

Final

# ARCTURUS WAREHOUSE LLC

Initial Study/Mitigated Negative Declaration

Prepared for  
City of Oxnard  
Community Development Department

~~October 2023~~ March 2024





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## Initial Study/Mitigated Negative Declaration

Prepared for  
City of Oxnard  
Community Development Department  
214 South C Street  
Oxnard, California 93030  
805.385.8272

~~October 2023~~ March 2024

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## **INTRODUCTION**

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### **Project Overview**

The Project involves the construction and operation of a 105,383-square-foot cold storage facility on an approximately 14.33-acre site located in the southern portion of the City. Specifically, the Project site is located at 5980 and 6000 Arcturus Avenue on Assessor's Parcel Numbers (APN) 231-009-313 and 231-009-315 respectively. The Project site is currently comprised of a vacant lot in an industrial/agricultural area that is used to store shipping containers. The site's zoning designation is M-1 (Light Manufacturing) and its 2030 General Plan land use designation is Light Industrial (ILT). The proposed Project would require review and discretionary approval by the City's Community Development Director. The facility would consist of 5,400 square feet of office space, 55,836 square feet of racked cold storage space, and 44,147 square feet for the controlled temperature loading docks. The project would also feature a container stack rack system with capacity for 90 containers to be temporarily stored, which would be located north of the new building. Aided by a grant from the South Coast Air Quality Management District the facility would be fitted with electrical outlets that would allow for the on-board fuel powered refrigeration units to be transferred to electric power, reducing idle emissions.

### **California Environmental Quality Act Compliance**

In accordance with Section 15073 of the California Environmental Quality Act (CEQA) Guidelines, this Initial Study/Mitigated Negative Declaration (IS/MND) was circulated to relevant local, state, and federal agencies and to interested organizations and individuals who may have wished to review and comment on the IS/MND. The City of Oxnard (City) circulated the IS/MND to the State Clearinghouse for distribution and a 30-day public review between October 31, 2023, and November 30, 2023. As part of the document finalization, the City has evaluated comments received on the Draft IS/MND and has prepared responses to address any substantial evidence that the project could have a significant impact on the environment. If there is no substantial evidence, the City as lead agency will adopt the IS/MND in compliance with CEQA.

Written comments were required to be submitted to the City of Oxnard by 5:00 p.m. on November 30, 2023. Commenters were requested to include “Arcturus Warehouse LLC” in the subject line. Commenters were requested to submit written comments to the following:

Jay Dobrowalski, Planning Supervisor,  
City of Oxnard Community Development Department  
Planning Division  
214 South C Street  
Oxnard, California 93030  
Email: Jay.Dobrowalski@oxnard.org

## Public Review Process

A 30-day public review period for the IS/MND was established and noticed, in accordance with the requirements of Section 15073 of the CEQA Guidelines.

In accordance with Section 15074 of the CEQA Guidelines, prior to approving the proposed project, the City of Oxnard Planning Commission will consider the proposed IS/MND together with any comments received during the public review process. As described in **Appendix I**, Response to Comments, agency comments received during the public review period have been assembled, responses have been prepared, and revisions to the IS/MND have been completed, where appropriate. Where text changes in the Draft IS/MND are warranted based on comments received, those changes are noted in the response to comment and identified in the Final IS/MND in ~~strikeout~~ and underline. The Planning Commission will adopt the proposed IS/MND only if it finds that there is no substantial evidence that the project would have a significant effect on the environment.

Based on the comments received during the review of the Public Review Draft IS/MND, there was one modification to an evaluation in Section 3.9. The modification includes added text that is noted with an underline. These changes are minor and do not alter the conclusions of the Public Review Draft IS/MND.

## Mitigation Monitoring and Reporting Program

Section 15097 of the CEQA Guidelines requires that, whenever a public agency approves a project based on a Mitigated Negative Declaration (MND) or an Environmental Impact Report (EIR), the public agency shall establish a Mitigation Monitoring and Reporting Program (MMRP) to ensure that all adopted mitigation measures are implemented.

The MMRP is included within Chapter 5 of the Response to Comments document (Appendix I) and intended to be used by City staff to ensure compliance with mitigation measures during project implementation. The MMRP may be modified by the City during project implementation, as necessary, in response to changing conditions or other refinements. Mitigation measures identified in this MMRP were developed in the Draft IS/MND prepared for the proposed project.



The MMRP identifies a list of the mitigation measures, the timing for implementation, identification of individuals responsible for implementation, the agency responsible for enforcement, and date of compliance for each mitigation measure. The numbering of mitigation measures follows the numbering sequence found in the IS/MND.

As specified in the MMRP, the City is responsible for taking all actions necessary to implement the mitigation measures under its jurisdiction according to the specifications provided for each measure and for demonstrating that the action has been successfully completed. The City, at its discretion, may delegate implementation responsibility or portions thereof to a licensed contractor or other designated agent. The City would be responsible for overall administration of the MMRP and for verifying that City staff members and/or the construction contractor has completed the necessary actions for each measure.

Section 21081.6 of the Public Resources Code requires the lead agency to identify the “custodian of documents and other material” which constitutes the “record of proceedings” upon which the action on the project was based. Inquiries should be directed to the City of Oxnard per the address specified on the preceding page.

The City shall prepare a monitoring report upon completion of the project, on the compliance with the required mitigation measures. Information regarding inspections and other requirements shall also be compiled and explained in monthly or annual reports, as relevant. The report shall be designed to simply and clearly identify whether mitigation measures have been adequately implemented. At a minimum, each report shall identify the mitigation measures or conditions to be monitored for implementation, whether compliance with the mitigation measures or conditions has occurred, the procedures used to assess compliance, and whether further action is required.

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# ENVIRONMENTAL CHECKLIST

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## Initial Study

### 1.0 Project Information

1. **Project Title:** Arcturus Warehouse LLC
2. **Lead Agency Name and Address:** City of Oxnard  
Community Development Department  
Planning Division  
214 South C Street  
Oxnard, California 93030
3. **Contact Person and Phone Number:** Jay Dobrowalski  
805-385-3948
4. **Project Location:** The Project site is located on a 14.33-acre (approximately 624,372 square feet) site located in the southern portion of the City of Oxnard within the County of Ventura (**Figure 1**). Specifically, the site is located at 5980 and 6000 Arcturus Avenue (**Figure 2**) on Assessor's Parcel Numbers (APN) 231-009-313 and 231-009-315 respectively. The Project site is currently comprised of a vacant lot in an industrial/agricultural area that is used to store shipping containers.
5. **Project Sponsor's Name and Address:** Controlled Environments Construction, Inc.  
1562 Parkway Loop, Suite E  
Tustin, California 92780
6. **General Plan Designation(s):** The Project site is designated under the City of Oxnard 2030 General Plan as Light Industrial (ILT), according to the General Plan Land Use Map. The proposed Project conforms to the 2030 General Plan land use designation.
7. **Zoning:** The zoning designation for the proposed Project is Light Manufacturing (M-1).

## 8. Description of Project:

The proposed Project includes the construction of a 105,383-square-foot cold storage facility (**Figure 3**), which would include the import/export and distribution of fresh produce and refrigerated food stuff. The first floor would consist of 2,700 square feet of office space, 55,836 square feet of racked cold storage space, and 44,147 square feet for the controlled temperature loading docks, and the second floor would consist of 2,700 square feet of office use. The main entrance to the facility would be located along the building's western edge. The proposed facility would be two stories and up to 50 feet in height (**Figure 4**). The first floor would include a receiving dock, five cold storage rooms, shipping dock, maintenance shop, office area, restrooms, telecommunication room, main electrical room, fire pump room, lunch room, lobby, locker rooms, waiting area for truckers, and a shipping/receiving area (**Figure 5**). Truck dock apron space would be provided adjacent to both the receiving and shipping docks. The second floor would include a conference room, manager's office, lunch room, restrooms, telecommunication room, and open offices (**Figure 6**). Heating, ventilation, and air conditioning (HVAC) units would be located on the western portion of the roof (**Figure 7**). A 10-foot by 70-foot pit-type truck scale would be located west of the building, and a container stack rack system with the capacity for 90 containers would be located north of the building. The system would stack a maximum height of three containers. Two Southern California Edison (SCE) electrical service transformers would be provided on site: one near the building's northwestern edge and one near the proposed Project's northwestern boundary within the trailer area. A guard check-in station would be located near the building's southwestern corner and would allow for on-site truck queuing. Two refrigeration chillers would be located east of the building, and a covered trash enclosure would be provided near the Project's proposed northern mid-site boundary, adjacent to the container stack rack system. The Project site would include an eight-foot-tall decorative concrete block wall around the perimeter of the site.

### Parking and Circulation

The proposed Project would provide 67 vehicle parking spaces (53 standard, one van accessible, two standard accessible, one Electric Vehicle Fast Charging Simplified (EVCS) van accessible, seven carpool/vanpool, and three EVCS stall spaces) and 10 bicycle parking spaces (five short term and five long term spaces), which would be located adjacent to the building's western boundary and the Project site's southeastern boundary. In addition, 271 truck trailer spaces would be provided in the western portion of the Project site. Aided by a grant from the South Coast Air Quality Management District (SCAQMD), the facility would be fitted with electrical outlets ("yard plugs") that would allow for the on-board fuel powered refrigeration units to be transferred to electric power, which would assist with reducing idle emissions. The Project site would include a total of 397 yard plugs, including 271 in the staging area to power each trailer, one for each of the 36 dock doors, and 90 within the container stacking area.

The seven existing driveways on site, consisting of four driveways along McWane Boulevard and three driveways along Arcturus Avenue, would be removed as part of the Project. The proposed Project would construct three new gated driveways: two driveways along McWane Boulevard and one driveway near the proposed Project's northwestern boundary along Arcturus Avenue. The driveway near the center of the proposed Project's southern boundary along McWane Boulevard

would serve as the main entrance, and the driveway along Arcturus Avenue would serve as secondary emergency access.

### **Exterior Design**

According to current design plans, the majority of the building would be comprised of beige, insulated metal panel walls (**Figure 8**). The receiving and shipping docks would include white dock doors, a brown dock apron canopy, and a concrete stem wall with a smooth concrete finish. The portions of the building proposed for the office uses would be comprised of khaki split face concrete block with brown accents and bronze-tinted glass windows.

### **Landscaping**

The proposed Project would include various trees, shrubs, and grasses along the northern, southern, and western boundaries of the Project site as well as within the parking area adjacent to the building's western edge (**Figure 9**). The proposed Project would include a total of 41 trees comprised of Marina Strawberry, Brisbane Box, Southern Magnolia, Natchez Crape Myrtle, Tuscarora Crape Myrtle, California Sycamore, and Holly Oak trees. The proposed Project's landscaping is designed to comply with Chapter 2, Article XIII (Landscape Water Conservation Standards) of the City's Code of Ordinances. The proposed Project would provide bioswales along Arcturus Avenue and McWane Boulevard that would convey stormwater to a small underground water detention system near the corner of Arcturus Avenue and McWane Boulevard.

### **Utilities and Off-Site Improvements**

The proposed Project would not include any off-site utilities but may require some undergrounding within the Arcturus Avenue right-of-way for the gas lateral and the sewer lateral connecting to the existing sewer on McWane Boulevard. The potable water line would connect near the southwest corner of the project site. A new 12-inch PVC stormwater system would also be installed. The power lines are located along the Project site's southern and western boundaries and would remain under the proposed Project. Off-site improvements would include signage, lighting, and street and sidewalk improvements.

### **Construction Schedule**

The proposed Project construction schedule is anticipated to begin in December 2023 and would be completed in July 2024. Construction would include five main phases and associated subphases: demolition, grading/excavation, paving, construction, and finishing/painting. Construction would occur six days a week (Monday through Saturday) between the hours of 7:00 a.m. and 4:30 p.m. In addition, prior to construction activities, a construction traffic control plan would be prepared for the proposed Project to ensure that adequate emergency access exists during construction.

Project construction would include the removal of approximately 30 cubic yards of hardscape debris. The proposed Project would include approximately 8,469 cubic yards of cut and 15,800 cubic yards of fill. In addition, the proposed Project would import approximately 7,331 cubic yards of soil. During construction, excavation is anticipated to occur up to a maximum depth of 12 feet below ground surface (bgs).

## Operations

The proposed Project is anticipated to open in the year 2024. During operation, inbound product would arrive by truck or container and proceed through the facility, be federally inspected as required, and be directed to the outbound dock for distribution or placed in a container for export. Carriers (truck drivers) would check in by cell phone and would be directed by the guard to their assigned parking slot or dock station. The storage capacity of the facility would allow for short-term hold on products to organize and consolidate loads for internal distribution or export. Eight pallet jacks would be used for loading and unloading the trailers, and four electric forklifts would be used to store and retrieve the product from the pallet racking in the cold storage rooms. In addition, containers from the stack rack system would be loaded onto a chassis and transported to the shipping or receiving dock via three terminal trucks.

The facility would operate Monday through Saturday between the hours of 6:00 AM and 10:00 PM. A total of 25 employees would be generated under the Project, with an average of 12 employees per shift.

### Approvals required by City of Oxnard

The proposed Project would require review and discretionary approval by the City decision-maker, which is the Community Development Director. No additional discretionary approvals are needed, but ministerial permits such as a Zone Clearance permit will also be required.

## 9. Surrounding Land Uses and Setting.

The area surrounding the Project site consists of a mix of industrial uses, agricultural uses, and undeveloped land. The Project site is bounded by a BMW auto parts manufacturing facility to the north, with Hueneme Road beyond; metal fabricator development to the east, with Edison Drive beyond; McWane Boulevard to the south, with agricultural land uses beyond; and Arcturus Avenue to the west, with industrial uses beyond.

Review of the Phase I Environmental Site Assessment (Phase I ESA) for the Project (Northgate Environmental Management, Inc. 2015) indicates that the southern portion of the Project site operated as a polyester resin manufacturing plant (encompassing approximately 3.5 acres) between 1968 until 1996, and the northern portion of the Project site was originally used for agriculture until 1994 when it became vacant land. The manufacturing plant produced various kinds of polyester resins in liquid form with principal raw materials (bromine, styrene, phthalic and maleic anhydride, glycol compounds, caustic soda, and methylene chloride). By 2012, the previous facilities appear to have been removed/demolished and graded.

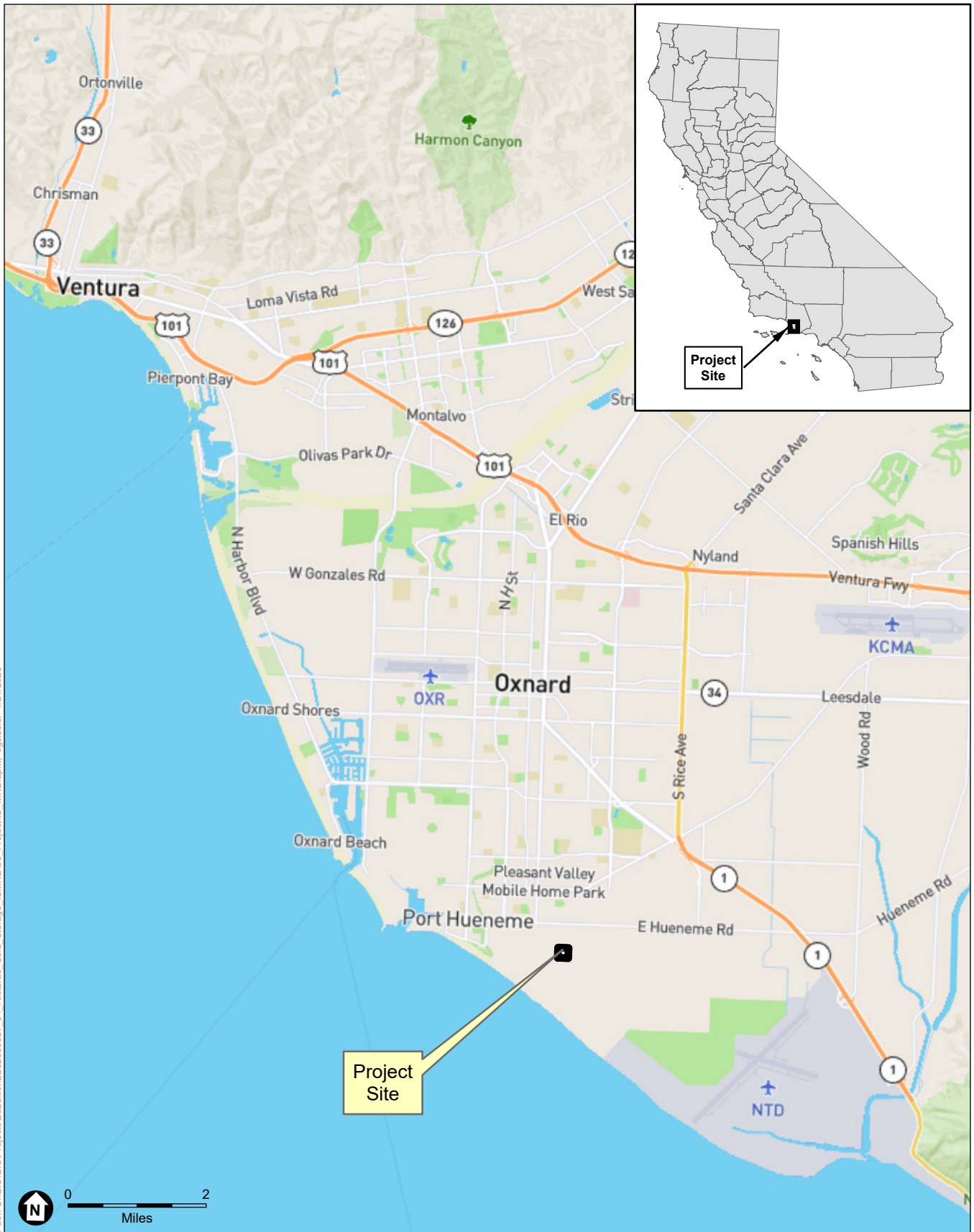
The Project site is currently comprised of a vacant lot in an industrial/agricultural area that is used to store shipping container chassis. The eastern portion of the Project site previously included a railroad spur which was removed from the Project site in 2022.

## 10. Other public agencies whose approval is required.

No other permits, financing approval or participation agreement are anticipated to be required from public agencies other than the City of Oxnard.

**11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

The City of Oxnard sent a notification letter on August 01, 2023 to the Native American tribe that is on the City's Assembly Bill (AB) 52 list (**Appendix A**). This list includes only one tribe, Barbareno/Ventureno Band of Mission Indians, that has requested notification of projects within the City in accordance with AB 52. The Barbareno/Ventureno Band of Mission Indians did not request consultation with the City of Oxnard regarding the proposed Project.



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SOURCE: ESRI

Arcturus Warehouse LLC IS/MND



**Figure 1**  
Project Vicinity





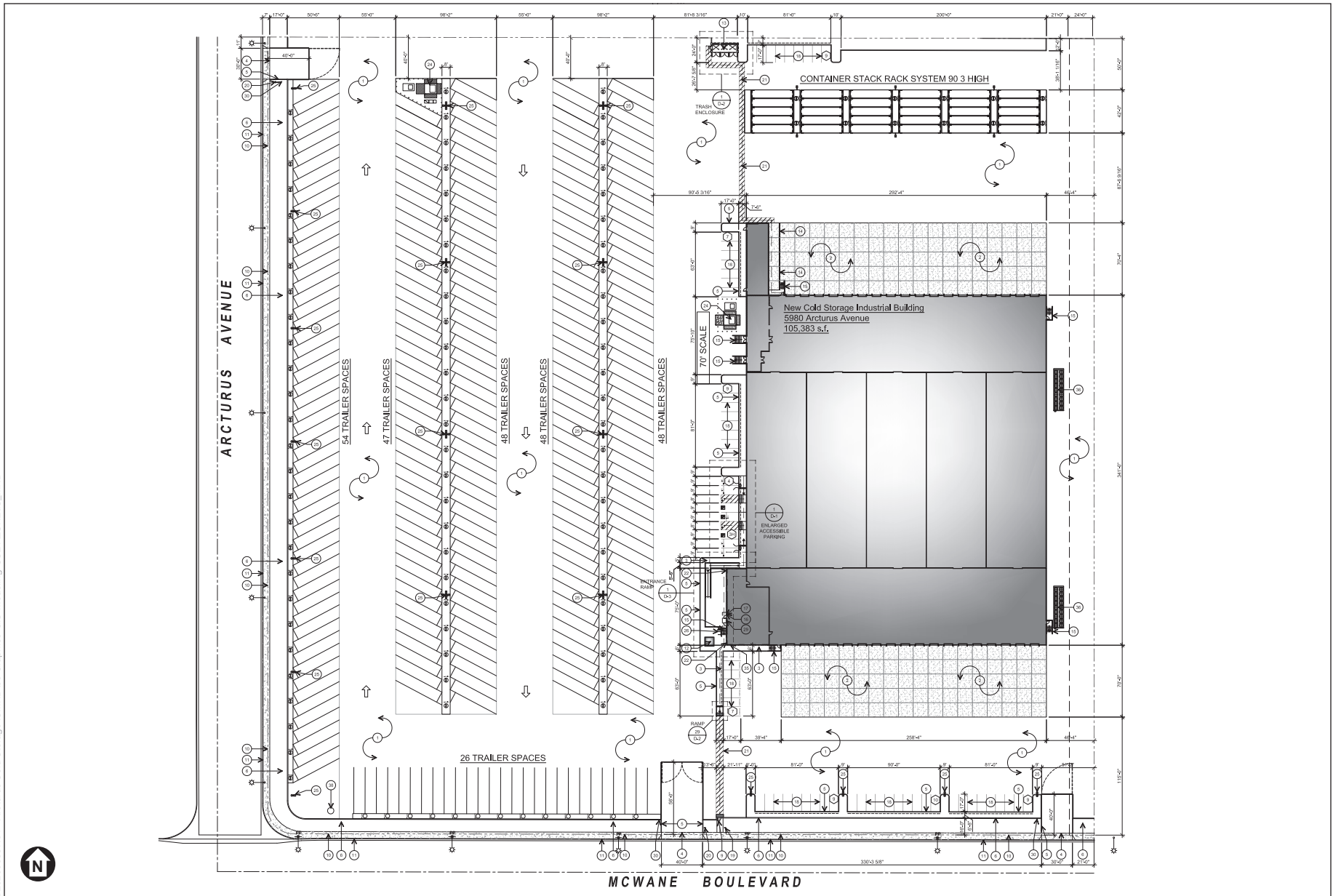
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SOURCE: Mapbox, 2022 ESA, 2023

Arcturus Warehouse LLC IS/MND

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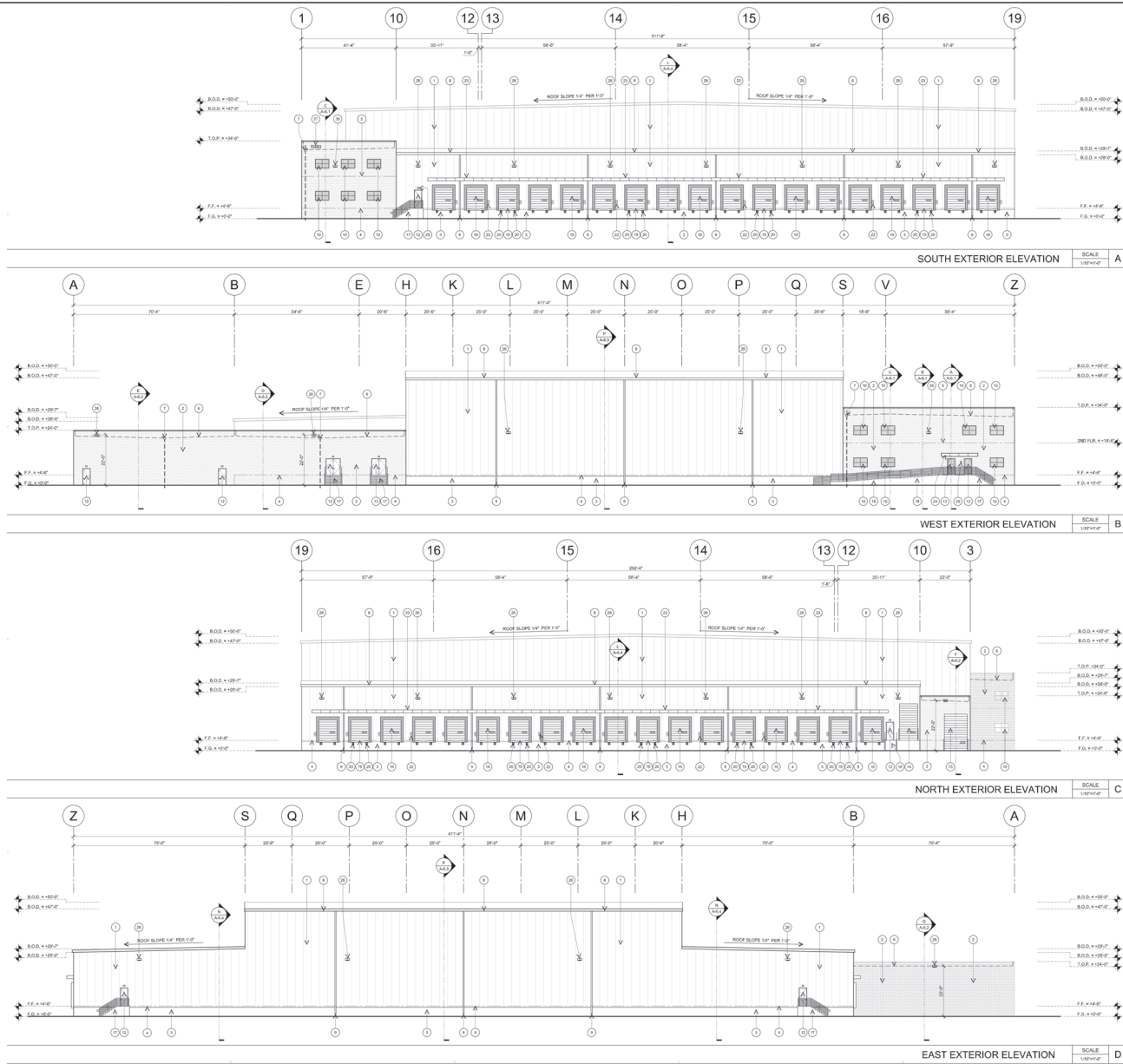
SOURCE: DRA Architects, 2023

Arcturus Warehouse LLC IS/MND

**Figure 3**  
Project Site Plan



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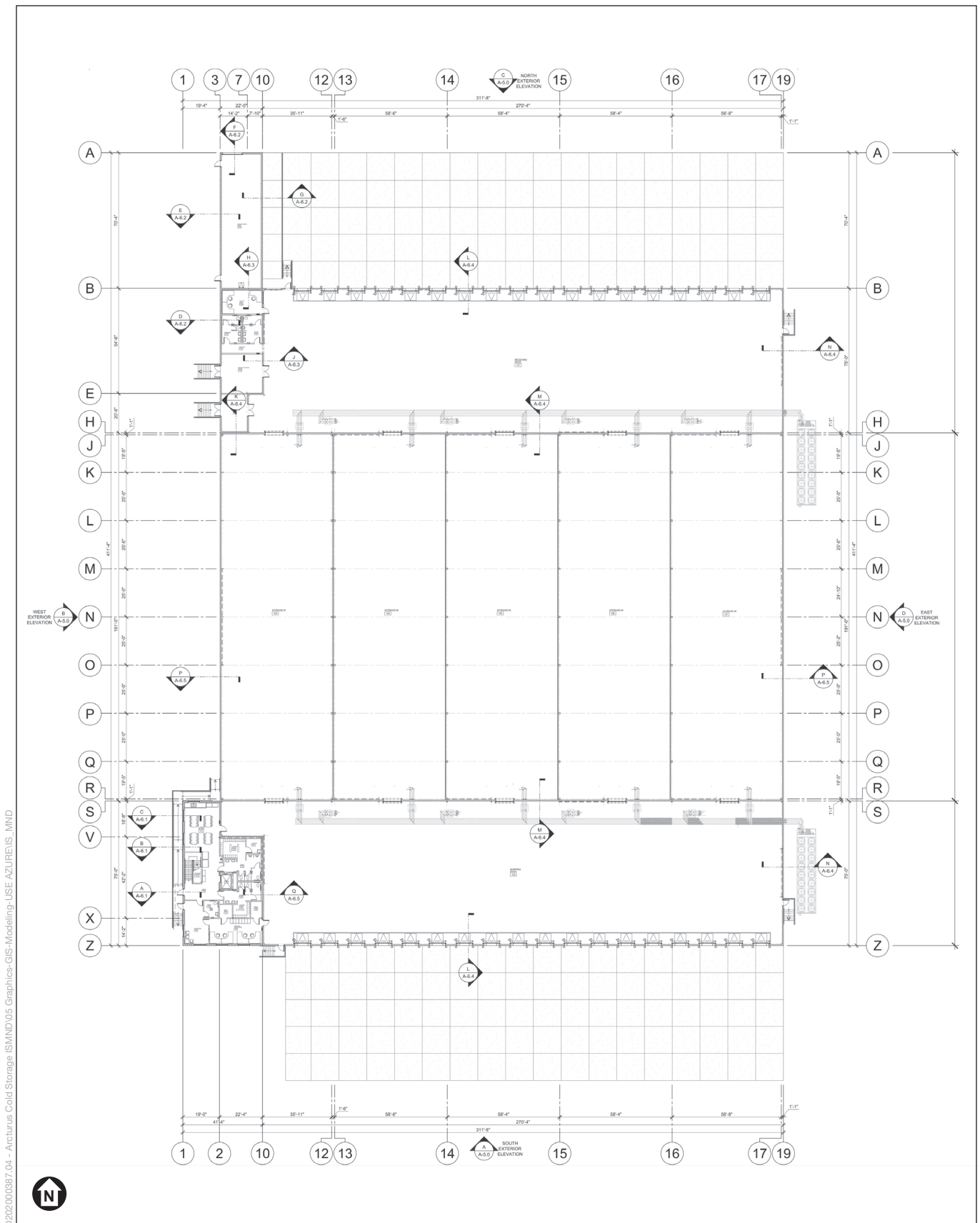


SOURCE: DRA Architects, 2022

Arcturus Warehouse LLC IS/MND

**Figure 4**  
Project Elevations





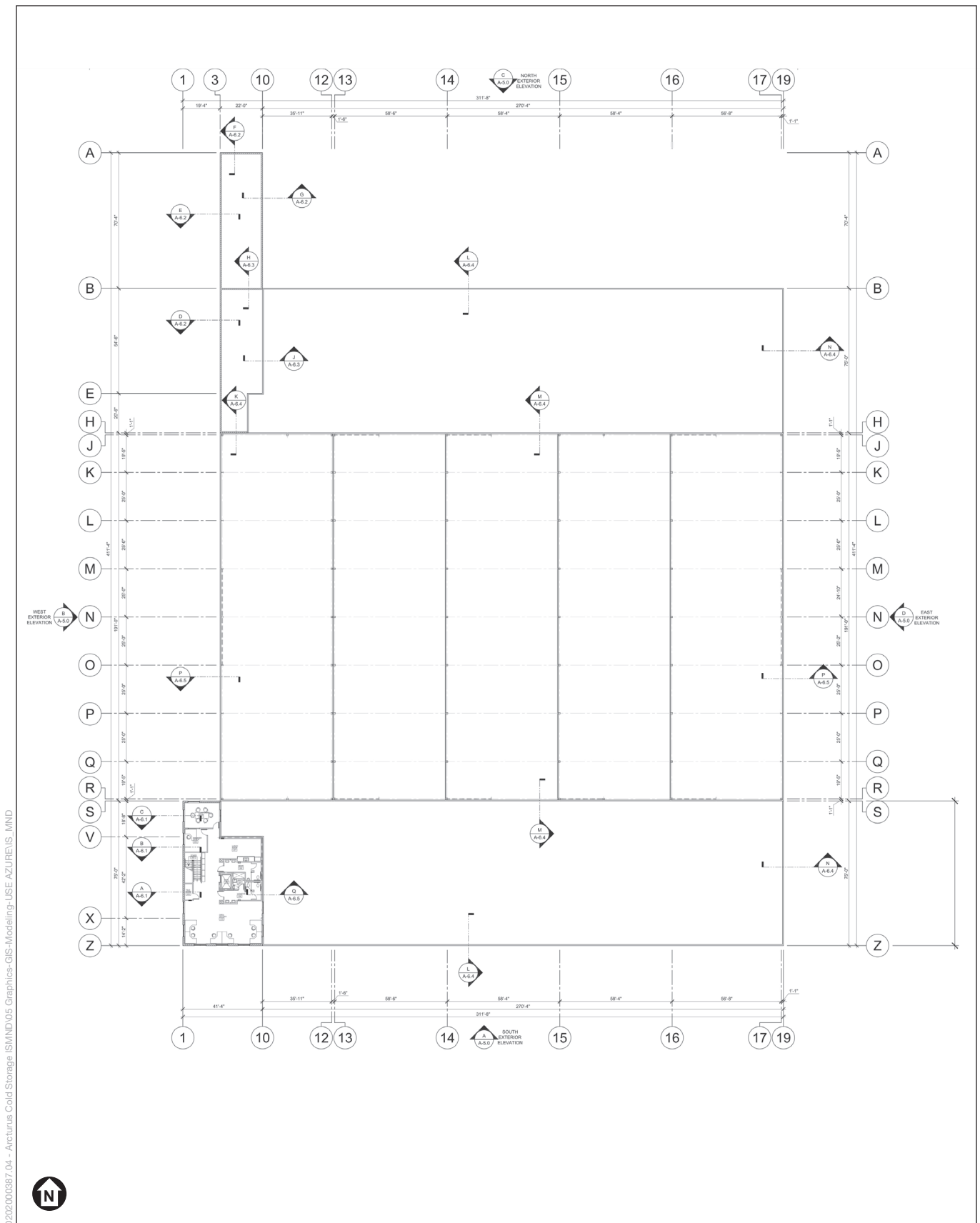
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SOURCE: DRA Architects, 2022

Arcturus Warehouse LLC IS/MND

**Figure 5**  
Overall Floor Plan – First Floor





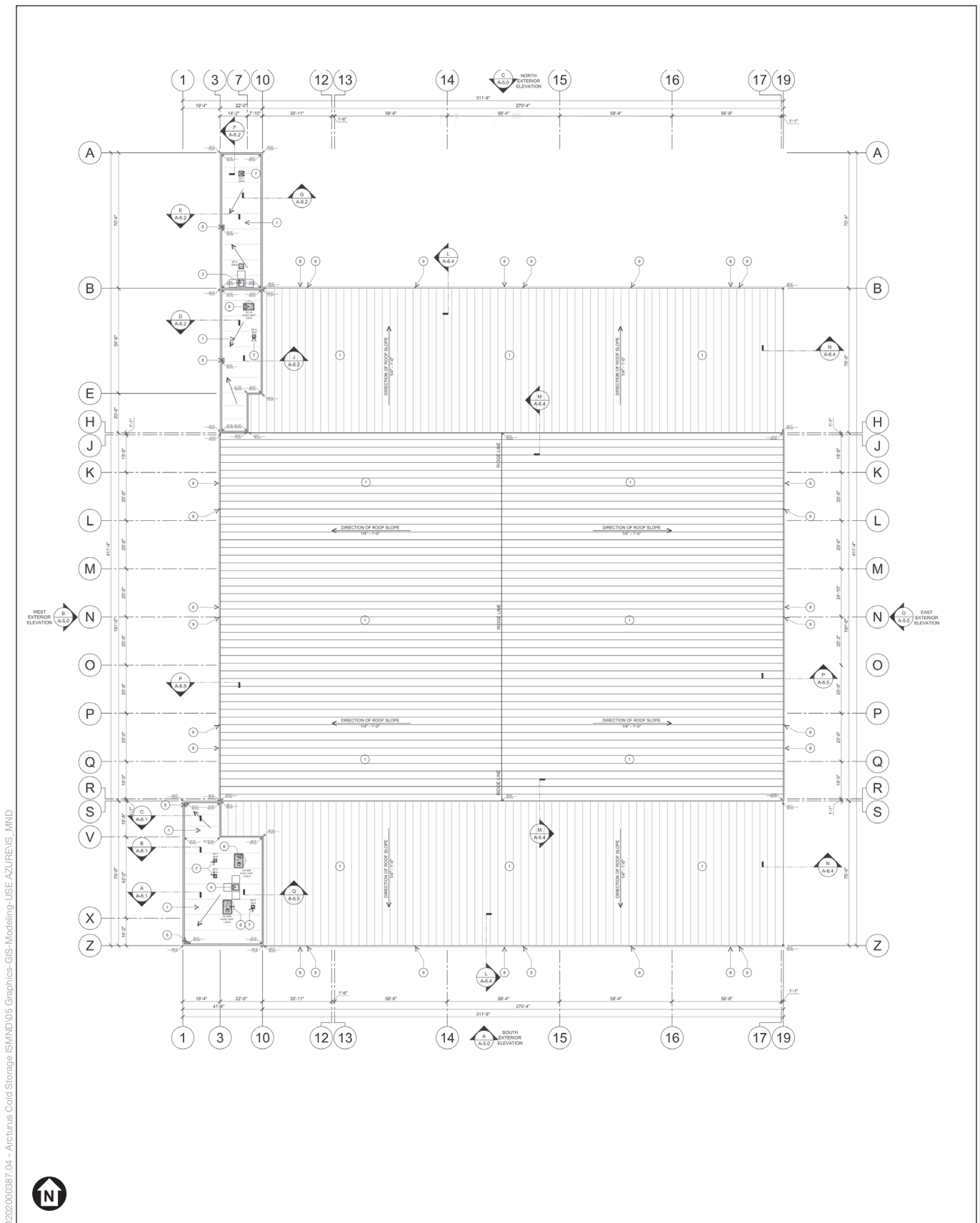
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SOURCE: DRA Architects, 2022

Arcturus Warehouse LLC IS/MND

**Figure 6**  
Overall Floor Plan – Second Floor





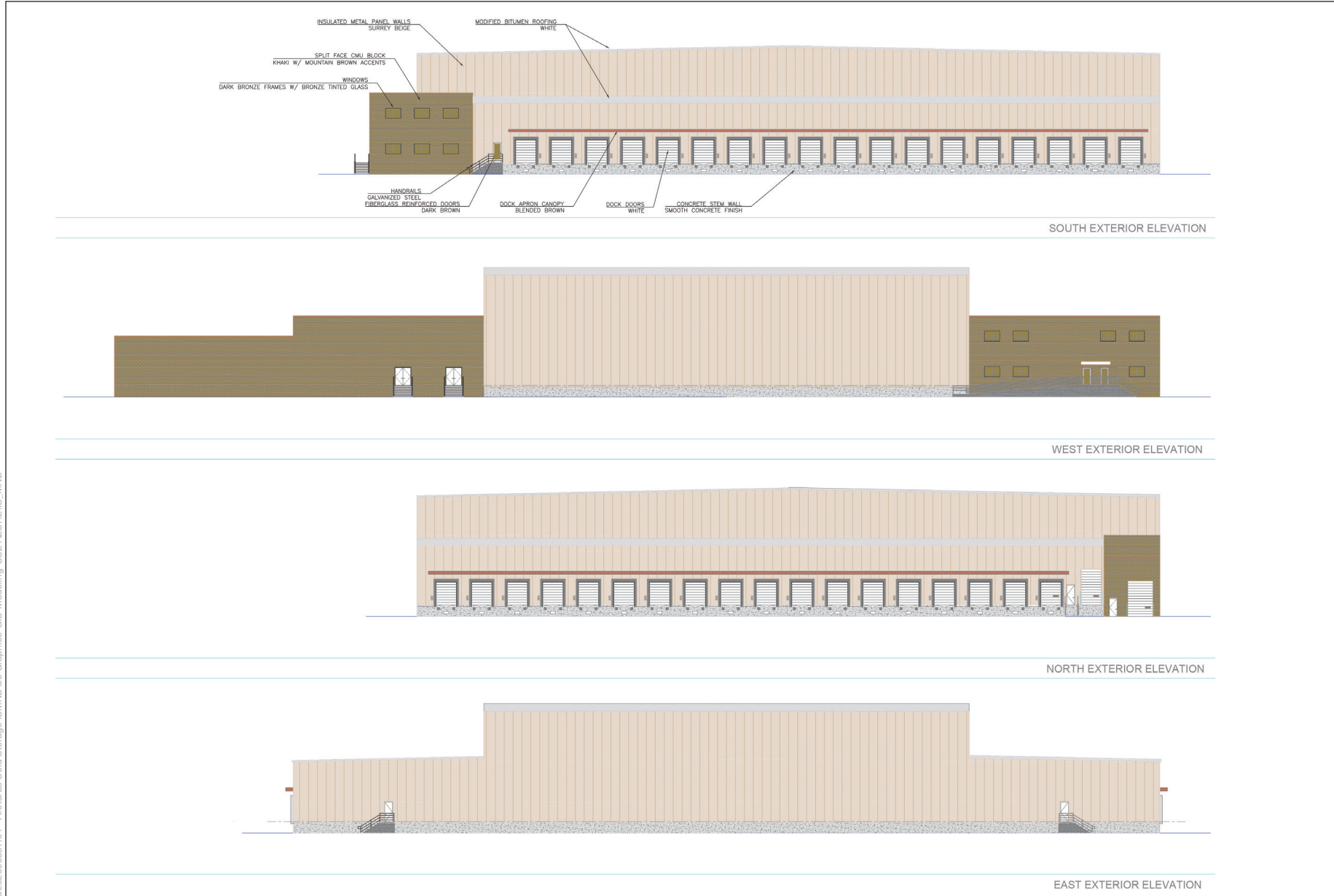
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SOURCE: DRA Architects, 2022

Arcturus Warehouse LLC IS/MND

**Figure 7**  
Roof Plan





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SOURCE: Controlled Environments Construction, Inc., 2021

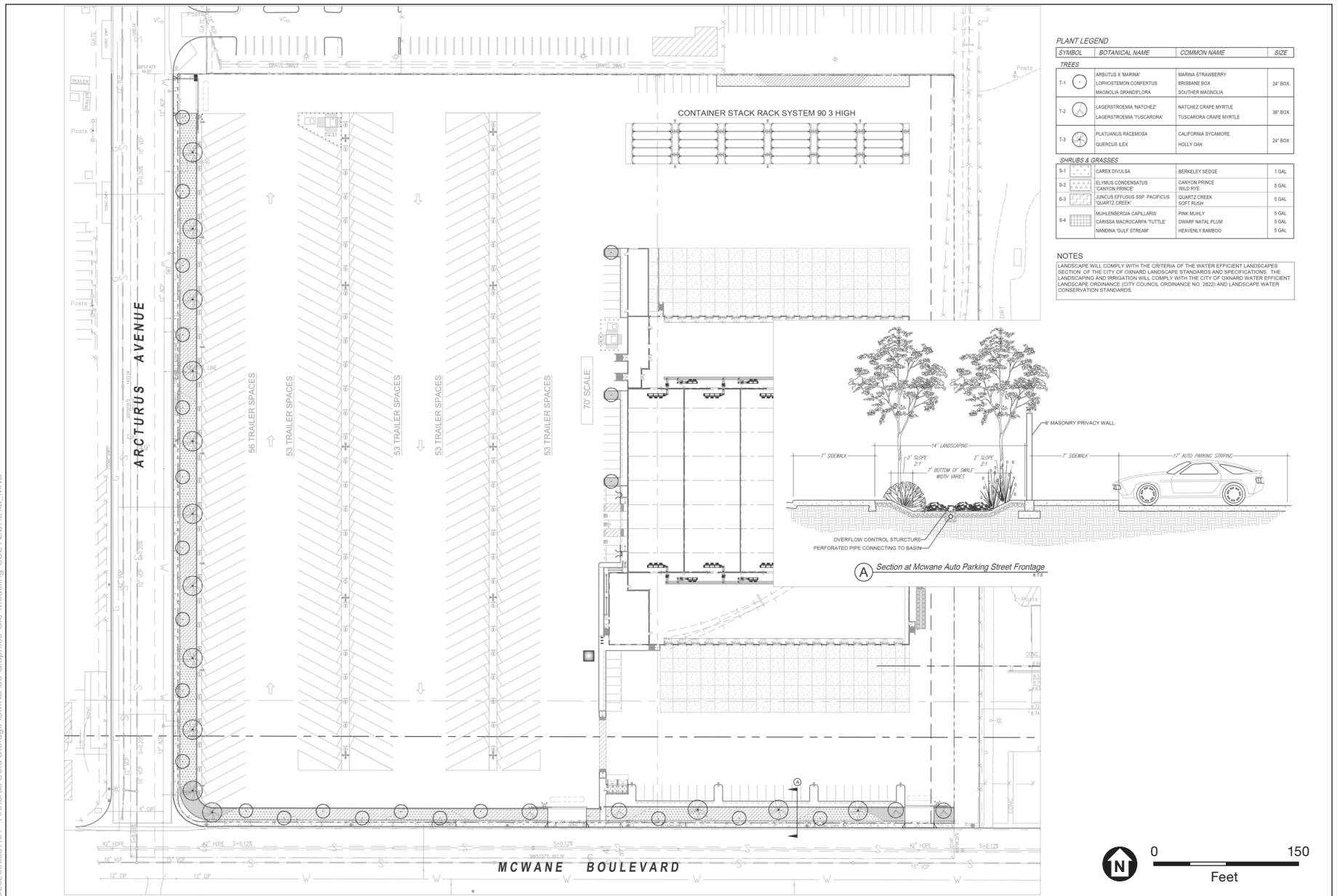
Arcturus Warehouse LLC IS/MND

**Figure 8**  
Exterior Building Elevations





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SOURCE: DRA Architects, 2022

Arcturus Warehouse LLC IS/MND

**Figure 9**  
Landscape Plan



## 2.0 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 “Less than Significant with Mitigation Incorporated” as indicated by the checklist on the following pages.

- |                                                                                 |                                                                                      |                                                                    |                                                                        |
|---------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|--------------------------------------------------------------------|------------------------------------------------------------------------|
| <input type="checkbox"/> Aesthetics and Urban Design                            | <input checked="" type="checkbox"/> Cultural Resources and Tribal Cultural Resources | <input type="checkbox"/> Mineral Resources                         | <input type="checkbox"/> Utilities and Energy                          |
| <input type="checkbox"/> Agricultural Resources                                 | <input type="checkbox"/> Geology and Soils                                           | <input type="checkbox"/> Noise                                     | <input type="checkbox"/> Wildfire                                      |
| <input checked="" type="checkbox"/> Air Quality                                 | <input checked="" type="checkbox"/> Hazards and Hazardous Materials                  | <input type="checkbox"/> Population, Education, and Housing        | <input checked="" type="checkbox"/> Mandatory Findings of Significance |
| <input checked="" type="checkbox"/> Biological Resources                        | <input checked="" type="checkbox"/> Hydrology and Water Quality                      | <input type="checkbox"/> Public Services and Recreation            |                                                                        |
| <input checked="" type="checkbox"/> Climate Change and Greenhouse Gas Emissions | <input type="checkbox"/> Land Use and Planning                                       | <input checked="" type="checkbox"/> Transportation and Circulation |                                                                        |

**DETERMINATION:**

On the basis of this initial study:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by 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

Date

\_\_\_\_\_

\_\_\_\_\_

Printed Name

For

\_\_\_\_\_

\_\_\_\_\_

### 3.0 Environmental Checklist

#### 3.1 Aesthetics and Urban Design

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project have a substantial adverse effect on a scenic vista such as an ocean or mountain view from an important view corridor or location as identified in the 2030 General Plan or other City planning documents?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway, or route identified as scenic by the County of Ventura or City of Oxnard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Would the project substantially degrade the existing visual character or quality of the site or its surroundings such as by creating new development or other physical changes that are visually incompatible with surrounding areas or that conflict with visual resource policies contained in the 2030 General Plan or other City planning documents?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Would the project add to or compound an existing negative visual character associated with the project site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Would the project create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Discussion

a) **Less than Significant Impact.** A scenic vista is generally defined as a public viewpoint that provides expansive views of a highly valued landscape for the benefit of the public. Based on a review of the Oxnard General Plan Background Report (City of Oxnard, 2006), the highly valued landscape areas are scenic areas and view corridors within the City of Oxnard. The 2030 General Plan Goals and Policies outline three broad categories of aesthetic resources, including Local Waterways, Agricultural Greenbelts, and Beaches and Coastlines (City of Oxnard 2022). Other scenic areas and view corridors include local waterways, agricultural open space, beaches and coastline, scenic highways/roadways, hills and mountains, and urban landscapes that maintain original historic architectural features and contain park/plaza features. Beyond the City limits includes scenic resources such as the Coastal Mountain Range west of the city and the hills of Point Mugu State Park that bound the southeastern portion of the city.

Agricultural land uses, which could be considered an aesthetic resource per the City’s definition in the 2030 General Plan, are located south of the Project site across McWane Boulevard. However, the Project would include a 16-foot landscape buffer between McWane Boulevard and site development which would include landscaping comprised of trees, shrubs, and grasses that would abut the proposed eight-foot-tall concrete block wall along the southern boundary. The landscaping and fencing would assist with screening

- views of the site from the adjacent McWane Boulevard and agricultural land uses. In addition, the proposed cold storage facility would be similar in height and character to the adjacent metal fabricator development to the east. No other scenic areas or view corridors are visible from the Project site due to distance and intervening structures. Therefore, the proposed Project would not obstruct scenic views, and impacts would be less than significant.
- b) **No Impact.** The Project site is not located within a State-designated scenic highway, according to the General Plan Background Report. The nearest eligible state scenic highway is along California State Route 1, located approximately 2.2 miles northeast of the Project site, and the nearest officially State-designated scenic highway is State Route 33, located approximately 26 miles northwest of the Project site (California Department of Transportation, 2018). The Project site is also approximately 2.1 miles southwest of Oxnard Boulevard, which is an eligible State scenic highway as well as a City-designated scenic highway to U.S. 101. Due to the proposed Project's location and distance from these scenic resources, implementation of the proposed Project would not result in impacts on existing scenic resources within a state or local scenic highway.
- c) **Less than Significant Impact.** The proposed Project includes development of a cold storage facility on 14.33 acres of vacant and undeveloped land that is used to store shipping containers and chassis and is surrounded by urban development with industrial uses to the north, east, and west and agricultural uses to the south. The facility would be up to 50 feet in height and would be partially screened with an eight-foot-tall concrete block wall surrounding the site perimeter as well as landscaping along the southern and western boundaries. Given the Project site's current undeveloped state and use, development of the proposed Project would improve general public views of the site from adjacent roadways including McWane Boulevard and Arcturus Avenue. In addition, the proposed wall and landscaping would provide adequate screening of public views of the Project site from off-site industrial and agricultural uses. Furthermore, the proposed Project would be compatible with the surrounding industrial development and is an allowed use in the M-1 land use zone. Finally, the Project site was previously developed and occupied by buildings from approximately 1967 to approximately 2009, so the presence of buildings on the Project site is not an entirely new concept. Therefore, implementation of the proposed Project would not substantially degrade the existing visual character or quality of the site or its surroundings. Impacts would be less than significant.
- d) **No Impact.** Negative visual character includes, but is not limited to, urban blight or nuisances as identified in the Oxnard City Code. Urban blight refers to the deterioration and decay of buildings and older areas of a city where buildings/properties are not maintained and become run-down, abandoned, or condemned. The existing visual character of the site reflects that the site is currently undeveloped with ruderal vegetation and used for shipping container and chassis storage. The existing visual character of the site is not considered to be negative. The proposed Project includes development of a cold storage facility up to 50 feet in height that would be partially screened by the proposed wall surrounding the site perimeter and landscaping along the southern and western site

boundaries. The wall and landscaping along the site's perimeter would screen views of the site from McWane Boulevard and Arcturus Avenue, which would enhance the visual character of the site. Therefore, implementation of the proposed Project would have no impacts related to adding to or compounding an existing negative visual character associated with the Project site.

- e) **Less than Significant Impact.** The Project site is in an urban area with streetlights and parking lots that create nighttime light pollution. The proposed Project would not contribute a significant amount of additional light during nighttime hours, as lighting would not include more than typical exterior lighting for employees and truckers to safely use the facility and parking areas. Any new lighting would be required to conform to requirements in Section 16-320, *On-Site Lighting*, of the Oxnard City Code, which requires lighting to illuminate only the intended surfaces and to not exceed seven foot-candles. Additionally, the proposed Project would not create substantial glare, as reflective surfaces used on the proposed Project exterior would include only a limited number of windows on the southern and western portions of the facility related to the proposed office use; however, the windows would be comprised of bronze tinted glass. Furthermore, metal paneling used for the main portion of the facility would be painted and would not provide substantive glare reflection. Therefore, the proposed Project would not create a new substantial source of light or glare that would adversely affect views in the Project area. Impacts would be less than significant.

## References

- California Department of Transportation (Caltrans). 2018. California State Scenic Highways. Available at: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed on February 3, 2023.
- City of Oxnard. 2006. City of Oxnard General Plan Background Report. Available at: [https://www.oxnard.org/wp-content/uploads/2016/08/OxnardDraftBackgroundReport2006\\_04.21.06.pdf](https://www.oxnard.org/wp-content/uploads/2016/08/OxnardDraftBackgroundReport2006_04.21.06.pdf). Accessed on March 2, 2023.
- City of Oxnard. 2022. City of Oxnard, California, 2030 General Plan, Goals and Policies. Adopted October 2011 with Amendments through December 2022. Oxnard, California: City of Oxnard, Development Services Department, Planning Division. Available at: <https://www.oxnard.org/wp-content/uploads/2017/06/Oxnard-2030-General-Plan-Amend-12.2022-SMc.pdf>. Accessed March 2, 2023.
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### 3.2 Agricultural Resources

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Would the project involve other changes in the existing environment that, due to their location or nature, could result in conversion of off-site farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion

- a) **No Impact.** The Project site is currently identified as Urban and Built-Up Land and not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance based on a review of the California Department of Conservation’s California Important Farmland Finder (California Department of Conservation [DOC], 2022). Therefore, implementation of the proposed Project would not convert farmland to an urban use, and no impact to farmland would occur.
  
- b) **No Impact.** Williamson Act contracts are formed between a county or city and a landowner for the purposes of restricting specific parcels of land to agricultural preserve areas. The Project site does not contain any agricultural uses and is currently zoned for Light Manufacturing (M-1) with a Light Industrial (ILT) land use designation according to the 2030 General Plan Land Use Element. Because there are no active Williamson Act contracts associated with the Project site, the proposed Project would not conflict with existing agricultural zoning or a Williamson Act contract. Therefore, no impacts related to agricultural zoning or a Williamson Act contract would occur with the implementation of the proposed Project.
  
- c) **Less Than Significant Impact.** Land designated as Prime Farmland is located south of the Project site across McWane Boulevard, with land designated as Farmland of Statewide Importance beyond. Additional land designated as Farmland of Statewide Importance is located east of the Project site across Edison Drive. The construction and operation of the proposed cold storage facility would not involve other changes in the existing environment that would result in the conversion of agricultural or forest lands. In addition, during construction, the proposed Project would be required to comply with Ventura County Air Pollution Control District (VCAPCD) Rule 55 for controlling fugitive dust. Specific Rule 55 control requirements may include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, covering all trucks hauling soil with a fabric cover and maintaining a freeboard height of 12 inches, and maintaining effective cover over exposed areas. Compliance with Rule 55 would ensure that dust generated at the Project site would not impact agricultural crops within the Project vicinity. Therefore, impacts related to the conversion of off-site farmland to non-agricultural use would be less than significant.

## References

California Department of Conservation (DOC). 2022. California Important Farmland Finder. Available at: <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed on January 31, 2023.

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### 3.3 Air Quality

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project conflict with population or other growth forecasts contained in the Ventura County AQMP or otherwise obstruct implementation of the Ventura County AQMP?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project result in a net increase of any criteria pollutant in excess of quantitative thresholds recommended by the VCAPCD?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Would the project expose sensitive receptors to substantial pollutant concentrations exceeding state or federal standards or in excess of applicable health risk criteria for toxic air contaminants?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Would the project create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion

a) **Less than Significant Impact.** VCAPCD is responsible for attaining and maintaining air quality standards in the Ventura County portion of the South Central Coast Air Basin (SCCAB) through a comprehensive program of planning, regulation, enforcement, technical innovation, and promotion of the understanding of air quality issues. The clean air strategy of VCAPCD includes preparation of plans for attainment of ambient air quality standards, adoption and enforcement of rules and regulations concerning sources of air pollution, and issuance of permits for stationary sources of air pollution (VCAPCD, 2003). The Ventura County portion of the SCCAB is designated as nonattainment for ozone for the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) and for respirable particulate matter 10 micrometers in diameter and smaller (PM10) for the CAAQS. VCAPCD and the Ventura Council Association of Governments (VCOG) are responsible for preparing the air quality management plan (AQMP), which addresses federal and state Clean Air Act (CAA) requirements. The VCAPCD has adopted Air Quality Management Plans (AQMPs) to meet the CAAQS and NAAQS. The VCAPCD board approved the 2022 AQMP on December 13, 2022 (VCAPCD, 2022). CARB approved the 2022 AQMP January 26, 2023. The goals of the 2022 AQMP are to ensure that city and county population growth does not interfere with emission reductions and progress in meeting the state and national ambient air quality standards.

The proposed Project is located within the Ventura County portion of the SCCAB, which is under the jurisdiction of the VCAPCD for air quality planning and control. As such, VCAPCD’s 2022 AQMP is the applicable air quality plan for the proposed Project. Projects that are consistent with the regional population, housing, and employment forecasts identified by the Ventura Council of Governments (VCOG) are deemed consistent with the AQMP growth projections, since the forecast assumptions by VCOG forms the basis of the land use and transportation control portions of the AQMP. Additionally, because VCOG’s regional growth forecasts are based upon, among other

things, land uses designated in general plans, a project that is consistent with the land use designated in a general plan would also be consistent with the VCOG's regional forecast projections, and thus also with the AQMP growth projections.

The proposed Project includes the construction of a cold storage facility on a site that is currently designated Light Industrial (ILT) within the 2030 General Plan (City of Oxnard, 2014). The construction of a cold storage facility does not require a general plan amendment and would not increase population beyond that projected in the 2030 General Plan. The proposed Project would generate a total of 24 employees. The Southern California Association of Governments (SCAG) estimates that the population of Oxnard will increase by 32,100 residents and generate 15,000 new jobs between 2016 and 2045 (SCAG, 2020). Even in the unlikely event that all new jobs created by the proposed Project were to result in new residents to Oxnard, the Project would result in less than one percent of expected City population and employment growth. Therefore, the proposed Project would not result in population growth that would exceed the regional forecast, the Project would not conflict with the VCAPCD's AQMP, and impacts would be less than significant.

The Environmental Resources Chapter of the 2030 General Plan contains goals and policies related to air quality resources. The goals and policies related to air quality resources that are applicable to the proposed project include the following:

**Goal ER-14:** Improved air quality and minimized adverse effects of air pollution on human health and the economy.

**Policy ER-14.1, Incorporate Ventura County AQMP Mitigations:** Incorporate construction and operation mitigation measures recommended or required by the current Ventura County Air Quality Management Plan (AQMP) when preparing CEQA reviews, as appropriate.

**Policy ER-14.4, Emission Control Devices:** Require all construction equipment to be maintained and tuned to meet appropriate EPA [United States Environmental Protection Agency], CARB [California Air Resources Board], and VCAPCD emissions requirements and when new emission control devices or operational modifications are found to be effective, such devices or operational modifications are required on construction equipment.

**Policy ER-14.5, Reducing Construction Impacts during Smog Season:** Require that the construction period be lengthened to minimize the number of vehicles and equipment operating at the same time during smog season (May through October).

**Policy ER-14.6, Minimizing Dust and Air Emissions through Permitting Requirements:** Continue to require mitigation measures as a condition of obtaining building or use permits to minimize dust and air emissions impacts from construction.

**Policy ER-14.7, Mitigation Monitoring:** Ensure that projects with identified air quality impacts in their respective EIRs are subject to effective mitigation monitoring as required by AB [Assembly Bill] 3180.

**Policy ER-14.10, Consultation with Ventura County Air Pollution Control District:** Consult with the Ventura County Air Pollution Control District (VCAPCD) during CEQA review for projects that require air quality impact analysis and ensure that the VCAPCD is on the distribution list for all CEQA documents.

**Policy ER-14.11, Support Regional Attainment Plans:** Support recommendations to reduce air pollutants found in the VCAPCD local attainment plans and use its regulatory authority to mitigate “point” sources of air pollution (e.g., factories, powerplants, etc.).

**Policy ER-14.12, Use VCAPCD Air Quality Assessment Guidelines:** Use the VCAPCD Air Quality Assessment Guidelines and recommended analytical tools for determining and mitigating project air quality impacts and related thresholds of significance for use in environmental documents. The City shall continue to cooperate with the VCAPCD in the review of development proposals.

The proposed Project would comply with the above applicable General Plan air quality resource goal and policies, which would reduce air emissions. Compliance would be achieved through required regulatory compliance for applicable VCAPCD rules as well as through the CEQA process for using the VCAPCD Air Quality Assessment Guidelines and mitigating potentially significant impacts, if identified. Therefore, because implementation of the proposed Project would not exceed applicable growth projections and would not conflict with applicable General Plan air quality resource goal and policies, the Project would not conflict with the VCAPCD’s AQMP, and impacts would be less than significant.

- b) **Less than Significant with Mitigation Incorporated.** The Project would contribute to local and regional air pollutant emissions during construction (short-term or temporary) and occupancy (long-term). The analysis of Project construction and operational emissions to violate any federal or state air quality standard or contribute substantially to an existing or projected air quality standard violation and to increase any criteria pollutant in excess of quantitative thresholds recommended by the VCAPCD is provided below. Additional information is provided in the Air Quality and Greenhouse Gas Technical Report (2023), provided in **Appendix B**.

### **Construction Emissions**

Construction of the Project has the potential to generate temporary regional criteria pollutant emissions through the use of heavy-duty construction equipment, such as backhoes and cranes, through vehicle trips generated by workers and haul trucks traveling to and from the Project Site, and through building activities such as the application of paint and other surface coatings. In addition, fugitive dust emissions would result from demolition and various soil-handling activities. Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of construction activity, and prevailing weather conditions.

The maximum daily construction emissions for the Project were estimated for each construction phase. The maximum daily emissions are predicted values for a representative worst-case day, and do not represent the actual emissions that would occur for every day of construction, which would likely be lower on many days.

The results of the criteria pollutant calculations are presented in **Table 3.3-1, *Estimated Unmitigated Construction Emissions***. Within the California Emissions Estimator Model (CalEEMod), the emissions estimating model developed by the California Air Pollution Control Officers Association (CAPCOA), fugitive dust emissions include the application of water as a control measure consistent with VCAPCD Rule 55. Therefore, emissions include dust control measures as required by VCAPCD Rule 55 (Control of Fugitive Dust). Emissions also include fugitive ROG control measures to be implemented by architectural coating emission factors required by VCAPCD Rule 74.2 (Architectural Coatings). As shown in Table 3.3-1, construction-related daily emissions would exceed the VCAPCD significance thresholds and mitigation measures would be required.

**TABLE 3.3-1  
ESTIMATED UNMITIGATED CONSTRUCTION EMISSIONS (POUNDS PER DAY)<sup>a</sup>**

Construction Phases	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM10 <sup>b</sup>	PM2.5 <sup>b</sup>
Demolition	1.1	10.4	14.6	<0.1	0.6	0.5
Grading and Excavation	3.1	35.4	34.4	0.1	2.9	1.5
Foundations	2.3	23.9	30.5	0.1	2.3	1.2
Building Construction	4.2	40.3	42.4	0.1	2.8	1.8
Paving	1.1	6.0	6.2	<0.1	0.3	0.2
Architectural Coatings	2.5	1.8	3.2	<0.1	0.1	0.1
<b>Overlapping Phases</b>						
Building Construction + Paving + Architectural Coating	7.9	48.0	51.8	0.1	3.3	2.1
<b>Maximum Daily Construction Emissions<sup>b</sup></b>	<b>7.9</b>	<b>48.0</b>	<b>51.8</b>	<b>0.1</b>	<b>3.3</b>	<b>2.1</b>
VCAPCD Significance Threshold	25	25	NA	NA	NA	NA
<b>Exceeds Threshold?</b>	No	<b>Yes</b>	NA	NA	NA	NA

NA – Not Applicable.

<sup>a</sup> Totals may not add up exactly due to rounding in the modeling calculations.

<sup>b</sup> Emissions include fugitive dust control measures consistent with VCAPCD Rule 55 (Fugitive Dust).

SOURCE: ESA 2023

## Operational Emissions

Operational criteria pollutant emissions were calculated for mobile, area, and stationary sources. CalEEMod, EMFAC2021, and OFFROAD2021 were used to calculate the emissions based on the operational assumptions (see additional information provided in the Air Quality and Greenhouse Gas Technical Report (2023), provided in Appendix B). Operational emission estimates include compliance with VCAPCD Rule 74.2 (Architectural Coatings), which limits the VOC content of architectural coatings. The results of the regional criteria pollutant emission calculations for VOC, NO<sub>x</sub>, CO, SO<sub>2</sub>, PM10, and PM2.5 are presented in **Table 3.3-2, *Estimated Unmitigated Operational Emissions***. The Project's operational-related daily emissions would exceed the VCAPCD significance thresholds and mitigation measures would be required.

**TABLE 3.3-2**  
**ESTIMATED UNMITIGATED OPERATIONAL EMISSIONS (POUNDS PER DAY)<sup>a</sup>**

Source	ROC	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM10	PM2.5
Area (Consumer Products, Landscaping)	3.6	<0.1	<0.1	<0.1	<0.1	<0.1
Energy (Natural Gas)	<0.1	0.1	0.1	<0.1	<0.1	<0.1
Mobile Sources – Light-Duty Vehicles	0.2	0.1	1.3	<0.1	0.1	<0.1
Mobile Sources – Heavy-Duty Vehicles	0.9	34.2	12.6	0.2	2.7	0.9
Transportation Refrigeration Units	68.9	65.8	7.5	0.2	1.9	1.8
Forklifts (Electric)	–	–	–	–	–	–
<b>Project Maximum Daily Operational Emissions</b>	<b>73.6</b>	<b>100.2</b>	<b>21.5</b>	<b>0.4</b>	<b>4.7</b>	<b>2.7</b>
VCAPCD Significance Threshold	25	25	NA	NA	NA	NA
<b>Exceeds Thresholds?</b>	<b>Yes</b>	<b>Yes</b>	NA	NA	NA	NA

NA – Not Applicable.

<sup>a</sup> Totals may not add up exactly due to rounding in the modeling calculations.

<sup>b</sup> Operational Mobile Emissions calculated outside of CalEEMod.

SOURCE: ESA 2023

### Mitigation Measures

As shown in Table 3.3-1 and Table 3.3-2, Project emissions would exceed the VCAPCD significance threshold for NO<sub>x</sub> during construction and for ROG and NO<sub>x</sub> during operations. For a Project that emits more than 25 pounds of ROG or NO<sub>x</sub>, the VCAPCD requires implementation of feasible mitigation measures. The following mitigation measures are required to reduce the Project's construction and operational emissions.

**Mitigation Measure AIR-1: Construction Fugitive Dust Control.** The Project developer shall implement fugitive dust control measures throughout all phases of construction. The Project developer shall include in construction contracts the control measures required and recommended by the Ventura County APCD at the time of development. These measures, like all EIR mitigation measures, are binding on subsequent parties and developers. Examples of the types of measures currently required and recommended include the following:

- Minimize the area disturbed on a daily basis by clearing, grading, earthmoving, and/or excavation operations.
- Pre-grading/excavation activities shall include watering the area to be graded or excavated before the commencement of grading or excavation operations. Application of water should penetrate sufficiently to minimize fugitive dust during these activities.
- All trucks shall be required to cover their loads as required by California Vehicle Code §23114.
- All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary.

- Material stockpiles shall be enclosed, covered, stabilized, or otherwise treated, to prevent blowing fugitive dust off site.
- Graded and/or excavated inactive areas of the construction site shall be monitored by a City-designated monitor at least weekly for dust stabilization. Soil stabilization methods, such as water and roll-compaction, and environmentally-safe control materials, shall be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area, the area should be seeded and watered until grass growth is evident, or periodically treated with environmentally-safe dust suppressants, to prevent excessive fugitive dust.
- Signs shall be posted on the site limiting onsite traffic to 15 miles per hour or less.
- During periods of excessive winds (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties, typically wind speeds of 30-40 mph or gusts in excess of 55 mph), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by onsite activities and operations from being a nuisance or hazard, either off site or on site. The site superintendent/supervisor shall use his/her discretion in conjunction with the Ventura County APCD in determining when winds are excessive.
- Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads.
- Personnel involved in grading operations, including contractors and subcontractors should be advised to wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.

**Mitigation Measure AIR-2: Construction Equipment Emissions Control.** The Project developer shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the Project Site throughout the Project construction phases. The Project developer shall include in construction contracts the control measures required and recommended by the Ventura County Air Pollution Control District at the time of development. Required measures shall include the following:

- The Project shall utilize off-road diesel-powered construction equipment that meets or exceeds the California Air Resources Board (CARB) and United States Environmental Protection Agency Tier 4 Final off-road emissions standards or equivalent for equipment rated at 50 horsepower (hp) or greater during Project construction where available within the Ventura County region. Such equipment shall be outfitted with Best Available Control Technology, which means a CARB certified Level 3 Diesel Particulate Filter or equivalent.
- Maintain all construction equipment in good condition and in proper tune in accordance with manufacturer's specifications.
- Limit truck and equipment idling time to five minutes or less.
- Minimize the number of vehicles and equipment operating at the same time during the smog season (May through October).
- Use alternatively fueled construction equipment, such as compressed natural gas, liquefied natural gas, or electric, to the extent feasible.

**Mitigation Measure AIR-3: Building Energy.** The Project developer shall include in construction and building management contracts the requirement to install and use solar or low-emission water heaters in new buildings where feasible and as in common practice in similar new construction in the Oxnard area, or other measure shown to be equally effective.

**Mitigation Measure AIR-4: Rooftop.** The Project developer shall include in construction and building management contracts the requirement that new buildings shall be designed with roof systems capable of supporting equipment that generates electricity from sunlight and/or wind if economically feasible and subject to review by the Fire Department. The roof systems may be designed to service the building and/or enter into a commercially reasonable public or private utility agreement for purposes of generating energy or transmission.

**Mitigation Measure AIR-5: Landscaping.** The Project developer shall include in building management contracts the requirement that commercial landscapers providing services at the common areas of Project Site use electric or battery-powered equipment, or other internal combustion equipment that is either certified by the California Air Resources Board or is three years old or less at the time of use, to the extent that such equipment is reasonably available and competitively priced in Ventura County (meaning that the equipment can be easily purchased at stores in Ventura County and the cost of the equipment is not more than 20 percent greater than the cost of standard equipment).

**Mitigation Measure AIR-6: Mitigation Fund.** The Project developer shall contribute to a cumulative impacts mitigation “buy-down” fund managed by the City based on the Ventura County Air Pollution Control District fee schedule effective at the time a building permit is issued. The City shall consider transit and traffic demand management improvements and other programs suggested by the Project developer, in excess of those otherwise required, as credits against the fee and/or to be funded from the fee fund.

Mitigated construction emissions are shown in **Table 3.3-3, *Estimated Mitigated Construction Emissions***, and mitigated operational emissions are shown in **Table 3.3-4, *Estimated Mitigated Operational Emissions***. As shown in Table 3.3-3, with the incorporation of Mitigation Measures AIR-1 and AIR-2, the Project’s construction emissions would be reduced to below the VCAPCD thresholds of significance. As shown in Table 3.3-4, with the incorporation of Mitigation Measures AIR-3, AIR-4, and AIR-5, the Project’s operational emissions would continue to exceed the VCAPCD thresholds of significance. However, as required by Mitigation Measure AIR-6, the Project would be required to contribute to a cumulative impacts mitigation “buy-down” fund. The City will determine the specific amount to be contributed by the Project. The Project’s anticipated contributions to the mitigation “buy-down” fund would offset the operational emissions.

Therefore, with implementation of mitigation measures, the Project would not violate an air quality standard or contribute substantially to an existing or projected air quality violation and would not result in a net increase of any criteria pollutant in excess of quantitative thresholds recommended by the VCAPCD. This impact would be less than significant with the incorporation of mitigation.

**TABLE 3.3-3  
ESTIMATED MITIGATED CONSTRUCTION EMISSIONS (POUNDS PER DAY)<sup>a</sup>**

Construction Phases	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM10 <sup>b</sup>	PM2.5 <sup>b</sup>
Demolition	0.2	1.6	15.3	<0.1	0.2	0.1
Grading and Excavation	0.8	9.5	37.7	0.1	1.6	0.4
Foundations	0.6	8.0	33.1	0.1	0.8	0.2
Building Construction	1.7	15.6	46.1	0.1	0.9	0.4
Paving	0.8	1.3	9.2	<0.1	0.1	0.1
Architectural Coatings	2.4	1.1	3.4	<0.1	0.1	<0.1
<b>Overlapping Phases</b>						
Building Construction + Paving + Architectural Coating	4.9	18.0	58.7	0.1	1.1	0.5
<b>Maximum Daily Construction Emissions<sup>b</sup></b>	<b>4.9</b>	<b>18.0</b>	<b>58.7</b>	<b>0.1</b>	<b>1.6</b>	<b>0.5</b>
VCAPCD Significance Threshold	25	25	NA	NA	NA	NA
<b>Exceeds Threshold?</b>	No	No	NA	NA	NA	NA

NA – Not Applicable.

<sup>a</sup> Totals may not add up exactly due to rounding in the modeling calculations.

<sup>b</sup> Emissions include fugitive dust control measures consistent with VCAPCD Rule 55 (Fugitive Dust).

SOURCE: ESA 2023

**TABLE 3.3-4  
ESTIMATED MITIGATED OPERATIONAL EMISSIONS (POUNDS PER DAY)<sup>a</sup>**

Source	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM10	PM2.5
Area (Consumer Products, Landscaping)	3.6	<0.1	<0.1	<0.1	<0.1	<0.1
Energy (Natural Gas)	<0.1	0.1	0.1	<0.1	<0.1	<0.1
Mobile Sources – Light-Duty Vehicles	0.2	0.1	1.3	<0.1	0.1	<0.1
Mobile Sources – Heavy-Duty Vehicles	0.9	34.2	12.6	0.2	2.7	0.9
Transportation Refrigeration Units	68.9	65.8	7.5	0.2	1.9	1.8
Forklifts (Electric)	–	–	–	–	–	–
<b>Reductions from Mitigation Measures</b>	<b>(48.7)</b>	<b>(75.3)</b>	–	–	–	–
<b>Project Maximum Daily Operational Emissions</b>	<b>24.9</b>	<b>24.9</b>	<b>21.5</b>	<b>0.4</b>	<b>4.7</b>	<b>2.7</b>
VCAPCD Significance Threshold	25	25	NA	NA	NA	NA
<b>Exceeds Thresholds?</b>	No	No	NA	NA	NA	NA

NA – Not Applicable.

<sup>a</sup> Totals may not add up exactly due to rounding in the modeling calculations.

<sup>b</sup> Operational Mobile Emissions calculated outside of CalEEMod.

SOURCE: ESA 2023



## Cumulative Impacts

The VCAPCD's approach for assessing cumulative impacts related to operations or long-term implementation is based on attainment of ambient air quality standards in accordance with the requirements of the CAA and California Clean Air Act. As discussed earlier, the VCAPCD has developed a comprehensive plan, the AQMP, which addresses the region's cumulative air quality condition.

A significant impact may occur if a project would add a cumulatively considerable contribution of a federal or California non-attainment pollutant. Because Ventura County is currently in non-attainment area for ozone and PM<sub>10</sub>, cumulative projects could exceed an air quality standard or contribute to an existing or projected air quality exceedance. Cumulative impacts to air quality are evaluated under two sets of thresholds for CEQA and the VCAPCD. In particular, Section 15064(h)(3) of the CEQA Guidelines provides guidance in determining the significance of cumulative impacts. Specifically, Section 15064(h)(3) states in part that:

*A lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program which provides specific requirements that will avoid or substantially lessen the cumulative problem (e.g., water quality control plan, air quality plan, integrated waste management plan) within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency.*

For purposes of the cumulative air quality analysis with respect to CEQA Guidelines Section 15064(h)(3), the Project's incremental contribution to cumulative air quality impacts is determined based on compliance with the VCAPCD adopted AQMP. The Project would not conflict with or obstruct implementation of AQMP and would be consistent with the growth projections in the AQMP.

Nonetheless, VCAPCD no longer recommends relying solely upon consistency with the AQMP as an appropriate methodology for assessing cumulative air quality impacts. The VCAPCD recommends that project-specific air quality impacts be used to determine the potential cumulative impacts to regional air quality. As shown in Table 3.3-3 and Table 3.3-4, the Project's mitigated emissions would be below VCAPCD significance thresholds for ROG and NO<sub>x</sub>, both ozone precursors.

The formation of ground-level ozone is a complex process due to photochemical reactions of precursor pollutants (i.e., ROG and NO<sub>x</sub> emissions) in the atmosphere in the presence of sunlight. Meteorological factors, such as wind, would result in dispersive effects of pollutants, including ozone precursor and particulate matter emissions, that are dispersed horizontally downwind and through vertical mixing. Accounting for this, the Project's emissions would not exceed the VCAPCD significance thresholds with implementation of

mitigation measures AIR-1 through AIR-6. Therefore, the Project's incremental contribution to long-term emissions of non-attainment pollutants and ozone precursors, considered together with cumulative projects, would not be cumulatively considerable, and therefore the cumulative impact of the Project would be less than significant with mitigation incorporated.

- c) **Less than Significant with Mitigation Incorporated.** This impact evaluates the potential for the Project's construction and operational emissions to expose sensitive receptors to substantial pollutant concentrations of carbon monoxide, naturally occurring asbestos, Valley Fever, or other TACs of concern (including DPM). Sensitive receptors are individuals who are considered more sensitive to air pollutants than others. The reasons for greater than average sensitivity may include pre-existing health problems, proximity to emissions sources, or duration of exposure to air pollutants. Schools, hospitals, and convalescent homes are considered as relatively sensitive to poor air quality because children, elderly people, and the infirm are more susceptible to respiratory distress and other air quality-related health problems than the general public. Residential areas are considered sensitive to poor air quality because people usually stay home for extended periods of time, with associated greater exposure to ambient air quality. The nearest sensitive receptors to the Project Site are residential uses located approximately 2,100 feet northwest of the Project Site. This analysis examines potential exposure of off-site sensitive receptors from the development of the Project.

### ***Construction Fugitive Dust***

Construction of the Project would generate fugitive dust (primarily PM<sub>10</sub> fugitive dust) from site grading and earth-moving activities. Fugitive dust emissions are primarily associated with earth disturbance and grading activities, and vary as a function of soil silt content, soil moisture, wind speed, acreage of disturbance area, and miles traveled by construction vehicles on- and off-site. The majority of this fugitive dust will remain localized and will be deposited near the Project Site. The VCAPCD does not have a quantitative significance threshold for fugitive dust. The VCAPCD's Air Quality Guidelines recommend minimizing the generation of fugitive dust, especially during grading and excavation operations, rather than requiring the quantification of fugitive dust emissions. The Project would be required to implement applicable fugitive dust control through regulatory compliance for VCAPCD Rule 55 (Fugitive Dust), which includes requirements for controlling visible dust beyond the property line, track-out of dust, stabilizing material and soil while hauling, minimizing dust from equipment and vehicle travel on unpaved roads, stabilizing storage piles, and various record keeping requirements to document compliance. Furthermore, Mitigation Measure AIR-1 for fugitive dust control provides specific requirements supportive of and in line with VCAPCD Rule 55 (Fugitive Dust) requirements. Regulatory compliance and implementation of Mitigation Measure AIR-1 would reduce fugitive dust impacts to less than significant.

### ***Naturally Occurring Asbestos***

Construction in areas of rock formations that contain naturally occurring asbestos could release asbestos into the air and pose a health hazard. A review of the United States

Geological Survey *Reported Historic Asbestos Mines, Historic Asbestos Prospects, and Other Natural Occurrences of Asbestos in California*, which includes a map containing areas more likely to have rock formations containing naturally occurring asbestos in California, indicates that there are no areas likely containing naturally occurring asbestos in the Project area.<sup>1</sup> Therefore, the Project would not expose sensitive receptors to naturally occurring asbestos during construction. Project impacts to air quality related to naturally occurring asbestos would be less than significant.

### **Valley Fever**

Soil conditions on the Project Site do not generally meet the Ventura County Air Quality Assessment Guidelines criteria for potential presence of Valley Fever fungus, which include the disturbance of undeveloped topsoil, the presence of dry, alkaline soils, or the disturbance of virgin undisturbed soil in non-urban areas.

The Project Site is an existing vacant industrial site that has been disturbed by tractor trailers traveling and parking on the site. Therefore, the implementation of the Project would have a low probability of the site having valley fever growth sites and exposure to the spores from disturbed soil. The Project would minimize the generation of fugitive dust during construction activities by complying with the VCAPCD Rule 55 (Fugitive Dust). As discussed above, Mitigation Measure AIR-1 for fugitive dust control provides specific requirements supportive of and in line with VCAPCD Rule 55 (Fugitive Dust) requirements. Therefore, with the relatively low probability of the presence of *Coccidioides immitis* spores combined with regulatory compliance and implementation of Mitigation Measure AIR-1, , this would reduce Valley fever impacts during the construction period to a less than significant level.

During operations, dust emissions are anticipated to be negligible, because most of the project area would be occupied by a cold storage facility, pavement, and landscaped areas. This condition would preclude the possibility of providing habitat suitable for *Coccidioides immitis* and for generating fugitive dust that may contribute to Valley fever exposure. Project operational impacts to air quality related to Valley Fever would be less than significant.

### **Carbon Monoxide Hotspots**

The SCAQMD generally experiences higher concentrations of carbon monoxide (CO) than the VCAPCD. In past years, busy intersections would have the potential to create CO Hotspots due to vehicular emissions of CO. As cars have become cleaner, this has become rare. The SCAQMD demonstrated that CO Hotspots are no longer to be anticipated even when applying worst case intersection data, prior studies, and existing background CO concentrations. This conclusion is also applicable within the VCAPCD.

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<sup>1</sup> United States Geological Survey, *Reported Historic Asbestos Mines, Historic Asbestos Prospects, and Other Natural Occurrences of Asbestos in California*, 2011.

The SCAQMD study demonstrates that the Project would not cause or contribute considerably to the formation of CO hotspots, that CO concentrations at Project-impacted intersections would remain well below the threshold one-hour and eight-hour ambient air quality standards (CAAQS) of 20 or 9.0 parts per million (ppm), respectively within one-quarter mile of a sensitive receptor, and that no further CO analysis is warranted or required.

The SCAQMD conducted CO modeling for the 2003 AQMP for the four worst-case intersections in the Air Basin. These include: (a) Wilshire Boulevard and Veteran Avenue; (b) Sunset Boulevard and Highland Avenue; (c) La Cienega Boulevard and Century Boulevard; and (d) Long Beach Boulevard and Imperial Highway. In the 2003 AQMP CO attainment demonstration, the SCAQMD notes that the intersection of Wilshire Boulevard and Veteran Avenue is the most congested intersection in Los Angeles County, with an average daily traffic volume of about 100,000 vehicles per day.<sup>2</sup> This intersection is located near the on- and off-ramps to Interstate 405 in West Los Angeles. The evidence provided in Table 4-10 of Appendix V of the 2003 AQMP shows that the peak modeled CO concentration due to vehicle emissions (i.e., excluding background concentrations) at these four intersections was 4.6 ppm (one-hour average) and 3.2 ppm (eight-hour average) at Wilshire Boulevard and Veteran Avenue.<sup>3</sup> Therefore, projects that result in traffic at any intersection of less than 100,000 vehicles per day would be considered to be less than significant.

Based on the Project's Transportation Study, the maximum traffic volume would be approximately 223 average daily trips (50 passenger vehicle trips and 173 truck trips per day).<sup>4</sup> As the Project does not result in 100,000 vehicles per day at any study area intersection, this comparison demonstrates that the Project would not contribute to the formation of CO hotspots and that no further CO analysis is required. Therefore, the Project would result in less than significant impacts with respect to CO hotspots.

## **Toxic Air Contaminants**

### **Construction**

Temporary TAC emissions associated with DPM emissions from heavy construction equipment would occur during construction activities. According to OEHHA and the VCAPCD Air Quality Assessment Guidelines,<sup>5</sup> health effects from TACs are described in terms of individual cancer risk based on a lifetime (i.e., 70-year) resident exposure duration. Given the temporary and short-term construction schedule (approximately 12 months), the Project would not result in a long-term (i.e., lifetime or 70-year) exposure as a result of construction activities.

The Project would be generally consistent with the applicable 2022 AQMP requirements for control strategies intended to reduce emissions from construction equipment and activities.

<sup>2</sup> SCAQMD, 2003 AQMP, Appendix V: Modeling and Attainment Demonstrations, page V-4-24.

<sup>3</sup> The eight-hour average is based on a 0.7 persistence factor, as recommended by the SCAQMD.

<sup>4</sup> Associated Transportation Engineers. Arcturus Avenue Cold Storage Facility, Oxnard, California, Revised Traffic Study, Table 2, p. 9, February 21, 2023.

<sup>5</sup> VCAPCD, Ventura County Air Quality Assessment Guidelines, October 2003, <http://www.vcapcd.org/pubs/Planning/VCAQGuidelines.pdf>. Accessed February 2023.

The Project would comply with regulatory control measures including the CARB Air Toxics Control Measure that limits diesel powered equipment and vehicle idling to no more than 5 minutes at a location, and the CARB In-Use Off-Road Diesel Vehicle Regulation that requires fleets to retire, replace, or repower of older, dirtier engines with newer emission-controlled models; compliance with these would minimize emissions of TACs during construction. In addition, the Project would implement Mitigation Measure AIR-2 to reduce NO<sub>x</sub> emissions, which would also have co-benefits of reducing construction TAC emissions (diesel particulate matter) and reducing the potential for TAC impacts.

Although sensitive receptors (residential uses) are located to the northwest of the Project Site, the downwind concentration and associated cancer risk at 2,100 feet (642 meters, 0.4 miles) away would be very small. The short-term duration of construction activity anticipated at approximately 12 months, along with regulatory compliance to reduce diesel particulate matter emissions, and the distance to sensitive receptors (2,100 feet and more) would not create conditions that result in a significant health risk to sensitive receptors. Impacts from construction TACs would be less than significant. Thus, construction activities would not expose sensitive receptors to substantial toxic air contaminant concentrations, and construction-related health impacts would be less than significant.

### **Operation**

The Project Traffic Study<sup>6</sup> indicates that the Project would generate 223 total average daily trips, of which 173 would be truck trips and 50 would be passenger vehicle trips per day. The Project would provide 397 yard plugs, including 271 in the staging area to power each trailer, one for each of the 36 dock doors, and 90 within the container stacking area. This would reduce TRU idling emissions.

As previously discussed, the Project would comply with the anti-idling regulation that would limit truck idling to five minutes at a location. The truck fleet would also be required to comply with the applicable provisions of the CARB 13 CCR, Section 2025 (Truck and Bus regulation) to minimize and reduce PM<sub>10</sub>, PM<sub>2.5</sub>, and NO<sub>x</sub> emissions from diesel-fueled trucks. Therefore, Project operations would not be considered a substantial source of diesel particulates.

The CARB Air Quality Land Use Handbook indicates that there is a 70-percent drop off in particulate pollution levels at 500 feet.<sup>7</sup> Although vehicle trips generated by the Project may come within 500 feet of nearby sensitive receptors, emissions from vehicles would be dispersed along roadways. Considering the distance from the Project site (where emissions could reasonably be assumed to be the most concentrated) to the nearest sensitive receptors (2,100 feet and more), operational Project-related TAC exposure impacts to these off-site sensitive receptors would be below the established thresholds during operation of the project.

<sup>6</sup> Associated Transportation Engineers. Arcturus Avenue Cold Storage Facility, Oxnard, California, Revised Traffic Study, Table 2, p. 9, February 21, 2023.

<sup>7</sup> CARB, Air Quality and Land Use Handbook, p. 6, April 2005.

The Project does not include industrial manufacturing processes, paint spray operations, or other emission sources. The Project's cold storage and office land uses would not include installation of industrial-sized paint booths or require extensive use of commercial or household cleaning products.

Project operations would only result in minimal emissions of TAC from maintenance or other ongoing activities, such as from the use of architectural coatings and other products. Based on the uses expected on the Project Site, potential long-term operational impacts associated with the release of TACs would be minimal, regulated, and controlled, and would not be expected to exceed VCAPCD toxic emissions thresholds. Thus, operation of the Project would not expose sensitive receptors to substantial toxic air contaminant concentrations and operational impacts would be less than significant.

d) **Less than Significant Impact.**

**Construction**

Potential activities that may emit odors during construction include the use of architectural coatings and solvents, as well as the combustion of diesel fuel in on-and off-road equipment. VCAPCD Rule 74.2 would limit the amount of VOCs in architectural coatings and solvents. In addition, the Project would comply with the applicable provisions of the CARB Air Toxics Control Measure regarding idling limitations for diesel trucks. Through mandatory compliance with VCAPCD Rules, no construction activities or materials are expected to create objectionable odors affecting a substantial number of people. Therefore, construction activities would result in less than significant impacts with respect to odors.

**Operations**

According to the 2003 Ventura County Air Quality Assessment Guidelines, land uses associated with odor complaints typically include:

- Wastewater treatment facilities
- Sanitary landfills
- Transfer stations
- Composting facilities
- Asphalt batch plants
- Painting and coating operations
- Fiberglass operations
- Food processing facilities
- Feed lots/ dairies
- Petroleum extraction, transfer processing, and refining operations and facilities
- Chemical manufacturing operations and facilities
- Rendering plants

The Project does not include any uses identified by the VCAPCD as being associated with substantial odors. As a result, the Project is not expected to discharge contaminants into the air in quantities that would cause a nuisance, injury, or annoyance to the public or property pursuant to VCAPCD Rule 51 (Public Nuisance). Therefore, operation of the Project would result in less than significant impacts with respect to odors.

## References

VCAPCD 2003. *Ventura County Air Quality Assessment Guidelines*. October. Available: <http://www.vcapcd.org/pubs/Planning/VCAQGuidelines.pdf>

VCAPCD 2022. *Final 2022 Ventura County Air Quality Management Plan*. December 2022. Available: <http://www.vcapcd.org/pubs/Planning/AQMP/2022/Final-2022-AQMP-with-appendices-20221130.pdf>

Associated Transportation Engineers, 2021. Traffic Impact Study.

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### 3.4 Biological Resources

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Would the project 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Would the project have a substantial adverse effect on federally protected waters of the U.S. as defined by Section 404 of the federal Clean Water Act or protected waters of the state as defined by Section 1600 et seq. of the California Fish and Game Code (including, but not limited to, marshes, vernal pools, coastal wetlands) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Would the project 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Would the project conflict with any local policies or ordinances protecting biological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Would the project conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

To identify the potential biological resource constraints associated with the project, ESA conducted a literature review and follow-on site survey to characterize existing conditions and determine the potential for sensitive biological resources to occur within the Project site, including a 500-foot buffer (study area). The following resource inventory databases and various publications were referenced:

- California Natural Diversity Data Base (CNDDDB) (California Department of Fish and Wildlife [CDFW] 2023a). Database was queried for special-status species records in the Oxnard USGS 7.5-minute quadrangle and five surrounding quadrangles including Ventura, Saticoy, Santa Paula, Camarillo, and Point Mugu.
- California Natural Community List (CDFW 2023b).
- Inventory of Rare and Endangered Vascular Plants of California (California Native Plant Society [CNPS] 2023). Database was queried for special-status species records in the Oxnard USGS 7.5-minute quadrangle and five surrounding quadrangles including Ventura, Saticoy, Santa Paula, Camarillo, and Point Mugu.
- Critical Coastal Areas Map Viewer (California Coastal Commission 2023).
- Environmentally Sensitive Habitat Areas (ESHA) Map, City of Oxnard (City of Oxnard 1982/2014).



- Critical Habitat Portal (United States Fish and Wildlife Service [USFWS] 2023a).
- Information for Planning and Consultation (USFWS 2023b). Database was queried for federally listed species records within and immediately surrounding the Project site.

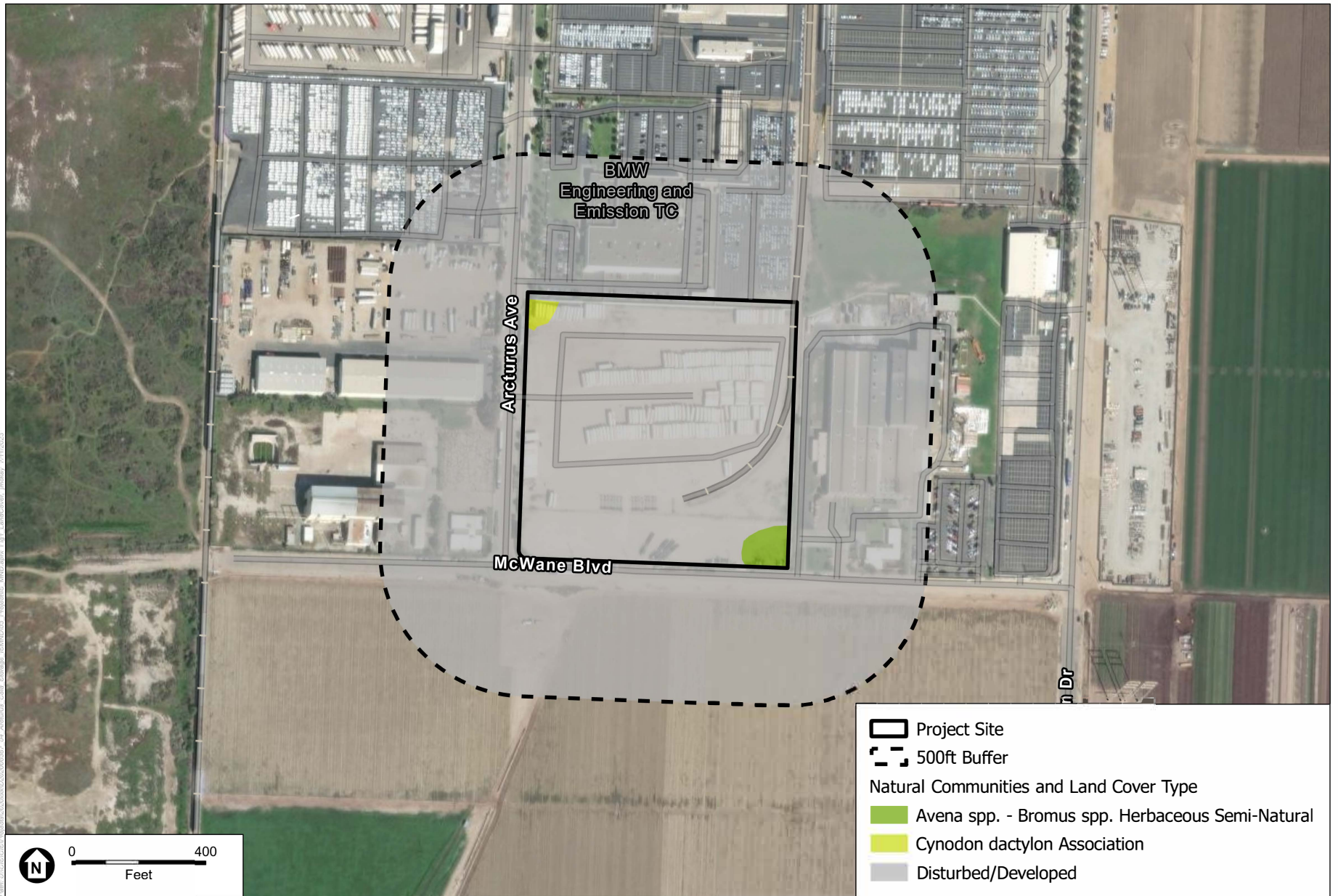
## Site Survey

The site survey was conducted by ESA Biologist, Sonya Vargas, on March 1, 2023 and consisted of walking transects and meandering throughout the study area to characterize and map vegetation and habitats, and to determine the potential for special-status plants and wildlife to occur. All incidental and visual observations of flora and fauna, including signs (i.e., presence of scat) as well as any audible detections, were noted during the assessment and are described further below. All native and non-native natural communities and land cover types were characterized and delineated on aerial photographs during the field survey, and then digitized on aerial maps using geographic information system software (ArcGIS). Each natural community was characterized using *A Manual of California Vegetation, Second Edition* (Sawyer et al, 2009) as a reference; however, where a particular community was not clearly defined in the publication, it was instead characterized using species dominance, or other physical descriptor.

## Discussion

- a) **Less than Significant with Mitigation Incorporated.** Most of the Project site consists of unvegetated bare ground, while the northwest and southeast corners consist of scattered grasses and forbs, including Australian saltbush (*Atriplex semibaccata*), bermuda grass (*Cynodon dactylon*), red brome (*Bromus rubens*), ripgut brome (*Bromus diandrus*), barley (*Hordeum* sp.), wild oat (*Avena* sp.), prickly lettuce (*Lactuca serriola*), cheeseweed mallow (*Malva parviflora*), and Russian thistle (*Salsola* sp.). The Project site is currently comprised of a vacant lot in an industrial/agricultural area that is used to store shipping container chassis and is subject to regular vehicular and pedestrian traffic. Ornamental trees and shrubs (e.g., New Zealand Christmas tree [*Metrosideros excelsa*] and crimson bottlebrush [*Callistemon citrinus*]) line the outer perimeter of the Project site. The portions of the study area to the north, west and east of the Project site have been developed and consist of industrial land use, including paved roadways (i.e., Arcturus Avenue). The portion of the study area to the south of the Project site consists of a mixture of paved (i.e., E. McWane Boulevard) and unpaved roadways and active agriculture. The northwest corner of the Project site was characterized as *Cynodon dactylon* Association, the southeast corner of the Project site was characterized as *Avena* spp. - *Bromus* spp. Herbaceous Semi-Natural Alliance, and the rest of the survey area was characterized as disturbed/developed (see **Figure 10, Natural Communities and Land Cover Types**).

The Project site itself supports very limited habitat for wildlife, specifically those accustomed to development and the presence of humans. Mammal species observed within the study area include the California ground squirrel (*Otospermophilus beecheyi*). Bird species observed within the study area that includes the Project site and a 500-foot buffer around the site include the killdeer (*Charadrius vociferus*), American crow (*Corvus brachyrhynchos*), house finch (*Haemorhous mexicanus*), California gull (*Larus californicus*), house sparrow (*Passer domesticus*) and Eurasian collared-dove (*Streptopelia decaocto*).



SOURCE: ESA, 2023

Arcturus Warehouse LLC IS/MND

**Figure 10**  
Natural Communities and Land Cover Types

### **Critical Habitat**

Under the Federal Endangered Species Act (FESA), to the extent feasible, the USFWS and National Marine Fisheries Service (NMFS) are required to designate critical habitat for endangered and threatened species. Critical habitat is defined as areas of land, water, and air space containing the physical and biological features essential for the survival and recovery of endangered and threatened species. Designated critical habitat includes sites for breeding and rearing, movement or migration, feeding, roosting, cover, and shelter. Designated critical habitats require special management and protection of existing resources, including water quality and quantity, host animals and plants, food availability, pollinators, sunlight, and specific soil types. Critical habitat delineates all suitable habitat, occupied or not, essential to the survival and recovery of the species.

The USFWS Critical Habitat Portal indicates that critical habitat does not occur within the Project site. The nearest identified critical habitat is for the tidewater goby (*Eucyclogobius newberryi*) which occurs approximately 0.2 miles to the southwest of the Project site, and no habitat for this species occurs within the study area. Additionally, critical habitat for the western snowy plover (*Charadrius nivosus* ssp. *nivosus*) exists approximately 0.5 miles to the southwest of the site, along the coast; however, suitable nesting habitat does not exist within the Project site. Therefore, the proposed Project is not expected to result in an impact to critical habitat.

### **Special-Status Species**

Special-status species are defined as those that, because of their recognized rarity or vulnerability to various forms of habitat loss or population decline, are recognized by federal, state, or other agencies as under threat from human-associated developments. Some of these species receive specific protection that is defined by federal or state endangered species legislation. Others have been designated as special-status on the basis of adopted policies and the expertise of state resource agencies or other respected organizations, or policies adopted by local governmental agencies such as counties, cities, and special districts to meet local conservation objectives. Special-status species are defined as follows:

- Species listed or proposed for listing as threatened or endangered under the Federal Endangered Species Act (50 CFR 17.11 for listed animals and 50 CFR 17.12 for listed plants and various notices in the Federal Register for proposed species).
- Species that are candidates for possible future listing as threatened or endangered under the Federal Endangered Species Act (Federal Register, December 2, 2016).
- Species that meet the definitions of rare or endangered species under CEQA (State CEQA Guidelines, Section 15380).
- Species listed, proposed for listing, or identified as candidate species for listing by the State of California as threatened or endangered under the California Endangered Species Act (14 CCR 670.5 animals; 14 CCR 670.2 plants).

- Animal species of special concern to the CDFW (Shuford & Gardali 2008 for birds; Williams 1986 for mammals; Moyle et al. 1995 for fish; and Jennings & Hayes 1994 for amphibians and reptiles).
- Animal species that are fully protected in California (California Fish and Game Code [FGC], Sections 3511 [birds], 4700 [mammals], 5050 [reptiles and amphibians], and 5515 [fish]).
- Bat species considered priority by the Western Bat Working Group (WBWG 2023).
- Bird species protected by the Migratory Bird Treaty Act (MBTA).
- Plants considered by the CNPS to be rare, threatened, or endangered (Rank 1A, 1B, 2A, and 2B plants) in California.
- Plants listed as rare under the California Native Plant Protection Act (FGC 1900 et seq.).
- 2022 Ventura County Planning Division Locally Important Animal List and Ventura County Planning Division 2022 Locally Important Plant List (County of Ventura 2023).

A search of the most current CNDDDB, CNPS and Information for Planning and Consultation (IPaC) databases revealed that 46 special-status plant and 49 wildlife species have been previously recorded within the Oxnard and surrounding five USGS 7.5-minute quadrangle maps (see **Appendix C1, Database Results**). Based on the disturbed nature of the study area and the absence of suitable habitat, it was determined that all plant species and 44 of the wildlife species do not have a potential to occur within the study area and are omitted from further discussion.

A total of 5 wildlife species were determined to have a low to moderate potential to occur within the study area, based on the following criteria (see **Appendix C2, Special-Status Species Potential for Occurrence**):

**Low Potential:** Limited habitat exists for a particular species within the study area. For example, the appropriate vegetation assemblage may be present while the substrate preferred by the species may be absent, or the preferred habitat may be present, but has undergone substantial disturbance, such that the species is not expected to occur.

**Moderate Potential:** Marginal habitat for a particular species is present within the survey area. For example, the available habitat may be somewhat disturbed and/or may not support all stages of a species' life cycle, or it may not fit all preferred habitat characteristics, however, still supports important components, such as a particular soil or community type.

Two species, the burrowing owl (*Athene cunicularia*) and California horned lark (*Eremophila alpestris actia*) were determined to have a moderate potential to occur within the study area. Based on the presence of suitable habitat and appropriately-sized small mammal burrows within the Project site, focused surveys for burrowing owl were conducted in accordance with the *Staff Report on Burrowing Owl Mitigation* (CDFW 2012) (see **Appendix C3, Focused Burrowing Owl Survey Results**). The focused surveys

resulted in negative findings; therefore, this species is expected to have a low potential to occur within the study area, especially when considered with the current disturbance levels on and surrounding the project site. However, the project site contains suitable Burrowing Owl habitat and since Burrowing Owl are a mobile species that can colonize a site, the implementation of **Mitigation Measure BIO-1** would ensure that potential impacts to Burrowing Owl would be less than significant.

**Mitigation Measure BIO-1:** A preconstruction Burrowing Owl survey should be conducted following the protocol detailed in the CDFW *Staff Report on Burrowing Owl Mitigation*. An initial take avoidance survey shall be conducted no less than 14 days prior to initiating ground disturbance activities, and a subsequent take avoidance survey shall be conducted within 24 hours prior to ground disturbance.

The horned lark and other migratory bird species protected in accordance with the MBTA and Sections 3505, 3503.5, and 3511 of the California FGC may nest within the study area. Direct impacts may occur to the degree that nests may be directly removed with the removal of ornamental species and crushed underfoot (ground nesters in paved or disturbed areas), or nests may be abandoned in adjacent habitat due to disturbance resulting in a direct loss of an active bird nest. Temporary, indirect impacts (noise, traffic, construction activities, ground vibrations, human presence) may affect wildlife species surrounding the construction site, especially nesting birds, when in season. Therefore, work activities within 500 feet of the Project site should be scheduled outside of the avian nesting season (February 15 to September 15). If the nesting season cannot be avoided, the implementation of **Mitigation Measure BIO-2** would ensure that impacts to nesting birds would be considered less than significant.

**Mitigation Measure BIO-2:** If work activities occur within the bird nesting season (generally defined as February 15 through September 15), a qualified biologist shall conduct a nesting bird survey within 3-7 days prior to the proposed construction start date, to identify any active nests within 500 feet of the Project site. If an active nest is found, the nest shall be avoided and a suitable buffer zone shall be delineated in the field such that no impacts shall occur until the chicks have fledged the nest as determined by a qualified biologist. Construction buffers shall be 300 feet for passerines and up to 500 feet for raptor species; however, avoidance buffers may be reduced at the discretion of the biologist, depending on the location of the nest and species tolerance to human presence and construction-related noises and vibrations.

If activities must take place within an established buffer, steps should be taken to reduce indirect effects to nesting activity by actively reducing construction noise (to no more than 3 decibels [dBA] above pre-construction ambient noise levels) within proximity to a presumed nest location and/or installing temporary construction noise barriers. If the reduction of noise is not feasible, work activities shall be postponed until the nest is deemed inactive and/or the breeding season has concluded.

- b) **No Impact.** “Sensitive” natural communities and habitats are defined by the CDFW as those natural communities that have a reduced range and/or are imperiled as a result of residential and commercial development, agriculture, energy production and mining, or an

influx of invasive and other problematic species. Vegetation communities are evaluated using the CDFW's Vegetation Classification and Mapping Program (VegCAMP) Heritage Methodology, which is based on the knowledge of range and distribution of a specific vegetation type and the proportion of occurrences that are of good ecological integrity. Evaluation is done at both Global (natural range within and outside of California [G]) and Subnational (State level for California [S]) levels, each ranked from 1 (critically imperiled or very rare and threatened) to 5 (demonstrably secure). Natural communities and habitats with state ranks of S1-S3 are considered Sensitive Natural Communities and require review when evaluating environmental impact (CDFW 2023c). Sensitive natural communities are not present within the study area.

As the Project site does not support riparian vegetation and/or sensitive natural communities identified in regional plans, policies, or regulations, or by the California Department of Fish and Game or USFWS, impacts to riparian vegetation and/or sensitive natural communities, are not expected. No impact would occur.

- c) **No Impact.** Wetlands (including swamps, bogs, seasonal wetlands, seeps, marshes, and similar areas) are considered waters of the U.S., and are defined by U.S. Army Corps of Engineers (USACE) as “those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions” (33 CFR 328.3[b]; 40 CFR 230.3[t]). No wetland features are identified by the National Wetlands Inventory (NWI) as occurring within the Project area (USFWS 2023c) and during the site survey, no wetland features were observed. Since Project construction would not extend into riparian habitat as there is none present, no impacts would occur.

- d) **No Impact.** Wildlife corridors are features that exist as topographical or structural pinch points that, among other purposes, are utilized by wildlife for travel between one geographical area to the next. While these resources may support limited biological function and are perhaps utilized strictly for travel purposes, for example, a dry culvert under a roadway or bridge; more often, they contain natural vegetation and habitats that support foraging, roosting, and breeding activities, as well. Very often, particularly in the case of riparian corridors, aquatic species depend entirely on these features to persist.

Wildlife corridors are not present within the study area, and the proposed Project would not result in impacts to existing wildlife corridors or affect wildlife movement.

- e) **Less than Significant Impact.** The proposed Project would result in the removal, impact, and/or replacement of approximately four ornamental trees including crimson bottlebrush and New Zealand Christmas trees that occur along the inner and outer perimeter of the chain-link fence. The City of Oxnard Landscape Standards states that removal of healthy trees of a height of six feet or more shall be done only with approval of the Parks and Recreation Department (City of Oxnard 1988). With approval from Parks and Recreation Department for removal of existing trees, the proposed Project would not conflict with any

other local policies or ordinances protecting biological resources and impacts would be considered less than significant. The City of Oxnard Landscape Standards also indicate that tree replacement may be required. New trees will be installed along the outer perimeter according to the final landscape plans and in accordance with the City of Oxnard Landscape Standards.

- f) **No Impact.** The Project site is not located within any habitat conservation plan or natural community conservation plan areas or other approved local, regional, or state habitat conservation plan area. Therefore, the proposed Project would not conflict with provisions of an adopted natural community conservation plan or other approved local, regional, or state habitat conservation plan. No impact would occur.

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### 3.5 Climate Change and Greenhouse Gas Emissions

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases or otherwise conflict with the state goal for reducing greenhouse gas emissions in California?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Would the project contribute or be subject to potential secondary effects of climate change (e.g., sea level rise, increase fire hazard)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### Discussion

a, b) **Less than Significant Impact.**

#### **Construction Emissions**

Construction emissions would be associated with vehicle engine exhaust from construction equipment and vehicles, vendor trips, and construction worker commuting trips. Construction-related GHG emissions are considered temporary and short term. **Table 3.5-1, Construction Greenhouse Gas Emissions**, shows construction GHG emissions amortized over 30 years.

**TABLE 3.5-1  
CONSTRUCTION GREENHOUSE GAS EMISSIONS**

<b>Emission Source</b>	<b>CO<sub>2</sub>e (Metric Tons)<sup>a,b</sup></b>
Demolition	13.3
Grading and Excavation	102.0
Foundations	11.3
Building Construction	708.8
Paving	39.5
Architectural Coatings	21.2
Construction Office Trailer and Watering	6.9
<b>Total</b>	<b>858.3</b>
Amortized Over 30 Years	28.6

<sup>a</sup> Totals may not add up exactly due to rounding in the modeling calculations.

<sup>b</sup> Construction mobile emissions calculated outside of CalEEMod using EMFAC2021.

SOURCE: ESA, 2023.

#### **Operational Emissions**

Operation of the Project would generate GHG emissions through motor vehicle trips to and from the Project Site, energy use, and potential leakage from gas-insulated circuit breakers (area source). CalEEMod, EMFAC2021, and OFFROAD2021 were used to calculate the

annual GHG emissions based on the operational assumptions (see additional information provided in the Air Quality and Greenhouse Gas Technical Report (2023), provided in Appendix B). Additionally, GHG emissions associated with SF<sub>6</sub>-insulated circuit breakers at the on-site substation were calculated based on up to 320 pounds of SF<sub>6</sub> contained in equipment, an annual leak rate of 0.1%, and a GWP of 22,800.<sup>8</sup> **Table 3.5-2, Annual Operational Greenhouse Gas Emissions**, shows the Project’s estimated annual operational GHG emissions.

**TABLE 3.5-2  
ANNUAL OPERATIONAL GREENHOUSE GAS EMISSIONS**

<b>Emission Source</b>	<b>CO<sub>2</sub>e (Metric Tons)<sup>a,b</sup></b>
Mobile Sources – Light-Duty Vehicles	55.1
Mobile Sources – Heavy-Duty Vehicles	3,820.8
Transportation Refrigeration Units	1,643.2
Area	<0.1
Insulated circuit breakers (SF <sub>6</sub> )	3.3
Electricity	410.5
Natural Gas	13.8
Water and Wastewater Treatment	113.1
Solid Waste	33.5
Forklifts (Electric)	42.3
Construction (Amortized)	28.6
<b>Total</b>	<b>6,164.2</b>

<sup>a</sup> Totals may not add up exactly due to rounding in the modeling calculations.  
<sup>b</sup> Construction mobile emissions calculated outside of CalEEMod using EMFAC2021.  
SOURCE: ESA, 2023.

## **Greenhouse Gas Reduction Plans, Policies, and Regulations**

### **2022 Scoping Plan**

The 2022 Scoping Plan presents a non-exhaustive list of impactful GHG reduction strategies that can be implemented by local governments within the three priority areas (Priority GHG Reduction Strategies for Local Government Climate Action Priority Areas).<sup>9</sup> A detailed assessment of goals, plans, policies implemented by the City which would support the GHG reduction strategies in the three priority areas is provided below. In addition, further details are provided regarding the correlation between these reduction strategies and applicable actions included in Table 2-1 (page 72) of the Scoping Plan (Actions for the Scoping Plan Scenario). Based on the discussions below, the Project would not conflict with applicable 2022 Scoping Plan strategies and regulations to reduce GHG emissions.

<sup>8</sup> CO<sub>2</sub>e Emissions = 320 lbs SF<sub>6</sub> x 0.1% leak rate per year x 0.0004536 metric ton/lb x 22,800 GWP = 3.3 MTCO<sub>2</sub>e/year

<sup>9</sup> CARB, 2022 Scoping Plan for Achieving Climate Neutrality, Table 1 of Appendix D, November 2022.

### Transportation Electrification

The priority GHG reduction strategies for local government climate action related to transportation electrification are discussed below and would support the Scoping Plan action to have 100 percent of all new passenger vehicles to be zero-emission by 2035 (see Table 2-1 of the Scoping Plan).

The CARB approved the Advanced Clean Cars II rule which codifies Executive Order N-79-20 and requires 100 percent of new cars and light trucks sold in California be zero-emission vehicles by 2035. The State has also adopted AB 2127, which requires the CEC to analyze and examine charging needs to support California's EVs in 2030 and to support decision-makers allocation of resources to install new EV chargers where they are needed most.

The Project would include electric vehicle parking spaces equipped with EVCS and, aided by a grant from the SCAQMD, the facility would be fitted with electrical outlets ("yard plugs") that would allow for the on-board fuel powered TRUs to be transferred to electric power, which would assist with reducing idle emissions. The Project would provide 67 parking spaces (53 standard, one van accessible, two standard accessible, one EVCS van accessible, seven carpool/vanpool, and three EVCS stall spaces) and 10 bicycle parking spaces (five short term and five long term spaces), which would be located adjacent to the building's western boundary and the Project site's southeastern boundary. The Project would provide 397 yard plugs, including 271 in the staging area to power each trailer, one for each of the 36 dock doors, and 90 within the container stacking area. This would support the electrification of transportation-related sources of emissions and would reduce vehicle and equipment emissions. Thus, the Project would not conflict with this strategy.

### Vehicle Miles Traveled Reduction

The priority GHG reduction strategies for local government climate action related to vehicle miles traveled (VMT) reduction are discussed below and would support the Scoping Plan action to reduce VMT per capita 25 percent below 2019 levels by 2030 and 30 percent below 2019 levels by 2045.

The proposed Project would generate 50 average daily employee vehicle trips, and as such, would not create a substantial increase in VMT. Furthermore, as stated in the Transportation Study, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less than significant transportation impact.<sup>10</sup> Additionally, the Project site is located approximately 0.3 miles from the nearest existing bicycle facility at the Pacific Coast Bikeway Route along Hueneme Road and approximately 0.6-miles from the Hueneme and Courtland transit stop, which is served by Gold Coast Transit District Route 23. The Project would not remove or interfere with any bicycle or pedestrian facilities. The Project would also provide 67 parking spaces (53 standard, one van accessible, two standard accessible, one EVCS van accessible, seven carpool/vanpool, and three EVCS stall spaces) and 10 bicycle parking spaces (five short

<sup>10</sup> Associated Transportation Engineers. 2023. Revised Traffic Study. February 21, 2023.

term and five long term spaces), which would be located adjacent to the building's western boundary and the Project site's southeastern boundary. As such, the Project would not conflict with this strategy.

### **Building Decarbonization**

The priority GHG reduction strategies for local government climate action related to electrification are discussed below and would support the Scoping Plan actions regarding meeting increased demand for electrification without new fossil gas-fire resources and all electric appliances beginning in 2026 (residential) and 2029 (commercial) (see Table 2-1 of the 2022 Scoping Plan).

California's transition away from fossil fuel-based energy sources will bring the project's GHG emissions associated with building energy use down to zero as our electric supply becomes 100 percent carbon free. California has committed to achieving this goal by 2045 through SB 100, the 100 Percent Clean Energy Act of 2018. SB 100 strengthened the State's Renewables Portfolio Standard (RPS) by requiring that 60 percent of all electricity provided to retail users in California come from renewable sources by 2030 and that 100 percent come from carbon-free sources by 2045. The land use sector will benefit from RPS because the electricity used in buildings will be increasingly carbon-free, but implementation does not depend (directly, at least) on how buildings are designed and built.

Although this GHG reduction measure is aimed primarily at jurisdictions and not individual projects, the Project would be required to comply with applicable City of Oxnard Municipal Code requirements for building energy efficiency and electrification and would adhere to applicable CALGreen (Title 24) requirements for energy efficiency and electrification of new buildings. As previously stated, the Project would include electric vehicle parking spaces equipped with EVCS and would provide 397 yard plugs, including 271 in the staging area to power each trailer, one for each of the 36 dock doors, and 90 within the container stacking area. This would support the electrification of the Project. Thus, the Project would not conflict with this strategy.

### ***City of Oxnard Climate Action and Adaptation Plan***

The City's CAAP identifies seven areas under which the City can reduce GHG emissions: clean energy, water conservation and reuse, green buildings, waste reduction and recycling, transportation, nature-based solutions, and land use.

The proposed Project would comply with applicable City of Oxnard Municipal Code requirements for building energy efficiency and electrification and would adhere to applicable CALGreen (Title 24) requirements for energy efficiency and electrification of new buildings. The Project would also include electric vehicle parking spaces equipped with EVCS and would provide 397 yard plugs, including 271 in the staging area to power each trailer, one for each of the 36 dock doors, and 90 within the container stacking area. The Project's design would support electrification and not conflict with California's ability to achieve clean electrification goals via SB 100, which strengthened the State's Renewables Portfolio Standard (RPS) by requiring that 60 percent of all electricity provided to retail users

in California come from renewable sources by 2030 and that 100 percent come from carbon-free sources by 2045.

The proposed Project would increase water demand compared to a vacant site; however, water use would be characteristic of an industrial cold storage facility with ornamental landscaping. The proposed Project would connect to existing City potable and recycled water lines, as applicable, but is not anticipated to deplete groundwater supplies through the consumption of the water. The proposed Project would not substantially decrease groundwater supplies within the city of Oxnard, as additional industrial growth was accounted for in the City's 2030 General Plan and 2020 Urban Water Management Plan. Water would be used in limited quantities for the ornamental landscaping as well as incidental use from building operations and hygienic purposes such as employee restrooms, breakrooms, cleaning, and other typical workplace usage. Water fixtures would comply with applicable City of Oxnard Municipal Code requirements for water efficiency and would adhere to applicable CALGreen (Title 24) requirements for water efficiency.

The City of Oxnard Environmental Resources Division provides waste pick-up and hauling services for residents and businesses. Waste would be delivered to the Del Norte Regional Recycling and Transfer Station. Waste would be generated in limited quantities from building operations such as from employee office activities, breakrooms, cleaning, and other typical workplace waste disposal. Waste would be managed, diverted and recycled, as applicable, at the Del Norte Regional Recycling and Transfer Station.

The proposed Project would generate 50 average daily employee vehicle trips, and as such, would not create a substantial increase in VMT. Additionally, the Project site is located approximately 0.3 miles from the nearest existing bicycle facility at the Pacific Coast Bikeway Route along Hueneme Road and approximately 0.6-miles from the Hueneme and Courtland transit stop, which is served by Gold Coast Transit District Route 23. The Project would not remove or interfere with any bicycle or pedestrian facilities. The Project would also provide 67 parking spaces (53 standard, one van accessible, two standard accessible, one EVCS van accessible, seven carpool/vanpool, and three EVCS stall spaces) and 10 bicycle parking spaces (five short term and five long term spaces), which would be located adjacent to the building's western boundary and the Project site's southeastern boundary.

The proposed Project would include a total of 41 trees and the ornamental landscaping would be designed to comply with Chapter 2, Article XIII (Landscape Water Conservation Standards) of the City's Code of Ordinances. The Project would result in the removal, impact, and/or replacement of approximately four ornamental trees. Thus, the net new trees would sequester carbon dioxide from net new tree growth.

Based on the above, the proposed Project would not conflict with the City's CAAP.

- c) **Less than Significant Impact with Mitigation Incorporated.** Climate change may result in a number of secondary effects, including a reduction in the quality and supply of water from the Sierra snowpack, increased risk of large wildfires, reductions in the quality and quantity of certain agricultural products, exacerbation of air quality problems, increase in

temperature and extreme weather events, and a decrease in the health and productivity of California’s forests.<sup>11</sup>

An individual project, such as the Arcturus Warehouse project, cannot generate enough GHG emissions to effect a discernible change in global climate. However, the Project contributes to the potential for global climate change by its incremental contribution of GHGs combined with the cumulative increase of all other sources of GHGs, which when taken together constitute potential influences on global climate change. To determine significance, an evaluation was completed to determine if the Project would contribute or be subjected to the secondary effects of climate change expected to occur in California, as shown in **Table 3.5-3, Secondary Effects of Climate Change**. As described in the evaluation, the project would not contribute or be subject to potential secondary effects of climate change. Although the Project would result in a less than significant climate change impact, implementation of mitigation measures AIR-1 through AIR-6 would help reduce air pollutant emissions and mitigation measures AIR-2 through AIR-6 would also have co-benefits or reducing GHG emissions associated with the Project. Project impacts related to climate change and greenhouse gases would be less than significant and would be further reduced with the implementation of mitigation.

**TABLE 3.5-3  
SECONDARY EFFECTS OF CLIMATE CHANGE**

Consequences of Climate Change in California	Project Evaluation
<p><b>Sea Level Rise, Flooding, Coastal Erosion.</b> Sea level rise, coastal flooding and erosion of California’s coastlines would increase, as well as sea water intrusion.</p>	<p><b>The Project would not contribute or be subject to this potential secondary effect of climate change.</b> The Project site is approximately 0.65 miles inland. According to the California Office of Emergency Services, the Project is not in a tsunami hazard zone and not in (but is near to) a flood hazard zone. The proposed Project includes the construction and operation of a cold storage facility that would be located in the northeastern portion of the site, which has been designed to move flows to the southern and western portions of the site near McWane Boulevard to the proposed ribbon drain, bioswales, and underground detention system as well as the existing curb and gutter. As stated in the Project’s Hydrology and Stormwater Quality Report, the proposed Project’s drainage design would reduce the increase of stormwater runoff while maintaining the existing drainage pattern. In the event of a storm exceeding the 100-year storm event or pump station malfunction, the flow would back up into the pipes connected to the detention system and would pond in the on-site bioswales. If further flooding occurs, the bioswales would be over topped, and the flow would sheet flow back to the existing gutters and exit the Project site similar to the existing drainage patterns. Furthermore, the parking lot would provide significant ponding in the event that the storm drain inlets were to clog or were inundated with water.<sup>12</sup> The Project contains design features that would reduce the potential for impacts and would not result in the displacement of coastal businesses and residences.</p>

<sup>11</sup> State of California, Department of Justice, Office of the Attorney General, Climate Change Impacts in California, <https://oag.ca.gov/environment/impact>, accessed July 13, 2023.

<sup>12</sup> RJR Engineering and Consulting, Inc. 2023. Hydrology and Stormwater Quality Report. August 23, 2023.

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**Consequences of Climate Change in California**
**Project Evaluation**

**Reduction in the Quality and Supply of Water from the Sierra Snowpack.** The Sierra snowpack would melt earlier and all at once. Earlier and larger releases of water could overwhelm California's water storage facilities, creating risk of floods and water shortages.

**The Project would not contribute or be subject to this potential secondary effect of climate change.** Existing climate change models are designed for large-scale projects and are not precise enough to accurately predict changes on a watershed level. Therefore, it would be highly speculative to quantify the impacts of climate change on water supplies on a project-level basis. Development and operation of the Project would result in the need for water service. However, the Project site is designated under the 2030 General Plan as Light Industrial, and is zoned M-1, Light Manufacturing. As stated in the Oxnard City Code, cold storage facilities are permitted uses in the M-1 zoning district that are subject to the requirement for approval of a zone clearance permit (a ministerial approval). In addition, regarding the proposed Project, a Development Design Review (DDR) permit is needed for the construction of the new building. Upon approval of the DDR permit and subsequent zone clearance permit, the proposed Project would not conflict with the Project site's zoning designation. Thus, the General Plan has anticipated development of the Project site and the demand of water service for typical industrial developments. The Proposed industrial development is consistent with the light industrial land use designation of the 2030 General Plan. As a cold storage facility, the Project would not place demands on water services above those planned for by the City of Oxnard.

**Forest Fires and Wildfires.** Higher risk of forest fires and wildfires resulting from increasing temperatures and making forests and brush drier. Climate change will affect tree survival and growth.

**The Project would not contribute or be subject to this potential secondary effect of climate change.** The Project site is not forested, and development of the site would not contribute to a change in the health and productivity of forested land. Based on a review of the California Department of Forestry and Fire Protection (CAL FIRE) Fire Hazard Severity Zones (FHSZs) prepared as part of the CAL FIRE's Fire and Resource Assessment Program, the Project site is not located within or near an area that is designated as a Very High FHSZ.<sup>13</sup> The nearest Very High FHSZ designated in a Local Responsibility Area is located approximately 5.3 miles southeast of the Project site, and the nearest Very High FHSZ designated in a State Responsibility Area is located approximately 5.8 miles southeast of the Project site. Development and operations of the Project would not result in an increase in wildfire, nor would it enhance insect populations or establish non-native species, resulting in a decrease in the health or productivity of California's forests.

**Reductions in the Quality and Quantity of Certain Agricultural Products.** Damage to agriculture caused by drought, higher temperatures, saltwater contamination through rising sea levels, flooding, and increased risk of pests. Agriculture production declines could lead to food shortages and higher prices.

**The Project would not contribute or be subject to this potential secondary effect of climate change.** This secondary effect relates to agricultural production. The Project is industrial in nature and would not engage in the production of agricultural products. The Project Site is currently comprised of a vacant lot in an industrial/agricultural area that is used to store shipping containers. The eastern portion of the Project Site previously included a railroad spur, which was removed in 2022. Thus, it is not used for agriculture production under existing conditions. Furthermore, the Project's incremental contribution to climate change would not have a measurable impact on the reduction of quality or quantity of agricultural commodities produced in California.

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<sup>13</sup> California Department of Forestry and Fire Protection (CAL FIRE). 2023. Communities at Risk. Available at: <https://osfm.fire.ca.gov/divisions/community-wildfire-preparedness-and-mitigation/fire-plan/communities-at-risk/?lang=zh-CN>. Accessed on March 6, 2023.

Consequences of Climate Change in California	Project Evaluation
<p><b>Public Health and Air Quality Impacts.</b> Climate change could result in public health and air quality problems. Attainment of air quality standards would be impeded by increasing emissions, accelerating chemical processes, and raising inversion temperatures during stagnation episodes resulting in public health impacts.</p>	<p><b>The Project would not contribute or be subject to this potential secondary effect of climate change.</b> Health effects from air quality problems that would be exacerbated by an increase in temperature would more commonly occur at a local level. As discussed in Section 3.3, the project would not expose sensitive receptors to substantial pollutant concentrations. Implementation of mitigation measures AIR-1 through AIR-6 would further reduce less than significant air pollutant emissions (mitigation measures AIR-2 through AIR-6 would also have co-benefits or reducing GHG emissions) associated with the Project.</p>
<p><b>Habitat destruction and loss of ecosystems</b> due to climate change affecting plant and wildlife habitats.</p>	<p><b>The Project would not contribute or be subject to this potential secondary effect of climate change.</b> The Project site is currently comprised of a vacant lot in an industrial/agricultural area that is used to store shipping containers. The eastern portion of the Project site previously included a railroad spur, which was removed in 2022. Under the Federal Endangered Species Act (FESA), to the extent feasible, the USFWS and National Marine Fisheries Service (NMFS) are required to designate critical habitat for endangered and threatened species. Critical habitat is defined as areas of land, water, and air space containing the physical and biological features essential for the survival and recovery of endangered and threatened species. The USFWS Critical Habitat Portal indicates that critical habitat does not occur within the Project site. Furthermore, the Project's incremental contribution to climate change would not have a measurable impact on habitat destruction and loss in California.</p>

SOURCES: State of California, Department of Justice, Office of the Attorney General, Climate Change Impacts in California, <https://oag.ca.gov/environment/impact>, accessed July 13, 2023. ESA 2023.

## References

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- California Department of Justice, Office of the Attorney General, Climate Change Impacts in California, <https://oag.ca.gov/environment/impact>, accessed July 13, 2023.



### 3.6 Cultural Resources and Tribal Cultural Resources

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Would the project cause a substantial adverse change in the significance of a unique archaeological resource pursuant to State CEQA Guidelines Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Would the project directly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resources determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Discussion

- a) **Less than Significant with Mitigation Incorporated.** A Cultural Resources Assessment (ESA, 2023) was conducted for the Project in July 2023 and is provided in **Appendix D**. The assessment included a California Historical Resources Information System – South Central Coastal Information Center (SCCIC) records search conducted on February 15, 2023; a Native American Heritage Commission (NAHC) Sacred Lands File (SLF) search conducted on February 9, 2023; a pedestrian survey conducted on March 1, 2023; and a subsurface archaeological sensitivity assessment based on a review of historic maps, aerial photographs, and geotechnical investigations.

The records search results indicate that the Project site had not been previously surveyed. No cultural resources have been previously recorded within the Project site or 0.5-mile radius. Several historic-period (remains of farm buildings and associated artifacts and

features, a Japanese cemetery, and the Hueneme Masonic Cemetery) and prehistoric archaeological sites (artifact and shell scatters, shell middens, a Chumash cemetery), and two Native American villages are within the general vicinity of the Project site. The NAHC SLF search returned negative results.

A cultural resources survey of the Project site was conducted on March 1, 2023. The Project site is currently vacant and used for storage. Many portions of the Project site were characterized by standing water as a result of recent rain. The ground surface was mostly covered with gravel with some vegetation along the perimeter of the Project site. A dirt pile was also observed in the southeastern-most portion of the Project site. Ground surface visibility ranged from approximately 0 to 15 percent. No surface evidence of archaeological resources was identified as a result of the survey.

The subsurface archaeological sensitivity assessment indicates that the Project site is characterized by Holocene alluvial deposits (11,700 years ago to present) – the period for which there is widely accepted evidence for human occupation of southern California. Although portions of the Project site have been utilized for agricultural purposes and portions of the site subject to industrial development, these activities consist largely of surficial and/or shallow disturbances. Depending on the construction techniques employed to construct the previous polyester resin manufacturing plant, the southern portion of the Project site may have been subject to deeper disturbances than the northern portion of the Project site. Furthermore, the Project site was once bisected by a tributary, was in proximity to several small unnamed lagoons, and is located within proximity to the coast. These bodies of water would have attracted prehistoric inhabitants to the area for associated floral and faunal resources. Although the records search did not identify previously recorded resources within the Project site or records search radius, the majority of these areas have not been previously subject to archaeological survey. In addition, surface visibility during the survey conducted for this Project was limited by surficial visual obstructions such as gravel, stockpiled soil and equipment, and standing water such that the majority of the ground surface could not be adequately inspected. As is demonstrated by the presence of prehistoric archaeological sites, such as a Chumash cemetery, artifact and shell scatters, and shell middens, and two Native American villages, the general Project vicinity was utilized by prehistoric inhabitants and should be considered sensitive for subsurface prehistoric archaeological resources. Based on these factors, the potential to encounter buried archaeological deposits in the southern portion of the Project site is considered moderate while the potential in the northern portion of the Project site is considered high.

Should archaeological resources be encountered, they could qualify as historical resources as defined in CEQA Section §15064.5. Impacts to such resources could constitute a substantial adverse change in the significance of a historical resource. The following mitigation measures are required to reduce potential impacts to historical resources.

**Mitigation Measure CUL-1:** The Applicant shall retain an archaeologist who meets the Secretary of the Interior’s Professional Qualifications Standards for Archaeology (Qualified Archaeologist) to carry out all mitigation related to archaeological resources. Prior to the start of ground-disturbing activities, the Qualified Archaeologist or their

designee shall conduct cultural resources sensitivity training for all construction personnel. Construction personnel shall be informed of the types of archaeological resources that may be encountered, the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains, and safety precautions to be taken when working with archaeological monitors. The Developer shall ensure that construction personnel are made available for and attend the training and retain documentation demonstrating attendance.

**Mitigation Measure CUL-2:** Archaeological monitoring shall be conducted during ground disturbing activities, such as clearing/grubbing, grading, trenching, or any other construction excavation activity associated with the Project. Monitoring shall be conducted by an archaeologist who is familiar with the types of archaeological resources that could be encountered and who will work under the direct supervision of the Qualified Archaeologist. Monitoring can be reduced to part-time inspections or ceased entirely if determined appropriate by the Qualified Archaeologist, based on field observations. In the event that archaeological resources are unearthed during ground-disturbing activities, the archaeological monitor shall be empowered to halt or redirect ground-disturbing activities away from the vicinity of the discovery until it has been evaluated. The archaeological monitor shall keep daily logs detailing the types of activities and soils observed, and any discoveries.

**Mitigation Measure CUL-3:** In the event of the unanticipated discovery of archaeological materials, the Developer shall immediately cease all work activities in the area (within approximately 100 feet) of the discovery until it can be evaluated by the Qualified Archaeologist. Construction shall not resume until the Qualified Archaeologist has conferred with the City on the significance of the resource. If it is determined that the discovered archaeological resource constitutes a historical resource or unique archaeological resource pursuant to CEQA, avoidance and preservation in place shall be the preferred manner of mitigation. Preservation in place maintains the important relationship between artifacts and their archaeological context and also serves to avoid conflict with traditional and religious values of groups who may ascribe meaning to the resource. Preservation in place may be accomplished by, but is not limited to, avoidance, incorporating the resource into open space, capping, or deeding the site into a permanent conservation easement. In the event that preservation in place is determined to be infeasible and data recovery through excavation is the only feasible mitigation available, an Archaeological Resources Treatment Plan shall be prepared and implemented by the Qualified Archaeologist that provides for the adequate recovery of the scientifically consequential information contained in the archaeological resource. The City shall consult with appropriate Native American tribal representatives in determining treatment for prehistoric or Native American resources to ensure cultural values ascribed to the resources, beyond those that are scientifically important, are considered. The treatment plan shall include provisions for the final disposition of the recovered resources, which may include onsite reburial, curation at a public, non-profit institution, or donation to a local Native American Tribe, school, or historical society.

**Mitigation Measure CUL-4:** At the conclusion of archaeological monitoring and prior to the release of the grading bond, the Qualified Archaeologist shall prepare a final monitoring report. The report shall include a summary of monitoring results, description of resources unearthed, if any, significance evaluation and treatment of the resources, and the results of the artifact processing, analysis, and research. Appropriate California Department of Parks and Recreation 523 Forms shall be appended to the report, as

necessary. The report shall be submitted by the Applicant to the City to signify the satisfactory completion of the Project and required mitigation measures. The Qualified Archaeologist shall submit the final report to the South Central Coastal Information Center within 30 days of its acceptance by the City.

- b) **Less than Significant with Mitigation Incorporated.** As noted under impact a), the potential to encounter buried archaeological deposits in the southern portion of the Project site is considered moderate while the potential in the northern portion of the Project site is considered high. Should archaeological resources be encountered during ground disturbance, impacts to such resources could constitute a substantial adverse change in the significance of an archaeological resource.

**Mitigation Measure CUL-1 through CUL-4:** Implementation of these mitigation measures is required.

- c) **Less than Significant Impact.** Archival research was conducted and consisted of geologic map review, geologic literature review, and a paleontological resources database search conducted by the Natural History Museum of Los Angeles County (LACM). The Project lies within a geologically active zone of the western Transverse Ranges. These east-west trending mountains are the site of some of the most active tectonism in California (Sylvester and O'Black Gans 2016). Compressional forces have led to rapid uplift of mountains and concomitant rapid down-dropping of the intervening basins. These basins contain a very thick section of Pleistocene to Recent sediments. Review of the geologic map by Clahan (2003) indicates that the entire Project Site is underlain by fine-grained Holocene alluvial fan and associated deposits (Qhff). These fine-grained deposits infill the Oxnard coastal plain and are predominantly clay with interbedded lenses of coarser alluvium (sand and gravel). Given the broad extent of the plain and the distance from the uplifted Santa Susana and Conejo mountains, it is unlikely excavations will reach down to bedrock of an age to contain paleontological resources. A review of the geotechnical investigation of Krazan & Associates, Inc. (2015) confirmed that loose Holocene alluvium extended down to at least 50 feet below ground surface. As defined by the Society of Vertebrate Paleontology (2010), young Holocene deposits are too young to host significant paleontological resources.

The LACM indicates that no fossil localities lie directly within the Project Site. The records search did show fossil localities between 7 and 9 miles from the Project site (Bell 2023). However, those localities are from older, Pleistocene marine units that are exposed in the uplifted mountains and not relevant to the Project. Based on this information, construction activities associated with the Project would result in less than significant impacts to paleontological resources.

- d) **Less than Significant with Mitigation Incorporated.** The SCCIC records search results and SLF through the NAHC did not identify recorded human remains sites within the Project Site, and no surface human remains were noted on the pedestrian survey. Should ground disturbance encounter human remains, disturbance of those remains could result in a potentially significant impact.

**Mitigation Measure CUL-5:** If human remains are encountered, the Applicant or its contractor shall halt work in the vicinity (within 100 feet) of the discovery and contact the Ventura County Coroner in accordance with Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5, which requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC shall then identify the person(s) thought to be the Most Likely Descendent (MLD). The MLD may, with the permission of the landowner, or his or her authorized representative, inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The MLD shall complete their inspection and make their recommendation within 48 hours of being granted access by the landowner to inspect the discovery. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this mitigation measure, with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the MLD on all reasonable options regarding their preferences for treatment.

If the NAHC is unable to identify an MLD, or the MLD identified fails to make a recommendation, or the landowner rejects the recommendation of the MLD and the mediation provided for in Subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall inter the human remains and items associated with Native American human remains with appropriate dignity on the facility property in a location not subject to further and future subsurface disturbance.

- e, f) **Less than Significant with Mitigation Incorporated.** As of July 1, 2015, California AB 52 of 2014 was enacted and expanded CEQA by defining a new resource category, “tribal cultural resources (TCR)”. AB 52 establishes that “A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment” (Public Resources Code Section 21084.2). It further states that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (Public Resources Code Section 21084.3). Effects on tribal cultural resources are only knowable once a specific project has been proposed because the effects depend highly on the individual Project site conditions and the characteristics of the proposed activity.

The SCCIC records search and a pedestrian survey did not identify potential tribal cultural resources within the Project Site. The SLF through the NAHC yielded negative results. The City conducted consultation with California Native American tribes pursuant to AB 52 to identify tribal cultural resources in or near the Project Site (see Appendix A of this IS/MND).

The City of Oxnard sent a notification letter on August 01, 2023 to the Native American tribe that is on the City's AB 52 list (Appendix A). This list includes only one tribe, Barbareno/Ventureno Band of Mission Indians, that has requested notification of projects within the City in accordance with AB 52. The letters provide brief descriptions of the Project and its location, with maps, the lead agency's contact information, and a notification that the tribe has 30 days to request consultation pursuant to Public Resources Code section 21080.3.1.

The Barbareno/Ventureno Band of Mission Indians was notified of the proposed Project but did not request consultation with the City of Oxnard (see Appendix A). There are no known tribal cultural resources located within the Project area, and therefore, no impacts to known tribal cultural resources would occur.

Although the current AB 52 process for the proposed Project failed to identify any TCRs, new TCRs may be identified or established over the course of the implementation of the Project and could be impacted.

**Mitigation Measures CUL-3 and CUL-5:** Implementation of these mitigation measures is required.

Therefore, implementation of the above mitigation measures would reduce the Project's potential impact on tribal cultural resources to less than significant.

## References

- Bell, A. 2023. Results of a paleontological resources records search conducted by the Natural History Museum of Los Angeles County; Re: Paleontological resources for the Arcturus Cold Storage Warehouse Project (D202000387.04).
- Clahan, K.B. 2003. Geologic map of the Oxnard 7.5-minute quadrangle, Ventura County, California: A digital database. California Geological Survey Preliminary Geologic Maps PGM-03-04, scale 1:24,000.
- ESA. 2023. Cultural Resources Assessment Report for the Arcturus Warehouse LLC Project, City of Oxnard, California. Report on file at ESA.
- Krazan & Associates, Inc. 2015. Geotechnical engineering investigation proposed Cold Storage Facility 5980 and 6000 Arcturus Avenue, Oxnard, California.
- Sylvester, A.G. and E. O'Black Gans. 2016. Roadside Geology of Southern California. Missoula, Montana, Mountain Press, 389 p.

### 3.7 Geology and Soils

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project 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 or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking that cannot be addressed through compliance with standard Code requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project 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-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse that cannot be addressed through compliance with standard Code requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Would the project be located on expansive soil, creating substantial risk to life or property that cannot be addressed through compliance with standard Code requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Would the project expose people or structures to inundation by seiche or tsunami?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Would the project rely on dredging or other maintenance activity by another agency that is not guaranteed to continue?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

The analysis in this section is based on the information provided in the Geotechnical Engineering Investigation Report and Report Update prepared by Krazan and Associates, Inc. (Krazan) on December 4, 2015 and April 2, 2020, respectively, and contained in **Appendix E** as well as the Hydrology and Stormwater Quality and Erosion and Sediment Control Plan prepared by RJR Engineering and Consulting, Inc. (RJR Engineering) on August 23, 2023 and November 5, 2022, respectively, and contained in **Appendix F** of this MND.

- a.i) **No Impact.** A fault is a plane or surface in the earth along which failure has occurred and materials on opposite sides have moved relative to one another in response to the accumulation and release of stress. The United States Geological Survey (USGS) defines active faults as those that have had surface displacements within Holocene time (about the last 11,000 years). Potentially active faults are those that have had surface displacement during Quaternary time, within the last 1.6 million years. Based on a review of the City of Oxnard General Plan Background Report, the most regionally active faults in the vicinity of the City of Oxnard are the Oak Ridge, Pitas Point-Ventura, Red Mountain, Anacapa, and Malibu Coast faults (City of Oxnard, 2006).

The nearest significant active fault to the Project site is the Simi-Santa Rosa fault which is located approximately 6.7 miles from the site (Krazan, 2015). As mapped on the California Geologic Survey's Earthquake Zones of Required Investigation online mapping tool, no Alquist-Priolo Earthquake Fault zones are located on the Project site or in the City of Oxnard (California DOC, 2023a). Therefore, no impacts would result from the potential for fault rupture of a known earthquake fault on the Project site.

- a.ii) **Less than Significant Impact.** The proposed Project is located in Southern California, an area that is subject to strong seismic ground shaking. Seismically induced ground acceleration is the shaking motion that is produced by an earthquake. As noted in Response 3.7.a.i above, 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, these faults are located approximately 1.5 to 10 miles from the city of Oxnard. The proposed Project includes construction of a cold storage facility which could experience moderate to high ground shaking from these fault zones, as well as some background shaking from other seismically active areas of the Southern California region. Although some structural damage is typically not avoidable during a large earthquake, the proposed Project would be constructed to meet existing construction ordinances and the most recent California Building Code (CBC) in order to protect against building collapse and major injury during a seismic event. The CBC includes specific design measures, which are based on the determination of Site Classification and Seismic Design Categories specific to the Project site. These design measures are intended to maximize structural stability in the event of an earthquake. Therefore, adherence to the CBC requirements would reduce impacts related to strong seismic shaking to a less than significant level.
- b) **Less than Significant Impact.** Unstable geologic units or soils commonly occur when there are landslides, lateral spreading, subsidence/collapse, or liquefaction.

### ***Landslides***

The geologic and topographic characteristics of an area often determine its potential for landslides. Landslides (or slope failure) refer to the dislodging and falling of a mass of soil or rocks along a sloped surface. Although the potential for small-scale slope failure may exist in the city, particularly along stream banks, margins of drainage channels, and similar settings where steep banks or slopes occur, the flat terrain of the Project site minimizes this potential geologic hazard. Therefore, given the Project site's topography, seismically induced landslides would not pose a danger to the people or structures on site. Therefore, no impacts would result from implementation of the proposed Project.

### ***Lateral Spreading***

Lateral spreading movement occurs when a soil mass slides laterally on liquefied soil layers, moving downslope or towards a free face. The Project site is located within a potential liquefaction zone (Krazan, 2015), and therefore, there is a potential for lateral spreading to occur at the Project site. However, the proposed Project would be subject to the seismic design criteria of the most recent CBC which has been adopted within the



Oxnard City Code. The CBC includes provisions that would reduce lateral spreading impacts on site. Therefore, impacts would be less than significant.

### ***Subsidence/Collapse***

Subsidence or collapse is the sinking of the ground surface caused by the compression of earth materials resulting from manmade activities, such as groundwater or oil and gas withdrawal. The resulting compression typically occurs only once within affected soils and cannot be repeated during fluctuations of the groundwater level or from peat oxidation.

The near surface alluvial/colluvial soils on site are moderately compressible under saturated conditions, and structures within the proposed Project vicinity have experienced excessive post-construction settlement (Krazan, 2015). The Project applicant would be required to design and construct the proposed Project in conformance with the most recently adopted CBC, which includes provisions to reduce subsidence and collapse impacts, and applicable recommendations made in the Geotechnical Engineering Investigation Report prepared for the proposed Project. Therefore, impacts would be less than significant.

### ***Liquefaction***

Liquefaction is a phenomenon that occurs when soil undergoes transformation from a solid state to a liquefied condition due to the effects of increased pore-water pressure. This typically occurs where susceptible soils (particularly soils in the medium sand to silt range) are located over a high groundwater table. A high groundwater table is described as one within 50 feet of the surface. A majority of the City of Oxnard is susceptible to liquefaction as a result of underlying thick alluvial deposits and high groundwater levels. In addition, the City of Oxnard is located in a Seismic Hazard Area for liquefaction according to the California Geologic Survey's Earthquake Zones of Required Investigation online mapping tool (California DOC, 2023a).

As stated in the Geotechnical Engineering Investigation Report, the Project site is located within a liquefaction zone (Krazan, 2015). To ensure that the proposed cold storage facility would not experience structural damage due to liquefaction, the proposed Project applicant would be required to design and construct the proposed Project in conformance with the most recently adopted CBC, which would reduce potentially significant impacts to a less than significant level.

- c) **Less than Significant Impact.** Expansive soil is characterized by a clay composition whereby clay particles expand dramatically upon wetting. Structures constructed on expansive soils require special design considerations that are identified within the CBC. The near-surface clayey sand soils encountered on the Project site have been identified as having a low expansion potential (Krazan, 2015). To ensure that the proposed cold storage facility would not experience structural damage due to expansive soil, the Project Applicant would be required to design and construct the proposed Project in conformance with the most recently adopted CBC, which would reduce potentially significant impacts to a less than significant level.

- d) **No Impact.** Seiches and tsunamis are caused by earthquakes. Seiches are waves caused by large-scale, short-duration oscillation of confined bodies of water (such as reservoirs and lakes) during earthquakes that may damage low-lying adjacent areas, although not as severely as a tsunami. The closest enclosed body of water that could result in earthquake-induced seiche is Lake Piru which is approximately 32.4 miles northeast of the Project site. Due to the distance of Lake Piru, potential seiches in the lake would not impact the Project site. Tsunamis are earthquake-induced surge waves that can cause severe coastal flooding. The Project site is located approximately 0.6-mile inland (northeast) from the Pacific Ocean; however, the Project site is not located within a tsunami hazard area as mapped by the California Department of Conservation (California DOC, 2023b). Therefore, implementation of the proposed Project would not be impacted by seiches or tsunamis.
- e) **No Impact.** The proposed Project is located in a developed area and would be located on City-owned parcels. The operation of the proposed Project would not rely on maintenance activities under the purview of other agencies aside from the City of Oxnard. Therefore, no impact would occur.

## References

- California Department of Conservation (DOC). 2023a. California Geologic Survey. Earthquake Zones of Required Investigation. Available at: <https://maps.conservation.ca.gov/cgs/EQZApp/app/>. Accessed on March 2, 2023.
- California Department of Conservation (DOC). 2023b. CGS Information Warehouse: Tsunami Hazard Area Map. Available at: <https://www.conservation.ca.gov/cgs/tsunami/maps>. Accessed on February 1, 2023.
- City of Oxnard. 2006. City of Oxnard General Plan Background Report. Available at: [https://www.oxnard.org/wp-content/uploads/2016/08/OxnardDraftBackgroundReport2006\\_04.21.06.pdf](https://www.oxnard.org/wp-content/uploads/2016/08/OxnardDraftBackgroundReport2006_04.21.06.pdf). Accessed on March 2, 2023.
- Krazan and Associates, Inc. 2015. Geotechnical Engineering Investigation: Proposed Cold Storage Facility 5980 and 6000 Arcturus Avenue Oxnard, California. December 4, 2015.
- RJR Engineering and Consulting, Inc. 2022. Erosion and Sediment Control Plan. November 5, 2022.
- RJR Engineering and Consulting, Inc. 2023. Hydrology and Stormwater Quality Report. August 23, 2023.
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### 3.8 Hazards and Hazardous Materials

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials that cannot be addressed through compliance with standard regulatory requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Would the project create a substantial hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Would the project emit hazardous substances or involve handling hazardous or acutely hazardous substances, or waste within one-quarter mile of an existing or proposed school in quantities or a manner that would create a substantial hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Would the project be located on a site that 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion

The analysis in this section is based on the information provided in the Phase I Environmental Assessment Report (Phase I ESA) prepared by Northgate Environmental Management, Inc. (Northgate) on June 19, 2015, as well as the Addendum to the Phase I ESA prepared by Northgate on July 14, 2015. Additionally, a Soil and Groundwater Management Plan (SGMP) was also prepared by Northgate on June 9, 2023. All three reports are contained in **Appendix G**.

- a) **Less than Significant with Mitigation Incorporated.** Exposure of the public or the environment to hazardous materials could occur through improper handling or use of hazardous materials or hazardous wastes particularly by untrained personnel, a transportation accident, environmentally unsound disposal methods, or fire, explosion, or other emergencies. The severity of potential effects varies with the activity conducted, the concentration and type of hazardous material or wastes present, and the proximity of sensitive receptors.

#### **Construction**

Proposed Project construction could expose construction workers and the public to temporary hazards related to the transport, use, and maintenance of construction materials (i.e., oil, diesel fuel, and transmission fluid), and/or handling/transport of demolition debris and import/export of soils. However, these activities would be short-term, and the materials used would not be in such quantities or stored in such a manner as to pose a significant safety hazard. Proposed Project construction activities would demonstrate compliance with the applicable laws and regulations governing the use, storage, and transportation of

hazardous materials/waste, ensuring that all potentially hazardous materials are used and handled in an appropriate manner.

A Phase I ESA was prepared for the proposed Project to assess the potential for Project implementation to result in impacts related to hazards and hazardous materials. The Phase I ESA identified a historic recognized environmental condition (HREC) related to soil and groundwater contamination from historic uses on site as well as potential environmental concerns including potential groundwater impacts from an off-site facility release, potential pesticide contamination, and an undocumented soil pile. An HREC refers to a past release that has been remediated to below “residential” standards and given regulatory closure with no use restrictions. Information in the following paragraphs is taken from the Phase I ESA (Northgate, 2015a) and the Addendum to the Phase I ESA (Northgate, 2015b) unless otherwise noted.

The Phase I ESA identified that the Project site was previously utilized as agricultural land from the 1930s to 1960s. A portion of the Project site located at 5980 Arcturus Avenue was later developed for chemical manufacturing processes, redeveloped in 1967 with a sodium silicate production area, and redeveloped again in 1969 as a polyester resin plant. A Voluntary Cleanup Agreement (VCA) with the Department of Toxic Substance Control (DTSC) for the site began on January 2, 2002. This portion of the site is historically known to use raw materials including bromine, styrene, maleic anhydride, and methylene chloride, which were previously stored in aboveground storage tanks (ASTs). Several recorded incidents of spills and releases are reported for this portion of the site as well as the principal waste streams of permitted wastewater discharges to the City of Oxnard’s wastewater treatment plant, permitted air emissions, and off-site disposal of acid distillate and non-recycled resins. In addition, site assessment investigations for this portion of the site indicated that surface soil, shallow soil, and groundwater had been variously impacted with volatile organic compounds (VOCs) including ethylbenzene, chlorinated solvents, xylenes, and benzene. The results of the investigations indicated that the concentrations of VOCs have decreased over time in soil and groundwater and that biodegradation of VOCs has been occurring and is projected to continue to occur. Cadmium was also reported in shallow groundwater beneath this portion of the site above drinking water standards. However, no significant adverse risks to human health were noted as the groundwater is perched beneath the site, is not used for potable water, and the detected concentrations of contaminants in the groundwater are relatively low, localized, and not migrating off-site. A Human Health Risk Assessment was prepared which concluded that the potential for unacceptable adverse human health effects is not expected for future commercial and/or industrial land uses at this portion of the site from exposure to the contaminants of potential concern in soil, soil gas, and shallow groundwater. A no further action (NFA) letter was issued for this portion of the site on January 15, 2008; however, the implementation of a Land Use Covenant for commercial and or industrial land uses would be necessary per the requirements of the NFA.

The portion of the Project site located at 6000 Arcturus Avenue was developed with sodium silicate production uses in 1967 followed by the production of polyester resin beginning in

1969. The Phase I ESA indicated that sodium silicate glass was previously produced until July 1995. On-site soil was found to be impacted, and a VCA with DTSC for the site began on May 2, 1995. A NFA letter for this portion of the site dated February 27, 1997 indicates no land use restrictions. Historically, the remainder of the Project site at 5980 and 6000 Arcturus Avenue has been used for commercial agriculture prior to 1993 followed by vacant, undeveloped land after 1993.

The Phase I ESA identified the off-site Arcturus Manufacturing Corporation, located west of the Project site across Arcturus Avenue, as having potential to impact soil, groundwater, and/or soil vapor quality at the Project site. This site is also listed on the leaking underground storage tank (LUST) database for a release of diesel impacting groundwater that received regulatory closure in 2000. Based on the relative proximity to the Project site and the lack of available data showing the extent of the contamination plume, impacts to soil, groundwater, and/or soil vapor quality at the Project site due to this facility could not be ruled out in the Phase I ESA.

The Addendum to the Phase I ESA indicated the transportation for disposal of acetone, petroleum distillates, resin solution, styrene, and naphtha from the Project site. A Remediation of Diesel Impacted Soil report was prepared for the Project site on July 27, 2011 by URS. This report indicates that Cook Composites and Polymers Company, which previously occupied the site, was closed and the facilities were demolished as documented in a report by URS, dated May 3, 2011. During the removal of a concrete foundation, black, odorous soil was encountered in the southeastern portion of the site, near McWane Boulevard. Test borings and pits characterized total petroleum hydrocarbons as diesel (TPH-d) impacts in this portion of the site; however, the southern extents were not determined as the southernmost sample results still exceeded the action level of 100 milligrams per kilogram (mg/kg). The impacted soil (TPH-d concentrations greater than the action level of 100 mg/kg) was excavated and transported off-site for treatment and disposal. Based on discussion with the City of Oxnard Fire Department, URS conducted additional excavation in the vicinity of some previous samples that exceeded the TPH-d action level. Approximately 1,529 tons of impacted soil were removed, verbal approval was provided by the fire department, the excavation was stabilized due to the low depth to groundwater, and the excavation was back filled. No further work was proposed at the site for soil exploration or removal. Some diesel impacted soil is known to remain on site along the southern property line; however, URS concluded that no further removals were warranted as the remaining impacted area is predominately covered by concrete sidewalk and the pavement of McWane Boulevard, the impacts are limited to diesel range hydrocarbons, and the groundwater in the area is brackish or saline and not used for drinking water.

Due to the identified and possible contaminants on the Project site, potential exposure impacts during construction could be significant. The following mitigation measure is required to reduce the potential exposure impacts to identified and possible contaminants on site during construction:

**Mitigation Measure HAZ-1:** The Project Applicant shall abide by the requirements of the Soil and Groundwater Management Plan (SGMP), prepared by Northgate, to address all activities that disturb the soil at or below 5 feet bgs, including excavation, grading, removal, trenching, filling, earth movement, mining, or drilling. The procedures and protocols shall be followed during redevelopment activities at the Site, including excavation of soil, dewatering, and trenching for subsurface structures or utilities. The plan addresses monitoring and actions required should impact soil be encountered.

With implementation of **Mitigation Measure HAZ-1** as well as compliance with all applicable federal, State, and City regulations regarding their storage, on-site use, and off-site disposal, impacts related to the routine transport, use, or disposal of hazardous materials during proposed Project construction would be less than significant with mitigation incorporated.

### ***Operation***

The amount of hazardous materials used during proposed Project operation would not be substantial and would not pose a risk to the public or environment. Hazardous materials use and transport during proposed Project operation would comply with all applicable federal, State, and City regulations regarding their storage, on-site use, and off-site disposal. Compliance with applicable regulations would ensure that operational impacts would be less than significant.

- b) **Less than Significant with Mitigation Incorporated.** As part of the Phase I ESA prepared for the Project site, regulatory databases were reviewed for the Project site and properties within the standard search radii pursuant to California Government Code Section 65962.5. The databases searched are known as the “Cortese List” and include EnviroStor, GeoTracker, and other lists compiled by the California Environmental Protection Agency (CalEPA). The Project site is identified in several listings within the regulatory database report, as described in additional detail under Response 3.8.d, below. Identification within these databases, which include listings of properties that have documented conditions related to hazardous materials, conditions, or contamination, may indicate a REC for the proposed Project and, therefore, a potentially significant impact.

Implementation of **Mitigation Measure HAZ-1** is required to reduce the potential exposure impacts to identified and possible contaminants on site during construction. In addition, during construction, all potentially hazardous materials encountered and used at the Project site would be used and stored in accordance with manufacturers’ instructions and handled in compliance with applicable standards and regulations. This would ensure that potential risks associated with construction-related activities are minimized.

Therefore, with implementation of **Mitigation Measure HAZ-1**, impacts related to the creation of 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 would be less than significant with mitigation incorporated.

- c) **Less than Significant Impact.** There are no existing or proposed schools within 0.25-mile of the Project site. The nearest school to the Project site is Art Haycox Elementary School, located approximately 0.76-mile northwest of the Project site. Since there are no schools within one-quarter mile of the Project site, construction and operational activities associated with the proposed Project are not expected to cause risk to the public or nearby attendees of schools. Therefore, impacts would be less than significant.
- d) **Less than Significant with Mitigation Incorporated.** As discussed under Response 3.8.b, as part of the Phase I ESA prepared for the Project, regulatory databases were reviewed for the Project site and properties within the standard search radii as required by California Government Code Section 65962.5. The databases are known as the “Cortese List” and include EnviroStor, GeoTracker, and other lists compiled by the CalEPA. The Project site is identified on the NPDES, Emergency Response Notification System (ERNS), California Hazardous Materials Incident Report System, HAZNET, Voluntary Cleanup Program, Comprehensive Environmental Response, Compensation, and Liability Information System – No Further Remedial Action Planned, Resource Conservation and Recovery Act (RCRA) – Small Quantity Generator, RCRA – Large Quantity Generator, RCRA Administrative Action Tracking System, Historical Cortese, Historic Underground Storage Tanks, Notify 65, Waste Data System, Facility Index System, Emissions Inventory Data, and EnviroStor databases.

The Project’s listing in these databases is associated with prior industrial uses on the Project site, including chemical manufacturing processes, a sodium silicate production area, and a polyester resin plant, as further discussed above under Response 3.8.a. Due to the identified and possible contaminants on the Project site, potential exposure impacts during construction could be significant. The following mitigation measure is required to reduce the potential exposure impacts to identified and possible contaminants on site during construction. Implementation of **Mitigation Measure HAZ-1** is required.

With implementation of **Mitigation Measure HAZ-1**, existing human health risk impacts on site would be reduced to a less than significant level, and the Project would not create a significant hazard to the public or environment, despite being included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, impacts would be reduced to a less than significant level with mitigation incorporated.

- e) **Less than Significant Impact.** The proposed Project includes a cold storage facility on vacant and undeveloped land east of Arcturus Avenue and north of McWane Boulevard. Surrounding uses include a mix of industrial to the north, east, and west and agricultural to the south. Slow-moving construction-related traffic along Arcturus Avenue and McWane Boulevard could reduce optimal traffic flows and could delay emergency vehicles traveling through the Project area. In addition, certain construction activities, such as roadway improvements, utility relocation or extensions, and drainage facility reconstruction, could require temporary lane closures. Such impacts would be short term and confined to the southern portion of Arcturus Avenue and eastern McWane Boulevard, but to prevent

construction-related traffic safety impacts, if required, the proposed Project's contractor would implement standard construction traffic management measures or undertake preparation of a construction traffic control plan prior to the initiation of any construction activities to ensure that access for all road users is maintained near the proposed Project.

Furthermore, the proposed Project would be subject to review and approval by all applicable City departments to ensure that the proposed Project complies with City requirements related to emergency response. As such, construction impacts would be less than significant.

The City's Emergency Operations efforts anticipate that all major streets and highways within the city would serve as evacuation routes. The major streets and highways within the city maintain minimum right of way widths and would continue to ensure that various evacuation routes are accessible to residents and businesses. As such, operation of the Project would not interfere with an adopted emergency response plan and/or the emergency evacuation plan. Operational impacts would be less than significant.

## References

California Department of Forestry and Fire Protection (CAL FIRE). 2023. Communities at Risk.

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Northgate Environmental Management, Inc. (Northgate), 2015a. Phase I Environmental Site Assessment: 5980 and 6000 Arcturus Avenue Oxnard, California. June 19, 2015.

Northgate Environmental Management, Inc. (Northgate), 2015b. Addendum to Phase I Environmental Site Assessment: 5980 and 6000 Arcturus Avenue Oxnard, California. July 14, 2015.

Ventura County Airport Land Use Commission. 2000. Airport Comprehensive Land Use Plan Update for Ventura County.

[https://vcportal.ventura.org/AIRPORTS/docs/document\\_library/Doc\\_Airport\\_LandUse\\_Plan.pdf](https://vcportal.ventura.org/AIRPORTS/docs/document_library/Doc_Airport_LandUse_Plan.pdf). Accessed on February 2, 2023.

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### 3.9 Hydrology and Water Quality

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project cause a violation of any adopted water quality standards or waste discharge or treatment requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Would the project substantially deplete groundwater supplies or interfere 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 pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Would the project 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 on- or off-site flooding or exceed the capacity of existing or planned stormwater drainage systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Would the project place new structures 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Would the project impede or redirect flood flows such that it would increase on- or off-site flood potential?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Would the project 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Would the project be exposed to a substantial risk related to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion

The analysis in this section is based on the information provided in the Hydrology and Stormwater Quality Report prepared by RJR Engineering on August 23, 2023, and Erosion and Sediment Control Plan prepared by RJR Engineering on November 5, 2022, and Geotechnical Engineering Investigation Report and Report Update prepared by Krazan on December 4, 2015 and April 2, 2020, respectively. Both the Hydrology and Stormwater Quality Report and the Erosion and Sediment Control Plan are contained in Appendix F. The Geotechnical Engineering Investigation Report and Report Update are contained in Appendix E. The Soil and Groundwater Management Plan is contained in Appendix G.

- a) **Less than Significant with Mitigation Incorporated.** Construction activities, such as earth moving, maintenance/operation of construction equipment, and handling/storage/disposal of materials, could contribute to pollutant loading in stormwater runoff from the construction site. In addition, exposed and stockpiled soils could be subject to wind and conveyance into nearby storm drains during storm events, and on-site water

activities for dust suppression purposes could contribute to pollutant loading in runoff from the construction site. The Project Applicant would be required to comply with the NPDES General Construction Permit, including the preparation of a SWPPP and implementation of BMPs to minimize soil erosion/sedimentation and other runoff from the Project site from entering the storm drains during the construction period. BMPs would include erosion and sediment control BMPs (RJR Engineering, 2022). Compliance with all applicable federal, State, and local requirements would reduce the potential for proposed Project construction to release contaminants into the groundwater that could affect existing contaminants, expand the area, or increase the level of groundwater contamination.

As discussed in Response 3.8.a, a portion of the Project site located at 5980 Arcturus Avenue contains groundwater that has been variously impacted with VOCs including ethylbenzene, chlorinated solvents, xylenes, and benzene. Cadmium was also reported in shallow groundwater beneath this portion of the site above drinking water standards. Construction of the Project would require excavation up to a maximum depth of 12 feet bgs, which would be at the groundwater level encountered at the Project site during the geotechnical investigation (Krazan 2015). Therefore, a potential significant groundwater contamination impact, that could lead to a violation of water quality standards or waste discharge requirements, could occur during construction activities.

Implementation of **Mitigation Measure HAZ-1** is required to reduce potential on-site groundwater contamination impacts during construction.

Compliance with applicable NPDES permitting requirements and LARWQCB waste discharge requirements as well as implementation of **Mitigation Measure HAZ-1** would ensure that potential impacts related to groundwater quality would be reduced to a less than significant level. Therefore, proposed Project construction activities would not violate any water quality standards or waste discharge requirements, and impacts would be less than significant with mitigation incorporated.

During operation, the proposed Project would generate stormwater runoff into the municipal storm drain system which may contain nutrients, pesticides, organic compounds, sediments, oil and grease, suspended solids, metals, gasoline, pathogens, and trash and debris. These pollutants most often originate from motor vehicle use and the associated deposition of fuel, oil and rubber on the ground surface, trash collection areas, landscape maintenance activities, pesticide and herbicide use, and general human activity.

The existing Project site does not contain any drainage facilities. Project site drainage currently sheet flows across the site towards McWane Boulevard and is then conveyed by the existing curb and gutter approximately 950 feet to the west where the stormwater is directed under the existing railroad tracks into open space (RJR Engineering, 2023).

During the proposed Project's operational phase, 13.81 acres, or 96 percent, of the 14.33-acre Project site would be developed with impervious surfaces, which would be a large increase from existing conditions as the site is currently undeveloped and largely pervious and thus, would increase stormwater runoff. As stated in the Hydrology and Drainage

- Analysis, the proposed underground detention system, ribbon drain, and bioswales, which have been incorporated into the proposed Project's design, would reduce the increase of stormwater runoff while maintaining the existing drainage pattern. Runoff from the Project site would be treated by the bioswales and detained in the underground detention system, lifted with a pump station to another bioswale before runoff sheets flow to the street flow line in McWane Blvd, and conveyed via gravity flow along the street gutter flow line to the existing railroad tracks and then to the open space as dictated by the existing drainage patterns. Runoff will be filtered and controlled at a flow rate substantially less than existing conditions (RJR Engineering, 2023). Therefore, operation of the proposed Project would not violate water quality standard and discharge requirements or otherwise substantially degrade water quality. Operational impacts would be less than significant.
- b) **Less than Significant Impact.** The Project site is currently undeveloped and largely pervious. All stormwater that encounters the Project site flows across the site towards McWane Boulevard and is then conveyed by the existing curb and gutter approximately 950 feet to the west where the stormwater is directed under the existing railroad tracks into open space (RJR Engineering, 2023). During construction, excavation would occur up to a maximum depth of 12 feet bgs, which would be at the groundwater level encountered at the Project site during the geotechnical investigation (Krazan 2015). If groundwater is encountered during proposed Project construction, temporary dewatering would be required and disposed of in accordance with the NPDES permit and requirements. During proposed Project operation, most of the Project site (96 percent) would be developed with impervious surfaces, and all stormwater would be directed toward BMP features and/or the local storm drain system. Dewatering would not be required during operation of the proposed Project. Therefore, the proposed Project would not substantially decrease 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. Impacts related to groundwater recharge would be less than significant.
- c) **Less than Significant Impact.** The existing Project site does not contain any drainage facilities. The site is generally flat and flows south and west towards McWane Boulevard to existing curb and gutter approximately 950 feet to the west where the stormwater is directed under the existing railroad tracks into open space (RJR Engineering, 2023). The proposed Project does not propose any alteration to a stream or river course. Additionally, the proposed Project's design would include an underground detention system, ribbon drain, and bioswales, which would reduce the increase of stormwater runoff while maintaining the existing drainage pattern. Therefore, the proposed Project would not contribute to off-site flooding or cause an exceedance of an existing or planned stormwater drainage system. Impacts related to stormwater drainage systems would be less than significant.
- d) **Less than Significant Impact.** Based on a review of the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map, the majority of the Project site is not located in a flood prone area. The northwestern corner of the Project site is within the 0.2 percent annual chance flood hazard zone (FEMA, 2021). The proposed Project includes the

- construction and operation of a cold storage facility that would be located in the northeastern portion of the site, which has been designed to move flows to the southern and western portions of the site near McWane Boulevard to the proposed ribbon drain, bioswales, and underground detention system as well as the existing curb and gutter. As stated in the Hydrology and Drainage Analysis, the proposed Project's drainage design would reduce the increase of stormwater runoff while maintaining the existing drainage pattern. In the event of a storm exceeding the 100-year storm event or pump station malfunction, the flow would back up into the pipes connected to the detention system and would pond in the on-site bioswales. If further flooding occurs, the bioswales would be over topped, and the flow would sheet flow back to the existing gutters and exit the Project site similar to the existing drainage patterns. Furthermore, the parking lot would provide significant ponding in the event that the storm drain inlets were to clog or were inundated with water (RJR Engineering, 2023). Additionally, to comply with the Ventura County Floodplain Management Ordinance and Ventura County General Plan policies HAZ-2.1, HAZ-2.2, HAZ-2.3 and HAZ-2.5, the Applicant shall obtain a Flood Zone Clearance from the Ventura County Public Works Agency Floodplain Manager prior to obtaining a building permit. Therefore, impacts related to flood hazards would be less than significant.
- e) **Less than Significant Impact.** The Project site is currently vacant and undeveloped, but is surrounded by industrial uses to the north, east, and west and agricultural uses to the south. Existing stormwater infrastructure supports these uses. Although the proposed Project would largely increase the amount of impervious surfaces on site, the proposed Project's drainage design includes the underground detention system, ribbon drain, and bioswales which would reduce the increase of stormwater runoff while maintaining the existing drainage pattern. Runoff from the Project site would be treated by the bioswales and detained in the underground detention system, lifted with a pump station to another bioswale before runoff sheets flow to street flow line in McWane Blvd, and are conveyed via gravity flow along the street gutter flow line to the existing railroad tracks and then to the open space as dictated by the existing drainage patterns (RJR Engineering, 2023). In the event of a storm exceeding the 100-year storm event or pump station malfunction, the flow would back up into the pipes connected to the detention system and would pond in the on-site bioswales. If further flooding occurs, the bioswales would be over topped, and the flow would sheet flow back to the existing gutters and exit the Project site similar to the existing drainage patterns. Furthermore, the parking lot would provide significant ponding in the event that the storm drain inlets were to clog or were inundated with water (RJR Engineering, 2023). Additionally, construction of the proposed Project would be restricted to the site boundary and would not lead to on- or off-site siltation or erosion impeding or redirecting flood flow. Therefore, impacts would be less than significant.
- f) **Less than Significant Impact.** Based on a review of the Ventura County Multi-Jurisdictional Hazard Mitigation Plan, the majority of the City of Oxnard, including portions of the Project site, is within a dam inundation area (Tetra Tech, 2022). Although portions of the Project site are subject to inundation due to a failure of a dam upstream along the Santa Clara River, the probability of dam failure inundation is not known but such an event would likely be the result of an extreme storm. The California Division of

- Safety and Dams periodically checks the conditions of dams so that the likelihood for a dam failure is further reduced. The existing levee along the Santa Clara River, located approximately 6.9 miles northwest of the Project site, is currently being evaluated to be reconstructed to provide greater protection for urban uses. There is a potential for a breach of the levee prior to reconstruction of the levee. In the event of a pending flood or flooding due to the failure of the levee, on-site personnel would receive notification from the appropriate agency and would be able to leave the Project site to seek shelter. The notification would also allow for the relocation of on-site vehicles to other locations, if time and space permits. Therefore, the proposed Project would not expose people or structures to significant loss due to flooding. Project impacts related to flooding would be less than significant.
- g) **Less than Significant Impact.** As stated in Response 3.9.d, the majority of the Project site is not located in a flood prone area. The northwestern corner of the Project site is within the 0.2 percent annual chance flood hazard zone (FEMA, 2021). The proposed Project includes the construction and operation of a cold storage facility that would be located in the northeastern portion of the site, which has been designed to move flows to the southern and western portions of the site near McWane Boulevard to the proposed ribbon drain, bioswales, and underground detention system as well as the existing curb and gutter. As stated in the Hydrology and Drainage Analysis, the proposed Project's drainage design would reduce the increase of stormwater runoff while maintaining the existing drainage pattern. In the event of a storm exceeding the 100-year storm event or pump station malfunction, the flow would back up into the pipes connected to the detention system and would pond in the on-site bioswales. If further flooding occurs, the bioswales would be over topped, and the flow would sheet flow back to the existing gutters and exit the Project site similar to the existing drainage patterns. Furthermore, the parking lot would provide significant ponding in the event that the storm drain inlets were to clog or were inundated with water (RJR Engineering, 2023). As discussed in Response 3.7.d, the Project site would not be subject to seiches or tsunamis. The Project site and surrounding area contain relatively flat terrain and are not subject to mudflows. Therefore, the proposed Project would not be exposed to substantial risk related to inundation by a seiche, tsunami or mudflow at the Project site.
- h) **Less than Significant Impact.** As discussed above, the proposed Project would be required to comply with the NPDES General Construction Permit, including the preparation of a SWPPP and implementation of BMPs that would require the proposed Project to minimize soil erosion/sedimentation and other runoff from the Project Site from entering the storm drains during the construction period. The proposed Project would require water for on-site landscaping and would connect to existing City potable and recycled water lines, as applicable, but is not anticipated to deplete groundwater supplies through the consumption of the water. The proposed Project would not substantially decrease groundwater supplies within the city of Oxnard, as additional industrial growth was accounted for in the City's 2030 General Plan and 2020 Urban Water Management Plan. As such, the proposed Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the proposed Project may

impede sustainable groundwater management of the basin. Therefore, implementation of the proposed Project would result in less than significant impacts.

## References

- Federal Emergency Management Agency (FEMA). 2021. FEMA's Flood Map Service Center: Search by Address, 6000 Arcturus Avenue, Oxnard. Available at: <https://msc.fema.gov/portal/search?AddressQuery=6000%20arcturus%20avenue%20oxnard#searchresultsanchor>. Accessed on February 3, 2023.
- Krazan and Associates, Inc. 2015. Geotechnical Engineering Investigation: Proposed Cold Storage Facility 5980 and 6000 Arcturus Avenue Oxnard, California. December 4, 2015.
- RJR Engineering and Consulting, Inc. 2022. Erosion and Sediment Control Plan. November 5, 2022.
- RJR Engineering and Consulting, Inc. 2023. Hydrology and Stormwater Quality Report. August 23, 2023.
- Tetra Tech. 2022. Ventura County Multi-Jurisdictional Hazard Mitigation Plan. Available at: <https://www.readyventuracounty.org/county-plans/>. Accessed on February 6, 2023.
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### 3.10 Land Use and Planning

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project conflict with an applicable land use plan, policy or regulation of the City or other agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating a significant environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project involve land uses that are not allowed under any applicable airport land use compatibility plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Would the project conflict with an applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Would the project physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

- a) **Less than Significant Impact.** The proposed Project consists of a cold storage facility that would include the import/export and distribution of fresh produce and refrigerated food stuff. The site is designated under the 2030 General Plan as Light Industrial, and is zoned M-1, Light Manufacturing. As stated in the Oxnard City Code, cold storage facilities are a permitted use in the M-1 zoning district that are subject to the requirement for approval of a zone clearance. Additionally the new construction of the cold storage facility is subject to a Development Design Review (DDR) permit. Upon approval of the zone clearance and DDR permit, the proposed Project would not conflict with the Project site’s zoning designation.

The applicable 2030 General Plan goals and policies include:

**Goal CD-1:** A balanced community consisting of residential, commercial, and employment uses consistent with the character, capacity, and vision of the City.

**Goal CD-5:** Development of industrial uses in appropriate areas, assistance in the location of new industry, retention and expansion of existing industry, and maintenance of the City’s economic vitality.

**Policy CD-5.1:** Encourage the clustering of industrial uses into areas that have common needs and are compatible in order to maximize their efficiency.

**Policy CD-5.2:** Ensure adequate separation between sensitive land uses (residential, educational, open space, healthcare) to minimize land use incompatibility associated with noise, odors, and air pollutant emissions.

**Policy CD-5.3:** Encourage industrial activities to locate where municipal services are available including adequate storm drainage and water facilities, as well as easy access to multiple modes of transportation.

**Policy CD-5.4:** Seek to attract industrial development that avoids or minimizes substantial pollution, noise, glare, odor, use of hazardous materials, or other offensive activity and/or is a component of the emerging Green industry.

**Policy CD-5.5:** Guide industrial development to locate near transportation facilities capable of handling goods movements in an efficient manner without decreasing the level of service on the transportation network or dividing existing neighborhoods.

**Goal CD-9:** A high quality visual image and perception of the City.

**Policy CD-9.2:** As part of the City's redevelopment programs and planning, promote the revitalization of residential, commercial, and industrial properties that are deteriorated or detract from the visual quality of the City.

**Goal ICS-4:** A functional and balanced goods movement system that provides timely and efficient transport of goods generated by the Port of Hueneme and agricultural, industrial, and commercial areas.

**Policy ICS-4.5:** Enforce truck loading and unloading regulations in commercial and industrial areas and those adjacent to residential land uses.

The proposed Project would be consistent with Goal CD-5 and Policy CD-5.2 as the Project site is surrounded by industrial and agricultural uses and is not adjacent to any sensitive land uses. As discussed in Sections 3.1, *Aesthetics and Urban Design*, 3.3, *Air Quality*, 3.8, *Hazards and Hazardous Materials*, and 3.12, *Noise*, of this MND, implementation of the proposed Project would not result in substantial pollution, noise, glare, odor, or use of hazardous materials. In addition, the proposed Project would be considered a component of the emerging Green industry as the facility would be fitted with yard plugs that would allow for the on-board fuel powered refrigeration units to be transferred to electric power, assisting with the reduction of idle emissions. Therefore, the proposed Project would be consistent with Policy CD-5.4. Furthermore, the proposed Project would be consistent with Goals CD-9 and ICS-4 as well as Policies CD-9.2 and ICS-4.5 because the proposed Project would enforce truck loading and unloading regulations and would redevelop the existing vacant industrial site into a new cold storage facility, which would improve the visual quality of the city.

The proposed Project would conform to the applicable zoning ordinances outlined in the Oxnard City Code for the M-1 zoning district. The height of the proposed cold storage facility is 50 feet, which is below the maximum height of 55 feet allowed in the M-1 zoning district. The proposed Project would also provide a 115-foot front yard setback and a 50-foot rear yard setback, which would comply with the requirement of a 10-foot front yard setback and a rear setback that is equal to the height of the building. Compliance with the Oxnard City Code and General Plan would ensure consistency with applicable land use plans, policies and regulations adopted to avoid environmental effects. Therefore, the proposed Project would result in less than significant land use plans and policy impacts.



- b) **Less than Significant Impact.** The Project site is located approximately 3.8 miles northwest of Naval Base Ventura County (NBVC)<sup>14</sup> Point Mugu and 4.3 miles southeast of the Oxnard Airport. As shown in Exhibit 3B of the Airport Comprehensive Land Use Plan (ACLUP) for Ventura County, the Project site is located outside of the Oxnard Airport Area (Ventura County Airport Land Use Commission, 2000). However, the Project site is located within the Military Influence Area for NBVC Point Mugu.

According to the Ventura County ACLUP, the Project site is outside the four noise and safety zones for NBVC Point Mugu. A portion of the Project site is within the Federal Aviation Regulation (FAR) Part 77 Airspace for NBVC Point Mugu, specifically the Transition Surface 7:1 (Matrix Design Group, 2015). The proposed Project is an acceptable use within the FAR Part 77 Airspace but is within a Height Restriction Zone due to its location within the Transition Surface. As such, the proposed Project is subject to Section 77.9(a), which requires that construction or alteration of development is below 200 feet in height. The proposed cold storage facility would be 50 feet in height, which would be considerably lower than the 200-foot height restriction and thus, would not be a hazard to air navigation or require Federal Aviation Administration notification. In addition, the proposed Project is a compatible land use that is not a noise-sensitive use with NBVC Point Mugu. Therefore, the proposed Project would not involve land uses that are not allowed under any applicable airport land use compatibility plan. Impacts would be less than significant.

- c) **No Impact.** According to the City of Oxnard 2030 General Plan EIR, no established or planned Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan exists within the City of Oxnard (Matrix Design Group, 2009). However, the Coastal Conservancy, the City of Oxnard and The Nature Conservancy have been working to develop a restoration and access plan, the Ormond Beach Restoration and Public Access Project Plan, that balances habitat restoration and protection of sensitive plant and animal species with improved and increased public access. This site is located south of McWane Boulevard and has not yet been finalized. Therefore, the proposed Project would not result in any impact associated with these plans.
- d) **No Impact.** The Project site is currently comprised of a vacant lot that is used to store shipping container chassis, and is surrounded by industrial uses, agricultural uses, and undeveloped land. The proposed light industrial use (cold storage facility) would be consistent with the existing industrial uses adjacent to the Project site's northern and eastern boundaries. Vehicle access to the site would be provided via three new driveways: two driveways along McWane Boulevard, one of which would be the main entrance, and one driveway along Arcturus Avenue. The proposed Project would not require the construction of any new infrastructure, such as an interstate highway or railroad tracks, that would divide an established community, and would not remove any means of access. Therefore, the proposed Project would not result in a physical division of an established community or adversely affect the continuity of land uses in the Project vicinity. No impact would occur.

<sup>14</sup> Naval Base Ventura County Point Mugu was previously identified as Naval Air Station (NAS) Point Mugu.

## References

Matrix Design Group. 2009. City of Oxnard 2030 General Plan Program Environmental Impact Report. Available at: <https://www.oxnard.org/city-department/community-development/planning/2030-general-plan/>. Accessed on February 1, 2023.

Matrix Design Group. 2015. Naval Base Ventura County Joint Land Use Study. Available at: [https://www.goventura.org/wp-content/uploads/2018/03/nbvc\\_jlus\\_final\\_report.pdf](https://www.goventura.org/wp-content/uploads/2018/03/nbvc_jlus_final_report.pdf). Accessed on February 9, 2023.

Ventura County Airport Land Use Commission. 2000. Airport Comprehensive Land Use Plan Update for Ventura County. [https://vcportal.ventura.org/AIRPORTS/docs/document\\_library/Doc\\_Airport\\_LandUse\\_Plan.pdf](https://vcportal.ventura.org/AIRPORTS/docs/document_library/Doc_Airport_LandUse_Plan.pdf). Accessed on February 2, 2023.

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### 3.11 Mineral Resources

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project result in the loss of availability of a known mineral resource of value to the region or state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated in the 2030 General Plan or other adopted land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

- a) **No Impact.** Based on a review of the City of Oxnard’s General Plan Background Report, the Project site is designated as Mineral Resource Zone (MRZ) MRZ-3 (City of Oxnard, 2006). The MRZ-3 Zone includes areas containing mineral deposits, the significance of which cannot be evaluated from available data. Although the Project site could include significant mineral deposits, there are no mining activities within the Project site and the existing urban development within the Project area impedes the potential to economically mine in this area. Therefore, the proposed Project would not result in the loss of availability of an important mineral resource. No impacts to mineral resources would occur with the implementation of the proposed Project.
  
- b) **No Impact.** The Project site is not designated as a locally-important mineral resource or a mineral resource recovery area (City of Oxnard, 2014). Therefore, the implementation of the proposed Project would not impact a locally-important mineral resource recovery site. No impacts to mineral resources would occur.

### References

City of Oxnard. 2006. City of Oxnard General Plan: Draft Background Report. Available at: <https://www.oxnard.org/city-department/community-development/planning/2030-general-plan/>. Accessed on January 31, 2023.

City of Oxnard. 2014. City of Oxnard 2030 General Plan Map. Available at: <https://www.oxnard.org/city-department/community-development/planning/2030-general-plan/>. Accessed on January 31, 2023.

### 3.12 Noise

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project generate or expose persons to noise levels exceeding standards established in the Oxnard 2030 General Plan or Noise Ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project generate or expose persons to excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Would the project generate a substantial temporary or periodic increase in ambient noise in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Would the project generate a substantial permanent increase in ambient noise in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within the airport land use plan for Oxnard Airport or within two miles of Naval Base, Ventura County at Point Mugu, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Would the project expose non-human species to excessive noise?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Discussion

a) **Less than Significant Impact.** Sound can be described as the mechanical energy of a vibrating object transmitted by pressure waves through a liquid or gaseous medium (e.g., air). Noise is generally defined as unwanted sound (i.e., loud, unexpected, or annoying sound). Acoustics is defined as the physics of sound. In acoustics, the fundamental scientific model consists of a sound (or noise) source, a receiver, and the propagation path between the two. The loudness of the noise source and obstructions, or atmospheric factors affecting the propagation path to the receiver determines the sound level and characteristics of the noise perceived by the receiver. Acoustics addresses primarily the propagation and control of sound.

Sound, traveling in the form of waves from a source, exerts a sound pressure level (referred to as sound level) that is measured in decibels (dB), which is the standard unit of sound amplitude measurement. The dB scale is a logarithmic scale that describes the physical intensity of the pressure vibrations that make up any sound, with 0 dB corresponding roughly to the threshold of human hearing and 120 to 140 dB corresponding to the threshold of pain. Pressure waves traveling through air exert a force registered by the human ear as sound.

Sound pressure fluctuations can be measured in units of hertz (Hz), which correspond to the frequency of a particular sound. Typically, sound does not consist of a single frequency, but rather a broad band of frequencies varying in levels of magnitude, with audible frequencies of the sound spectrum ranging from 20 to 20,000 Hz. The sound pressure level, therefore, constitutes the additive force exerted by a sound corresponding to the sound

frequency/sound power level spectrum. The typical human ear is not equally sensitive to this frequency range. As a consequence, when assessing potential noise impacts, sound is measured using an electronic filter that deemphasizes the frequencies below 1,000 Hz and above 5,000 Hz in a manner corresponding to the human ear's decreased sensitivity to these extremely low and extremely high frequencies. This method of frequency filtering, or weighting, is referred to as A-weighting, expressed in units of A-weighted decibels (dBA), which is typically applied to community noise measurements.

An individual's noise exposure is a measure of noise over a period of time; a noise level is a measure of noise at a given instant in time. However, noise levels rarely persist at one level over a long period of time. Rather, community noise varies continuously over a period of time with respect to the sound sources contributing to the community noise environment. Community noise is primarily the product of many distant noise sources, which constitute a relatively stable background noise exposure, with many of the individual contributors unidentifiable. The background noise level changes throughout a typical day, but does so gradually, corresponding with the addition and subtraction of distant noise sources, such as changes in traffic volume. What makes community noise variable throughout a day, besides the slowly changing background noise, is the addition of short-duration, single-event noise sources (e.g., aircraft flyovers, motor vehicles, sirens), which are readily identifiable to the individual.

These successive additions of sound to the community noise environment change the community noise level from instant to instant, requiring the noise exposure to be measured over periods of time to legitimately characterize a community noise environment and evaluate cumulative noise impacts. The following noise descriptors are used to characterize environmental noise levels over time, which are applicable to the Project.

- $L_{eq}$ : The equivalent sound level, is used to describe noise over a specified period of time in terms of a single numerical value; the  $L_{eq}$  of a time-varying signal and that of a steady signal are the same if they deliver the same acoustic energy over a given time. The  $L_{eq}$  may also be referred to as the average sound level.
- $L_{max}$ : The maximum, instantaneous noise level experienced during a given period of time.
- $L_{min}$ : The minimum, instantaneous noise level experienced during a given period of time.
- $L_x$ : The noise level exceeded a percentage of a specified time period. For instance,  $L_{50}$  and  $L_{90}$  represent the noise levels that are exceeded 50 percent and 90 percent of the time, respectively.
- $L_{dn}$ : The average A-weighted noise level during a 24-hour day, obtained after an addition of 10 dBA to measured noise levels between the hours of 10 p.m. to 7 a.m. to account nighttime noise sensitivity. The  $L_{dn}$  is also termed the day-night average noise level (DNL).

CNEL: The Community Noise Equivalent Level (CNEL) is the average A-weighted noise level during a 24-hour day that is obtained after an addition of 5 dBA to measured noise levels between the hours of 7 p.m. to 10 p.m. and after an addition of 10 dBA to noise levels between the hours of 10 p.m. to 7 a.m. to account for noise sensitivity in the evening and nighttime, respectively. CNEL and  $L_{dn}$  are close to each other, with CNEL being more stringent and generally 1 dBA higher than  $L_{dn}$ .

Noise is generally loud, unpleasant, unexpected, or undesired sound that is typically associated with human activity that is a nuisance or disruptive. Although exposure to high noise levels has been demonstrated to cause physical and physiological effects, the principal human responses to typical environmental noise exposure are related to subjective effects and interference with activities.

With regard to the subjective effects, the responses of individuals to similar noise events are diverse and influenced by many factors, including the type of noise, the perceived importance of the noise, the appropriateness of the noise to the setting, the duration of the noise, the time of day and the type of activity during which the noise occurs, and individual noise sensitivity. Overall, there is no completely satisfactory way to measure the subjective effects of noise, or the corresponding reactions of annoyance and dissatisfaction on people. A wide variation in individual thresholds of annoyance exists, and different tolerances to noise tend to develop based on an individual's past experiences with noise. Thus, an important way of predicting a human reaction to a new noise environment is the way it compares to the existing environment to which one has adapted (i.e., comparison to the ambient noise environment). In general, the more a new noise level exceeds the previously existing ambient noise level, the less acceptable the new noise level will be judged by those hearing it. With regard to increases in A-weighted noise level, the following relationships generally occur (Caltrans, 2013):

- Except in carefully controlled laboratory experiments, a change of 1 dBA in ambient noise levels cannot be perceived.
- Outside of the laboratory, a 3 dBA change in ambient noise levels is considered to be a barely perceivable difference.
- A change in ambient noise levels of 5 dBA is considered to be a readily perceivable difference.
- A change in ambient noise levels of 10 dBA is subjectively heard as doubling of the perceived loudness.

These relationships occur in part because of the logarithmic nature of sound and the dB scale. The human ear perceives sound in a non-linear fashion; therefore, the dBA scale was developed. Because the dBA scale is based on logarithms, two noise sources do not combine in a simple additive fashion, but rather logarithmically. Under the dBA scale, a doubling of sound energy corresponds to a 3 dBA increase. In other words, when two sources are each producing sound of the same loudness, the resulting sound level at a given distance would be approximately 3 dBA higher than one of the sources under the same conditions.

When noise propagates over a distance, the noise level decreases with distance depending on the type of noise source and the propagation path. Noise from a localized source (i.e., point source) propagates uniformly outward in a spherical pattern, referred to as “spherical spreading.” Stationary point sources of noise, including stationary mobile sources such as idling vehicles, attenuate (i.e., reduce) at a rate between 6 dBA, for acoustically “hard” sites, and 7.5 dBA for “soft” sites for each doubling of distance from the reference measurement, as the noise energy is continuously spread out over a spherical surface (e.g., for hard surfaces, 80 dBA at 50 feet attenuates to 74 at 100 feet, 68 dBA at 200 feet). Hard sites are those with a reflective surface between the source and the receiver, such as asphalt or concrete surfaces, or smooth bodies of water. No excess ground attenuation is assumed for hard sites and the reduction in noise levels with distance (drop-off rate) is simply the geometric spreading of the noise from the source. Soft sites have an absorptive ground surface, such as soft dirt, grass, or scattered bushes and trees, provides an additional ground attenuation value of 1.5 dBA (per doubling distance), a geometric spreading (Caltrans, 2013).

Construction and operational activities associated with the proposed Project would result in increases in noise levels. Construction activities would include removing the existing driveways on McWane Boulevard and Arcturus Avenue, grading/excavating the site, pouring the mat concrete foundation, constructing the cold storage facility, landscaping, and undergrounding proposed Project utilities. Proposed Project construction would require the following equipment for each construction activity:

#### **Demolition**

- 2 Concrete/Industrial Saws
- 3 Tractors/Loaders/Backhoes

#### **Grading/Excavation**

- 2 Rollers
- 2 Scrapers
- 1 Street Sweeper
- 3 Tractors/Loaders/Backhoes
- 2 Other Equipment/Water Trucks

#### **Mat Foundation**

- 2 Concrete/Industrial Saws
- 2 Pumps
- 1 Street Sweeper
- 1 Tractor/Loader/Backhoe
- 2 Other Equipment/Laser Level/Screeds

**Building Construction**

- 5 Aerial/Person Lifts
- 2 Air Compressors
- 2 Concrete/Industrial Saws
- 2 Cranes
- 1 Scraper
- 1 Signal Board
- 1 Tractor/Loader/Backhoe
- 2 Trenchers
- 3 Welders

**Paving**

- 1 Signal Board
- 2 Surfacing Equipment
- 1 Tractor/Loader/Backhoe

**Finishing/Painting**

- 1 Aerial/Person Lift
- 1 Air Compressor

**Table 3.12-1, *Construction Noise Level***, provides estimated construction noise levels at 50 feet. Construction noise levels at 100 feet, 200 feet, 400 feet, and 800 feet are also provided. The noise values represent maximum noise generation, or full-power operation of the equipment although typical operating cycles may involve 2 minutes of full-power operation, followed by 3 or 4 minutes at lower levels. As the distance between equipment increases, and/or the separation of areas with simultaneous construction activity, dispersion and distance attenuation reduce the effects of separate noise sources added together. Additionally, noise levels at the closest sensitive receptors, located approximately 2,100 feet northwest of the Project site, are further reduced due to the presence of intervening structures between the Project site and the sensitive receptors. The intervening structures block the line-of-sight and result in a reduction in overall noise levels. Noise levels from construction are based on a distance attenuation of 6 dBA for each doubling of distance from the source to a receiver point.



**TABLE 3.12-1  
CONSTRUCTION NOISE LEVEL<sup>a</sup>**

Activity	Noise Level, dBA Leq					At Closest Sensitive Receptor (2,100 ft) <sup>b</sup>
	At 50 Feet	At 100 Feet	At 200 Feet	At 400 Feet	At 800 Feet	
Demolition	87	81	75	69	63	44
Grading/Excavation	85	79	73	67	61	43
Mat Foundation	88	82	75	69	63	45
Construction	90	84	78	72	66	48
Paving	85	79	73	67	61	43
Finishing/Painting	75	69	63	57	51	33

<sup>a</sup> Based on equipment identified above that was provided by the Project applicant.

<sup>b</sup> Noise level at sensitive receptor includes a 10 dBA reduction due to the presence of intervening structures between the Project site and the sensitive receptors. The intervening structures block the line-of-sight between the Project site and the sensitive receptors and result in lower noise levels.

SOURCE: Controlled Environments Construction, Inc. and ESA, 2023; Federal Highway Administration, 2017.

The nearest noise sensitive uses to the Project site are single- and multi-family residences, located approximately 0.4-mile (2,100 feet) to the northwest. At a distance of 2,100 feet, the noise level would attenuate to approximately 48 dBA  $L_{eq}$  based on a distance attenuation of 6 dBA per doubling of distance and assuming additional noise attenuation from intervening buildings, vegetation, or structures. Because the existing residences would be approximately 2,100 feet northwest from the proposed construction activities and based on a distance attenuation of 6 dBA for each doubling of distance, noise levels at these existing residences would not exceed the exterior noise level standard for residential buildings of 55 dBA  $L_{eq}$  (Oxnard City Code Chapter 7, Article XI).

Construction noise levels are considered significant if noise levels are not consistent with the City of Oxnard Noise Ordinance or are not consistent with the 2030 General Plan noise policies.

### ***City of Oxnard Noise Ordinance***

In accordance with Section 7-188 of the City's Municipal Code, sound sources associated with or created by construction, repair, remodeling or grading of any real property are exempt, provided the activities occur between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, including Saturday. Because the proposed Project would include construction activities between the hours of 7:00 a.m. and 4:30 p.m. on weekdays, including Saturday, the construction noise levels are considered less than significant.

Primary noise generation during proposed Project operation would be from vehicular traffic from truckers and employees entering and exiting the Project site on Arcturus Avenue and McWane Boulevard. Generally speaking, a doubling of traffic volumes results

in a perceptible 3 dBA noise level increase over ambient conditions (Colorado Department of Transportation 2011). According to the Traffic Study, the Project trip distribution would travel along Hueneme Road and Edison Drive to reach the Project site (Associated Transportation Engineers [ATE], 2023). Daily existing traffic counts collected in 2018 reported 1,690 vehicles per peak hour traveled along Hueneme Road between Arcturus Avenue and Edison Drive and 225 vehicles per peak hour along Edison Drive in the vicinity of the Project site during peak hours (Associated Transportation Engineers [ATE], 2023). The Traffic Study conducted by ATE (**Appendix H**) concludes that the proposed Project would generate a maximum of 13 peak hour trips on the roadways surrounding the proposed Project site, which would increase existing traffic volumes on Arcturus Avenue by approximately three percent during peak hours. This would not result in a perceptible increase in noise levels in the Project area. Therefore, long-term operational activities associated with the proposed Project would result in less than significant noise impacts.

### ***City of Oxnard Safety & Hazards Element***

The Safety & Hazards Element includes noise policies. The applicable policies are related to construction and operational noise (City of Oxnard, 2022). The following noise policies are applicable to the proposed Project:

SH-6.1 Construction Noise Control – Provide best practices guidelines to developers for reducing potential noise impacts on surrounding land uses.

As described above, noise levels associated with construction activities at the nearest residences would be below the normally acceptable Community Noise Exposure standards for single- and multi-family residences. Therefore, construction activities would not require best practices to reduce anticipated construction noise.

SH-6.2 Limiting Construction Activities – Continue to limit construction activities to the hours of 7 am to 7 pm, Monday through Saturday. No construction shall occur after hours, on Sundays, or national holidays without permission from the city.

As described above, construction activities would be limited to the hours of 7:00 a.m. and 4:30 p.m. on weekdays, including Saturday. Therefore, the proposed Project would be consistent with this goal.

SH-6.4 New Development Noise Compatibility – Require that proposed development projects not generate more noise than that classified as “satisfactory” based on CEQA Thresholds of Significance on nearby property.

As described above, the increase in peak hour vehicle trips during operation of the proposed Project would not result in a perceptible increase in noise levels in the Project area. Therefore, the proposed Project would not generate more noise than that classified as “satisfactory” on nearby properties.

SH-6.5 Land Use Compatibility with Noise – Encourage non-noise sensitive land uses to locate in areas that are permanently committed to noise producing land uses, such as transportation corridors and industrial zones.

The proposed Project includes construction of a cold storage facility that would be constructed in an area consisting of industrial uses, agricultural uses, and undeveloped land. Additionally, the Project site is designated as Light Industrial (ILT) and is zoned Light Manufacturing (M-1). Therefore, the proposed Project would be consistent with this goal.

SH-6.9 Minimize Noise Exposure to Sensitive Receptors – Prohibit the development of new commercial, industrial, or other noise generating land uses adjacent to existing residential uses, and other sensitive noise receptors such as schools, child and daycare facilities, health care facilities, libraries, and churches if noise levels are expected to exceed 70 dBA.

As described above, the proposed Project includes construction of a cold storage facility that would be constructed in an area consisting of industrial uses, agricultural uses, and undeveloped land that is greater than 2,100 feet from the closest noise-sensitive receptor. Therefore, the proposed Project would not be developed adjacent to sensitive noise receptors, and the proposed Project would be consistent with this goal.

- b) **Less than Significant Impact.** Vibration refers to groundborne noise and perceptible motion. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors. The motion may be discernible outdoors, but without the effects associated with the shaking of a building, there is less adverse reaction. Vibration energy propagates from a source through intervening soil and rock layers to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. Building vibration may be perceived by the occupants as the motion of building surfaces, the rattling of items moving on shelves or hanging on walls, or as a low-frequency rumbling noise. The rumbling noise is caused by the vibrating walls, floors, and ceilings that are radiating sound waves.

Typical sources of groundborne vibration are construction activities (e.g., blasting, pile driving, and operating heavy-duty earth-moving equipment), steel-wheeled trains, and occasional traffic on rough roads. Problems with groundborne vibration and noise from these sources are usually localized.

Groundborne vibration has the potential to disturb people as well as to damage buildings. Although it is very rare for mobile source-induced groundborne vibration to cause even cosmetic building damage, it is not uncommon for construction processes such as blasting and the pile driving to cause vibration of sufficient amplitudes to damage nearby buildings. Groundborne vibration is usually measured in terms of vibration velocity such as peak particle velocity (PPV).

Factors that influence groundborne vibration and noise include the following:

- **Vibration Source:** Vehicle/equipment suspension, wheel types and condition, track/roadway surface, track support system, speed, transit structure, and depth of vibration source
- **Vibration Path:** Soil type, rock layers, soil layering, depth to water table, and frost depth
- **Vibration Receiver:** Foundation type, building construction, and acoustical absorption

Among the factors listed above, there are significant differences in the vibration characteristics when the source is underground compared to at the ground surface. In addition, soil conditions are known to have a strong influence on the levels of groundborne vibration. Among the most important factors are the stiffness and internal damping of the soil and the depth to bedrock.

Experience with groundborne vibration shows that vibration propagation is more efficient in stiff clay soils than in loose sandy soils, and shallow rock seems to concentrate the vibration energy close to the surface, resulting in groundborne vibration problems at large distance from the source. Factors such as layering of the soil and depth to water table can have significant effects on the propagation of groundborne vibration. Soft, loose, sandy soils tend to attenuate more vibration energy than hard, rocky materials. Vibration propagation through groundwater is more efficient than through sandy soils.

The City of Oxnard does not have vibration criteria standards; however, Caltrans has established criteria for damage of structures as shown in **Table 3.12-2, Construction Vibration Damage Criteria**.

**TABLE 3.12-2  
CONSTRUCTION VIBRATION DAMAGE CRITERIA**

Human Response	Maximum PPV (in/sec)	
	Transient Sources	Continuous/Frequent Intermittent Sources
Extremely fragile historic buildings, ruins, ancient monuments	0.12	0.08
Fragile buildings	0.2	0.1
Historic and some old buildings	0.5	0.25
Older residential structures	0.5	0.3
New residential structures	1.0	0.5
Modern industrial/commercial buildings	2.0	0.5

NOTES: PPV = peak particle velocity  
SOURCE: Caltrans, 2020.

Human annoyance generally occurs within buildings with windows rattling and ground shaking. Receivers in an outdoor setting usually are less sensitive to vibration effect. Caltrans has identified a human response to noise vibration within the *Transportation and Construction Vibration Guidance Manual* (Caltrans, 2020). The human annoyance criteria are identified in **Table 3.12-3, Human Response to Vibration**.

**TABLE 3.12-3  
HUMAN RESPONSE TO VIBRATION**

Human Response	Maximum PPV (in/sec)	
	Transient Sources	Continuous/Frequent Intermittent Sources
Barely Perceptible	0.04	0.01
Distinctly Perceptible	0.25	0.04
Strongly perceptible	0.9	0.10
Severe	2.0	0.4

NOTES: PPV = peak particle velocity  
SOURCE: Caltrans, 2020.

Proposed Project construction equipment would generate ground vibration. As the nearest sensitive receivers are approximately 0.4-mile northwest of the Project site, vibration generated by heavy equipment would not cause significant impacts due to the rapid attenuation of vibration over distance. Additionally, proposed Project operation would not include use of heavy machinery or equipment that would generate significant vibration. During proposed Project operation, trucks and employee vehicles accessing the Project site would result in nominal increases in the typical vibration levels that are experienced from daily vehicles traveling along adjacent roadways. Therefore, the proposed Project would not generate excessive groundborne noise or vibration that would affect sensitive receivers and would have a less than significant impact.

- c) **Less than Significant Impact.** The implementation of the proposed Project would result in temporary and periodic increases in noise levels. As discussed above, temporary noise levels would occur during construction activities associated with the proposed Project. As a worst-case assumption, noise levels at the nearest residence would not exceed the exterior noise level standard for residential buildings of 55 dBA  $L_{eq}$ , which would be considered less than significant for single- and multi-family residences (Oxnard City Code Chapter 7, Article XI). In addition, the City considers construction activities as significant if construction noise does not occur within the Noise Ordinance timing restriction. Because the proposed Project would include construction activities within the allowed times of day, the proposed Project would result in a less than significant temporary noise impact.

Primary noise generation during proposed Project operation would be from vehicular traffic from truckers and employees entering and exiting the Project site on Hueneme Road, Arcturus Avenue, Edison Drive, and McWane Boulevard. However, this traffic would

result in nominal increases in noise as Arcturus Avenue and McWane Boulevard are currently used by heavy-duty trucks traveling to the nearby Port of Hueneme and vehicles traveling through the Project area, which would be similar to the traffic noise generated by the proposed Project. In addition, as discussed above, the proposed Project would generate a total of 13 peak hour trips on the roadways surrounding the Project site, which would not result in a perceptible increase in noise levels in the Project area. Furthermore, traffic noise generated by the proposed Project would be restricted to the cold storage facility's operating hours of 6:00 a.m. to 10:00 p.m. Monday through Saturday. Therefore, operation of the proposed Project would result in nominal increases in noise and would be considered less than significant.

- d) **Less than Significant Impact.** The primary off-site noise source in the Project area is motor vehicles.<sup>15</sup> Motor vehicle noise is a concern because it is characterized by a high number of individual events that often create sustained noise levels. Ambient noise levels are expected to be highest during the morning and afternoon rush hours unless congestion slows speeds substantially. To determine ambient noise levels in the Project area, the Oxnard General Plan Background Report was reviewed. The Community Noise Measurement Summary in the Safety and Hazard element provides the results of noise measurements taken along 13 heavily traveled roadway corridors in the city. The nearest recorded measurement to the Project site is Measurement 2, along Channel Island Boulevard, west of Saviers Road, which had a morning noise level of 69.6 dBA (City of Oxnard, 2006). This measurement was taken approximately 2 miles northwest of the Project site, and although it does not provide indicative information on ambient noise levels in the Project area, the measurement was taken in a considerably more built-up area than the Project site. As discussed above, the proposed Project would not result in significant operational noise impacts as the proposed Project would not create a significant source of traffic, and traffic noise generated by the proposed Project would be similar to the existing traffic noise on Hueneme Road, Arcturus Avenue, Edison Drive, and McWane Boulevard from vehicles and heavy-duty trucks. Therefore, the proposed Project would not generate a substantial permanent increase in ambient noise in the Project vicinity. Impacts would be less than significant.
- e) **No Impact.** There are no public airports or private airstrips within two miles of the Project site. The Project site is located approximately 3.8 miles northwest of NBVC Point Mugu and 4.3 miles southeast of the Oxnard Airport. As discussed in Section 3.10, *Land Use and Planning*, the Project site is located outside of the Oxnard Airport Area. As the Project site is over two miles from the nearest airport, the proposed Project would not expose people to excessive airport noise levels. Therefore, no impact would occur.

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<sup>15</sup> Noise and vibration are produced by train traffic on the railway adjacent to the Project site, but only intermittently, and the Project would not affect train traffic or noise and vibration levels from the adjacent railway.

- f) **Less than Significant with Mitigation Incorporated.** As discussed in Section 3.4 a) above, construction activities from the implementation of the proposed Project could increase noise levels for nesting bird species in the Project vicinity. This increase in noise could result in a significant noise impact to nesting birds. With the implementation of **Mitigation Measure BIO-2** for nesting birds from Section 3.4 a), potential impacts to nesting birds would be reduced to less than significant.

## References

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### 3.13 Population, Education, and Housing

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project involve a General Plan amendment that could result in an increase in population beyond that projected in the 2030 General Plan that may result in one or more significant physical environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Would the project induce substantial growth on the project site or surrounding area, resulting in one or more significant physical environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Would the project result in a substantial (15 single-family or 25 multi-family dwelling units – about one-half block) net loss of housing units through demolition, conversion, or other means that may necessitate the development of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Would the project result in a net loss of existing housing units affordable to very low- or low-income households (as defined by federal and/or City standards), through demolition, conversion, or other means that may necessitate the development of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Would the project cause an increase in enrollment at local public schools that would exceed capacity and necessitate the construction of new or expanded facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Would the project directly or indirect interfere with the operation of an existing or planned school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### Discussion

- a) **No Impact.** The proposed Project includes the construction of a cold storage facility on a site that is currently designated Light Industrial (ILT) within the 2030 General Plan (City of Oxnard, 2014). The construction of a cold storage facility does not require a General Plan amendment and would not increase population beyond that projected in the 2030 General Plan. Therefore, the proposed Project would result in no impact on population.
  
- b) **No Impact.** The proposed Project includes the construction of a cold storage facility that would generate a total of 24 employees. The Southern California Association of Governments (SCAG) estimates that the population of Oxnard will increase by 32,100 residents and generate 15,000 new jobs between 2016 and 2045 (SCAG, 2020). Even in the unlikely event that all new jobs created by the proposed Project were to result in new residents to Oxnard, the Project would result in less than one percent of expected City population and employment growth. Therefore, the proposed Project would not induce substantial growth, and there would be no impact.
  
- c) **No Impact.** Construction of the cold storage facility would not occur on a site that currently contains housing. Therefore, the implementation of the proposed Project would result in no impact on existing housing.



- d) **No Impact.** As stated above, construction of the cold storage facility would occur on a site that does not contain any existing housing. Therefore, implementation of the proposed Project would result in no impact on existing housing, including existing affordable housing units.
- e) **No Impact.** As stated above, construction of the cold storage facility would generate a total of 24 employees. Even in the unlikely event that all new jobs created by the proposed Project were to result in new residents to Oxnard, the proposed Project would result in less than one percent of expected City population and employment growth. Therefore, the proposed Project would not create a significant influx of new residents to the city requiring public services such as schools. As such, implementation of the proposed Project would not create a substantial increase in the demand for public schools or require new or expanded school facilities. No impact would occur.
- f) **No Impact.** The nearest existing school to the Project site is the Art Haycox Elementary School, located approximately 0.76-mile northwest of the Project site. As stated above, the Project would not create a significant influx of new residents to the city requiring public services such as schools. Therefore, the proposed Project would not create a substantial increase in the demand for public schools or require new or expanded school facilities. As such, the proposed Project would not interfere with the operation of an existing or planned school, and no impact would occur.

## References

- City of Oxnard. 2014. City of Oxnard 2030 General Plan Map. Available at: <https://www.oxnard.org/city-department/community-development/planning/2030-general-plan/>. Accessed on January 31, 2023.
- Southern California Association of Governments. 2020. Connect SoCal: Demographics and Growth Forecast. Available at: <https://scag.ca.gov/read-plan-adopted-final-connect-social-2020>. Accessed on January 31, 2023.

### 3.14 Public Services and Recreation

<u>Issues:</u>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project increase demand for fire protection service such that new or expanded facilities would be needed to maintain acceptable service levels, the construction of which may have significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Would the project increase demand for law enforcement service such that new or expanded facilities would be needed to maintain acceptable service levels, the construction of which may have significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Would the project increase the use of existing park facilities such that substantial physical deterioration of the facilities would occur or be accelerated or that new or expanded park facilities would be needed to maintain acceptable service levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Would the project increase the need for or use of existing library or other community facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

- a) **No Impact.** The proposed cold storage facility would be served by the City of Oxnard Fire Department Station 2, which is located approximately 0.9-mile northwest of the Project site (City of Oxnard, 2023a). As discussed in Section 3.13, *Population, Education, and Housing*, the proposed Project would generate a total of 24 employees, which would result in less than one percent of expected City population and employment growth. Therefore, the proposed Project would not create a significant influx of new residents to the city requiring public services and would not require the addition of a new fire station or modifications to an existing fire station to serve the Project site. Additionally, automatic fire sprinklers and two City fire hydrants would be provided on site as part of the proposed Project, which would enhance fire safety and support fire protection services. Therefore, the proposed Project would have no impact on fire protection services because no new or expanded facilities are required to serve the Project.
  
- b) **No Impact.** The Project site is located approximately 4.1 miles southeast of the City of Oxnard Police Department Building and located within Neighborhood Policing Beat 42 (City of Oxnard, 2023b). As stated above, the proposed Project would generate a total of 24 employees, which would result in less than one percent of expected City population and employment growth. Therefore, the proposed Project would not create a significant influx of new residents to the city requiring public services and would not require the addition of a new police station or modifications to an existing police station to serve the Project site. Additionally, the proposed Project would incorporate alarm and video surveillance systems, which would ensure the safety of its employees and visitors. Therefore, the proposed Project would have no impact on police protection services because no new or expanded facilities are required to serve the Project.

- c) **No Impact.** As stated above, the proposed Project would generate a total of 24 employees, which would result in less than one percent of expected City population and employment growth. Therefore, the proposed Project would not create a significant influx of new residents to the city requiring public services such as parks or create a substantial increase in the demand for park facilities. As such, the proposed Project would not result in the physical deterioration of existing park facilities or require new or expanded park facilities. No impact would occur.
- d) **No Impact.** As stated above, the proposed Project would generate a total of 24 employees, which would result in less than one percent of expected City population and employment growth. Therefore, the proposed Project would not create a significant influx of new residents to the city requiring public services or create a substantial increase in the demand for libraries or other community facilities. As such, the proposed Project would not result in the physical deterioration of existing libraries or other community facilities. No impact would occur.

## References

City of Oxnard. 2023a. City of Oxnard Fire Department, Fire Station Locations. Available at: <https://www.oxnard.org/fire-station-locations-fire-department/>. Accessed on February 1, 2023.

City of Oxnard. 2023b. Oxnard Police Department, Neighborhood Policing Beat Coordinator Map. Available at: <https://sites.google.com/oxnardpd.org/2020-beat-map/police-beat-map>. Accessed on February 1, 2023.

### 3.15 Transportation and Circulation

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Would the project result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion

The analysis in this section is based on the information provided in the Traffic Study (TS) prepared by ATE in February 2023, and contained in Appendix H of this MND.

- a) **Less than Significant Impact.** The proposed Project would not remove or interfere with any bicycle or pedestrian facilities. The nearest existing bicycle facility is the Pacific Coast Bikeway Route, located approximately 0.3-mile north of the Project site along Hueneme Road (Alta Planning and Design, 2011). The nearest transit stop to the Project site is the Hueneme and Courtland stop (approximately 0.6-mile to the northwest), which is served by Gold Coast Transit District Route 23. As discussed in the TS, the proposed Project would be consistent with the Ventura County General Plan by complying with terms of the “Reciprocal Traffic Mitigation Agreement” between the City of Oxnard and County of Ventura regarding traffic impact fee assessment associated with the development. Therefore, the proposed Project would be consistent with local plans and policies regarding the circulation system, and impacts would be less than significant.
  
- b) **Less than Significant Impact.** Section 15064.3, which describes specific considerations for evaluating a project’s transportation impacts under CEQA, was recently added to the State CEQA Guidelines. Section 15064.3(b) establishes vehicle miles traveled (VMT) as the most appropriate measure of transportation impacts, shifting away from the use of Level of Service (LOS) analysis that evaluates a project’s impacts on traffic conditions at nearby roadways and intersections. Section 15064.3(c) states that a lead agency shall be governed by the provisions of Section 15064.3 by July 1, 2020. The City of Oxnard has not yet established VMT-based criteria for measuring transportation impacts. As stated in the TS, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less than significant transportation impact. The proposed Project would generate a projected 50 passenger vehicle trips and a projected 173 daily truck trips. Per the TS, the 50 passenger vehicle trips were used for the VMT analysis as Section 15064.3 (a) of the CEQA Guidelines refers to VMT from ‘automobile travel’, with the term automobile relating to on-road passenger vehicles, specifically cars and light trucks. OPR has clarified in its Technical Advisory (OPR 2018) that heavy-duty truck VMT is not

- required to be included in the estimation of a project's VMT. Therefore, given that the proposed Project would generate 50 average daily employee vehicle trips, which is below the 110-trip threshold, the proposed Project would not create a substantial increase in VMT or conflict or be inconsistent with CEQA Guidelines section 15064.3(b). Impacts would be less than significant.
- c) **Less than Significant Impact.** The proposed Project does not include design features, such as sharp curves or dangerous intersections, or incompatible uses that would result in traffic safety hazards. Ingress and egress movements for the proposed Project would be facilitated via the main-entrance gated driveway near the center of the proposed Project's southern boundary along McWane Boulevard. Secondary emergency access would be provided by the proposed Project's other gated driveways, located near the Project's northwestern boundary along Arcturus Avenue and in the southeastern corner along McWane Boulevard. Vehicles would enter the Project site via McWane Boulevard. McWane Boulevard is a collector street that is approximately 40-feet wide and provides access to the adjacent light industrial uses and agricultural fields located to the south. McWane Boulevard has adequate capacity to accommodate the traffic generated by the proposed Project with access into and out of the Project site. The proposed Project would be subject to review and approval by the City of Oxnard Community Development and Public Works Departments. Access to the Project site would be required to comply with all City design standards, which would ensure adequate design and construction of proposed improvements. Therefore, implementation of the proposed Project would result in less than significant impacts.
- d) **Less than Significant Impact.** Slow-moving construction-related traffic along Arcturus Avenue and McWane Boulevard could reduce optimal traffic flows and could delay emergency vehicles traveling through the Project area. In addition, certain construction activities, such as roadway improvements, utility relocation or extensions, and drainage facility reconstruction, could require temporary lane closures. However, this would not result in a significant impact on traffic flows because construction-related traffic would only occur during short periods of time during the day and would cease upon completion. In addition, prior to construction activities, a construction traffic control plan would be prepared for the proposed Project to ensure that adequate emergency access exists during construction. As such, construction impacts would be less than significant.

## References

- Alta Planning and Design. 2011. City of Oxnard Bicycle and Pedestrian Facilities Master Plan. Available at: <https://www.oxnard.org/city-department/community-development/planning/bicycle-and-pedestrian-facilities-master-plan/>. Accessed on February 9, 2023.
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COH & Associates, Inc. 2009. 2009 Ventura County Congestion Management Program. Available at: <https://www.goventura.org/work-with-vctc/publications/>. Accessed on February 8, 2023.

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### 3.16 Utilities and Energy

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project need new or expanded water supply entitlements that are not anticipated in the current Urban Water Management Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would additional wastewater conveyance or treatment capacity be required to serve project demand and existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Would the project generate solid waste that would exceed the permitted capacity of a landfill serving the City?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Would the project conflict with federal, state, or local statutes or regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Would the project involve wasteful, inefficient, or unnecessary consumption of energy during project construction, operation, maintenance, and/or removal?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Would the project require additional energy facilities, the provision of which may have a significant effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Would the project be inconsistent with existing energy standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Would the project preempt future energy development or future energy conservation, or inhibit the future use of renewable energy or energy storage?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion

a) **Less than Significant Impact.** The proposed Project would increase water demand compared to a vacant site; however, water use would be characteristic of an industrial cold storage facility with ornamental landscaping. According to the City’s 2020 Urban Water Management Plan (UWMP), industrial water consumption in Oxnard is expected to increase from 2,227 acre-feet per year (AFY) in 2020 to 2,675 AFY in 2045; a 20 percent increase (448 AFY) in consumption (City of Oxnard, 2021). CalEEMod modeling for proposed Project operation was performed as part of the Air Quality and Climate Change and Greenhouse Gas Emissions analyses, and provides water use estimates for each land use included in proposed Project buildout (Appendix B). The proposed Project is expected to have an annual water demand of approximately 33.23 million gallons per year, or 102 AFY, at Project buildout (conservatively based on CalEEMod default water usage), which constitutes 22.8 percent of the projected increase in industrial water consumption in the city by 2045. The proposed Project’s expected water demand is therefore within City

demand projections outlined in the 2020 UWMP. Therefore, the proposed Project would have a less than significant impact on available water supplies.

- b) **Less than Significant Impact.** The Project site is currently connected to sewer lines managed by the City of Oxnard, which direct wastewater to the Oxnard Wastewater Treatment Plant (OWTP). The volume of wastewater processed at the OWTP averages 16 million gallons per day (MGD) for a population of approximately 200,050, which is well within the OWTP capacity for treating 31.7 MGD (City of Oxnard 2022; California Department of Finance 2022). The proposed Project would generate a relatively small amount of wastewater, as the industrial and office spaces would not be a large source of employment (approximately 25 employees), and land uses would not contain water intensive industrial activities. Conservatively assuming that wastewater generation would be approximately 100 percent of water demand, which is based on the CalEEMod modeling for proposed Project operation (Appendix B), the proposed Project would generate up to approximately 106,180 gallons of wastewater per day (assuming 313 work days per year and all water usage is treated as wastewater). The proposed Project's estimated daily wastewater generation would account for less than 0.33 percent of the OWTP's remaining daily capacity of approximately 31.7 million gallons. Therefore, the proposed Project would not require additional wastewater conveyance or treatment capacity to serve proposed Project demands. Impacts would be less than significant.
- c) **Less than Significant Impact.** The City of Oxnard Environmental Resources Division provides waste pick-up and hauling services for residents and businesses. Waste is delivered to the Del Norte Regional Recycling and Transfer Station, which is permitted to process 2,779 tons of waste per day, with an average intake of approximately 970 tons of waste per day (City of Oxnard 2013, City of Oxnard 2022), which leaves an estimated remaining daily capacity of 1,809 tons of waste per day. CalEEMod modeling for proposed Project operation was performed as part of the Air Quality and Climate Change and Greenhouse Gas Emissions analyses and provides waste generation estimates for each land use included in Project buildout (Appendix B). The proposed Project would generate an estimated 0.21 tons of waste per day (assuming 313 work days per year and a 50 percent waste diversion rate per AB 939 requirements), which would not exceed the current estimated remaining daily capacity at Del Norte Regional Recycling and Transfer Station. In addition, the proposed Project's estimated generation of 0.21 tons of waste per day would constitute a less than one percent increase in the total waste processed per day at Del Norte Regional Recycling and Transfer Station. Therefore, the proposed Project would not generate waste in excess of local capacity, and impacts to the capacity of local infrastructure would be less than significant.
- d) **Less than Significant Impact.** During construction and operation, the proposed Project would be required to comply with all federal, State, and local solid waste requirements, including AB 939 and the CALGreen Building Code. CALGreen stipulates that 65 percent of construction waste shall be diverted, while AB 939 specifies 50 percent. Compliance with all applicable statutes and regulations would ensure that Project impacts are less than significant.



- e) **Less than Significant Impact.** The proposed Project would not generate a population increase requiring the expansion of utilities or services that could cause a significant environmental impact. As shown in Section 3.13, *Population, Education and Housing*, the proposed Project consists of a light industrial use that would not generate a large number of new jobs (approximately 25 employees) that would create a significant influx of new residents or employment to the city. Therefore, expansion of utilities and public services would not be necessary, and the proposed Project would have no environmental impact associated with the expansion or relocation of services. Impacts would be less than significant.
- f) **Less than Significant Impact.** The proposed Project would consume energy during construction activities, primarily from on- and off-road vehicle fuel consumption in the form of diesel and gasoline, necessary to construct the facility. The Project's estimated construction energy demand is provided in **Table 3.16-1, Summary of Energy Demand During Project Construction.**

**TABLE 3.16-1  
SUMMARY OF ENERGY DEMAND DURING PROJECT CONSTRUCTION<sup>a</sup>**

Energy Type	Total Quantity
<b>Electricity</b>	
Construction Office	13,490 kWh
Electricity from Water (Dust Control)	7,837 kWh
<b>Total Electricity</b>	<b>21,327 kWh</b>
<b>Percent of SCE (Year 2024: 120,000,000,000 kWh)</b>	<b>0.00002%</b>
<b>Gasoline</b>	
On-Road Construction Equipment	6,035 gallons
Off-Road Construction Equipment	0 gallons
<b>Total Gasoline</b>	<b>6,035 gallons</b>
<b>Percent of Ventura County (303,000,000 gallons)</b>	<b>0.002%</b>
<b>Diesel</b>	
On-Road Construction Equipment	27,699 gallons
Off-Road Construction Equipment	97,561 gallons
<b>Total Diesel</b>	<b>125,230 gallons</b>
<b>Percent of Ventura County (62,893,082 gallons)</b>	<b>0.20 %</b>

kWh = kilowatt-hours

<sup>a</sup> Detailed calculations are provided in Appendix B.

SOURCE: ESA, 2023.

Construction of the Project would utilize energy only for necessary on-site activities and to transport construction materials and soil to and from the Project site. As discussed in Section 3.3, *Air Quality*, the Project would comply with regulatory control measures including the CARB Air Toxics Control Measure that limits diesel powered equipment and

vehicle idling to no more than 5 minutes at a location. While this measure was adopted to reduce air pollutant emissions, it has co-benefits of also reducing transportation fuel consumption. Additionally, the Project would reuse soil cut from the site as on-site fill thereby reducing truck hauling and associated transportation fuel consumption. Therefore, construction of the Project would not result in the wasteful, inefficient, and unnecessary consumption of energy.

Operation of the proposed Project would consume energy in the form of purchased electricity and natural gas to provide power for facility equipment, lighting, and water conveyance. The Project would also consume transportation fuels for worker commute vehicles and truck trips and use of transportation refrigeration units (TRUs) for cold storage products. The Project’s estimated operational energy demand is provided in **Table 3.16-2, Summary of Energy Demand During Project Operations.**

**TABLE 3.16-2  
SUMMARY OF ENERGY DEMAND DURING PROJECT OPERATIONS<sup>a</sup>**

<b>Energy Type</b>	<b>Annual Quantity<sup>b</sup></b>
<b>Electricity</b>	
Building and Equipment Electricity	2,588,116 kWh
Water Conveyance	432,739 kWh
Total Net Electricity	3,020,740 kWh
Percent of SCE (Year 2024: 120,000,000,000 kWh)	0.0025%
<b>Natural Gas</b>	
Building Natural Gas	247,963 cf
Percent of SoCalGas (Year 2024: 849,355,000,000 cf)	0.00003%
<b>Transportation</b>	
Gasoline	5,250 gallons
Percent of Ventura County (303,000,000 gallons)	0.0017%
Diesel	461,542 gallons
Percent of Ventura County (62,893,082 gallons)	0.734%

kWh = kilowatt-hours  
cf = cubic feet

<sup>a</sup> Detailed calculations are provided in Appendix B.  
<sup>b</sup> Totals may not add up exactly due to rounding of decimals.  
SOURCE: ESA, 2023.

Operation of the proposed Project would comply with applicable City of Oxnard Municipal Code requirements for building energy efficiency and electrification and would adhere to applicable CALGreen (Title 24) requirements for energy efficiency and electrification of new buildings. Water fixtures would comply with applicable City of Oxnard Municipal Code requirements for water efficiency and would adhere to applicable CALGreen (Title 24) requirements for water efficiency.

The Project would include electric vehicle parking spaces equipped with Electric Vehicle Fast Charging Simplified (EVCS) stations to encourage the use of electric vehicles by employees. The Project would also provide 397 yard plugs, including 271 in the staging area to power each trailer, one for each of the 36 dock doors, and 90 within the container stacking area. The Project's design would support electrification and reduce transportation fuel demand, particularly with respect to diesel fuel, as electric model TRUs replace diesel-fueled models (the diesel fuel analysis in Table 3.16-2 assumes the use of diesel-fueled TRUs).

The Project would provide 67 parking spaces (53 standard, one van accessible, two standard accessible, one EVCS van accessible, seven carpool/vanpool, and three EVCS stall spaces) and 10 bicycle parking spaces (five short term and five long term spaces), which would be located adjacent to the building's western boundary and the Project site's southeastern boundary. The Project site is located approximately 0.3 miles from the nearest existing bicycle facility at the Pacific Coast Bikeway Route along Hueneme Road and approximately 0.6-miles from the Hueneme and Courtland transit stop, which is served by Gold Coast Transit District Route 23. The Project's design and location would provide options for and encourage the use of less polluting transportation alternatives and reduced vehicle miles traveled. Therefore, operation of the Project would not result in the wasteful, inefficient, and unnecessary consumption of energy.

- g) **No Impact.** Implementation of proposed Project would not require additional energy facilities, beyond potential extensions of electricity lines to nearby existing electricity lines, to serve the Project. As shown in Table 3.16-1 and Table 3.16-2, the Project's energy demand would be minimal compared to available and projected supplies and within the available supply capabilities of the electricity and natural gas utilities and transportation fuel providers. Therefore, the Program would result in no impact.
- h) **Less than Significant Impact.** The proposed Project would consume energy during construction activities, primarily from on- and off-road vehicle fuel consumption in the form of diesel and gasoline, necessary to construct the facility. As discussed in Section 3.3, *Air Quality*, the Project would comply with regulatory control measures including the CARB Air Toxics Control Measure that limits diesel powered equipment and vehicle idling to no more than 5 minutes at a location, and the CARB In-Use Off-Road Diesel Vehicle Regulation that requires fleets to retire, replace, or repower of older, dirtier engines with newer emission-controlled models. While these measures were adopted to reduce air pollutant emissions, they have co-benefits of also increasing transportation fuel efficiency and reducing transportation fuel consumption.

Operation of the proposed Project would comply with applicable City of Oxnard Municipal Code requirements for building energy efficiency and electrification and would adhere to applicable CALGreen (Title 24) requirements for energy efficiency and electrification of new buildings. Water fixtures would comply with applicable City of Oxnard Municipal Code requirements for water efficiency and would adhere to applicable CALGreen (Title 24) requirements for water efficiency. In addition, the Project would include electric

vehicle parking spaces equipped with EVCS and would provide 397 yard plugs, including 271 in the staging area to power each trailer, one for each of the 36 dock doors, and 90 within the container stacking area. The Project's design would support electrification and reduce transportation fuel demand, particularly with respect to diesel fuel, as electric model TRUs replace diesel-fueled models.

Based on the above, the Project would not be inconsistent with existing energy standards.

- i) **No Impact.** The implementation of the proposed Project would not preempt energy development or future energy conservation, or inhibit the future use of renewable energy or energy storage. Electricity in the region area (Ventura County) is provided by Southern California Edison (SCE). SCE is required to commit to the use of renewable energy sources for compliance with the Renewable Portfolio Standards (RPS). SCE met its requirement to procure at least 33 percent of its energy portfolio from renewable sources by 2020 with approximately 35 percent of its 2020 electric supply power mix from renewable power (SCE 2020). With the passage of SB 100 in September 2018, SCE will be required to update its long-term plans to demonstrate compliance including providing 44 percent by December 2024, 52 percent by December 2027, and 60 percent of its energy portfolio from renewable sources by December 31, 2030, and ultimately planning for 100 percent eligible renewable energy resources and zero-carbon resources by December 31, 2045. In 2022, approximately 39 percent of SCE's supply portfolio came from renewable sources eligible under California's RPS (SCE 2022). As discussed in Section 3.5, *Climate Change and Greenhouse Gas Emissions*, the land use sector will benefit from RPS because the electricity used in buildings will be increasingly carbon-free, but implementation does not depend (directly, at least) on how buildings are designed and built.

The Project will also incorporate sustainability features that would reduce operational energy demand and incorporate sustainable site development practices that would result in water savings and energy efficiency. The Project will install 397 yard plugs, including 271 in the staging area to power each trailer, one for each of the 36 dock doors, and 90 within the container stacking area. This will reduce TRU fuel demand. The Project will provide one EVCS van accessible parking space, seven carpool/vanpool parking spaces, and three EVCS stall parking spaces. This will also reduce transportation fuel demand. The Project will provide 10 bicycle parking spaces. This will encourage non-automotive transportation alternatives. The Project will include building energy efficient systems, which may include high efficiency heating and air conditioning systems, high efficiency lighting, natural ventilation and daylighting, and/or other energy efficient systems. This will reduce building energy demand. Thus, the Project would not preempt future energy development or future energy conservation or inhibit the future use of renewable energy or energy storage.

- j) **Less than Significant Impact.** As discussed above, the Project would benefit from RPS because the electricity used in buildings will be increasingly carbon-free, but would not conflict with or obstruct utilities from meeting the RPS targets, which include planning for 100 percent eligible renewable energy resources and zero-carbon resources by December 31, 2045. Furthermore, as discussed in Section 3.5, *Climate Change and Greenhouse Gas*

*Emissions*, the proposed Project would not conflict with or obstruct the City’s CAAP, which identifies seven areas under which the City can implement sustainable practices: clean energy, water conservation and reuse, green buildings, waste reduction and recycling, transportation, nature-based solutions, and land use. While the purpose of the CAAP is to reduce greenhouse gas emissions, these several areas would also have co-benefits of energy efficiency and reducing energy consumption. In addition, as discussed above and in Section 3.5, the Project would support transportation electrification, vehicle miles traveled Reduction, and building decarbonization. Thus, the Project would not conflict with applicable State of California 2022 Scoping Plan strategies. As such, the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

## References

- California Department of Finance. 2022. E-5 Population and Housing Estimates for Cities, Counties and the State — January 1, 2021-2022. Available at: <https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2022/>. Accessed on March 13, 2023.
- City of Oxnard. 2013. Staff Report: Del Norte Regional Recycling and Transfer Station Transition Plan. Available at: <https://www.oxnard.org/wp-content/uploads/2016/03/CC-Staff-Report-Del-Norte-Regional-Recycling-and-Transfer-Station-Transition-Plan-2.pdf>. Accessed on March 13, 2023.
- City of Oxnard. 2021. 2020 Urban Water Management Plan. Available at: <https://www.oxnard.org/city-department/public-works/water/uwmp/>. Accessed on March 10, 2023.
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- Southern California Edison (SCE). 2020 Annual Report, Page 146. Available at: <https://s3.amazonaws.com/cms.ipressroom.com/405/files/202210/2020-eix-sce-annual-report.pdf>. Accessed August 25, 2023.
- SCE. 2022 Annual Report, Page 159. Available at: <https://s3.amazonaws.com/cms.ipressroom.com/406/files/20232/2022-eix-sce-annual-report.pdf>. Accessed August 25, 2023.

### 3.17 Wildfire

<u>Issues:</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion

a - d) **Less than Significant Impact.** The proposed cold storage facility would be located in an urban area of the city of Oxnard. Based on a review of the FHSZs prepared as part of the CAL FIRE’s Fire and Resource Assessment Program, the Project site is not located within or near an area that is designated as a Very High FHSZ (CAL FIRE, 2023). The nearest Very High FHSZ designated in a Local Responsibility Area is located approximately 5.3 miles southeast of the Project site, and the nearest Very High FHSZ designated in a State Responsibility Area is located approximately 5.8 miles southeast of the Project site. Due to the distance from a Very High FHSZ, the proposed Project would result in less than significant impacts related to wildfires.

### References

California Department of Forestry and Fire Protection (CAL FIRE). 2023. FHSZ Viewer. Available at: [egis.fire.ca.gov/FHSZ/](https://egis.fire.ca.gov/FHSZ/). Accessed on January 31, 2023.

### 3.18 Mandatory Findings of Significance

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project have the potential to substantially 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, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Would 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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Would 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 checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion

- a) **Less than Significant with Mitigation Incorporated.** The implementation of the Project could cause impacts to sensitive wildlife species such as burrowing owl (*Athene cunicularia*) and California horned lark (*Eremophila alpestris actia*), which have a moderate potential to occur within the study area, as well as other nesting birds. The implementation of Mitigation Measures BIO-1 and BIO-2 would reduce these potential impacts to biological resources to less than significant.

In addition, the proposed Project could result in significant impacts to archaeological and tribal cultural resources. The implementation of Mitigation Measures CUL-1 to CUL-5 would reduce these potential resource impacts to less than significant.

Compliance with State law and the General Plan goals and policies identified within Sections 3.4 (Biological Resources) and 3.6 (Cultural Resources and Tribal Cultural Resources), and the implementation of the above mitigation measures would reduce the Project’s potential impact on wildlife species and cultural and tribal cultural resources to less than significant.

- b) **Less than Significant with Mitigation Incorporated.** As identified in Appendix H, Traffic Study, of this Initial Study, there are nine related projects within one mile of the Project site that have been approved or are pending decision. These projects are north and west of the Project site with the exception of one outdoor storage development that is directly west. These projects include residences, retail commercial, warehouse and outdoor storage. There is a potential for cumulative projects to result in significant environmental impacts. However, as discussed in Chapter 3 above, Project impacts associated with aesthetics and urban design, agricultural resources, climate change and greenhouse gas

emissions, geology and soils, land use and planning, mineral resources, noise, population/education/housing, public services and recreation, utilities and energy, and wildfire would result in less than significant or no impacts. As a result, the Project contribution to these potential cumulative impacts would be less than cumulatively considerable and thus less than significant.

The nine related projects in the vicinity of the Project site could also result in significant impacts related to air quality, biological resources, cultural resources, and hazards and hazardous materials. Because the Project could result in significant impacts related to air quality, biological resources, cultural resources, and hazards and hazardous materials, the Project could contribute to the cumulative impacts. This contribution could be cumulatively considerable and thus significant. With the implementation of the mitigation measures identified below, the Project's impact related to air quality, biological resources, cultural resources, and hazards and hazardous materials would be reduced to less than cumulatively considerable and thus less than significant.

### ***Mitigation Measures***

Implementation of Mitigation Measures AIR-1, AIR-2, AIR-3, AIR-4, AIR-5, AIR-6, BIO-1, BIO-2, CUL-1, CUL-2, CUL-3, CUL-4, CUL-5 and HAZ-1 is required.

- c) **Less than Significant.** The Proposed Project would not cause substantial adverse effects on human beings, either directly or indirectly, according to the analysis contained within this Initial Study. Therefore, the Proposed Project would not directly or indirectly cause substantial adverse effects on human beings.



Appendix I  
**Response to Comments and  
Mitigation Monitoring and  
Reporting Program**





# ARCTURUS WAREHOUSE LLC

Response to Comments on Public Review Draft  
Initial Study/Mitigated Negative Declaration  
State Clearinghouse Number 2023100860

Prepared for  
City of Oxnard  
Community Development Department

December 2023





# ARCTURUS WAREHOUSE LLC

## Response to Comments on Public Review Draft Initial Study/Mitigated Negative Declaration

Prepared for  
City of Oxnard  
Community Development Department  
214 South C Street  
Oxnard, California 93030  
805.385.8272

December 2023

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Irvine, CA 92602  
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esassoc.com



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Bend	Pasadena	San Francisco
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Mobile	Portland	Seattle
Oakland	Rancho Cucamonga	Tampa
Orlando	Sacramento	Thousand Oaks

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# CHAPTER 1

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## Introduction

This Response to Comments document was prepared to respond to comments that were received on the Public Review Draft Initial Study/Mitigated Negative Declaration (Public Review Draft IS/MND). The Final Initial Study/Mitigated Negative Declaration (Final IS/MND) consists of the Public Review Draft IS/MND and this Response to Comments document. The Final IS/MND has been prepared in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code Section 21000 et seq.) and *CEQA Guidelines* (California Administrative Code Section 15000 et seq.). Documents relating to this Final IS/MND were cited and incorporated.

All documents are available for review at the City of Oxnard website: <https://www.oxnard.org/city-department/community-development/planning/environmental-documents/>.

### 1.1 CEQA Requirements

Before the City of Oxnard may approve the project, it must certify that the Final IS/MND: a) has been completed in compliance with CEQA; b) was presented to the Oxnard City Council who reviewed and considered it prior to approving the project; and c) reflects the City's independent judgment and analysis.

*CEQA Guidelines* Section 15074 states that prior to approving a project, the decision-making body of the lead agency shall consider the proposed mitigated negative declaration together with any comments received during the public review process. Therefore, the decision making body will be considering the following documents that constitute the Final IS/MND prior to making a decision on the project.

- The Public Review Draft IS/MND
- Response to Comment Document which includes:
  - Comments and recommendations received on the Public Review Draft IS/MND;
  - A list of persons, organizations, and public agencies commenting on the Public Review Draft IS/MND;
  - The response of the Lead Agency to substantive environmental points raised in the review and consultation process.

This Response to Comments document for the Arcturus Warehouse LLC Project presents the following chapters:

- Chapter 1: Introduction – this chapter includes an introduction to the Response to Comments and the CEQA process and requirements.

- Chapter 2: Comment Letters – this chapter includes a list of persons, organizations, and public agencies commenting on the Public Review Draft IS/MND.
- Chapter 3: Response to Comments – this chapter includes the written comments received on the Public Review Draft IS/MND as well as the written responses to each comment.
- Chapter 4: Errata – this chapter includes any revisions made to the Public Review Draft IS/MND in response to comments received or initiated by the Lead Agency.
- Chapter 5: Mitigation and Monitoring Program (MMRP) – this chapter includes a list of the mitigation measures, the timing for implementation, identification of individuals responsible for implementation, the agency responsible for enforcement, and date of compliance for each mitigation measure.

## 1.2 CEQA Process

### 1.2.1 Public Participation Process

#### Notice of Intent of the Public Review Draft IS/MND

The Notice of Intent (NOI) of the Public Review Draft IS/MND was posted on October 31, 2023, with the Ventura County Clerk Recorder. The Public Review Draft IS/MND was circulated for a 30-day public review until November 30, 2023. The NOI for the Public Review Draft IS/MND was circulated to state and local agencies and interested parties requesting a copy of the NOI. Copies of the Public Review Draft IS/MND were made available for review at the City of Oxnard Community Development Department located at 214 South C Street, Oxnard, California, 93030 and at the Oxnard Public Library, 251 South A Street.

The document was also available at the City of Oxnard website: <https://www.oxnard.org/city-department/community-development/planning/environmental-documents/>.

### 1.2.2 Evaluation and Response to Comments

In accordance with Article 6 of the *CEQA Guidelines*, the City of Oxnard, as the Lead Agency, was required to evaluate substantive environmental comments received on the Public Review Draft IS/MND. This Response to Comments document provides written responses to each comment received on the Public Review Draft IS/MND.

### 1.2.3 Final IS/MND Approval

As the Lead Agency, the City of Oxnard is required to determine the adequacy of the Final IS/MND that includes the Response to Comments. The City can adopt the Final IS/MND if they find on the basis of the whole record before it (including the Final IS/MND and Response to Comments) that there is no substantial evidence that the project will have a significant effect on the environment and that the Final IS/MND reflects the City's independent judgment and analysis.

## 1.2.4 Notice of Determination

Pursuant to Section 15094 of the *CEQA Guidelines*, the City of Oxnard will file a Notice of Determination (NOD) with the Ventura County Clerk Recorder within five working days of project approval.

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# CHAPTER 2

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## Comment Letters

The Public Review Draft Initial Study/Mitigated Negative Declaration (Public Review Draft IS/MND) for Arcturus Warehouse LLC was circulated for public review for 30 days (October 31, 2023 through November 30, 2023). The City of Oxnard received three comment letters from public agencies during the public review period, as listed in the table below. Each comment letter has been assigned an alphabetical designation (A through C). Each comment within each letter has been assigned a numerical designation so that each comment could be cross-referenced with an individual response. The comments and responses are provided in Chapter 3.

**TABLE 2-1  
LIST OF COMMENT LETTERS**

<b>Comment No.</b>	<b>Commenting Agency</b>	<b>Date of Comment</b>
A	California Department of Transportation (Caltrans)	November 29, 2023
B	Ventura County Air Pollution Control District	November 30, 2023
C	Ventura County Public Works - Watershed Planning & Permits Division	November 30, 2023

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# CHAPTER 3

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## Responses to Comments

Following are the comment letters and the written responses to each of the comments that were received during the public review period of the Public Review Draft Initial Study/Mitigated Negative Declaration (Public Review Draft IS/MND). In some instances, in response to the comment, the City of Oxnard has made additions or deletions to the text of the Public Review Draft IS/MND; additions are included as underlined text and deletions are shown as ~~stricken text~~.

# Letter A

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

GAVIN NEWSOM, Governor

## DEPARTMENT OF TRANSPORTATION

DISTRICT 7  
100 S. MAIN STREET, MS 16  
LOS ANGELES, CA 90012  
PHONE (213) 266-3562  
FAX (213) 897-1337  
TTY 711  
www.dot.ca.gov



*Making Conservation  
a California Way of Life*

November 30, 2023

Jay Dobrowalski  
City of Oxnard  
300 W 3<sup>rd</sup> St.  
Oxnard, CA 93030

RE: Arcturus Warehouse Mitigated Negative  
Declaration (MND)  
SCH # 2023100860  
Vic. VEN-1/R14.798  
GTS # 07-VEN-2023-00567

Dear Jay Dobrowalski:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above-referenced project. The Applicant (Controlled Environments Construction, Inc.) proposes to construct and operate a 105,383 square-foot cold storage facility on an approximately 14.33-acre site located in the southern portion of the City of Oxnard. The Project site is currently comprised of a vacant lot in an industrial/agricultural area that is used to store shipping containers. The site's zoning designation is M-1 (Light Manufacturing) and its 2030 General Plan land use designation is Light Industrial (ILT). The facility would consist of 5,400 square feet of office space, 55,836 square feet of racked cold storage space, and 44,147 square feet for the controlled temperature loading docks. The City of Oxnard is the Lead Agency under the California Environmental Quality Act (CEQA).

A-1

The closest state facility is SR-1. After reviewing the project's MND, Caltrans has the following comments:

- Caltrans recommends the following during the construction stage:
  - Work with Caltrans Office of Permits, Multi-Modal Unit, for a designated truck route for construction trucks to transport construction equipment to and from the construction sites.
  - Construction vehicles/equipment should use alternative routes to avoid congested state facilities, especially during peak hours.
  - Cover construction trucks with tarpaulin to avoid debris spillage onto State facilities.

A-2



## Letter A

As a reminder, any transportation of heavy construction equipment and/or materials that requires the use of oversized transport vehicles on State Highways will need a Caltrans transportation permit. Caltrans recommends that the Project limit construction traffic to off-peak periods to minimize the potential impact on State facilities. If construction traffic is expected to cause issues on any State facilities, please submit a construction traffic control plan detailing these issues for Caltrans' review.

A-3

If you have any questions, please feel free to contact Jaden Oloresisimo, the project coordinator, at [Jaden.Oloresisimo@dot.ca.gov](mailto:Jaden.Oloresisimo@dot.ca.gov) and refer to GTS # 07-VEN-2023-00567.

A-4

Sincerely,

*Frances Duong*

Frances Duong  
Acting LDR/CEQA Branch Chief

cc: State Clearinghouse

**Letter A      California Department of Transportation (Caltrans)**  
**Response      November 29, 2023**

---

- A-1      This comment is an introduction by the California Department of Transportation (Caltrans) indicating that they received the Public Review Draft IS/MND, and the comment provides a brief summary of the project. The City acknowledges the comment as an introduction to the comments that follow. As this comment provides an overview of the Project and does not raise an issue with the Public Review Draft IS/MND, no further response is required.
- A-2      This comment recommends the Project applicant work with Caltrans to designate truck routes during the construction period, ensure construction vehicles/equipment use alternative routes to avoid congested state facilities, especially during peak hours, and to cover construction trucks with tarpaulin to avoid debris spillage. The City acknowledges the comment and notes the recommendations. As this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Public Review Draft IS/MND, no further response is required.
- A-3      This comment reminds the Project applicant that transportation permits are required for oversized transport vehicles on State Highways. The comment reiterates the recommendation to limit construction traffic to off-peak periods to minimize the potential impact on State facilities, and notes that if construction traffic is expected to cause issues on any State facilities, to submit a construction traffic control plan to Caltrans detailing these issues. The City acknowledges the comment and notes the recommendations. As this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Public Review Draft IS/MND, no further response is required.
- A-4      This comment provides the commenter's contact information, position, and Caltrans' project reference, which the City acknowledges. No further response is required.

## Letter B



Ventura County  
Air Pollution  
Control District

4567 Telephone Rd  
Ventura, California 93003

tel 805/303-4005  
fax 805/456-7797  
www.vcapcd.org

Ali Reza Ghasemi, PE  
Air Pollution Control Officer

VENTURA COUNTY  
AIR POLLUTION CONTROL DISTRICT  
Memorandum

TO: Jay Dobrowalski, Planning Supervisor, City of Oxnard

DATE: November 28, 2023

FROM: Nicole Collazo, Air Quality Specialist, VCAPCD Planning Division *NC*

SUBJECT: Notice of Intent to Adopt Mitigated Negative Declaration for the Arcturus Warehouse Project (RMA 23-018)

Ventura County Air Pollution Control District (APCD) staff has reviewed the subject Mitigated Negative Declaration (MND) for the project referenced above, which analyzed the environmental impacts of a project to construct and operate a 105,383-square-foot cold storage facility, which would include the import/export and distribution of fresh produce and refrigerated food. The first floor of the facility would consist of 2,700 square feet of office space, 55,836 square feet of racked cold storage space, and 44,147 square feet for the controlled temperature loading docks, and the second floor would consist of 2,700 square feet of office use. The project location is 5980-6000 Arcturus Avenue. The Lead Agency is the City of Oxnard.

B-1

APCD has the following comments regarding the project's MND.

Item 1- The facility and transport refrigeration units (TRUs) are subject to the California Air Resources Board (CARB) *Airborne Toxic Control Measure (ATCM) for In-Use Diesel-Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets, and Facilities Where TRUs Operate* (TRU ATCM; title 13, California Code of Regulations, section 2477). The facility and TRUs will be required to be in compliance with its emission standards and fleet compliance deadlines, along with registering their facility with CARB, pay applicable facility registration fees, and ensure compliance of TRUs that operate at their facility. More on the TRU ATCM can be found [here](#).

B-2

Item 2- Mitigation Measure AIR-6 states that "The City will determine the specific amount to be contributed by the Project." (MND, Page 29). However, the APCDs's Air Quality Assessment Guidelines provide the methodology for calculating mitigation fees for the ozone precursor pollutants. In order to be in compliance with the City of Oxnard's General Plan Policy ER-14.12 (Use of VCAPCD Air Quality Assessment Guidelines), the following formula is used to calculate the project's mitigation fund fee for the highest of the two ozone precursor pollutant operational emissions over the 25 lbs./day threshold.

B-3

**Letter B**

$$TC_{(ROC\ or\ NOx)} = EE_{(ROC\ or\ NOx)} \times UC_{(ROC\ or\ NOx)} \times D \times 3\ years$$

where:

$TC_{(ROC\ or\ NOx)}$  = Total cost for TDM fund mitigation program

$EE_{(ROC\ or\ NOx)}$  = Excess emissions; pounds per day of ROC or NOx over the applicable significance threshold

$UC_{(ROC\ or\ NOx)}$  = Unit cost per lb. of ROC or NOx reduced

ROC = \$5.18 (for projects completed in 2000)

NOx = \$7.54 (for projects completed in 2000)

D = Days of operation per year

B-3  
(cont.)

The most recent January CPI inflation factor is 1.79 ([Los Angeles-Long Beach-Anaheim](#) category 301.209/2000 CPI of 167.9), resulting in a UC of \$9.27/lb. of ROC and \$13.50/lb. of NOx. Therefore, the estimated off-site mitigation fund fee is \$765,462, based on an operational workday of 251 in 2024. This amount may be reduced by incorporating more on-site mitigation, such as adding more EV infrastructure, electrifying more equipment, including trucks, solar power, etc. However, the MND would have to be modified to reflect the adjusted operational emissions.

Additional rules regarding the Offsite Mitigation Program are included below and contained in Section 7.5.3 of the Air Quality Assessment Guidelines.

1. The lead agency should determine the basis for collection and how the funds are to be spent. The funds should be spent or committed to a mitigation project within five years of receipt of the funds.

2. Funds should be used for mitigation projects or programs in areas that are either directly or indirectly impacted by the development project and are within Ventura County. Ridesharing arrangements or public transit services that originate outside the area but serve the area directly or indirectly impacted by the development project are also eligible uses of the funds.

B-4

3. The lead agency should establish an off-site TDM fund to receive and hold the funds until the funds are spent on an approved mitigation project or program.

4. Funds should not be used for traffic engineering projects, including signal synchronization, intersection improvements, and channelization, as these projects are related to improving traffic congestion and not air quality.

5. Any on-site or off-site TDM facilities provided by a development project to mitigate its emissions before determining the funding should not be credited toward the funds paid by the development project as a mitigation measure. Doing so would be taking credit for the mitigation twice.

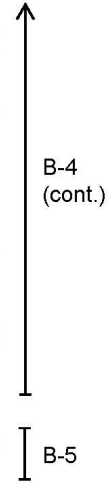
**Letter B**

6. A development project that is to be developed in phases should calculate the pro-rata share of funding from each phase of development based on emissions for the year of complete buildout. Such pro-rata share of funding should be paid in one lump sum or spread out evenly over three years in order to minimize the initial cost and provide a stable funding source.

7. The lead agency should report annually to its respective governing board on collection, expenditure, and use of collected funds.

8. The calculation and use of funding to a mobile source emission reduction fund must be in accordance with all applicable statutory requirements.

Thank you for the opportunity to comment on the project's MND. If you have any questions, you may contact me at [nicole@vcapcd.org](mailto:nicole@vcapcd.org).



## **Letter B      Ventura County Air Pollution Control District Response      November 30, 2023**

---

- B-1      This comment is an introduction by the Ventura County Air Pollution Control District (VCAPCD) indicating that they reviewed the Public Review Draft IS/MND, and the comment provides a brief summary of the project. The City acknowledges the comment as an introduction to the comments that follow. As this comment provides an overview of the Project and does not raise an issue with the Public Review Draft IS/MND, no further response is required.
- B-2      This comment identifies that the constructed facility and its associated transport refrigeration units (TRUs) are subject to the California Air Resources Board (CARB) *Airborne Toxic Control Measure (ATCM) for In-Use Diesel-Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets, and Facilities Where TRUs Operate* (TRU ATCM; title 13, California Code of Regulations, section 2477). The City acknowledges the comment and notes the requirement for the Applicant to adhere to Title 13, California Code of Regulations, section 2477, as applicable. As this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Public Review Draft IS/MND, no further response is required.
- B-3      This comment notes that on Page 29 of the Public Review Draft IS/MND that rather than the City determining the mitigation fund contribution, it is the VCAPCD's *Air Quality Assessment Guidelines* (October 2003) that provide the methodology for calculating mitigation fees for the ozone precursor pollutant operational emissions over the 25 lbs./day threshold. The comment provides the formula to estimate the off-site mitigation fund fee and provides an estimate that the fund contribution needed would be \$765,462. The comment also notes that the amount may be reduced by incorporating more on-site mitigation, such as adding more EV infrastructure, electrifying more equipment, including trucks, solar power, and so forth. The comment further states that the IS/MND would have to be modified to reflect the adjusted operational emissions.

However, the relevant section of the Public Review Draft IS/MND on Page 29, Mitigation Measure AIR-6: Mitigation Fund notes:

“The Project developer shall contribute to a cumulative impacts mitigation “buy-down” fund managed by the City based on the Ventura County Air Pollution Control District fee schedule effective at the time a building permit is issued.”

No calculated amount is provided within the Public Review Draft IS/MND as the VCAPCD calculated contribution, based on the most recent January CPI inflation factor, is determined at the time that the Applicant is issued a building permit. Furthermore, as specified within the VCAPCD's *Air Quality Assessment Guidelines* (Page 7-17),

“A jurisdiction may allow a development project to spread the amount over the three-year period in order to minimize the initial cost to the project proponent.”

As such assigning a monetary value at this stage would be inappropriate as the 2024 CPI data will be used as long as the Applicant obtains a building permit prior to the end of 2024. The City thanks the VCAPCD for their comment and calculations. As this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Public Review Draft IS/MND, no further response is required.

- B-4 This comment replicates the additional rules regarding the Offsite Mitigation Program contained in Section 7.5.3 of the VCAPCD’s *Air Quality Assessment Guidelines* and set out on Pages 7-15 and 7-16. The City acknowledges the comment. As this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Public Review Draft IS/MND, no further response is required.
- B-5 This comment thanks the City for providing the opportunity to comment and provides the commenter’s contact information, which the City acknowledges. No further response is required.

## Letter C

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Hi, Anthony,

Please see below comments from Yunsheng Su, Watershed Protection District review:

**APPLICATION COMPLETENESS:**

**COMPLETE** – for our area of concern

**ENVIRONMENTAL IMPACT ANALYSIS:**

**Item 17b. Hydraulic Hazards - FEMA is deemed to be Less Than Significant (LS).**

A portion of the project site is in a location identified by the Federal Emergency Management Agency (FEMA) as an area of moderate flood hazard Zone X shaded. This is evidenced on FEMA Map Panel 06111C0918F effective January 29, 2021. Therefore, a flood zone clearance is required. The proposed development with the condition described below is therefore, deemed to be Less than Significant for Hydraulic Hazards - FEMA.

**Item 31a. Flood Control Facilities/Watercourses – Flood Control Facilities / Watercourses – Ventura County Public Works Agency, Watershed Protection is deemed to be Less Than Significant (LS).**

The proposed Project is situated about 2,700 feet from Oxnard Lagoon Waterway, which is a WP jurisdictional redline channel. No direct connections to this WP channel or activities within WP's easement appear to be proposed or indicated on the applicant's submitted materials.

This proposed project would result in an increase of impervious area within the subject property. It is understood that impacts from the proposed increase in impervious area and stormwater drainage design within the project site will be required to be mitigated to less than significant under the conditions imposed by the City of Oxnard. The mitigation requires that runoff from the proposed project site be released at no greater than the existing flow rate

C-1

C-2

C-3



**Letter C**

and in such manner as to not cause an adverse impact downstream in peak discharge, velocity, or duration.

↑ C-3  
(cont.)

WP staff determines that the proposed project design with the conditions mentioned above mitigates the direct and indirect project-specific and cumulative impacts to flood control facilities and watercourses. Therefore, the environmental impact is less than significant (LS) on redline channels under the jurisdiction of the Ventura County Public Works Agency - Watershed Protection.

C-4

**WATERSHED PROTECTION COMMENTS:**

None

**WATERSHED PROTECTION CONDITIONS:**

**1. Flood Zone Clearance**

**Purpose:** To comply with the Ventura County Floodplain Management Ordinance and Ventura County General Plan policies HAZ-2.1, HAZ-2.2, HAZ-2.3 and HAZ-2.5.

**Requirement:** The Applicant shall obtain a Flood Zone Clearance from the Ventura County Public Works Agency Floodplain Manager.

**Documentation:** A Flood Zone Clearance issued by the Public Works Agency Floodplain Manager.

**Timing:** The Flood Zone Clearance shall be obtained by the Applicant prior to obtaining a building permit.

**Monitoring and Reporting:** A copy of the approved Flood Zone Clearance shall be provided to the Building and Safety Department as well as maintained in the case file by the Public Works Agency.

C-5

Sincerely,

Sonnette S. Aquino  
Supervising, Support Specialist  
Watershed Planning & Permits Division



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Ventura, CA 93009  
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[VCPWA Online](#) | [Facebook](#) | [Twitter](#)

C-6

**Letter C      Ventura County Public Works - Watershed Planning &  
Response      Permits Division  
November 30, 2023**

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- C-1      This comment notes that the Watershed Protection District review is complete for their area of concern. No further response is required.
- C-2      This comment notes that a portion of the project site is in a location identified by the Federal Emergency Management Agency (FEMA) as an area of moderate flood hazard Zone X and as such the Ventura County Public Works will include a condition that requires a Flood Zone Clearance. No environmental issues were raised in this comment and the comment states that with the inclusion of condition, the Proposed Project is deemed to be Less than Significant for Hydraulic Hazards - FEMA.

To ensure this condition is captured within the Public Review Draft IS/MND, Section 3.9 threshold d) on Pages 73 and 74 would be amended as follows:

**Less than Significant Impact.** Based on a review of the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map, the majority of the Project site is not located in a flood prone area. The northwestern corner of the Project site is within the 0.2 percent annual chance flood hazard zone (FEMA, 2021). The proposed Project includes the construction and operation of a cold storage facility that would be located in the northeastern portion of the site, which has been designed to move flows to the southern and western portions of the site near McWane Boulevard to the proposed ribbon drain, bioswales, and underground detention system as well as the existing curb and gutter. As stated in the Hydrology and Drainage Analysis, the proposed Project's drainage design would reduce the increase of stormwater runoff while maintaining the existing drainage pattern. In the event of a storm exceeding the 100-year storm event or pump station malfunction, the flow would back up into the pipes connected to the detention system and would pond in the on-site bioswales. If further flooding occurs, the bioswales would be over topped, and the flow would sheet flow back to the existing gutters and exit the Project site similar to the existing drainage patterns. Furthermore, the parking lot would provide significant ponding in the event that the storm drain inlets were to clog or were inundated with water (RJR Engineering, 2023). Additionally, to comply with the Ventura County Floodplain Management Ordinance and Ventura County General Plan policies HAZ-2.1, HAZ-2.2, HAZ-2.3 and HAZ-2.5, the Applicant shall obtain a Flood Zone Clearance from the Ventura County Public Works Agency Floodplain Manager prior to obtaining a building permit. Therefore, impacts related to flood hazards would be less than significant.

No new significant impact has been identified. With the inclusion of this modification to the Public Review Draft IS/MND, impacts would remain less than significant, and no further response is required.

- C-3 This comment notes that the proposed Project is situated approximately 2,700 feet from Oxnard Lagoon Waterway, a Watershed Protection jurisdictional redline channel, but also notes no direct activities are proposed. The comment continues by noting the proposed Project would increase the Project site's impervious area, but stormwater drainage design would be designed to the requirements of the City of Oxnard to ensure runoff from the project site be released at no greater than the existing flow rate and in such manner as to not cause an adverse impact downstream in peak discharge, velocity, or duration. As this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Public Review Draft IS/MND, no further response is required.
- C-4 This comment identifies that Watershed Protection staff deem the direct and indirect project-specific and cumulative impacts to flood control facilities and watercourses to be less than significant on redline channels under the jurisdiction of the Ventura County Public Works Agency - Watershed Protection, and that they have no further comment. As this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Public Review Draft IS/MND, no further response is required.
- C-5 This comment outlines the requirements set out in Comment C-2 that a Flood Zone Clearance should be sought by the Applicant and that a copy of the approved Flood Zone Clearance shall be provided to the Building and Safety Department as well as being maintained in the case file by the Public Works Agency. See Response to Comment C-2 for details on how the Public Review Draft IS/MND has been modified to incorporate this requirement. No further response is required.
- C-6 This comment provides contact details of the commenter, which the City acknowledges. No further response is required.

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# CHAPTER 4

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## Errata

The following text changes are made to the Public Review Draft Initial Study/Mitigated Negative Declaration (Public Review Draft IS/MND) and incorporated as part of the Final Initial Study/Mitigated Negative Declaration (Final IS/MND). These changes are minor and do not alter the conclusions of the Public Review Draft IS/MND. Changes to the text are noted with underline (for added text) or ~~strikeout~~ (for deleted text).

### Section 3.9, Threshold d) on Pages 73 and 74

**Less than Significant Impact.** Based on a review of the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map, the majority of the Project site is not located in a flood prone area. The northwestern corner of the Project site is within the 0.2 percent annual chance flood hazard zone (FEMA, 2021). The proposed Project includes the construction and operation of a cold storage facility that would be located in the northeastern portion of the site, which has been designed to move flows to the southern and western portions of the site near McWane Boulevard to the proposed ribbon drain, bioswales, and underground detention system as well as the existing curb and gutter. As stated in the Hydrology and Drainage Analysis, the proposed Project's drainage design would reduce the increase of stormwater runoff while maintaining the existing drainage pattern. In the event of a storm exceeding the 100-year storm event or pump station malfunction, the flow would back up into the pipes connected to the detention system and would pond in the on-site bioswales. If further flooding occurs, the bioswales would be over topped, and the flow would sheet flow back to the existing gutters and exit the Project site similar to the existing drainage patterns. Furthermore, the parking lot would provide significant ponding in the event that the storm drain inlets were to clog or were inundated with water (RJR Engineering, 2023). Additionally, to comply with the Ventura County Floodplain Management Ordinance and Ventura County General Plan policies HAZ-2.1, HAZ-2.2, HAZ-2.3 and HAZ-2.5, the Applicant shall obtain a Flood Zone Clearance from the Ventura County Public Works Agency Floodplain Manager prior to obtaining a building permit. Therefore, impacts related to flood hazards would be less than significant.

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# **CHAPTER 5**

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## **Mitigation Monitoring and Reporting Program**

**TABLE 5-1  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measures	Timing	Responsible for Implementation	Responsible for Enforcement	Date of Compliance
<p><b>AIR-1: Construction Fugitive Dust Control.</b> The Project developer shall implement fugitive dust control measures throughout all phases of construction. The Project developer shall include in construction contracts the control measures required and recommended by the Ventura County APCD at the time of development. These measures, like all EIR mitigation measures, are binding on subsequent parties and developers. Examples of the types of measures currently required and recommended include the following:</p> <ul style="list-style-type: none"> <li>• Minimize the area disturbed on a daily basis by clearing, grading, earthmoving, and/or excavation operations.</li> <li>• Pre-grading/excavation activities shall include watering the area to be graded or excavated before the commencement of grading or excavation operations. Application of water should penetrate sufficiently to minimize fugitive dust during these activities.</li> <li>• All trucks shall be required to cover their loads as required by California Vehicle Code §23114.</li> <li>• All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary.</li> <li>• Material stockpiles shall be enclosed, covered, stabilized, or otherwise treated, to prevent blowing fugitive dust off site.</li> <li>• Graded and/or excavated inactive areas of the construction site shall be monitored by a City-designated monitor at least weekly for dust stabilization. Soil stabilization methods, such as water and roll-compaction, and environmentally-safe control materials, shall be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area, the area should be seeded and watered until grass growth is evident, or periodically treated with environmentally-safe dust suppressants, to prevent excessive fugitive dust.</li> <li>• Signs shall be posted on the site limiting onsite traffic to 15 miles per hour or less.</li> <li>• During periods of excessive winds (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties, typically wind speeds of 30-40 mph or gusts in excess of 55 mph), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by onsite activities and operations from being a nuisance or hazard, either off site or on site. The site superintendent/supervisor shall use his/her discretion in conjunction with the Ventura County APCD in determining when winds are excessive.</li> <li>• Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads.</li> <li>• Personnel involved in grading operations, including contractors and subcontractors should be advised to wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.</li> </ul>	<p>Prior to issuance of grading permit and during construction</p>	<p>Applicant and Project Construction Contractor</p>	<p>Community Development Department</p>	



Mitigation Measures	Timing	Responsible for Implementation	Responsible for Enforcement	Date of Compliance
<p><b>AIR-2: Construction Equipment Emissions Control.</b> The Project developer shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the Project Site throughout the Project construction phases. The Project developer shall include in construction contracts the control measures required and recommended by the Ventura County Air Pollution Control District at the time of development. Required measures shall include the following:</p> <ul style="list-style-type: none"> <li>• The Project shall utilize off-road diesel-powered construction equipment that meets or exceeds the California Air Resources Board (CARB) and United States Environmental Protection Agency Tier 4 Final off-road emissions standards or equivalent for equipment rated at 50 horsepower (hp) or greater during Project construction where available within the Ventura County region. Such equipment shall be outfitted with Best Available Control Technology, which means a CARB certified Level 3 Diesel Particulate Filter or equivalent.</li> <li>• Maintain all construction equipment in good condition and in proper tune in accordance with manufacturer's specifications.</li> <li>• Limit truck and equipment idling time to five minutes or less.</li> <li>• Minimize the number of vehicles and equipment operating at the same time during the smog season (May through October).</li> <li>• Use alternatively fueled construction equipment, such as compressed natural gas, liquefied natural gas, or electric, to the extent feasible</li> </ul>	Prior to issuance of grading permit and during construction	Applicant and Project Construction Contractor	Community Development Department	
<p><b>AIR-3: Building Energy.</b> The Project developer shall include in construction and building management contracts the requirement to install and use solar or low-emission water heaters in new buildings where feasible and as in common practice in similar new construction in the Oxnard area, or other measure shown to be equally effective.</p>	Prior to issuance of building permit	Applicant and Project Engineer	Community Development Department	
<p><b>AIR-4: Rooftop.</b> The Project developer shall include in construction and building management contracts the requirement that new buildings shall be designed with roof systems capable of supporting equipment that generates electricity from sunlight and/or wind if economically feasible and subject to review by the Fire Department. The roof systems may be designed to service the building and/or enter into a commercially reasonable public or private utility agreement for purposes of generating energy or transmission.</p>	Prior to issuance of building permit	Applicant and Project Engineer	Community Development Department	
<p><b>AIR-5: Landscaping.</b> The Project developer shall include in building management contracts the requirement that commercial landscapers providing services at the common areas of Project Site use electric or battery-powered equipment, or other internal combustion equipment that is either certified by the California Air Resources Board or is three years old or less at the time of use, to the extent that such equipment is reasonably available and competitively priced in Ventura County (meaning that the equipment can be easily purchased at stores in Ventura County and the cost of the equipment is not more than 20 percent greater than the cost of standard equipment).</p>	Prior to issuance of occupancy permit	Applicant	Community Development Department	
<p><b>AIR-6: Mitigation Fund.</b> The Project developer shall contribute to a cumulative impacts mitigation "buy-down" fund managed by the City based on the Ventura County Air Pollution Control District fee schedule effective at the time a building permit is issued. The City shall consider transit and traffic demand management improvements and other programs suggested by the Project developer, in excess of those otherwise required, as credits against the fee and/or to be funded from the fee fund.</p>	Prior to issuance of building permit	Applicant	Community Development Department	

Mitigation Measures	Timing	Responsible for Implementation	Responsible for Enforcement	Date of Compliance
<p><b>BIO-1: Preconstruction Burrowing Owl survey.</b> A preconstruction Burrowing Owl survey should be conducted following the protocol detailed in the CDFW Staff Report on Burrowing Owl Mitigation. An initial take avoidance survey shall be conducted no less than 14 days prior to initiating ground disturbance activities, and a subsequent take avoidance survey shall be conducted within 24 hours prior to ground disturbance.</p>	Prior to ground disturbance	Applicant, Project Construction Contractor, and Project Biologist	Community Development Department	
<p><b>BIO-2: Nesting Bird Surveys.</b> If work activities occur within the bird nesting season (generally defined as February 15 through September 15), a qualified biologist shall conduct a nesting bird survey within 3-7 days prior to the proposed construction start date, to identify any active nests within 500 feet of the Project site. If an active nest is found, the nest shall be avoided and a suitable buffer zone shall be delineated in the field such that no impacts shall occur until the chicks have fledged the nest as determined by a qualified biologist. Construction buffers shall be 300 feet for passerines and up to 500 feet for raptor species; however, avoidance buffers may be reduced at the discretion of the biologist, depending on the location of the nest and species tolerance to human presence and construction-related noises and vibrations.</p> <p>If activities must take place within an established buffer, steps should be taken to reduce indirect effects to nesting activity by actively reducing construction noise (to no more than 3 decibels [dBA] above pre-construction ambient noise levels) within proximity to a presumed nest location and/or installing temporary construction noise barriers. If the reduction of noise is not feasible, work activities shall be postponed until the nest is deemed inactive and/or the breeding season has concluded.</p>	Survey prior to construction and monitoring during construction, if necessary	Applicant, Project Construction Contractor, and Project Biologist	Community Development Department	
<p><b>CUL-1: Retain Archeologist.</b> The Applicant shall retain an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archaeology (Qualified Archaeologist) to carry out all mitigation related to archaeological resources. Prior to the start of ground-disturbing activities, the Qualified Archaeologist or their designee shall conduct cultural resources sensitivity training for all construction personnel. Construction personnel shall be informed of the types of archaeological resources that may be encountered, the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains, and safety precautions to be taken when working with archaeological monitors. The Developer shall ensure that construction personnel are made available for and attend the training and retain documentation demonstrating attendance.</p>	Prior to issuance of grading permit	Applicant, Project Archaeologist, and Project Construction Contractor	Community Development Department	
<p><b>CUL-2: Archeological Monitoring.</b> Archeological monitoring shall be conducted during ground disturbing activities, such as clearing/grubbing, grading, trenching, or any other construction excavation activity associated with the Project. Monitoring shall be conducted by an archaeologist who is familiar with the types of archaeological resources that could be encountered and who will work under the direct supervision of the Qualified Archaeologist. Monitoring can be reduced to part-time inspections or ceased entirely if determined appropriate by the Qualified Archaeologist, based on field observations. In the event that archaeological resources are unearthed during ground-disturbing activities, the archaeological monitor shall be empowered to halt or redirect ground-disturbing activities away from the vicinity of the discovery until it has been evaluated. The archaeological monitor shall keep daily logs detailing the types of activities and soils observed, and any discoveries.</p>	During ground disturbance	Applicant, Project Archaeologist, and Project Construction Contractor	Community Development Department	

Mitigation Measures	Timing	Responsible for Implementation	Responsible for Enforcement	Date of Compliance
<p><b>CUL-3: Unanticipated Discovery.</b> In the event of the unanticipated discovery of archaeological materials, the Developer shall immediately cease all work activities in the area (within approximately 100 feet) of the discovery until it can be evaluated by the Qualified Archaeologist. Construction shall not resume until the Qualified Archaeologist has conferred with the City on the significance of the resource. If it is determined that the discovered archaeological resource constitutes a historical resource or unique archaeological resource pursuant to CEQA, avoidance and preservation in place shall be the preferred manner of mitigation. Preservation in place maintains the important relationship between artifacts and their archaeological context and also serves to avoid conflict with traditional and religious values of groups who may ascribe meaning to the resource. Preservation in place may be accomplished by, but is not limited to, avoidance, incorporating the resource into open space, capping, or deeding the site into a permanent conservation easement. In the event that preservation in place is determined to be infeasible and data recovery through excavation is the only feasible mitigation available, an Archaeological Resources Treatment Plan shall be prepared and implemented by the Qualified Archaeologist that provides for the adequate recovery of the scientifically consequential information contained in the archaeological resource. The City shall consult with appropriate Native American tribal representatives in determining treatment for prehistoric or Native American resources to ensure cultural values ascribed to the resources, beyond those that are scientifically important, are considered. The treatment plan shall include provisions for the final disposition of the recovered resources, which may include onsite reburial, curation at a public, non-profit institution, or donation to a local Native American Tribe, school, or historical society.</p>	<p>During ground disturbance</p>	<p>Applicant, Project Archaeologist, and Project Construction Contractor</p>	<p>Community Development Department</p>	
<p><b>CUL-4: Monitoring Report.</b> At the conclusion of archaeological monitoring and prior to the release of the grading bond, the Qualified Archaeologist shall prepare a final monitoring report. The report shall include a summary of monitoring results, description of resources unearthed, if any, significance evaluation and treatment of the resources, and the results of the artifact processing, analysis, and research. Appropriate California Department of Parks and Recreation 523 Forms shall be appended to the report, as necessary. The report shall be submitted by the Applicant to the City to signify the satisfactory completion of the Project and required mitigation measures. The Qualified Archaeologist shall submit the final report to the South Central Coastal Information Center within 30 days of its acceptance by the City</p>	<p>At conclusion of archeological monitoring</p>	<p>Applicant, Project Archaeologist</p>	<p>Community Development Department</p>	
<p><b>CUL-5. Contact County Coroner.</b> If human remains are encountered, the Applicant or its contractor shall halt work in the vicinity (within 100 feet) of the discovery and contact the Ventura County Coroner in accordance with Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5, which requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC shall then identify the person(s) thought to be the Most Likely Descendent (MLD). The MLD may, with the permission of the landowner, or his or her authorized representative, inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The MLD shall complete their inspection and make their recommendation within 48 hours of being granted access by the landowner to inspect the discovery. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices,</p>	<p>If human remains are encountered</p>	<p>Applicant, Project Archaeologist, and Project Construction Contractor</p>	<p>Community Development Department</p>	

Mitigation Measures	Timing	Responsible for Implementation	Responsible for Enforcement	Date of Compliance
<p>where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this mitigation measure, with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the MLD on all reasonable options regarding their preferences for treatment.</p> <p>If the NAHC is unable to identify an MLD, or the MLD identified fails to make a recommendation, or the landowner rejects the recommendation of the MLD and the mediation provided for in Subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall inter the human remains and items associated with Native American human remains with appropriate dignity on the facility property in a location not subject to further and future subsurface disturbance.</p>				
<p><b>HAZ-1: Soil and Groundwater Management Plan.</b> The Project Applicant shall abide by the requirements of the Soil and Groundwater Management Plan (SGMP), prepared by Northgate, to address all activities that disturb the soil at or below 5 feet bgs, including excavation, grading, removal, trenching, filling, earth movement, mining, or drilling. The procedures and protocols shall be followed during redevelopment activities at the Site, including excavation of soil, dewatering, and trenching for subsurface structures or utilities. The plan addresses monitoring and actions required should impact soil be encountered.</p>	During construction	Applicant, Project Engineer, and Project Construction Contractor	Community Development Department	