result in the need for water service. However, the project site has been anticipated by the General Plan regarding water service. As of the writing of this document, the applicable water agencies have not indicated that service to this area is an issue.

Mitigation:

Based on the above, the project does not represent the potential for a significant adverse effect on the environment related to water. No mitigation is necessary or required.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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IX. LAND USE AND PLANNING—Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community?
<i>(2020 General Plan, V - Land Use Element; FEIR 88-3, 4.1 - Land Use)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
<i>(2020 General Plan; City adopted Specific Plans; Local Coastal Program; and Zoning Ordinance; FEIR 88-3, 4.1 - Land Use)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan?
<i>(2020 General Plan, VII - Open Space/Conservation Element; FEIR 88-3, 4.1 - Land Use)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

The proposed project is located in within the Northfield Seagate Specific Plan Area and is zoned M-L (Limited Manufacturing). It does not require or propose any modification in land use designation or zoning classification. The proposed use is consistent with the uses permitted within the Northfield Seagate Specific Plan Area and the M-L zone. The proposed building is 48,100 square feet in size.

Mitigation:

Based on the above, the project does not represent the potential for a significant adverse effect on the environment related to land use or planning.

No mitigation is necessary or required.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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X. MINERAL RESOURCES—Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (2020 General Plan, V - Land Use Element; FEIR 88-3, 4.8 - Earth Resources)
- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (2020 General Plan, V - Land Use Element; FEIR 88-3, 4.8 - Earth Resources)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

According to the General Plan, the project site and vicinity have been anticipated for development of the type that is proposed by the project. In addition, based on staff's recent experience with similar projects, the project does not propose any unique demand on the above resources. The project is consistent with the expected levels of natural and mineral resources and is anticipated in the General Plan. Therefore, no significant adverse effects on natural and mineral resources are expected to result from the project.

Mitigation:

Based on the above, no mitigation is necessary or required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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XI. NOISE—Would the project result in:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (2020 General Plan, LX - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (2020 General Plan, LX - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (2020 General Plan, LX - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project? (2020 General Plan, LX - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (2020 General Plan, LX - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

The project is within an area anticipated in the General Plan for the type of development and activity as is proposed by the project.

The project, in and of itself, will result in an increase in existing noise levels at the site due the site being vacant. The General Plan identifies the project site and vicinity to be located within the 60 CNEL Noise Contour in the year 2020. The M-L zone is based on certain compatibilities being required (e.g., compliance

with identified noise criteria, etc.). Upon review of the project by staff, the project is consistent with the provisions and requirements of the M-L zone. Short-term construction is anticipated however, the impact is expected to be minimal because the subject site is surrounded by other industrial uses. Therefore, the project is not expected to result in any potentially significant adverse effects on the environment related to noise. The anticipated use of the buildings will be industrial/office type uses contained within the structures and is not anticipated to generate high levels of noise.

Mitigation:

No mitigation is necessary or required.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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XII. POPULATION AND HOUSING—Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <p>a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through an extension of roads or other infra-structure)? (2020 General Plan, IV - Growth Management Element, V - Land Use Element, XIII - Housing Element, FEIR 88-3, 4.2 - Population, Housing and Employment, 5.0 - Growth-Inducing Impacts)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (2020 General Plan, IV - Growth Management Element, V - Land Use Element, XIII - Housing Element, FEIR 88-3, 4.2 - Population, Housing and Employment, 5.0 - Growth-Inducing Impacts)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (2020 General Plan, IV - Growth Management Element, V - Land Use Element, XIII - Housing Element, FEIR 88-3, 4.2 - Population, Housing and Employment, 5.0 - Growth-Inducing Impacts)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

The project does not include or propose to displace any housing. Once occupied, the project does provide the opportunity for employment by local residents. Because the project site is within the Northfield Seagate Specific Plan Area, other similar projects are planned and the proposed project does not represent an inducement to growth. The growth proposed by this development has been anticipated by the General Plan for this area. Major infrastructure component pieces already extend to this site. The project will be required to provide the standard public improvements (sidewalks, service alleys, parkways, etc.) needed to serve the project where they don't exist. Because of the adjacent/surrounding industrial development for this area as well as presence of infrastructure, the project does not induce substantial growth in an undeveloped area and the project does not include or displace any housing

Mitigation:

Based on the above, the project does not represent the potential for a significant adverse effect on the environment related to population and housing.
No mitigation is necessary or required.

XIII. PUBLIC SERVICES—Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Fire protection? (2020 General Plan, VIB - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection? (2020 General Plan, VIB - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools? (2020 General Plan, VIB - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks? (2020 General Plan, VIB - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities? (2020 General Plan, VIB - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

Public Services will be affected by any construction on a vacant lot. The Oxnard Fire Department provides fire protection to the City of Oxnard. Six fire stations and a staff of more than 80 uniformed Fire Department personnel currently serve the City. Furthermore, the Fire Department can access additional manpower or equipment through an automatic agreement with Ventura County and a mutual aid agreement with the City of Ventura and Point Mugu. The project includes adequate fire hydrants, access, signage, fire alarms, addressable smoke detectors and all requirements of the Uniform Fire Code in order to minimize any potential impacts on Fire services.

The Oxnard Police program services the police protection in this area at a police protection ratio of 1.05 police officers for each 1,000 city residents (2020 General Plan, pg. VIII-14). The 2020 General Plan EIR (pgs. 4.13-16) indicates that the current staffing ratio of officers to population should be maintained to provide adequate police service as the City's population increases. The City will monitor the need for additional public facilities and/or personnel as part of the Five-Year Development Plan. Through this action, the City would ensure that police services are available to serve the proposed project and cumulative development. The increase in tax base generated by the project and cumulative projects would help fund the project's share of necessary police service expansion within the City. Therefore, the proposed project will not have a significant impact on police services.

The General Plan bases the need for additional schools on residential development. The project is industrial and therefore does not directly result in an increase in the need for schools. The school districts within Oxnard have adopted and implemented a school mitigation fee in accordance with State legislation. The

project will be required to pay the State-mandated school fees based on square footage at time of building permit issuance. At the time of writing this document, the fees collected by the school district were allocated 55 percent to the elementary school districts and 45 percent to the high school district.

The proposed project would contribute to the general wear and tear of various public facilities, including roadways, storm drainage system, and water and wastewater infrastructures. In order to address the project's share of wear and tear caused by the proposed project, the City requires developers of new projects to pay the following development fees: Planned Traffic Circulation System Facilities Fees (Traffic Impact); Planned Water Facilities Fee; Planned Wastewater Facilities Fee; Planned Drainage Facilities Fee; and Growth Requirement Capital Fee. Furthermore, the maintenance and development of the water facilities under the jurisdiction of the Calleguas Municipal Water District (CMWD) are provided for through a Capital Construction Charge.

The City has recently constructed a new and expanded Central Library which will be sufficient to meet the future needs of the City per the 2020 General Plan (p. VIB-21). Existing community center facilities within the City are also adequate to serve future needs as identified in the General Plan (p. VIB-22).

Mitigation:

Based on this information, the proposed project would not have a significant adverse impact on other community facilities. **No mitigation is necessary or required.**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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XIV. RECREATION

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <p>a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (2020 General Plan, XII - Parks and Recreation Element; FEIR 88-3, 4.12 - Aesthetic Resources, 4.13 - Parks and Recreation Services)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (2020 General Plan, XII - Parks and Recreation Element; FEIR 88-3, 4.12 - Aesthetic Resources, 4.13 - Parks and Recreation Services)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

The project does not propose or involve any parkland or other public facilities. In addition, because the project is expected to draw primarily from the existing, local employment pool, no significant demands on the existing recreational system are expected.

Mitigation:

Based on the above, no significant adverse effects on the environment related to recreation are expected to result from the project. **No mitigation is necessary or required.**

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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XV. TRANSPORTATION/TRAFFIC—Would the project:

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|--|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (2020 General Plan, VIA - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highways? (2020 General Plan, VIA - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a change in traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (2020 General Plan, VIA - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (2020 General Plan, VIA - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? (2020 General Plan, VIA - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Result in inadequate parking capacity? (Zone Ordinance - Parking Regulations and Parking Lot Design Standards) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Bicycle Facilities Master Plan) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

According to the Urbemis Model, the project will generate approximately 172 average daily vehicle trips (ADT). This amount is considered to be insignificant given that such levels are expected in this area by the

General Plan. However, all of the expected traffic will have a cumulative effect on the Rice Avenue/U.S. 101 interchange, as identified in the General Plan. Therefore, the project does present the potential for a significant adverse cumulative effect on traffic and circulation. In order to mitigate this impact, the City will ask the applicant to voluntarily enter into a traffic mitigation agreement which commits the applicant and future owners of the property to support the formation of an assessment district and the imposition of assessments to fund such improvements. Without this mitigation, the project would have an unavoidable significant traffic impact. In addition, the City of Oxnard and the County of Ventura have an agreement pertaining to cumulative traffic fees in which applicants are required to pay applicable City and County traffic fees at the time of permit issuance.

Mitigation:

The applicant has voluntarily entered into an agreement wherein the applicant will mitigate the identified cumulative effect on traffic by binding himself and his successors in interest to supporting and voting in favor of an assessment district when proposed by the City of Oxnard for the purpose of constructing interchange improvements at U.S. 101 and Rice Avenue.

Monitoring:

The case planner shall review for execution of the identified mitigation or for payment of the applicable fee and/or the establishment of an alternative, acceptable to the City, prior to issuance of building permits.

Result after mitigation:

Upon implementation of the above mitigation, there will be no residual significant adverse effects on traffic and circulation resulting from the project. **No further mitigation is necessary or required.**

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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XVI. UTILITIES AND SERVICE SYSTEMS—Would the project:

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (2020 General Plan, VIB - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (2020 General Plan, VIB - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (2020 General Plan, VIB - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (2020 General Plan, VIB - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (2020 General Plan, VIB - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (2020 General Plan, VIB - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
g) Comply with federal, state, and local statutes and regulations related to solid waste? (2020 General Plan, VIB - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

The project increases the needs for utilities and service systems only as it is development on a vacant lot. The project is an anticipated land use and development type for this area and in the build-out of the 2020 General Plan. The General Telephone Company, Gas Company and Electric Company (Edison) do not anticipate any significant service constraints in serving future growth anticipated within implementation of the 2020 General Plan (General Plan EIR 88-3, pg. 4.6-1 and General Plan pg. VIB-13).

According to the 2020 General Plan and the City’s Engineering Division, the City’s water supplies and treatment facilities are considered adequate to meet the build-out of the General Plan, and therefore, the project’s needs. On April 16, 1991, however, the Oxnard City Council approved Ordinance No. 2246 to adopt water shortage emergency procedures to mitigate the effects of the ongoing drought. On April 7, 1992, the City Council adopted Resolution No. 10,345 “Encouraging Voluntary Water Conservation Plans” which confirms and implements the policies, procedures, rules and regulations adopted in Ordinance No. 2246. As a result of these ordinances, the applicant, at a minimum, would be required to obtain a “will serve” letter from the City of Oxnard Water Division which ensures that the Water Division has adequate water to serve the development. Additionally, all projects are required to provide low-flow water fixtures and drought-tolerant landscaping to reduce the amount of water consumed by the project. With incorporation of these standard measures, the project effects are expected to be reduced to less than significant.

The Ventura County Solid Waste Management Department has determined that the following “significance” thresholds shall apply to projects and developments:

- i) Project impacts shall be considered individually significant when the solid waste disposal rate exceeds 50 tons per year and diversion is less than 25 percent.
- ii) Projects which have an annual disposal rate of fifteen tons per year or more shall be considered potentially significant for cumulative impacts.
- iii) Any General Plan amendment or revision which would intensify use shall have a significant cumulative adverse impact.

The project is not expected to meet or exceed any of the thresholds identified above, and therefore, would not have a significant effect on solid waste management. As a standard condition, however, the project’s conditions will include the measures suggested in the City’s Source Reduction and Recycling Element. These actions will reduce the amount of solid waste transported from the project site to the landfill, and provide a more cost-effective, efficient and sanitary method of solid waste disposal.

Mitigation:

Based on the above, the project effects are expected to be reduced to less than significant. **No mitigation is necessary or required.**

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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XVII. MANDATORY FINDINGS OF SIGNIFICANCE

- a) 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 rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- b) 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 effects of other current projects, and the effects of probable future projects)?
- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Impact	Significance Before Mitigation	Recommended Mitigation Measure	Significance After Mitigation	Responsible Party
<i>Geophysical Liquefaction.</i>	Potentially Significant	<p>1. All development on the project site is required to conform to the Uniform Building Code for seismic safety and is subject to City policies regarding seismic safety, including the requirement for a geotechnical investigation for new development containing two or more stories. All development is also subject to City policies which require implementation of certain measures for liquefaction impacts relative to foundation design and construction techniques. The geotechnical report will include recommendations for grading and foundation design to ensure stable footings beneath future buildings built on the site. All development is also subject to City policies which require implementation of certain measure for liquefaction impacts relative to foundation design and construction techniques.</p> <p>2. Due to minimal landform relief, on-site grading requirements are expected to be minimal; however, most of the site is expected to be compacted and covered with new structure and driveways. Prior to grading, the developer and/or contractor will be required to submit a grading plan to the City of Oxnard for review and issuance of a grading permit. If required by the City, the applicant will provide a revised and up to date soils report.</p> <p>3. Prior to building, the Developer and/or Contractor shall submit grading and drainage plans for approval by the Development Services program to ensure proper on- and off-site drainage controls that would adequately minimize on/off-site erosion potential. During construction, the developer and/or contractor will be required to minimize the dust created by construction equipment.</p>	Less Than Significant Impact	Development Services

Environmental Impact	Significance Before Mitigation	Recommended Mitigation Measure	Significance After Mitigation	Responsible Party
Air Quality (Short-term)	Temporary Minor Impact.	<ol style="list-style-type: none"> 1. The City shall require all construction equipment to be maintained and tuned to meet appropriate EPA and CARB emissions requirements. At such time as new emission control devices or operational modifications are found to be effective, such devices or operational modifications shall be required on all construction equipment operating pursuant to City permits. 2. During smog season (May through October), the construction period should be lengthened so as to minimize the number of vehicles and equipment operating at the same time. 3. Site dust suppression: <ol style="list-style-type: none"> a. Watering all excavated material to prevent wind erosion while it is on-site or being moved; b. Periodic watering of construction sites or use of APCD approved dust suppression compounds that bind with the surface layers of soil and prevent soil particles from being eroded; c. Controlling the number and activity of vehicles on site at any given time; d. Seeding areas to be left inactive for a long enough period to secure the soil, limiting the area excavated at any given time; e. Limiting on-site vehicle traffic to 15 miles per hour; and f. Sweeping streets adjacent to the construction site to remove dust caused by the construction activities. 4. All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds (i.e., greater than 15 miles per hour averaged over one hour) to prevent excessive amounts of fugitive dust. 5. All trucks that will haul excavated or graded material off-site shall comply with State Vehicle Code Section 23114, with special attention to Sections 23114(b)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads. 	Less Than Significant Impact	Planning and Environmental Services/Development Services

Environmental Impact	Significance Before Mitigation	Recommended Mitigation Measure	Significance After Mitigation	Responsible Party
Traffic and Circulation	Significant Cumulative Impact	<ol style="list-style-type: none"> The applicant has voluntarily entered into an agreement wherein the applicant will mitigate the identified cumulative effect on traffic by binding himself and his successors in interest to supporting and voting in favor of an assessment district when proposed by the City of Oxnard for the purpose of constructing interchange improvements at U.S. 101 and Rice Avenue. 	Less Than Significant Impact	Planning and Environmental Service/Development Services
Cultural Resources	Potentially Significant	<ol style="list-style-type: none"> A registered Native American monitor shall be retained by the applicant/developer to be present during all subsurface grading, trenching or construction activities. This monitor shall be hired by the applicant/developer, subject to the approval by the Planning and Environmental Services Manager prior to issuance of any grading or building permits. Monthly reports shall be provided to the project planner on the activities carried out by the Native American monitor. In the event any cultural resources are uncovered, work in the vicinity shall be temporarily suspended and a professional archaeologist retained to evaluate the discovery and determine the appropriate and necessary steps for successful compliance with all applicable regulations. The archeologist shall be hired by the applicant subject to approval by the Planning and Environmental Services Manager. All reports prepared by the archaeologist shall be provided to the project planner. 	Less Than Significant Impact	Planning and Environmental Service/Development Services

Upon implementation of the identified mitigation measures, no such effects are expected to result from the proposed project.

ADDITIONAL REFERENCES

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2. California, State of, Office of Planning and Research, CEQA: *California Environmental Quality Act; Statutes and Guidelines*, Sacramento, California: October 26, 1998
3. California, State of, Office of Planning and Research, *State Planning and Zoning Laws and Subdivision Map Act*. 1990
4. City of Oxnard, Planning Division, *Coastal Zoning Regulations and Zone Maps*, 1988
5. City of Oxnard, Planning Department, *Coastal Land Use Plan*, 1985
6. City of Oxnard, The Municipal Code of the City of Oxnard, *Zoning Ordinance*, current edition
7. City of Oxnard, Community Development Department, Planning Division, *Zone Maps*, current edition
8. City of Oxnard, Fire Department, *Fire Protection Planning Guide*, January 1990
9. Ventura County Air Pollution Control District, *Final Air Quality Management Plan*, February 1991
10. Ventura County Air Pollution Control District, *Guidelines for the Preparation of Air Quality Impact Analysis*, 1988
11. Ventura County Air Pollution Control District, *Urbemis Model 2 - Computer Program*, 1988
12. Institute of Transportation Engineers, *Trip Generation Manual*, Fifth Edition, Washington, DC, 1987
13. United States Federal Emergency Management Agency, National Flood Insurance Program, *FIRM Flood Insurance Rate Maps for the City of Oxnard*, October 1985
14. City of Oxnard, Public Works Department, *Master Sewer Plan*, current edition
15. City of Oxnard, Public Works Department, *Master Drainage Plan*, current edition
16. City of Oxnard, Public Works Department, *Master Water Plan*, current edition
17. UCLA Archaeological Information Center, *California Archaeological Inventory - Regional Information Center*, Fowler Museum of Cultural History, Los Angeles, California, 1990
18. Ventura County Airport Land Use Commission, *Oxnard Airport Master Land Use Plan*, 1990
19. Ventura County Cultural Heritage Board, *Ventura County Historical Landmarks & Points of Interest—August 1991*, Ventura County Recreation Services
20. Ventura County, Property Administration Agency, *Final Report: Cultural Heritage Survey, Phase I*, Oxnard and Santa Paula, 1981

Environmental Impact Reports

21. City of Oxnard, *FEIR 94-1 for the Oxnard Factory Outlet, Phase III*
22. City of Oxnard, *FEIR 95-2 for the Shopping Center at Lockwood and Rose Avenue*
23. City of Oxnard, *FEIR 95-3 for the Redevelopment Project*
24. City of Oxnard, *FEIR 96-1 for the Northshore Project at Harbor Boulevard and Fifth Street*
25. City of Oxnard, *FEIR 96-2 for the Northwest Specific Plan*
26. City of Oxnard, *FEIR 97-1 for the Ormond Beach Specific Plan*
27. City of Oxnard, *FEIR 98-1 (Supplemental) for the Northeast Specific Plan*
28. City of Oxnard, *FEIR 98-2 for the Mandalay Bay Specific Plan (58 acres)*

Specific Plans

29. City of Oxnard, *Northfield and Seagate Specific Plan*, July 3, 1984
30. City of Oxnard, *Mandalay Bay Specific Plan*, January 9, 1985
31. City of Oxnard, *Oxnard Town Center Specific Plan*, October 1, 1986
32. City of Oxnard, *Rose-Santa Clara Corridor Specific Plan*, July 15, 1986
33. City of Oxnard, *McInnes Ranch Business Park Specific Plan*, December 20, 1988
34. City of Oxnard, *Northeast Community Specific Plan*, February 8, 1994
35. City of Oxnard, *Northwest Community Specific Plan*, July 20, 1998

RESOLUTION

RESOLUTION OF THE BOARD OF DIRECTORS OF
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA
CONSENTING TO CALLEGUAS' ANNEXATION NO. 70
AND FIXING THE TERMS AND CONDITIONS OF SAID ANNEXATION TO
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

A. WHEREAS, the Board of Directors of the Calleguas Municipal Water District (Calleguas), a municipal water district, situated in the County of Ventura, State of California, pursuant to Resolution No. 1256, adopted September 6, 2000, in accordance with the provisions of the Metropolitan Water District Act, has applied to the Board of Directors of The Metropolitan Water District of Southern California (Metropolitan) for consent to annex thereto certain uninhabited territory situated in the County of Ventura, particularly described in an attachment to the Ventura Local Agency Formation Commission Resolution, concurrently with the annexation thereof to Calleguas, such annexation to Metropolitan to be upon such terms and conditions as may be fixed by the Board of Directors of Metropolitan; and

B. WHEREAS, completion of said annexation shall be conditioned upon approval by the Ventura Local Agency Formation Commission; and

C. WHEREAS, the Board of Directors of Metropolitan has reviewed and considered the information contained in the Mitigated Negative Declaration, which was tiered off from the previously certified 1984 Northeast Industrial Area Final Environmental Impact Report, and Notice of Determination, prepared and adopted by the city of Oxnard for the proposed Annexation No. 70; and

D. WHEREAS, it appears to this Board of Directors that such application should be granted, subject to the terms and conditions hereinafter set forth.

E. NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of Metropolitan, acting as a Responsible Agency, has reviewed and considered the information contained in the Mitigated Negative Declaration and Notice of Determination and adopted the Lead Agency's findings; and subject to the following terms and conditions, does hereby grant the application of the governing body of Calleguas for consent to annex Annexation No. 70 to Metropolitan and does hereby fix the terms and conditions of such annexation:

Section 1.

The annexation of said area to Calleguas shall be made concurrently with the annexation thereof to Metropolitan, and all necessary certificates, statements, maps, and other documents required to be filed by or on behalf of Calleguas to effectuate the annexation shall be filed on or before December 31, 2002.

Section 2.

Prior to filing a request for a Certificate of Completion of the annexation proceedings with the Ventura Local Agency Formation Commission, Calleguas shall pay to Metropolitan, in cash the sum of \$15,310.80, if the annexation is completed by December 31, 2001. If the annexation is completed during the 2002 calendar year, the annexation charge will be calculated based on the then current rate.

Section 3.

All necessary steps (including without limitation, pursuant to Article XIII D of the California Constitution) for imposition of Metropolitan water standby charges in the amount of \$9.58 per acre or per parcel of less than one acre for fiscal year 2000/01 shall be completed.

Section 4.

a. Metropolitan shall be under no obligation to provide, construct, operate, or maintain feeder pipelines, structures, connections, and other facilities required for the delivery of water to said area from works owned or operated by Metropolitan.

b. Calleguas shall not be entitled to demand that Metropolitan deliver water to Calleguas for use, directly or indirectly, within said area, except for domestic or municipal use therein.

c. The delivery of all water by Metropolitan, regardless of the nature and time of use of such water shall be subject to regulations promulgated from time to time by Metropolitan.

d. Except upon the terms and conditions specifically approved by the Board of Directors of Metropolitan, water sold and delivered by Metropolitan shall not be used in any manner which intentionally or avoidably results in the direct or indirect benefit of areas outside Metropolitan, including use of such water outside Metropolitan or use thereof within Metropolitan in substitution for other water outside Metropolitan.

F. BE IT FURTHER RESOLVED that the Executive Secretary be, and she hereby is, directed to transmit forthwith to the governing body of Calleguas a certified copy of this resolution.

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of a resolution adopted by the Board of Directors of The Metropolitan Water District of Southern California at its meeting held June 12, 2001.

Executive Secretary
The Metropolitan Water District
of Southern California

RESOLUTION

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE METROPOLITAN WATER DISTRICT OF
SOUTHERN CALIFORNIA
FIXING AND ADOPTING WATER STANDBY CHARGE
CONTINGENT UPON CALLEGUAS
ANNEXATION NO. 70

WHEREAS, pursuant to Resolution 8732, adopted by the Board of Directors (the "Board") of The Metropolitan Water District of Southern California ("Metropolitan") at its regular meeting held March 13, 2001, the Board gave notice to the public and to each member public agency of Metropolitan of the intention of the Board to consider and take action on the Chief Executive Officer's recommendation to impose a water standby charge for fiscal year 2000-01 on the property described in the Engineer's Report, dated January 2001 (the "Engineer's Report"), which was prepared by a registered professional engineer certified by the State of California and was attached as Attachment A to Resolution 8732;

WHEREAS, the owner of the parcel identified in the Engineer's Report has applied for annexation into the Calleguas Municipal Water District ("Calleguas") and Metropolitan;

WHEREAS, upon annexation, Metropolitan water will be available to such property and such parcel will receive the benefit of the projects provided in part with proceeds of Metropolitan water standby charges, as described in the Engineer's Report;

WHEREAS, Calleguas has requested that Metropolitan impose water standby charges on such property at the rate specified in the Engineer's Report and provided herein, following annexation of such property into Metropolitan;

WHEREAS, Resolution 8732 provides that the Board would meet in regular session to hold a public protest hearing at which interested parties could present their views regarding the proposed water standby charges and the Engineer's Report;

WHEREAS, pursuant to the terms of Resolution 8732 the Executive Secretary provided written notice in accordance with the requirements of Article XIII D, Section 4 of the California Constitution of the proposed water standby charge by mail to the record owner of the property identified in the Engineer's Report of such public hearing, and the notice included an assessment ballot whereby the owner could indicate his or her name, reasonable identification of his or her parcel, and his or her support for or opposition to the proposed water standby charge;

WHEREAS, the Board will conduct in conformance with Resolution No. 8732 a public hearing. The hearing was scheduled for May 15, 2001, at which interested parties were given the opportunity to present their views regarding the proposed water

standby charge and the Engineer's Report and to protest the charges, if they so desired, and the Board duly consider all such protests and other views presented to it at the public hearing; and

WHEREAS, prior to the conclusion of the public hearing the Executive Secretary reviewed the assessment ballot submitted at or before the hearing, and found that no majority protest (as defined in Article XIII D, Section 4 of the California Constitution) exists;

NOW THEREFORE, the Board of Directors of The Metropolitan Water District of Southern California does hereby resolve, determine and order as follows:

Section 1. That the Board of Metropolitan, pursuant to the Engineer's Report, finds that the land described in said Engineer's Report upon annexation to Metropolitan will be benefited as described in such report and on that basis, hereby fixes and adopts a water standby charge for fiscal year 2000-2001 on such lands to which Metropolitan water is made available for any purpose, whether water is actually used or not.

Section 2. That the water standby charge per acre of land, or per parcel of land less than an acre, as shown in the Engineer's Report, shall be \$9.58, which is equal to the amount of Metropolitan's existing water standby charge on other properties located within the territory of Calleguas.

Section 3. That no water standby charge on any parcel exceeds the reasonable cost of the proportional special benefit conferred on that parcel, as shown in the Engineer's Report. The Engineer's Report separates the special benefits from the general benefits and identifies each of the parcel on which a special benefit is conferred.

Section 4. That the water standby charge shall be collected on the tax rolls, together with the ad valorem property taxes which are levied by Metropolitan for the payment of pre-1978 voter-approved indebtedness. Any amounts so collected shall be applied as a credit against Calleguas' obligation to pay its readiness-to-serve charge for fiscal year 2000-01. After such member agency's readiness-to-serve charge allocation is fully satisfied, any additional collections shall be credited to other outstanding obligations of such member agency to Metropolitan or future readiness-to-serve obligations of such agency.

Section 5. That the water standby charge is fixed and adopted contingent upon completion of annexation of the land described in the Engineer's Report. If such annexation is not completed in time to permit imposition of standby charges for fiscal year 2000-01, Metropolitan may levy standby charges at the rate stated in this Resolution beginning in a subsequent fiscal year.

Section 6. That in the event that the water standby charge, or any portion thereof, is determined to be an unauthorized or invalid fee, charge or assessment by a final judgment in any proceeding at law or in equity, which judgment is not subject to appeal, or if

the collection of the water standby charge shall be permanently enjoined and appeals of such injunction have been declined or exhausted, or if Metropolitan shall determine to rescind or revoke the water standby charge, then no further water standby charge shall be collected within the territory described in the Engineer's Report and Calleguas shall pay its readiness-to-serve charge obligation to Metropolitan in full, as if imposition of such water standby charges had never been sought.

Section 7. That this Board finds that the water standby charge provided in this Resolution is not subject to the provisions of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b)(4) as such action is not a project, and such charges merely constitute the creation of government funding mechanisms which do not involve commitment to any specific project which may result in a potentially significant physical impact on the environment.

Section 8. That the CEO is hereby authorized and directed to take all necessary action to secure the collection of the water standby charges by the appropriate county officials, including payment of the reasonable cost of collection.

Section 9. That the CEO and General Counsel are hereby authorized to do all things necessary and desirable to accomplish the purposes of this Resolution, including, without limitation, the commencement or defense of litigation.

Section 10. That if any provision of this Resolution or the application to any member agency, property or person whatsoever is held invalid, that invalidity shall not affect the other provisions or applications of this Resolution which can be given effect without the invalid portion or application, and to that end the provisions of this Resolution are severable.

I HEREBY CERTIFY that the foregoing is a full, true and correct copy of a Resolution adopted by the Board of Directors of The Metropolitan Water District of Southern California, at its meeting held on June 12, 2001.

Executive Secretary
The Metropolitan Water District
of Southern California