FREEWAY ADJACENT DIGITAL DISPLAY BILLBOARDS ORDINANCE

Initial Study/Mitigated Negative Declaration

Prepared for
City of Oxnard
Community Development Department

June 2022

ESA

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

June 2022

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ENVIRONMENTAL CHECKLIST

Initial Study

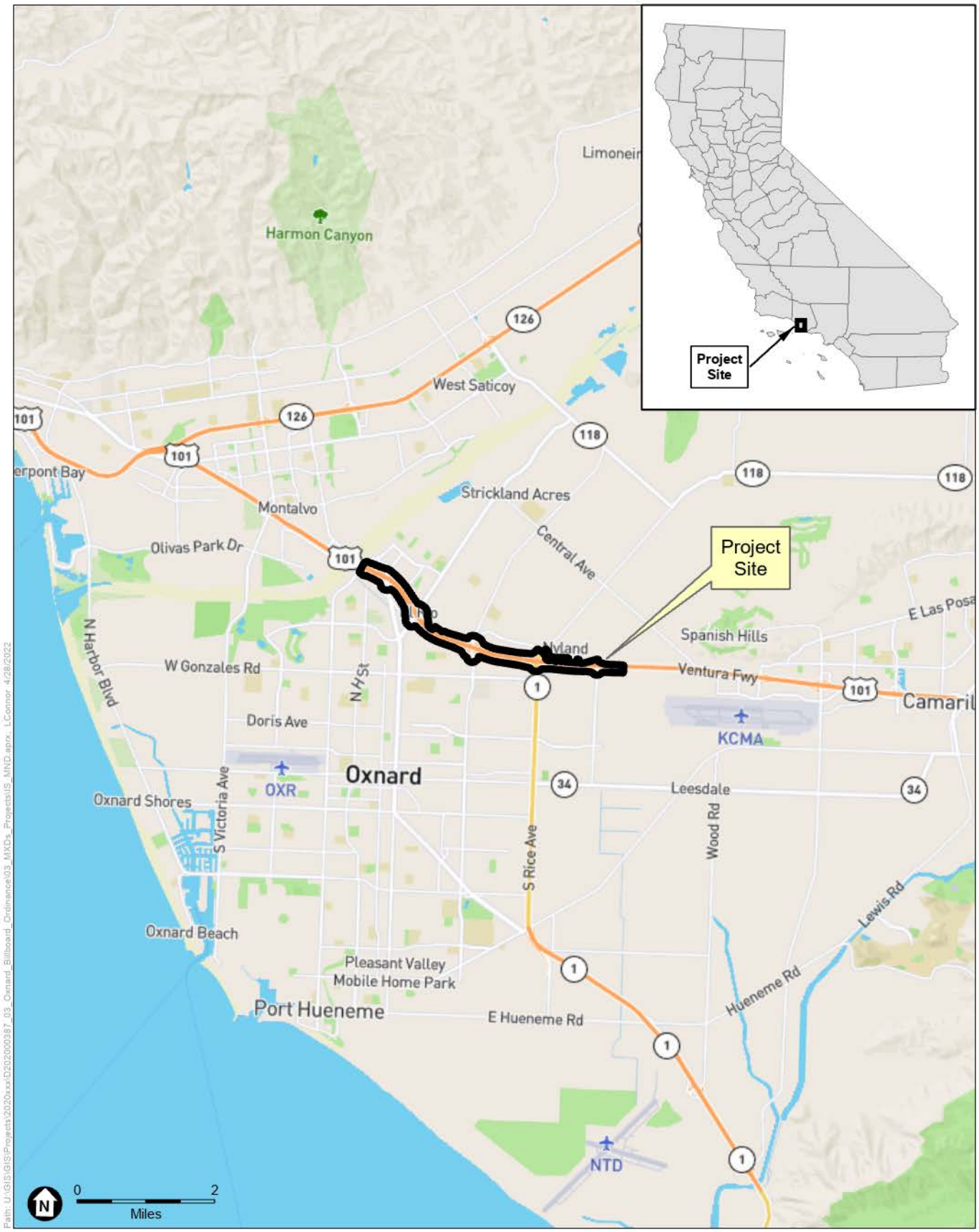
1.0 Project Information

1. Project Title: Freeway Adjacent Digital Display Billboards Ordinance

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: Joe Pearson
805-385-8272

4. Project (Program) Location: The Program area is located in the northern portion of the City of Oxnard and illustrated in **Figure 1**, Project Vicinity Map. Specifically, the Program area is located on any City of Oxnard-owned property or Right-of-Way, in any non-residential zones within 400 feet of the freeway right-of-way for U.S. Highway 101. The City jurisdiction extends from the eastern City limit at approximately 2,000 feet east of Del Norte Boulevard at Beardsley Wash and extends west to the western City limit at the Ventura Road right-of-way. **Figure 2** provides a Project Location Index and **Figures 2a through 2d** illustrates four areas of the Project Location that encompass the Program area.



SOURCE: ESRI

Freeway Adjacent Digital Display Billboards Ordinance

Figure 1
Program Vicinity Map

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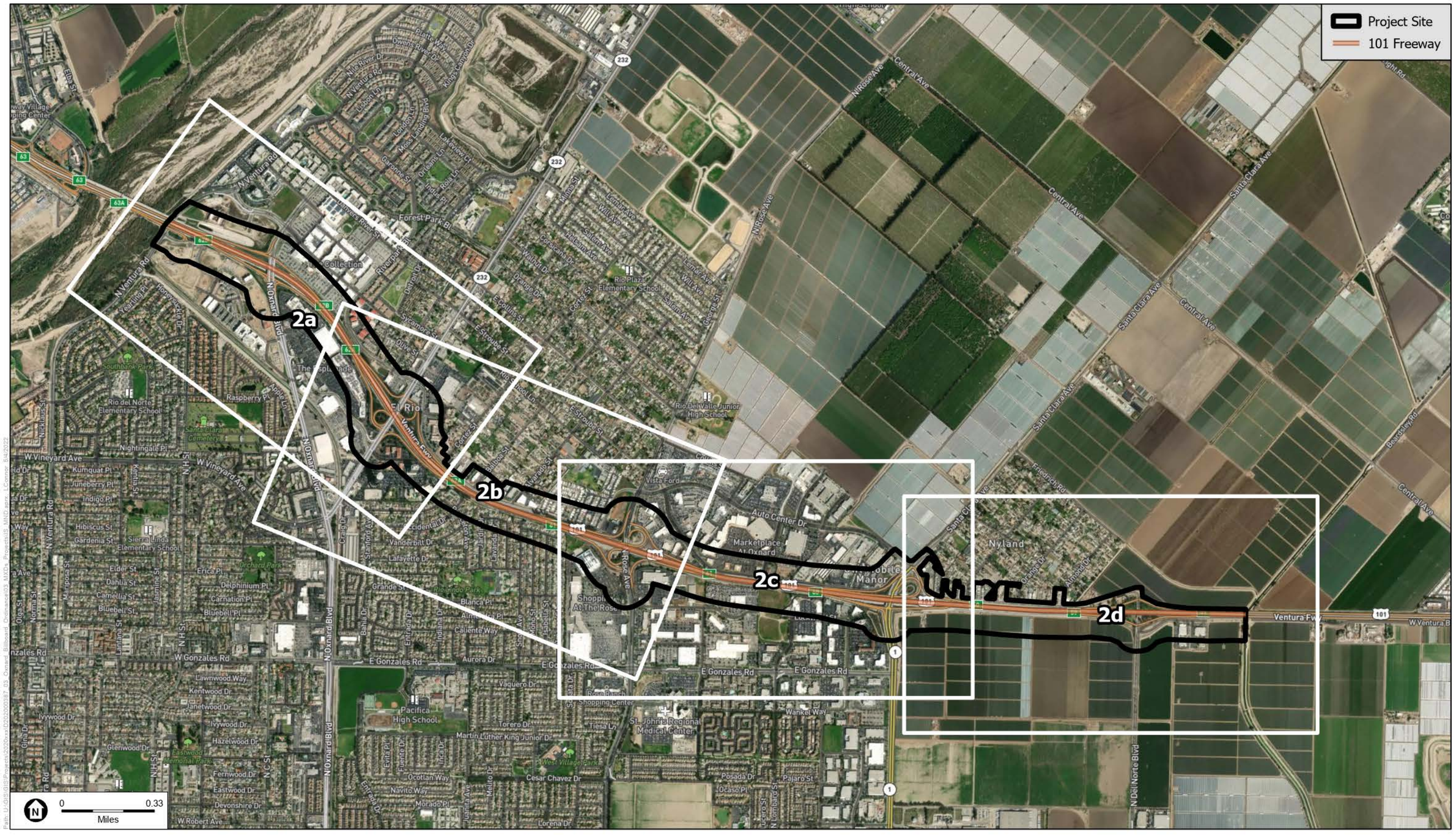

SOURCE: Mapbox, 2021; ESA, 2022

Freeway Adjacent Digital Display Billboards Ordinance

Figure 2

Program Location Index

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SOURCE: Mapbox, 2021; ESA, 2022

Freeway Adjacent Digital Display Billboards Ordinance

Figure 2a

Program Location

ESA

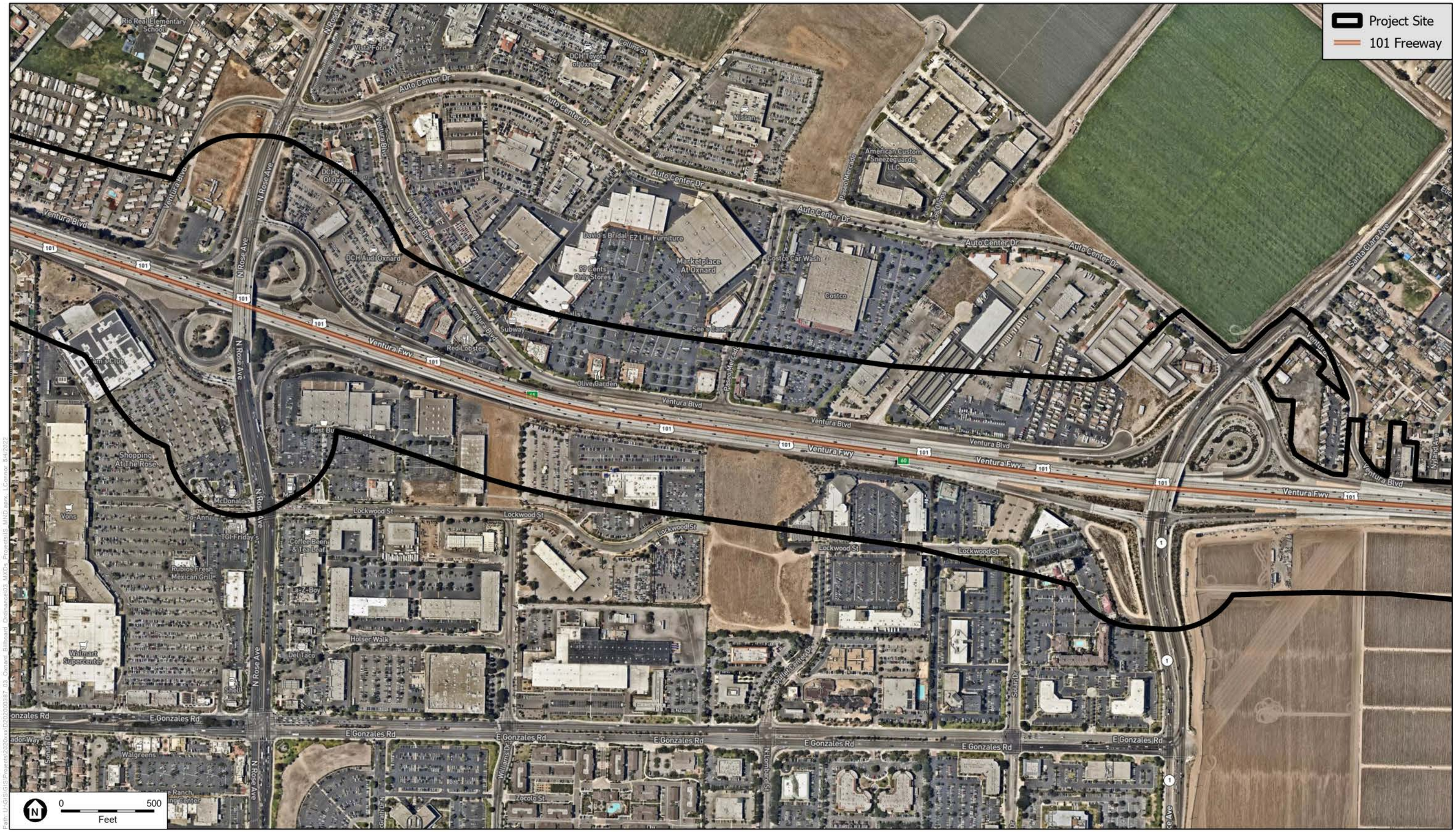
SOURCE: Mapbox, 2021; ESA, 2022

Freeway Adjacent Digital Display Billboards Ordinance

Figure 2b

Program Location

ESA



SOURCE: Mapbox, 2021; ESA, 2022

Freeway Adjacent Digital Display Billboards Ordinance

Figure 2c

Program Location

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SOURCE: Mapbox, 2021; ESA, 2022

Freeway Adjacent Digital Display Billboards Ordinance

Figure 2d

Program Location

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5. Project (Program) Sponsor's Name and Address:

City of Oxnard
214 South C Street
Oxnard, California 93030

6. General Plan Designation(s):

The Program area includes multiple designations under the City of Oxnard 2030 General Plan. These designations include: Park, Commercial Regional, Commercial General, Commercial Office, Business Research Park and Light Industrial.

7. Zoning:

The Program area includes multiple designations under the City of Oxnard Zoning. These designations include: Parks and Open Space, Commercial Office, Retail Office, Commercial Regional, Light Manufacturing, General Commercial Planned Development, Auto Sales & Service, Retail Commercial, Commercial Manufacturing, and Business & Research Park.

8. Description of Project (Program):

The City of Oxnard is proposing amendments to Article IX. Advertising Signs of the Oxnard City Code to permit Freeway Adjacent Digital Display Billboards on parcels designated as commercial, industrial, or public facilities within 400 feet of the U.S. 101 right-of-way within the City of Oxnard (**see Appendix A**). The installation and operation of individual electronic billboards will require approval of a Special Use Permit. The specific limitations of the Freeway Adjacent Digital Display Billboards are as follows:

Location. Freeway Adjacent Display Billboards may only be erected on City of Oxnard owned property or Right-of-Way, in any non-residential zones within 400 feet of the freeway right-of-way for U.S. Highway 101.

Distance from Residential Uses. No Freeway Adjacent Digital Display Billboard may be placed at a distance of less than 100 feet from the property line of any residentially zoned parcel, as measured from the border of the Digital Display billboard face, or the base of the digital display billboard structure, whichever is closest to the residentially zoned parcel.

Height. The maximum height of any Freeway Adjacent Digital Display Billboard shall not exceed 55 feet as measured from the pavement level of the adjacent freeway to the bottom of the digital display.

Size and Spacing. The maximum size of each Freeway Adjacent Digital Display Billboard face display area shall be 14 feet in height and 48 feet in width, with the area of each face not to exceed an overall maximum amount of 850 square feet, including border and trim. Each Freeway Adjacent Digital Display Billboard shall be separated from every other Freeway Adjacent Digital Display Billboard by at least 2,000 feet.

Design. All Freeway Adjacent Digital Display Billboards shall either be double faced or include covered backs or facings. All interior equipment shall be screened from public view.

Orientation. All Freeway Adjacent Digital Display Billboards must be oriented primarily for viewing from the adjacent freeway.

Brightness. All Freeway Adjacent Digital Display Billboards will not exceed 0.3 foot-candles over ambient levels at a distance of 250 feet in any direction. Illuminance can be measured by using a foot-candle meter held at a height of approximately 5 feet and aimed toward a sign consistent with the sign-to-viewer distance. All Freeway Adjacent Digital Display Billboards shall comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5.

Display Cycle. A Freeway Adjacent Digital Display Billboard may show a series of still images, each display for at least 8 seconds. The still images may not move or present the appearance of motion and may not use flashing or blinking lights or any other means not providing constant illumination. Transition or blank screen time between one still image and the next may not exceed one second.

Compliance with Law. The owner of the Freeway Adjacent Digital Display Billboard must comply with all applicable federal, state, and local laws, including the Highway Beautification Act of 1965 (23 United States Code Section 131), the Outdoor Advertising Act (California Business and Professions Code Section 5200 et seq.), and City of Oxnard Code Article IX, when constructing, operating, improving, maintaining, repairing, and removing the Freeway Adjacent Digital Display Billboard.

Required Finding of Public Benefit. In approving a Development Agreement for any Freeway Adjacent Digital Display Billboard, the City Council must find that the Development Agreement will confer substantial public benefit to the City and to the general public. Such public benefits may include, without limitation, the removal of legal non-conforming billboards, advertising of City events and public service announcements, and/or financial contributions to the City.

Required Findings. In addition to the finding required for granting a SUP under section 16-531, in approving a Special Use Permit for a Freeway Adjacent Digital Display Billboard, the decision maker must also find that it:

a. Complies with the requirements of this subsection (Section 16-609) and this Chapter;

b. Will not create a significant traffic or other public safety hazard;

c. Will be of appropriate size, scale, and design for the area in which it will be located; and

d. Will be of high quality in appearance, design, and construction, and will be subject to conditions, as appropriate, governing its design and operation.

9. Surrounding Land Uses and Setting.

The Freeway Adjacent Digital Display Billboards would be allowed on the north side and south side of U.S. 101 within the City limits. The land uses within and surrounding the Program area include the following:

South of Ventura Road and North of Oxnard Boulevard – Areas currently or soon to be under construction with residential and commercial uses.

South of Oxnard Boulevard and north of Vineyard Avenue – Commercial and residential uses

South of Vineyard Avenue and north of Rose/Santa Clara Avenue – Mix of residential, commercial and industrial uses

South of Rose/Santa Clara Avenue and north of Rice Avenue – Commercial and industrial uses

South of Rice Avenue and north of Beardsley Wash – Agriculture and a mix of residential, commercial and industrial uses

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

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 November 23, 2021 to the Native American tribe that is on the City's Assembly Bill (AB) 52 list (Appendix B). 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 Program.

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.

☒ Aesthetics and Urban Design	☒ Cultural Resources and Tribal Cultural Resources	☐ Mineral Resources	☐ Utilities and Energy
☐ Agricultural Resources	☐ Geology and Soils	☒ Noise	☐ Wildfire
☒ Air Quality	☐ Hazards and Hazardous Materials	☐ Population, Education, and Housing	☒ Mandatory Findings of Significance
☒ Biological Resources	☐ Hydrology and Water Quality	☐ Public Services and Recreation	
☐ Climate Change and Greenhouse Gas Emissions	☐ Land Use and Planning	☐ 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

6/27/2022

Printed Name

Joe Pearson II
Interim Planning and Environmental Services Manager

For

3.0 Environmental Checklist

3.1 Aesthetics and Urban Design

Issues:		*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
d)	Would the project add to or compound an existing negative visual character associated with the project site?	☐	☐	☒	☐
e)	Would the project create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area?	☐	☒	☐	☐

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 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.

The proposed Program area is located adjacent to U.S. 101 that is identified as part of the City's Scenic Highway System along the entire length of U.S. 101 from the eastern city limits at Beardsley Channel to the western city limits at Ventura Road. The scenic areas along the U.S. 101 view corridor include the Santa Clara River, agricultural open space in the eastern portion of the City, and unique urban landscapes such as the high rise office buildings (City National Bank and Morgan Stanley Tower) within the Financial District adjacent to Vineyard Avenue. As motorists travel northbound on U.S. 101, they have limited and partial views of the Coastal Mountain Range as they approach Vineyard Avenue and travel to the western limit of the City. These views are limited due to existing urban development that includes

residential, commercial, and office buildings as well as associated landscaping. Northbound motorists' views also include utility poles and lines, light standards, commercial billboards and Caltrans signs. As motorists' travel southbound on U.S. 101, the existing urban development on the south side of U.S. 101 that includes office, commercial and residential buildings, commercial billboards and landscaping associated with the urban development and landscaping within the U.S. 101 right-of-way impede motorists' distant views of the hills of Point Mugu. The distant views of the hills of Point Mugu become more viewable as southbound motorists pass Rose Avenue. These southbound views are also interrupted by distant urban development as well as foreground views of utility poles and lines as well as Caltrans signs.

The placement of proposed electronic billboards along U.S. 101 would be approximately 70 feet in height as seen by the motorists with an electronic billboard that would include a surface area of approximately 850 square feet.

The implementation of the electronic billboards under the proposed Program would result in impacts on motorist views traveling along U.S. 101. Motorists' views of the vegetation within the Santa Clara River Basin, open agricultural land east of Rose Avenue, the high rise office towers at Vineyard Avenue and the distant Coastal Mountain Range and hills of Point Mugu State Park would be intermittently impeded because the Program requires individual billboards to be separated by at least 2,000 feet from each other, and the billboards would have a total of 850 square feet.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goals and policies include:

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

> **Policy CD-9.4:** Ensure all public and private investments positively contribute to the overall character of the City by minimizing impacts on important view corridors by creating edge treatments along greenbelt areas and a landscaped buffer corridor of at least 30 feet along designated scenic corridors and other major transportation corridors.

Goal ER-6: Protected and enhanced natural setting and scenic resources.

> **Policy ER-6.1:** Preserve important public views and viewsheds by ensuring that the scale, bulk and setback of new development does not significantly impede or disrupt them and ensure that important vistas and view corridors are enhanced. Require development to provide physical breaks to allow views into these vistas and view corridors.
>
> **Policy ER-6.2:** Protect and enhance the scenic resources of the beaches, Channel Island Harbor, windrows, farmland, the Channel Islands, and surrounding mountains.

> **Policy ER-6.3:** Preserve views of significant small-scale plant communities including wetlands, riparian vegetation, man-made water features, and the like wherever possible.

Compliance with the above General Plan goals and policies would protect scenic vistas. Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goals and policies as well as the design standards proposed within the Ordinance would reduce the potential Program scenic vista effects to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

b) **Less than Significant Impact.** The Program area is located along the north and south sides of U.S. 101 from the eastern City limits to the western City limits. Currently, U.S. 101 is an eligible State scenic highway; however, it is not an official State-designated scenic highway (Caltrans, 2019). The nearest officially State-designated highway is State Route 33 located approximately 7 miles west of the Program area. Oxnard Boulevard south of U.S. 101 is also an eligible State scenic highway as well as a City-designated scenic highway. However, scenic views of the Program area from Oxnard Boulevard south of U.S. 101 are limited due to existing terrain as well as existing development. Very limited views of the upper elevation of a potential future electronic billboard in this area would be viewable.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goal and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policies include:

Goal ER-6: Protected and enhanced natural setting and scenic resources.

> **Policy ER-6.2:** Protect and enhance the scenic resources of the beaches, Channel Island Harbor, windrows, farmland, the Channel Islands, and surrounding mountains.

> **Policy ER-6.3:** Preserve views of significant small-scale plant communities including wetlands, riparian vegetation, man-made water features, and the like wherever possible

Compliance with the above General Plan goal and policy would protect scenic resources. Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goal and policies as well as the design standards proposed within the Ordinance would reduce the potential Program scenic resources effects to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

c) **Less than Significant Impact.** As discussed above, the implementation of the proposed Program could add intermittent structures to motorists' view along the U.S. 101. The addition of potential intermittent electronic billboards (i.e., at least 2,000 feet apart) would alter the existing visual characteristics along U.S. 101.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policy include:

Goal ER-6: Protected and enhanced natural setting and scenic resources.

> **Policy ER-6.1:** Preserve important public views and viewsheds by ensuring that the scale, bulk and setback of new development does not significantly impede or disrupt them and ensure that important vistas and view corridors are enhanced. Require development to provide physical breaks to allow views into these vistas and view corridors.
>
> **Policy ER-6.2:** Protect and enhance the scenic resources of the beaches, Channel Island Harbor, windrows, farmland, the Channel Islands, and surrounding mountains.
>
> **Policy ER-6.3:** Preserve views of significant small-scale plant communities including wetlands, riparian vegetation, man-made water features, and the like wherever possible.
>
> **Policy ER-6.5:** Require that all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards use low-energy, shielded light fixtures which direct light downward and, where public safety would not be compromised, encourage the use of low-pressure sodium lighting for all outdoor light fixtures.

Goal ER-9: Enhanced perceived character and quality of the City of Oxnard.

> **Policy 9.4:** Ensure that all new development emphasizes a human, pedestrian scale and minimizes its effect on the area's sensitive visual resources.

Compliance with the above General Plan goals and policies would protect the visual character along U.S. 101. Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goals and policies as well as the design standards proposed within the Ordinance would reduce the potential Program visual character effects to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

d) **Less than Significant Impact.** Currently, the Program area includes views of open agricultural land, urban development, high-rise office buildings, and the Santa Clara River Basin as well as distant views of the Coastal Mountain Range and the hills of Point Mugu State Park. Generally, the Program area reflects an urban thoroughfare with primarily urban development, private billboards, Caltrans billboard signs and freeway landscaping. The Program area does not represent an existing negative view from the surrounding areas. The implementation of the proposed Program would allow the placement of intermittent electronic billboards that would alter the existing visual characteristics of the Program area.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policy include:

Goal ER-6: Protected and enhanced natural setting and scenic resources.

> **Policy ER-6.1:** Preserve important public views and viewsheds by ensuring that the scale, bulk and setback of new development does not significantly impede or disrupt them and ensure that important vistas and view corridors are enhanced. Require development to provide physical breaks to allow views into these vistas and view corridors.
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> **Policy ER-6.2:** Protect and enhance the scenic resources of the beaches, Channel Island Harbor, windrows, farmland, the Channel Islands, and surrounding mountains.
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> **Policy ER-6.5:** Require that all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards use low-energy, shielded light fixtures which direct light downward and, where public safety would not be compromised, encourage the use of low-pressure sodium lighting for all outdoor light fixtures.

Goal ER-9: Enhanced perceived character and quality of the City of Oxnard.

> **Policy 9.4:** Ensure that all new development emphasizes a human, pedestrian scale and minimizes its effect on the area's sensitive visual resources.

Compliance with the above General Plan goals and policies would not add to or compound to an existing negative view of the Program area. Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goals and policies as well as the design standards proposed within the Ordinance would not add to or compound to an existing negative view of the Program area; and therefore the proposed Program's impact

would be less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

e) **Less than Significant with Mitigation Incorporated.** The implementation of the proposed Program would increase nighttime lighting in the Program vicinity. Currently, the City of Oxnard does not have a quantitative exterior light standard. Typically, lighting is quantified using a foot-candle which is the unit of measure expressing the quantity of light received on a surface. One foot-candle is the illuminance produced by a candle on a surface one-foot square from a distance of one foot.

Light pollution or obtrusive light is highly subjective. To address concerns with light pollution, recommendations to limit light trespass onto adjacent properties from the International Commission on Illumination (CIE) were reviewed. The CIE identifies a light trespass illuminance of 0.5 fc or greater for light-sensitive urban areas such as residential areas and 0.2 fc or greater for natural areas such as the Santa Clara River Basin (CIE, 2003). Therefore, due to the absence of a current local light pollution standard, a significant light impact on the adjacent residents would occur if light levels are 0.5 fc or greater and a significant impact on adjacent natural areas would occur if light levels are 0.2 fc or greater.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goals and policies include:

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

> **Policy CD-9.3**: Designate major entryways as gateways into the City. The City shall use landscaping, decorative lighting, signage and/or other streetscape design techniques to enhance the City's identity, sense of place, and provide visual emphasis to the streetscapes to the City.

Goal ER-6: Protected and enhanced natural setting and scenic resources.

> **Policy ER-6.5:** Require that all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards use low-energy, shielded light fixtures which direct light downward and, where public safety would not be compromised, encourage the use of low-pressure sodium lighting for all outdoor light fixtures.

Compliance with the above General Plan goals and policies as well as the Ordinance requirement to not exceed 0.3-foot candles at a distance of 250 feet would reduce the potential for light and glare impacts; however, significant light impacts could still occur at nearby residences as well as natural areas.

Mitigation Measures

The following mitigation measures are required to reduce potential lighting impacts at nearby residences and natural areas.

> **Mitigation Measure AES-1:** Each Applicant shall demonstrate that light trespass illuminance of 0.5 fc or greater for urban areas and 0.2 fc or greater for natural areas shall not be exceeded.
>
> **Mitigation Measure AES-2:** Each proposed light emitting diode (LED) billboard shall include an operating mechanism (hardware or software controlled) that turns off the display or turns it to all black in the event of a malfunction or failure in any system or subsystem that results in the display wholly or partly appearing to flash.
>
> **Mitigation Measure AES-3:** Within 14 days of each electronic billboard being operational, annually, and as required by City staff (i.e., after maintenance, malfunctions, multiple complaints), each Applicant shall submit to the satisfaction of the Community Development Director the following information:
>
> - A third party test conducted after installation to verify that the electronic billboard complies with the requirements not to exceed 0.3 foot-candle above ambient light at 250 feet from the face of the electronic billboard or exceed the 0.5 foot-candle at any residential uses or 0.2 fc at natural areas.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goals and policies and the design standards proposed within the Ordinance, and the implementation of the above mitigation measures would reduce the Program's light and glare impact to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

To ensure that the images on each electronic billboard do not cause hazardous conditions to motorists, the proposed Ordinance allows each billboard to show a series of still images, each displayed for at least eight seconds. The still images may not move or present the appearance of motion and may not use flashing or blinking lights or any other means not providing constant illumination. Transition or blank screen time between one still image and the next may not exceed one second. The implementation of these design features as well as complying with all applicable federal, state, and local laws, including the Highway Beautification Act of 1965 (23 United States Code Section 131) and the Outdoor Advertising Act (California Business and Professions Code Section 5200 et seq.), when constructing, operating, improving, maintaining, and repairing each proposed billboard would reduce potential light and glare impacts on motorists from electronic billboards to less than significant.

References

Caltrans. 2019. 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 10, 2022.

City of Oxnard. City of Oxnard General Plan Background Report. Available at: https://www.oxnard.org/wp-content/uploads/2016/08/OxnardDraftBackgroundReport2006_04.21.06.pdf. Accessed on February 10, 2022.

International Commission on Illumination (CIE). 2003. Guide on the Illumination of the Effects of Obtrusive Light from Outdoor Lighting Installations.

3.2 Agricultural Resources

Issues:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?	☐	☐	☒	☐
b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Discussion

a) **Less than Significant Impact.** The Program area includes Prime Farmland and Farmland of Statewide Importance between Santa Clara Avenue/Rice Avenue and the eastern City limits at Beardsley Wash based on a review of the California Department of Conservation's California Important Farmland Finder (CDC, 2016a). The Program could allow electronic billboards to be placed within Prime Farmland and/or Farmland of Statewide Importance in the eastern portion of the City; however, as required under the proposed Ordinance, each electronic billboard would need to be separated by a minimum of 2,000 linear feet. Each electronic billboard would include the placement of a pole in the ground that would support a billboard as well as providing access to the pole for maintenance purposes. The placement of a pole and access would result in a minimal commitment of land and removal of Prime Farmland and/or Farmland of Statewide Importance.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policy include:

Goal CD-6: Continued agriculture use within the Planning Area, compatible with the community's vision.

> **Policy CD-6.1:** Require that agricultural land uses designated for long-term protection and production be buffered from urban land uses through the use of techniques including, but not limited to, greenbelts, open space setbacks, fencing, berming, and windrows.

Goal ER-1: Protection of natural resources, agriculture, and open spaces is well integrated with the built environment and human activities and achieves a symbiotic, mutually-beneficial, sustainable relationship.

> **Policy ER-1.2:** Protect open space and agricultural uses around Oxnard through continued adherence to the Guidelines for Orderly Development, Ventura County Greenbelt programs, the Save Open-Space and Agricultural Resources Ordinance, and

other programs or policies that may subsequently be adopted such as the SB 375 Sustainable Communities Strategy.

Compliance with the above General Plan goals and policies as well as the standards identified in the proposed Ordinance would reduce potential impacts to Prime Farmland and/or Farmland of Statewide Importance. Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goal and policies as well as the design standards proposed within the Ordinance would reduce the potential Program agricultural effects to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

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. Based on a review of Williamson Act Contract Land, the Program area does not include parcels that are under a Williamson Act contract (CDC, 2016b). Because there are no active Williamson Act contracts associated with the Program area, the Program would not conflict with a Williamson Act contract. In addition, based on a review of the City of Oxnard Zone Map, there are no lands within the Program area that are zoned for agriculture (City of Oxnard, 2017). No Program impact would occur to Williamson Act contract land or existing agricultural zoning.

c) **No Impact.** The implementation of the proposed Program would not involve other changes in the existing environment that would result in the conversion of agricultural to non-agricultural use. No impacts would occur.

References

California Department of Conservation (CDC), 2016a. Available at: California Important Farmland Finder https://maps.conservation.ca.gov/DLRP/CIFF/. Accessed on February 10, 2022.

CDC. 2016b. State of California Williamson Act Contract Land. Available at: https://planning.lacity.org/eir/HollywoodCenter/Deir/ELDP/(E)%20Initial%20Study/Initial%20Study/Attachment%20B%20References/California%20Department%20of%20Conservation%20Williamson%20Map%202016.pdf. Accessed on March 16, 2022.

City of Oxnard. 2017. City of Oxnard Zoning Map. Available at: https://www.oxnard.org/wp-content/uploads/2017/01/ZoneMap-01.17-AH11x17.pdf. Accessed on March 16, 2022.

3.3 Air Quality

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project conflict with or obstruct implementation of the Ventura County AQMP?	☐	☐	☒	☐
b) Would the project result in a cumulatively considerable net increase of any criteria pollutant in excess of quantitative thresholds recommended by the VCAPCD?	☐	☒	☐	☐
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?	☐	☒	☐	☐
d) Would the project create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

Discussion

a) **Less than Significant Impact.** Ventura County Air Pollution Control District (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 Governing Board adopted the 2016 AQMP on February 14, 2017 (VCAPCD, 2017). The goals of the VCAQMP are to ensure that city and county population growth do not interfere with emission reductions and progress in meeting the state and national ambient air quality standards.

b) The proposed Program 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 2016 AQMP is the applicable air quality plan for the proposed Program. Projects or Programs 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 or a program 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.

Because the implementation of the proposed Program would not result in an increase in growth projections, the Program would have no impact on VCAPCD's AQMP.

Furthermore, future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goal and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policies include:

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

> **Policy ER-14.4:** Require all construction equipment to be maintained and tuned to meet appropriate EPA, CARB, 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:** 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:** 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-14.8:** Cooperate with other local, county, regional, and State agencies in implementing air quality plans to achieve State and Federal Ambient Air Quality Standards and in preparing, adopting, and implementing the SCAG Sustainable Communities Strategy (SB 375).
>
> **Policy ER-14.12:** 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.

Compliance with the above General Plan goal and policies as well as the standards identified in the proposed Ordinance would reduce air emissions. However, as stated above, because the implementation of the proposed Program would not result in an increase in growth projections, the Program would have no impact on VCAPCD's AQMP.

c) **Less than Significant with Mitigation Incorporated.** The City of Oxnard has not developed specific air quality thresholds for air quality impacts. However, as stated in Appendix G of the CEQA Guidelines, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the above determinations. As such, the significance thresholds and analysis methodologies in VCAPCD's CEQA Air Quality Handbook are used in evaluating air quality emissions impacts

within the City of Oxnard. The VCAPCD's CEQA Air Quality Handbook focuses on reducing ozone precursor emissions, which includes ROCs (also referred to as volatile organic compounds [VOCs]) and NO_X because emissions of these pollutants could jeopardize attainment of the NAAQS and CAAQS for ozone in Ventura County. The VCAPCD thresholds of significance include a maximum daily ROG (VOC) or NOx emissions above 25 pounds per day (lbs/day). The other criteria pollutants of concern include: carbon monoxide (CO), which is a colorless and odorless gas and can cause dizziness, confusion, unconsciousness or even death at high levels; sulfur dioxide (SO_2), which is also colorless and can cause asthma exacerbation, including bronchoconstriction accompanied by symptoms of respiratory irritation, such as wheezing, shortness of breath and chest tightness; and PM10 and fine particulate matter 2.5 micrometers or less in diameter (PM2.5), which can worsen respiratory diseases, including asthma and chronic obstructive pulmonary disease, leading to hospitalization and emergency department visits and respiratory mortality. The VCAPCD has not established mass emission significance thresholds for CO, SO_2, PM10 or PM2.5.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goal and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policies include:

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

> **Policy ER-14.4:** Require all construction equipment to be maintained and tuned to meet appropriate EPA, CARB, 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:** 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:** 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-14.8:** Cooperate with other local, county, regional, and State agencies in implementing air quality plans to achieve State and Federal Ambient Air Quality Standards and in preparing, adopting, and implementing the SCAG Sustainable Communities Strategy (SB 375).
>
> **Policy ER-14.12:** 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.

Compliance with the above General Plan goals and policies as well as the standards identified in the proposed Ordinance would reduce potential emission of criteria pollutants, specifically ROG and NOx. However, potential emissions of ROG and NOx could be significant.

Mitigation Measure

The following mitigation measure is required to reduce potential construction-related emissions of ROG and NOx.

> **Mitigation Measure AQ-1:** Each Applicant shall demonstrate that construction and operational activities associated with each electronic billboard would not exceed the VCAPCD thresholds of significance that include a maximum daily ROG (VOC) or NOx emissions above 25 pounds per day (lbs/day).

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goal and policies and the design standards proposed within the Ordinance, and the implementation of the above mitigation measure would reduce the Program's emissions of ROG (VOC) and NOx to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

Cumulative

The geographic scope for regional air quality impacts consists of the air basin(s) in which the installation of individual electronic billboards would occur. The VCAPCD's approach for assessing cumulative impacts 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 2016 AQMP, which addresses the region's cumulative air quality condition. CEQA Guidelines Section 15064(h)(3) provides guidance in determining the significance of cumulative impacts, stating 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 proposed Program's incremental contribution to cumulative air quality impacts is determined based on compliance with the VCAPCD's adopted 2016 AQMP and based on compliance with the VCAPCD's regional significance thresholds for ROG (VOC) and NOx. As stated above, compliance with the General Plan goal and policies identified above, the design standards proposed within the Ordinance, and the implementation

of Mitigation Measure AQ-1 would reduce the Program's emissions of ROG (VOC) and NOx to less than cumulatively considerable. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

c) **Less than Significant with Mitigation Incorporated**. 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. All future billboard installations would be located within 400 feet of the U.S. Highway 101 right-of-way, but not within a residential area. Additionally, the Ordinance would require a minimum distance of 100 feet from the billboard and the property line of any residentially-owned parcel. Since air emissions disperse rapidly in the environment and decrease with distance from the source, emissions from construction activities would be limited.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goal and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policies include:

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

> **Policy ER-14.4:** Require all construction equipment to be maintained and tuned to meet appropriate EPA, CARB, 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:** 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:** 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-14.8:** Cooperate with other local, county, regional, and State agencies in implementing air quality plans to achieve State and Federal Ambient Air Quality Standards and in preparing, adopting, and implementing the SCAG Sustainable Communities Strategy (SB 375).

Policy ER-14.12: 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.

Compliance with the above General Plan goals and policies as well as the standards identified in the proposed Ordinance would reduce exposure of air pollutant concentrations; however, potential emission of criteria pollutants, specifically ROG and NOx could be significant.

Mitigation Measure

The following mitigation measure is required to reduce potential air pollutant concentration impacts.

Implementation of Mitigation Measure AQ-1 is required.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goal and policies and the design standards proposed within the Ordinance, and the implementation of the above mitigation measure would reduce the Program's emissions of ROG (VOC) and NOx to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

CO Hotspots

Emissions of CO are generated in greatest quantities from motor vehicle combustion of fossil fuels and are usually concentrated at or near ground level because they do not readily disperse into the atmosphere, particularly under cool, stable (i.e., low or no wind) atmospheric conditions. Localized areas where ambient concentrations exceed State and/or federal standards are termed CO hotspots. Traffic impacts and the potential for CO hot spots associated with the proposed Program would be minimal due to the limited construction activities associated with each electronic billboard and limited trips associated with long-term maintenance. Future implementation of an individual electronic billboard would be required to comply with the above applicable 2030 General Plan goal and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the above General Plan goal and policies and the design standards proposed within the Ordinance would reduce the Program's emissions of CO to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

Localized Air Quality Impacts – Toxic Air Contaminants

Toxic Air Contaminants (TACs) are generally defined as those contaminants that are known or suspected to cause serious health problems, but do not have a corresponding ambient air quality standard. TACs are also defined as an air pollutant that may increase a person's risk of developing cancer and/or serious health effects; however, the emission of a toxic chemical does not automatically create a health hazard. Program construction would result in short-term emissions of diesel PM, a TAC. Diesel particulate matter poses a carcinogenic health risk that is measured using an exposure period of 70 years for a lifetime exposure or 30 years for a residential exposure. The exhaust of off-road heavy-duty diesel equipment would emit diesel particulate matter. The dose to which receptors are exposed is the primary factor used to determine health risk (i.e., the potential exposure to TACs to be compared to applicable standards). Dose is a function of the concentration of a substance or substances in the environment and the duration of exposure to the substance. Dose is positively correlated with time, meaning that a longer exposure period would result in a higher exposure level for the maximally exposed individual. Thus, the risks estimated for a maximally exposed individual are higher if a fixed exposure occurs over a longer time period. According to the Office of Environmental Health Hazard Assessment (OEHHA), carcinogenic health risk assessments, which determine the exposure of sensitive receptors to TAC emissions, should be based on a 70-year exposure period for a lifetime exposure or 30 years for a residential exposure; however, such assessments should be limited to the period or duration of activities.

Construction and operational activities associated with individual electronic billboards are expected to be minimal resulting in nominal TAC emissions. Future implementation of an individual electronic billboard would be required to comply with the above applicable 2030 General Plan goal and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the above General Plan goal and policies and due to the nominal air pollutant exposure from construction and operational activities to sensitive receptors, substantial pollutant concentrations are expected to be less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

d) **Less than Significant Impact.** During installation of electronic billboards under the proposed Program, diesel exhaust from diesel trucks and off-road construction equipment may emit odors. Such odors would be a temporary source of nuisance to adjacent uses but would not affect a substantial number of people. As odors associated with construction of individual billboards under the proposed Program would be temporary and intermittent in nature, the odors would be considered a less than significant impact. Furthermore, the individual electronic billboard would not emit any direct objectionable odors.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. Although less than significant odor impacts are expected, as each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

References

VCAPCD 2003. *Ventura County Air Quality Assessment Guidelines.* October. Available: http://www.vcapcd.org/environmental-review.htm.

VCAPCD 2017. *Final 2016 Ventura County Air Quality Management Plan*. February 14. Available: http://www.vcapcd.org/pubs/Planning/AQMP/2016/Final/Final-2016-Ventura-County-AQMP.pdf

3.4 Biological Resources

Issues:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☒	☐	☐
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?	☐	☒	☐	☐
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?	☐	☐	☐	☒
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?	☐	☒	☐	☐
e)	Would the project conflict with any local policies or ordinances protecting biological resources?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Discussion

a) **Less than Significant with Mitigation Incorporated**. The proposed Program extends along U.S. 101 for approximately 4.25 miles from Beardsley Wash east of Del Norte Boulevard on the east to Ventura Road on the west within the City of Oxnard. Much of the adjacent land uses within the City of Oxnard are primarily commercial on the west end of Highway 101 and agricultural fields on the east end of U.S. 101. There are several residential areas both north and south of U.S. 101. The vegetation along this stretch of U.S. 101 is primarily agricultural fields and ornamental landscaping, including *Eucalyptus* species, tipu tree (*Tipuana tipu*) and Canary Island date palm (*Phoenix canariensis*).

A database search indicates that there are no U.S. Fish and Wildlife Service (USFWS) designated Critical Habitat for any special-status plant or wildlife species (USFWS 2022a). Southwestern willow flycatcher (*Empidonax traillii extimus)* Critical Habitat is mapped as occurring within the Santa Clara River riparian area located west of the City limits. Additionally, the California Natural Diversity Data Base (CNDDB) and California Native Plant Society (CNPS) Rare Plant Inventory identified 21 special-status plant species and 36 special-status wildlife species as being recorded within the Camarillo, Oxnard and Ventura

USGS 7.5-minute quadrangles (CDFW 2022; CNPS 2022). None of the special-status plant species are expected because the areas along U.S. 101 within the City lack suitable habitat. Based on the results of the CNDDB database search and limited habitat adjacent to U.S. 101, special-status avian species have a low to no potential to occur within the Program area. Except for the Santa Clara River Basin, the only special-status species to be located within close proximity of the database search area are the Crotch bumblebee (*Bombus crotchii*) and burrowing owl (*Athene cunicularia*). These species were recorded by CNDDB as occurring in close proximity to the database search area, but both have a low potential to occur within the Program area.

While no special-status species are expected to use the Program area, all native bird species that occur adjacent to or surrounding the Program area are protected from 'take' by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGC). The installation of individual electronic billboards in accordance with the proposed ordinance has the potential to affect nesting birds. Only the portion of the Program area adjacent to the Santa Clara River Basin has a potential to impact special-status species because suitable habitat occurs for nesting birds such as least Bell's vireo.

Because the Santa Clara River Basin is located immediately adjacent to the western end of the Program area, and the Basin includes a sensitive vegetation community (i.e., willow riparian woodland habitat), operational lighting of a proposed electronic billboard adjacent to the Basin could result in indirect impacts. The willow riparian habitat has a high potential for special-status avian species including least Bell's vireo (*Vireo bellii pusillus*) and yellow warbler (*Setophaga petechia*). Additionally, State-protected reptile species, coast horned lizard (*Phrynosoma blainvillii*) and western pond turtle (*Emys marmorata*), and special-status plant species (California Rare Plant Rank [CRPR] 2B.2), white rabbit-tobacco (*Pseudognaphalium leucocephalum*), were recorded by CNDDB as occurring in close proximity to the western boundary of the Program area.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policies include:

Goal ER-1: Protection of natural resources, agriculture, and open spaces is well integrated with the built environment and human activities and achieves a symbiotic, mutually-beneficial, sustainable relationship.

> **Policy ER-1.1:** Protect the City's natural resource areas, fish and wildlife habitat, scenic areas, open space areas, parks, and cultural and historic resources from unnecessary encroachment or harm and if encroachment or harm is necessary, fully mitigate the impacts to the maximum extent feasible.

Goal ER-3: Protected, restored and enhanced water-related habitats and their associated plant and wildlife species.

Policy ER-3.2: Review development proposals in accordance with applicable Federal, State, and local statutes protecting special-status species and jurisdictional wetlands and be open to requiring greater protection

Policy ER-3.3: Whenever possible, request appropriate feasible County, State, and Federal agency mitigation measures.

Policy ER-3.5: Require that construction-related silt and sediment be minimized or prohibited to minimize temporary impacts on biological resources

Goal ER-4: Protected, restored and enhanced sensitive habitat areas.

Policy ER-4.1: Identify and encourage protection of sensitive habitat areas, with attention to habitat that may span small parcels.

Policy ER-4.4: Consider loss of sensitive habitats due to development to be a significant environmental impact. All development that is proposed to disturb or remove sensitive habitat shall demonstrate appropriate feasible mitigation.

Compliance with the above General Plan goals and policies as well as the standards identified in the proposed Ordinance would reduce potential effects on special status species; however, potential effects on wildlife species could remain significant.

Mitigation Measures

The following mitigation measures are required to reduce potential impacts on sensitive vegetation communities and associated sensitive wildlife species.

Implementation of Mitigation Measure AES-2 is required.

Mitigation Measure BIO-1: Construction activities involving vegetation removal as well as installation of the proposed billboard shall be conducted between September 1 and January 31, outside the typical nesting season for birds in the region. If vegetation removal or installation must occur during the typical nesting season (February 1 – August 31), a qualified biologist shall conduct a pre-construction survey for active nests within areas that will be subject to vegetation removal, construction noise, and/or ground disturbances, including a 100 to 300-foot buffer around existing trees and landscaped areas, to identify any potential active nests within seven days prior to work activities. Buffer distances can be adjusted at the discretion of the biologist based on the location of the nest, species, and surrounding land uses. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds.

If an active nest is observed during the pre-construction clearance survey, an adequate buffer determined by the City-approved qualified biologist shall be established around the active nest depending on sensitivity of the species and proximity to construction activity and impact areas. Onsite construction

monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest or nesting activities. Construction activities shall be avoided within the buffer, unless otherwise approved by the City-approved monitoring biologist (e.g., vehicles could pass through buffer areas while jackhammering would be restricted). Buffers shall be clearly marked and defined to restrict certain activities where they could result in nest failure, and shall remain in place until nests are no longer active, as determined by the City-approved monitoring biologist.

Mitigation Measure BIO-2: To avoid impacts to nesting least Bell's vireo, construction activities within 500 feet of suitable nesting habitat shall be timed to avoid the season when nests may be active for this species (March 15 to September 15). If avoidance of work activities within this time period is not feasible, a focused nest survey for least Bell's vireo shall be conducted within suitable nesting habitat the season prior to initiation of work activities, to determine their presence or absence within 500 feet of proposed work limits. In accordance with the USFWS survey protocol, eight focused surveys spaced a minimum of 10 days apart shall be conducted during the period of April 10 to July 31. The results shall be submitted in a report to the USFWS.

If the focused protocol nest surveys do not indicate the presence of least Bell's vireo, no further mitigation is required. A negative finding is considered valid until the following breeding season. Additional surveys shall be required each year that work is conducted in least Bell's vireo breeding habitat during the breeding season. If focused surveys indicate the presence of least Bell's vireo, a formal Endangered Species Act consultation with the USFWS shall occur prior to disturbance of this species or its habitat.

If occupied habitat and/or nesting individuals are determined to be present based on the focused survey, and work cannot be avoided during the nesting season, a preconstruction clearance survey shall be performed by a qualified City-approved biologist within 7 days prior to work activities to determine the approximate location of nesting territories within 500 feet of work areas. Surveys shall be conducted by a biologist approved by the USFWS and CDFW for conducting least Bell's vireo nest surveys, or by a biologist with least Bell's vireo survey experience, so long as the nest is not approached and/or disturbed. If a nest is detected or active breeding is determined, work shall halt within 500 feet of the nesting territory, and the area shall be monitored on a weekly basis until a City-approved qualified biologist determines the nest is no longer active and the young have fledged.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goals and policies and the design standards proposed within the Ordinance, and the implementation of the above mitigation measures would reduce the Program's potential

effects on special-status species to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

b) **Less than Significant with Mitigation Incorporated**. As stated above in Section 3.4 a), the majority of the Program area would result in less than significant impacts on riparian habitat or sensitive vegetation communities. The portion of the Program area that could result in impacts on a sensitive vegetation community (willow riparian woodland community) includes the western portion of the Program area adjacent to the Santa Clara River Basin.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goals and policies include:

Goal ER-1: Protection of natural resources, agriculture, and open spaces is well integrated with the built environment and human activities and achieves a symbiotic, mutually-beneficial, sustainable relationship.

> **Policy ER-1.1:** Protect the City's natural resource areas, fish and wildlife habitat, scenic areas, open space areas, parks, and cultural and historic resources from unnecessary encroachment or harm and if encroachment or harm is necessary, fully mitigate the impacts to the maximum extent feasible.

Goal ER-2: Maintenance and enhancement of natural resources and open space

> **Policy ER-2.2:** Evaluate existing and potential sensitive habitat areas (Environmentally Sensitive Habitat Area in the Coastal Zone – ESHA) as resource protection or open space land uses, including but not limited to: 1) Ormond Beach wetlands and upland areas, 2) Santa Clara River estuary and riverbed, 3) Edison Canal and harbor-related habitat areas, and 4) various dune habitat areas.
>
> **Policy ER-2.4:** Use the environmental and design review process to protect designated sensitive habitat, and promote open space.

Goal ER-3: Protected, restored and enhanced water-related habitats and their associated plant and wildlife species.

> **Policy ER-3.1:** Require the preservation and enhancement of the riparian habitat along the Santa Clara River, Edison Canal, the McGrath Lake vicinity, and within the Ormond Beach wetlands
>
> **Policy ER-3.2:** Review development proposals in accordance with applicable Federal, State, and local statutes protecting special-status species and jurisdictional wetlands and be open to requiring greater protection

Policy ER-3.3: Whenever possible, request appropriate feasible County, State, and Federal agency mitigation measures.

Policy ER-3.5: Require that construction-related silt and sediment be minimized or prohibited to minimize temporary impacts on biological resources

Goal ER-4: Protected, restored and enhanced sensitive habitat areas.

Policy ER-4.1: Identify and encourage protection of sensitive habitat areas, with attention to habitat that may span small parcels.

Policy ER-4.4: Consider loss of sensitive habitats due to development to be a significant environmental impact. All development that is proposed to disturb or remove sensitive habitat shall demonstrate appropriate feasible mitigation.

Policy ER-4.5: Require careful planning of new development in or near areas that are known to have particular value for biological resources to maintain sensitive vegetation and wildlife habitat.

Policy ER-4.6: Adopt and/or continue to maintain resource protection zoning designation for sensitive habitats to prevent the encroachment of detrimental land uses.

Compliance with the above General Plan goals and policies as well as the standards identified in the proposed Ordinance would reduce potential effects on sensitive communities; however, potential effects on sensitive communities could remain significant.

Mitigation Measure

The following mitigation measure is required to reduce potential impacts on sensitive vegetation communities.

Mitigation Measure

Implementation of Mitigation Measure AES-2 is required.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goals and policies and the design standards proposed within the Ordinance, and the implementation of the above mitigation measure would reduce the Program's potential effects on special-status species to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

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 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 Program area (USFWS 2022b). As mentioned above, the Santa Clara River is located adjacent to the Program area and contains willow riparian woodland habitat that may contain wetlands. Since installation of an electronic billboard would not extend into riparian habitat and standard measures, no impacts would occur.

d) **Less than Significant with Mitigation Incorporated**. While the physical structure of the electronic billboard itself would not impact the movement of wildlife species, the electronic billboard illumination could affect the movement or behavior of birds and mammals in and around a billboard site. It is known that migrating birds are attracted to artificial light sources and hundreds of species migrate nocturnally (Gauthreaux and Belser 2006). Direct effects on migrating birds becoming attracted to artificial light sources include collisions with lighting, communication towers, or buildings. Orientation mistakes and increased migration lengths are also indirect effects of artificial lighting (Gauthreaux and Belser 2006). Migrating birds are especially susceptible to disorienting effects of billboard illumination when visibility is poor during fog or rain events (Gauthreaux and Belser 2006). Research also shows that birds have the ability to orient to the Earth's magnetic field under certain colors of light - monochromatic blue or green light, but not under red or white light (van de Laar 2007; Poot et al. 2008; Ritz et al. 2009). Local movement by passerine birds, including those songbirds migrating along the Pacific Flyway, could also be attracted to the increased illumination within the Program area. Studies have shown passerine birds foraging nocturnally and displaying territorial defense behaviors as a result of increased artificial illuminance (de Molenaar et al. 2006).

It is possible that some birds moving locally at night may end up near the center of a billboard's beam angle and be attracted to it. This would be uncommon and limited as a majority of the species are diurnal and not typically active at night. Birds moving locally at any time of the day or night would be at low heights, rarely rising to the height of most billboard's center beam angle.

The proposed ordinance has the potential to affect nesting birds during the operation of an electronic billboard because night lighting of nesting habitat along U.S. 101 corridor may disrupt courtship and nesting behavior of some species.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goals and policies include:

Goal ER-1: Protection of natural resources, agriculture, and open spaces is well integrated with the built environment and human activities and achieves a symbiotic, mutually-beneficial, sustainable relationship.

> **Policy ER-1.1:** Protect the City's natural resource areas, fish and wildlife habitat, scenic areas, open space areas, parks, and cultural and historic resources from unnecessary encroachment or harm and if encroachment or harm is necessary, fully mitigate the impacts to the maximum extent feasible.

Goal ER-2: Maintenance and enhancement of natural resources and open space

> **Policy ER-2.2:** Evaluate existing and potential sensitive habitat areas (Environmentally Sensitive Habitat Area in the Coastal Zone – ESHA) as resource protection or open space land uses, including but not limited to: 1) Ormond Beach wetlands and upland areas, 2) Santa Clara River estuary and riverbed, 3) Edison Canal and harbor-related habitat areas, and 4) various dune habitat areas.
>
> **Policy ER-2.4:** Use the environmental and design review process to protect designated sensitive habitat, and promote open space.

Goal ER-3: Protected, restored and enhanced water-related habitats and their associated plant and wildlife species.

> **Policy ER-3.1:** Require the preservation and enhancement of the riparian habitat along the Santa Clara River, Edison Canal, the McGrath Lake vicinity, and within the Ormond Beach wetlands

Goal ER-4: Protected, restored and enhanced sensitive habitat areas.

> **Policy ER-4.1:** Identify and encourage protection of sensitive habitat areas, with attention to habitat that may span small parcels.
>
> **Policy ER-4.4**: Consider loss of sensitive habitats due to development to be a significant environmental impact. All development that is proposed to disturb or remove sensitive habitat shall demonstrate appropriate feasible mitigation.
>
> **Policy ER-4.5:** Require careful planning of new development in or near areas that are known to have particular value for biological resources to maintain sensitive vegetation and wildlife habitat.
>
> **Policy ER-4.6:** Adopt and/or continue to maintain resource protection zoning designation for sensitive habitats to prevent the encroachment of detrimental land uses.

Compliance with the above General Plan goals and policies as well as the standards identified in the proposed Ordinance would reduce potential effects on sensitive communities; however, potential effects on nesting birds could remain significant.

Mitigation Measures

The following mitigation measure is required to reduce potential impacts on nesting birds.

Implementation of Mitigation Measures AES-2 and BIO-1 is required.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the

General Plan goals and policies and the design standards proposed within the Ordinance, and the implementation of the above mitigation measures would reduce the Program's potential effects on nesting birds to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

e) **No Impact.** In accordance with the proposed Program, the installation of an electronic billboard could occur on City-owned property or right-of-way within 400 feet of the U.S. 101 freeway right-of-way. The City of Oxnard requires a permit for planting, removing, or permanently affecting, in any manner, a tree, shrub, or other plant life within a right-of-way per Ordinance No. 2444. No other local policies or ordinances protecting biological resources are applicable to the proposed Program. Compliance with Ordinance No. 2444 would result in no impact on an ordinance protecting biological resources.

f) **No Impact.** The proposed Program area is not located within any habitat conservation plan or natural community conservation plan areas. Therefore, the proposed Program 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.

References

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U.S. Fish and Wildlife Services (USFWS). 2022b. National Wetland Inventory (NWI) Data Mapper. Accessed on February 22, 2022, at https://www.fws.gov/wetlands/Data/Mapper.html.

3.5 Climate Change and Greenhouse Gas Emissions

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c) Would the project contribute or be subject to potential secondary effects of climate change (e.g., sea level rise, increase fire hazard)?	☐	☐	☒	☐

Discussion

a, b) **Less than Significant Impact.** State regulated GHGs include carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), nitrogen trifluoride (NF_3), and sulfur hexafluoride (SF_6). CO_2 is the most abundant GHG in the atmosphere. Not all GHGs exhibit the same ability to induce climate change; as a result, GHG contributions are commonly quantified in equivalent mass of CO_2, denoted as CO_2e. Mass emissions are calculated by converting pollutant specific emissions to CO_2e emissions by applying the proper global warming potential (GWP) value. These GWP ratios are available from the U.S. Environmental Protection Agency (USEPA) and are published in the California Climate Action Registry (CCAR) General Reporting Protocol. By applying the GWP ratios, project related CO_2e emissions can be tabulated in metric tons per year.

Neither the City nor the VCAPCD have adopted a numerical significance threshold for assessing impacts related to GHG emissions from a project, and the City has not formally adopted a local plan for reducing GHG emission. When no guidance exists under CEQA, the lead agency may look to and assess general compliance with comparable regulatory schemes.[1] In its January 2008 CEQA and Climate Change white paper, the California Air Pollution Control Officer's Association (CAPCOA) identified a number of potential approaches for determining the significance of GHG emissions in CEQA documents. In its white paper, CAPCOA suggests making significance determinations on a case-by-case basis when no significance thresholds have been formally adopted by a lead agency (CAPCOA, 2008).

Amendments to Section 15064.4 of the CEQA Guidelines were adopted to assist lead agencies in determining the significance of the impacts of GHG emissions. Consistent with existing CEQA practice, Section 15064.4 gives lead agencies the discretion to determine whether to

[1] See Protect Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal. App. 4th 1099, 1107 ["'[A] lead agency's use of existing environmental standards in determining the significance of a project's environmental impacts is an effective means of promoting consistency in significance determinations and integrating CEQA environmental review activities with other environmental program planning and resolution.'"']. Lead agencies can, and often do, use regulatory agencies' performance standards. A project's compliance with these standards usually is presumed to provide an adequate level of protection for environmental resources. See, e.g., Cadiz Land Co. v. Rail Cycle (2000) 83 Cal.App.4th 74, 99 (upholding use of regulatory agency performance standard).

assess those emissions quantitatively or qualitatively. If a qualitative analysis is used, in addition to quantification, this section recommends certain qualitative factors that may be used in the determination of significance (i.e., extent to which the project may increase or reduce GHG emissions compared to the existing environment; whether the project exceeds an applicable significance threshold; and extent to which the project complies with regulations or requirements adopted to implement a reduction or mitigation of GHGs). The amendments do not establish a threshold of significance; rather, lead agencies are granted discretion to establish significance thresholds for their respective jurisdictions, including looking to thresholds developed by other public agencies, or suggested by other experts, such as CAPCOA, so long as any threshold chosen is supported by substantial evidence (see Section 15064.7(c)). The California Natural Resources Agency has also clarified that the CEQA Guidelines amendments focus on the effects of GHG emissions as cumulative impacts, and that they should be analyzed in the context of CEQA's requirements for cumulative impact analysis (see Section 15064(h)(3)).[2]

Although GHG emissions can be quantified, CARB, VCAPCD and the City of Oxnard have not adopted project-level significance thresholds for GHG emissions that would be applicable to the proposed Program. The Governor's Office of Planning and Research (OPR) released a technical advisory on CEQA and climate change that provided some guidance on assessing the significance of GHG emissions, and states that "lead agencies may undertake a project-by-project analysis, consistent with available guidance and current CEQA practice," and that while "climate change is ultimately a cumulative impact, not every individual project that emits GHGs must necessarily be found to contribute to a significant cumulative impact on the environment."[3] Furthermore, the technical advisory states that "CEQA authorizes reliance on previously approved plans and mitigation programs that have adequately analyzed and mitigated GHG emissions to less than significant as a means to avoid or substantially reduce the cumulative impact of a project."[4]

Per CEQA Guidelines Section 15064(h)(3), a project's incremental contribution to a cumulative impact can be found not cumulatively considerable if the project would comply with an approved plan or mitigation program that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area of the project.[5] To qualify, such a plan or program 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.[6]

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2 See generally California Natural Resources Agency, Final Statement of Reasons for Regulatory Action (December 2009), pp. 11-13, 14, 16. http://resources.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf**Error! Hyperlink reference not valid.**, accessed November 2019; see also Letter from Cynthia Bryant, Director of the Office of Planning and Research to Mike Chrisman, Secretary for Natural Resources, April 13, 2009. Available at http://www.valleyair.org/Programs/CCAP/documents/ Transmittal_LetterOPRApril2009.pdfhttp://opr.ca.gov/docs/Transmittal_Letter.pdf, accessed November 2019.

3 Governor's Office of Planning and Research, Technical Advisory – CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review, (2008).

4 Governor's Office of Planning and Research, Technical Advisory – CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review, (2008).

5 14 CCR § 15064(h)(3).

6 14 CCR § 15064(h)(3).

Examples of such programs include a "water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plan, [and] plans or regulations for the reduction of greenhouse gas emissions."[7] Thus, CEQA Guidelines Section 15064(h)(3) allows a lead agency to make a finding of non-significance for GHG emissions if a project complies with a program and/or other regulatory schemes to reduce GHG emissions.[8]

In the absence of any adopted, quantitative threshold, the Program would not have a significant effect on the environment if the Program is found to be consistent with the applicable regulatory plans and policies to reduce GHG emissions, including the emissions reduction measures discussed within CARB's Climate Change Scoping Plan and City of Oxnard's policies established for the purpose of increasing energy efficiency and reducing GHG emissions.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goal and policy as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policy include:

Goal SC-3: Energy efficiency performance standards and generation from renewable sources.

> **Policy SC-3.10, Alternatives to Power Plant Generation:** Evaluate the feasibility of incorporating alternative sources of power generation such as wind and tidal power into the regional existing power supply grid to reduce reliance on GHG emission producing public utility and privately-owned power plants.

In addition, future implementation of an individual electronic billboard would be required to comply with the following applicable regulatory plans.

Assembly Bill 32/Senate Bill 32 and Executive Order B-30-15

In support of Assembly Bill 32 and Senate Bill 32, the state has promulgated specific laws aimed at GHG reductions.

7 14 CCR § 15064(h)(3).

8 See, for example, San Joaquin Valley Air Pollution Control District (SJVAPCD), CEQA Determinations of Significance for Projects Subject to ARB's GHG Cap-and-Trade Regulation, APR-2025 (June 25, 2014), in which the SJVAPCD "determined that GHG emissions increases that are covered under ABR's Cap-and-Trade regulation cannot constitute significant increases under CEQA…" Furthermore, the SCAQMD has taken this position in CEQA documents it has produced as a lead agency. The SCAQMD has prepared three Negative Declarations and one Draft Environmental Impact Report that demonstrate the SCAQMD has applied its 10,000 $MTCO_2e$/yr significance threshold in such a way that GHG emissions covered by the Cap-and-Trade Program do not constitute emissions that must be measured against the threshold. See SCAQMD, Final Negative Declaration for Ultramar Inc. Wilmington Refinery Cogeneration Project, SHC No. 2012041014 (October 2014); SCAQMD Final Negative Declaration for Phillips 99 Los Angeles Refinery Carson Plant—Crude Oil Storage Capacity Project, SCH No. 2013091029 (December 2014); SCAQMD Final Mitigated Negative Declaration for Toxic Air Contaminant Reduction for Compliance with SCAQMD Rules 1420.1 and 1402 at the Exide Technologies Facility in Vernon, CA, SCH No. 2014101040 (December 2014); and SCAQMD Final Environmental Impact Report for the Breitburn Santa Fe Springs Blocks 400/700 Upgrade Project, SCH No. 2014121014 (August 2015).

2017 Climate Change Scoping Plan

According to the CARB 2017 Climate Change Scoping Plan, reductions needed to achieve the 2030 goal are expected to be achieved by targeting specific emission sectors, including those sectors that are not directly controlled or influenced by the Program, but nonetheless contribute to program-related GHG emissions (CARB, 2017). A list of applicable GHG emission reduction actions and strategies from the 2017 Climate Change Scoping Plan include:

Senate Bill 350 (SB 350):

The Clean Energy and Pollution Reduction Act of 2015 increases the standards of the California Renewable Portfolio Standard (RPS) program by requiring that the amount of electricity generated and sold to retail customers per year from eligible renewable energy resources be increased to 50 percent by 2030. Required measures include:

> Increase RPS to 50 percent of retail sales by 2030.
>
> Establish annual targets for statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of statewide energy efficiency savings in electricity and natural gas end uses by 2030.
>
> Reduce GHG emissions in the electricity sector through the implementation of the above measures and other actions as modeled in IRPs to meet GHG emissions reductions planning targets in the IRP process. Load-serving entities and publicly owned utilities meet GHG emissions reductions planning targets through a combination of measures as described in IRPs.

Implement Mobile Source Strategy (Cleaner Technology and Fuels):

Implementation of federal phase 2 standards for medium- and heavy-duty vehicles.

Adopt a Low Carbon Fuel Standard with a CI reduction of 18 percent.

Implement the post-2020 Cap-and-Trade Program with declining annual caps.

Compliance with the above General Plan goal and policy and applicable regulatory plans as well as the standards identified in the proposed Ordinance would reduce potential climate change impacts from the generation of greenhouse gas emissions.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goal and policy, the design standards proposed within the Ordinance, and the applicable regulatory plans would reduce the Program's potential climate change effects to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

c) **Less than Significant Impact.** As discussed above, compliance with the above General Plan goal and policy and applicable regulatory plans as well as the standards identified in the proposed Ordinance would reduce potential climate change impacts from the generation of greenhouse gas emissions.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goal and policy, the design standards proposed within the Ordinance, and the applicable regulatory plans would reduce the Program's potential climate change effects to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

References

California Air Pollution Control Officers Association (CAPCOA), 2008. CEQA & Climate Change Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act. http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA-White-Paper.pdf

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3.6 Cultural Resources and Tribal Cultural Resources

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section15064.5?	☐	☒	☐	☐
b) Would the project cause a substantial adverse change in the significance of a unique archaeological resource pursuant to State CEQA Guidelines Section15064.5?	☐	☒	☐	☐
c) Would the project directly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐
d) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐
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).	☐	☒	☐	☐
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.	☐	☒	☐	☐

Discussion

a) **Less than Significant with Mitigation Incorporated.** A records search was conducted at the South Central Coastal Information Center, California State University, Fullerton as part of the City of Oxnard General Plan Background Report prepared in 2006. According to the records search, the City contains a variety of previously recorded cultural resources, both from prehistoric and historic eras, including 12 prehistoric sites and 7 isolates. The City contains 31 recorded resources in the form of buildings and structures. Based on a review of the locations of the known resources, there are no known historic archaeological resources within the Program area. Although there are no known historic resources, there could be an inadvertent discovery during the installation of individual electronic billboards in accordance with the proposed Program.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goals and policies include:

Goal CD-3: A city of stable, safe, attractive, and revitalized neighborhoods with adequate parks, schools, infrastructure and community identity and pride.

> **Policy CD-3.1:** Protect existing residential neighborhoods from the encroachment of incompatible activities and land uses as determined through environmental review and/or determination by the Planning Commission

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

> **Policy CD-9.1:** Recognize, preserve, and improve the visual identity and character of existing neighborhoods. Infill development shall respect historic structures and be of compatible scale and character with historic areas.

Goal CD-11: Protected historic and authentic qualities of Oxnard's traditional Neighborhoods and historic districts.

> **Policy CD-11.2:** Seek to preserve historical structures and neighborhoods by evaluating the potential to expand and create new historic neighborhoods.

> **Policy CD-11.3:** Ensure that new public and private investment protects and enhances Oxnard's existing cultural resources, traditional neighborhoods, and historic districts, to the extent feasible.

> **Policy CD-11.4:** Require new developments within historic areas to incorporate historic and natural features and adaptive reuse into site development planning.

Goal ER-1: Protection of natural resources, agriculture, and open spaces is well integrated with the built environment and human activities and achieves a symbiotic, mutually-beneficial, sustainable relationship

> **Policy ER-1.1:** Protect the City's natural resource areas, fish and wildlife habitat, scenic areas, open space areas, parks, and cultural and historic resources from unnecessary encroachment or harm and if encroachment or harm is necessary, fully mitigate the impacts to the maximum extent feasible.

Goal ER-11: Identification, protection, and enhancement of the City's archeological, historical, and paleontological resources.

> **Policy ER-11.4:** Support public and private efforts to preserve, rehabilitate, and continue the use of historic structures, sites, and districts. Where applicable, preservation efforts shall confer with the Ventura County Cultural Heritage Board and conform to the current Secretary of the Interior's Standards for Treatment of Historic

Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Building and the California Office of Historic Preservation.

Compliance with the above General Plan goals and policies would reduce potential impacts on historical resources; however, there is a potential for historic archaeological resources to be found, and if they are found, construction activities could cause significant impacts to the unknown resources.

Mitigation Measure

The following mitigation measure is required to reduce potential impacts to historic resources.

> **Mitigation Measure CUL-1:** Prior to ground disturbance, the applicant is required to retain a City-approved archaeologist and Native American Monitor. In the event that historic or archaeological resources are unearthed during ground-disturbing activities, these activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer of at least 50 feet shall be established around the find where construction activities shall not be allowed to continue until a qualified archaeologist has examined the newly discovered artifact(s) and has evaluated the area of the find. Work shall be allowed to continue outside the buffer area. All historic and archaeological resources unearthed by construction activities associated with the proposed Program shall be evaluated by a qualified professional archaeologist who meets the U.S. Secretary of Interior's Professional Qualifications and Standards. Should the newly discovered artifacts be determined to be historic, Native American Tribes/Individuals shall be contacted and consulted and Native American construction monitoring shall be initiated. The Applicant and the City shall coordinate with the archaeologist to develop an appropriate treatment plan for the resources. The plan may include implementation of archaeological data recovery excavations to address treatment of the resource along with subsequent laboratory processing and analysis.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the above applicable General Plan goals and policies and implementation of the above mitigation measure would reduce the Program's potential impact on unknown historical resources to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

b) **Less than Significant with Mitigation Incorporated.** Based on a review of the City of Oxnard General Plan Background Report, there are no known archaeological resources within the Program area. Although there are no known resources, there could be an inadvertent discovery during the installation of an individual electronic billboard under the proposed Program.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goals and policies include:

Goal ER-1: Protection of natural resources, agriculture, and open spaces is well integrated with the built environment and human activities and achieves a symbiotic, mutually-beneficial, sustainable relationship

> **Policy ER-1.1:** Protect the City's natural resource areas, fish and wildlife habitat, scenic areas, open space areas, parks, and cultural and historic resources from unnecessary encroachment or harm and if encroachment or harm is necessary, fully mitigate the impacts to the maximum extent feasible.

Goal ER-11: Identification, protection, and enhancement of the City's archeological, historical, and paleontological resources.

> **Policy ER-11.1:** Continue to require a qualified archaeologist to perform a cultural resources study prior to project approval. Inspection for surface evidence of archaeological deposits, and archaeological monitoring during grading should be required in areas where significant cultural resources have been identified or are expected to occur.
>
> **Policy ER-11.2:** Ensure that alternatives are considered, including planning construction to avoid archeological sites, deeding archaeological sites into permanent conservation easements, and planning parks, greenspace or other open space to incorporate archaeological sites in the event that development threatens significant archaeological resources.
>
> **Policy ER-11.3:** Continue to require project applicants to have a qualified archaeologist conduct a record search at the South Central Coast Information Center located at California State University Fullerton and other appropriate historical repositories, conduct field surveys where appropriate, and prepare technical reports, where appropriate, meeting California Office of Historic Preservation Standards (Archaeological Resource Management Reports) prior to project approval.
>
> **Policy ER-11.6:** In the event that archaeological/paleontological resources are discovered during site excavation, continue to require that grading and construction work on the project site is suspended until the significance of the features can be determined by a qualified archaeologist/paleontologist.

Compliance with the above General Plan goals and policies would reduce potential impacts on archaeological resources; however, there is a potential for archaeological resources to be found, and if they are found, construction activities could cause significant impacts to the resources.

Mitigation Measure

The following mitigation measure is required to reduce potential impacts to archaeological resources.

Implementation of Mitigation Measure CUL-1 is required.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the applicable General Plan goals and policies and implementation of the above mitigation measure would reduce the Program's potential impact on archaeological resources to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

c) **Less than Significant with Mitigation Incorporated.** Based on a review of the U.S. Geological Survey map for Oxnard, the Program area is underlain by Holocene alluvial deposits (CDC, 2003). Holocene alluvium is thought to be too young to contain significant paleontological resources. Therefore, near surface grading would result in less than significant impacts to paleontological resources. However, the Holocene alluvium could be underlain by more sensitive geologic sediment that could have a high potential to contain paleontological resources.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goal and policy as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policy include:

Goal ER-11: Identification, protection, and enhancement of the City's archeological, historical, and paleontological resources.

> **Policy ER-11.6:** In the event that archaeological/paleontological resources are discovered during site excavation, continue to require that grading and construction work on the project site is suspended until the significance of the features can be determined by a qualified archaeologist/paleontologist.

Compliance with the above General Plan goal and policy would reduce potential impacts on paleontological resources; however, there is a potential for paleontological resources to be found, and if they are found, construction activities could cause significant impacts to the resources.

Mitigation Measure

The following mitigation measure is required to reduce potential impacts to paleontological resources.

> **Mitigation Measure CUL-2:** Prior to ground disturbance, the applicant is required to retain a paleontologist for monitoring of ground disturbing activities. In the event that paleontological resources are unearthed during ground-disturbing activities, these activities shall be halted or diverted away from the vicinity of the find until it is assessed for scientific significance and collected. Monitoring shall include matrix screening for the presence of microfossils; however, monitoring is largely a visual inspection of sediment.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the applicable General Plan goal and policy identified above and implementation of the above mitigation measure would reduce the Program's potential impact on paleontological resources to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

d) **Less than Significant.** No human remains are known to exist on or in the immediate vicinity of the Program area. If human remains are inadvertently encountered, all work is required to halt and the Ventura County Coroner is required to be contacted in accordance with California Public Resources Code 5097.98 and Health and Safety Code Section 7050.5. If the coroner determines that the remains are Native American, the California Native American Heritage Commission (NAHC) would be notified in accordance with State law.

Future implementation of an individual electronic billboard would be required to comply with State law, the applicable 2030 General Plan goal and policy as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policy include:

Goal ER-11: Identification, protection, and enhancement of the City's archeological, historical, and paleontological resources.

> **Policy ER-11.6:** In the event that archaeological/paleontological resources are discovered during site excavation, continue to require that grading and construction work on the project site is suspended until the significance of the features can be determined by a qualified archaeologist/paleontologist.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with State law and the applicable General Plan goal and policy identified above would reduce the Program's potential impact on human remains to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

e, f) **Less than Significant with Mitigation Incorporated.** As of July 1, 2015, California Assembly Bill 52 of 2014 (AB 52) 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 City of Oxnard sent a notification letter on November 23, 2021 to the Native American tribe that is on the City's Assembly Bill (AB) 52 list (Appendix B). 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 act amended California Public Resources Code (PRC) Section 5097.94, and added PRC Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3. AB 52 applies specifically to projects for which a NOP or a Notice of Intent to Adopt a Negative Declaration or MND will be filed on or after July 1, 2015. The primary intent of AB 52 was to include California Native American Tribes early in the environmental review process and to establish a new category of resources related to Native Americans that require consideration under the CEQA, known as tribal cultural resources (as defined in PRC Section 21074(a)). On July 30, 2016, the California Natural Resources Agency adopted the final text for tribal cultural resources update to *CEQA Guidelines* Appendix G, which was approved by the Office of Administrative Law on September 27, 2016.

PRC Section 21080.3.1 requires that within 14 days of a lead agency determining that an application for a project is complete, or a decision by a public agency to undertake a project, the lead agency provide formal notification to the designated contact, or a tribal representative, of California Native American Tribes that are traditionally and culturally affiliated with the geographic area of the project (as defined in PRC Section 21073) and who have requested in writing to be informed by the lead agency (PRC Section 21080.3.1(b)). Tribes interested in consultation must respond in writing within 30 days from receipt of the lead agency's formal notification and the lead agency must begin consultation within 30 days of receiving the tribe's request for consultation (PRC Sections 21080.3.1(d) and 21080.3.1(e)).

PRC Section 21080.3.2(a) identifies the following as potential consultation discussion topics: the type of environmental review necessary; the significance of tribal cultural resources; the significance of the project's impacts on the tribal cultural resources; project alternatives or appropriate measures for preservation; and mitigation measures. Consultation is considered concluded when either: (1) the parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or (2) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached (PRC Section 21080.3.2(b)).

If a California Native American tribe has requested consultation pursuant to Section 21080.3.1 and has failed to provide comments to the lead agency, or otherwise failed to engage in the consultation process, or if the lead agency has complied with Section 21080.3.1(d) and the California Native American tribe has failed to request consultation within 30 days, the lead agency may certify an EIR or adopt a Mitigated Negative Declaration (PRC Section 21082.3(d)(2) and (3)).

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

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

Mitigation Measure

The following mitigation measure is required to reduce potential impacts to paleontological resources.

> **Mitigation Measure CUL-3:** A qualified archaeologist and Native American Monitor shall be present during construction-related ground disturbance activities in order to identify any unanticipated discovery of tribal cultural resources. The qualified archaeologist and Native American monitor may be different individuals or the same individual if the City determines that individual qualifies as both a qualified archaeologist and Native American monitor. All archaeological resources unearthed by construction activities shall be evaluated by the qualified archaeologist and Native American Monitor. If the resources are determined to be human remains, the coroner shall be notified, and if the human remains are Native American in origin, the coroner shall notify the NAHC as mandated by state law, who will then appoint a most likely descendent, who shall then coordinate with the landowner regarding treatment and curation of these resources. Typically, the most likely descendent will request reburial or preservation for educational purposes. If a resource is determined by the qualified archaeologist to constitute a "historical resource" pursuant to CEQA Guidelines Section 15064.5(a) or a "unique archaeological resource" pursuant to PRC Section 21083.2(g), the qualified archaeologist shall coordinate with the applicant and the City to develop a formal treatment plan that would serve to reduce impacts to the resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the

Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be donated to a local school or historical society in the area for educational purposes.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, implementation of the above mitigation measure would reduce the Program's potential impact on tribal cultural resources to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

References

California Department of Conservation (CDC), California Geological Survey. 2003. Geologic Map of the Oxnard 7.5' Quadrangle, Ventura County, California: A Digital Database, Version 1.0.

Impact Sciences, Inc. 2001. Riverpark Specific Plan Draft EIR. Available at: https://www.oxnard.org/environmental-document-archives/. Accessed on February 11, 2022.

W&S Consultants. 2000. Phase I Archaeological Survey for the Riverpark Specific Plan Area. December 14.

3.7 Geology and Soils

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☒	☐
ii) Strong seismic ground shaking that cannot be addressed through compliance with standard Code requirements?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
d) Would the project expose people or structures to inundation by seiche or tsunami?	☐	☐	☐	☒
e) Would the project rely on dredging or other maintenance activity by another agency that is not guaranteed to continue?	☐	☐	☐	☒

Discussion

a.i) **Less than Significant 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 U.S. Geological Survey 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. The nearest active fault to the Program area is the Pitas Point-Ventura fault which is located approximately four miles north of the Program area (Matrix Design Group, Inc., 2006).

Although the nearest active fault is approximately four miles from the Program area, future implementation of an individual electronic billboard would be required to comply with State law, the applicable 2030 General Plan goal and policy as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policy include:

Goal SH-1: Minimal damage to structures, property, and infrastructure as a result of liquefaction and subsidence.

Policy ER-1.1: Ensure that structures for human occupancy are only constructed or placed on a potential liquefaction site if the approved geological report shows that an acceptable hazard risk would be created and/or required mitigation measures are met.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with State law and the General Plan goal and policy identified above would reduce the Program's potential impact related to fault rupture to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

a.ii) **Less than Significant Impact.** The Program area 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 8.a.i) above, there are regionally active faults in the vicinity of the City of Oxnard. Earthquake activity associated with these faults could cause ground shaking within the Program area. Individual electronic billboards constructed in accordance with the Ordinance Program are subject to the seismic design criteria of the most recent California Building Code (CBC) which has been adopted within the Oxnard City Code. The criteria contain seismic safety provisions with the aim of preventing building and structural collapse during an earthquake.

Future implementation of an individual electronic billboard would be required to comply with State law and the applicable 2030 General Plan goal and policies. The applicable 2030 General Plan goal and policies include:

Goal SH-1: Minimal damage to structures, property, and infrastructure as a result of liquefaction and subsidence.

Policy ER-1.3: Require that all new buildings and alterations to existing buildings be built according to the seismic requirements adopted within the most current City of Oxnard Building Code, or its adopted equivalent.

Policy ER-1.4: Require that adequate soils, and geologic and structural evaluation reports be prepared by registered soils engineers, engineering geologists, and/or structural engineers, as appropriate, for applicable development.

Policy ER-1.8: Where necessary, utilize the expert mitigation measures such as those identified in Special Publication 117: Guidelines for Analyzing and Mitigating Seismic Hazards in California (prepared by the Southern California Earthquake Center) to minimize risk associated with seismic activity.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the most recent CBC and the General Plan goal and policies identified above would reduce the Program's potential impact related to strong seismic ground shaking to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

b) **Less than Significant Impact.** Unstable geologic units or soils commonly occur when there are landslides, lateral spreading, subsidence/collapse, or liquefaction.

Landslides

Because the Program area is located on relatively flat terrain, the individual electronic billboards would not be subject to potential unstable soils due to landslides.

Lateral Spreading

Lateral spreading movement occurs when a soil mass slides laterally on liquefied soil layers, moving downslope or towards a free face. Based on a review of the City of Oxnard General Plan Background Report, the majority of the Program area is subject to liquefaction, and therefore, there is a potential for lateral spreading to occur within the Program area. The proposed Program is subject to the seismic design criteria of the most recent California Building Code (CBC) which has been adopted within the Oxnard City Code and the CBC includes provisions to reduce lateral spreading impacts.

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. Historic groundwater withdrawals have caused some regional subsidence or collapse and potential subsidence and collapse could occur within the Program area. The proposed Program is subject to the seismic design criteria of the most recent California Building Code (CBC) which has been adopted within the Oxnard City Code and the CBC includes provisions to reduce subsidence and collapse impacts.

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. Most of the Program area is subject to liquefaction. The proposed Program is subject to the seismic design criteria of the most recent California Building Code (CBC) which has been adopted within the Oxnard City Code and the CBC includes provisions to reduce liquefaction impacts.

Future implementation of an individual electronic billboard would be required to comply with State law and the applicable 2030 General Plan goal and policies. The applicable 2030 General Plan goal and policies include:

Goal SH-1: Minimal damage to structures, property, and infrastructure as a result of liquefaction and subsidence.

Policy SH-1.1: Ensure that structures for human occupancy are only constructed or placed on a potential liquefaction site if the approved geological report shows that an acceptable hazard risk would be created and/or required mitigation measures are met.

Policy SH-1.3: Require that all new buildings and alterations to existing buildings be built according to the seismic requirements adopted within the most current City of Oxnard Building Code, or its adopted equivalent.

Policy SH-1.4: Require that adequate soils, and geologic and structural evaluation reports be prepared by registered soils engineers, engineering geologists, and/or structural engineers, as appropriate, for applicable development.

Policy SH-1.5: Continue to require the submission of a geological report for proposed development located in a potential liquefaction area.

Policy SH-1.7: Continue to require a complete site-specific soils investigation that addresses liquefaction and compressible soil characteristics and identifies construction techniques or other mitigation measures to prevent significant impacts upon the proposed development

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the most recent CBC and the General Plan goal and policies identified above would reduce the Program's potential impact related to unstable soils to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

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. Based on a review of the City of Oxnard General Plan Background Report, the Program area generally consists of alluvial deposits of silt, sand and gravel that are not expected to be expansive. Conformance with the design criteria within the CBC would reduce substantive expansive soils.

Future implementation of an individual electronic billboard would be required to comply with State law, the applicable 2030 General Plan goal and policy as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policy include:

Goal SH-1: Minimal damage to structures, property, and infrastructure as a result of liquefaction and subsidence.

Policy SH-1.1: Ensure that structures for human occupancy are only constructed or placed on a potential liquefaction site if the approved geological report shows that an acceptable hazard risk would be created and/or required mitigation measures are met.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with State law and the General Plan goal and policy identified above would reduce the Program's potential impact related to expansive soils to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

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 30 miles northeast of the Program area. Due to the distance of Lake Piru, potential seiches in the lake would not impact the Program area. Tsunamis are earthquake-induced surge waves that can cause severe coastal flooding. Because the Program area is located at least five miles from the coast and at approximately elevation 65 to 80 feet above mean sea level, the Program area is not at risk from a tsunami. Implementation of individual electronic billboards in accordance with the proposed Program would not be impacted by seiches or tsunamis.

e) **No Impact.** The proposed Program is located along U.S. 101. The operation of the individual electronic billboards would not rely on maintenance activities under the purview of other agencies aside from the City of Oxnard. The proposed Program would have no impact.

References

Matrix Design Group, Inc. 2006. City of Oxnard General Plan Draft Background Report. Available at https://www.oxnard.org/wp-content/uploads/2016/08/OxnardDraftBackgroundReport2006_04.21.06.pdf. Accessed on February 16, 2022.

3.8 Hazards and Hazardous Materials

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
e) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒

Discussion

a) **Less than Significant Impact.** Construction activities required for individual electronic billboards in accordance with the proposed Program would involve site clearing, grading, drilling, trenching to connect to an existing electrical line and other ground-disturbing activities. These construction activities would temporarily require the use of equipment such as trucks, drill, concrete mixer, crane, and other powered equipment, and would use potentially hazardous materials, such as fuels (gasoline and diesel) and lubricants (oil and grease). In addition, construction may use hazardous materials, such as solvents, paints, thinners, or other chemicals. Such materials would be used only in small quantities based on the minimal activities associated with the installation of an electronic billboard. These materials would be transported, handled, stored and disposed of in accordance with applicable laws and regulations and manufacturers' instructions.

Operation of the proposed electronic billboards installed in accordance with the proposed Program would result in periodic maintenance activities. These activities may include the limited use of paints, solvents and other chemicals.

Future implementation of an individual electronic billboard would be required to comply with State law, the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policies include:

Goal ICS-16: Residents and property protected from the use, transport, and disposal of hazardous materials.

Policy ICS-16.3: Continue to require the proper disposal and recycling of hazardous materials.

Goal SH-7: Minimize risk associated with the transportation, distribution, use, and storage of hazardous materials.

Policy SH-7.1: Maintain and periodically update a hazardous waste minimization audit and hazardous waste minimization program as part of the development review process.

Policy SH -7.2: Require that hazardous materials are used, stored, transported and disposed of within the City in a safe manner and in compliance with local, state, and federal standards.

Policy SH -7.3: Avoid, whenever possible, the routing of hazardous materials near residential, tourist, and recreational areas and maintain a hazardous material truck route in the office of the Traffic Engineer.

Policy SH -7.5: Implement the policies of the Ventura County Hazardous Waste Management Plan as they pertain to the Oxnard Planning Area.

Policy SH -7.11: Continue to require a hazardous materials inventory for businesses and other applicable parties as part of the Certified Unified Program Agency (CUPA) program.

Policy SH -7.12: Ensure that the proponents of new development projects address hazardous materials concerns through the preparation of Phase I or Phase II hazardous materials studies for each identified site as part of the design phase for each project. Recommendations required to satisfy federal or State cleanup standards outlined in the studies will be implemented as part of the construction phase for each project.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with State law and the General Plan goals and policies identified above would reduce the Program's potential hazard impact related to the routine transport, use and disposal of hazardous materials to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

b) **Less than Significant Impact.** As stated above, the maintenance activities associated with electronic billboards may use a limited quantity of hazardous materials such as paints, solvents and other chemicals. However, because these activities are periodic and the use of potential hazardous materials is limited, the Program could create a nominal hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Future implementation of an individual electronic billboard would be required to comply with State law, the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policies include:

Goal ICS-16: Residents and property protected from the use, transport, and disposal of hazardous materials.

> **Policy ICS-16.3:** Continue to require the proper disposal and recycling of hazardous materials.

Goal SH-7: Minimize risk associated with the transportation, distribution, use, and storage of hazardous materials.

> **Policy SH -7.1:** Maintain and periodically update a hazardous waste minimization audit and hazardous waste minimization program as part of the development review process.
>
> **Policy SH -7.2:** Require that hazardous materials are used, stored, transported and disposed of within the City in a safe manner and in compliance with local, state, and federal standards.
>
> **Policy SH -7.3:** Avoid, whenever possible, the routing of hazardous materials near residential, tourist, and recreational areas and maintain a hazardous material truck route in the office of the Traffic Engineer.
>
> **Policy SH -7.5:** Implement the policies of the Ventura County Hazardous Waste Management Plan as they pertain to the Oxnard Planning Area.
>
> **Policy SH -7.11:** Continue to require a hazardous materials inventory for businesses and other applicable parties as part of the Certified Unified Program Agency (CUPA) program.
>
> **Policy SH -7.12:** Ensure that the proponents of new development projects address hazardous materials concerns through the preparation of Phase I or Phase II hazardous materials studies for each identified site as part of the design phase for each project. Recommendations required to satisfy federal or State cleanup standards outlined in the studies will be implemented as part of the construction phase for each project.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with State law and the General Plan goals and policies identified above would reduce the Program's potential hazard impact related to reasonable upset or accident conditions involving the release of hazardous materials to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

c) **Less than Significant Impact.** The nearest existing schools to the Program area are the Rio Real Elementary School located northwest of the U.S. 101 and Rose/Santa Clara Avenue interchange (approximately 350 feet) and the Rio Linda Elementary School located southeast of the U.S. 101 and Rose/Santa Clara Avenue interchange (approximately 550 feet).

Future implementation of an individual electronic billboard would be required to comply with State law, the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policies include:

Goal ICS-16: Residents and property protected from the use, transport, and disposal of hazardous materials.

> **Policy ICS-16.3:** Continue to require the proper disposal and recycling of hazardous materials.

Goal SH-7: Minimize risk associated with the transportation, distribution, use, and storage of hazardous materials.

> **Policy SH -7.1:** Maintain and periodically update a hazardous waste minimization audit and hazardous waste minimization program as part of the development review process.
>
> **Policy SH -7.2:** Require that hazardous materials are used, stored, transported and disposed of within the City in a safe manner and in compliance with local, state, and federal standards.
>
> **Policy SH -7.3:** Avoid, whenever possible, the routing of hazardous materials near residential, tourist, and recreational areas and maintain a hazardous material truck route in the office of the Traffic Engineer.
>
> **Policy SH -7.5:** Implement the policies of the Ventura County Hazardous Waste Management Plan as they pertain to the Oxnard Planning Area.
>
> **Policy SH -7.11:** Continue to require a hazardous materials inventory for businesses and other applicable parties as part of the Certified Unified Program Agency (CUPA) program.
>
> **Policy SH -7.12:** Ensure that the proponents of new development projects address hazardous materials concerns through the preparation of Phase I or Phase II hazardous materials studies for each identified site as part of the design phase for each project. Recommendations required to satisfy federal or State cleanup standards outlined in the studies will be implemented as part of the construction phase for each project.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with

State law and the General Plan goals and policies identified above would reduce the Program's potential hazard impact to schools to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

d) **Less than Significant Impact.** Government Code Section 65962.5 requires CalEPA to develop and annually update the Hazardous Waste and Substances Sites (Cortese) List. The information contained in the Cortese List is provided by the Department of Toxic Substances Control (DTSC) and other state and local government agencies. A review of the DTSC EnviroStor and State Water Resources Control Board (SWRCB) GeoTracker databases indicated that there were no hazardous materials sites that are on the Cortese List. However, there have been hazardous materials sites along U.S. 101. There were at least 14 leaking underground storage tanks (LUST) north of U.S. 101 and five LUST south of U.S. 101 that resulted in contamination of soil/non-potable groundwater due to accidental releases of gasoline, diesel, and waste/motor/hydraulic oils. Each of these sites were the subject of cleanup including monitoring wells. Each of these LUST sites are closed and no further environmental concerns remain. Although there are no current hazardous waste sites, the implementation of the proposed Ordinance in the future could occur within a site exposed to a future hazardous materials concern.

Future implementation of an individual electronic billboard would be required to comply with State law, the applicable 2030 General Plan goal and policy as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policy include:

Goal SH-7: Minimize risk associated with the transportation, distribution, use, and storage of hazardous materials.

> **Policy SH -7.1:** Ensure that the proponents of new development projects address hazardous materials concerns through the preparation of Phase I or Phase II hazardous materials studies for each identified site as part of the design phase for each project. Recommendations required to satisfy federal or State cleanup standards outlined in the studies will be implemented as part of the construction phase for each project.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with State law and the General Plan goal and policy identified above would reduce the Program's potential hazard impact associated with a hazardous materials site to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

e) **No Impact.** The Program area is located along U.S. 101. The operation of an electronic billboard would be located on individual lots and would not result in changes to the existing circulation system. The electronic billboards that are installed in accordance with the proposed Program would not physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, no impact would occur.

References

State Water Resources Control Board (SWRCB), 1998. GeoTracker Database. MacValley/McCaslin Oil (T0611100537). Available at: http://geotracker.waterboards.ca.gov/profile_report?global_id=T0611100537. Accessed on February 28, 2022.

3.9 Hydrology and Water Quality

Issues:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Would the project violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b) Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of 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)?	☐	☐	☒	☐
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e) Would the project impede or redirect flood flows such that it would increase on- or off-site flood potential?	☐	☐	☐	☒
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?	☐	☐	☒	☐
g) Would the project be exposed to a substantial risk related to inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Discussion

a) **Less than Significant Impact.** Construction activities associated with the Program could result in short-term surface water quality impacts. These potential impacts could occur from construction-related activities such as drilling for the electronic sign pole foundation and pouring concrete. Runoff of loose soils and/or construction wastes and fuel during a rainstorm could flow into local storm drains as a result of individual electronic billboard construction. Such contaminated runoff could potentially threaten downstream water resources that receive runoff from the local drainage network.

The Ventura County Watershed Protection District, County of Ventura, and the cities of Camarillo, Fillmore, Moorpark, Ojai, Oxnard, Port Hueneme, San Buenaventura, Santa Paula, Simi Valley, and Thousand Oaks have joined together to form the Ventura Countywide Stormwater Quality Management Program and are named as co-permittees under a revised countywide municipal NPDES permit for stormwater discharges issued by RWQCB in 2010 (Order R4-2010-0108). Under Order R4-2010-0108, the co- permittees are required to administer, implement, and enforce a Stormwater Quality Management Program to reduce pollutants in urban runoff to the maximum extent practicable. Accordingly, the individual electronic billboards implemented as part of the proposed Program would be required to meet

regulations and conditions of approval to comply with NPDES requirements. Compliance with the Oxnard building permit would require the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) and associated best management practices (BMP). The BMPs would include measures that would be implemented to prevent discharge of eroded soils from the construction site and sedimentation of surface waters offsite. The BMPs would also include measures to quickly contain and clean up any minor spills or leaks of fluids from construction equipment. The City's Stormwater Quality Management ordinance (OCC Chapter 22, Article XII) specifies various prohibitions intended to implement the Clean Water Act and prohibit non-storm water discharges into the storm drain system. BMP requirements are enforced through the City's plan approval and permit process and plans for all new development projects are subject to City inspection.

Standard construction BMPs such as silt fencing, storm drain inlet protection, and proper material and waste storage will ensure surface water quality is not substantially degraded during construction. Compliance with the City's standard stormwater runoff provisions for construction activities, such as runoff control and other measures set forth in the City's Stormwater Quality Management ordinance would ensure that the Program does not violate any water quality standards or any waste discharge requirements during construction.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the NPDES requirements and the City's Stormwater Quality Management ordinance would reduce the Program's potential storm water quality impacts to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

Operation activities associated with electronic billboards would not involve the use of water or the generation of wastewater. Therefore, no violation of any water quality standards or any waste discharge requirements would occur, and thus no water quality impacts due to operational activities would result.

b) **Less than Significant Impact.** Groundwater in the Oxnard Plain and throughout the region is under the management of the Fox Canyon Groundwater Management Agency (FCGMA). The FCGMA was created in 1982 by the California Legislature via the Fox Canyon Groundwater Management Agency Act [AB-2995] for the express purposes of regulating, conserving, managing, and controlling the use and extraction of groundwater to help preserve resources, and to counter seawater intrusion beneath the Oxnard Plain. The regulations of FCGMA, which restrict groundwater withdrawals, apply to all groundwater users within its jurisdiction. These users include agricultural activities, industrial users, and municipalities such as the City of Oxnard.

The proposed Program would result in construction activities to install electronic billboards. The proposed billboards would not require water to operate. Construction activities associated

with electronic billboards could encounter groundwater; however, no substantial extraction of groundwater is expected to occur.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with FCGMA regulations that restrict groundwater withdrawals would reduce the Program's potential groundwater impacts to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

c) **No Impact.** The Program area has relatively flat topography. The only water resource feature that extends under U.S. 101 and is within the Program area is a channelized portion of Beardsley Channel. Therefore, the implementation of the proposed Program **would** not substantially alter the existing drainage pattern of the site or area, including through the alteration of a course, stream or river, or through the addition of impervious surfaces as the installation of electronic billboards under the proposed Program would nominally increase impervious surfaces. As such, no impact would occur.

d) **No Impact.** Based on a review of the Flood Insurance Rate Map, the Program area is not located in a flood prone area including a 100-year flood zone (FEMA, 2010). Therefore, the Program would not include the placement of an electronic billboard within a 100-year flood zone. No impact would occur.

e) **No Impact.** The implementation of the Program would include the placement of electronic billboards within the Program area. The placement electronic billboards would not impede or redirect existing surface drainage flows from the Program site.

f) **Less than Significant Impact.** Based on a review of the Ventura County Multi-Hazard Mitigation Plan, the majority of the City of Oxnard including the Program area is within a dam inundation area (AECOM, 2015). Although the Program area is 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 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 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. Because a future electronic billboard could be installed in the vicinity of the existing levee, inundation of the future electronic billboard could occur.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, because the electronic billboards implemented as part of the proposed Program would not include people at each of the billboard sites on a regular basis, the Program would not result in exposing people to injury or death. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

g) **No Impact.** Based on a review of the Flood Insurance Rate Map, the Program area is not located in a flood prone area (FEMA, 2010). As discussed in Section 8.d) above, the Program area would not be subject to seiches or tsunamis. The Program area and surrounding area contain relatively flat terrain and are not subject to mudflows. Therefore, the construction of electronic billboards in accordance with the proposed Program would not expose the proposed billboards to substantial risk related to inundation by a seiche, tsunami or mudflow.

References

AECOM. 2015. Ventura County Multi-Hazard Mitigation Plan. Available at: https://www.vcfloodinfo.com/pdf/2015%20Ventura%20County%20Multi-Hazard%20Mitigation%20Plan%20and%20Appendices.pdf. Accessed on February 18, 2022.

City of Oxnard. Nd. City of Oxnard Code of Ordinances, Chapter 22, Article XII, Stormwater Quality Management Available at: https://codelibrary.amlegal.com/codes/oxnard/latest/oxnard_ca/0-0-0-45856.. Accessed on May 27, 2022.

Federal Emergency Management Agency. 2010. Flood Insurance Rate Map, Ventura County, California, Panel 910 of 1275, Map Number 06111C0910E. Available at: https://msc.fema.gov/portal/search?AddressQuery=Riverpark%20Oxnard%20Ca#searchresultsanchor. Accessed on February 18, 2022.

3.10 Land Use and Planning

Issues:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
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?	☐	☒	☐	☐
b) Would the project involve land uses that are not allowed under any applicable airport land use compatibility plan?	☐	☐	☒	☐
h) Would the project conflict with an applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒
i) Would the project physically divide an established community?	☐	☐	☐	☒

Discussion

a) **Less than Significant with Mitigation Incorporated.** The proposed Program would result in an amendment to the existing City of Oxnard sign regulations within the City of Oxnard Municipal Code. The Program includes standards to comply with state law regarding electronic billboard brightness and display cycle to reduce potential traffic safety impacts for motorists along U.S. 101; however, the Program could result in land use compatibility conflicts with applicable City plans and policies.

As discussed in Section 3.1 a) through c), the implementation of the Program would result in less than significant impacts to scenic vistas, scenic resources, scenic highways and less than significant visual alteration of the existing visual characteristics. However, the operation of electronic billboards could result in substantial lighting impacts on sensitive land use areas such as residences and on sensitive vegetation communities.

Future implementation of an individual electronic billboard would be required to comply with State law, the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goals and policies include:

Goal CD-3: A city of stable, safe, attractive, and revitalized neighborhoods with adequate parks, schools, infrastructure and community identity and pride.

> **Policy CD-3.1:** Protect existing residential neighborhoods from the encroachment of incompatible activities and land uses as determined through environmental review and/or determination by the Planning Commission.

Goal CD-4: A city of stable, safe, attractive, and revitalized neighborhoods with adequate parks, schools, infrastructure and community identity and pride

Policy CD-4.1: Mitigate conflicts between commercial and other land uses, especially residential and recreational uses**.**

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

Policy CD-9.3: Designate major entryways as gateways into the City. The City shall use landscaping, decorative lighting, signage and/or other streetscape design techniques to enhance the City's identity, sense of place, and provide visual emphasis to the streetscapes to the City.

Policy CD-9.4: Ensure all public and private investments positively contribute to the overall character of the City by minimizing impacts on important view corridors by creating edge treatments along greenbelt areas and a landscaped buffer corridor of at least 30 feet along designated scenic corridors and other major transportation corridors.

Goal ER-6: Protected and enhanced natural setting and scenic resources.

Policy ER-6.1: Preserve important public views and viewsheds by ensuring that the scale, bulk and setback of new development does not significantly impede or disrupt them and ensure that important vistas and view corridors are enhanced. Require development to provide physical breaks to allow views into these vistas and view corridors.

Policy ER-6.2: Protect and enhance the scenic resources of the beaches, Channel Island Harbor, windrows, farmland, the Channel Islands, and surrounding mountains.

Policy ER-6.3: Preserve views of significant small-scale plant communities including wetlands, riparian vegetation, man-made water features, and the like wherever possible.

Policy ER-6.5: Require that all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards use low-energy, shielded light fixtures which direct light downward and, where public safety would not be compromised, encourage the use of low-pressure sodium lighting for all outdoor light fixtures.

Compliance with the above General Plan goals and policies as well as the standards identified in the proposed Ordinance would reduce potential land use compatibility impacts. However, significant compatibility impacts specifically related to increases in lighting could remain.

Mitigation Measures

The following mitigation measures are required to reduce potential compatibility impacts at nearby uses.

Implementation of Mitigation Measures AES-1 through AES-3 is required.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the applicable General Plan goals and policies, and the design standards proposed within the Ordinance, and implementation of the above mitigation measures would reduce the Program's compatibility impacts to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

b) **Less than Significant Impact.** The Program area is located at least 2.2 miles from the Oxnard Airport and approximately 0.8 mile from the Camarillo Airport. The Program area is not within the clear zone of either airport, however, the Program area is within the airport land use plans' Federal Aviation Administration (FAA) Part 77 height restriction areas. According to the Oxnard Airport Master Plan, obstructions to air navigation within the Program area would occur if structures exceeded 350 feet in elevation (Coffman Associates, Inc., 2004). The proposed Program would not include any structures that would be 350 feet in elevation, and therefore, the implementation of the Program would not impact air navigation at the Oxnard Airport. According to the Camarillo Airport Master Plan, obstructions in air navigation could occur within the portion of the Program area east of Rice/Santa Clara Avenue.

Future implementation of an individual electronic billboard would be required to comply with State and federal laws, the applicable 2030 General Plan goal and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policies include:

Goal SH-9: Oxnard Airport operations are at an acceptable risk and compatible with surrounding land uses and activities.

> **Policy SH-9.1:** Require development around the Oxnard and Camarillo Airports to be consistent with the safety policies and land use compatibility guidelines contained within the Ventura County Airport Land Use Plan.
>
> **Policy SH-9.2:** Ensure development within the airport approach and departure zones are in compliance with applicable Federal Aviation Administration regulations that address objects affecting navigable airspace.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goals and policies and the design standards proposed within the Ordinance would reduce the Program's compatibility impacts to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

d) **No Impact.** The proposed Program area is not located within any habitat conservation plan or natural community conservation plan areas. Therefore, the proposed Program would not

conflict with provisions of an adopted natural community conservation plan or other approved local, regional, or state habitat conservation plan, and no impact would occur.

e) **No Impact.** The implementation of electronic billboards under the proposed Program would include the placement of billboards along U.S. 101. Each billboard would be required to be separated by 2,000 feet. The future placement of electronic billboards would not physically divide the surrounding community since the proposed signs would not obstruct or in any way change access to the existing community. The operation of electronic billboards would not physically impact any roadways or traffic circulation patterns within the existing community. Electronic billboards installed under the proposed Program would not create any barriers to access to a community or require removal of any housing. As such, the proposed Program would have no impact.

References

Coffman Associates, Inc. 2004. Airport Master Plan for Oxnard Airport. Available at: https://vcportal.ventura.org/AIRPORTS/docs/document_library/Master_Plan_OXR_2004.pdf. Accessed on February 18, 2022.

3.11 Mineral Resources

Issues:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Would the project result in the loss of availability of a known mineral resource of value to the region or state?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Discussion

a) **No Impact.** Based on a review of the City of Oxnard Background Report, the Program area includes areas designated as Mineral Resource Zone (MRZ) MRZ-2 and Non-Designated MRZ-2 Zone. The MRZ-2 Zone includes areas where there is adequate information that indicates significant mineral deposits are present. Although the Program area could include significant mineral deposits, there are no mining activities within the Program area and the existing urban development within the Program area impedes the potential to economically mine in this area. Therefore, the proposed Program would not result in the loss of availability of important mineral resources. No impacts to mineral resources would occur with the implementation of the proposed Program.

b) **No Impact.** The Program area is not designated as a locally-important mineral resource or a mineral resource recovery area (City of Oxnard, 2014). Therefore, the implementation of the Program would not impact a locally-important mineral resource recovery site.

References

City of Oxnard. 2014. City of Oxnard 2030 General Plan Map. Available at: https://www.oxnard.org/wp-content/uploads/2016/03/203020GENERAL20PLAN2030x402009.14V3-1.pdf. Accessed on February 22, 2022.

3.12 Noise

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☒	☐
b) Would the project generate or expose persons to excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) Would the project generate a substantial temporary or periodic increase in ambient noise in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) Would the project generate a substantial permanent increase in ambient noise in the project vicinity above levels existing without the project?	☐	☐	☐	☒
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?	☐	☐	☐	☒
f) Would the project expose non-human species to excessive noise?	☐	☒	☐	☐

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).

Existing noise sensitive uses in the immediate vicinity of future electronic billboard locations include residential school uses. Construction and operational activities associated with the proposed Program would result in increases in noise levels.

Future implementation of an individual electronic billboard would be required to comply with the City's noise ordinance and the applicable 2030 General Plan goals and policies. The applicable Noise Ordinance requirement and 2030 General Plan goals and policies include:

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.

Goal SH-5: A quiet and safe residential and working environment in terms of exposure to and/or generation of noise.

> **Policy SH-5.2**: Continue to enforce State Noise Insulation Standards for projects in high noise environments and require developers to comply with noise mitigation measures, designed by an acoustical engineer.
>
> **Policy SH-5.3**: Promote, where feasible, alternative sound attenuation measures such as berms, heavy landscaping, resurfacing of noise walls to promote noise absorption as well as deflection, berms and landscaping, or location of buildings away from the roadway or other noise sources.

Goal SH-6: Consideration of noise levels and impacts in the land use planning and development process.

> **Policy SH-6.1**: Provide best practices guidelines to developers for reducing potential noise impacts on surrounding land uses.
>
> **Policy SH-6.2**: Continue to limit construction activities to the hours of 7 am to 7pm, Monday through Saturday. No construction shall occur after hours, on Sundays, or national holidays without permission from the City.
>
> **Policy SH-6.3**: Require noise buffering and/or other construction treatments in development located near major streets, highways, the airport, railroad tracks, or other significant noise sources as recommended by a noise analysis.

Policy SH-6.4: Require that proposed development projects not generate more noise than that classified as "satisfactory" based on CEQA Thresholds of significance on nearby property.

Policy SH-6.5: 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.

Policy SH-6.9: 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.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the City of Oxnard Noise Ordinance and the General Plan goals and policies identified above would reduce the Program's potential noise impact on sensitive uses to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

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 distances 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.

Construction equipment generates ground vibration. Operational activities associated with the Program would generate ground vibration with vehicles traveling on roadways.

The City of Oxnard does not have vibration criteria standards; however, Caltrans has established criteria for damage of structures as shown in Table 1.

TABLE 1
CONSTRUCTION VIBRATION DAMAGE CRITERIA

	Maximum PPV (in/sec)	
Human Response	**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 effects. 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 2.

TABLE 2
HUMAN RESPONSE TO VIBRATION

	Maximum PPV (in/sec)	
Human Response	**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

Future implementation of an individual electronic billboard would be required to comply with the above vibration criteria. Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the above vibration criteria would reduce the Program's potential vibration impact to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

Long-term maintenance activities would result in periodic trucks accessing an electronic billboard site within the Program area; however, trucks accessing a site would result in nominal increases in the typical vibration levels that are experienced from daily vehicles traveling along adjacent roadways. Therefore, long-term vibration impacts associated with construction activities of an individual electronic billboard would be less than significant.

c) **Less than Significant Impact.** The implementation of the proposed Program would result in temporary and periodic increases in noise levels. As discussed above, temporary noise levels would occur during construction activities associated with an individual electronic billboard.

Future implementation of an individual electronic billboard would be required to comply with the City's noise ordinance and the applicable 2030 General Plan goals and policies. The applicable Noise Ordinance requirement and 2030 General Plan goals and policies include:

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.

Goal SH-5: A quiet and safe residential and working environment in terms of exposure to and/or generation of noise.

> **Policy SH-5.3**: Promote, where feasible, alternative sound attenuation measures such as berms, heavy landscaping, resurfacing of noise walls to promote noise absorption as well as deflection, berms and landscaping, or location of buildings away from the roadway or other noise sources.

Goal SH-6: Consideration of noise levels and impacts in the land use planning and development process.

> **Policy SH-6.1**: Provide best practices guidelines to developers for reducing potential noise impacts on surrounding land uses.
>
> **Policy SH-6.2**: Continue to limit construction activities to the hours of 7 am to 7pm, Monday through Saturday. No construction shall occur after hours, on Sundays, or national holidays without permission from the City.
>
> **Policy SH-6.3**: Require noise buffering and/or other construction treatments in development located near major streets, highways, the airport, railroad tracks, or other significant noise sources as recommended by a noise analysis.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the City of Oxnard Noise Ordinance and the General Plan goals and policies identified above would reduce the Program's potential temporary and periodic noise impacts during construction activities on sensitive uses to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

d) **No Impact.** Operation of an individual electronic billboard would not generate permanent noise. Therefore, the implementation of individual electronic billboards under the proposed Program would result in no long-term permanent noise impact.

e) **No Impact.** The proposed Program area is located approximately 2.2 miles from the Oxnard Airport, but is located 0.8 mile from the Camarillo Airport. Because the implementation of individual electronic billboards under the proposed Program would not include people residing at a proposed electronic billboard site, the Program would not expose people to excessive airport noise levels. Therefore, no impact would occur.

f) **Less than Significant with Mitigation Incorporated.** The Program area includes various trees that could provide adequate nesting opportunities for bird species. While no special-status species are expected to use the Program area, all native bird species that occur adjacent to or surrounding the Program area are protected from 'take' by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGC). Construction noise associated with the

installation of individual electronic billboards in accordance with the proposed ordinance has the potential to affect nesting birds.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goal and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policies include:

Goal SH-6: Consideration of noise levels and impacts in the land use planning and development process.

> **Policy SH-6.1**: Provide best practices guidelines to developers for reducing potential noise impacts on surrounding land uses.
>
> **Policy SH-6.2**: Continue to limit construction activities to the hours of 7 am to 7pm, Monday through Saturday. No construction shall occur after hours, on Sundays, or national holidays without permission from the City.

Compliance with the above General Plan goal and policies as well as the standards identified in the proposed Ordinance would reduce potential noise effects on nesting birds; however, potential construction noise effects could remain significant.

Mitigation Measures

The following mitigation measures are required to reduce potential noise impacts on nesting birds.

Implementation of Mitigation Measures BIO-1 and BIO-2 is required.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the applicable General Plan goal and policies and the design standards proposed within the Ordinance, and the implementation of the above mitigation measures would reduce the Program's potential construction noise effects on nesting birds to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

References

California Department of Transportation (Caltrans). 2013. *Technical Noise Supplement (TeNS)* (September 2013).

Caltrans. 2020. Transportation and Construction Vibration Guidance Manual. Available at: https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tcvgm-apr2020-a11y.pdf. Accessed on May 26, 2022.

Ventura County. 2010. Airport Master Plan Draft Final for Camarillo Airport. Available at: http://vcportal.ventura.org/AIRPORTS/docs/document_library/Camarillo_Airport_Master_Plan_(Draft_Final).pdf. Accessed on April 3, 2022.

3.13 Population, Education, and Housing

Issues:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
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?	☐	☐	☐	☒
b) Would the project induce substantial growth on the project site or surrounding area, resulting in one or more significant physical environmental effects?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
f) Would the project directly or indirect interfere with the operation of an existing or planned school?	☐	☐	☐	☒

Discussion

a) **No Impact.** The proposed Program includes the installation of individual electronic billboards within the Program area. The billboards are required to be located within any non-residential zone (City of Oxnard, 2014). The placement of an electronic billboard within a non-residential zone does not require a general plan amendment and would not increase population beyond that projected in the 2030 General Plan. Therefore, the proposed Program would result in no impact on population.

b) **No Impact.** The proposed Program includes the installation of individual electronic billboards. The operation of an electronic billboard would not result in the inducement of growth within the Program area or surrounding area because the operation would not require an onsite employee to operate the billboard.

c) **No Impact.** The implementation of individual electronic billboards would not occur on a site that currently contains housing. Therefore, the implementation of the proposed Program would result in no impact on existing housing.

d) **No Impact.** As stated above, the implementation of individual electronic billboards would occur on a site that does not contain any existing housing. Therefore, the implementation of the proposed Program would result in no impact on existing housing, including existing affordable housing units.

e) **No Impact.** Because the proposed Program would not result in new housing or employment opportunities, the implementation of the Program would not impact enrollment at local public schools.

f) **No Impact.** The nearest existing schools to the Program area are the Rio Real Elementary School located northwest of the U.S. 101 and Rose/Santa Clara Avenue interchange (approximately 350 feet) and the Rio Linda Elementary School located southeast of the U.S. 101 and Rose/Santa Clara Avenue interchange (approximately 550 feet). The installation of the electronic billboards would not directly or indirectly interfere with the operation of an existing or planned school because an individual billboard would not be located within the school boundaries and would only require periodic maintenance activities that would not impact access to the schools. Therefore, the proposed Program would not impact the operation of schools.

References

City of Oxnard. 2014. City of Oxnard 2030 General Plan Map. Available at: https://www.oxnard.org/wp-content/uploads/2016/03/203020GENERAL20PLAN2030x402009.14V3-1.pdf. Accessed on February 28, 2022.

3.14 Public Services and Recreation

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Discussion

a) **No Impact.** The operation of individual electronic billboards under the proposed Program would add a structure at each site location that would be served by the City of Oxnard Fire Department. Station 7 is located approximately 1.6 miles from the far western portion of the Program area and Station 5 is located approximately 3 miles from the far eastern portion of the Program area (City of Oxnard, 2022a). No employees would be located at each of the individual electronic billboard sites, and therefore, the addition of the proposed billboards would not require the addition of a new fire station or modifications to an existing fire station to serve the individual sites. Therefore, the proposed Program would have no impact on fire protection services.

b) **No Impact.** The Program area is located approximately 3 to 9 miles from the City of Oxnard Police Department and located within Neighborhood Policing Beats 12 and 14 (City of Oxnard, 2022b). The proposed Program includes electronic billboards that would not result in a demand for police protection services because there are no employees that would be located on each individual site. Therefore, the proposed Program would have no impact on police protection services.

c) **No Impact.** The proposed Program would not generate employees and would not increase the use of existing park facilities. Therefore, the Program would not result in the physical deterioration of existing park facilities.

d) **No Impact.** The proposed Program would not generate employees and would not increase the use of existing libraries or other community facilities. Therefore, the Program would not impact libraries or community facilities.

References

City of Oxnard. 2022a. City of Oxnard Fire Department, Fire Station Locations. Available at: https://www.oxnard.org/fire-station-locations-fire-department/. Accessed on February 28, 2022.

City of Oxnard. 2022b. 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 28, 2022.

3.15 Transportation and Circulation

Issues:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☐	☒
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)?	☐	☐	☒	☐
d) Would the project result in inadequate emergency access?	☐	☐	☐	☒

Discussion

a) **Less than Significant Impact.** Construction of individual electronic billboards under the proposed Program would generate a nominal number of construction vehicle trips for the activities to place an electronic billboard on an individual site. This nominal number of trips would not conflict with the circulation system and result in less than significant impacts. In addition, long-term activities associated with the proposed Program include periodic visits to each individual electronic billboard site for maintenance. These periodic visits would also result in less than significant impacts to the surrounding circulation system.

b) **No Impact.** The proposed Program would include periodic maintenance vehicle trips to each individual electronic billboard site and would not require daily vehicle trips to each site for operation of the electronic billboard. Therefore, the Program would have no impact on vehicle miles traveled.

c) **Less than Significant Impact.** The proposed Program includes the placement of individual electronic billboards adjacent to U.S. 101. The proposed billboards would be oriented for viewing primarily from U.S. 101. The proposed billboards are required to comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5. The individual billboards would include different images, and in accordance with the Ordinance standards, each image will be displayed for at least eight seconds and the images would not move or present the appearance of motion and would not flash or blink or any other means that does not provide a constant illumination. These features associated with each individual electronic billboard would not substantially increase hazards to drivers along U.S. 101 and less than significant impacts would occur.

d) **No Impact.** The implementation of electronic billboards under the proposed Program would not cause inadequate emergency access in the Program area vicinity because the placement of the electronic signs does not include changes to the roadway network, and there would be

no employees at each of the electronic billboard sites. Therefore, the Program would not impact access.

References

No references.

3.16 Utilities and Energy

Issues:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Would the project need new or expanded water supply entitlements that are not anticipated in the current Urban Water Management Plan?	☐	☐	☐	☒
b) Would the project require additional wastewater conveyance or treatment capacity to serve project demand and existing commitments?	☐	☐	☐	☒
c) Would the project generate solid waste that would exceed the permitted capacity of a landfill serving the City?	☐	☐	☐	☒
d) Would the project conflict with federal, state, or local statutes or regulations related to solid waste?	☐	☐	☐	☒
e) Would the project involve wasteful, inefficient, or unnecessary consumption of energy during project construction, operation, maintenance, and/or removal?	☐	☐	☒	☐
f) Would the project require additional energy facilities, the provision of which may have a significant effect on the environment?	☐	☐	☐	☒
g) Would the project be inconsistent with existing energy standards?	☐	☐	☒	☐
h) Would the project preempt future energy development or future energy conservation, or inhibit the future use of renewable energy or energy storage?	☐	☐	☐	☒

Discussion

a) **No Impact**. The operational activities associated with electronic billboards implemented in accordance with the proposed Program would not require the use of water, and therefore, the Program would not require new or expanded water supply entitlements. Therefore, the Program would have no impact.

b) **No Impact.** The proposed Program would not result in wastewater generation, and therefore would not result in a need for wastewater treatment. Therefore, the Program would not impact the capacity of the existing wastewater treatment facilities servicing the City of Oxnard.

c) **No Impact**. The proposed electronic billboards installed in accordance with the proposed Program would not include any employees and would not generate solid waste. Temporary construction waste would be hauled off site in accordance with all Federal, State, and local regulations. The Program would not exceed current permitted capacities of landfills because the Program would not generate operational waste. As such, the proposed Program would have no impact.

d) **No Impact.** As discussed above, temporary construction waste would be generated during installation of individual electronic billboards under the proposed Program. However, the construction waste would be hauled off site in accordance with all Federal, State, and local regulations, and therefore, would not conflict with these regulations.

e) **Less than Significant Impact**. Individual electronic billboards implemented under the proposed Program would consume energy during construction activities, primarily from on- and off-road vehicle fuel consumption in the form of diesel and gasoline, necessary to install a typical billboard.

Operations of the individual electronic billboards under the proposed Program would consume energy in the form of purchased electricity to power the lighting. Electricity in the region (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 has already met its requirement to procure at least 33 percent of its energy portfolio from renewable sources by 2020 with approximately 33.1 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 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.

Future implementation of an individual electronic billboard would be required to comply with State law, the applicable 2030 General Plan goal and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policies include:

Goal ICS-17: Adequate and efficient public utilities that meet the needs of residents of the City.

> **Policy ICS-17.1:** Ensure that electric facilities (such as the Southern California Edison generating facilities located within the City) services and facilities are built in accordance with the California Public Utilities Commission and meet demonstrated need and incorporate feasible solar, wind, and other renewable sources of energy.
>
> **Policy ICS-17.4:** Coordinate with gas and electricity providers for the extension of gas and electrical facilities.
>
> **Policy ICS-17.5:** Require undergrounding of utility lines in new development, except where it is not feasible due to electrical transmission load or other operational issues.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with State law and the General Plan goal and policies identified above would reduce the Program's potential energy impact so that the Program would not involve wasteful, inefficient, or unnecessary consumption of energy and result in a less than significant energy impact. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

f) **No Impact.** Implementation of individual electronic billboards under the proposed Program would not require additional energy facilities, beyond potential extensions of electricity lines to nearby existing electricity lines, to serve the proposed Program. Therefore, the Program would result in no impact.

g) **Less than Significant Impact.** Construction and operational activities associated with the implementation of the proposed Program would utilize energy in the forms of electricity for lighting of the individual electronic billboards and fuel for construction and long-term maintenance vehicles.

Future implementation of an individual electronic billboard would be required to comply with State law, the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goals and policies include:

Goal SC-3: Energy efficiency performance standards and generation from renewable sources.

Policy SC-3.6: As part of the City EAP, meet or exceed state targets for zero-emission fuel vehicle miles traveled within the City by supporting the use of zero-emission vehicles (low speed "neighborhood electric vehicles", utility low-range battery electric vehicles, mid-range "city electric vehicles", full function battery electric vehicles, and fuel cell vehicles) within City departments and divisions.

Policy SC-3.8: As part of the City and Community EAP's, require the use of passive energy conservation by building material massing, orientation, landscape shading, materials, and other techniques as part of the design of local buildings, where feasible.

Policy SC-3.9: Promote voluntary participation in incentive programs to increase the use of solar photovoltaic systems in new and existing residential, commercial, institutional and public buildings, including continued participation in the Ventura County Regional Energy Alliance (VCREA).

Goal SC-4: Implementation of the California Green Building Code.

Policy SC-4.1: Implement the 2010 California Green Building Code (CALGREEN) and consider recommending and/or requiring certain developments to incorporate Tier I and Tier II voluntary standards under certain conditions to be developed by the Development Services Director.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with State law and the General Plan goals and policies identified above would reduce the Program's potential energy impact and would result in consistency with existing energy standards. Less than significant impacts related to energy standards would result with the implementation of

the proposed Program. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

h) **No Impact.** The implementation of electronic billboards under the proposed Program would not preempt energy development or future energy conservation, or inhibit the future use of renewable energy or energy storage due to the individual electronic billboard's limited use of energy resources.

References

Southern California Edison. 2020, 2020 Power Content Label, Southern California Edison.

3.17 Wildfire

Issues:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐

Discussion

a - d) **Less than Significant Impact.** Individual electronic billboards installed under the proposed Program would be located along U.S. 101 within the City of Oxnard. Based on a review of the fire hazards severity zones prepared as part of the CalFire fire and resource assessment program, the Program area is not located within or near an area that is designated as a very high fire hazard severity zone (VHFHSZ) (Calfire, 2020). The nearest VHFHSZ designated in a Local Responsibility Area and within a State Responsibility Area is approximately 3 miles northeast of the easternmost portion of the Program area. Due to the distance from a VHFHSZ, the implementation of the individual electronic billboards under the proposed Program would result in less than significant impacts related to wildfires.

References

CalFire. 2020. FHSZ Viewer. Available at: egis.fire.ca.gov/FHSZ/. Accessed on March 2, 2022.

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?	☐	☒	☐	☐
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)?	☐	☒	☐	☐
c) Would the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Discussion

a) **Less than Significant with Mitigation Incorporated.** The implementation of the Program could cause impacts to sensitive vegetation communities and sensitive wildlife as well as nesting birds. The implementation of Mitigation Measures AES-1 through AES-3, BIO-1 and BIO-2 would reduce these potential impacts to biological resources to less than significant. In addition, the proposed Program could result in significant impacts to historic, archaeological, and tribal cultural resources. The implementation of Mitigation Measures CUL-1 and CUL-3 would reduce these potential resource impacts to less than significant.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, 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 Program's potential impact on wildlife species and cultural and tribal cultural resources to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

b) **Less than Significant with Mitigation Incorporated.** The potential for cumulative impacts occur when the impacts of a project are combined with impacts from related development projects and result in impacts that are greater than the impacts of a project alone. Because the proposed Program could be implemented over many years, it is reasonable to use growth projected for the City of Oxnard. According to the U.S. Census Bureau, the City had a population of 202,063 people and 51,020 housing units in 2020 (U.S. Census Bureau, 2020). According to the Southern California Association of Governments (SCAG), the City of

Oxnard had a projected amount of 64,000 employment opportunities (SCAG, 2012). According to the current SCAG growth projections, the City of Oxnard is projected to have 237,300 people, 60,100 housing units, and 79,200 employment opportunities (SCAG, 2016). Based on these socioeconomic estimates, the projected cumulative growth to occur within the City between 2020 and 2040 is estimated to be 35,237 people, 9,080 housing units, and 15,200 employment opportunities.

This cumulative growth within the City could result in significant cumulative impacts in a number of environmental issue areas. The proposed Program could result in potential significant impacts prior to the implementation of mitigation measures related to five environmental issues including aesthetics (lighting), air quality, biological resources, cultural resources and tribal cultural resources, and noise.

Mitigation Measures

Implementation of Mitigation Measures AES-1, AES-2, AES-3, AQ-1, BIO-1, BIO-2, CUL-1, CUL-2, and CUL-3 is required.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with State law and the General Plan goals and policies identified within Sections 3.1 (Aesthetics and Urban Design), 3.3 (Air Quality), 3.4 (Biological Resources, 3.6 (Cultural Resources and Tribal Cultural Resources), and 3.12 (Noise) above and the implementation of the mitigation measures above would reduce the Program's potential cumulative impact to less than cumulatively considerable. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

c) **Less than Significant.** The implementation of the proposed Program would result in increases in ambient noise levels during construction activities associated with individual electronic billboards that could impact human beings.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the City of Oxnard Noise Ordinance and the General Plan goals and policies identified in Section 3.12 (Noise) above would reduce the Program's potential noise impact on human beings to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

References

Southern California Association of Governments. 2012. 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy. Available at: https://www.mwdh2o.com/media/19239/appendix-growth-forecast.pdf. Accessed on April 3, 2022.

Southern California Association of Governments. 2016. 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy. Available at: https://scag.ca.gov/sites/main/files/file-attachments/f2016rtpscs_demographicsgrowthforecast.pdf?1606073557. Accessed on April 3, 2022.

U.S. Census Bureau. 2020. QuickFacts for Oxnard City, California. Available at: https://www.census.gov/quickfacts/oxnardcitycalifornia. Accessed on April 3, 2022.

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Appendix A

Freeway Adjacent Digital Display Billboards Draft Ordinance

ESA

DRAFT dated 10-7-2020
City of Oxnard
Freeway Adjacent Digital Display Billboards DRAFT Ordinance

Section I. The following definitions in Section 16-596(A) of Division 1 of Article IX of the Oxnard City Code are hereby added or amended to read as follows (new text underlined; deletions in red strikethrough):

~~FLASHING SIGN~~ ANIMATED SIGN – Any sign ~~containing or illuminated by lights which are intermittently on and off, change in intensity, or create the illusion of flashing in any manner.~~ designed to attract attention through movement or the semblance of movement of the whole or any part, including, but not limited to, signs which swing, twirl, revolve, move back and forth or up and down; or signs which can change color or shades of color; or any other method or device which suggests movement, but not including flags, banner signs, or Freeway Adjacent Digital Display Billboards.

DIGITAL DISPLAY - A sign face that displays images through the use of grid lights, cathode-ray projections, light-emitting diodes (LEDs), plasma screens, liquid-crystal displays (LCDs), fiber optics, or other electronic media or functionally equivalent technology.

FREEWAY ADJACENT DIGITAL DISPLAY BILLBOARD - A pole sign or changeable message sign, which features a Digital Display, erected and/or maintained for advertising, in whole or in part, a business, activity, service or product not sold or produced on the premises upon which the sign is placed, which is located in any parcel in a commercial, industrial, or public facilities zone within four hundred (400) feet of the freeway right-of-way for US Highway 101. This definition does not include an Outdoor Advertising Sign.

OUTDOOR ADVERTISING SIGN - Any sign painted on or affixed to any structure, or erected as a free-standing sign, which advertises a person, product or service not located on the same parcel of record as the sign. This definition includes such terms as “off-site sign” and “non-accessory sign.” This definition does not include subdivision tract directional signs. This definition does not include a Freeway Adjacent Digital Display Billboard.

Section II. Section 16-608, subsection (G) of the Oxnard City Code is hereby amended to read as follows (new text underlined; deletions in red strikethrough):

SEC. 16-608. SIGNS IN GENERAL COMMERCIAL AND INDUSTRIAL ZONES.

Only the following signs are permitted in the C-2, C-P-D, CBD, C-M, M-L, M-1, M-2, BRP and M-P-D zones, with or without planned development additive zones:

[. . .]

(G) Off-site advertising signs with no Digital Displays, also known as Outdoor Advertising Signs~~billboards and outdoor advertising~~, where conditionally permitted by this ~~chapter~~ Article IX, may be approved, subject to the ~~following provisions~~ requirements below. This subsection (G) does not apply to Freeway Adjacent Digital Display Billboards, which are governed by Section 16-609.

[. . .]

(K) Freeway Adjacent Digital Display Billboards shall be permitted as provided in Section 16-609.

Section III. Section 16-609 of Division 3, of Article IX of the Oxnard City Code is hereby added to read as follows (new text underlined):

SEC. 16-609. FREEWAY ADJACENT DIGITAL DISPLAY BILLBOARDS.

(A) Before a Freeway Adjacent Digital Display Billboard may be installed within the City, the applicant must first obtain a Special Use Permit (SUP) granted in accordance with Sections 16-530 to 16-553 and enter into a statutory Development Agreement with the City that addresses the terms and conditions of any approved Freeway Adjacent Digital Display Billboard, including but not limited to message cycling, light intensity, and any annual payments, if any, to be paid to the City. Both the SUP and the Development Agreement are subject to the approval of the City Council, following a recommendation by the Commission.

(B) In addition to the findings required by the Oxnard City Code for granting a SUP, Freeway Adjacent Digital Display Billboards approved pursuant to this Section 16-609 shall be subject to the following limitations:

1. **Location**.

   A. Freeway Adjacent Digital Display Billboards may only be erected on City of Oxnard owned property or Right of Way, in any non-residential zones located within four hundred (400) feet of the freeway right-of-way for US Highway 101.

2. **Distance from residential uses**. No Freeway Adjacent Digital Display Billboard may be placed at a distance of less than 100 feet from the property line of any residentially zoned parcel, as measured from the border of the Digital Display billboard face, or the base of the digital display billboard structure, whichever is closest to the residentially zoned parcel.

3. **Height**. The maximum height of any Freeway Adjacent Digital Display Billboard shall not exceed fifty-five (55) feet as measured from the pavement level of US Highway 101 to the bottom of the digital display.

4. **Size and Spacing**. The maximum size of each Freeway Adjacent Digital Display Billboard face display area shall be Fourteen (14) feet in height and forty-eight (48) feet in width, with the area of each face not to exceed an overall maximum amount of eight hundred and fifty (850) square feet, including border and trim. Each Freeway Adjacent Digital Display Billboard shall be separated from every other Freeway Adjacent Digital Display Billboard by at least 2,000 feet.

5. **Design.** All freeway adjacent digital display billboards shall either be double faced or include covered backs or facings. All interior equipment shall be screened from public view.

6. **Orientation**. Each Freeway Adjacent Digital Display Billboard must be oriented primarily for viewing from the adjacent freeway.

7. **Brightness**. All Freeway Adjacent Digital Display Billboards will not exceed 0.3 foot-candles over ambient levels at a distance of 250 feet in any direction. Illuminance can be measured by using a foot-candle meter held at a height of approximately five feet and aimed toward a sign consistent with the sign-to-viewer distance. All Freeway Adjacent Digital Display Billboards shall comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5.

8. **Display cycle**. A Freeway Adjacent Digital Display Billboard may show a series of still images, each displayed for at least eight (8) seconds. The still images may not move or present the appearance of motion and may not use flashing or blinking lights or any other means not providing constant illumination. Transition or blank screen time between one still image and the next may not exceed one (1) second.

9. **Compliance with law**. The owner of the Freeway Adjacent Digital Display Billboard must comply with all applicable federal, state, and local laws, including the Highway Beautification Act of 1965 (23 United States Code Section 131), the Outdoor Advertising Act (California Business and Professions Code Section 5200 *et seq*.), and this Article IX, when constructing, operating, improving, maintaining, repairing, and removing the Freeway Adjacent Digital Display Billboard.

10. **Required Finding of Public benefit**. In approving a Development Agreement for any Freeway Adjacent Digital Display Billboard, the City Council must find that the Development Agreement will confer substantial public benefit to the City and to the general public. Such public benefits may include, without limitation, the removal of legal non-conforming billboards, advertising of City events and public service announcements, and/or annual financial contributions to the City.

11. **Required Findings**. In addition to the finding required for granting a SUP under section 16-531, in approving a Special Use Permit for a Freeway Adjacent Digital Display Billboard, the decision maker must also find that it:

    a. Complies with the requirements of Section 16-609 and this Chapter;

    b. Will not create a significant traffic or other public safety hazard;

c. Will be of appropriate size, scale, and design for the area in which it will be located; and

d. Will be of high quality in appearance, design, and construction, and will be subject to conditions, as appropriate, governing its design and operation.

Section IV. Section 16-610 of Division 4, of Article IX of the Oxnard City Code is hereby amended to read as follows (new text underlined; deletions in red strikethrough):

SEC. 16-610. GENERAL RESTRICTIONS.

(A) General requirements and limitations for signs in all zones, except Freeway Adjacent Digital Display Billboards which are governed exclusively by Section 16-609, are as follows: [. . .]

Appendix B

Assembly Bill 52 Native American Notification

ESA

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
214 SOUTH C STREET
OXNARD, CALIFORNIA 93030
(805)385-7858
Fax (805) 385-7417

CITY OF OXNARD CALIFORNIA

November 23, 2021

Julie Tumamait-Stenslie, Chairperson
Barbareño/Ventureño Band of Mission Indians
365 North Poli Avenue
Ojai, California 93023

RE: Tribal Cultural Resources under the California Environmental Quality Act, AB 52 (Gatto, 2014). Formal Notification of determination that a Project Application is Complete or Decision to Undertake a Project, and Notification of Consultation Opportunity, pursuant to Public Resources Code § 21080.3.1 (hereafter PRC).

Dear Chairperson Tumamait-Stenslie

The City of Oxnard has decided to undertake the following project: Oxnard Freeway Oriented Electronic Billboards Ordinance.

Below please find a description of the proposed project, a map showing the project location, and the name of our project point of contact, pursuant to PRC § 21080.3.1 (d).

The City of Oxnard (City) is preparing an Initial Study-Mitigated Negative Declaration (IS-MND) for an Ordinance Amendment to Chapter 16 of Oxnard City Code (Amendment). The Amendment will create standards for the development of Freeway Oriented Electronic Billboards within the City (project). The Amendment will also identify processing requirements for newly proposed Freeway Oriented Electronic Billboards within the City. The new ordinance will apply city wide. The project is subject to the California Environmental Quality Act (CEQA) and the City of Oxnard is the lead agency under CEQA.

The proposed project must comply with California Public Resources Code § 21080.3.1 (Assembly Bill [AB] 52 of 2014), which requires local governments to conduct meaningful consultation with California Native American tribes that have requested to be notified by CEQA lead agencies of proposed projects in the geographic area with which the tribe is traditionally and culturally affiliated.

Your tribe's input is important to the City's planning process. We request that you advise us as early as possible if you wish to consult on the proposed project. Pursuant to PRC § 21080.3.1 (b), you have 30 days from the receipt of this letter to request consultation, in writing, with the City of Oxnard. If you

require any additional information or have any questions, please contact me 805-385-8272 or via e-mail at Joe.Pearson@oxnard.org. Thank you for your assistance.

Very Respectfully,

Joe Pearson II, AICP | Senior Planner
Community Development Department
City of Oxnard